

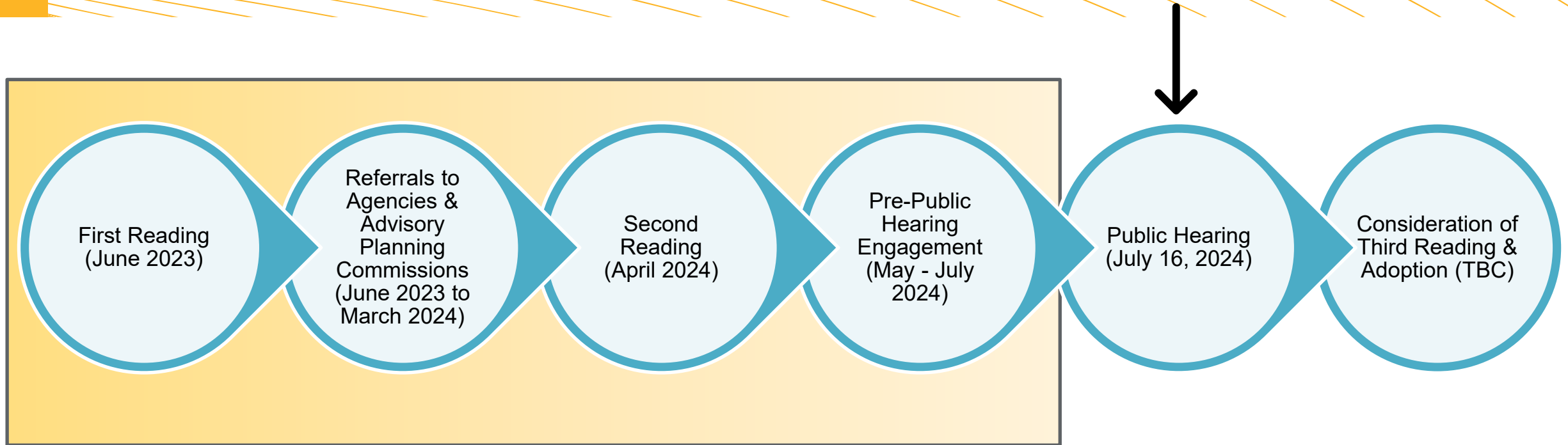
Planning & Development Department

Public Hearing Amendment Bylaw 722.9 & 337.123



Current Status

Bylaw Amendment Process



Summary - Proposed Amendments

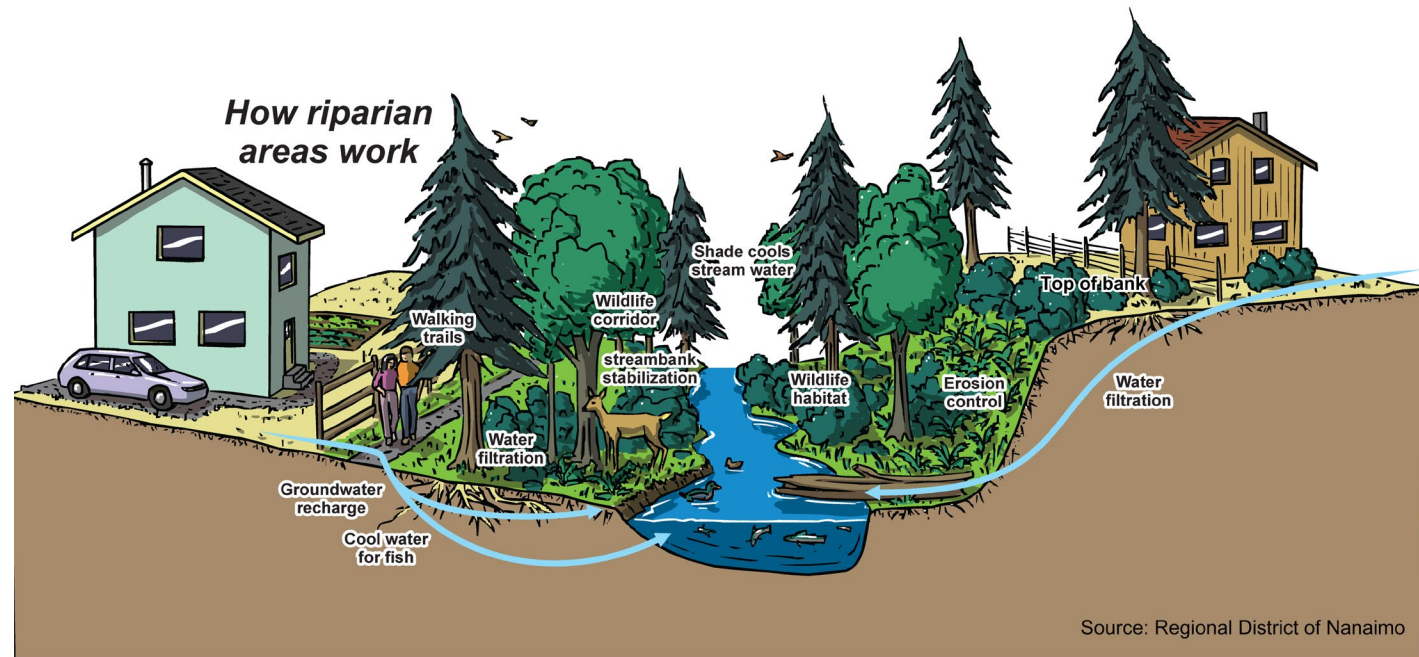
	Action Required for Legislative Alignment	Optional: Recommended for consideration, refinements possible
Freshwater	Parcel Area Calculation at Subdivision All Areas <ul style="list-style-type: none"> • Subtract SPEA and watercourse from parcel (lot) area 	5-metre Buffer to Streamside Protection and Enhancement Area (SPEA) All Areas <ul style="list-style-type: none"> • Recommended to address pattern of riparian infractions and development challenges
	17-metre setback from wetlands and creeks Area A** (<i>Areas B,D,E,F already adopted</i>) <i>**exception: those creeks currently listed in the bylaw with 30-metre setbacks</i>	
Ocean / Marine		15-metre set back from Ocean Area A (<i>Areas B,D,E,F already adopted</i>) <ul style="list-style-type: none"> • Recommended by Provincial Guidelines / industry standard: <ul style="list-style-type: none"> • BC Ministry of Environment Guidelines for Management of Coastal Flood Hazard Land Use • Ministry of Forests, Lands, Natural Resource Operations and Rural Development Flood Hazard Area Land Use Management Guidelines

BC's Riparian Areas Protection Regulation

BC's Riparian Areas Protection Regulation (RAPR) applies to the SCRD.

The intent of the regulation is to protect fish habitat.

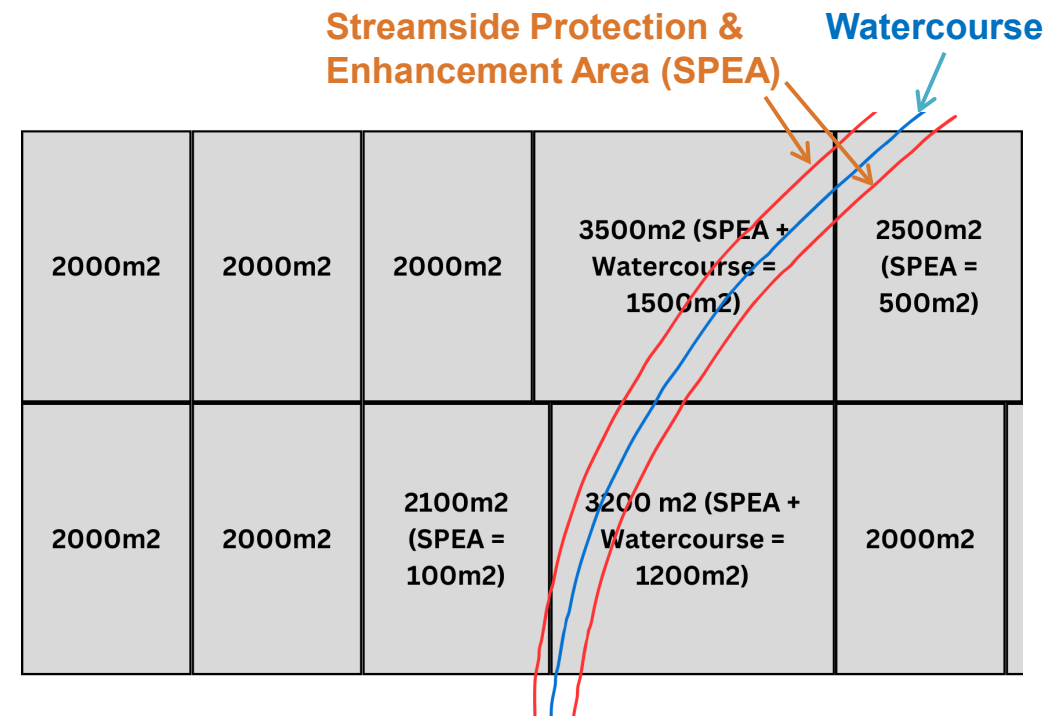
At the time of development that is proposed near (applicable) watercourses, a Streamside Protection and Enhancement Area (SPEA) must be established and protected from development.



Calculating Lot Area when Subdividing Land

Updates required in Zoning Bylaw 722 & 337 to meet Provincial Riparian Areas Protection Regulation (RAPR) intent.

- Amendments would ensure all proposed new lots created through subdivision meet the minimum lot size when the watercourse & SPEA are subtracted.
- Proposed Result:
 - Alignment with provincial RAPR intent: riparian areas would not be used to calculate the minimum lot size for subdivision, preventing future hardship cases.



Freshwater Setbacks Bylaw 337

Updates required in Zoning Bylaw 337 to meet Provincial Riparian Areas Protection Regulation (RAPR).

Per RAPR: the minimum Streamside Protection and Enhancement Area (SPEA) from waterbodies (lakes, ponds, wetland) is 15m. In Bylaw 337, the current setback for wetlands and ponds is 7.5m.

Update recommended for consistency between SCRD zoning bylaws:

- Wetlands & ponds – 7.5m to 17 m
- Streams – 15 m to 17 m ** *unless otherwise noted in the bylaw*

No changes proposed to setbacks from lakes.





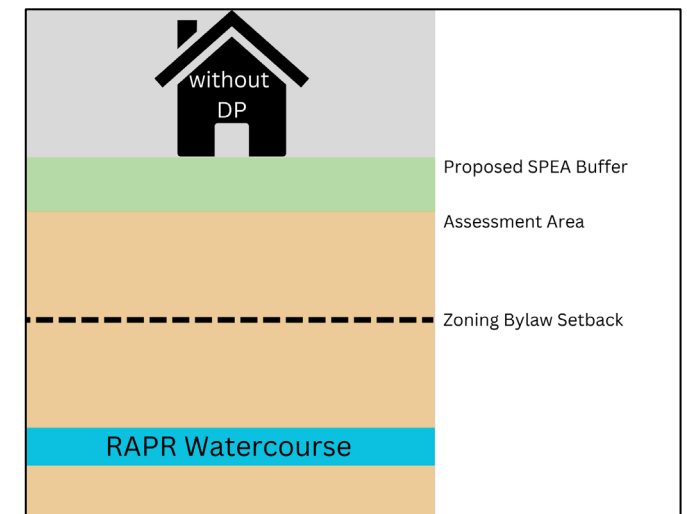
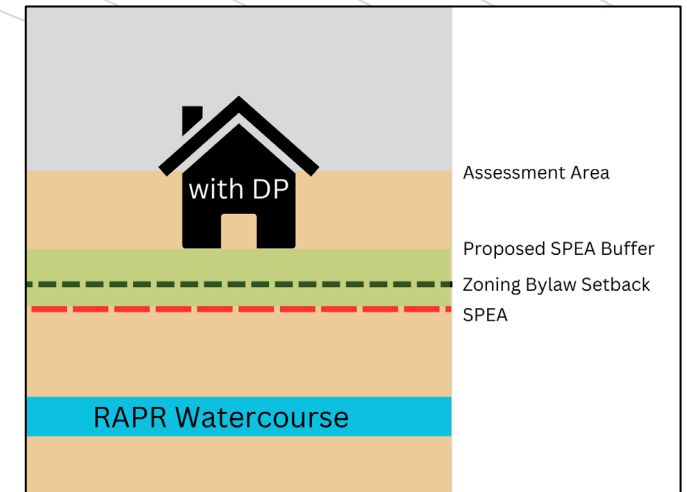
Buffer from Streamside Protection & Enhancement Area (SPEA)

Streamside Protection and Enhancement Areas (SPEA) are protected areas.

- The proposed buffer is intended to:
 - Protect the SPEA by siting of buildings, structures, and hardscaping away from the SPEA
 - Communicate clear expectations for property owners and their contractors
 - Allocate of space for construction, excavation
 - Prevention of habitat impacts and bylaw infractions
 - Reduces development approval timelines
- Adjacent development that encroaches into the SPEA results in habitat impacts, and leads to expensive, time-consuming remediation processes with SCRD and the province.

Not required for legislative alignment. Only relevant for fresh water. SPEAs (and a buffer) do not apply to marine shorelines.

Examples



Ocean Setbacks Bylaw 337

Change the setback from the natural boundary of the ocean from 7.5 m to 15 m to align with provincial guidelines recommendation minimums.

- BC Ministry of Environment Guidelines for Management of Coastal Flood Hazard Land Use
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development Flood Hazard Area Land Use Management Guidelines
- Green Bylaw Toolkit, Environmental Law Centre



	Action Required for Legislative Alignment	Optional: Recommended for consideration, refinements possible
Freshwater	<p>Lot Area Calculation at Subdivision, All Areas</p> <ul style="list-style-type: none"> • Subtract SPEA and watercourse from parcel (lot) area <p>17-metre set back from wetlands and creeks</p> <p>Area A** (<i>Areas B,D,E,F already adopted</i>)</p> <p><i>**exception: those creeks currently listed in the bylaw with 30-metre set backs</i></p>	<p>5-metre Buffer, All Areas to Stream Side Protection and Enhancement Area (SPEA)</p> <ul style="list-style-type: none"> • Recommended to address pattern of riparian infractions and development challenges
Ocean / Marine		<p>15-metre set back from Ocean</p> <p>Area A (<i>Areas B,D,E,F already adopted</i>)</p> <ul style="list-style-type: none"> • Recommended by Provincial Guidelines / industry standard: <ul style="list-style-type: none"> • BC Ministry of Environment Guidelines for Management of Coastal Flood Hazard Land Use • Ministry of Forests, Lands, Natural Resource Operations and Rural Development Flood Hazard Area Land Use Management Guidelines



Thank you!