

5.1 Environmentally Sensitive Areas (DPA No. 1)

5.1.1 Area

The area shown on the OCP Map B is designated as Development Permit Area No. 1 in order to provide guidelines for the protection of the natural environment.

5.1.2 Justification

The areas designated as Environmentally Sensitive comprise part of the extensive wetland system and sensitive ecosystem inventory contained within the Village boundaries, which provide a significant variety of habitat types that in turn support a wide variety of wildlife, both aquatic and terrestrial. The wetland systems form a water retention area that ultimately flows into one of several creeks and rivers downstream.

It is the desire of Council through these guidelines to protect both the habitat contained within these areas, as well as to protect the quantity and quality of the water that flows into the downstream creeks and rivers.

The provincial Riparian Areas Regulation directs local governments to protect riparian areas during new residential, commercial and industrial development. Good quality riparian habitat ensures healthy fish populations. Riparian areas are often more productive than the adjoining upland and are a critical component of biodiversity

Environmentally Sensitive Areas

Means areas of land or land and water that contain fish or wildlife habitat, or terrain or vegetation that may be sensitive to development.

Environmentally sensitive areas may include but are not limited to wetlands, riparian areas, leave strips, remnants of old growth forest, larger patches of mature forest, herbaceous communities, woodlands and sparsely vegetated areas such as cliffs.

5.1.3 Requirements

For any development proposal wholly or partially within a Riparian Assessment Area, the Village will require an assessment report to be prepared by a Qualified Environmental Professional.

Developments within the Riparian Assessment area may only proceed where authorized by the relevant Provincial Ministry or Federal Fisheries & Oceans, or where the assessment report determines the appropriate Streamside Protection and Enhancement Area width and measures required to maintain the features, functions, and conditions of the riparian area.

- 5.1.3.1 Removal of vegetation, excluding agricultural crops, and subsequent re-vegetation;
- 5.1.3.2 The erection or siting of structures which otherwise requires a building permit; and
- 5.1.3.3 Landscaping, paving improvements, irrigation and water systems, and retaining walls and fences.

5.1.4 Site Planning

Each proposal shall require demonstration of an understanding of the site's:

- 5.1.4.1 Soils, slopes, and biota including preparation of an inventory map and basic written evaluation;
- 5.1.4.2 Relationship to mining shafts, other mine openings, and contaminated materials;
- 5.1.4.3 Location in one of the eight principal watersheds (First Supply Creek, Morrison Creek, Piercy Creek, Millard Creek, Roy Creek, Maple Lake Creek, Perseverance Creek and Comox Lake) including identification of upstream (or upslope) and downstream (or downslope) land uses and the evaluation of the potential conflicts therein;
- 5.1.4.4 Hydrologic system with an inventory that includes, precipitation rates, runoff patterns, infiltration/recharge areas, springs and seeps and wetlands with summary approximating the annual water budget.

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5.1.4 Site Planning, continued

Require demonstration that site selection and planning have given consideration to:

- 5.1.4.5 Landforms, soils, wetlands, biota, archaeological resources, community trails and existing and neighbouring land uses;
- 5.1.4.6 Ecosystem and species protection-applicants are directed to “Environmental Best Management Practices for Urban and Rural Land Development in British Columbia, 2005” and amendments thereto, prepared by the Ministry of Environment.
- 5.1.4.7 Groundwater systems including known aquifers, recharge areas, and existing groundwater users;
- 5.1.4.8 Existing infrastructure, including roads, power lines, sanitary sewers, water supply lines and stormwater facilities (both formal and informal) and their relationship to the proposed development program;
- 5.1.4.9 Opportunities and constraints for on-site stormwater management including factors such as natural storage and soil;
- 5.1.4.10 Boundary conditions and the need to provide buffers, protect viewsheds, manage runoff, and integrate or separate compatible and incompatible land uses.

Require stormwater management planning that:

- 5.1.4.11 Follows source control (on-site) principles and practices and minimizes the use of conventional pipe and pond techniques, and avoids direct discharges to streams and other water-bodies;
- 5.1.4.12 Takes advantage of on-site opportunities to recycle water to soil, wetlands, and forests;
- 5.1.4.13 Follows site adaptive principles in facility placement and design, site grading, tree removal, impervious cover, and the scale and types of measures used to capture, direct and dispose of stormwater;
- 5.1.4.14 Provides for on-site retention of 90 percent or more of total annual rainfall;
- 5.1.4.15 Minimizes impacts on stream flows, water quality, aquatic habitat and neighboring properties; and

5.1.4.16 Provides for soil erosion and sediment control in both construction and operational phases of the project.