



Streamside Development Permit Area

Sustainable OCP Bylaw 3475, 2012

This handout is for general guidance purposes only. It does not replace any bylaws or other legislation. For complete details please refer to the Official Community Plan Bylaw 3475, 2012, Part V: Development Permit Areas.

As part of your Development Permit application you will need to consider the following:

- **General Environmental Development Permit Guidelines,**
- **General Multi-Family, Commercial and Industrial Form, Character & Performance Development Permit Guidelines**
- **Specific Development Permit Area Guidelines**
- **For Area Designation, Justification and Exemption for this section please refer to Chapter 20, Sustainable OCP Bylaw 3475, 2012.**

Streamside Development Permit Guidelines

In addition to the *General Environmental Development Permit Guidelines*, the following specific guidelines shall be addressed for Streamside Areas:

- 1) For any development within 50 metres of a mapped stream feature or within 30 metres of an identified ditch, a site visit shall be completed by a Qualified Environmental Professional to determine if the proposed development falls within the provincial *Riparian Areas Regulation* assessment area defined as:
 - a) the 30 metre strip on both sides of the stream, measured from the high water mark;
 - b) 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
 - c) 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.
- 2) If the proposed development does not fall within the Riparian Area Regulation Assessment Area, the Qualified Environmental Professional shall prepare a letter certifying that further Qualified Environmental Professional assessment is not



required.

- 3) If the development falls within the assessment area, a report shall be completed by a Qualified Environmental Professional to meet the provisions of the Riparian Areas Regulation. If the SPEA cannot be achieved for any reason (including reductions supported by senior government agencies) then the Qualified Environmental Professional shall make recommendations on suitable mitigation or restoration options to improve the quality of the remaining setback area. If no options exist on the subject property, other suggestions for habitat improvement within the watershed shall be presented for consideration by the City.
- 4) When assessing ditches, a Qualified Environmental Professional can exercise their professional judgment as to whether or not a full Riparian Area Regulation assessment is required for submission to the Province. If the Qualified Environmental Professional decides that a Riparian Area Regulation assessment report is not required for Provincial submission, a lesser report specifying the required SPEA width and measures to maintain and protect the SPEA shall still accompany the development application.
- 5) For projects where detailed site plans do not yet exist, the Qualified Environmental Professional shall provide advice on environmental monitoring and measures that may need to be considered when another assessment is undertaken at the building stage if development is proposed in the riparian assessment area. It should be recognized that the preliminary assessment at the subdivision stage provides the SPEA distance but that the measures may place additional restrictions on the development at the next approval stage.
- 6) To protect aquatic habitat and water quality, the City encourages proposals that either dedicates the conserved area to the City or a conservation oriented non-governmental organization, or that offer to register a covenant on the title of the adjacent lands. The covenant, shall be registered prior to any development including subdivision, and is intended to protect the stream and the riparian buffer, and ensure that it remains in a natural and vegetated state and free of development and encroachment. The covenant shall be registered in favour of the City of Campbell River, other public agencies including the Province, or non-governmental organizations, such as a private land trust committed to the management of watercourses or streamside areas. The natural watercourse shall be dedicated where applicable in accordance with the provisions of Section 920 (7) (c) of the Local Government Act. Dedication of the Development Permit Area is not required, however individuals may choose to make a donation of environmentally sensitive



land, should it be deemed unsuited for development.

- 7) In accordance with Section 920 (7) (d) of the Local Government Act, the City of Campbell River may require the provision of works, including fencing, to be constructed at the boundary of the streamside protection and enhancement area, to preserve and protect natural watercourses and other specified natural features.
- 8) All new buildings shall be setback a minimum of 2 metres from the SPEA to provide for useable yard space.
- 9) Where a net benefit for fish-habitat can be demonstrated, the City may consider proposals to enhance fish-habitat, including in-stream works or the creation of wetland areas, as part of alternative design options for development projects. Approval for these projects shall be subject to approval from applicable provincial and federal government agencies.

Please contact Land Use Services Department staff for further discussion.

