



Memorandum

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Date April 7, 2011 File No. 38.2(a) Bylaw No. 449 (OCP)
To Salt Spring Island Local Trust Committee
From Kris Nichols, Planning Consultant
CC Leah Hartley, Regional Planning Manager
Re Draft OCP Bylaw No. 449 – Development Permit Area 4 – Lakes, Streams, Wetlands and Riparian Areas – Revised Bylaw

This Memorandum attaches a revised version of Draft Bylaw No. 449 - Development Permit Area 4 – Lakes, Streams, Wetlands and Riparian Areas for your use on April 7, 2011 in consideration of First Reading. This revision is the result of the following changes to the bylaw:

1. The bylaw has been formatted (i.e. numbering, etc) to be consistent with the OCP Volume 2.
2. Changes have been made to reference Map 21 and Map 21a as Schedules 2 and 3 respectively.
3. In the definition of permanent structure the word "lawfully" has been removed.
4. In the definition of riparian assessment area the acronym "RAA" was added.
5. In E.4.1 in the first sentence after the words development permit area the acronym "DPA" was added. The wording to E.4.3 Objective has been changed by removing the words "enhance" and "in order to" and adds the words "ensure that", "drinking" and consistent verb usage to improve its clarity.
6. E.4.4.10 has been amended by removing the words "(tax receipts may be issued, e.g. Natural Area Protection Tax Exemption Program)".
7. In E.4.5 f. the word "leave" has been replaced with "protected" for clarity.
8. In 4.7.1 the sentence "A covenant should be registered against this part of the property that is within this DPA to guide future development and meet the stated objectives." has been removed because when registered on title a DP is sufficient.
9. In E.4.8.5 the wording "Routine maintenance of existing landscaping, lawn, paths or developed areas as previously approved through a DP." has been replaced with: "Routine maintenance of gardening and yard maintenance activities, not involving the cosmetic application of pesticides, within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land." This removes the requirement for a previous DP to have been issued for such maintenance.
10. In E.8.9 the acronym for the Natural Resource Operations "(NRO)" has been updated as to recent provincial changes to Forest Lands and Natural Resource Operations "(FLNRO)".
11. E.4.8.18 has been removed in its entirety due to the fact it is a RAR requirement and not required within this bylaw and could lead to confusion.
12. In 4.8.19 has removed the words "For certainty" and a separate sentence was started with "However..." and due to the previous change the number was amended to E.4.18.

It is also suggested that an additional recommendation be added to those stated in the report entitled: *"Proposed Draft Bylaw - Development Permit Area 4 – Lakes, Streams, Wetlands and Riparian Areas"*. The recommendation would read:

"That the Salt Spring Island Local Trust Committee directs staff to refer the proposed bylaw to the Environmental Advisory Committee and the Planning Advisory Commission for review and comment."

Attachments: Revised Draft Bylaw No. 449

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 449**

**A BYLAW TO AMEND SALT SPRING ISLAND OFFICIAL COMMUNITY PLAN
BYLAW NO. 434, 2008**

WHEREAS the Salt Spring Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Salt Spring Island Local Trust Area, pursuant to the Islands Trust Act;

AND WHEREAS Section 29 of the *Islands Trust Act* gives the Salt Spring Island Local Trust Committee the same power and authority of a Regional District under Part 26, except sections 932 to 937 and 939, of the *Local Government Act*;

AND WHEREAS Section 27 of the *Islands Trust Act* requires that the Executive Committee of the Islands Trust must approve an Official Community Plan prior to adoption;

AND WHEREAS the Salt Spring Island Local Trust Committee wishes to amend the Salt Spring Island Official Community Plan Bylaw No. 434, 2008;

AND WHEREAS the Salt Spring Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Salt Spring Island Local Trust Committee enacts as follows:

CITATION

1. This Bylaw shall be cited as "Salt Spring Island Official Community Plan Bylaw No. 434, 2008, Amendment No. 1, 2011".

ORGANIZATION

2. Salt Spring Island Local Trust Committee Bylaw No. 434, 2008 is altered as shown on Schedules 1, 2 and 3 of this amending bylaw.

SEVERABILITY

3. If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME this	day of	, 20__
PUBLIC HEARING HELD this	day of	, 20__
READ A SECOND TIME this	day of	, 20__
READ A THIRD TIME this	day of	, 20__
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this	day of	, 20__
APPROVED BY THE MINISTER OF COMMUNITY, SPORTS AND CULTURAL DEVELOPMENT this	day of	, 20__
ADOPTED this	day of	, 20__

SECRETARY

CHAIRPERSON

**SALT SPRING ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 449**

SCHEDULE 1

Salt Spring Island Official Community Plan Bylaw No. 434, 2008 is amended as follows:

1. By amending Schedule A, Volume 2, by replacing Map 21 with a new Map 21 (Schedule 2).
2. By amending Schedule A, Volume 2, by inserting a new Map 21a (Schedule 3); and updating the list of maps identified in Volume 2.
3. By amending Schedule A, Volume 2, Part E – Development Permit Areas – by deleting Section E.4 Development Permit Area 4 – Lakes Streams and Wetlands – and replacing it in its entirety with the following:

“E.4 DPA4 LAKES, STREAMS, WETLANDS AND RIPARIAN AREAS

E.4.0 Definitions

The following definitions are applicable to the interpretation of this development permit area.

development – means any of the following to the extent that they are subject to local government powers under Part 26 of the *Local Government Act*.

- (a) removal, alteration, disruption or destruction of vegetation;
- (b) disturbance of soils;
- (c) construction or erection of buildings and structures;
- (d) creation of non-structural impervious or semi-impervious surfaces;
- (e) flood protection works;
- (f) construction of roads, trails, docks, wharves and bridges;
- (g) provision and maintenance of sewer and water services;
- (h) development of drainage systems;
- (i) development of utility corridors;
- (j) subdivision as defined in section 872 of the *Local Government Act*.

development proposal – means any development that is proposed in a riparian assessment area that is within or partly within the boundaries of an area administered by a local government.

fish – means all life stages of

- (a) salmonids;
- (b) game fish, and
- (c) regionally significant fish

high water mark – means the visible high water mark of a stream where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the stream a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself, and includes the active floodplain.

natural features, functions and conditions – include but are not limited to the following:

- (a) large organic debris that falls into the stream or streamside area, including logs, snags and root wads;
- (b) areas for channel migration, including active floodplains;
- (c) side channels, intermittent streams, seasonally wetted contiguous areas and floodplains;
- (d) the multi-canopied forest and ground cover adjacent to streams that:
 - (i) moderate water temperatures;
 - (ii) provide a source of food, nutrients and organic matter to streams;
 - (iii) establish root matrices that stabilize soils and stream banks, thereby minimizing erosion;and

- (iv) buffer streams from sedimentation and pollution in surface runoff;
- (e) a natural source of stream bed substrates;
- (f) permeable surfaces that permit infiltration to moderate water volume, timing and velocity and maintain sustained water flows in streams, especially during low flow periods.

permanent structure – means any building or structure that was lawfully constructed, placed or erected on a secure and long-lasting foundation on land in accordance with any local government bylaw or approval condition in effect at the time of construction, placement or erection.

qualified environmental professional (QEP) – means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association;
- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal; and
- (c) the individual is acting within that individual's area of expertise.

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

riparian area – means a streamside protection and enhancement area.

riparian assessment area (RAA) – means:

- (a) for a stream, the 30 meter strip on both sides of the stream, measured from the high water mark;
- (b) for a ravine less than 60 meters wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 meters beyond the top of the ravine bank; and
- (c) for a ravine 60 meters wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 meters beyond the top of the ravine bank.

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).

streamside protection and enhancement area (SPEA) – means an area

- (a) adjacent to a stream that links aquatic to terrestrial ecosystems and includes both existing and potential riparian vegetation and existing and potential adjacent upland vegetation that exerts an influence on the stream; and
- (b) the size of which is determined according to the Riparian Areas Regulation on the basis of an assessment report following RAR criteria provided by a qualified environmental professional in respect of a development proposal.

Note: For the purposes of the definition of "streamside protection and enhancement area," vegetation must be considered to be "potential" if there is a reasonable ability for regeneration either with assistance through enhancement or naturally, but an area covered by a permanent structure must be considered to be incapable of supporting potential vegetation.

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 meters measured perpendicularly from the break, and the break does not include a bench within the ravine that could be developed.

wetland means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions does support, vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, fens, estuaries and similar areas that are not part of the active floodplain of a stream.

E.4.1 Designation

This development permit area (DPA) includes all land designated on Map 21 (Lakes, Streams and Wetlands) and Map 21a (RAR Designated Watersheds) of this plan as being within the Lakes, Streams, Wetlands and Riparian Areas DPA. This development permit area applies to all lands within 30 meters from the high water mark of a stream and 300 m of Maxwell Lake within the RAR identified watersheds (Map 21a) and applies to all lands within 10 meters of a watercourse outside of the RAR identified watersheds unless otherwise stated in this development permit area.

E.4.1.1. That part of Salt Spring Island shaded grey, adjacent to various lakes, streams and wetlands as outlined on Map 21, which is attached to and forms a part of this bylaw.

E.4.1.2 That part of Salt Spring Island shaded green identifying the Riparian Areas Regulation Designated Watersheds as outlined on Map 21a, which is attached to and forms a part of this bylaw. This includes but is not limited to the riparian assessment areas related to the streams identified on Map 21, consisting of the stream and:

- 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.
- 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.
- d. for all other water bodies, an area encompassing the water body and 30 metres around the water body measured from the high water mark of the water body or 300m for Maxwell Lake.

E.4.1.3 Notwithstanding the areas identified on Maps 21 and 21a, the actual Development Permit Area No. 4 Lakes, Streams, Wetlands and Riparian Areas will in every case be verified and measured on the ground by an Islands Trust planner, qualified environmental professional, landowner or a surveyor.

E.4.2 Justification

Riparian ecosystems occur adjacent to lakes, streams, and wetlands where the increased soil moisture supports and enhances plant communities distinct from the adjacent terrestrial areas. Generally, the protection of riparian areas is important for the following reasons: the protection of their biodiversity, the maintenance of water quality, the protection of aquatic habitat, and the retention of wildlife corridors.

Many of the lakes, streams and wetlands are an important source of drinking water for community water supply systems and individual license holders. Drinking water is a valuable resource that must be protected. Poor water quality is detrimental to fish, wildlife and residents of Salt Spring Island and with the latter, if not managed, will lead to increased costs for drinking water protection.

The province of British Columbia's Riparian Areas Regulation (RAR) under the *Fish Protection Act*, requires that local governments establish regulations to protect riparian areas. In the RAR Section 4 – Assessment reports required before development - 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 QEP assessment report as notified by the ministry or if authorized by the Department of Fisheries and Oceans. This regulation requires that residential, commercial or industrial development as defined in RAR, in a Riparian Assessment

Area near freshwater features, be subject to an environmental review by a qualified environmental professional (QEP). The reason for this is to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

It is the object of the Islands Trust to "Preserve and Protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia".

It is a policy of the Islands Trust Council that local trust committees shall in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian areas and to protect aquatic wildlife.

E.4.3 Objective

To ~~enhance~~ ensure that development adjacent to streams and watercourses ~~in order to:~~

- a. protects fish habitat.
- b. protects sensitive riparian habitat and the unique species that depends upon it.
- c. protects the community's drinking water supply.
- d. maintains the ecological value of these areas.
- e. guards against their contamination.

E.4.4 Guidelines for New Development

Development Permits issued in these areas shall be in accordance with the following:

E.4.4.1 The following activities shall require a development permit whenever they occur within the development permit area, unless specifically exempted in Section E.4.8. A companion QEP report will only be required as part of the development permit for residential, commercial and industrial activities or ancillary activities as they relate to the follow activities:

- a. removal, alteration, disruption, or destruction of vegetation.
- b. disturbance of soils.
- c. construction or erection of buildings and structures.
- d. creation of non-structural impervious or semi-impervious surfaces.
- e. construction of flood protection works.
- f. construction of roads, trails, docks, floats, ramps and bridges.
- g. provision and maintenance of residential sewer/sewage disposal and water services.
- h. development of residential drainage systems.
- i. development of residential utility corridors.
- j. subdivision as defined in Section 872 of the *Local Government Act*.

E.4.4.2 Where land lies within one or more Development Permit Areas, all of the applicable development permit requirements must be met within one development permit.

E.4.4.3 All Development Permit applications will also include a plan showing the following:

- a. the proposed location of the principal dwelling or other buildings and any accessory structures, wells, sewage disposal systems, driveways, parking areas, impermeable surfaces, and direction and quantity of any surface water discharge, before and after any development.
- b. any other feature of the development (including but not limited to alteration of the ground surface by removal, filling, or blasting) with the potential to affect the protected areas.

E.4.4.4 Development should be planned to avoid intrusion into Development Permit Areas and to minimize the impact of any activity in these areas.

- E.4.4.5 Development activities or proposals that have addressed the requirements of the *Riparian Areas Regulation* will be deemed to have met the requirements of this Development Permit Area as it pertains to streams providing fish habitat. There may be a need for additional requirements for habitat protection for wildlife, birds, amphibians and land management responsibilities of the Islands Trust for both fish and non-fish habitat streams.
- E.4.4.6 A condition of development permit issuance on the basis of a QEP report will be that a compliance report be submitted to the Salt Spring Islands Trust office within 60 days of completion of the development.
- E.4.4.7 All development in this DPA should be undertaken in a manner that minimizes impacts on the riparian area and on aquatic ecosystems, including from the application of pesticides and other chemicals for non-essential cosmetic purposes.
- E.4.4.8 Where a QEP has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and aquatic ecosystems, the Local Trust Committee (LTC) may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the protection of riparian areas and aquatic ecosystems consistent with the measures and recommendations described in the QEP's report.
- E.4.4.9 The development permit will not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP unless permitted by provincial and federal authorities, and the owner should be required to implement a plan for protecting the SPEA over the long term through measures that may be implemented as conditions of the development permit or through the registration of a covenant prohibiting development and use in the SPEA.
- E.4.4.10 In addition to implementing the measures contained in the QEP report and being registered on title as part of the Development Permit (DP), to ensure future encroachment into the SPEA is reduced, the Islands Trust in consultation with the land owner may consider the following:
- a. gifting the SPEA to a nature preservation organization ~~that is a registered charity, e.g. Island Area Foundation Tax Exemption Program.~~
 - b. registering restrictive and/or conservation covenant(s) securing the measures prescribed in the QEP assessment report.
- E.4.4.11 Any development must be designed so as to maintain the quality of any storm water flowing toward or into a stream, to prevent any increase in volume and peak flow runoff and to prevent erosion.
- E.4.4.12 Vegetation appropriate, preferably indigenous, to the site may be required to be planted on the site to reduce erosion risk, restore the natural character of the site, improve water quality, or stabilize slopes and banks.
- E.4.4.13 Gardening and other related residential activities should be sited so as to prevent nutrient-rich water from entering streams.
- E.4.4.14 The following guidelines are applicable to floats and associated structures within the development permit area:
- a. floats should not be placed in areas identified as important to fish life processes where installation of a float would compromise the functioning of the feature.
 - b. a ramp or float should not rest on the bed of the water body.
 - c. the use of treated wood in the water body should be avoided.
 - d. floatation material should be contained within a durable shell to prevent disintegration.
 - e. semi-transparent surfacing should be used on ramps and floats (e.g. grating or separated boards).
 - f. any areas disturbed during installation should be restored.
 - g. where a float is being replaced, all old materials should be removed.

E.4.4.15 If the nature of the proposed project in a riparian **assessment** area or the surface of a waterbody changes after the QEP report has been prepared, such that it is reasonable to assume that the QEP's assessment of the impact of the development may be affected, the LTC may require the applicant to have the QEP update the assessment at the applicant's expense and DP conditions may be revised accordingly.

E.4.4.16 The LTC may consider variances to subdivision or siting or size regulations where the variance may result in enhanced protection of the SPEA or riparian assessment area in compliance with recommendations of a QEP report.

The following three guidelines reinforce Section 9 – Changes in and about a stream – of the *Water Act*:

E.4.4.17 Modifications of channels, banks, or shores, which could result in environmental harm or significantly alter local hydrological conditions, will not be permitted unless approval is received from the appropriate provincial and federal authorities.

E.4.4.18 Any deposit or removal of sand, soil, rocks, vegetation, aquatic plants or similar materials within a stream (i.e., on the water side of the top of bank) will not be permitted unless approval is received from the appropriate provincial and federal authorities.

E.4.4.19 Development Permits issued with regard to road and driveway construction in this area will ensure that:

- a. watercourse crossings are located so as to minimize disturbance of stream banks, channels, shores and vegetation cover.
- b. wherever possible, bridges are used instead of culverts for crossing of fish habitat streams in conjunction with provincial regulations.
- c. 3. culverts are sited to permit unrestricted movement of fish in both directions.

E.4.5 **Guidelines for Non-Fish Habitat Streams**

Where a stream is identified to be non-fish habitat supporting, development permit applications will still include a report/assessment prepared by a qualified professional (e.g., RPBio, Environmental Engineer) outlining the following information:

- a. a detailed site plan drawn identifying the high water mark of a stream or top of a ravine bank and a line 10 metres from that point.
- b. any intermittent or permanent wetlands on the site.
- c. an environmental assessment of the watercourse ecosystem.
- d. an impact statement describing effects of proposed development on the natural conditions.
- e. measures deemed necessary to protect the integrity of the watercourse ecosystem from the effects of development.
- f. guidelines and procedures for mitigating habitat degradation including limits of proposed leave-protected areas.
- g. habitat compensation alternatives, where compensation is approved.

E.4.6 **Guidelines for QEP Reports**

E.4.6.1 Where the QEP report describes an area as suitable for development with special mitigating measures, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP at the applicant's expense may be required during construction and development phases, as specified in a development permit.

E.4.6.2 The report by a QEP is strongly recommended to provide a plan for the management of sediment during construction. This sediment management plan must show how the methods identified will protect streams and any associated drainages from sediment, erosion, and runoff

impacts that may result from construction or land clearing activities. Conditions and requirements respecting implementation of the sediment management proposal may be specified in the development permit.

- E.4.6.3 The report by a QEP is strongly encouraged to provide a drainage plan, complete with recommendations for implementation that address water quality, water quantity, storm water discharge, erosion control, so as to minimize impacts on fish, fish and wildlife habitat, and physical riparian functions. Conditions and requirements respecting implementation of the drainage plan will be specified in the development permit.

E.4.7 Guidelines for Subdivision

- E.4.7.1 If a proposed subdivision or a lot line adjustment creating newly defined lots, then any new lots, roads, building sites, septic fields and driveways should be located and constructed to meet the objectives of this Development Permit Area. ~~A covenant should be registered against this part of the property that is within this DPA to guide future development and meet the stated objectives.~~

- E.4.7.2 In the case of a proposed subdivision within a Development Permit Area, minimum parcel sizes should be met exclusive of the SPEA.

- E.4.7.3 In the case of a proposed subdivision within a Development Permit Area, subdivision within the SPEA should be avoided.

E.4.8 Exemptions

In the following circumstances a development permit is not required. Despite the exemption provisions, owners must satisfy themselves that they meet the requirements of any applicable federal or provincial regulations.

- E.4.8.1 Where development is proposed outside of a Riparian Assessment Area (RAA) or 300 m from Maxwell Lake or 10 m of a watercourse outside of the RAR designated watersheds as determined by a BC Land Surveyor or qualified person or other means deemed appropriate by the Islands Trust (e.g. a disclosure statement or affidavit form provided by the Islands Trust).

- E.4.8.2 This regulation does not apply to a development permit or development variance permit issued only for the purpose of enabling reconstruction or repair of a permanent structure described in Section 911 (8) of the *Local Government Act* if the structure remains on its existing foundation.

- E.4.8.3 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.

- E.4.8.4 Planting or replanting of native trees, shrubs or ground cover for slope stabilization, habitat improvement or soil stabilization or erosion control suitable for the site as per a vegetation management plan approved by DFO or the Ministry of Forest, Lands and Natural Resource Operations (FLNRO).

- E.4.8.5 ~~Routine maintenance of existing landscaping, lawn, paths or developed areas as previously approved through a DP.~~

Routine maintenance of gardening and yard maintenance activities, not involving the cosmetic application of pesticides, within an existing landscaped area, including mowing, pruning, planting and minor soil disturbance that does not alter the general contours of the land.

- E.4.8.6 The removal of invasive plants or noxious weeds including, but not limited to, Scotch Broom, Himalayan Blackberry, Gorse, Knapweed, Yellow Flag Iris, Orchard Grass and Purple Loosestrife, provided that measures are taken to avoid sediment or debris being discharged into the watercourse or onto the foreshore and the area is replanted with indigenous species. See complete lists on the Ministry of Agriculture and the Coastal Invasive Plant Committee

websites.

- E.4.8.7 The removal of trees determined by a Certified Arborist or Registered Professional Forester, qualified to do tree-risk assessments, to represent an imminent safety risk.
- E.4.8.8 Stream enhancement and fish and wildlife habitat restoration works carried out under provincial or federal approvals such as work that is authorized by Fisheries and Oceans Canada by permit under Section 35 of the *Fisheries Act* or changes in or about a stream authorized under Section 9 of the *Water Act* and on provision of evidence of such approvals to the Islands Trust..
- E.4.8.9 Subdivision of land where a covenant under Section 219 of the *Land Title Act* is registered against the title to the land and includes provisions which, in the opinion of the Islands Trust and the ~~NRO~~ **FLNRO**, protect riparian areas or sensitive ecosystems on the lands in a manner that is consistent with the applicable DPA designation and meets or exceeds the RAR assessment requirements.
- E.4.8.10 Emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - a. emergency actions for flood protection and erosion protection.
 - b. clearing of an obstruction from bridge, culvert or drainage flow.
 - c. repairs to bridges and safety fences in accordance with the *Water Act*.
- E.4.8.11 Public works and services constructed following best management practices for the specific concern with the DPA.
- E.4.8.12 If a qualified environmental professional has identified the riparian assessment area and a covenant has been registered restricting construction, alteration of land, soil deposit or removal or any other development or activity within the riparian assessment area.
- E.4.8.13 Forest management activities, as defined in the *Private Managed Forest Land Regulation*, on land classified as managed forest land under the *Private Managed Forest Land Act*.
- E.4.8.14 Forest management activities on land that is the subject of a woodlot license or tree farm license under the *Forest and Range Practices Act*.
- E.4.8.15 Farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2), (3), (4) and (5) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*.
- E.4.8.16 Land alteration and vegetation removal on agricultural land that is more than 3m from the high water mark of a stream (except Maxwell Lake), that is done for farming practices being consistent with normal farm practices under the *Farm Practices Protection (Right to Farm) Act*.
- E.4.8.17 Mining activities regulated by the *Mines Act*, however, it is strongly recommended that they adhere to the DPA guidelines.
- ~~E.4.8.18 For certainty, all uses that are not residential, commercial or industrial or accessory to such a use a QEP assessment report is not required as per RAR.~~
- E.4.8.19-18 For certainty, Actions undertaken by the Crown or an agent of the Crown. However, it is strongly recommended that they adhere to the DPA guidelines.

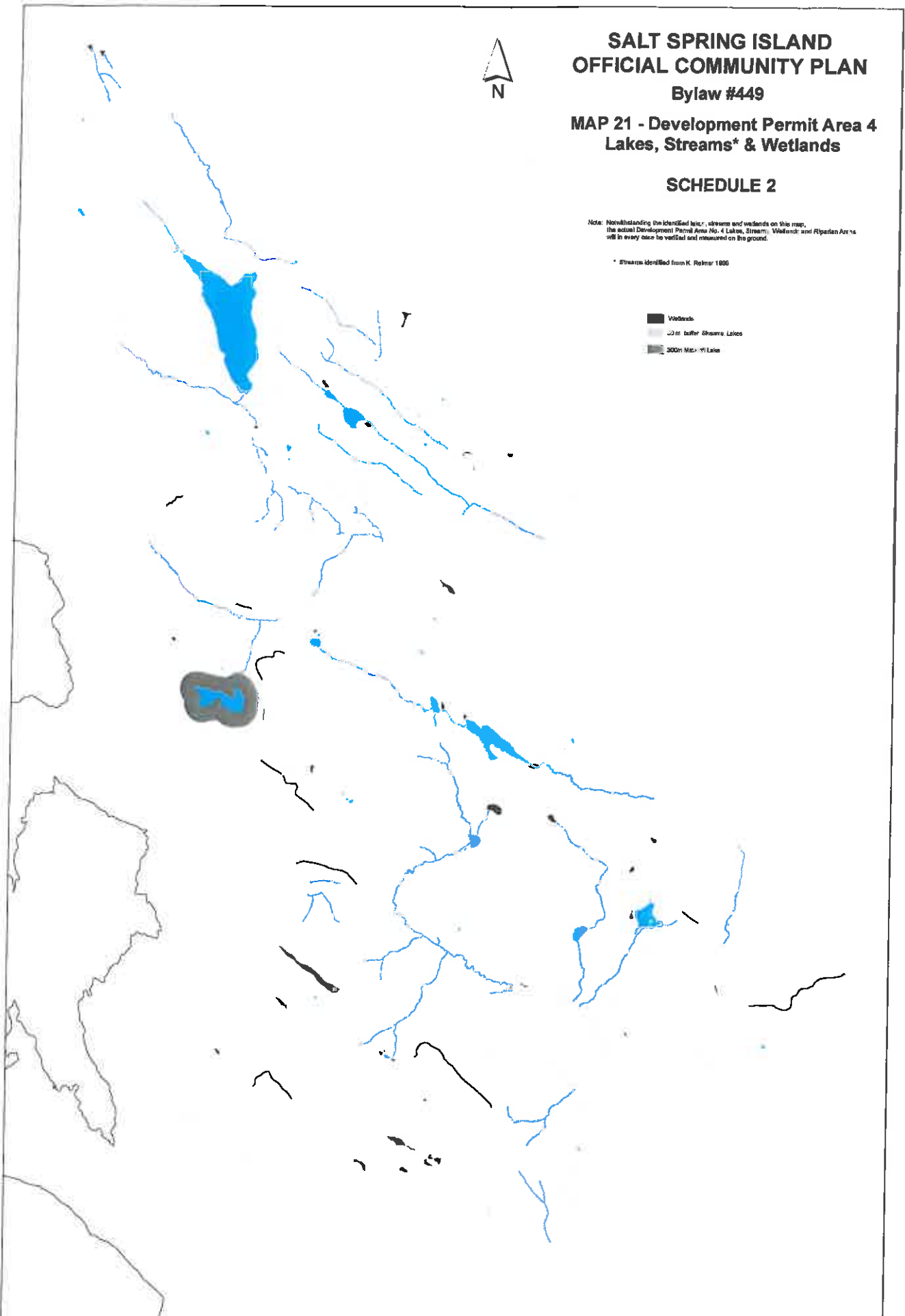
**SALT SPRING ISLAND
OFFICIAL COMMUNITY PLAN
Bylaw #449
MAP 21 - Development Permit Area 4
Lakes, Streams* & Wetlands**

SCHEDULE 2

Note: Notwithstanding the identified lakes, streams and wetlands on this map, the actual Development Permit Area No. 4 (Lakes, Streams, Wetlands and Riparian Areas) will in every case be verified and measured on the ground.

* Streams identified from K. Rehrer 1999

- Wetlands
- 20m buffer Streams/Lakes
- 300m Max. 1st Lake

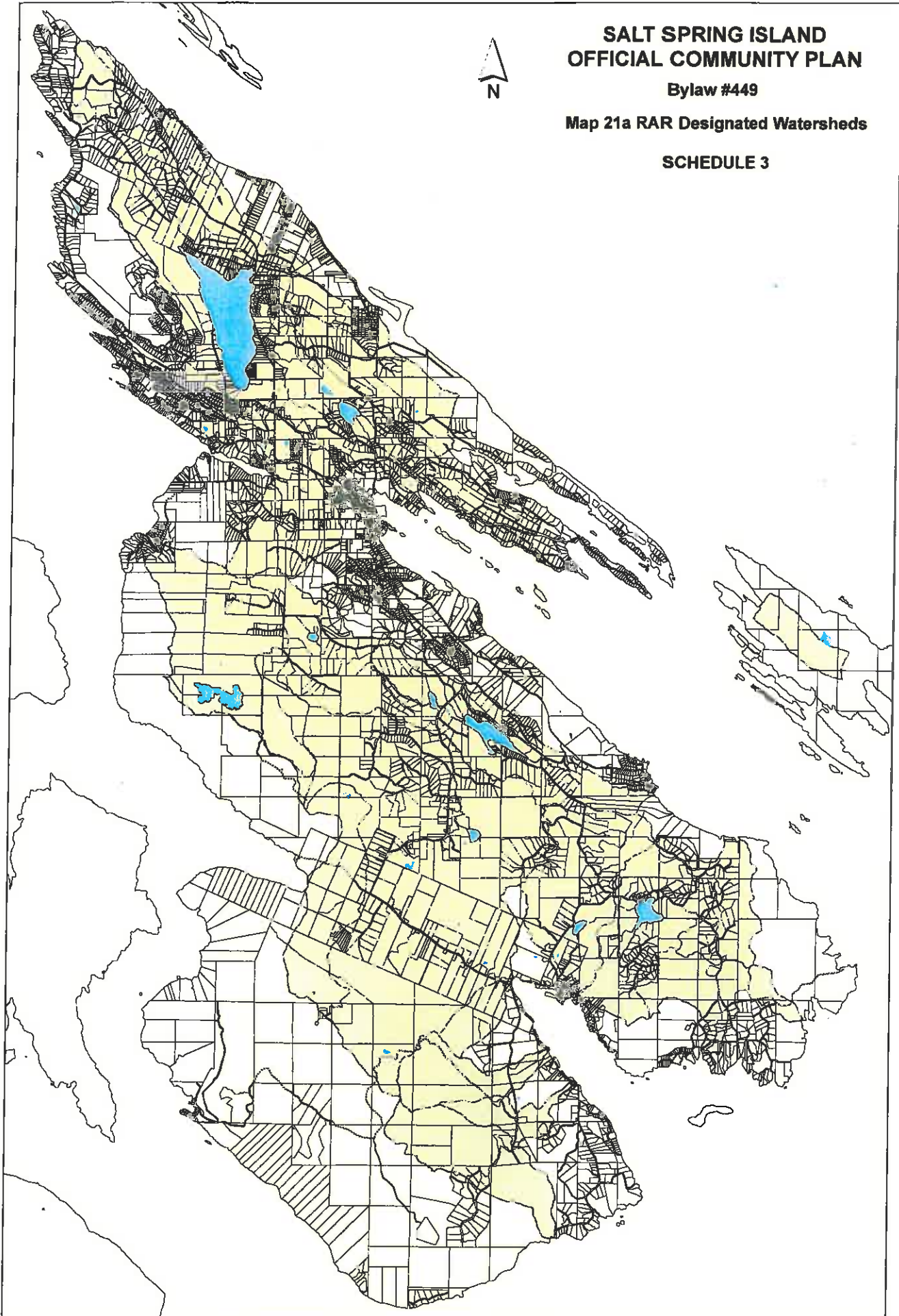


**SALT SPRING ISLAND
OFFICIAL COMMUNITY PLAN**

Bylaw #449

Map 21a RAR Designated Watersheds

SCHEDULE 3



0 500 1,000 1:10
Metres

SALT SPRING ISLAND

SALT SPRING ISLAND
OFFICIAL COMMUNITY PLAN

Map 21a
Development Permit Area 4

