

# Appendix E – Amendment Bylaw 722.9

## Changes in Context

Appendix E presents an example of the sections from Bylaw 722 that are proposed for amendment. It includes the proposed amendment wording (**highlighted in red**) as outlined in the staff report for Consideration of Third Reading and Adoption.

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### 4.3 SUBDIVISION REQUIREMENTS

- 4.3.1 The calculation of minimum *parcel area* shall not include:
- a) Area to be used for community sewer field and equipment;
  - b) Area to be dedicated for public open space, *park* or returned to the Province, except as permitted by the *Strata Property Act*; or
  - c) Area to be dedicated as a *highway*.
  - d) **Area of land inclusive of and below the natural boundary of a *watercourse, waterbody, or wetland*;**
  - e) **Area of land that contains a Streamside Protection and Enhancement Area (SPEA), as established under the Provincial *Riparian Areas Protection Regulation*.**
- 4.3.2 Where a proposed parcel is equal or greater than 3500 m<sup>2</sup> in area, it shall have a minimum of 2000 m<sup>2</sup> of continuous developable area which is not included within:
- (a) a panhandle; or
  - (b) a right-of-way, hydro transmission corridor or an area restricted by covenant where the effect of the restriction imposed by the right-of-way or covenant prohibits the placement of a structure; or
  - (c) a streamside protection and enhancement area where the effect of the restriction imposed by the streamside protection and enhancement area prohibits the placement of a structure.
- 4.3.3 Where a proposed parcel is less than 3500 m<sup>2</sup> but not less than 2000 m<sup>2</sup> in area, it shall have a minimum of 1000 m<sup>2</sup> of continuous developable area which is not included within:
- (a) a panhandle; or

- (b) a right-of-way, hydro transmission corridor or an area restricted by covenant where the effect of the restriction imposed by the right-of-way or covenant prohibits the placement of a structure; or
- (c) a streamside protection and enhancement area where the effect of the restriction imposed by the streamside protection and enhancement area prohibits the placement of a structure.

## 5.16 SETBACK FROM WATERBODIES AND WATERCOURSES

5.16.1 No, *building* or *structure* or any part thereof, except a boathouse located within an inter-tidal zone or within the I13 Zone, shall be constructed, reconstructed, moved, located or extended within:

- a) 15 m of the *natural boundary* of the ocean;
- b) 17 m of the *natural boundary* of a creek, lake, swamp or pond;
- c) 32 m of the *natural boundary* of Chapman Creek, Tzoonie River, Clowhom River, Rainy River, McNab Creek, McNair Creek, Dakota Creek and Chickwat Creek;
- d) 22 m of the *natural boundary* for the portion of Roberts Creek that is seaward of Lower Road;
- e) In geographic areas that are in parts of Electoral Areas B, D, E and F not covered by an Official Community Plan:
  - 1) 32 m of the *natural boundary* of a *stream*;
  - 2) 32 m of the top of the bank of a *ravine* less the 60 m wide;
  - 3) 17 m of the top of the bank of a *ravine* 60 m wide or greater; and
- f) 17 m of the *natural boundary* of all other *watercourses*.

5.16.2 Unless expressly authorized pursuant to a valid and subsisting Development Permit, as required, no removal, alteration, or destruction of vegetation, soil removal or deposit, may take place within:

- a) 15 m of the *natural boundary* of the ocean;
- b) 30 m of the *natural boundary* of a creek, lake, swamp or pond;
- c) 30 m of the *natural boundary* of Chapman Creek, Tzoonie River, Clowhom River, Rainy River, McNab Creek, McNair Creek, Dakota Creek and Chickwat Creek;
- d) 20 m of the *natural boundary* for the portion of Roberts Creek that is seaward of Lower Road;

- e) In geographic areas that are in parts of Electoral Areas B, D, E and F not covered by an Official Community Plan:
  - 1) 30 m of the *natural boundary* of a *stream*;
  - 2) 30 m of the top of the bank of a *ravine* less the 60 m wide;
  - 3) 15 m of the top of the bank of a *ravine* 60 m wide or greater; and
- f) 15 m of the *natural boundary* of all other *watercourses*.

5.16.3 No *building, structures, or any part thereof* shall be constructed, reconstructed, moved, located, or extended within 5 metres of a provincially approved Streamside Protection and Enhancement Area (SPEA), or the default Riparian Assessment Area if a provincially approved SPEA has not been established.