



## REGIONAL DISTRICT OF ALBERNI-CLAYOQUOT DEVELOPMENT PERMIT REQUIREMENTS SUMMARY ELECTORAL AREA 'A' BAMFIELD

The following is to be used as a general summary of the Development Permit requirements in the Bamfield Official Community Plan (OCP) area with respect to construction only. For full descriptions and requirements, you must refer to **PART III – PLAN IMPLEMENTATION, Section 17.0** of the Bamfield OCP (attached).

### **DPA I – Riparian Areas Protection:**

DPA I designation is used to ensure that the ecological values of riparian and wetland habitats have been considered prior to development and that measures will be taken to limit or avoid damage to these ecosystems.

#### General Guidelines:

- DPA I areas include the following:
  - All lands within 30 metres of major streams (includes Bamfield Inlet and Grappler Inlet); and
  - All lands within 15 metres of all other named and unnamed watercourses, lakes and wetlands which may or may not be indicated on Map No. 3 of the Bamfield OCP.
  - Specific descriptions and details are outlined in section 17.4 of the Bamfield OCP.
- If you are considering construction within the DPA I area, a development permit will be required.
  - A Development Permit application must be made to the ACRD.
  - A Qualified Environmental Professional (QEP) must be retained to prepare a report detailing site conditions and describing any measures that must be taken in order to protect the riparian area.
- In the absence of a QEP report, a minimum vegetated buffer of 30 metres from major streams and 15 metres from minor streams must be preserved.

### **DPA II – Natural Hazard Areas Protection:**

DPA II designation covers areas that are or may be subject to natural hazards such as flooding, sea-level rise, erosion, slides, rock falls, subsidence, wildfire, areas within the tsunami-hazard zone and steep slopes with an incline of 30 percent or more as shown on Map No. 3 of the Bamfield OCP.

#### General Guidelines:

- DPA II areas include, but are not limited to, lands affected by tsunami inundation, riparian flooding, slopes with an incline of 30 percent or more, subsidence, and/or ground water flows. Specific guidelines are provided in section 17.5 of the Bamfield OCP.
- If you are considering construction within the DPA II area as indicated on Map No. 3 of the Bamfield OCP, a development permit will be required.
  - A Development Permit application must be made to the ACRD.
  - A QEP must be retained to prepare a report identifying and describing any hazards which may affect the safe development of the land.
- In the absence of a QEP report, no building will be permitted within the DPA II area as indicated on Map No. 3 of the Bamfield OCP.

### **DPA III – Form and Character:**

Areas designated as DPA III include Community Service, Commercial, Industrial and Mixed Use designated properties, as shown on Map 3 of the Bamfield OCP. The Plan area is characterized by a strong design aesthetic that should be protected and celebrated. The DPA III guidelines are intended to assist property owners, contractors, and developers to understand the community's expectations for future development.

#### General Guidelines:

- DPA III includes Community Service, Commercial, Industrial and Mixed Use designated properties, as shown on Map No. 3 of the Bamfield OCP.
- If you are considering construction within the DPA III area as indicated on Map No. 3 of the Bamfield OCP, a development permit will be required.



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- A Development Permit application must be made to the ACRD.
- Numerous guidelines are provided in section 17.6 of the Bamfield OCP.

### **DPA IV – Coastal Protection:**

Areas designated as DPA IV include shoreline waters and natural fish and wildlife habitat that could be subject to degradation due to development or harmful uses as shown on Map No. 3 of the Bamfield OCP. Shoreline areas may contain unstable areas, are habitat to a wide range of fish, wildlife, and plant species, and have high aesthetic values.

#### General Guidelines:

- DPA III applies to all lands within 15 metres, measured horizontally in both landward and seaward directions, from the natural boundary of the ocean, generally as shown on Map No. 3 of the Bamfield OCP.
- If you are considering development within DPA IV, a development permit will be required.
- Specific guidelines are provided in section 17.7 of the Bamfield OCP.

### **PLEASE NOTE:**








- ❖ Development Permit application fees are as follows: \$100.00 in a single family residential zone, \$750.00 in a commercial, institutional, industrial, or multi-family zone, and \$1500.00 in a comprehensive development zone.
- ❖ Where land is subject to more than one Development Permit Area (DPA), only a single permit is required. However, the permit must address the requirements of all applicable areas.
- ❖ If you are considering construction outside of a DPA but relatively close to it, you may be required to have a survey completed by a Registered BCLS to confirm the construction site in relation to the actual DPA.

# Bamfield OCP Map No. 3 Development Permit Areas and Development Approval Information Area

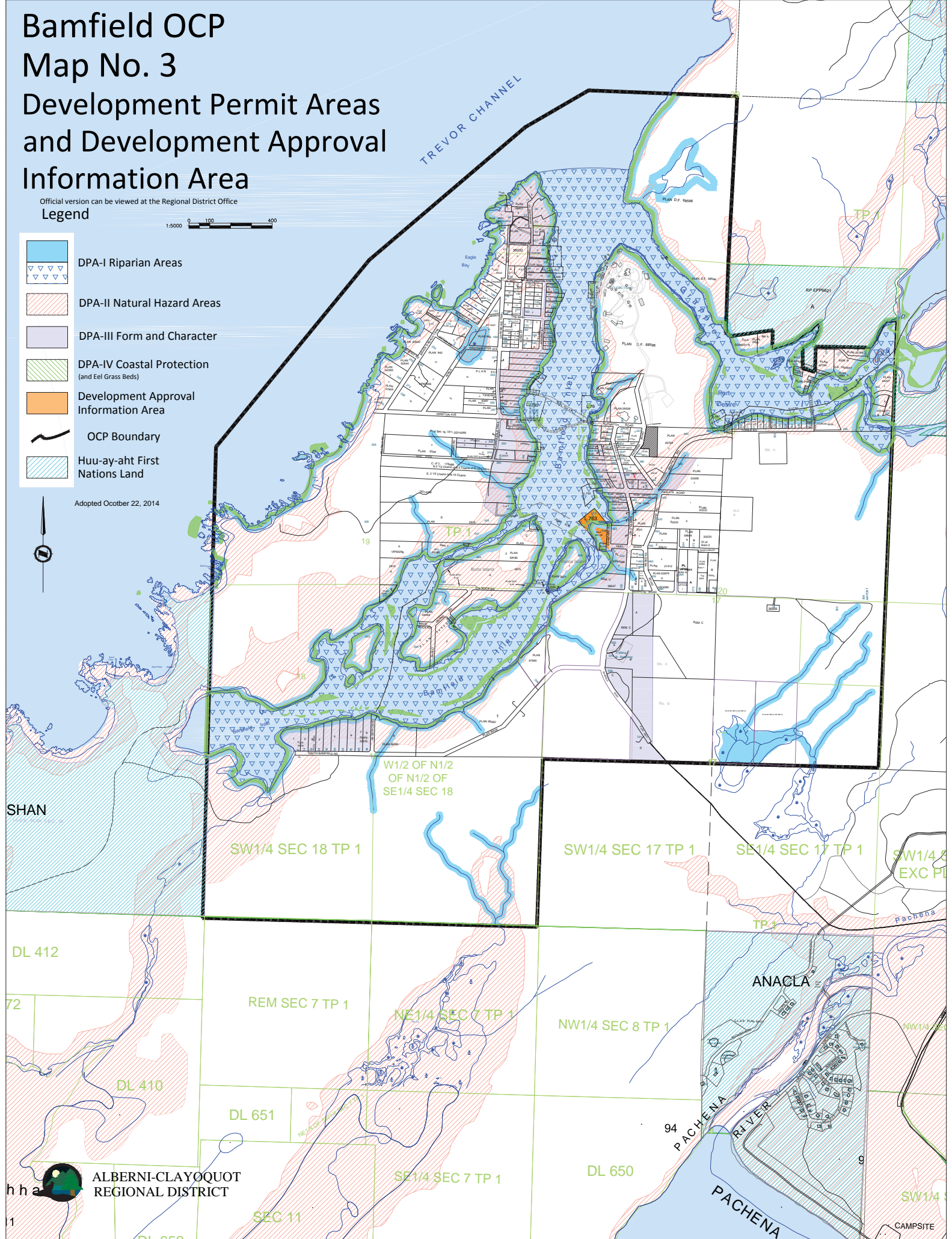
Official version can be viewed at the Regional District Office

## Legend

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-  DPA-I Riparian Areas
-  DPA-II Natural Hazard Areas
-  DPA-III Form and Character
-  DPA-IV Coastal Protection (and Eel Grass Beds)
-  Development Approval Information Area
-  OCP Boundary
-  Huu-ay-aht First Nations Land

Adopted October 22, 2014



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SW1/4 SEC 18 TP 1

SW1/4 SEC 17 TP 1

SE1/4 SEC 17 TP 1

SW1/4 SEC 18 EXC PT

DL 412

REM SEC 7 TP 1

NE1/4 SEC 7 TP 1

NW1/4 SEC 8 TP 1

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DL 410

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SE1/4 SEC 7 TP 1

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ALBERNI-CLAYOQUOT  
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CAMPSITE

## PART III – PLAN IMPLEMENTATION

### 17.0 IMPLEMENTATION

Part II of this Plan contains the goals, objectives and policies that are intended to direct the community, its elected officials, ACRD staff and developers in planning and decision-making. Achieving the goals and objectives and pursuing the policies in this Plan requires the formulation of an action or implementation plan in order for the Plan to have the positive impact intended. This section, Part III provides the approach the ACRD will use to implement the Plan.

Implementation can be achieved by the use of a number of methods and tools. The Regional District currently employs its Zoning and Building Bylaws and, in some instances, Development Permit Areas (DPAs), as tools. The intent, exemptions and guidelines for DPAs are outlined below. The approximate locations of DPAs are shown on Map No. 3; the relevant DPA section below should be referred to for specific boundaries of a DPA.

Another tool, the designation of lands as **Development Approval Information Areas (DAIAs)**, is used in this Plan for areas where there is little or no information available on the physical geography of the land, such as physical features, slope stability, and environmental conditions.

For this Plan, all lands are designated as within a Development Approval Information Area, and the ACRD Board will have discretion to consider the information/studies that are applicable to any development proposal and required to enable the full review of the proposal.

Land designated as Comprehensive Development Areas on Map No. 2 are also designated as DAIAs on Map No. 3. This land use designation enables the property owner (or agent) to negotiate and enter into a Comprehensive Development Agreement with the Regional District and to obtain a development permit or approval prior to any development occurring within a CDA.

## 17.1 Development Permit Areas

Section 919.1 of the *LGA* allows local governments to designate DPAs for one or more of the following purposes:

- a) protection of the natural environment, its ecosystems and biological diversity;
- b) protection of development from hazardous conditions;
- c) protection of farming;
- d) revitalization of an area in which a commercial use is permitted;
- e) establishment of objectives for the form and character of intensive residential development;
- f) establishment of objectives for the form and character of commercial, industrial or multi-family residential development;
- g) in relation to an area in a resort region, establishment of objectives for the form and character of development in the resort region;
- h) establishment of objectives to promote energy conservation;
- i) establishment of objectives to promote water conservation;
- j) establishment of objectives to promote the reduction of greenhouse gas emissions.

By requiring a development permit for a project, the ACRD can require a greater level of detail and analysis for a development proposed for lands that are considered to have hazardous or sensitive conditions.

The DPAs, the approximate locations of which are identified on Map No. 3 are:

<b>DPA I</b>	<b>Riparian Areas Protection</b>
<b>DPA II</b>	<b>Natural Hazard Areas Protection</b>
<b>DPA III</b>	<b>Form and Character</b>
<b>DPA IV</b>	<b>Coastal Protection</b>

## 17.2 DPA General Guidelines

The following General Guidelines apply to DPAs:

- Guideline 17.2.1** Where land is subject to more than one DPA designation, only a single development permit is required and only one permit fee will be charged. However, the application is subject to the requirements of all applicable DPAs.
- Guideline 17.2.2** On existing lots that meet or are less than minimum lot area standards, the location of which limits the opportunity to fully meet development permit requirements, the development permit guidelines should be addressed to the fullest extent within the constraints of the site and lot.
- Guideline 17.2.3** The Regional District may consider issuing a development permit to vary or supplement a bylaw or to set standards in accordance with Section 920 (2) of the *LGA*.
- Guideline 17.2.4** A development permit is required for the following development activities except where such activities are specifically exempt:
- a) Removal, alteration, disruption, or destruction of vegetation;
  - b) Disturbance of soils;
  - c) Construction or erection of buildings and structures;
  - d) Creation of non-structural impervious or semi-impervious surfaces;
  - e) Flood protection works;
  - f) Construction of roads, trails, docks, wharves, and bridges;
  - g) Provision and maintenance of sewer and water services;
  - h) Development of drainage systems;
  - i) Development of utility corridors; and
  - j) Subdivision as defined in the *LGA*.

### 17.3 Development Permit Exemptions

The following activities are exempt from requiring a development permit. Despite the exemption provisions, owners must satisfy themselves that they meet the requirements of any applicable federal or provincial regulations.

- i. Residential, commercial, community service uses and industrial development that is shown to be outside of all designated DPAs on a plan prepared by a registered BC Land Surveyor.
- ii. Interior or structural exterior alterations, renovations or repair to a permanent building or structure on an existing foundation to an extent that does not alter, extend or increase the building's footprint or height.
- iii. Planting or replanting of native trees, shrubs or ground cover for slope stabilization, habitat improvement, soil stabilization and/or erosion control.
- iv. Routine maintenance of existing landscaping, lawn, paths or developed areas.
- v. Actively manage priority invasive plants and noxious weeds listed on the Coastal Invasive Species Committee website [www.coastalisc.com/priority-invasive-plants](http://www.coastalisc.com/priority-invasive-plants).
- vi. The removal of trees determined by a Certified Arborist or Registered Professional Forester, or another professional certified to do tree-risk assessments, to represent an imminent safety risk.
- vii. Stream enhancement and fish and wildlife habitat restoration works carried out under provincial or federal approvals and on provision of evidence of such approvals to the ACRD.
- viii. Emergency procedures to prevent, control or reduce immediate threats to life or property including:
  - a) emergency actions for flood protection and erosion protection;
  - b) removal of hazard trees characterized by a Certified Arborist;
  - c) clearing of an obstruction from bridge, culvert or drainage flow;
  - d) bridge and safety fence repairs in accordance with the *Water Act*;
  - e) limbing, pruning and topping of trees where a minimum of 60% of the original crown of any tree is retained to maintain tree health and vigour as prescribed by a Certified Arborist.
- ix. Public works and services constructed following best management practices.
- x. Forestry activities on private lands that are managed under the *Private Managed Forest Land Act*.
- xi. Activities permitted by the provincial government on provincial Crown lands.
- xii. Farming activities on land within the Agricultural Land Reserve.
- xiii. Paths for pedestrian use up to 1.0 metres in width provided all of the following are satisfied:

- a) Constructed exclusively of previous natural materials with no concrete, asphalt, pavers or treated wood;
- b) Do not entail structural stairs;
- c) Entail no removal of streamside or lakeside vegetation;
- d) Do not impair stream bank or lakeside stability;
- e) Do not impact sensitive habitat; and
- f) Are specifically designed to discourage motorized vehicle use.



## 17.4 DPA I – Riparian Areas Protection

### **Category**

In conformance with the objectives of the provincial *Fish Protection Act*, the ACRD wishes to ensure sufficient water for fish, to protect and restore fish habitat, and to improve riparian protection and enhancement. Therefore, pursuant to Section 919.1(a) of the *LGA*, the ACRD designates all riparian areas as DPA I: Riparian Areas Protection.

DPA I areas include all of the lands within 30 metres of rivers and major streams and within 15 metres of minor streams and watercourses and include watercourses, lakes, streams, ponds, and wetlands identified as fish-supportive habitat or connected to watercourses:

- a) for a river or major stream, a 30-metre strip on both sides of the watercourse measured from the high water mark;
- b) for a minor stream, a 15-metre strip on both sides of the watercourse measured from the high water mark;
- c) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank; and
- d) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank.

For purposes of clarity, the above descriptions should be relied upon rather than the riparian areas shown on Map No. 3. The latter is intended as a visual aid only to help locate these areas.

Within the Plan area, “rivers or major streams” includes Bamfield Inlet and Grappler Inlet. “Minor streams and watercourse” include all named and unnamed watercourses, lakes, and wetlands.

### **Justification**

The natural environment is a significant feature of the Plan area. It includes wet aquatic ecosystems that consist of and surround watercourses: streams, lakes, ponds, wetlands and in many cases, ditches. Some of these ecosystems may only be wet during the winter months, drying up in the summer. The geography and vegetation that surrounds, protects and interacts with the aquatic environment is called the riparian area.

Together, the water and the riparian area form aquatic habitat which are critical for the survival of fish, fish supportive processes and are important to maintain biodiversity and essential for many species. Unnecessarily disturbing these sensitive and important aquatic environments may harm their vitality and the ecological services they provide and can have downstream consequences on fish habitat.

Aquatic ecosystems are also critical for the survival of wildlife and form necessary travel corridors between habitats. Water is an important part of maintaining biodiversity and is essential for many species. Many rare species are associated with aquatic environments.

Aquatic ecosystems are natural water purifiers and pollution filtration systems. Healthy aquatic ecosystems have a capacity to retain stormwater runoff, maintain water quality by reducing levels of sediment, nutrients and contaminants in outflow water, to slow water flow and to prevent erosion.

A development permit is required for any development within DPA I to ensure that the ecological values of sensitive riparian and wetland habitats have been considered prior to development, and that measures will be taken to limit or avoid damage to these ecosystems.

The objectives of having these Development Permit requirements include:

- a) Planning and guiding new development in a manner that preserves and protects fish and fish supportive processes, fish habitat and sensitive aquatic ecosystems;
- b) Protecting, restoring and enhancing fish and fish supportive processes, fish habitat and sensitive aquatic ecosystems in a relatively natural state while supporting adjacent land uses;
- c) Meeting the objectives of the *Fish Protection Act*; and
- d) Protecting water quality and quantity.

### **Guidelines**

- i. Development or alteration should be planned to avoid intrusion into DPA I areas and to minimize the impact of any activity on these areas.
- ii. Within DPA I areas, paths for pedestrian use may be permitted where they are up to 1.0 metre in width, provided all of the following are satisfied:
  - a) constructed exclusively of pervious natural materials with no concrete, asphalt, pavers or treated wood;
  - b) do not entail structural stairs;
  - c) no removal of streamside or lakeside vegetation;
  - d) do not impair stream bank or lakeshore stability;
  - e) do not impact sensitive habitat; and
  - f) no motorized vehicles are permitted.
- iii. Development permit applications that encroach on areas designated as DPA I should include a report prepared by a qualified environmental professional outlining the following information:
  - detailed site plan (1:250 or larger) identifying the natural boundary and a line 30 metres from the natural boundary;

- an impact statement describing effects of proposed development on the natural conditions;
  - measures deemed necessary to protect the integrity of streamside protection and enhancement areas from the effects of development;
  - guidelines and procedures for mitigating habitat degradation including limits of proposed leave areas; and,
  - habitat compensation alternatives, where compensation is approved.
- iv. Development permit applications should include a vegetation management plan indicating the extent of proposed buffer areas and the proposed management of vegetation in these areas.
  - v. Based on the biophysical assessment of the site within an area designated DPA I, works or protective measures such as the planting or retention of trees or vegetation may be required to preserve, protect, restore or enhance stream, watercourses, fish habitat or riparian areas.
  - vi. In the absence of a report from a qualified environmental professional, a minimum buffer of 30 metres should be preserved between the high water mark of the watercourse and any building or structure.
  - vii. The total amount of impervious cover on property adjacent to a watercourse should minimize impact on the receiving aquatic environment. Consideration should be given to reducing impervious cover through reduction in building footprint and paved areas, exceeding the minimum riparian setback where feasible, and use of on-site infiltration.
  - viii. The construction of a small accessory building such as a pump house, gazebo, garden shed or play house may be permitted if all the following apply:
    - a) The building is located within an existing landscaped area;
    - b) No native trees are removed;
    - c) The building is located a minimum of 15 metres from the high water mark of a minor stream or 30 metres from the high water mark of a major stream; and
    - d) The total area of the structure is not more than 9.2 m<sup>2</sup>.

It is noted that the provincial ministry responsible for agriculture has developed setback distances for farm buildings and watercourses on existing farmland and for new agricultural buildings. The following website should be referred to:

[http://www.agf.gov.bc.ca/resmgmt/publist/800Series/823400-1\\_Agriculture\\_Building\\_Setback\\_Factsheet.pdf](http://www.agf.gov.bc.ca/resmgmt/publist/800Series/823400-1_Agriculture_Building_Setback_Factsheet.pdf)

## **17.5 DPA II – Natural Hazard Areas Protection**

### ***Category***

In accordance with Section 919.1(b) of the *LGA*, areas that are or may be subject to flooding, erosion, slides or subsidence, areas within the tsunami-hazard zone and steep slopes with an incline of 30 degrees or more are designated as DPA II, generally as shown on Map No. 3.

### ***Justification***

Lands in the vicinity of watercourses can be susceptible to flood hazard and, in certain areas, to erosion or sloughing. Lands that are or may be flooded represent a hazardous condition for permanent structures.

One of the effects of climate change is a rise in sea level. While experts using the best available science are still grappling with a range of possible impacts, current expectations are that the sea level on the west coast of Vancouver Island will rise somewhere in the vicinity of one metre by the year 2100. Any development along the coastline must take this into consideration in an attempt to anticipate and minimize any negative impacts that rising sea levels may have on the built environment and the safety of residents.

The west coast of Vancouver Island, identified as Zone C by the provincial Ministry of Public Safety and Solicitor General, is a high-risk seismic zone, known to be vulnerable to flooding in the event of a tsunami. The ACRD wishes to protect the community against the loss of lives and to minimize property damage, injury and trauma associated with flooding events.

Steep slopes also tend to constitute high-risk areas for erosion and slippage if the tree cover is substantially altered. Potentially hazardous conditions on steep slopes may be avoided if adequate tree cover is retained and surface water runoff is minimized. The toe of the Beaufort Range, for example, is an area where, due to topographic conditions, the possibility of land slippage is considered significant. In order to protect development from these hazardous conditions, development permits are required for areas designated as DPA II.

### ***Guidelines***

- i. The development or alteration of land, buildings and structures should be planned to avoid intrusion into DPA II areas and to minimize the impact of any activity on these areas.
- ii. Development permits related to tsunami hazard areas are required in upland areas located between the high tide line and a horizontal distance of 30 metres from the natural boundary of the sea or the furthest extent of the tsunami zone, whichever is greater.
- iii. The recommended flood construction level for the ACRD is 10 metres vertical elevation above the normal highest tide.
- iv. Prior to any development or alteration of land within DPA II areas, a development

permit application must be filed that includes an assessment or report by a qualified, licensed professional engineer or other qualified professional addressing the following:

- a) Contain a description of the methodology and assumptions used to undertake the assessment. The methodology should be described in sufficient detail to facilitate a professional peer review.
- b) Identify any hazards which may affect the safe development of the land including, but not limited to:
  - a. tsunami inundation;
  - b. riparian flooding;
  - c. slopes with an incline of 30 degrees or more;
  - d. subsidence; and
  - e. ground water flows.
- c) Identify the location of all proposed buildings or development sites by specifying setback distances from a natural boundary, property boundary or feature or hazard area. Areas depicted on maps must be delineated with sufficient accuracy and detail to allow the preparation of a legal reference plan for attachment to a restrictive covenant.
- d) Where applicable, flood construction levels should be provided by prescribing an elevation above the natural boundary of a watercourse or natural ground elevation at the building site, or by specifying a geodetic elevation, or by a combination of both.
- e) An application should identify the location of all proposed buildings and structures on the development site and specify the setback distances from the natural boundary, property boundary, land features, and hazard areas.
- f) The applicant should consider the suitability of the land to accommodate the use intended.
- g) Plans should establish a safe setback line from any watercourses and shorelines to protect the land, buildings and inhabitants from the risk of injury or damage that may, in the opinion of an engineer or qualified professional, be caused by the hazards of flooding, erosion, subsidence earthquake, mud flows or any combination thereof.
- h) The QEP's recommendations and the conclusion of the report should:
  - i. acknowledge that the Approving Officer may rely upon the report when reviewing subdivision applications and/or that the ACRD Board may review the report prior to making land development decisions;
  - ii. certify that the land is safe for the use intended, with probability of a geotechnical failure or another substantial hazard resulting in property damage of less than two per cent (2%) in 50 years or as specified by the most

recent edition of the “APEGBC Guidelines for Legislated Landslide Assessments for Residential Developments in BC”;

- iii. identify any deficiency in the design of the buildings, the proposed water, sewer, drainage, access and road works or the construction standards intended for the development;
  - iv. prescribe the geotechnical works and any changes in the standards of the design of the development which are required to develop land, buildings, structures and infrastructure safely for the use intended and to maintain the safety of the land, buildings, structures and infrastructure as a condition of the approval of the development; and
  - v. where mitigation works and actions are proposed, describe the effects that the proposed works and actions may have on other properties, including public infrastructure or lands.
- v. Where mitigation works and actions designed to reduce hazards or impacts are contemplated, the applicant’s professional engineer should confirm that the works and actions will be acceptable to local government, and that they would meet regulatory requirements, prior to completing the report and a detailed design.
  - vi. Plans should include the retention of significant stands of trees, as well as native vegetation, within DPA II areas, as recommended by a QEP.
  - vii. Where lands within DPA II areas subject to seasonal flooding are proposed for development, the flood construction level should be a vertical elevation at least four metres (4 m.) above the high water mark.
  - viii. Coastline areas that are subject to flooding should be flood-proofed to the standards specified by the authority having jurisdiction.
  - ix. In order to minimize the risk of fire spreading either to or from significant tree cover, new development adjacent to forestry lands is required to plan for a 10-metre fuel-free or fuel-reduced buffer zone between the forested land and any buildings.

## **17.6 DPA III – Form and Character**

### ***Category***

In accordance with Section 919.1 (e) and (f) of the *LGA*, the Regional District establishes objectives for the form and character of intensive residential development and objectives for the form and character of development in industrial, commercial and multi-family areas. These areas are designated as DPA III, as shown on Map No. 3. These areas may also be designated as Comprehensive Development Areas as described in Part II of this Plan.

### ***Justification***

The purpose of this Development Permit Area is to protect the visual landscape and aesthetic of the Plan area. The community is a stunning example of a West Coast village, with recognition of Huu-ay-aht First Nation's long history in the area, and layers of development that convey a sense of the community's history and growth. From the form of individual housing to the Rix Centre at the Bamfield Marine Sciences Centre, the Plan area is characterized by a strong design aesthetic that should be protected and celebrated. The following guidelines are intended to assist property owners, business owners, architects, landscape architects and other design consultants to understand the community's expectations for future development in the Plan area.

### ***Guidelines***

- i. The scale and shape of proposed structures should reflect and relate to adjacent and neighbouring developments as well as to the specific site.
- ii. The shape, siting, roof-line and exterior finish of buildings should be sufficiently varied to avoid visual monotony yet reflect a West Coast experience and tradition as much as possible. The use of wood, wood shingles or shakes, board and batten as external cladding, where appropriate, is encouraged.
- iii. Building siting, form and massing must be responsive to:
  - a. the overall development context and scale of the Plan area;
  - b. adjacent development;
  - c. pedestrian and vehicular access and circulation;
  - d. topography;
  - e. geology/soils conditions;
  - f. hydrology, drainage and flood plain considerations;
  - g. vegetation; and
  - h. views and view corridors.
- iv. The siting of proposed developments should ensure that a harmony of character with adjacent developments is maintained and, where located adjacent to residential uses, that the residential aesthetic is reflected in the intensive residential, commercial or industrial development.
- v. Off-street parking spaces are to be provided in accordance with Schedule III of the Zoning Bylaw.
- vi. Off-street loading spaces are to be provided in accordance with Schedule IV of the

Zoning Bylaw.

- vii. All signage should be unobtrusive and the use of wood-faced signage is encouraged.
- viii. Bicycle racks for use by the general public should be provided near entries to commercial spaces (stores, restaurants).
- ix. A “Dark Sky” policy is supported for the Plan area. Any outdoor lighting should be directed downward with full cut-off and fully shielded fixtures that provide only the amount of light necessary for safe pedestrian passage at night.
- x. A landscape plan for the development, including the parking area, is to be prepared as an integral part of design and layout and provided to the ACRD. The landscape plan should describe plant species to be used, as well as ground cover specifications. The ACRD strongly encourages landscaping with native vegetation.



## **17.7 DPA IV – Coastal Protection**

### ***Category***

In accordance with Section 919.1 of the *LGA*, the Regional District establishes objectives for the protection of the natural environment, its ecosystems and biological diversity. These areas are designated as DPA IV, generally as shown on Map No. 3.

### ***Justification***

This Development Permit Area includes shoreline waters and natural fish and wildlife habitat that could be subject to degradation due to development or harmful uses. Shoreline areas and beaches may contain unstable slopes and soils subject to erosion, land slip and rock falls. In addition, the tidal waters are habitat to a wide range of fish, wildlife, and plant species: eelgrass, in particular, is highly sensitive to negative impacts from intensive uses or development. There are also high aesthetic values along shoreline areas.

### ***Guidelines***

- i. This DPA applies to all lands within 15 metres, measured horizontally in both landward and seaward directions, from the natural boundary of the ocean.
- ii. Unless otherwise exempt under 17.3, prior to undertaking any development on the lands within this DPA, the owner of the lands must apply to the ACRD for a Development Permit, and must include the following information with the application:
  1. An assessment report that has been prepared by a Qualified Professional, with demonstrated experience regarding the subject matter. The assessment report will identify how the proposed development will affect aquatic resources, and recommend measures to reduce or mitigate any negative impacts, such as the:
    - i. Appropriate siting of buildings, structures, roads, driveways, parking areas, trails, paths, and utilities;
    - ii. Retention or restoration of native vegetation and soils;
    - iii. Removal of invasive species;
    - iv. Designation of buffer areas to protect environmentally sensitive features or habitat;
    - v. Specification of any activities that may occur within the buffer areas; and
    - vi. Must state that the proposal is suitable for the area intended for development.
- iii. Sites shall be retained in their natural state where possible, preserving indigenous vegetation and trees. If an adequate suitable building envelope exists on a parcel outside of the DPA, the proposed development should be directed to that site or area. Encroachment into the DPA shall only be permitted where the applicant can demonstrate that the encroachment is necessary to protect environmentally sensitive features, due to hazardous conditions or topographical considerations, or to relate the development to surrounding buildings and structures.
- iv. The removal of trees and vegetation within the DPA is discouraged and must be limited to only those areas that must be cleared to support the development. Any clearing

- required to accommodate roads, buildings, structures, and utilities, with the exception of necessary hydraulic, percolation, or geotechnical testing, shall only occur until after the issuance of a Development Permit to minimize the potential for soil erosion, runoff and spread of invasive species.
- v. Shoreline stabilization devices are not supported on parcels that are not subject to active erosion nor are they supported on parcels that erode more rapidly as a result of vegetation removal that is not recommended or supervised by a Qualified Coastal Professional.
  - vi. Shoreline stabilization devices are supported where a Qualified Coastal Professional, with experience to advise on such matters, has determined that a greenshores approach to shoreline stabilization such as vegetation enhancement, upland drainage control, biotechnical measures, beach enhancement, tree anchoring or gravel placement are not appropriate given site specific conditions.
  - vii. Where a shoreline stabilization device is recommended by a Qualified Coastal Professional as a result of an assessment completed, it must be located entirely within the property boundary.
  - viii. The assessment for siting a shoreline stabilization device prepared by a Qualified Coastal Professional must include:
    - (i) Assesses the risk of erosion on the subject property and the suitability of the subject property for a shoreline stabilization device;
    - (ii) Analyses of the potential impacts on coastal geomorphologic processes as a result of installing or not installing the device;
    - (iii) Analyses of the potential impacts on adjacent properties as a result of installing and not installing the device;
    - (iv) Recommendation measures to ensure that the subject property is protected while mitigating potential negative impacts on marine riparian areas, coastal geomorphologic processes or neighbouring properties.
  - ix. Shoreline stabilization measures, pilings, floats, wharves and other structures which disrupt light penetration to the water column or obstruct public access to the foreshore are discouraged.
  - x. Impervious surfaces, including materials to construct docks and wharves, shall be kept to a minimum.
  - xi. Parking areas shall contain oil/water separators and be landscaped to absorb runoff, and proof of a maintenance program for these will be provided.
  - xii. New piers, docks and ramps shall be allowed only for water-dependent uses or for public access, and only permitted when the applicant has demonstrated that a specific need exists to support the intended water-dependent use.
  - xiii. Docks and wharves shall not extend over marshes or other productive foreshore areas, including critical areas such as eelgrass and kelp beds, shellfish beds, and fish habitats. Wharves shall not, in any case, extend over the water beyond the mean low-water mark, except as necessary to access floats or for public viewing access.
  - xiv. Piers on pilings and floating docks are preferred over solid-core piers or ramps.

- xv. Boat launch ramps are discouraged and will only be considered if they can be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary.
- xvi. Structures in contact with the water shall be constructed of stable materials, including finishes and preservatives that will not degrade water quality.
- xvii. All docks shall be constructed so that they do not rest on the bottom of the foreshore at low water levels.
- xviii. Any plastic foams or other non-biodegradable materials used in construction of floats and docks shall be well contained to prevent escape into the natural environment.
- xix. Piers should use the minimum number of pilings necessary, with preference to large spans over more pilings.
- xx. Piers should be constructed with a minimum clearance of 0.5 m above the elevation of the natural boundary of the sea.
- xxi. Preference is given to the placement of mooring buoys and floats instead of docks.
- xxii. New shoreline residential development of two or more dwellings shall provide joint use or community dock facilities rather than individual docks for each residence.
- xxiii. No more than one facility for mooring boats shall be located on any single parcel.
- xxiv. The consideration of the issuance of a Development Permit by the ACRD in no way exempts the property owner from obtaining all necessary permits and approvals from provincial and federal agencies.