

17.7 DPA IV – Coastal Protection

Category

In accordance with Section 488.1 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 30 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 Environmental 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, private moorage facilities (docks or boat lifts), 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, private moorage facilities, 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. Parking areas shall contain oil/water separators and be landscaped to absorb runoff, and proof of a maintenance program for these will be provided.
- x. The construction of private, commercial and group moorage facilities are permitted in DPA IV subject to the following conditions:
 - a) Refer to the Ministry of Forests, Lands and Natural Resource Operations *Provincial Crown Land Use Operational Policy: Private Moorage* for general permission for private moorage facilities.
 - b) Commercial moorage facilities must be designed and constructed in compliance with the applicable best management practices of the province.
 - c) Refer to the Ministry of Forests, Lands and Natural Resource Operations *Provincial Crown Land Use Operational Policy: Residential* for specific permission for group moorage facilities.
 - d) Shoreline stabilization measures, pilings, floats, docks, boat lifts, wharves and other structures which disrupt light penetration to the water column or obstruct public access to the foreshore are discouraged.

- e) Impervious surfaces, including materials to construct docks and wharves, shall be kept to a minimum.
 - f) 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.
 - g) 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.
 - h) Piers on pilings and floating docks are preferred over solid-core piers or ramps.
 - i) 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.
 - j) Structures in contact with the water shall be constructed of stable materials, including finishes and preservatives that will not degrade water quality.
 - k) All docks shall be constructed so that they do not rest on the bottom of the foreshore at low water levels.
 - l) Any styrofoam, 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.
 - m) Piers should use the minimum number of pilings necessary, with preference to large spans over more pilings.
 - n) Piers should be constructed with a minimum clearance of 0.5 m above the elevation of the natural boundary of the ocean.
 - o) Preference is given to the placement of mooring buoys and floats instead of docks.
 - p) New shoreline residential development of two or more dwellings should provide joint use or community dock facilities rather than individual docks for each residence.
 - q) No more than one dock shall be located on any single residential lot.
- xi. 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.