

1 Protection of the Natural Environment

The local ecology is crucial to the health of the air we breathe, the water we drink and the soil beneath our feet...

A. Objectives

The *Protection of the Natural Environment DPA* and corresponding Development Approval Information Area are established to:

1. protect the *District's* natural setting, ecological systems and visual assets as a part of a rich natural heritage for the benefit of present and future generations;
2. protect *wildlife corridors* and the connectivity of our ecosystems;
3. protect our forested character and enhance the health of our forests, trees and soils;
4. conserve environmentally sensitive areas in order to protect biodiversity;
5. protect forested areas inside our watersheds in order to maintain or enhance hydrological functions; and
6. regulate *development* on parcels in the *Protection of the Natural Environment DPA* in furtherance of the above objectives.

B. Exemptions

The following activities are exempt from the requirement to obtain a protection of the natural environment development permit:

1. *development* that does not encroach or impact in any way on a *natural environment protected area*;
2. renovation or repair of a *permanent structure* on its existing foundation, provided that there is no expansion of the building footprint, including no cantilevered or projecting portions of the permanent structure, and provided that there is no clearing, grading or disturbance of soils, vegetation or trees within the *natural environment protected area*;
3. interior renovations within the existing foundation of a *permanent structure*;
4. public works and services and maintenance activities carried out by, or on behalf of, the *District* generally in accordance with these guidelines and approved by the *director*;
5. *habitat compensation* projects and other *habitat* creation, restoration and enhancement works carried out in accordance with *District* bylaws and a plan approved in writing by the *director*;
6. routine maintenance of existing landscaping and lawn areas;
7. installation of seasonal play or recreational equipment on existing yard/lawn areas, such as sandboxes or swing sets;
8. paths for personal use by the parcel owners, provided they do not exceed 1.0 metre in width, are constructed of pervious natural materials with no concrete, asphalt or pavers and no creosoted or otherwise treated wood, do not involve structural stairs, and require no removal of native vegetation;
9. minor alterations or repairs to existing roads, paths or driveways, provided that there is no further disturbance of land or vegetation; or



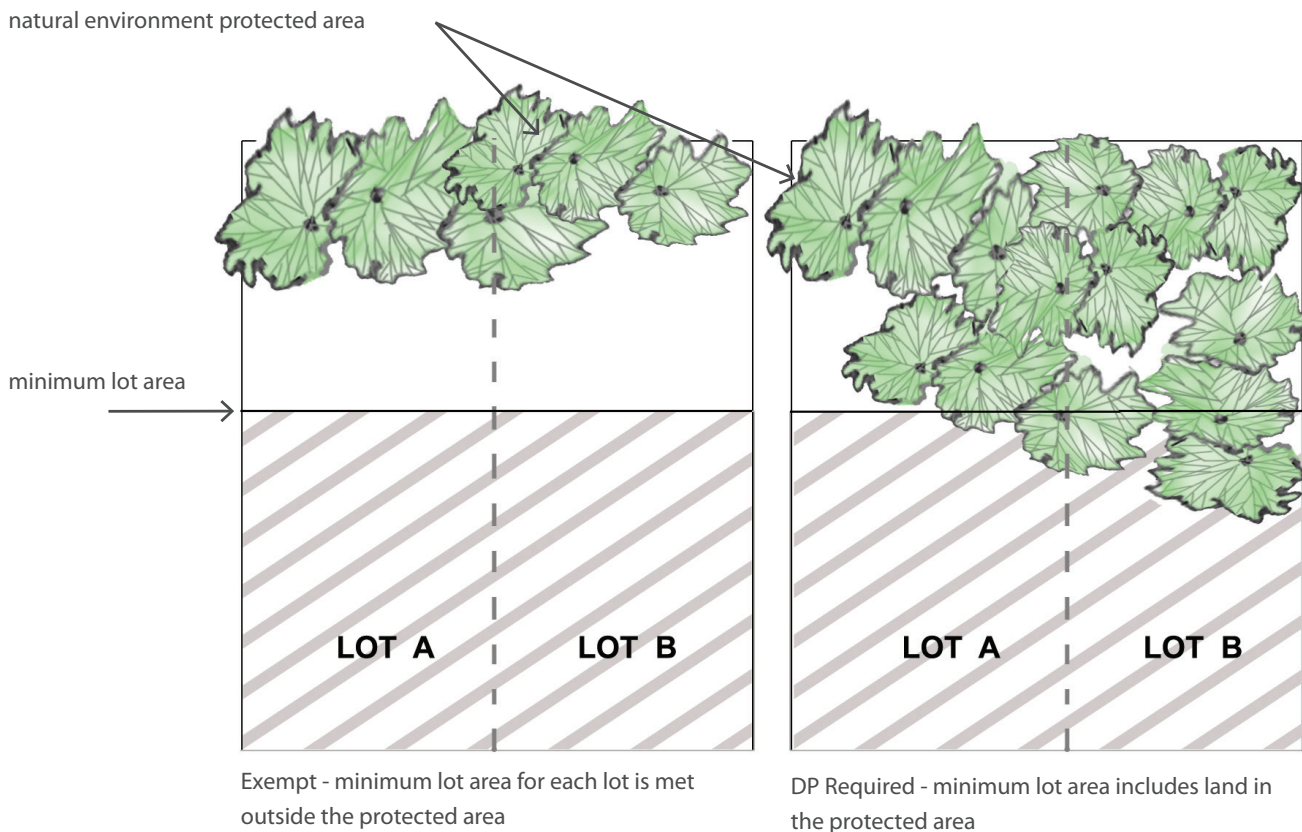
Brownies doing restoration planting in the Lower Seymour Conservation Area (left).



10. subdivision of land where:

- a) minimum parcel area requirements are met exclusive of any land within any *natural environment protected area(s)*;
- b) *natural environment protected areas* are intact, undisturbed and free of *development* activities and are kept intact, undisturbed and free of *development* activities; and
- c) no restoration or enhancement of any *natural environment protected areas* is required.

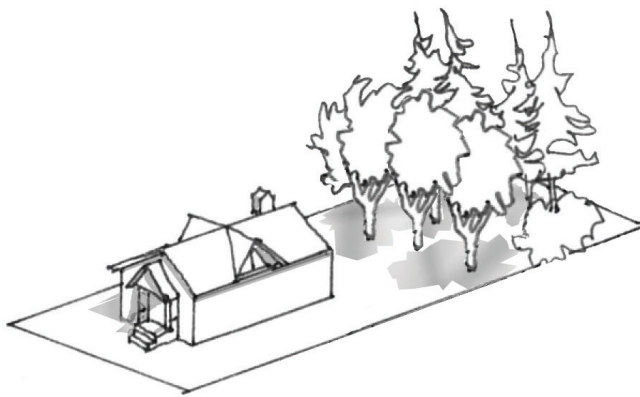
In order to determine whether a proposed subdivision qualifies for an *exemption*, applicants may be required to provide additional information on the condition of the *natural environment protected area*.



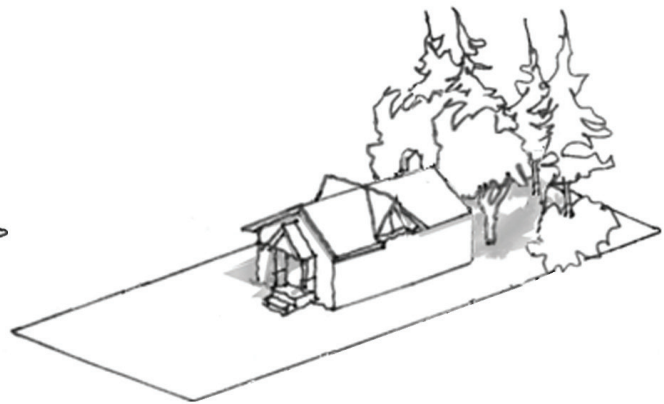
C. Guidelines

The following guidelines apply within the *Protection of the Natural Environment DPA*:

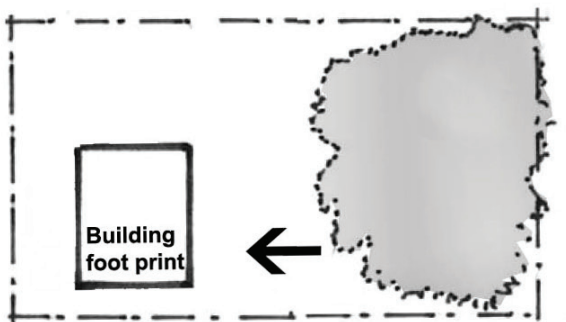
1. Efforts should be made to locate *development* away from:
 - a) habitat for species at risk;
 - b) mature stands of trees;
 - c) raptor's nesting sites;
 - d) wetlands; and
 - e) wildlife corridors.



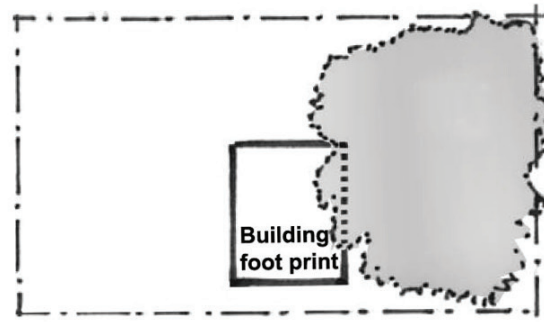
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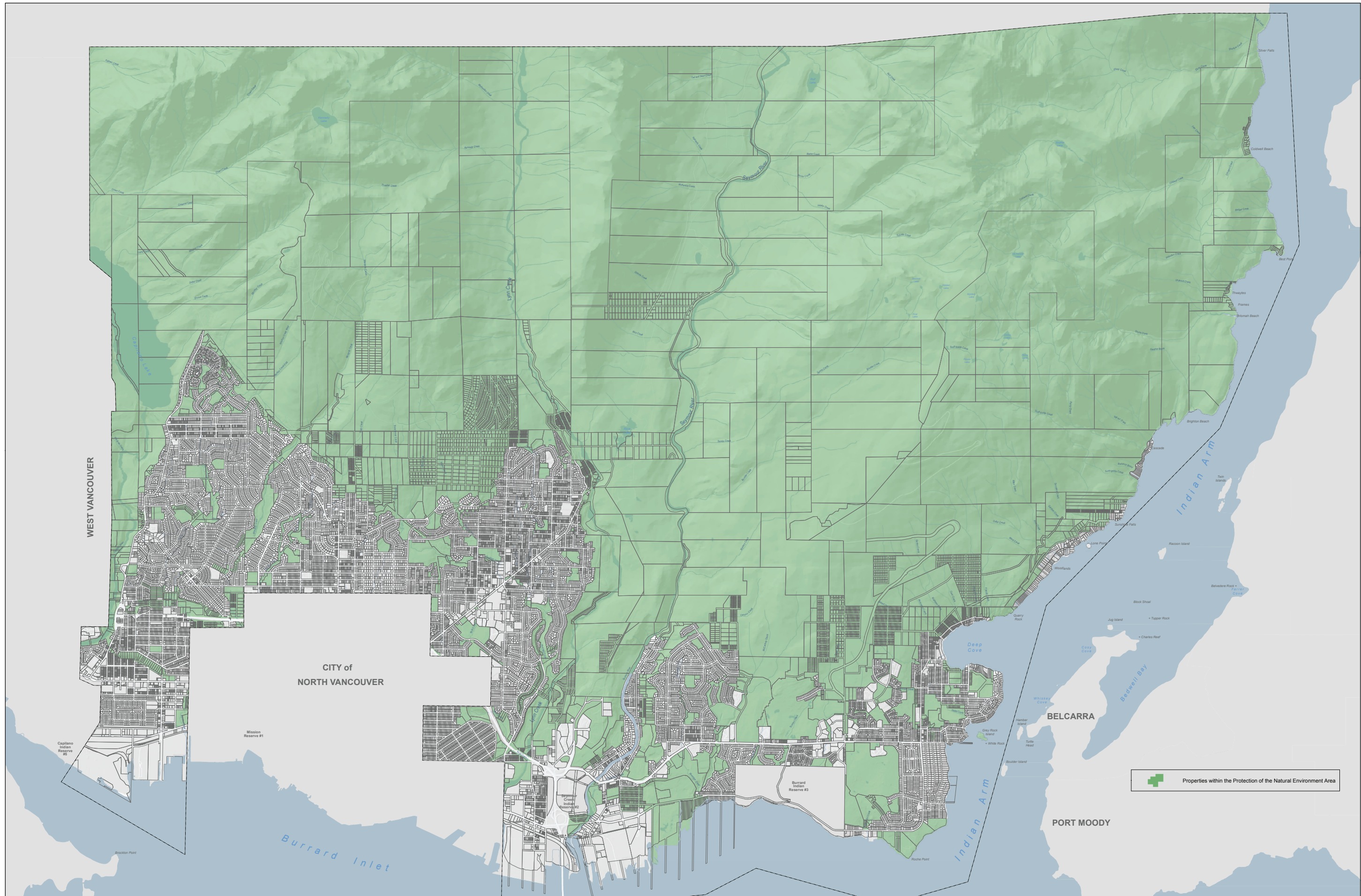
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2. Without limiting subsection (1) above, proposed *development* should be located and designed so as to minimize any damage to *natural environment protected areas* and efforts should be made to protect and enhance natural tree cover and vegetation, drainage patterns and landforms.

3. New structures on a parcel should be located as far away from *natural environment protected areas* as is feasible and in any event as far away from *natural environment protected areas* as existing *permanent structures*, if any, on the parcel.
4. Applicants may be required to submit a detailed environmental impact study prepared by a *qualified environmental professional*, to identify any potential issues and impacts relating to the proposed *development* and relating to protection, conservation and enhancement of *natural environment protected areas*. The environmental impact study may be required to include:
 - a) delineation of the *natural environment protected area* including details on the features and extent of the said area. This may need to be done in conjunction with a certified B.C. Land Surveyor;
 - b) description and relevant details of the proposed *development* and an assessment of the impacts of said *development* including impacts associated with the construction, operation and/or maintenance of the *development* on vegetation, wildlife, *habitat*, hydrology and soils;
 - c) delineation and identification of any sensitive ecosystems for inclusion on the *District's* sensitive ecosystem inventory; and
 - d) where necessary and appropriate, description of any *habitat compensation* projects.
5. Where land and/or natural vegetation in the *natural environment protected area* is disturbed or damaged due to *development*, the applicant may be required to provide *habitat compensation* for the portion of the *natural environment protected area* that will be affected, as approved by the *director*. A *habitat compensation project*, may need to be coordinated with or prepared by the *qualified environmental professional* and based on a legal survey prepared by a certified B.C. Land Surveyor, but in all cases should include:
 - a) a site plan drawn to scale showing:
 - i. the site of the *development*,
 - ii. that portion of the *natural environment protected area* that is impacted, in both size (square metres) and location, and
 - iii. the site of the proposed *habitat compensation* project, in both size (square metres) and location;
 - b) the details of the *habitat compensation* project based on a principal of no net loss to the *natural environment protected areas*, which may include but is not limited to:
 - i. a planting plan, listing each species to be planted and each plant's size (based on a principal of no net loss),
 - ii. a tree planting plan based on a 3:1 ratio of replacement trees to trees removed,
 - iii. details on soil work, grading and drainage, and
 - iv. details on other proposed mitigation measures such as nesting boxes, wildlife snags or habitat piles.

6. Staff may require a legal survey and environmental impact study or letter from a *qualified environmental professional* in order to determine the boundaries of the *natural environment protected area* and confirm that the *development* is not impacting the area.
7. Development Permits issued may require that:
 - a) the *natural environment protected area* be protected or enhanced in accordance with the permit;
 - b) the timing and sequence of *development* occur within specific dates or construction window to minimize environmental impact;
 - c) specific *development* works or construction techniques (e.g., erosion and sediment control measures, fencing off of trees or vegetation, etc.) be used to ensure minimal or no impact to the *natural environment protected area*;
 - d) mitigation measures (e.g. removal of impervious surfaces, replanting of riparian species, etc.) be undertaken to reduce impacts or restore habitat within the *natural environment protected area*;
 - e) security may be required to secure satisfactory completion of habitat protection works, restoration measures, *habitat compensation* or other works for the protection of the natural environment (the “required works”). The security shall be in the amount of 125% of the estimated value of the required works as determined by the *director* and shall either be:
 - i. in the form of a separate cash deposit or letter of credit; or
 - ii. if acceptable to the *director* in his or her sole discretion, in the form of the cash deposit or letter of credit provided pursuant to the building permit in relation to the proposed *development* for which the development permit is issued; and
 - f) security in the form of a cash deposit or letter of credit may also be required to secure recovery of the cost of any works, construction or other activities with respect to the correction of any damage to the environment that results as a consequence of a contravention of any condition or requirement in the protection of the *natural environment development permit*. The security taken pursuant to the building permit in relation to the proposed *development* for which the development permit is issued shall constitute the security for the purpose of this subsection, and shall not be released until damage, if any, has been remediated to the satisfaction of the *director*.





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PROTECTION OF THE NATURAL ENVIRONMENT DEVELOPMENT PERMIT AREA - MAP 1.1

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