Environmental Development Permit Area Guidelines Checklist - FORESHORE

This Development Permit Guideline Checklist must be completed and submitted as part of a complete Development Permit application. The checklist helps applicants demonstrate how their proposal addresses the applicable Development Permit Area guidelines and assists staff in reviewing the application.

For each guideline, applicants must provide a written explanation describing how the proposal meets the guideline or, where applicable, why it does not. Statements such as “see plans,” “refer to drawings,” or similar references are not sufficient and will not be accepted in place of a written response. Supporting plans and reports may be provided but are intended to supplement, not replace, the explanations provided in this checklist.

Foreshore Environmental DPA Guidelines	Applicant comments	City Staff review
1. A detailed description of the shoreline’s current physical and ecological condition shall be prepared by a QEP and included in the Environmental Assessment Report required by General Environmental DPA Guideline 2. The High-Water Mark must be determined by a QEP and delineated by a BC Land Surveyor.		
2. In addition to the minimum Environmental Assessment Report requirements of General Environmental DPA Guideline 2, Environmental Assessment Reports for developments proposed within the Foreshore DPA shall include the following: a. Identification of any marine Environmentally Sensitive Areas seaward of the parcel and development measures on the parcel that could ensure no negative impacts, or the fewest possible negative impacts from proposed development, so long as the development would still comply with senior government legislation and regulations. b. Identification of native plant		

species or plant communities dependent on a marine shoreline habitat that are specified as sensitive, rare, threatened or endangered by senior government legislation or included in a senior government conservation database must be noted by a QEP for protection and their habitat areas shall be left undisturbed. If disturbance cannot be entirely avoided, development and mitigation/compensation measures that will be undertaken under the supervision of a QEP with advice from applicable senior government agencies. c. Identification of whether shoreline protection measures are required to mitigate risks to people, property, Environmentally Sensitive Areas, or species included in a senior government database. For clarity, this applies to the protection of existing waterfront buildings and structures that were built with a valid building permit or are legally non-conforming (including those on other waterfront parcels in the City that may be affected by shoreline modifications). New subdivisions, buildings, structures, and landscape plans shall be designed in a manner that does not require shoreline protection measures, or minimizes the need for shoreline protection measures. d. In the determination of whether shoreline protection measures are required, the following shall be considered within a geotechnical analysis completed by a professional engineer: i. Conclusive evidence that the existing building or structure is at risk from shoreline erosion caused by tidal action, currents, or waves. Evidence of		

normal sloughing, erosion of steep bluffs, or shoreline erosion itself, without a professional engineering analysis, is not sufficient demonstration of need. ii. Whether erosion is being caused by upland conditions, such as the loss of vegetation and/or drainage conditions. The professional engineering analysis should evaluate on-site drainage issues and address drainage problems affecting the shoreline before considering structural shoreline stabilization. iii. Non-structural measures that could be completed to avoid the need for shoreline modifications, such as locating new buildings and structures further from the shoreline, planting vegetation, or installing on-site drainage improvements. Variances to setbacks may be approved through the development permit to minimize the need for shoreline modification where in the opinion of the City, the variance does not negatively impact adjacent properties. iv. Measures to ensure that shore protection works will not result in a net loss of shoreline ecological function, as determined by a QEP. v. Measures to ensure that shore protection works do not result in negative impacts to adjacent properties. vi. Where the professional engineer determines that shoreline protection measures are required, they shall be designed to be as soft and natural as possible while providing the required protection to people and property, including on down-current properties, and shall be designed in collaboration with a QEP.		

3. An Environmental Management Plan shall be prepared prior to land disturbance and issuance of a Development Permit.		
4. A stormwater management plan and erosion and sediment control plan prepared by a QEP are required and should be consistent with the City's Works and Services Bylaw and any geotechnical evaluations as required.		
5. Development shall not impede public access along the shoreline below the natural boundary.		
6. A minimum 30 metre setback from the HighWater Mark shall be maintained for new buildings and structures, additions to existing buildings and structures, the placement and removal of fill other than beach nourishment fill, driveways, and septic systems, except where a QEP demonstrates a lesser setback is appropriate and to the satisfaction of the City, and maintains compliance with any relevant senior government and Vancouver Island Health Authority legislation and regulations.		
7. When works are undertaken within the 30-metre setback area (guideline 6), existing trees and vegetation shall be retained to the greatest extent possible and clearly marked prior to development. Temporary fencing shall be installed at the drip line to protect them during clearing, grading and other development activities.		
8. All habitable areas of buildings shall be constructed at an elevation at or greater than the flood construction		

level established by an appropriately-qualified professional and a professional engineer shall provide a statement that the proposed development is safe for intended purposes. For clarity, parking, loading, and storage areas may be located below this elevation if approved by a professional engineer.		
9. Where native vegetation is disturbed during development it shall be restored. Vegetation species used in replanting and restoration shall be identified by a QEP and selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and be selected for erosion control and/or fish and wildlife habitat values as needed. Suitably adapted, noninvasive, non-native vegetation may also be considered acceptable.		
10. All replanting shall be maintained and monitored until established for a time period as directed by a QEP.		
11. Using geotechnical analysis of the site and shoreline characteristics, subdivision concepts shall ensure that the lots created will not require shore protection measures to provide useable, safe building sites. Only if all options to locate and design without the need for shore protection measures are exhausted will such works be considered for approval by the City.		
12. Stairways, boardwalks, and other means of providing access down the beach face are discouraged and shall only be permitted where supported by an engineered design and a geotechnical evaluation. In all cases, an average shoreline protection zone		

of 30 metres (with a minimum of 5 metres) must be maintained over at least 50% of the length of the shoreline.		
13. The following guidelines should be applied for the construction and replacement of existing docks and boat launch facilities: a. Docks and wharves shall ensure that public access along the shore is maintained, and should serve multiple users rather than one dock per property. b. Docks and wharves shall be sited to avoid impacts on sensitive ecosystems such as eelgrass beds, fish habitat, and natural processes such as currents and littoral drift. c. Docks shall be constructed in a manner that permits the free flow of water beneath. d. Floating docks shall not rest on the seabed at any time. Access to docks shall be provided by a minimal, moveable ramp rather than a fixed wharf or pier. e. Docks shall not use unenclosed plastic foam or other non-biodegradable materials that may degrade over time. All dock materials shall be stable and designed to prevent impacts to water quality.		