

Salt Spring Island Implementing the Riparian Areas Regulation Proposed Changes to Development Permit Area 4

Why are Changes to Development Permit Area 4 Being Proposed?

Provincial requirement – the Riparian Areas Regulation (RAR) requires that local governments establish regulations to protect riparian areas.

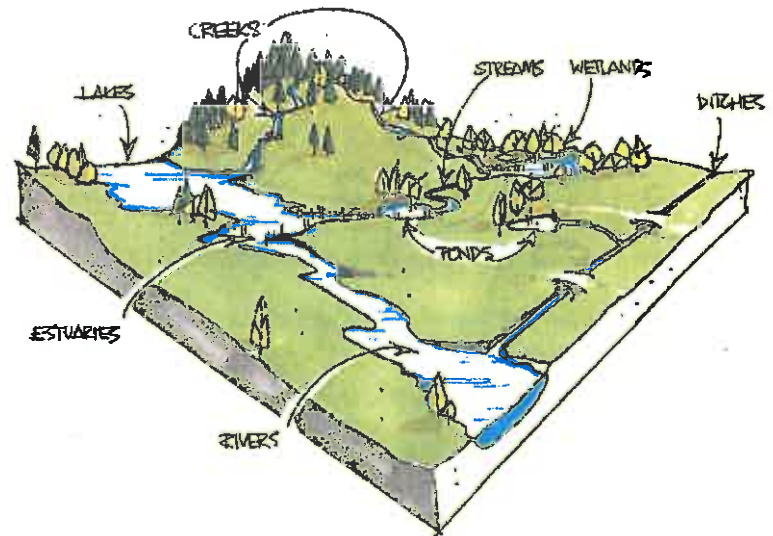
The RAR states that a local government must not approve or allow development to proceed in a riparian assessment area unless the development proceeds in accordance with a Qualified Environmental Professional (QEP) assessment report as notified by the ministry or if authorized by the Department of Fisheries and Oceans.

Purpose - to protect riparian areas from development so that areas can provide natural features, functions and conditions that support fish life processes.

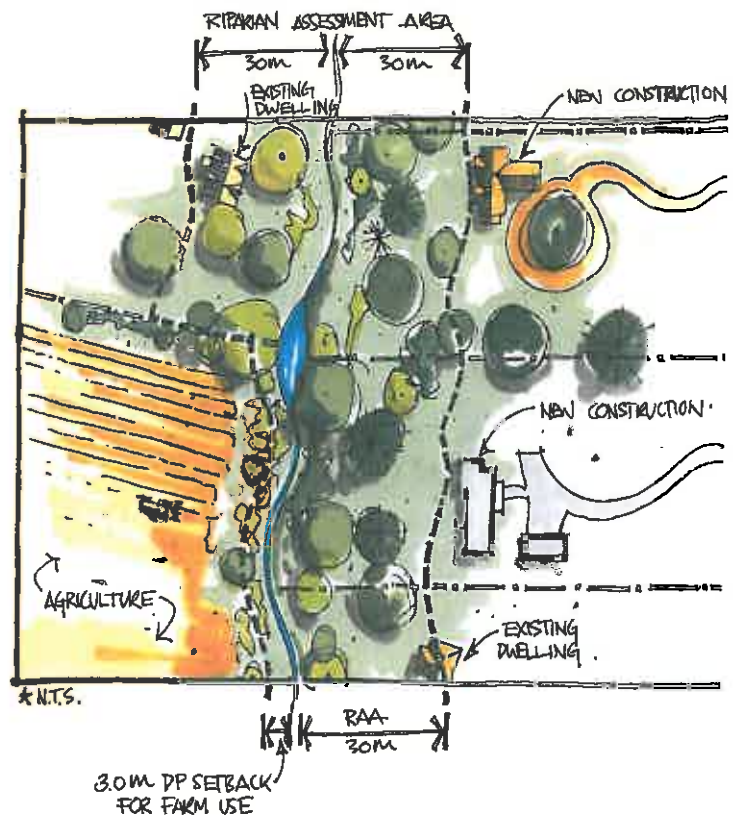
How Will the Riparian Areas Regulation be Implemented in the new DPA4?

Some of the highlights are:

1. The Development Permit Area (DPA) applies to a greater land area because of two changes: the increase from 10m to 30m and to the RAR definition of stream (mapped or unmapped) being used.
2. Within the RAR designated watersheds (see new Map 21a), Development Permit Area guidelines apply to all development within the Riparian Assessment Area (generally 30m) of a stream (mapped or unmapped), or within 300m of Maxwell Lake. (revised DPA boundaries)
3. Outside of the RAR designated watersheds, Development Permit Area guidelines continue to apply to all development within 10m of the high water mark of all streams.
4. Those areas outside of the DPA (e.g. generally 30m) mentioned are exempt. The DPA does not apply to the entire RAR designated watersheds just those lands adjacent to streams.
5. All development permit conditions will be based on QEP reports where QEP reports are required.
6. There are definitions to be used in the interpretation of the bylaw.
7. If developments meet the RAR requirements then they generally meet the DPA requirements.
8. A Development Permit (DP) is required for all uses within the DPA, however, a QEP assessment report is not required (as per RAR) for those uses that are not residential, industrial or commercial or ancillary to them.



RIPIARIAN AREAS ARE...



Frequently Asked Questions

Does the DPA apply to the entire 60% of Salt Spring Island as per the RAR designated watersheds map?

No, the DPA only applies to land adjacent to streams which is generally 30m.

What about my existing lawn and garden that is now within the 30m DPA?

No Development Permit or report from a Qualified Environmental Professional is required for routine maintenance of an existing landscaped area including a garden and yard through such processes as mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land.

What about my existing house and garage which are now within the 30m DP?

No Development Permit or report from a Qualified Environmental Professional is required for interior or structural exterior alterations, renovations or repair to a pre-existing permanent building or structure on an existing foundation to an extent that does not alter, extend or increase the building's footprint or height.

How Will the Proposed Changes be Adopted?

On April 7, 2011, the Salt Spring Island Local Trust Committee will consider first reading of a bylaw to amend the Official Community Plan (OCP) Bylaw No. 434, with a new Development Permit Area 4 - Lakes, Streams, Wetlands and Riparian Areas. This bylaw amendment will be referred to as Bylaw No. 449.

The intent of the bylaw is to implement the provincial Riparian Areas Regulation (RAR), protect sensitive riparian habitat and increase protection of drinking water watersheds.

Example Adoption Process Timeline with Optional Community Meeting

TASK	APRIL	MAY	JUNE	JULY
Consideration of Bylaw First Reading (April 7, 2011)	X			
Bylaw Referral to Agencies (31 calendar days)	X	X		
Referral to Advisory Committees	X			
Optional Community Meeting	X			
Public Hearing (possibly 8 weeks after 1 st reading)			X	
Special LTC Meeting for 2 nd and 3 rd Reading			X	X
Bylaw submission to Executive Committee			X	X
Bylaw referred to Ministry of Community, Sport and Cultural Development.				X

Note: The X denotes the approximate timing of that task.

Stay Involved in the Process

Throughout the bylaw review and drafting process we have encouraged your participation and input. We continue to welcome your input into this process through the following means:

E-mail address: ssiinfo@islandstrust.ca

Website: See our project page and comment sheet www.islandstrust.bc.ca/lrc/ss/edparpl2010.cfm

Phone: 250-537-9144

Fax: 250-537-9116

Mail: 1-500 Lower Ganges, Salt Spring Island, V8K 2N8

In Person: 1-500 Lower Ganges Road (the Hydro Building)

Office Hours: 8:30 am-4:30 pm Monday – Friday (except Holidays)

All public meetings such as a Public Hearing or Community Information meetings will be advertised in the local paper and the Islands Trust website.

Comments on the bylaw can be received up to and including the Public Hearing.