

Handbook for Environment & Hazardous Condition DP Areas

APPENDIX A: DEFINITIONS

“**Alteration**” or “**Disturbance**” is a discrete event, either natural or human-induced, that causes a change in the existing condition of the landscape or ecological system. Includes but is not limited to development activities.

“**Approval from BC MWLAP**” means proposed works have been reviewed and sanctioned by the Ministry, in writing. The Approval includes site specific terms and conditions that apply to the proposed works; requires that the applicant adheres to the regulations of the *Water Act*, applies 45 days in advance, and submits a \$130 application fee.

“**Authorization from BC MWLAP**” is similar to an approval, with the exception that written site specific terms and conditions may, or may not, be included. Requires that the applicant adheres to the regulations of the *Water Act* but no application fee is required (generally, applies to maintenance work, work of a minor nature, or work outside the wetted perimeter of a stream).

“**Building footprint**” means the total floor area, contained within the outside surface of the exterior walls of the building’s first story, including any cantilevered portion of any story.

“**Development**” or “**development activity**” means any activity carried out in the process of preparing a site, erecting structures, or providing services for human use and includes but is not limited to:

- the removal, alteration, disruption, or destruction of vegetation
- changes made in and about a stream (e.g., dykes, rip-rap, retaining walls, culverts, stream crossings, etc.)
- grading, removal, deposit, or moving of soil, or alteration of the stream (e.g., infilling, changes to stream alignment)
- construction or erection of a structure, or expansion of an existing structure
- creation of impervious or semi-impervious surfaces (e.g., surface parking lots, compacted or drained landscaped areas)
- installation and maintenance of drainage systems, utility corridors, or sewer or water services.

“**Drip Line**” means a line on the ground around the stem of a tree directly beneath the ends of the outermost twigs and branches of a tree.

“**Dangerous or Hazardous Tree or Limb**” means a tree or limb identified by a qualified person as being, or likely to become in the immediate future, a danger to people or property (Bylaw No. 8041).

“**Escarpment**” means a long cliff or steep slope separating two comparatively level or more gently sloping surfaces and resulting from erosion or faulting.

“**Fish**” means all life stages of salmonids, other game fish, regionally important fish, and fish designated by the *Wildlife Act* as endangered, threatened, or vulnerable.

“**Fish Habitat**” includes spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly, or indirectly, to carry out their life processes.

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“Natural Boundary” is “the visible high water mark of a stream representing the water level reached during annual flood events, where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.” For Lake Okanagan, in areas where the natural boundary is not clearly defined, Land & Water BC has established a geodetic elevation for the natural boundary of 343.00 meters.

“Natural Environment” or **“Natural State”** means as close as possible to the state that existed before the alteration, disturbance, or change occurred in and about the stream or ecological landscape.

“Protected Tree” as referred to in the Tree Protection Bylaw No. 8041: means any tree with a diameter of 150 mm or more measured 1 m above grade which is:

- a) located within a designated Natural Environment Development Permit *Area—Riparian Management Area* as identified in Kelowna Official Community Plan, Bylaw No. 7600;
- b) located on a slope with a grade equal to or greater than 30% and which is within a Hazardous Condition Development Permit Area as identified in Kelowna Official Community Plan, Bylaw No. 7600.

“Public Route of Access” is a specified area of land, which in addition to the purposes of the *Riparian Management Area* provides an opportunity for existing or future public access.

“Qualified Professional” includes, but is not limited to, a Geotechnical Engineer, a Registered Professional Biologist (RPBio), or a Registered Professional Forester (RPF) with experience relevant to works within the Okanagan Basin Ecoregion consistent with the project.

“Ravine” means a narrow, steep-sided valley that is eroded by running water and with slope grades greater than 3:1.

“Riparian Area” means the area adjacent to a stream that may be subject to temporary, frequent or seasonal inundation, and supports plant species that are typical of an area of inundated or saturated soil conditions, and that are distinct from species on freely drained adjacent upland sites because of the presence of water.

“Riparian Management Area” (RMA) – means a specified setback area as outlined in Table 7.1 that is comprised of the Riparian Reserve Zone, or the Riparian Management Zone, or both. The width of these areas is determined by attributes of the stream and adjacent terrestrial ecosystems.

“Riparian Management Zone” (RMZ) – means a setback area of a stream generally located outside of the Riparian Reserve Zone, or where there is no Riparian Reserve Zone, it is that area located adjacent to a stream. The Riparian Management Zone is established to conserve and maintain the productivity of aquatic and riparian ecosystems where specified or approved development is permitted and is in the public interest (maintain no less than 50% native vegetation retention). The setback area will be determined based on an environmental review.

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“Riparian Reserve Zone” (RRZ) – means a setback area established on both sides of a stream, immediately adjacent to the stream, that is comprised of the protected natural feature and its riparian (leave strip) area. The Riparian Reserve Zone is to remain in a largely undisturbed state, and is established to conserve and maintain the productivity of aquatic and riparian ecosystems (100% native vegetation retention). The setback area will be determined based on an environmental review.

‘Steep Slope’ areas are defined as land in its natural state that has a slope angle of 30% or greater for a minimum horizontal distance of 10 meters.

Slope	Ratio	5 : 1	3 : 1	2 : 1	1.5 : 1	1 : 1	0.5 : 1	0.25 : 1
	Percent	20	33	50	67	100	200	400
	Degrees	11	18	26	34	45	64	76

Note: The steepness of slopes can be described in degrees, a ratio, or as a percentage.

“Stream” includes any natural watercourse or source of water supply, whether usually containing water or not, ground water, and a lake, river, creek, spring, ravine, wetland, and gulch.

“Structure” is defined as anything constructed, placed, or erected on land.

“Top of Bank” means

- a) the point closest to the boundary of the active floodplain of a stream where a break in the slope of the land occurs such that the grade beyond the break is flatter than 3:1 at any point for a minimum distance of 15 meters, measured perpendicularly from the break, and
- b) for a floodplain area not contained in a ravine, the edge of the active floodplain where the slope of the land beyond the edge is flatter than 3:1 at any point for a minimum distance of 15 meters, measured perpendicularly from the edge.

“Top of Ravine Bank” or **“Top of Escarpment”** means the first break in slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break.

“Tree” means a self-supporting single-stemmed woody plant that is a species of coniferous or deciduous genus which normally grows to a height of five (5) metres or greater, notwithstanding its current size (Bylaw No. 8041).

“Wetland” means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions does support vegetation typically adapted for life in saturated soil conditions including, but not limited to, swamps, marshes, bogs, estuaries, and similar areas.