

APPENDIX A DEVELOPMENT PERMIT AREAS¹

This section of the Official Community Plan identifies those areas of Arrowsmith Benson – Cranberry Bright where the issuance of a development permit is required prior to the commencement of development. For those areas designated as development permit areas, the special conditions or objectives that justify the designation are described, and the guidelines respecting the manner by which the special conditions or objectives must be addressed are provided in the zoning bylaw². Categories of development which are excluded from development permit requirements are also specified in the zoning bylaw³.

Pursuant to the *Local Government Act*, development permit areas may be designated for one or more of the following purposes:

- To protect the natural environment, its ecosystems, and biological diversity;
- To protect development from hazardous conditions;
- To protect farm land;
- To revitalize an area where commercial use is permitted; or
- To establish objectives and provide guidelines for the form and character of commercial, industrial, or multiple family residential development.

The following development permit areas are designated in the Plan:

- Extension⁴ Village Centre – Commercial, Development Permit Area (form and character)
- Farmland⁵ Protection, Development Permit Area (protect farm land)
- Sensitive Ecosystems, Development Permit Areas (protect natural environment)
- Freshwater and Fish Habitat Protection, Development Permit Area (protect natural environment and protection of development from hazards.)⁶

Where land is subject to more than one development permit designation, a single development permit will be required; and the application will be subject to the requirements of all the applicable development permit designations.

¹ Bylaw No. 1148.04, adopted January 23, 2007

² Bylaw No. 1148.08, adopted December 4, 2018

³ Bylaw No. 1148.08, adopted December 4, 2018

⁴ Bylaw No. 1148.08, adopted December 4, 2018

⁵ Bylaw No. 1148.08, adopted December 4, 2018

⁶ Bylaw No. 1148.08, adopted December 4, 2018

EXTENSION⁷ VILLAGE CENTRE – COMMERCIAL DEVELOPMENT PERMIT AREA

Purpose:

- To establish objectives and provide guidelines for the form and character of commercial development.

Area:

The Extension⁸ Village Centre – Commercial, Development Permit Area is as shown on Map No. 7, Development Permit Areas, Sheet 1 of 5.

Justification:

This Development Permit Area is applicable to commercial development on lands within the Extension Village Centre⁹.

Commercial development often represents a more intensive use of land than surrounding land uses. Furthermore, because of their intensive use and typically high profile location, commercial development often sets the tone for future development within an area. Consequently, it is important that commercial development is undertaken in a manner compatible with surrounding land uses and consistent with the desired community character.

The objectives of the Village Centre – Commercial, Development Permit Area are as follows:

- To encourage the integration of commercial development with the historic form and character of development.
- To ensure appropriate facilities are provided for pedestrians, cyclists and vehicles.

⁷ Bylaw No. 1148.08, adopted December 4, 2018

⁸ Bylaw No. 1148.08, adopted December 4, 2018

⁹ Bylaw No. 1148.08, adopted December 4, 2018

FARMLAND PROTECTION DEVELOPMENT PERMIT AREA¹⁰

Authority:

The Farmland Protection Development Permit Area is designated a development permit area for the protection of farming, pursuant to Section 488(1)(c) of the *Local Government Act*.

Designation

The Farmland Protection, Development Permit Area is as shown on Map No. 7, Development Permit Areas, Sheet 2 of 5 and applies to all properties adjacent to the Provincial Agricultural Land Reserve (ALR) boundary.

Justification:

Lands located within the ALR require protection for long term agricultural use. Land use conflicts may develop between lands within the ALR and lands adjoining or reasonably adjacent to the ALR. These conflicts may compromise the agricultural use of the ALR lands. The incorporation of 15 metre wide buffers between new subdivisions and ALR lands will protect the agricultural use of ALR lands.

¹⁰ Bylaw No. 1148.08, adopted December 4, 2018

SENSITIVE ECOSYSTEMS DEVELOPMENT PERMIT AREAS¹¹

Authority:

The Sensitive Ecosystems Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems and biological diversity pursuant to Section 488(1)(a) of the *Local Government Act*.

Designation:

The Sensitive Ecosystems Development Permit Area is as shown on Map No. 7 (Development Permit Areas, Sheet 5 of 5) and applies to the following sensitive ecosystems mapped in the Provincial Sensitive Ecosystem Inventory (SEI): ‘terrestrial herbaceous’, ‘older forest’, and ‘sparsely vegetated’.

Justification:

This Development Permit Area is applicable to lands, which contain sensitive ecosystems as identified by Environment Canada and the BC Ministry of Environment, Lands and Parks.

A SEI for east Vancouver Island and the Gulf Islands has been completed by Environment Canada and the BC Ministry of Environment, Lands and Parks. The SEI identified ecosystems within the eastern segment of Arrowsmith Benson - Cranberry Bright, which are endangered or sensitive to disturbance.

The objective of the development permit area is to minimize the impacts of developments on environmentally sensitive features, ecosystems or habitat.

¹¹ Bylaw No. 1148.08, adopted December 4, 2018

FRESHWATER AND FISH HABITAT DEVELOPMENT PERMIT AREA¹²

Authority:

The Freshwater and Fish Habitat Development Permit Area is designated a development permit area for the protection of the natural environment, its ecosystems, and biological diversity and protection of development from hazardous conditions pursuant to Section 488(1)(a) and (b) of the *Local Government Act*.

Designation:

The Freshwater and Fish Habitat Development Permit Area is shown on Map No. 7, and applies to the riparian assessment areas of mapped and unmapped streams subject to the *Riparian Areas Regulation (RAR)* of the *Riparian Areas Protection Act*, as well as all other mapped lakes, wetlands, ponds and watercourses not subject to the RAR. Specifically, the Development Permit Area is defined as follows:

1. All mapped and unmapped riparian assessment areas as defined in the RAR as follows:
 - a) for a stream, a 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. All mapped watercourses, lakes, wetlands, and ponds, that are not subject to the RAR; 15 metres as measured from the natural boundary or top of ravine bank, whichever is greater. This includes estuarine areas (areas of tidal influence) of all watercourses and streams. For clarity, in estuarine areas the Marine Coast Development Permit Area also applies.

The following definitions are used for the purpose of defining the development permit area as above:

‘ravine’ means a narrow, steep-sided valley that is commonly eroded by running water and has a slope grade greater than 3:1;

‘stream’ includes any of the following that provides fish habitat:

- a) a watercourse, whether it usually contains water or not;
- b) a pond, lake, river, creek or brook;
- c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph a) or b);

‘top of the ravine bank’ means the first significant break in a ravine slope where the break occurs such that the grade beyond the break is flatter than 3:1 for a minimum distance of 15 metres measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed;

¹² Bylaw No. 1148.08, adopted December 4, 2018

Justification

Freshwater and riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed contributing to effective rainwater management and stabilizing stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area, influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Riparian vegetation stabilizes streambanks, helping to minimize erosion and sedimentation that can be harmful to aquatic ecosystems. Erosion of banks and steep slopes can also pose a hazard to development, and maintaining and enhancing natural features and vegetation and siting buildings and structure appropriately, can reduce this hazard.

Land use practices including land clearing, road building, construction of buildings and structures, and location of wastewater disposal systems in or near riparian areas can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of the Plan Area. Land use practices can also change the hydraulic flow of a stream and create or exacerbate a flooding hazard.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas, and not allow development to proceed until the requirements of the RAR are met.

The objectives of this development permit area are:

1. To protect freshwater ecosystems to maintain their natural habitat and environmental quality.
2. To restore freshwater ecosystems to improve their natural habitat and environmental and hazard mitigation quality if they have been previously degraded.
3. To protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.
4. To protect development from flood and slope hazard.