





Kimberley
Official Community Plan

KIMBERLEY

Prepared for:

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1.0 INTRODUCTION

Kimberley's story follows the adaptation and evolution of the community from a successful mining town into a unique mountain lifestyle community. The community has been in the process of reinventing itself since the announcement of the planned closure of the Sullivan Mine, which operated from 1909 to 2001. With an abundance of natural beauty and exceptional recreational amenities Kimberley is now focused on the development of a diverse economy while maintaining a healthy environment.

Kimberley offers an exceptional quality of life combining a distinctive ~~small~~ mountain town character, friendly people, affordable living, accessible amenities and beautiful natural surroundings that make it an increasingly desirable place to live, work, visit and play. As a result, the future challenge is to identify mechanisms to maintain the quality of life while defining opportunities to accommodate growth and redevelopment that will encourage a prosperous local economy.

The community has identified the desire to diversify the economy, but not to the detriment of the visitor experience or the quality of life of its residents. The ability to adapt to the changing fabric of the community has been possible because of the community's appreciation of their quality of life and willingness to share it with others; as a result, the community is proactively defining its future.

Purpose of the Official Community Plan

The Province of British Columbia's *Local Government Act* (LGA) enables municipalities to have Official Community Plans (OCP). The LGA defines an OCP as a general statement of objectives and policies to guide planning and land use. The LGA also states that the OCP must include consideration of regional context to ensure that local objectives and values coordinate with regional goals and directions.

1.1

Planning helps us to anticipate and address future community needs, it provides us with insight so that we may predict and prepare for the future, and it establishes goals, objectives and strategies to guide and manage change. The OCP is intended to be a high-level tool available to municipal governments to chart a course for the future.

The plan is a guide for residents, property owners, businesses and governments that may be contemplating development, land use changes, and/or constructing infrastructure in Kimberley. Once the plan is adopted, all decisions made by the City must be consistent with the Plan, including, but not limited to decisions about development approval, community services and capital spending. It will also guide other levels of government regarding issues that are beyond the jurisdiction of the City. In this way, the Plan provides predictability and clarity for residents, businesses, neighbouring municipalities, as well as other levels of government.

The policies of the Plan are meant to balance the demands placed on the land base to ensure an equitable, comprehensive, and logical distribution of land uses. Policies are often implemented on a long-term basis, generally over a 20 to 25 year period. Therefore, the OCP provides a basis for the following actions:

- The adoption or amendment of land use regulations.
- The direction of public and private investment.
- The guidance of elected officials, and others having statutory approval authority, in the evaluation of proposals, referrals, and amendment of bylaws.
- Bringing the City into compliance with provincial regulations, such as the *Riparian Areas Regulation* and the greenhouse gas management requirements of the *Local Government Act* (LGA).

1.2

Why Update the Plan?

~~It is recommended that municipalities review their OCP at least every five to seven years so that they remain current.~~ Kimberley's ~~last~~ OCP was adopted in ~~2005~~February 2018. The numerous elements of change that Kimberley has faced since that time has necessitated an update to the plan and policies, primarily those related to growth and land use. ~~In t~~The process of reviewing the current OCP was initiated as a requirement of the Provincial Housing Statutes (Residential Development) Amendment Act (Bill 44) for municipalities to update their official community plan and zoning bylaws to ensure planning for adequate housing is undertaken. The City's housing needs have been identified in the 2024 City of Kimberley Interim Housing Needs Report, which includes methodology for calculating housing need mandated by the Housing Statutes Amendment Act. An update of the Housing Needs Report and Official Community Plan will be required every 5 years moving forward as a requirement of the Housing Statutes Amendment Act.

~~a broad range of planning issues were identified by the community, City staff and Council to be addressed through the update.~~

Securing Kimberley's vision for the future requires a collective appreciation of community values and assets and a desire to protect and enhance them for future generations. Therefore, the process of updating the OCP involves revising and creating new strategies, policies and actions, with comprehensive input from the community, so the updated directions reflect current, and anticipate future, local needs, vision and values. The objectives and policies set out in this OCP will guide Council's decisions on a wide range of issues.

The community plan outlines Kimberley's land use goals, objectives and policies for the next 25 years and how these will be implemented. Therefore, the OCP's strategies will be linked to various courses of action to ensure that Kimberley will meet its goals and continue as "a good place to be".

A Guide for Decision Making

1.3 The objectives and policies of the OCP guide planning and land use decisions and provide stability and predictability. The plan also helps to integrate decisions on land use, transportation, the environment, community facilities and social and economic planning into a broad municipal strategy. Therefore, this document is a statement of Council's general intent with respect to matters directly under local jurisdiction. Council is also committed to collaborating with First Nations and local governments in our region to ensure that our local objectives align with their goals and the overall regional context. The vision, priorities and objectives outlined in the plan are the framework. The policies and actions are the strategies to achieve the objectives and ultimately move us toward the community's shared vision for the future.

1.4

Administration

In British Columbia, municipalities have the authority to adopt OCPs through Part 14 of the *Local Government Act* (LGA). This legislation stipulates what can and must be included in an Official Community Plan, as well as adoption procedures. This OCP for Kimberley has been prepared in compliance with this legislation. Amendments can and should be made to respond to the community as it evolves. Any amendments to the plan require public notice and a public hearing.

The following section provides an overview of the administrative considerations for implementing the OCP. They are as follows:

This OCP comes into effect as of the date of formal adoption by the Kimberley's City Council.

This Plan will be reviewed on a regular basis so that the document continues to accurately reflect the long-range planning objectives of the City and it is recommended that the Plan undergo a comprehensive review every five to seven years.

Although the OCP cannot commit the Council to specific expenditures, the Council cannot enact bylaws or undertake works that are contrary to it without amending the Plan.

No one Goal, Objective or Policy contained within this Plan should be read in isolation from the others to imply a particular action or consequence.



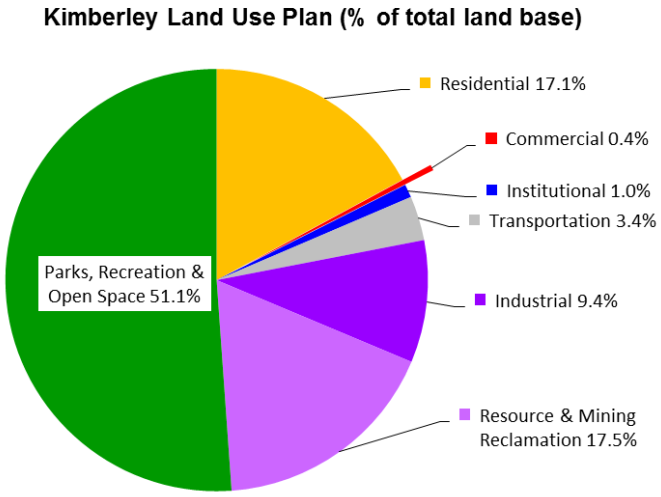
2.0 CONTEXT

Land Base

2.1

Building a complete community requires space to live, work and play, which involves managing land uses to allow for a wide range of residential, commercial, employment and recreational activities.

The City of Kimberley municipal boundary covers over 61km^2 (more than 15,000 acres). Consistent with our community values, more than half of the land base is designated for parks, open space and recreational uses including large segments such as the Kimberley Nature Park, Kimberley Nordic Centre, three golf courses and Kimberley Alpine Resort. More than 17% of the total land base is designated for current and future residential use. Lands designated for commercial and industrial uses make up approximately 10%.

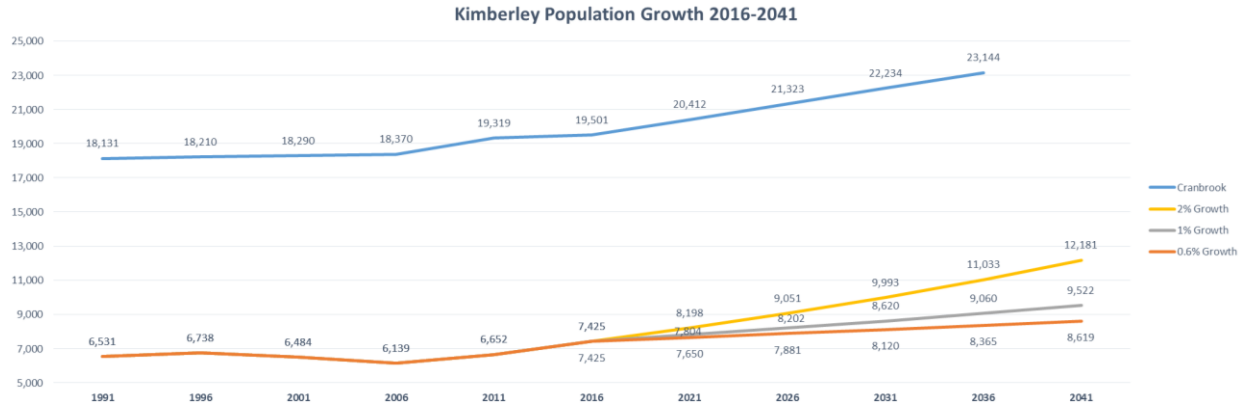


Reclaimed mining lands that are largely unavailable for redevelopment or other economically productive uses represent about 17%. Lands designated for institutional represent about 1% of the land base. Finally, nearly 3.5% of the land base is dedicated for the road transportation network and is not available for other development.

Future Growth

2.2

Kimberley has undergone several fluctuations in population over the last ~~two~~ three decades. The population faced a -8.9% population decline between 1996 and 2006 due in large part to the closure of the Sullivan Mine in 2001. This trend has since reversed with the community growing at 8.4% or approximately 1.7% annually between 2006 and 2011, ~~and~~ at 11.6% or approximately 2.3% annually between 2011 and 2016, and at 9.2% or approximately 1.8% annually between 2016 and 2021. The anticipated growth between 2021 and 2026, based on BC Statistics population estimates and projections is 15.4% or approximately 3.1% annually.



Based on recent trends and BC Statistics estimated 2024 population of 9018, a moderate level of annual growth of around ~~0.6~~2% or about ~~1,200~~3,066 people, is anticipated over the next ~~25~~17 years, or to the end of the scope of this plan in 2041. ~~This reflects the average growth trend from the last 25 years.~~ An average of ~~20 to 25~~ 84 to 98 new dwelling units per year will be needed to accommodate the anticipated population growth. Most of this residential growth can be accommodated utilizing existing infrastructure capacity in and near existing neighbourhoods through infill and redevelopment. Approximately 35% of the lands designated for future residential development are large vacant parcels that will require expansion of utilities and roads.

Although the commercial land base is relatively small, a significant portion is underutilized, unimproved or aged and in need of significant retrofit. Substantial commercial growth can be accommodated through infill and redevelopment of existing properties and would benefit from utilizing existing infrastructure capacity. Most of the land base designated for industrial is underutilized or unimproved and can accommodate significant new growth.

It should also be understood that Kimberley, as a resort community, maintains a significant number of residential properties that serve primarily recreational purposes and are only occupied seasonally. The demand for seasonal properties in Kimberley continues to grow with the current census showing the number of residential units being constructed out pacing population growth. The 20~~16~~21 census revealed that ~~78.8~~84.3% of private dwellings were occupied by their usual resident(s).* ~~Which, when compared to previous census years reveals a trend of an increasing proportion of private dwellings that were not occupied by their usual resident(s).~~ Between ~~2006~~ 2016 and 202~~116~~ the total number of dwelling units not occupied by usual residents grew, but the percentage of private dwellings that were not occupied by their usual resident(s) ~~in~~decreased by ~~9.0~~2.6% from ~~12.2% to~~ 21.2% to 18.6% (~~-~~0.~~95~~% per year) as the number of residences occupied by usual residents grew at a faster pace. This statistical change alludes to the presence of a growing 'shadow population' that owns recreation properties in Kimberley but are not full-time residents. The ~~presence of this~~decrease in ~~growing~~ 'shadow population' ~~has substantial implications for future planning and development in Kimberley~~as a percentage of all housing indicates a trend wherein tourism growth has persisted but become secondary to permanent population growth.

The City of Kimberley 2024 Interim Housing Needs Report provides estimated number of residential units for 5, 10 and 20 year outlooks according to meet housing needs across six core components. An update of the Housing Needs Report and Official Community Plan will be required every 5 years moving forward, ensuring accommodations are made to realize the number of units needed in both five and ten year time frames.

COMPONENT	DETAIL	5-YEAR 2022-2026	10-YEAR 2022-2031	20-YEAR 2022-2041
A	Extreme Core Housing Need	18.4	36.7	73.5
B	Persons Experiencing Homelessness	15.1	22.6	30.1
C	Suppressed Household Formation	34.9	69.8	139.7
D	Anticipated Household Growth	398.6	670.0	1,156.9
E	Rental Vacancy Rate Adjustment	3.3	6.6	13.1
F	Demand Factor	73.3	146.6	293.2
	Total	**544**	**952**	**1,706**

*A private dwelling occupied by usual residents refers to a private dwelling in which a person or a group of persons is permanently residing. Also included are private dwellings whose usual residents are temporarily absent on May 11, 2021. ~~Private dwellings occupied by usual residents refer to *"a private dwelling in which a person or a group of persons is permanently residing. Also included are private dwellings whose usual residents are temporarily absent on May 10, 2016"*~~ (StatCan, 20~~17~~22)



3.0 COMMUNITY VISION AND PRIORITIES

3.1

Our Vision

Kimberley is a unique mountain community that is highly valued by residents and visitors for its strong social networks, inclusive housing options, vibrant cultural scene, diverse local economy, exceptional recreational amenities, and interconnected with a healthy and resilient natural environment.

3.2

Our Priorities

These five overarching priorities help describe our vision and key values to support a successful future for our community:

ENRICHING COMMUNITY LIFE

Kimberley is a safe and welcoming community with a strong sense of place and high quality of life. Community members are socially active, value healthy living and enjoy access to diverse arts and culture programming, recreation and education opportunities, a robust and diverse housing stock and resilient infrastructure systems.

Enhancing the Visitor Experience

Visitors to Kimberley enjoy an increasingly wide range of authentic and memorable experiences that respect, celebrate and build upon our rich heritage, beautiful surroundings, and distinctive character. Community members, businesses and organizations cooperate to deliver unique services, activities and programs that attract visitors in all seasons and convert new visitors to repeat customers and new residents.

Ensuring Economic Resiliency

Shaped by a culture of innovation, imagination, hard work and hometown pride, Kimberley's economy is robust and diversified allowing businesses to develop and thrive offering unique products and services to both locals and visitors. Supported by efficient reliable infrastructure and a collaborative network of advocates and allies, businesses and industries are adaptable to changing trends and new opportunities.

Protecting the Environment

Community members and visitors value clean water, fresh air and the resilient restorative functions of nature. A strong culture of stewardship is demonstrated in our arts, health, recreation, and education programs as well as in the careful design and management of land use and the built environment.

Connecting and Collaborating

Kimberley's success is built on rich partnerships and an inclusive cooperative approach to community problem-solving and decision-making. A spirit of supporting each other and working together pervades all aspects of community life.

These priorities are adapted from Kimberley's Integrated Community Sustainability Plan (ICSP) adopted in 2011. The vision, objectives and policies set out in this Official Community Plan reflect and align with the vision and strategies for a sustainable future articulated in the ICSP.



4.0 ACHIEVING OUR VISION

Objectives and policies in this section provide the basic framework for the future management and development of lands in the City of Kimberley. They have been developed to ensure that future growth and development in the community is balanced in order to foster economic growth while fulfilling the social and environmental needs of residents.

The objectives and policies presented in this section help to integrate decisions on land use, transportation, environment, community facilities, infrastructure, and social and economic planning into a broad municipal strategy. The policy and action statements set out below form the strategies to achieve the objectives of the Plan and ultimately move us toward the community's desired vision for the future.

4.1

Community Character

4.1.1 OBJECTIVE:

Maintain Kimberley as a community where residents and visitors experience a unique mountain town with characteristic charm and a comforting, friendly, easy-going vibe. Foster a diverse, safe and caring community with access to services and facilities to address the social, cultural and economic needs of all residents and visitors and to maintain or improve their quality of life. Advance education, health and

wellness initiatives, support investments in walkable connected neighbourhoods and revitalization of commercial and industrial areas to expand economic and employment opportunities.

4.1.2 POLICIES:

The City will:

1. ensure that new development meets a high standard of appearance and has an appropriate scale, form, and character which enhances the visual appeal, vibrancy and ~~small~~mountain-town feel of Kimberley;
2. partner with community organizations to expand and enhance arts, cultural, environmental and recreational events and programs that celebrate and promote Kimberley's unique character and sense of place;
3. foster strong relationships amongst community members, organizations and the business community to create new economic opportunities that complement the community character;
4. maintain the desirable cultural, environmental, recreational and social characteristics of the community;
5. support effective police, fire protection, rescue and emergency services;
6. encourage architectural and urban designs that reflect Kimberley's natural environment and unique history;
7. develop guidelines and implement programs to enhance streetscape features such as ~~street trees,~~ lighting, benches, public art, and bicycle infrastructure to provide visual interest, improve the pedestrian experience and enhance vibrancy and liveability ~~of the downtown and other commercial areas to support business growth~~throughout the community;
8. develop an urban canopy strategy to realize street tree coverage throughout Kimberley that enhances the pedestrian experience through shading, noise buffering, and improved aesthetics and to improve neighbourhood sustainability with enhanced stormwater interception and wildfire resistance;
9. support ~~ongoing transition to new~~cohesive and uniquely Kimberley community branding, signage and building designs;
10. support high~~er~~ levels of maintenance and improvements for trails and pedestrian networks to enhance safety and encourage ~~continued~~ their use ~~at night~~ during all hours and seasons recreationally and for active transportation~~and in winter months~~; and
11. encourage initiatives to make Kimberley more vibrant and to support businesses year-round, such as festivals and special events, wayfinding, interpretive and banner signs, community beautification and collaboration amongst community groups, destination marketing and local business organizations.

Built Environment

4.2.1 *Objective*

4.2 Encourage the enhancement of the built environment to sustain and enrich the community's unique ~~small~~ mountain-town character and sense of place. Promote high quality design and integration -which respects the natural setting, utilizes renewable energy, and considers changing climatic conditions while enhancing ~~liveability~~livability and quality of life through sustainable building and development practices.

4.2.2 POLICIES

The City will:

1. maintain an understanding of existing infrastructure capacity;
2. encourage energy efficient community and building design;
3. incorporate climate adaptation measures in infrastructure design;
4. increase street trees for shading, stormwater interception, wildfire resilience, noise buffering, improved aesthetics and property values and manage forested areas to reduce wildfire and dangerous tree hazards;
5. encourage greater waste diversion and recycling of materials in building design and construction;
6. work toward enhancing the accessibility of community spaces and infrastructure;
7. ensure that core services and facilities within the community are connected by a safe and accessible network of sidewalks and pathways;
8. encourage mixed uses and higher densities for new development within ~~the downtown~~the City's commercial nodes;
9. implement infrastructure that ~~supports and facilitates~~prioritizes a greater uptake of ~~alternative~~ sustainable forms of transportation, such as bicycle lanes, bicycle parking facilities, bus stops, sidewalks and pathways, electric vehicles or other emerging technologies;
10. encourage residents, visitors and businesses to utilize alternative forms of transportation, such as transit, electric and hybrid vehicles, bicycles and walking;
11. ~~lead by example by implementing the use of~~ensure all City vehicles are electric or hybrid vehicles in its operations, where possible and/or practical;
12. consider opportunities to provide greater pedestrian facilities in the downtown and other commercial areas by piloting various physical improvements;
13. manage the City's linear assets (roads, sidewalks, water, sewer, and storm) in coordination with strong growth management policies to reduce the long-term infrastructure renewal costs to the community;
14. concentrate capital investment on the rehabilitation of existing assets rather than the purchase or construction of new assets that will add to the existing infrastructure deficit and increase maintenance costs;
15. encourage new subdivisions and individual buildings to take advantage of passive solar gains;
16. continue to educate residents, visitors and businesses about the importance of conserving energy and water;

17. ~~continue to~~ explore opportunities for clean or renewable energy systems and support the expansion of ~~green~~ renewable energy projects in the community~~, such as the SunMine~~;
18. ~~continue to~~ encourage electric or high-efficiency, clean-burning heating solutions throughout the community;
19. reduce corporate greenhouse gas emissions by 33% from 2007 levels by 2020;
20. support initiatives to reduce community greenhouse gas emissions by 6% from 2007 levels by 2020; and
21. continue to track and report progress towards meeting corporate and community greenhouse gas targets.

Growth Management

4.3 4.3.1 *Objective*

Sustain and enhance Kimberley's quality of life through well planned development that reduces long-term infrastructure maintenance costs and allows for a diverse range of housing types and fosters long-term housing affordability. Land use and infrastructure decisions will promote compact connected growth that minimizes ~~new~~ the need to expand road and utility infrastructure, protects environmentally sensitive areas and mitigates the impacts of natural hazards such as floodplains and steep slopes.

4.3.2 Policies

The City will:

1. encourage compact development that protects the natural environment, reduces infrastructure costs, and reduces the energy requirements of residents, businesses and the City;
2. ~~encourage~~ focus new growth towards infill solutions, in areas where existing infrastructure has capacity or can be efficiently extended with minimal long-term cost to the community;
3. ~~2.~~ direct new subdivisions to achieve minimum density standards through the implementation of a neighbourhood plan approval process for all new development proposals and/or subdivisions involving parcels greater than one (1) hectare;
4. encourage the development of affordable and/or social housing projects that provide long term housing stability and affordability to residents;
5. ~~3.~~ encourage and support initiatives that improve and enable Kimberley's food security;
6. ~~4.~~ support preservation of the rural character of areas surrounding the City by encouraging compact urban growth and collaboration with the Regional District of East Kootenay to maintain open space and crown land in both jurisdictions;

~~5.~~7. preserve open space and protect the natural environment by avoiding development in environmentally sensitive areas and wildlife habitat;

~~6.~~8. continue to monitor the existing infrastructure's capacity to understand the community's development capacity and where growth can be most efficiently accommodated;

~~7.~~9. maintain all transportation mode connections throughout the City, and work with regional partners on transportation issues;

~~8.~~10. continue to involve the community in meaningful engagement to determine the most needed forms of growth and municipal services ~~levels~~ most appropriate for Kimberley;

~~9.~~11. develop and monitor an inventory of existing infrastructure capacity to direct new growth to areas with existing service capacity;

~~10.~~12. restrict development on steep slopes, floodplains and wildfire hazard areas to reduce and mitigate the effects of a changing climate;

~~11.~~13. consider implementing development cost charges, amenity cost charges, local or specified area taxation and latecomers agreements with developers to assist in the financing of improvements or expansions to the City's infrastructure systems that will be required to facilitate future growth and development.

4.4 Economic Development

4.4.1 OBJECTIVE:

Expand and diversify the local economy with targeted infrastructure and employment land policies focusing on clean energy, light industry, manufacturing and knowledge-based sectors. Continue to grow and promote Kimberley as a tourism destination and an affordable attractive community to balance livelihood and lifestyle. Identify innovative means of increasing year-round tourism by supporting additional festivals, sports events and cultural activities. Support existing businesses to expand while attracting new businesses that diversify the local economy.

4.4.2 POLICIES

The City will:

1. work to ensure adequate supply of serviced land for future industrial and commercial uses to support a larger employment land base;
2. support initiatives to attract new businesses and retain existing businesses to encourage expansion of employment opportunities ~~to allow residents to remain in the community~~;
3. strive to increase and diversify the City's tax base through economic diversification;

4. encourage the expansion of renewable energy production, value-added production, manufacturing, and technology sectors;
5. promote and create awareness of Kimberley as a centre for high-level athletic/para-athletic training and development;
6. continue to reduce procedural, policy and regulatory barriers for investors, entrepreneurs and event organizers;
7. maintain attractive residential, commercial and industrial tax rates relative to competing jurisdictions;
8. continue to promote outdoor events that utilize Kimberley's exceptional network of trails;
9. leverage cultural events and local heritage to promote tourism;
10. encourage regional collaboration for economic development marketing;
11. actively target potential renewable energy production, value-added production and eco-industrial manufacturing opportunities and support ongoing marketing and investment attraction initiatives to support business and employment growth in Kimberley and the region;
12. ~~monitor the~~ support ongoing efforts to maintain an affordable and accessible housing supply ~~to protect affordability~~ as the economy continues to transition;
13. support clean energy initiatives in the community~~, including the expansion of the SunMine~~;
14. collaborate with tourism stakeholders to ensure strategic investments in tourism infrastructure; ~~and~~
15. ~~continue to~~ work collaboratively with the ʔaq̓am community (formerly St. Mary Indian Band) to support economic development and reconciliation efforts;
16. ~~15.~~ ~~,~~work collaboratively with ~~the~~ ʔaq̓am, City of Cranbrook, and the Regional District of East Kootenay to support regional economic diversification, growth and resiliency.

4.5

Natural Environment

NATURAL LANDS

4.5.1 OBJECTIVE:

Promote responsible stewardship of the community's environmentally sensitive areas, ensuring that habitat is protected, risks from natural hazards are mitigated, and both air and water are of exceptional quality. Support the identification, preservation and conservation of environmental lands through education, guidelines, regulations, monitoring and enforcement. Encourage the development of sustainable local food systems and take action to reduce corporate and community greenhouse gas emissions.

4.5.2 POLICIES

The City will:

Environmentally Sensitive Areas:

1. protect and enhance environmentally sensitive areas by minimizing disturbance from human activities and development;
2. continue protecting the Mark Creek and Mathew Creek Community Watersheds and establish a protection plan for these essential resources;
3. provide strong regulations for water course buffers and consider implementing policies which go beyond Provincial *Riparian Areas Regulation* to restrict development that negatively impacts natural water courses, riparian areas, watersheds, water bodies and wetlands;
4. support opportunities for interpretation and learning about environmentally sensitive areas and their importance to the community and benefits of their protection;
5. prevent the storage of snow on streambanks to limit the exposure of vegetation to salt and gravel;
6. encourage riparian restoration efforts along Mark Creek and other water bodies within the City;
7. pursue partnerships and funding to improve mapping and study of environmentally sensitive areas, including biodiversity corridors and sensitive aquatic and terrestrial ecosystems.

Natural Hazards:

8. update the Mark Creek Flood Assessment and evaluate options to mitigate flood hazards to existing and new development areas;
9. continue to implement, monitor and update the Kimberley Creek Floodplain Bylaw and Flood Assessment Report;
10. encourage property owners in flood risk zones to complete modifications to buildings, structures, site grading and landscaping to reduce the hazards posed by flooding;
11. prohibit or restrict development on difficult or steep terrain with 20% or greater slope;
12. develop guidelines for development on difficult or steep terrain less than 20% slope;
13. encourage protection of steep terrain, with 20% or greater slope, in new development areas as designated open space;
14. continue to implement the recommendations in the Adapting to Climate Change in Kimberley Report (2009) including ongoing evaluation of priorities and assessment of vulnerability and risk;
15. continue to ~~manage the wildland/urban interface~~reduce wildfire risk, enhance preparedness, and improve resilience in accordance with the Community Wildfire ~~Protection~~ Resiliency Plan and continue public engagement and communications to raise awareness of the risk of wildfire and recommended policies and actions for wildfire prevention;
16. ~~ensure~~ promote and enforce wildfire protection and mitigation measures ~~are implemented in new development areas including legal documentation~~ throughout the City to ensure that ~~interface areas on private lands will be maintained in perpetuity~~ private properties are maintained to ensure a high degree of fire vulnerability mitigation and resilience; and

17. encourage property owners in established areas to complete modifications to buildings and landscaping to reduce the hazards posed by interface fire.

NATURAL RESOURCES

4.5.3 OBJECTIVE:

To ensure the equitable and sustainable management of natural resources in the community in a way that supports economic development while maintaining these resources for future generations.

4.5.4 POLICIES:

The City will:

1. support the ongoing reclamation efforts at the former Sullivan Mine and Concentrator sites and promote reuse and redevelopment of remediated portions of these sites;
2. direct natural resource exploration, extraction or processing proposals, including sand or gravel aggregate operations, to properties designated “Industrial” or “Resource and Reclamation” shown on Land Use Plan (Schedule A) and that will have no adverse environmental impact, including impacts to nearby properties and land uses, or sites where such impacts can be adequately mitigated;
3. encourage the Province to refer natural resource exploration, extraction or processing proposals in areas surrounding the Kimberley municipal boundary, including the entire Mark Creek and Matthew Creek Watersheds, to the City for review and consideration of the impact of such proposals on Kimberley’s land uses, infrastructure, and water and air quality;
4. consider any natural resource exploration, extraction or processing proposals based on any or all of the following criteria:
    a. type and location of activities proposed;
    b. prevailing wind direction, and the potential for noise, odour, dust and other nuisances;
    c. extent of visual screening, and other mitigation works proposed;
    d. compatibility with adjacent land uses;
    e. environmental sensitivity of the site, adjacent lands and groundwater resources;
    f. characteristics of subject natural resources; and
    g. site access and potential impacts to City water supply and infrastructure.
5. encourage the Province not to issue new leases or permits for natural resource exploration, extraction or processing within 1,000 metres of designated residential areas unless effective mitigation measures can be implemented to significantly reduce or eliminate negative effects.

Heritage and Culture

4.6.1 *OBJECTIVE:*

4.6 Protect and celebrate Kimberley's natural and cultural heritage to maintain and enhance our community's unique character and sense of place. Support community partners and organizations to preserve, promote and manage heritage and cultural resources to maximize their economic, social, cultural, educational, and aesthetic benefits to the community.

4.6.2 *POLICIES:*

The City will:

1. continue to recognize and support the Kimberley Heritage Museum, ~~and~~ the Sullivan Mine and Railway Historical Society Interpretive Centre and the Kimberley Arts Council as important organizations and facilities for the advancement of heritage and cultural development;

2. encourage the Federal Government to revitalize and rejuvenate the Post Office building;
3. build relationships with the Ktunaxa Nation and member communities to identify, recognize and protect important First Nations heritage sites or locations;
4. identify and advance potential collaborations among the various community organizations and individuals linked to arts, culture and heritage in Kimberley;
5. support the development of a heritage conservation program to identify and inventory historically significant buildings and sites, and encourage their renovation and restoration in a way that respects their historical significance;
6. explore the establishment of a Revitalization Tax Exemption Program bylaw to support heritage building restoration, upgrades, and exterior facade improvements;
7. encourage the preservation of heritage buildings by permitting, where appropriate and feasible, the conversion of residential uses to commercial uses;
8. develop partnerships with community groups to produce interpretive signs and brochures that support the education of the public about Kimberley's cultural and natural heritage;
9. use public art to build community identity and promote the use of public spaces for local artists to demonstrate their craft and display their works;
10. celebrate Kimberley's heritage and promote it as a year-round arts and cultural centre by supporting the arts community to coordinate additional festivals and special events;
11. look for opportunities to link community arts and culture facilities to commercial and residential areas by sidewalks or pathways; ~~and~~
12. encourage partnerships amongst local community organizations to expand and create new arts, heritage and culture initiatives in the community; and,~~.~~

4.7 ~~12.~~13. Acknowledge, assess, protect, and, where appropriate, promote the archeological and human heritage sites and features of the City.

Infrastructure

TRAIL AND PATHWAY SYSTEM

4.7.1 OBJECTIVE

Continue to support development of a well-planned, well-maintained, and integrated system of trails and pathways to support healthy active living and tourism opportunities. Connect neighbourhoods to each other and surrounding open spaces and community amenities. Encourage recreational opportunities that minimize their impact on watersheds and environmentally sensitive areas and build support for ongoing protection and stewardship of these special places.

4.7.2 POLICIES:

The City will:

1. encourage and support community partners, such as the Kimberley Nature Park Society, Kimberley Nordic Club, Kimberley Trail Society, NorthStar Rails to Trails Society, and other community members in the promotion, enhancement, construction and maintenance of trails;
2. incorporate trails and pathways for walking and cycling as an integral component of the transportation system in community planning, subdivision and development approvals;
3. require dedication and/or construction of trails and pathways to City standards on or adjacent to development sites as a condition of development approval;
4. amend the Subdivision and Development Servicing Bylaw to update design criteria for trails and pathways, ensure new construction and major upgrades to existing trails and pathways meet consistent standards;
5. design trails to minimize stream crossings and impacts to riparian and environmentally sensitive areas;
6. support provincial and regional agencies and neighbouring communities to build a regional recreational trail network; and
7. review and monitor the existing trail system, condition and maintenance requirements, establish standards for maintenance and new construction, and seek opportunities to fund investment in new trails and maintenance of existing trails.

TRANSPORTATION

4.7.3 OBJECTIVES:

Enhance the existing transportation network to balance priority of all modes of travel by increasing opportunities and improving safety for walking, cycling and using transit. Continue improving connections between neighbourhoods and commercial areas to reduce parking demand and support healthy active living.

4.7.4 POLICIES:

The City will:

1. prioritize safety, then cost, followed by traffic volume and speed when designing and managing transportation infrastructure,
2. encourage compact, mixed use developments and neighbourhood design that support ~~travel by foot and bike~~active transportation;

3. encourage alternative modes of transportation for community members and visitors to reduce traffic and parking demand;
4. work with BC Transit to support the expansion and enhancement of the Kimberley transit system, including collaboration with regional stakeholders expanded service to and from Cranbrook, the Canadian Rockies International Airport and the ʔaq̓am First Nation community;
5. limit expansion of the road network to support a compact community footprint that minimizes long term infrastructure costs;
6. update subdivision and development servicing standards to reflect current best practices to improve resiliency of infrastructure to changing climate conditions and reduce long-term maintenance costs;
7. develop streetscape enhancement design guidelines that may incorporate active transportation infrastructure, landscaping, lighting, bicycle parking, street furniture, and wayfinding;
8. implement streetscape enhancements and active transportation infrastructure that improve accessibility, equity, health and well-being, environmental sustainability, personal and community safety, and community cohesion and vitality;
9. support efforts to improve pedestrian and vehicular wayfinding signage in the downtown, resort and other commercial areas;
10. improve the bicycle experience throughout City by developing new cycling infrastructure that integrates with the existing trail network, the downtown and other commercial areas;
11. ~~encourage~~ require new ~~multi-family~~ residential and commercial developments to provide bicycle parking;
12. prioritize neighbourhood street parking availability and use by implementing and enforcing street use policies that limit the parking of non-motorized vehicles
13. ~~11.~~ restrict driveway width allowance to best ensure neighbourhood on-street parking is equitably distributed;
14. ~~12.~~ ~~investigate ways to~~ reduce the need to acquire or dedicate more land for parking in the downtown and other commercial areas, which may include:
    - promote transit, walking and cycling and improve associated infrastructure;
    - implement time-restrictions or pay-parking strategies in public lots and on-street parking;
    - designate locations for bus, RV and large vehicle parking; and
    - maximize on-street parking including consideration to reconfigure some streets to one-way travel with angle parking.
15. ~~13.~~ ~~consider~~ implement traffic calming measures to address neighbourhood speeding issues, which may include:
    - changes in road width and speed design geometry to prioritize safety before traffic volume and traffic speed;

- incorporation of speed control structures; and
- reducing speed limits on local roads.

WATER

4.7.5 *Objective:*

Continue to provide exceptional water quality exceeding all regulatory standards and strive to minimize system loss, reduce per capita water demand, and minimize future infrastructure investment through source protection.

4.7.6 *Policies*

The City will:

1. encourage water conservation efforts to minimize water use and system demand throughout the community;
2. support localized rainwater collection efforts for greywater use to offset the need to use drinking water where it is otherwise not required;
3. ~~1.~~ limit expansion of the water distribution system to support a compact community footprint that minimizes long term infrastructure costs;
4. ~~2.~~ will only consider expansion of the water distribution system for new development areas after analysis of long-term lifecycle costs compared to overall benefit to the community;
5. ~~3.~~ not extend the water distribution system beyond the City's boundaries;
6. ~~4.~~ implement measures to reduce per capita water consumption in order to diminish the need to increase the City's water distribution capacity including requirements for high-efficiency fixtures in all buildings and facilities;
7. ~~5.~~ regularly review and update water use rates to encourage water conservation and consider adjustments to encourage accessory dwellings and other types to address housing needs;
8. ~~6.~~ encourage ski hill and golf course operators to implement alternatives to using drinking water for snow-making and irrigation;
9. ~~7.~~ consider future implementation of water metering as a means of equitably distributing the operating and capital costs associated with the water distribution system and encouraging water conservation;
10. ~~8.~~ enhance contributions to water capital reserves for the maintenance, repair and upgrading of the aging water distribution system;
11. ~~9.~~ ensure that residents and visitors are provided the highest quality drinking water through watershed protection planning and enforcement to limit resource development and recreational access in key areas of the watersheds;
12. ~~10.~~ protect the watersheds and recognize their value to the community water supply as natural infrastructure to be considered in the City's asset management program; and

~~11.~~13. plan for potential upgrades to water treatment facilities that may become a provincial requirement.

WASTEWATER TREATMENT

4.7.7 OBJECTIVE

Ensure wastewater treatment and collection meets or exceeds all regulatory standards while implementing measures to reduce water and energy use to maximize capacity and efficiency and to minimize cost.

4.7.8 POLICIES:

The City will:

1. limit expansion of the wastewater collection system to support a compact community footprint that minimizes long-term infrastructure costs;
2. will only consider expansion of the wastewater collection system for new development areas after analysis of long term lifecycle costs compared to overall benefit to the community;
3. not extend the wastewater collection system beyond the City's boundaries;
4. identify and implement regulatory tools to reduce the volume of non-wastewater, such as pool, hot-tub and drainage water, discharged to the wastewater collection and treatment system;
5. build a modern, resilient, and environmentally responsible wastewater treatment plant to improve effluent quality, ensure compliance with BC's Municipal Wastewater Regulation, and support the city's growing population and long-term sustainability goals~~plan and seek funding for major upgrade or replacement of the aging wastewater treatment plant~~; and,
6. enhance contributions to wastewater reserves for the maintenance, repair and upgrading of the wastewater collection system.

STORMWATER MANAGEMENT

4.7.9 OBJECTIVE:

Develop and implement an integrated stormwater management system to reduce flood risk, protect aquatic and riparian habitats from erosion and sedimentation, reduce infiltration to the wastewater system, improve resiliency to changing climate conditions and to meet or exceed regulatory standards.

4.7.10 POLICIES:

The City will:

1. identify and prioritize drainage catchments that require maintenance or upgrades to slow surface run-off and increase infiltration before entering the stormwater system;
2. ensure changing climate conditions and current best practices are implemented in the design of drainage facilities and flood control works;

3. update the Subdivision and Development Servicing Bylaw to consider changing climate conditions and incorporate current best practices for stormwater management;
4. consider bylaw amendments to set maximum percentages of land areas that can be covered by impermeable material as per Section 523 of the *Local Government Act*;
5. consider bylaw amendments to set standards for the provision of landscaping as per Section 527 of the *Local Government Act*;
6. support efforts to daylight creeks and ensure watercourses and wetlands are maintained to function in an open and natural state;
7. encourage property owners in flood prone areas to properly maintain private stormwater management infrastructure and to undertake modifications to site grading and landscaping to reduce the potential of flooding; and
8. require stormwater management plans for new developments to ensure stormwater can be effectively managed on site to pre-development conditions and to mitigate downstream impacts.

RECYCLING AND SOLID WASTE MANAGEMENT

4.7.11 Objectives:

Reduce solid waste generation, increase diversion of organics and reusable and recyclable materials from the waste stream, and prevent the attraction of bears and other wildlife.

4.7.12 Policies:

The City will:

1. continually evaluate and improve the collection system and bylaws to reduce collection costs, increase diversion and reduce wildlife attractants;
2. implement measures to minimize energy use in the collection system and reduce greenhouse gas emissions from the landfill;
3. work with and encourage the RDEK to improve and increase recycling and organics diversion;
4. work with the RDEK and sub-regional partners to update and implement the Solid Waste Management Plan;
5. require all new commercial, industrial, institutional and multi-family developments to provide bear-proof waste disposal containers where these containers are to be stored outdoors;
6. support initiatives or programs, and seek partnerships with public or private organizations, to encourage and facilitate improved recycling, composting and solid waste management;
7. support and promote provincial recycling initiatives, including those for beverage containers, tires, batteries, used motor oil, e-waste and paint; and
8. work with the RDEK to determine the feasibility of diverting re-usable materials prior to them becoming waste in the regional landfill.

Municipal Finance, Governance, and Civic Participation

4.8.1 *Objectives:*

4.8 Advance financial sustainability, responsible governance and strong civic participation to build social capital and enhance the capacity of citizens and elected officials to enact positive change in the community. Pursue partnerships and funding opportunities to balance financial realities and changing expectations for services and infrastructure needs while keeping Kimberley affordable. Seek to build strong community and regional partnerships to support transportation and economic development initiatives.

4.8.2 *Policies:*

The City will:

1. effectively and responsibly manage public funds to balance available resources with community priorities;
2. operate an efficient municipality while maintaining a well-serviced, safe and liveable community;
3. focus on core services and divest non-core assets where feasible and practical;
4. continually update asset management plans as a measure for advancing financial sustainability;
5. consider implementing a Development Cost Charge Bylaw to help recover infrastructure costs resulting from new development on the premise that infrastructure costs should be paid by those who use and benefit from such systems;
6. plan for and ensure that the replacement and extension of services and other capital works are financially sustainable over their serviceable lives prior to being included in the five-year financial plan;
7. maintain the hotel tax to fund tourism promotion, projects and programs;
8. continue to provide grants-in-aid to community organizations, where financial resources allow, in recognition of the value these groups provide to the well-being and vibrancy of Kimberley;
9. direct operating surpluses above target levels to capital reserves to offset need for tax increases to fund infrastructure renewal;
10. set water and sewer rates to ensure reserve contributions sufficient to fund planned capital improvements;
11. maintain an accessible and transparent process of civic decision-making;
12. continue to consult advisory groups that represent a broad range of viewpoints to assist Council and staff on policy issues;
13. maintain and continually improve programs and practices to inform citizens of City plans, programs, decisions and policies;

14. continue to work with the Provincial Government to improve and develop additional sources of funding for resort municipalities;
15. continue efforts to diversify the tax base and attract investment in employment generating light industrial, business and recreation class properties by evaluating the tax rates for these classes and minimizing tax increases whenever possible;
16. actively pursue grants and transfers from senior levels of government and other organizations to reduce the cost of major infrastructure and other projects to the taxpayers; and
17. consider the following factors in decisions related to land use, development and infrastructure plans:
    - the degree of risk the City wishes to assume in financing and recovering servicing costs;
    - the level of equity regarding how costs are allocated and recovered;
    - capital plans as yearly approved and funded by the City's Council;
    - identified infrastructure improvements and the need to have associated funding in place for both existing and future developments; and
    - the degree of risk to assume in borrowing for infrastructure investment.



5.0 MANAGING LAND USE AND DEVELOPMENT

The land use designations, objectives and policies in this section will be used to guide planning and land use decisions. They are intended to contribute towards building a complete community that balances the social, economic and environmental needs of residents and visitors and that reflects the community's desired vision for the future. The land use designations described in this section are represented on the Land Use Plan (Schedule A).

5.1

Residential

5.1.1 Objective:

Support compact growth utilizing existing infrastructure capacity, with walkable connections between neighbourhoods, open spaces and other amenities, while improving housing diversity and affordability to accommodate the various housing needs of existing, as well as future residents, and to meet the changing needs of all age groups.

5.1.2 POLICIES

The City will:

1. limit fringe subdivisions to reduce resource requirements for fire protection and infrastructure maintenance costs;
2. encourage appropriate scale and diverse infill housing in areas with infrastructure capacity to support new growth and close to key community amenities, commercial areas and open spaces;
3. prioritize greater variety of housing types, sizes and densities within all neighbourhoods ~~so~~to best ensure residents of different family types, life stages and income levels can afford to rent or own property;
4. support increased diversity of two, three and four unit dwellings as well as townhouse developments in all residential areas;

~~5. reduce minimum lot sizes for two, three and four unit dwellings as well as townhouse developments in all residential areas;~~

~~6.~~5. ~~encourage~~ require new multi-dwelling developments to provide a minimum of 10% ~~percentage~~ of accessible ground floor units to meet housing needs of seniors and people with disabilities;

~~7.~~6. encourage a minimum percentage of affordable housing units in all new multi-dwelling developments;

7. prioritize affordable housing and/or social housing projects when considering any future development of City-owned parcels, or as a condition of the sale of City-owned parcels .

8. implement specific policies to guide the use and/or sale of City owned parcels;

~~8.~~9. encourage age-friendly and affordable housing for seniors and graduated care facilities that support the retention of aging family members within the community;

~~9.~~10. encourage a diverse mixture of housing types, tenure options and sizes to meet the housing needs of all socio-economic groups;

~~10.~~11. encourage higher density residential development within close proximity to existing commercial ~~centres~~nodes;

~~11.~~12. support a diverse and compatible mix of commercial, residential, and work-live uses within, nearby or adjacent to the downtown and other commercial areas;

~~12.~~13. support appropriate-scaled neighbourhood commercial development where appropriate;

~~13.~~14. review home based business regulations to ensure they encourage the appropriate scale and type of commercial activity as to maintain the character of residential neighbourhoods;

~~14.~~15. encourage diverse and safe transportation options and enhance opportunities for residents to walk, cycle and use transit;

~~15.~~16. encourage greater energy efficiency in both existing and new buildings;

~~16.~~17. ensure future residential development and subdivision will preserve open spaces, protect environmentally sensitive areas and natural landscape features to maintain ecosystem function, manage stormwater and flooding, and help to sequester greenhouse gas emissions; and

~~17.~~18. support green infrastructure especially stormwater management.

Commercial

5.2.1 *Objective:*

5.2 Encourage visually appealing, pedestrian oriented, unique and diverse commercial development that contributes to improving the aesthetics, vibrancy and functionality of Kimberley's commercial areas and to foster a high quality year round destination that enhances the experience for both residents and visitors.

5.2.2 *Policies*

The City will:

1. maintain and enhance pedestrian orientated commercial areas to ensure they are vibrant, welcoming and accessible to all ages;
2. review zoning to ensure and encourage appropriate commercial, residential or mixed residential-commercial uses within, nearby or adjacent to commercial districts;
3. encourage high quality redevelopment and renovations to existing commercial buildings to enhance the visual appeal and encourage the upgrading of energy efficiency to reduce energy use and emissions;
4. continue to promote upgrades to existing commercial buildings in need of repair through incentives and revitalization programs;
5. maintain the principle intended use of the resort village core for visitor accommodation and supporting commercial services;
6. continue to enhance economic coordination and improve walking, cycling and transit connections between ~~the resort and downtown~~commercial nodes;
7. enhance wayfinding signage throughout Kimberley to help visitors move easily between commercial areas, tourist accommodation, attractions and facilities;
8. improve the pedestrian, cycling and public transportation links between commercial centres and community amenities;
9. encourage energy efficient technologies and practices in all new buildings, including the use of biomass district heat, solar and other renewable energy systems;
10. encourage economic opportunities that will provide secure local employment with the potential for career advancement;

11. collaborate with the local Chamber of Commerce to support business attraction and retention and encourage suitable economic development;
12. continue to foster opportunities for growth in the tourism and outdoor recreation sectors, unique retail, food & beverage services, as well as other industries likely to provide year-round, permanent employment for residents;
13. support regional economic collaboration through initiatives, such as funding programs, joint destination marketing efforts, and other regional initiatives that provide a mutual benefit to Kimberley and neighbouring communities;
14. review regulations for tourist accommodation and short term visitor rentals to ensure that the City has the appropriate tools to manage the short-term and long-term rental supply and to reduce potential conflict with adjacent residential uses; and
15. review home based business regulations to ensure they encourage the appropriate scale and type of business activities in commercial or residential settings.

5.3 Industrial

5.3.1 Objective:

Support a robust and diversified economy by encouraging the development of industrial lands to support employment growth and expansion of innovative industrial uses, specialized manufacturing and processing, renewable energy, technology and knowledge-based businesses.

5.3.2 Policies:

The City will:

1. collaborate with Teck to make additional remediated lands available for new industrial and commercial service development opportunities;
2. encourage industries that minimize emissions and other environmental impacts and that maximize energy efficiencies and local employment opportunities;
3. encourage a more diversified economy by attracting businesses that value the natural setting, expand renewable energy technologies, and provide well-paying jobs;
4. support a range of light service industries that provide economic opportunities and services for local residents, visitors and the business community;
5. continue to support the expansion of SunMine and other solar and renewable energy opportunities;
6. consider re-designating surplus portions of residential development lands for solar and other renewable energy uses;
7. support opportunities for subdividing and servicing an industrial business park on lands identified for industrial use on Jim Ogilvie Way;

8. encourage remediation of brownfield sites to increase supply of land available to support the expansion or development of new industrial and commercial service uses; and
9. encourage industrial development in locations that are already serviced or can be cost-efficiently serviced.

Parks, Recreation and Open Space

5.4.1 *Objective*

5.4 Continue with the development of a well-planned, well-maintained, and integrated system of trails, open space, parks and recreational opportunities that promote Kimberley as a recreation destination, strengthens the economy and enhances quality of life for residents.

5.4.2 *Policies*

The City will:

1. protect, preserve and connect natural areas, parks and public spaces within and around the community to promote recreation, healthy living, and a connection with nature;
2. protect and enhance natural areas and systems to maintain and improve ecosystem function, manage stormwater and flooding, and help to sequester greenhouse gas emissions;
3. collaborate with stakeholders to restrict resource and industrial activities and minimize human access, trail development and recreational uses in order to protect and preserve water quality in the Mark Creek and Matthew Creek watersheds;
4. ensure private sector developments include trails and pathways to connect with nearby neighbourhoods and encourage new developments to include open space and recreational amenities that are accessible to the public;
5. utilize Development Permits to identify and preserve natural areas, wildlife habitat and other environmentally sensitive areas in the community and to protect development from natural hazards;
6. ensure that any park land dedication at subdivision includes land that complements the existing park and pathway system;
7. consider the option for cash in lieu of parkland dedication under one or more of the following circumstances:
    a. the total parcel size would be too small for a park or pathway component;
    b. the land under consideration would not complement the park or pathway system; or
    c. no park needs are identified in the area.
8. encourage the donation or bequest of privately owned lands which support the objectives of the City's park, open space and pathways systems; ~~and~~

9. continue to plan for future park, pathway and open space needs of the community by considering the implementation of development cost charges for parks; and
10. ensure that non-agricultural use or subdivision of lands within the Agricultural Land Reserve is restricted unless approved by the Agricultural Land Commission.

Institutional

5.5.1 *Objective*

5.5 Support, maintain and enhance the services delivered by institutions in the community including schools, protective services, and local government operated facilities and utilities such as wastewater treatment and waste management facilities.

5.5.2 *Policies*

The City will:

1. ensure energy and greenhouse gas emissions reductions in all new municipal buildings and significant retrofits including use of biomass district heat, solar and other renewable energy systems;
2. ensure any new school, protective service or civic facilities are located in close proximity to commercial services, community amenities and residential neighbourhoods to enable increased walking, cycling and transit use;
3. ensure any new, or significant retrofits to existing, wastewater treatment or waste management facilities minimize potential nuisance impacts on nearby land uses;
4. encourage complementary institutional uses to locate in the downtown area;
5. develop a sustainable funding program for the annual and ongoing maintenance of City of Kimberley institutional facilities; and

5.6 6. prioritize the replacement or upgrading of existing City of Kimberley institutional facilities and develop a capital plan to finance their construction.

Resource and Mining Reclamation

5.6.1 *Objective*

Support ongoing reclamation and remediation efforts taking place on the former Sullivan Mine and Concentrator lands and encourage opportunities to utilize these lands for further economic diversification.

5.6.2 *Policies*

The City will:

1. support existing operations and new permits to allow sand and gravel extraction in appropriate locations;
2. support efforts to make remediated lands available for future industrial, renewable energy or other appropriate development opportunities; and
3. support ongoing reclamation and remediation activities to ensure any potential health and



environment risks are being mitigated.

6.0 DEVELOPMENT PERMIT AREAS

Development Permit Areas are designated pursuant to the *Local Government Act.* Each Development Permit Area includes guidelines for land use and development decisions in order to achieve the objectives set out in this Plan and ultimately move us toward the community's desired vision for the future.

These guidelines are not intended to be a restrictive checklist of rules so that all developments look the same. The purpose of these guidelines is to identify the community's expectations for development, encouraging and allowing flexibility for creative design approaches by developers and designers, and a framework for City staff and Council to review and evaluate development proposals.

Unless an exemption applies, a development permit is required prior to altering, developing, or subdividing lands in a designated development permit area. Unless an exemption applies, a development permit is required prior to construction of, addition to or alteration of a building or other structure in a designated development permit area.

DEVELOPMENT PERMIT AREAS

Development Permit Area #1 ····▶ Residential
Development Permit Area #2 ····▶ Commercial
Development Permit Area #3 ····▶ Industrial
Development Permit Area #4 ····▶ Natural Hazard Areas
Development Permit Area #5 ····▶ Environmental Protection

Development Permit Area #1 - Residential



6.1.1 AREA DESIGNATION

6.1

The Residential Development Permit Area is designated under section 488(1)(e),(f),(g),(h),(i)~~, and~~ (j)and (k) of the *Local Government Act* and applies to multiple-dwelling developments (three or more units in a building) and subdivisions resulting in three or more residential lots or units on all lands within the municipal boundary.

6.1.2 JUSTIFICATION AND OBJECTIVES

Kimberley is growing and demand for housing is increasing. The location, scale, and design of residential developments contribute significantly to the quality and cost of living in Kimberley.

The objective of the Residential Development Permit Area is to ensure that residential development supports compact and cost-efficient growth that utilizes existing infrastructure capacity, improves the diversity and affordability of the housing supply to accommodate a wide variety of housing needs, and ensures an appropriate scale and design to complement adjacent land uses and development.

6.1.3 EXEMPTIONS

1. A development permit is not required for internal alterations that do not affect the outer appearance of a building or structure.
2. A development permit is not required for the construction of, or addition to, or alteration of a single ~~family~~ unit dwelling, two ~~family~~ unit dwelling, a dwelling unit that is accessory to a single unit ~~family~~dwelling or two unit dwelling ~~dwelling~~, or accessory buildings located on the same parcel.
3. A development permit may not be required for subdivision of land involving minor boundary adjustments, lot consolidations or road dedication.

6.1.4 GUIDELINES

General Guidelines:

1. Infill or redevelopment of vacant land in existing neighbourhoods, or sites presently occupied by older or low-density development, with more intensive use or next level of density is encouraged.

~~2.~~1. ~~Multiple lot subdivisions and new developments must incorporate a diverse mix of housing types, sizes and affordability to meet needs of all economic and social groups.~~

~~3.~~1. ~~Subdivision of land and the siting of buildings must protect environmentally sensitive areas and natural landscape features while enhancing recreational opportunities and open spaces.~~

~~4.~~2. New developments must support the efficient use of land and existing infrastructure and provide easy access between neighbourhoods and to nearby services, pathways and parks.

~~5.~~3. New developments must implement strategies to reduce water consumption and utilize green infrastructure to minimize runoff and increase on-site retention and infiltration of stormwater.

~~6.~~4. New developments must provide accessible pathways and sidewalks to connect with adjacent sites, streets, neighbourhoods, parks and open spaces.

5. New developments must plant street trees to create shade, enclose the streetscape, allow for stormwater interception, enhance wildfire resilience, and provide an attractive and inviting public space.

~~7.~~6. New developments must include no less than 10% of the units to be built and maintained as accessible units.

Multi-lot Subdivision Requirements:

7. Multiple lot subdivisions and new developments must incorporate a diverse mix of housing types, sizes and affordability to meet needs of all economic and social groups.

8. Prior to the consideration of the subdivision of a parcel that is greater than one (1) hectare is proposed, a neighbourhood plan must be developed clearly demonstrating:

   a. how a diverse mix of housing types will be incorporated to ensure housing need, as specified within the City of Kimberley's most recently adopted Housing Needs Report, will be provided;

   b. a compact neighbourhood design that minimized the expansion of road and utility infrastructure;

~~a.~~

   c. how active transportation will be incorporated into the neighbourhood design; and,

   d. how the development will aid the City towards realizing the objectives and goals of the OCP.

9. Subdivision of land and the siting of buildings must protect environmentally sensitive areas and natural landscape features, ensure adequate wildfire mitigation efforts are undertaken, and ~~while~~ support the enhancement of~~ing~~ recreational opportunities and open spaces.

Building Siting Guidelines:

~~2.~~10. Building locations, sizes and shapes should be tailored to the physical character of the site and compatible with neighbouring properties to minimize impacts on views, sun access or privacy.

~~3.~~11. Reduced front setbacks are encouraged to create a close relationship between buildings and the roadway though buildings should not project too far in front or too far behind neighbouring structures.

~~4.~~12. Existing vegetation and mature stands of trees, especially significant or landmark trees, must be preserved where possible while balancing need to mitigate wildfire hazard potential.

~~5.~~13. New developments must provide stormwater management plans to ensure stormwater can be effectively managed on site to pre-development conditions and to mitigate downstream impacts.

~~6.~~14. Preserve or enhance natural watercourses and ensure adequate protection of groundwater or watercourses from impacts of land clearing or grading.

~~7.~~15. Off-street parking areas should be accessed from a lane or side street toward the rear of the property, include adequate areas for snow storage and drainage, and landscaped or otherwise screened from the street front.

Building Design Guidelines:

~~8.~~16. The design of buildings must ensure that the development is attractive and complements adjacent developments including consideration of massing, materials, lighting, roof form, landscaping, the relationship between buildings and open space areas, pedestrian and vehicle circulation, visual impact and design compatibility with surrounding properties and streets.

~~9.~~17. Pedestrian scale, variety, relief and visual interest must be expressed in the design of buildings especially at the ground level and all elevations facing a street or other public space. Monolithic structures and long expanses of straight walls with no visual relief must be avoided.

~~10.~~18. Buildings should employ local-traditional architectural elements, such as compact forms, durable materials, projecting eaves, pitched roofs and dormers.

~~11.~~19. New buildings and significant retrofits must implement a range of strategies to reduce energy consumption, utilize energy efficient design and construction, support use of renewable energy systems and maximize overall building energy performance.

~~12.~~20. Building materials must be durable, high quality and suitable to local climate conditions. Combinations for added relief and texture are encouraged. Appropriate materials include heavy timber, stained wood, fibre-cement, stone, corrugated metal and stucco. Unfinished plywood or chip board, artificial brick, plastic, vinyl or fibreglass materials are not appropriate.

~~13.~~21. Muted and natural colour tones, reflecting those found in our natural surroundings, are generally preferred as the primary colour for buildings. Bright or bold colours, without being overbearing, are encouraged for accent, unique elements or to add visual interest to the streetscape. Combinations for variety and visual interest are encouraged.

~~14.~~22. Roof design must include effective snow management to protect pedestrian and vehicle access points. Kimberley's large accumulations of snow, freeze/thaw cycle and increasingly

common rain on snow events are to be considered in roof design and material selection. Roof materials must be durable and fire resistant (minimum class A ~~or B~~ rating). Clay or cedar roofing are not suitable.

~~15.~~23. Landscaping and screening elements should enhance visual interest, incorporate water conservation strategies, provide privacy and separation and complement adjacent development.

~~16.~~24. Lighting should enhance but not overwhelm building design or the streetscape. Unobtrusive, recessed and shielded 'dark sky' fixtures must be used to minimize glare and light trespass onto adjacent streets and properties.

~~17.~~25. Mechanical equipment should be appropriately screened and buffered to reduce any negative visual and acoustical impacts.

~~18.~~26. Waste and recycling facilities must be animal proof and screened to reduce negative visual impacts.

Development Permit Area #2 - Commercial



6.2.1 AREA DESIGNATION

6.2 The Commercial Development Permit Area is designated under section 488(1)(f),(g),(h),(i) and (j) of the *Local Government Act* and applies to commercial and mixed commercial-residential developments and subdivisions on all lands within the municipal boundary.

6.2.2 JUSTIFICATION AND OBJECTIVES

In recent years, Kimberley has experienced an increase in new and renovated commercial buildings and demand for these spaces is growing. Many opportunities remain with existing commercial properties that are still in need of significant reinvestment.

The objective of the Commercial Development Permit Area is to ensure commercial development contributes to improving the aesthetics, vibrancy and functionality of Kimberley's commercial areas. The community desires continued growth as a high quality year-round destination with visually appealing, pedestrian oriented, unique, diverse and inviting commercial spaces.

6.2.3 EXEMPTIONS

1. A development permit is not required for internal alterations that do not affect the outer appearance of a building or structure.
2. A development permit may not be required for subdivision of land involving minor boundary adjustments, lot consolidations or road dedication.

6.2.4 GUIDELINES

General Guidelines:

1. Ensure commercial areas exhibit a diversity of building designs with priority to creating a high quality experience and visual interest for pedestrians.
2. Infill or redevelopment of vacant or under-utilized sites with more intensive use or density is encouraged.
3. Residential uses are encouraged within new and existing commercial buildings provided commercial uses are included on the main floor at grade and adjacent to the street front.
4. Streetscape improvements, which may include sidewalks, benches, bike racks, lighting, public art, planters, and landscaping features, are encouraged.
5. New developments must support the efficient use of land and existing infrastructure.
6. New developments must implement strategies to reduce water consumption, minimize runoff and increase on-site retention and infiltration of stormwater.

7. New developments and significant retrofits must implement a range of strategies to reduce energy consumption, incorporate energy efficient design and construction, support use of renewable energy systems and maximize overall building energy performance.

Building Siting Guidelines:

8. New buildings must be constructed with minimal or no setback from the front property line, setbacks should only be considered for the provision of outdoor seating, landscaping or plaza space.
9. Off-street parking must be located behind the building, accessed from a lane or side street toward the rear of the property, include adequate areas for snow storage and drainage, and landscaped or otherwise screened from the front street.
10. Existing vegetation and mature stands of trees must be preserved where possible while balancing need to mitigate wildfire hazard potential, special consideration shall be given to the preservation of wildlife habitat and significant or landmark trees.
11. Preserve or enhance natural watercourses and ensure adequate protection of groundwater or watercourses from the impacts of land clearing or grading.
12. New developments must provide accessible pathways and sidewalks to connect with adjacent sites, streets, neighbourhoods, parks and open spaces.
13. Above ground fuel storage tanks for service stations are not supported; however, approval of above ground tanks may be considered on a site by site basis provided that the location of the tanks is screened by buildings and landscaping and that adequate traffic circulation can be maintained.

Building Form Guidelines:

14. Pedestrian scale, variety, relief and visual interest must be expressed in the design of buildings especially at the ground level and all elevations facing a street or other public space. Monolithic structures and long expanses of straight walls with no visual relief or texture must be avoided. Larger buildings shall be divided into smaller masses by offsetting walls and shifting rooflines to vary height.
15. New and renovated buildings in the Platzl must be compatible with its moderately dense, mixed use, pedestrian oriented character as the core of Kimberley's primary commercial area. Buildings must incorporate unique design elements, high quality materials and signage and ensure appropriate scale and form to maintain an attractive, inviting and comfortable environment for pedestrians.
16. New and renovated buildings in the downtown around the Platzl, Marysville and other commercial nodes should improve upon design standards which portray a high quality, ~~small town~~ 'Main Street' that is intimate, unhurried and inviting to pedestrians. Building form, scale and materials should reflect Kimberley's mountain setting and mining heritage.
17. Commercial developments in or near predominantly residential areas should incorporate elements of residential character, scale and massing.

Building Design Guidelines:

18. The design of new buildings and renovations should complement adjacent buildings, streets and public space. Windows and main entries must be provided on all building elevations facing a street. The design elements of the rear and sides of buildings must be considered.
19. Buildings should incorporate recessed or projecting façade elements, alternating materials or colours, canopies and covered entries, windows, balconies, dormers and other features to provide relief, visual interest and shelter from the elements.
20. Building materials must be durable, high quality and suitable to local climate conditions. Combinations for added relief and texture are encouraged. Appropriate materials include heavy timber, stained wood, fibre-cement, stone, corrugated metal and stucco. Unfinished plywood or chip board, artificial brick, plastic, vinyl or fibreglass materials are not appropriate.
21. Muted and natural colour tones, reflecting those found in our natural surroundings, are generally preferred as the primary colour for buildings. Bright or bold colours, without being overbearing, are encouraged for accent, unique elements or to add visual interest to the streetscape. Combinations for variety and visual interest are encouraged.
22. Roof design must include effective snow management to protect pedestrian and vehicle access points. Kimberley's large accumulations of snow, freeze/thaw cycle and increasingly common rain on snow events are to be considered in roof design and material selection. Roof materials must be durable and fire resistant (minimum class A or B rating). Clay or cedar roofing are not suitable.
23. Lighting should enhance but not overwhelm building design or the streetscape. Unobtrusive, recessed and shielded 'dark sky' fixtures must be used to minimize glare and light trespass onto adjacent streets and properties.
24. Signage should be coordinated with the building design to ensure appropriate scale, materials, colours and locations to enhance visual interest and complement, not obscure, architectural details.
25. Landscaping should enhance visual interest, incorporate water conservation strategies, and complement adjacent development.
26. Mechanical equipment should be appropriately screened and buffered to reduce any negative visual and acoustical impacts.
27. Waste and recycling facilities must be animal proof and screened to reduce negative visual impacts.

Development Permit Area #3 - Industrial



6.3.1 AREA DESIGNATION

6.3 The Industrial Development Permit Area is designated under section 488(1)(f),(g),(h),(i) and (j) of the *Local Government Act* and applies to industrial developments and subdivisions on all lands within the municipal boundary.

6.3.2 JUSTIFICATION AND OBJECTIVES

The City's objective is to ensure that industrial areas maintain a character that is complementary to the community's vision. Kimberley encourages development that supports diverse employment growth involving innovative industrial uses, specialized manufacturing and processing, renewable energy, technology and knowledge-based businesses. Importantly, industrial developments must not pose any safety risk to the public and will be required to be compatible with neighbouring land uses and developments. Developments in areas with significant vegetation, natural features or potential hazards will be subject to specific conditions.

6.3.3 EXEMPTIONS

1. A development permit is not required for internal alterations that do not affect the outer appearance of a building or structure.
2. A development permit may not be required for subdivision of land involving minor boundary adjustments, lot consolidations or road dedication.

6.3.4 GUIDELINES

General:

1. Developments must contribute positively to overall community character and complement adjacent developments including consideration of massing, materials, lighting, roof form, landscaping, the relationship between buildings and open space areas, pedestrian and vehicle circulation, visual impact and design compatibility with surrounding properties and streets.
2. New developments must implement strategies to reduce water consumption, minimize runoff and increase on-site retention and infiltration of stormwater.
3. New developments must implement a range of strategies to reduce energy consumption, improve effectiveness of the building envelope, incorporate energy efficient design and construction, support use of renewable energy systems and maximize overall building energy performance.
4. New developments must support the efficient use of land and existing infrastructure and the protection of environmentally sensitive areas.
5. Developments must be designed to mitigate potential negative impacts, such as noise, odour, emissions, or dust, to adjacent land uses.

6. Landscaping and screening elements should provide visual privacy and separation to neighbouring uses, incorporate water conservation strategies, and enhance the appearance of the development.
7. Lighting should be designed for security and safety but not overwhelm building design or the streetscape. Unobtrusive, recessed and shielded 'dark sky' fixtures must be used to minimize glare and light trespass onto adjacent streets and properties.
8. Mechanical equipment should be appropriately screened and buffered to reduce any negative visual and acoustical impacts.
9. Waste and recycling facilities must be animal proof and screened to reduce negative visual impacts.
10. Signage should be coordinated with the building design to ensure appropriate scale, materials, colours and locations to enhance visual interest and complement, not obscure, architectural details.

Building Siting:

11. Buildings should be tailored to the physical character of the site as much as possible.
12. Buildings and structures should be located on the portions of the site that are not environmentally sensitive.
13. Parking, loading and outdoor storage areas must be located at the side or rear of buildings or, if screened and landscaped from the street front, may be permitted in the front yard. Site design must include adequate areas for snow storage and drainage.
14. Existing vegetation and mature stands of trees should be preserved where possible while balancing need to mitigate wildfire hazard potential, special consideration shall be given to the preservation of wildlife habitat and significant or landmark trees.
15. Preserve or enhance natural watercourses and ensure adequate protection of groundwater or watercourses from impacts of land clearing or grading.

Development Permit Area #4 – Natural Hazards



6.4.1 AREA DESIGNATION

The Natural Hazard Development Permit Area is designated under section 488(1)(b) of the *Local Government Act*.

6.4

6.4.2 JUSTIFICATION AND OBJECTIVES

The City of Kimberley largely benefits from its surrounding environment and the numerous opportunities its mountainous, densely vegetated terrain offers for outdoor recreation and scenic views. However, this landscape also contains potential hazards for people and development, including landslides, erosion, flooding and wildfire. Therefore, subdivisions and developments in areas at risk to wildfire, steep slope, and flooding hazards will be subject to the specific development permit requirements outlined in this section.

The City's objective is to ensure that developments within or adjacent to moderate or high risk natural hazard areas are developed in a way that minimizes the risks associated with these hazards.

6.4.3 EXEMPTIONS

1. A development permit is not required for internal alterations that do not affect the outer appearance of a building or structure.
2. A development permit may not be required for subdivision of land involving minor boundary adjustments, lot consolidations or road dedication.

6.4.4 GUIDELINES

Steep Slope Hazard Guidelines:

Steep slopes are susceptible to erosion, landslide, avalanche and may pose a threat to surrounding lands should their natural conditions be altered. Subdivision or development, including land clearing, grading and filling, on any land with areas of 20% or greater slope as shown on Schedule B will be subject to the specific development permit area guidelines outlined in this section.

1. Potential steep slope hazard areas with slopes over 20% should remain free of development, or, if that is not possible, then mitigation should be undertaken to reduce risk to an acceptable level (risk for both the subject property and any adjacent or nearby lands should be addressed), and as determined by a qualified professional in a hazard assessment report.
2. No unnecessary disturbances of steep slope areas should be permitted. Existing vegetation should be maintained in order to control erosion and to protect the soils. In areas where slopes are in excess of 20%, tree preservation zones should be established to control erosion and/or protect the banks.

3. Stepped and articulated building forms that integrate and reflect natural site contours and steep slope conditions should be used, and large unbroken building masses that are unsuitable for sloped conditions should be avoided.
4. Prior to issuance of a development permit, applicants for development in areas with slopes over 20% must submit, at their expense, a detailed geotechnical hazard assessment report prepared and certified by a qualified professional that outlines the following:
    a. Identification and assessment of potential hazards to people and property from erosion, landslide and avalanche hazards.
    b. Mitigation requirements to prevent slope instability, erosion, rock fall or land slip.
    c. Proposed measures for restoration of all disturbed areas.
    d. Building setback requirements and construction methods.
    e. Construction requirements for buildings that may be located on a slope exceeding 20%.
    f. Location of proposed roads, accesses, water and sewer lines, buildings and landscaping.
5. Prior to issuance of a development permit, applicants for development must submit, at their expense, plans that include the following:
    a. The proposed use of the subject land or buildings.
    b. The location of all existing and proposed improvements in relation to one another within the subject property and in relation to improvements on adjacent properties.
    c. Existing and proposed tree and ground cover.
    d. Proposed access and internal traffic circulation.
6. Disturbed steep slopes should be reinforced and re-vegetated, especially where gullied, or where bare soil is exposed. Planting should incorporate indigenous species and a mix of trees, shrubs and other plants in accordance with the recommendations of a qualified professional.
7. Special measures may be required around the buildings and structures to address existing or potential erosion and/or soil instability.
8. The City or Approving Officer will require a Section 219 Covenant to ensure ongoing protection and awareness of the hazardous conditions in perpetuity.

Wildfire Hazard Guidelines:

The mountainous terrain, forests and grasslands within and surrounding Kimberley make a beautiful setting for our community, however this environment comes with a risk of wildfire. Some areas of the community have been identified as high-risk areas for wildfire including some areas that have been proposed for future development. Subdivision or development proposals, including land clearing, grading and filling, on any land within a designated wildfire hazard area as shown on Schedule C will be subject to the specific development permit area guidelines outlined in this section.

9. Development permits issued in this area should be generally consistent with the principles outlined in the FireSmart: Protecting Your Community from Wildfire Guidelines.
10. Prior to issuance of a development permit, applicants for development must submit, at their expense, a detailed wildfire hazard assessment report prepared and certified by a qualified professional that includes the following:
    a. Identification and assessment of the wildfire hazard on the subject lands.
    b. Identification of the mitigative measures required to reduce the wildfire hazard on the subject lands to an acceptable low or moderate hazard rating to allow the proposed development. Consideration shall be given to retention of mature trees where possible in recognition of the aesthetic and environmental value without comprising fire safety.
    c. Specify the restrictions on the type and placement of trees and other vegetation in proximity to the development and requirements for ongoing landscaping maintenance and vegetation management to maintain an acceptable low or moderate hazard rating on the subject lands.
    d. Specify the requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures to reduce and maintain an acceptable low or moderate hazard rating on the subject lands.
11. Prior to issuance of a development permit, applicants for development must submit, at their expense, plans that include the following:
    a. The proposed use of the subject land or buildings.
    b. The location of all existing and proposed improvements in relation to one another within the subject property and in relation to improvements on adjacent properties.
    c. Existing and proposed tree and ground cover.
    d. Access and internal traffic circulation.
    e. Proposed exterior building materials.
    f. The location of existing and proposed fire suppression infrastructure.
12. New subdivisions must be clustered and incorporate fire breaks adjacent to residential areas, which may include cleared parkland, roads, trails, or utility right-of-ways. Trails should be built to a standard to accommodate fire vehicle access for fighting wildfire in interface areas.
13. Building sites, parkland and open spaces in proposed subdivisions must have fuel reduction treatments completed as a condition of development approval.
14. Landscape plans must ensure minimal fuel loading and ongoing protection from fire hazard. The type and density of fire resistive plantings will be in accordance to the recommendations in FireSmart: Protecting Your Community from Wildfire guidelines.
15. Established properties with existing uses and buildings should undertake modifications to property vegetation and structures to reduce the hazards posed by interface fire.
16. The City or Approving Officer will require a Section 219 Covenant to ensure ongoing maintenance and awareness of the hazardous conditions in perpetuity.

Flood Hazard Guidelines:

Flood hazard areas, including lands within a 200 year floodplain area, have been identified in Schedule D. Development, including land clearing, grading and filling, and subdivisions on any land within a designated flood hazard area as shown in Schedule D will be subject to the specific development permit area guidelines outlined in this section.

17. Unless a floodplain bylaw already applies, applicants for subdivision or development of lands within a designated flood hazard area must submit, at their expense, a flood hazard or risk assessment report prepared and certified by a qualified professional in accordance with the BC Flood Hazard Area Land Use Management Guidelines and the APEGBC Guidelines for Legislated Flood Assessments in a Changing Climate.

18. Development should be located in the least hazardous part of the site and constructed in a location and manner that will maximize the safety of people and property.

19. Development must comply with flood construction requirements identified by a qualified professional in a hazard or risk assessment report, which may include prohibiting habitable space below a specified flood construction level.

20. Renovations or retrofits to existing structures should, where reasonable, move or raise habitable spaces above the specified flood construction level.

21. Development must not increase the hazard, vulnerability or risk to other properties or structures.

22. New developments must provide stormwater management plans to ensure stormwater can be effectively managed on site to pre-development conditions and to mitigate downstream impacts.

23. Preserve or enhance natural watercourses and ensure adequate protection of groundwater or watercourses from impacts of land clearing or grading.

24. Existing vegetation and mature stands of trees must be preserved where possible while balancing need to mitigate wildfire hazard potential. Special consideration must be given to the preservation of wildlife habitat and significant or landmark trees.

25. Any major watercourse modification (including re-channelling, diking, or damming) or shore treatment (including rip rap or any other anti-erosion technique) must be approved in accordance with the *Water Sustainability Act* as such may be amended or supplemented from time-to-time.

26. Encourage open space, park and outdoor recreation uses in floodplain areas.

Development Permit Area #5 – Environmental Protection



6.5.1 AREA DESIGNATION

6.5 The Environmental Protection Development Permit Area is designated under Section 488(1)(a) of the *Local Government Act* and applies to developments and subdivisions on those lands within the municipal boundary as shown on Schedule E.

6.5.2 JUSTIFICATION AND OBJECTIVES

The City of Kimberley covers a large area, which contains numerous watercourses, wetlands and other important plant and animal habitats. The City's objective is to ensure that these environmentally significant lands and water resources are protected.

6.5.3 EXEMPTIONS

1. A development permit is not required for internal alterations that do not affect the outer appearance of a building or structure.

2. A development permit is not required for the construction of, or addition to, or alteration of a single family dwelling, two family dwelling or a dwelling unit that is accessory to a single family dwelling located on the same parcel.

3. A development permit may not be required for subdivision of land involving minor boundary adjustments, lot consolidations or road dedication.

6.5.4 GUIDELINES

1. All development, including disturbance to or removal of soils, water, trees and other vegetation, within the environmental protection area is prohibited unless a development permit has been issued, unless specifically exempted.

2. The City may require that the applicant submit, at their expense, an environmental impact assessment (EIA) report, prepared and certified by a qualified professional, to identify any potential issues relating to the proposed development and its impacts on watercourses, wetlands and other important plant and animal habitats, and relating to protection, preservation and enhancement of environmentally sensitive areas, and to identify any mitigation measures that should be undertaken. The findings and recommendations in the EIA report may be used to determine development permit conditions to protect, preserve and/or enhance environmentally sensitive areas.

3. Buildings and structures must be located on the portions of the site that are not environmentally sensitive areas. Plans for subdivision and development shall identify “no build and/or no disturbance” buffers adjacent to any environmentally sensitive areas to ensure that the natural functioning and integrity of the environmentally sensitive area is maintained. These buffers may be established by way of land dedication (park or open space), covenant, easement, statutory right of way, or other means satisfactory to the City.

4. Retain and protect intact ecosystems and their connectivity, reconnect fragmented ecosystems by establishing biodiversity corridors and protecting habitats and avoid the creation of isolated islands of ecosystems.

5. Locate and design development and infrastructure to minimize any damage to environmentally sensitive areas and biodiversity corridors.

6. The City may require vegetation or trees to be planted or retained in order to control erosion, protect watercourses, wetlands, or other sensitive plant or animal habitats, or protect significant or landmark trees. Landscape plans shall incorporate trees, shrubs and ground cover appropriate for the projected future climate conditions and soil type. Retain trees and vegetation in a manner that balances FireSmart principles with ecosystem needs.

7. The City may require biodiversity corridors, buffers or other areas utilized by wildlife to move through the community between different habitats to be preserved and protected from development.

8. In order to maintain or provide public access to natural features, the City may require trails or pathways for public access to be continued, created and/or secured on the lands where environmentally appropriate.

9. The City may specify requirements, conditions or standards for:

    a. The preservation or enhancement of watercourses, wetlands, sensitive plant or animal habitats, biodiversity corridors, significant or landmark trees, or riparian areas in accordance with the permit;
    b. The timing and sequence of development to occur within specific dates or construction window to minimize impact to plant or animal species or habitats;
    c. Specify development works or construction techniques (e.g. erosion and sediment control measure, fencing of trees or vegetation, etc.) to be use to ensure minimal or no impact to the protected area; and
    d. Mitigation measures, including removal of impervious surfaces, replanting of riparian species, or other measures to be undertaken to reduce impacts or restore habitat within the protected area.



7.0 TEMPORARY USE PERMITS

7.1

AREA DESIGNATION

The Temporary Use Permit Area is designated under Section 492 of the *Local Government Act* and applies
7.2 to proposals involving short-term land use and development activities on lands within the municipal boundary.

JUSTIFICATION AND OBJECTIVES

Temporary use permits are intended to provide flexibility, when necessary and appropriate, to encourage short-term land use and development activities while ensuring that the activities will have minimal impact on the environment and community and maintain a reasonable level of compatibility with surrounding uses.

The City's objective is to utilize temporary use permits to consider allowing land use and development activities that are not otherwise permitted in a zoning bylaw in order to allow for short-term opportunities that may contribute to diversifying the local economy, supporting employment growth, or testing innovative uses or services. Temporary uses will be subject to specific conditions to be compatible with neighbouring land uses and developments.

7.2.1 GUIDELINES

1. A temporary use permit may be considered on any lands within the municipal boundary.

2. A temporary use permit may be issued for any period of up to two years.

3. A temporary use permit may only be renewed once, at Council's discretion, for any further period of up to two years.

4. The City may require, as a condition of issuing a temporary use permit, an undertaking for the demolition or removal of any buildings or other structures, and the restoration of the land.

5. The City may require, as a condition of issuing a temporary use permit, security to guarantee the performance of the terms of the permit.

6. The City may specify conditions relating to environmental protection, post-development site restoration, noise and other nuisance abatement measures, operational hours, duration of permitted use, traffic management, parking, performance security, and the establishment of buffers or screening to mitigate impacts to surrounding uses.



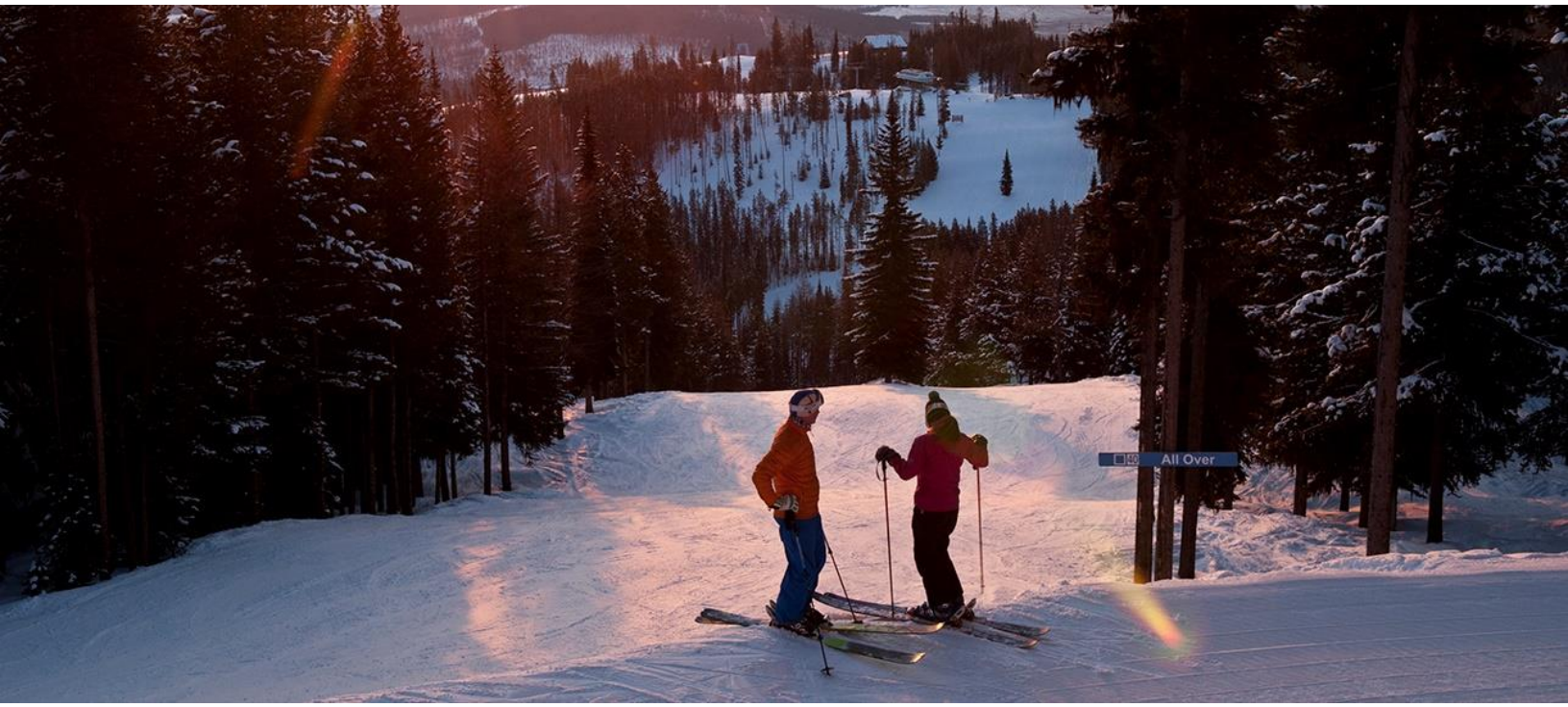
8.0 IMPLEMENTATION

The following section outlines several indicators that will be used to measure the progress and impacts of implementing the objectives and policies identified in this Plan. These indicators relate to the community vision and five overarching priorities identified in Section 3.0 of this Plan. The five overarching priorities are symbolized below and matched with relevant indicators in the following table so changes in each indicator and category can be compared to measure progress toward the overall vision outlined in this Plan.

- ENRICHING COMMUNITY LIFE
- ENHANCING THE VISITOR EXPERIENCE
- ENSURING ECONOMIC RESILIENCY
- PROTECTING THE ENVIRONMENT
- CONNECTING AND COLLABORATING

The following indicators will be monitored and reported regularly to the community:

Indicator (data source)	Baseline (year)	Trend Target
Municipal population (Statistics Canada)	7425 (2016), 6652 (2011), 6139 (2006)	Increase
# of private dwellings and % occupied by usual residents (StatsCan)	4225 and 78.77% (2016)	Increase
Housing diversity - % of single-detached houses (StatsCan)	77.63% (2016), 81% (2011)	Decrease
Housing diversity - % of new units as single-detached houses (BP data)	85% (2016), 87.5 % (2015)	Decrease
Annual corporate GHG emissions (tCO2e), % change from previous year	1102 tCO2e (2016), 4.3% increase	Decrease
Annual corporate GHG emissions % change from 2007 baseline	27% decrease (target = 33% by 2020)	Decrease
Area of Wildfire Interface fuels treatment (Fire Dept.)	40.2 ha (2016)	Increase
Transit Ridership - all services and % change from previous year	17,807 (2016), 12% increase	Increase
% of people travelling to work using transit (Stats Canada)	2.5% (2016), 2% (2011), 0.4% (2006)	Increase
% of people cycling to work (Stats Canada)	1.3% (2016), 2.2% (2011)	Increase
% of people walking to work (Stats Canada)	9% (2016), 10.3% (2011)	Increase
Value of Hotel Tax collected and % change from previous year (EcDev)	$111,000 (2016), 12% increase	Increase
# of visitors at the Visitor Centre and % change from previous year (ED)	30,000 (2016), 12% increase	Increase
# of festivals and events and % change from previous year (EcDev)	165 (2016), 2% increase	Increase
Value of construction activity and % change from previous year (BP data)	$10.96 million (2016), 15.6% increase	Increase
# Chamber of Commerce members and % change previous year (EcDev)	135 (2016), 14% increase	Increase
# Offences reported or committed and % change previous year (RCMP)	899 (2016), 55% decrease	Decrease
Annual Infrastructure Deficit (AMIP, Annual Report)	$73 M (2016)	Decrease
Cost per capita of City services (Local Gov. Stats)	$2,611 (2016), $2,702 (2011)	Decrease
Annual water consumption per capita	414m3 (2016), 454m3 (2011)	Decrease
Operation and Maintenance Costs for Water per capita	$153 (2016), $165 (2011)	Decrease
Operation and Maintenance Costs for Sewer per capita	$124 (2016), $123 (2011)	Decrease
Proportion of property taxes collected from residential (LG Stats)	87% (2017), 87% (2016), 88% (2015)	Decrease
Proportion of property taxes collected from commercial (LG Stats)	11% (2017), 12% (2016), 12% (2015)	Increase
Proportion of property taxes collected from industrial (LG Stats)	<1% (2017), <1% (2016), <1% (2015)	Increase



SCHEDULES:

Land Use Plan and Development Permit Maps

Schedule A:	Land Use Plan (including A1 & A2 detail maps)
Schedule B:	Development Permit Area #4: Steep Slope Hazard
Schedule C:	Development Permit Area #4: Wildfire Hazard
Schedule D:	Development Permit Area #4: Flood Hazard
Schedule E:	Development Permit Area #5: Environmental Protection

APPENDICES:

Appendix 1:	OCP Update Process
Appendix 2:	Glossary

Schedule A: Land Use Plan

Schedule A1: Land Use Plan

Schedule A2: Land Use Plan

Schedule B: Development Permit Area #4: Steep Slope Hazard

Schedule C: Development Permit Area #4: Wildfire Hazard

Schedule D: Development Permit Area #4: Flood Hazard

Schedule E: Development Permit Area #5: Environmental Protection



Appendix 1: OCP UPDATE PROCESS

The OCP review was a multi-step process, with numerous opportunities for community involvement. The key components to the OCP update process included:

- **Policy Gap Analysis** – identified areas where the OCP is either not aligned or does not address direction from other key strategy and policy documents, including:
  - Council Strategic Priorities
  - Kimberley Integrated Community Sustainability Plan (ICSP) (2011)
  - 5 year Economic Development Strategy Implementation Plan (2010)
  - Kimberley Affordable Housing Needs Assessment and Action Strategy (2009)
  - Community Energy & Emissions Plan (2013)
  - Carbon Neutral Action Plan (2012)
  - Adapting to Climate Change in Kimberley (2009)
  - Kimberley Community Branding Strategy (2013)
  - Kimberley Tourism Plan (2007 & 2010 update)
  - School Division No. 6 Long Term Facility Plan (Draft 2017)
  - RDEK Regional Sustainability Strategy (2014)

- Community Wildfire Protection Plans (2004, 2005 & 2009)
- Kimberley Cultural Plan (2009)
- Recreation Trails Master Plan (2003)
- City of Kimberley Zoning Bylaws

- **Community Consultation** – A project website, a community survey and an interactive community engagement tool, PlaceSpeak, were utilized throughout the process to help community members to keep up-to-date on the project, provide comments, share ideas and facilitate a broad range of participation. A concentrated "OCP in a Week" engagement effort was held in January 2016 utilizing temporary space in downtown Kimberley for drop-in and scheduled community conversations. Additional discussions were held with key community stakeholders to gather feedback and inform policy revisions.
- **GIS Mapping and Review** – A significant amount of staff time and energy went into the development of a Geographic Information Systems (GIS) that was instrumental to the overall OCP update process including improved mapping and understanding of the land and infrastructure picture. The GIS also helps to improve accessibility of planning and land use information through an online portal https://planning.kimberley.ca.
- **Infrastructure Overview** – Drafting of the OCP included a review of existing infrastructure capacity and asset renewal priorities and the identification of opportunities to align and integrate growth and land use policies to help reduce the infrastructure deficit. As a result, the OCP includes objectives and policies intended to prioritize growth in areas where infrastructure capacity already exists or can be provided cost effectively and to discourage development in areas that would require infrastructure investment that is cost prohibitive to the community over the long-term.
- **Community Open House** – A first draft of the updated OCP was launched in June 2017 along with information on two key infrastructure projects - the Downtown Strategy and the Wastewater Treatment Facility - that will be instrumental to future development and implementation of the OCP. Feedback gathered at and since the Open House was used to refine and prepare the OCP for the formal bylaw review, public hearing and adoption process.
- **OCP Bylaw and Public Hearing** – The formal bylaw review process was initiated in December 2017 in accordance with the *Local Government Act*.

Appendix 2: GLOSSARY

Accessibility

Refers to the ability of people with disabilities or health and activity limitations to get around, experience and enjoy their community and lead active, healthy, fulfilling and engaged lives. This implies that mobility options, homes, buildings, public spaces, technology, programs, access to information, and support services are free of barriers, enabling all people to use them independently.

Active Transportation

Walking, cycling and other human-powered modes of travel.

Affordable Housing

A variety of housing types and sizes to adequately meet the diverse needs of community members, especially low- and moderate-income households, at costs below those generally found in the Kimberley market. It may take a number of forms that exist along a continuum – from emergency shelters, to transitional housing, to non-market subsidized rental, and ending with market rental and ownership units.

Biodiversity Corridor

An area or link connecting two or more larger areas of similar habitat that is protected, maintained or enhanced to support movement and survival of any variety of plants and animals in an ecosystem and the evolutionary and functional process that link them.

Environmentally Sensitive Areas

A site or place that has environmental attributes worthy of special care to support the retention and/or enhancement of plant and animal habitat, soil stability, water retention or recharge, vegetative cover and similar vital ecological functions. These areas may range in size from small patches to extensive landscape features and may include rare or common habitats, plants and animals. These areas require special management attention to protect natural systems or processes, and/or historical, cultural or scenic values.

Qualified Professional

A person with appropriate education, training and experience, fully insured, licenced, certified or registered and in good standing with their relevant professional association.

Watershed

An area of land where all of the surface water from rainfall and snowmelt drains into the same lake or river.

Wetland

A swamp, marsh, or other similar area that supports natural vegetation that is distinct from the adjacent upland areas. More specifically, a wetland is an area where a water table is at, near, or above the surface or where soils are water-saturated for a sufficient length of time that excess water and resulting low oxygen levels are principal determinants of vegetation and soil development.