Outline

- Basic requirements
- Different approaches - examples
- Tools options - examples
- Process
- Resources

- Implementation Guidebook (revised Dec 05)
- Examples
Basic Regulatory Requirements (p. 38)

1. Definitions consistent with the RAR
   - stream, riparian area, development

2. Trigger for regulatory action if development proposed inside RAA or SPEA

3. Means of requiring QEP assessment
   - comply with RAR assessment methods.
## Tools Overview

<table>
<thead>
<tr>
<th>Planning &amp; Policy</th>
<th></th>
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</thead>
<tbody>
<tr>
<td>TEMP COMMERCIAL &amp; INDUSTRIAL PERMIT AREA</td>
<td>DEVELOPMENT PERMIT AREA</td>
</tr>
<tr>
<td>REGIONAL GROWTH STRATEGY</td>
<td>OFFICIAL COMMUNITY PLAN</td>
</tr>
<tr>
<td>MISCELLANEOUS (landscaping, surface runoff, tree cutting, soil)</td>
<td>ZONING BYLAW</td>
</tr>
<tr>
<td>Regulation</td>
<td></td>
</tr>
<tr>
<td>BUILDING BYLAW</td>
<td>SUBDIVISION &amp; SERVICING BYLAW</td>
</tr>
<tr>
<td>Administration: Permits, Approvals</td>
<td></td>
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<tr>
<td>Temp Comm/Ind Use Permits</td>
<td>Development Variance Permit</td>
</tr>
<tr>
<td>Development Permit</td>
<td>Subdivision Approval</td>
</tr>
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<td></td>
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<tr>
<td>Misc Permits</td>
<td>Building Permit</td>
</tr>
<tr>
<td>Provi'l permits (septic, waste, access, etc.)</td>
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<tr>
<td>Enforcement</td>
<td></td>
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<tr>
<td>Security</td>
<td>Covenants</td>
</tr>
<tr>
<td>Stop Work Order</td>
<td>Demolition</td>
</tr>
</tbody>
</table>
Approaches (p. 47)
- Defining the area that triggers regulatory action
A - Designate the RAA equivalent

- 30 m from HWM, 30/10 m from TORB
- QEP determines SPEA (simple or detailed)

Campbell River, Lantzville, Hope, Sunshine Coast RD, Texada Island
B – Adopt SPEA widths

<table>
<thead>
<tr>
<th>Vegetation Category</th>
<th>Streamside Protection and Enhancement Area Width*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fish bearing</td>
</tr>
<tr>
<td></td>
<td>Permanent</td>
</tr>
<tr>
<td>1</td>
<td>30 m</td>
</tr>
<tr>
<td>2</td>
<td>Min 15 m **</td>
</tr>
<tr>
<td></td>
<td>Max 30 m</td>
</tr>
<tr>
<td>3</td>
<td>15 m</td>
</tr>
</tbody>
</table>

- From RAR simple assessment or SPR* (*RAR sec. 8 “Transitional”)
- QEP determines which SPEA width applies

*Burnaby, Surrey
C – Predetermine SPEAs on streams

- ‘Meet or beat’ RAR SPEAs (simple)
- QEP - SPEA location, variant if needed (detailed)
  Kelowna, Nanaimo, Chilliwack (propose)
## Possible Approaches Summary

<table>
<thead>
<tr>
<th>REGULATED AREA</th>
<th>QEP ROLES</th>
</tr>
</thead>
<tbody>
<tr>
<td>RAA equivalent</td>
<td>Determines SPEA (simple or detailed)</td>
</tr>
<tr>
<td>SPEA widths (from SPR or RAR)</td>
<td>Determines which SPEA width applies; variant if needed.</td>
</tr>
<tr>
<td>Predetermined SPEAs</td>
<td>BCLS – locate SPEA QEP - variant if needed.</td>
</tr>
</tbody>
</table>
Tools

- Part 26 tools to implement the approaches
Tools Overview

REGIONAL GROWTH STRATEGY
OFFICIAL COMMUNITY PLAN

Planning & Policy
TEMP COMMERCIAL & INDUSTRIAL PERMIT AREA
DEVELOPMENT PERMIT AREA

Regulation
MISCELLANEOUS (landscaping, surface runoff, tree cutting, soil)
ZONING BYLAW
SUBDIVISION & SERVICING BYLAW

Administration:
Permits, Approvals
Temp Comm/Ind Use Permits
Development Variance Permit
Subdivision Approval
Misc Permits
Building Permit
Provl permits (septic, waste, access, etc.)

Security
Covenants

Enforcement
Stop Work Order
Demolition
Injunction
Ticketting
Notice on title
Part 26, LGA
1. Zoning Bylaw (p. 40)

- FPA sec.12(4)(a)
- “Setbacks” for structures
  - General requirement applied to all zones
- Setback =
  - RAA (i.e., 30 m)
  - SPEA width definition (Burnaby)
  - Predetermined SPEA (Kelowna, Nanaimo)
- Development in setback ⇒ DVP:
  - RAR assessment (simple or detailed)
Other zoning tools:

- For new lots, require minimum lot size to be met outside setback/SPEA

Nanaimo, SCRD draft
• Allow other zoning requirements to be varied first – e.g., yard set-backs, building height, lot coverage

Kelowna
2. Development Permit Area (p. 40)

- Designated under OCP
  - Guidelines in OCP or zoning bylaw
  - Covers variety of development activities

- DPA =
  - RAA (Campbell River, Hope, Lantzville, Sunshine Coast RD (draft), Texada Island)
  - Predetermined SPEA (Kelowna, Nanaimo, Chilliwack)

- Development in DPA ⇒ DP application:
  - RAR assessment (simple, detailed)

- DPAs need to be mapped…
DPA’s cont’d

General area e.g. West Vancouver

DPA = “areas of land in the Existing Neighbourhoods that contain watercourses and wetlands..” West Vancouver OCP Bylaw no. 4360, 2004
DPA’s cont’d

Streams to which DPA applies

e.g. Campbell River

• Streams map in OCP
• DPAs = RAA (30m)
DPA’s cont’d

Streams with SPEA width e.g. Kelowna

Table 7 – 1: Riparian Management Area Setbacks

<table>
<thead>
<tr>
<th>Stream</th>
<th>Stream Reach</th>
<th>Riparian Management Area [m]</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Bear Creek</td>
<td>10</td>
</tr>
<tr>
<td>2</td>
<td>Kelowna Creek</td>
<td>10</td>
</tr>
<tr>
<td>3</td>
<td>Kelowna Creek (North Arm)</td>
<td>10</td>
</tr>
<tr>
<td>4</td>
<td>Seymour Creek</td>
<td>10</td>
</tr>
<tr>
<td>5</td>
<td>Byron Creek</td>
<td>10</td>
</tr>
<tr>
<td>6</td>
<td>Ikeda Creek</td>
<td>10</td>
</tr>
<tr>
<td>7</td>
<td>Cameron Creek</td>
<td>10</td>
</tr>
<tr>
<td>8</td>
<td>Cedar Creek</td>
<td>10</td>
</tr>
<tr>
<td>9</td>
<td>Kelowna Creek (South Arm)</td>
<td>10</td>
</tr>
</tbody>
</table>

LEGEND

<table>
<thead>
<tr>
<th>Natural Environment DP Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Natural Environment DP Areas for Wetlands (High/Moderate)</td>
</tr>
<tr>
<td>Hazardous Conditions DP Areas</td>
</tr>
</tbody>
</table>

See Map 6.2 for Urban Development Permit Area Designation

See Map 7.2 for Wetland Ecosystem Hazard Development Permit Area Designation
Mapping DPAs - Summary

- General area where streams occur
- Streams themselves
- Streams classified for SPEA width

Any map needs qualifier regarding accuracy and completeness.
3. OCP Policy (no DPA)

E.g., City of Powell River OCP (sec.5.2)

- Adopts definitions from RAR
- Streams shown in map
- Must comply with RAR “if proposing development on affected land within 30 m of a stream”
- Application process.

Powell River OCP Bylaw No.2080, 2005
4. Regulatory Bylaw

Sec.909 - “Landscaping & Screening”

“Require, set standards for, and regulate the provision of screening or landscaping for.. preserving, protecting, restoring and enhancing the natural environment”

• Require “landscaping” maintained in RAA
• Variance ⇒ DVP ⇒ RAR process
• Separate bylaw or part of zoning bylaw
Regulatory bylaw cont’d

E.g. Metchosin Rainwater Protection and Management Bylaw (no. 467):

- Impervious surface management (907, LGA)
- Landscaping (sec.909, LGA)
- Trees and natural environment (sec.8(3), CC)
- Riparian areas (sec.12, FPA and RAR):
  - Prohibits development within RAA unless QEP report confirms that development complies with section 4 of RAR.

http://www.district.metchosin.bc.ca/467-latest.htm
5. Development Approval Procedures Bylaw

- Required under Sec.895 for Part 26 amendments and permits
- Adopt definition of QEP and RAR sec.4 process for assessment report

West Vancouver, SCRD draft
Possible Tools Summary

• Zoning Bylaw - setbacks
• Development Permit Areas - map
• Official Community Plan policy
• Regulatory Bylaw
• Development Approval Procedures Bylaw
Process Considerations

Application in riparian area

LG review

ERC, MOU, referral

HADD

DFO rec’s or authorization

Approve with conditions

Deny
Process RAR-ified

Application in riparian area

QEP report

MOE

LG review

ERC, MOU, referral

DFO authorization

Approve with conditions

Deny

submit

notify

HADD
Take-home messages:

• **Meet the 3 basic requirements:**
  – Consistent definitions
  – Trigger if development proposed in RAA or SPEA
  – Means of requiring QEP assessment

• **Variety of tools available**

• **Variety of ways in which tools are being used** – contact other local governments

• **Consider changes to application process**
Resources

• MOE’s RAR website:
  – Documents
  – Local government approaches to implementation (forthcoming)

• Implementation Guidebook (Dec 05)

• RAR Training Course

• MOE Regional staff
Resources cont’d

• **UBCM website:**
  – RAR section under Featured Policy Topics / Environment
  – Links to local governments under Links / Member Index
  – Local government approaches to implementation (forthcoming)

• **CivicInfo website (www.civicinfo.bc.ca)**
  – Document search on RAR

• **Other local governments**
Questions, Comments