

CITY OF
PRINCE RUPERT

RIPARIAN AREAS

DEVELOPMENT PERMIT
GUIDELINES



Glossary

Riparian Assessment Area means

- (a) For a stream the 30 meter strip on both sides of the stream, measured from the top of bank, (b) for a narrow ravine, 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, and
- (c) for a wide ravine, 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.

SPEA means streamside protection and enhancement area usually 15 meters from the waterbody. Alternative terms used in place of SPEA are 'leave strips' or 'stream buffers'.

Guidelines

1. Before development commences on any land within the City of Prince Rupert, the following actions must be met:
 - a) Streamside protection and enhancement areas must be identified
 - b) Leave strips are protected
 - c) A development permit issuing any alteration of the land is approved

Variances to setbacks may be granted if most riparian values are preserved in accordance with a report from a qualified professional biologist.

2. The City of Prince Rupert has enacted Riparian Area Regulations (RAR) through Development Permit Areas (DPA's) established in the Official Community Plan (OCP). A RAR applies both to private land, and the private use on Crown owned land. If any land alteration occurs within 30 meters of a stream or waterbody, a development permit under the RAR development permit area is required. The most important element of a RAR development permit is the assessment report completed by a qualified professional biologist. The report should state where the building can occur and under what conditions. The report must also indicate the site specific streamside protection and enhancement area (SPEA).
3. If the development site is not under Riparian Area Regulation Assessment Area, a letter provided by the qualified environmental professional must be provided stating that further assessment is not required.
4. The City of Prince Rupert may require the provision of works, including fencing, to be constructed on the border of the SPEA. If this is required on the site, it will preserve and protect natural watercourses and features which are seen at risk of degradation.
5. When a development proposal within a SPEA is submitted, the applicant must include a site plan drawn to the scale of 1:1000 (or 1:5000 under District approval) created by a qualified professional. This site plan must include all natural features

such as watercourses (permanent and non-permanent), riparian areas and wetlands.

6. For any development that falls within a Riparian Development Permit Area, the applicant must hire a qualified professional biologist to prepare an assessment report consistent with section four of the RAR. The report must show the biologist's certification, compliance to the RAR assessment methodology, and the biologist's professional opinion that:
 - a) The proposed development will not result in any harmful alteration, disruption, or destruction of the natural features that support fish life.
or;
 - b) The SPEA will be protected from effects of the development through identified measures within the report.
7. Throughout the preparation of the assessment report, the qualified professional biologist must consider any impacts of the development within the riparian assessment area and surrounding water bodies.
The following circumstances must be considered:
 - flood hazard;
 - slope stability and erosion;
 - storm drainage;
 - stream channel migration trends;
 - trail usage;
 - tree stand integrity and hazardous trees;
 - wildlife species that support the integrity of fish habitat;
 - cumulative impacts; and
 - if the subject requires additional expertise, the qualified professional biologist must consult with other persons who hold such expertise.
8. The relocation of non-fish bearing watercourses to accommodate the proposed development must be considered. Relocation must include on site controls for infiltration, biofiltration and/or oil grease separation, and when the outlet is to an enclosed drainage system surpassing 25 meters lengthwise.
9. The applicant must follow any measures recommended or required to protect, preserve, restore or enhance the SPEA in the assessment report if they are included as conditions in the Development Permit.
10. The qualified professional biologist will professionally judge whether or not a full RAR assessment is required when assessing ditches. If the qualified professional biologist decides an assessment report is not required for provincial submission, a smaller report specifying required SPEA width and protective SPEA measures must be submitted alongside the development application.

11. New buildings on single family lots will have a setback from the SPEA at a minimum of three meters, this will provide usable yard space.
12. Variances may be permitted within the development permit for building setback within a watercourse which are otherwise required by the zoning bylaw. These variances may be granted if the qualified professional biologist can confirm that the variance will not encroach or impact the SPEA.
13. The City of Prince Rupert can require on-site enhancements to be put in place to mitigate any impact caused by the development of the lands and to enhance or preserve the values of those watercourses.