



Riparian Areas Regulation IMPLEMENTATION TOOLS & APPROACHES

January 2006





Outline

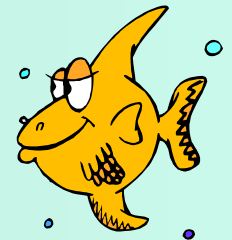
- **Basic requirements**
- **Different approaches - examples**
- **Tools options - examples**
- **Process**
- **Resources**
- **Implementation Guidebook (revised Dec 05)**
- **Examples**



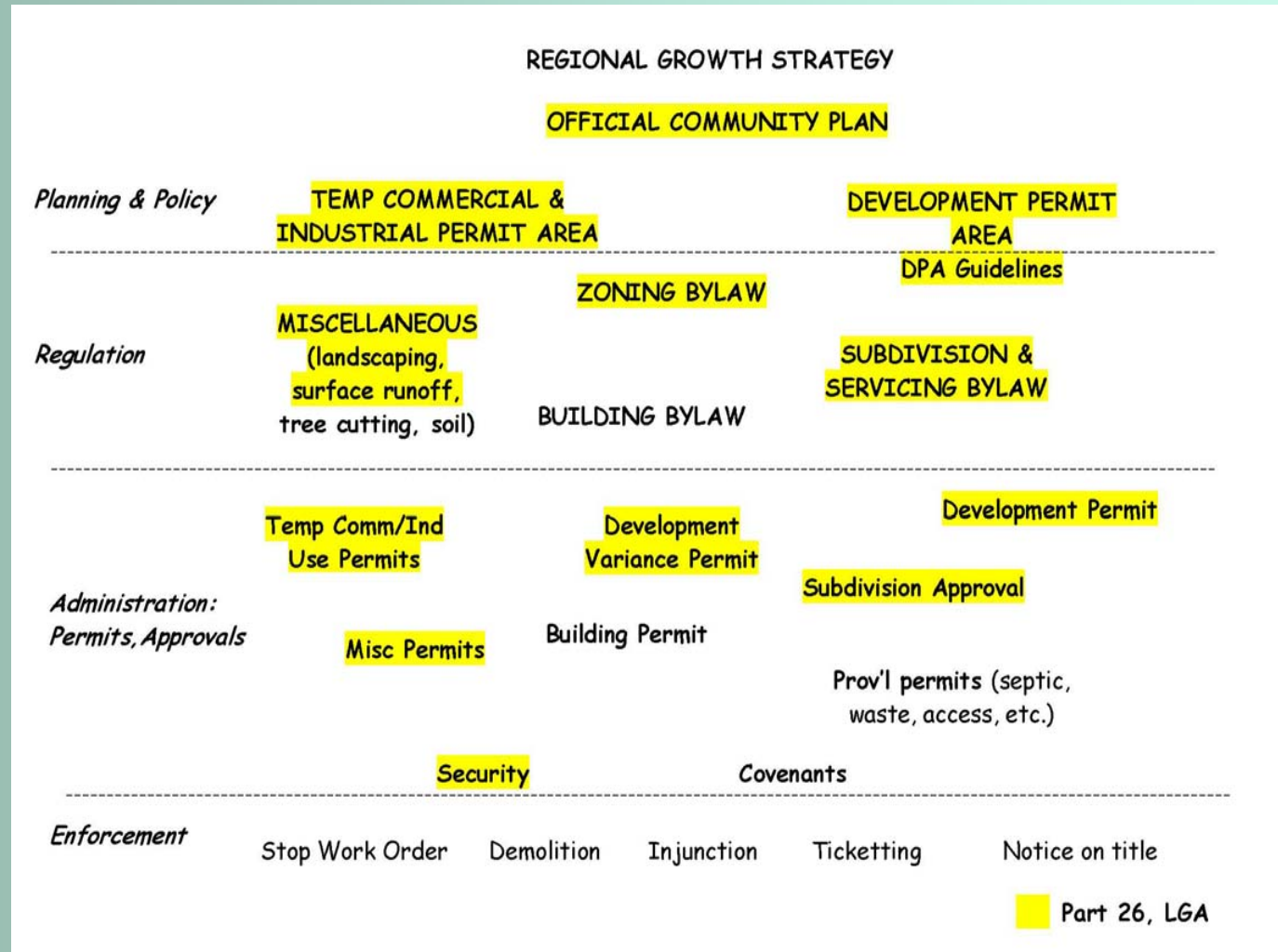
Basic Regulatory Requirements

(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.



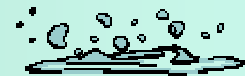
Tools Overview



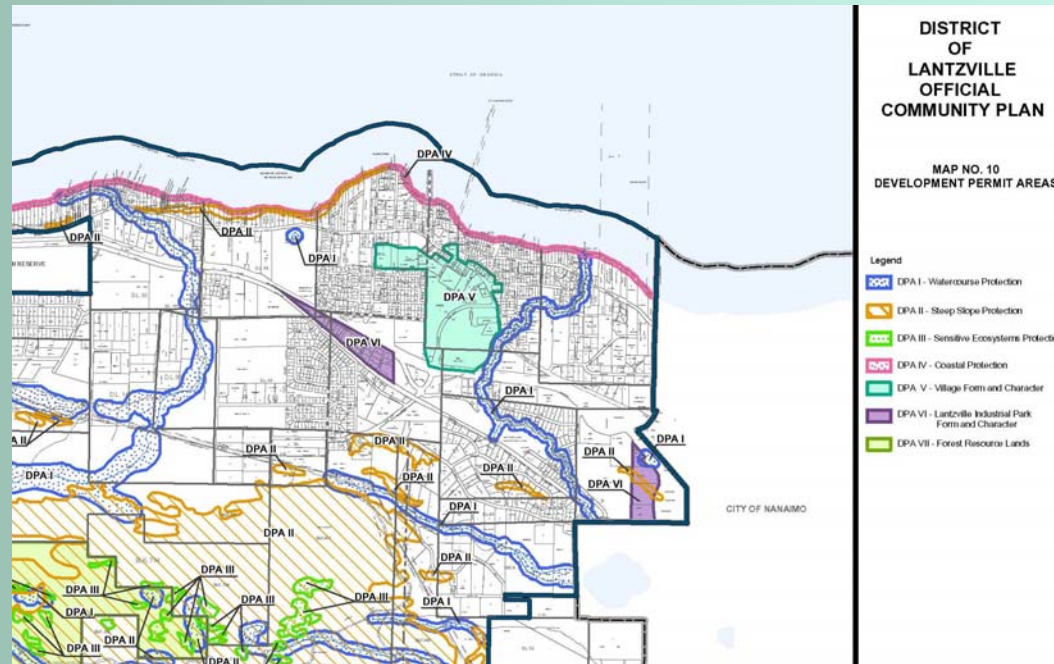


Approaches (p. 47)

- **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

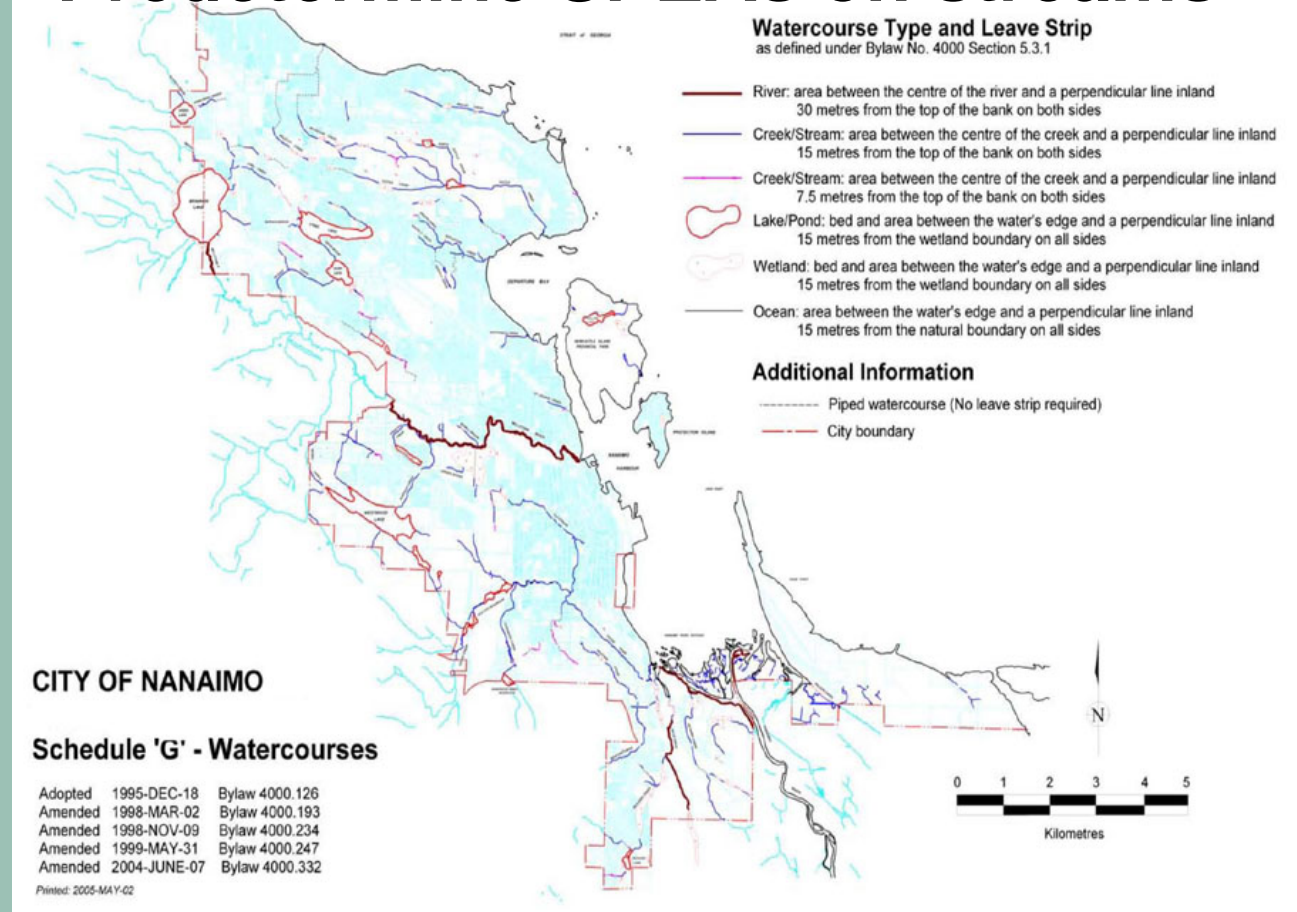
B – Adopt SPEA widths

Vegetation Category	Streamside Protection and Enhancement Area Width*		
	Fish bearing	Non-Fish bearing	
		Permanent	Non Permanent
1	30 m	Min 15 m ** Max 30 m	
2	Min 15 m ** Max 30 m	15 m	
3	15 m	Min 5 m ** Max 15 m	

- 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)**



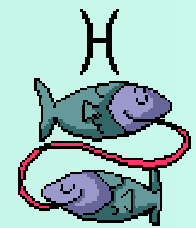
Possible Approaches Summary

REGULATED AREA	QEP ROLES	
RAA equivalent	Determines SPEA (simple or detailed)	
SPEA widths (from SPR or RAR)	Determines which SPEA width applies; variant if needed.	
Predetermined SPEAs	BCLS – locate SPEA QEP - variant if needed.	

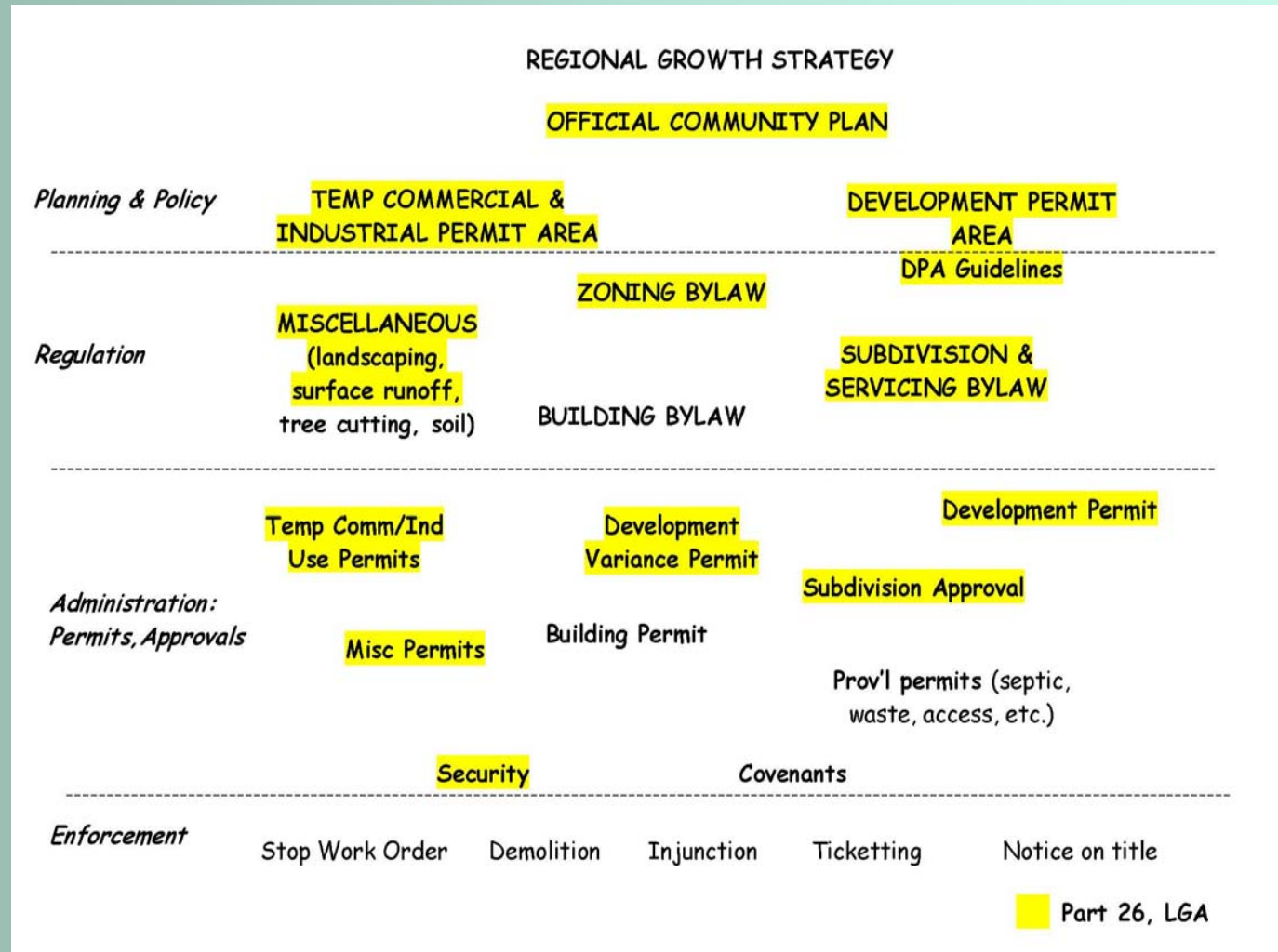


Tools

- Part 26 tools to implement the approaches



Tools Overview





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)

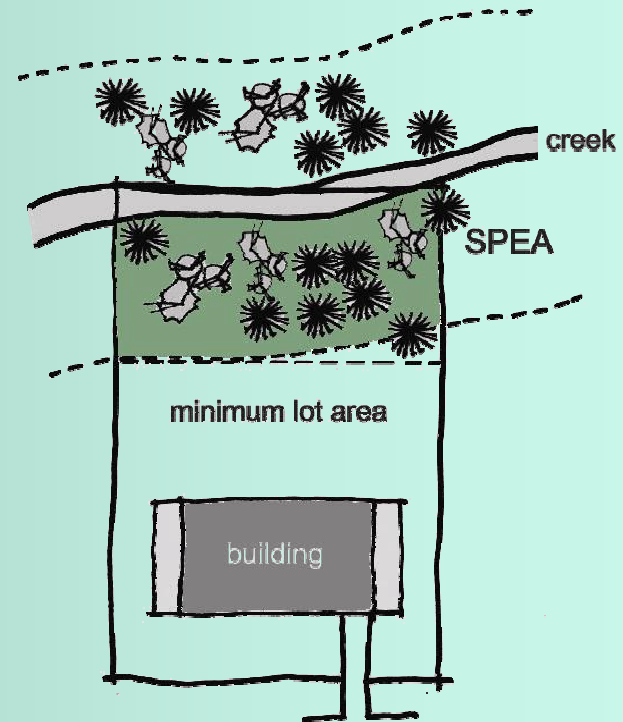


Zoning Bylaw cont'd

Other zoning tools:

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

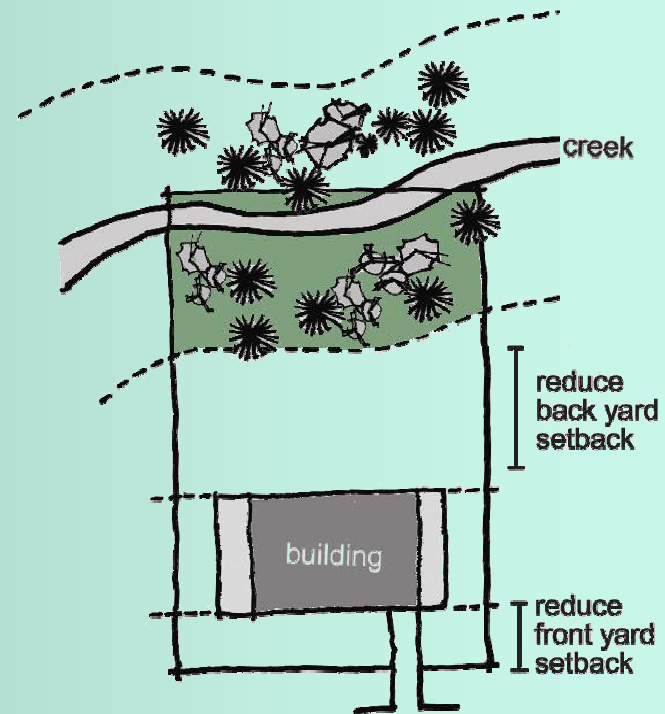
Nanaimo, SCRD draft





Zoning Bylaw cont'd

- Allow other zoning requirements to be varied first – e.g., yard set-backs, building height, lot coverage **Kelowna**



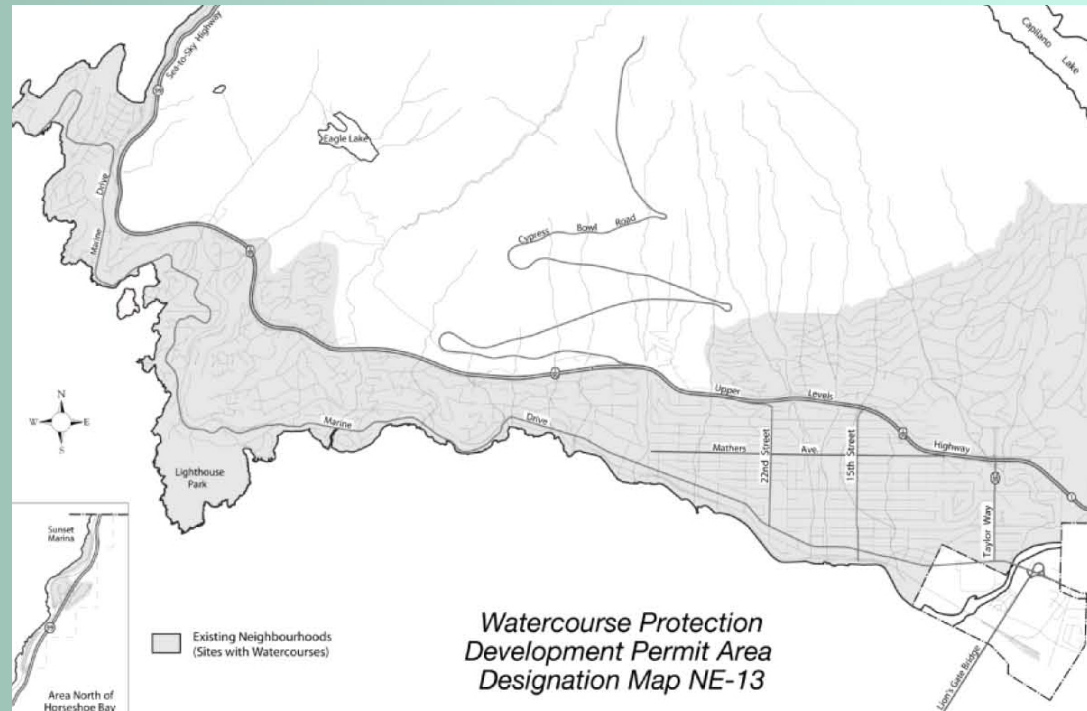


2. Development Permit Area (p. 40)

- **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)
- **DPA's 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 with SPEA width e.g. Kelowna

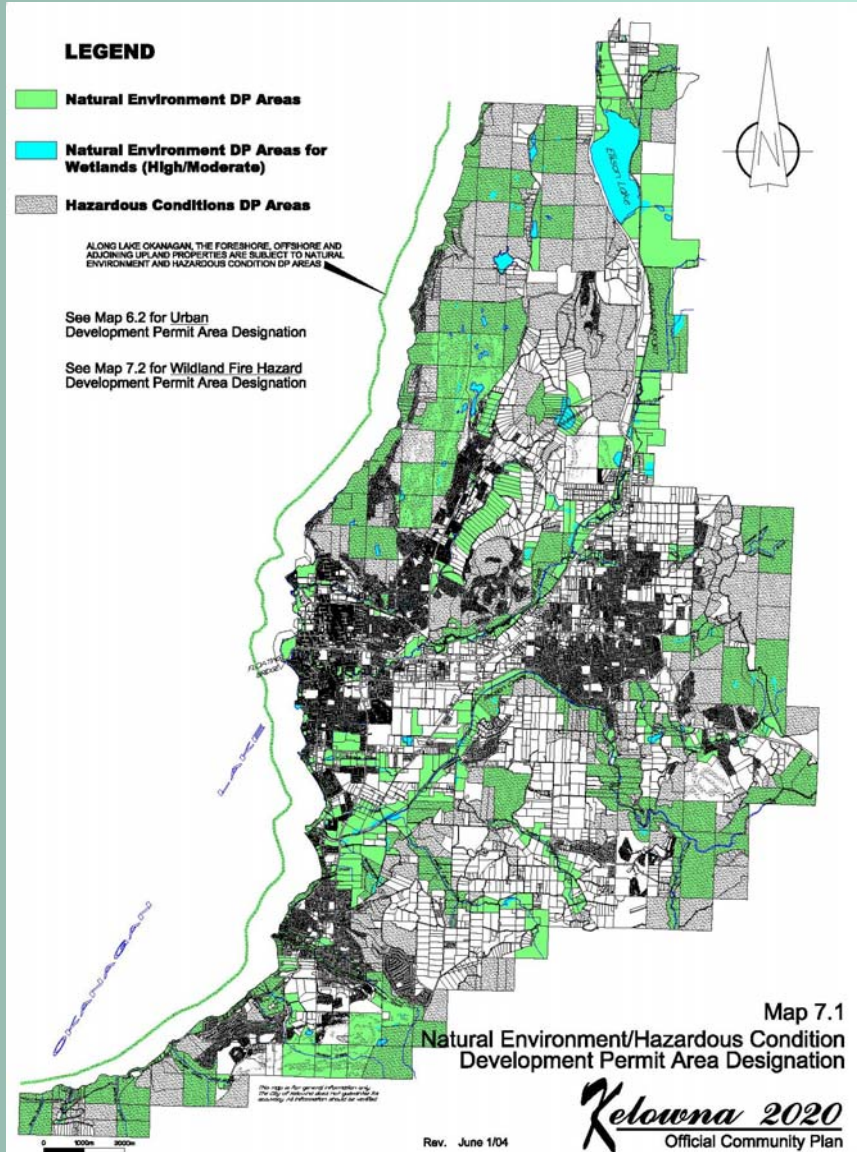


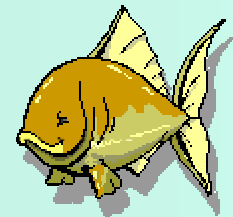
Table 7 – 1: Riparian Management Area Setbacks

	Stream ¹	Stream Reach	Riparian Management Area (m) ²
1	Bauer Brook	All	15
2	Bellevue Creek	All	15
3	Bellevue Creek (North Arm)	All	10
4	Bertram Creek	All	15
5	Brandt Creek	All	10
6	Bruce Creek	All	15
7	Campbell Brook	All	10
8	Cedar Creek	All	15
9	Fascieux Creek (South Arm)	All	15
BL9236 (June 1/04) amended Line 9 to refer to the south arm and added Line 9A:			
9A	Fascieux Creek (North Arm)	All	10
10	Francois Brook	All	15
11	Gopher Creek	All	15
12	Hachey Creek	All	15
13	Hydraulic Creek	All	15
14	Industry Brook	All	10
15	K.L.O. Creek	All	15
BL8839 (May 28/02) amended line 16			
16	Lake Okanagan ³	All	15
17	Lebanon Creek	All	15
18	Leon Creek	All	15
19	Michael Brook	All	10
20	Mill Creek	Downstream of Hardy Road	15
21	Mill Creek	Upstream of Hardy Road	30
22	Mission Creek	Downstream of Gordon Drive	15
23	Mission Creek ⁴	Upstream of Gordon Drive	50
24	Priest Creek	All	15
25	Rembler Creek	All	15
26	Rumohr Creek	All	15
27	Sooty Creek	All	15
28	Thomson Creek	Downstream of Gordon Drive	15
29	Thomson Creek	Upstream of Gordon Drive	10
30	Varty Creek	All	15
31	Vernon Creek	All	15
32	Wilson Creek	All	10
33	Wetlands (no association with fish habitat)	All	7.5
34	Wetlands (associated with fish habitat)	All	15
35	Escarpments or Ravines	All	10

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.

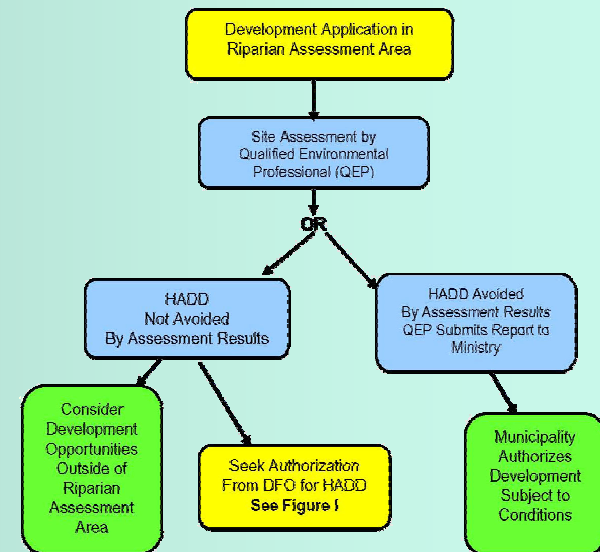


Figure H: Application Process for Development in Riparian Areas

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

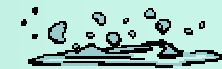
- **Required under Sec.895 for Part 26 amendments and permits**
- **Adopt definition of QEP and RAR sec.4 process for assessment report**

West Vancouver, SCRD draft

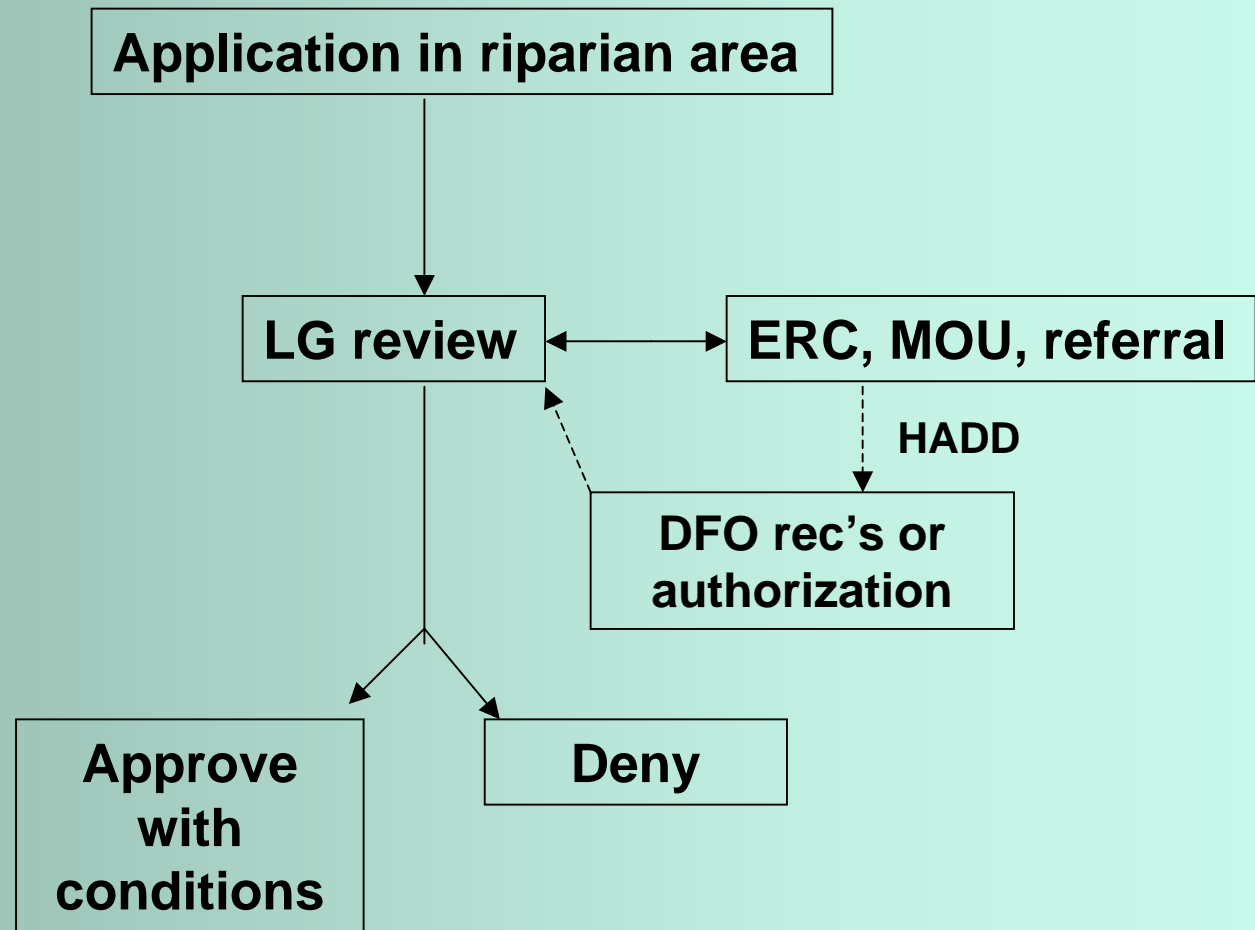


Possible Tools Summary

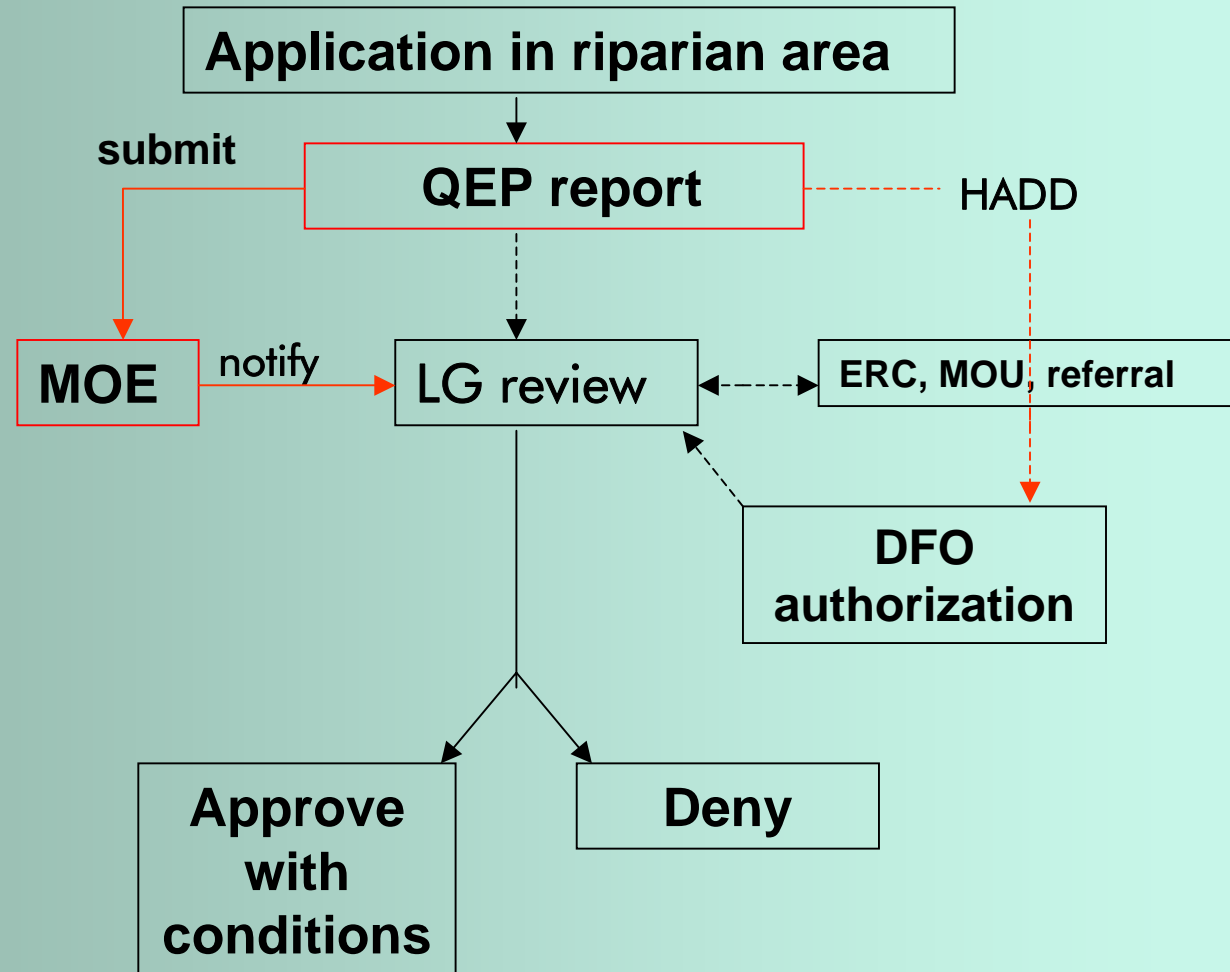
- **Zoning Bylaw - setbacks**
- **Development Permit Areas - map**
- **Official Community Plan policy**
- **Regulatory Bylaw**
- **Development Approval Procedures Bylaw**



Process Considerations



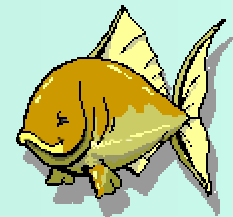
Process RAR-ified





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

