

8. Development Permit Area Guidelines

8.9 Riparian Protection

Exemptions

- 8.9.1 A riparian protection development permit is not required for the following development:
- a) subdivision involving only the moving of an interior lot line, where no additional lots are created;
 - b) temporary buildings and structures in accordance with Section 5 of this *Bylaw*, construction trailers, temporary hoarding or scaffolding, temporary structures associated with a sidewalk/parking lot sale or café, and buildings and structures permitted by a Temporary Use Permit that do not result in harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes;
 - c) alteration of land, or construction of, addition to or alteration of a building or structure by the City, or the federal or provincial governments, to prevent, control, or reduce flooding, erosion or other immediate threats;
 - d) alteration of land necessary for emergency removal of dangerous or hazardous trees or tree limbs in accordance with the *Tree Protection Bylaw*;
 - e) alteration of land to restore or create the natural features, functions, or conditions of a watercourse in accordance with a plan previously approved by the City, or federal or provincial governments;
 - f) alteration of land, or construction of, addition to or alteration of a building or structure by the City, the federal or provincial governments, or their agents for surveying, construction, or maintenance of access or works;
 - g) renovation, repair or replacement of a building or structure only to the extent that the renovation, repair or replacement would, when complete, involve no further contravention to the riparian protection area guidelines of this *Bylaw* than existing at the time the renovation or repair was started; or
 - h) construction or alteration of a boat launch or boat lift where such a facility complies with this *Bylaw* and has been approved by relevant provincial agencies.

Guidelines

- 8.9.2 Leave strips within riparian protection development permit areas must remain free of development, except in accordance with these guidelines, to ensure that natural features, function and conditions that support fish life processes are preserved, protected, restored or enhanced. Watercourses and water bodies shall have:
- a) 15.0 m leave strips from the top of bank for agricultural, outdoor recreation, and low density (<18 units/ha) residential developments;
 - b) 30.0 m leave strips from the top of bank for commercial, industrial and institutional developments;
 - c) notwithstanding sub-section 8.9.2 a), 30.0 m leave strips from the top of bank of the Fraser River and Nechako River, except 50.0 m

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- leave strips are required where the leave strip area is devoid of trees and there is evidence of active bank erosion;
- d) notwithstanding sub-sections 8.9.2 a), and b), 10.0 m leave strips from the top of ravine bank for ravines that are 60.0 m wide or greater; and
 - e) lesser leave strips shall be considered where the size is determined on the basis of an assessment report provided by a qualified professional in respect of a development proposal.
- 8.9.3 Development within a leave strip shall not result in harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes.
- 8.9.4 Subject to section 8.9.3, development within a leave strip may include pedestrian access, vegetation and trees, and training works or protection measures in accordance with these guidelines.
- 8.9.5 Natural features, functions and conditions that support fish life processes are to be preserved, protected, restored or enhanced within leave strip areas determined under section 8.9.2.
- 8.9.6 Natural watercourses shall be dedicated if such dedication is to ensure that natural features, functions and conditions that support fish life processes are preserved, protected, restored or enhanced.
- 8.9.7 Training works shall be required, including their ongoing maintenance or repair, to preserve, protect, restore or enhance the natural features, functions, and conditions that support fish life processes.
- 8.9.8 Protection measures, including the installation of a fence in agricultural, commercial, industrial, institutional and multiple-family residential zones, and the planting or retention of vegetation and trees, may be required to preserve, protect, restore, or enhance riparian protection development permit areas, control drainage, or control erosion or protect banks.
- 8.9.9 Bylaw provisions under Divisions 7 and 11 of Part 26 of the *Local Government Act* may be varied or supplemented to ensure that natural features, functions and conditions that support fish life processes are preserved, protected, restored or enhanced within the riparian protection development permit area.
- 8.9.10 The sequence and timing of development approved by the permit may be specified in the permit to reduce the potential for harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes.