

# RDOS Environmentally Sensitive Development Permit Areas Update

## In a Snapshot

Environmentally Sensitive Development Permit (ESDP) Areas are areas of land that have been designated under Section 919.1(a) of the *Local Government Act* for the purpose of protecting the natural environment, its ecosystems and biological diversity. These areas are included in the Official Community Plan Bylaws.

With the acceptance of the Biodiversity Conservation Strategy, *Keeping Nature in Our Future* by the RDOS Board in 2013, RDOS with the help of SOSCP, undertook the first broad review of existing Okanagan Electoral Area Official Community Plan (OCP) Bylaw guidelines and mapping since they were first designated in 1997.

Since the first ESDPA designation 17 years ago, the RDOS has issued thousands of Building Permits, but only 26 Environmentally Sensitive Development Permits, despite a large area designated OCP's. This is mostly due to the broad exemptions for residential development established by the Board in the first iteration of ESDPAs. This is not seen as meeting the Board's objective of minimizing impact of development on the natural environment.

In order to address this, a number of major changes are being proposed which would refocus ESDP Areas:

### What's new?

- Maps of environmentally sensitive areas have been updated based on best available information.
- Crown Lands and farm uses in the ALR are exempt from ESDPA designation because the RDOS cannot regulate them. Important ecosystems remain "flagged" on the map to inform referral responses.
- Private lands that are already zoned as low, medium and high density residential are also outside the ESDPA area (unless important features are present) as they are mostly small parcel sizes that are largely disturbed by use and development and ESDPA effectiveness is limited.
- Applications for residential Building Permits are no longer exempt.<sup>1</sup> For proposals that exceed 50 m<sup>2</sup> or are related to the construction of a new residential structure, a new "Rapid Environmental Assessment" (REA) option is being proposed.
- Updated policies and guidelines to reflect current practices and legislative requirements.

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<sup>1</sup> Except in the case of a one-time exemption of 50 m<sup>2</sup> for an alteration or addition to an existing structure provided a completed Building Permit application has been accepted by the Regional District.

- Wording related to the natural environmental values of the Okanagan is standardized across Okanagan Electoral Area OCPs in two sections entitled “Parks, Recreation & Trails” and “Natural Environment & Conservation”.
- Amendment to the current exemption for subdivisions so that it applies to consolidations and lot line adjustments where no new parcels are being created.
- Updated Terms of Reference (ToR) for Professional Reports, which describe the requirements for technical and professional reports prepared in support of an ESDP application.
- Environmental assessment reports are to be prepared by a qualified environmental professional (QEP) who is a Registered Professional Biologist (RPBio) or a team that includes an RPBio;
- Provision that the Regional District be able to require a third party review of a QEPs assessment.
- On properties where permit area designations overlap, combined assessment of environmental values through the issuance of a single permit (rather than separate Environmentally Sensitive and Watercourse Development Permits).

The RDOS is looking for feedback on these proposed changes.

Further reference material is provided on the RDOS site [here](#)

Residents wishing to submit feedback on the proposed changes to the ESDP Area designation are encouraged to complete the following form: **Feedback Form**

Feedback may also be submitted by email to: [planning@rdos.bc.ca](mailto:planning@rdos.bc.ca)

