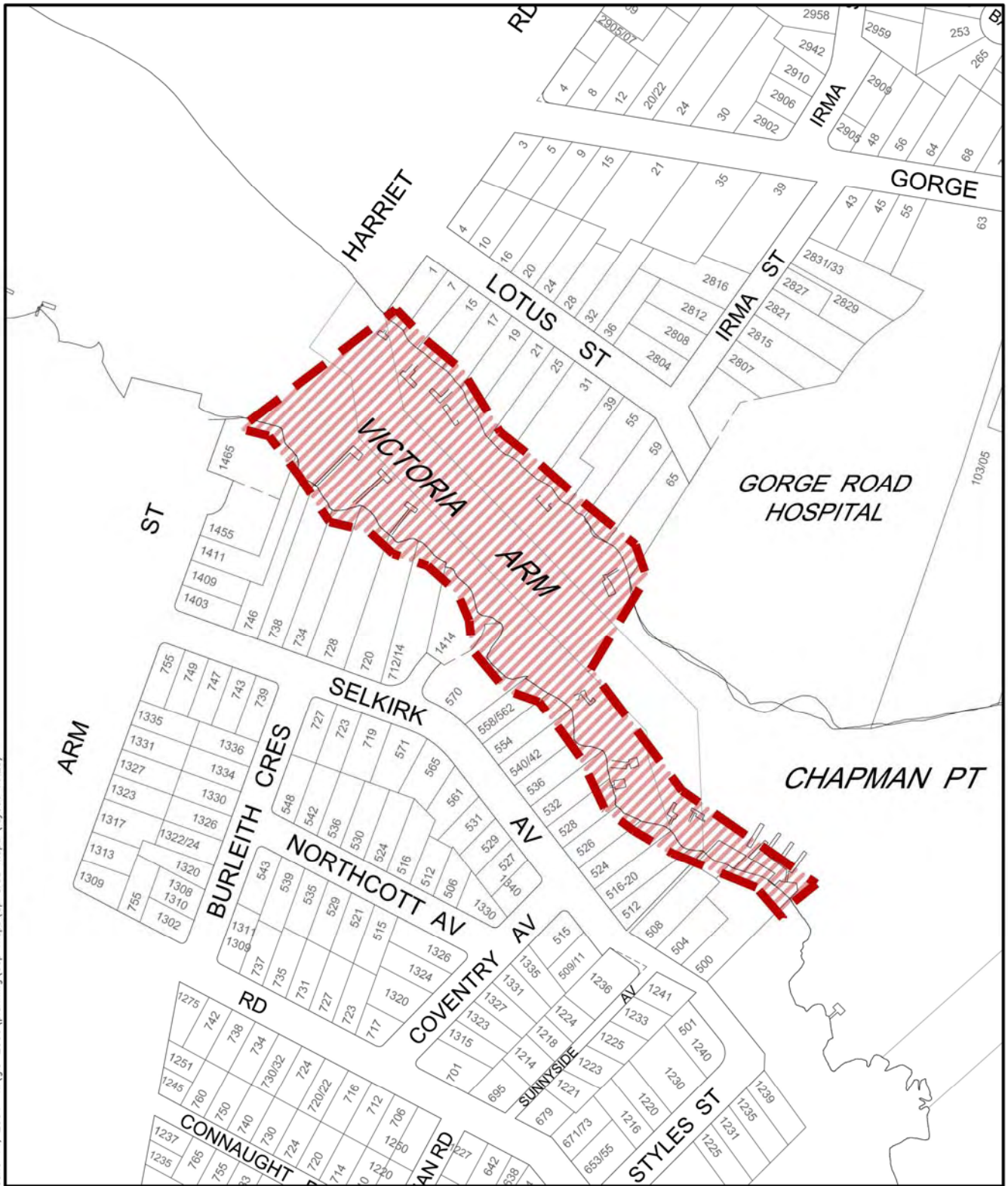


June 14, 2004 h:\gis-2000\planning\ocp_maps\dp_area_maps (layout 10.29)



Map 10.29
Development Permit Area 29
Victoria Arm - Gorge Waterway



DEVELOPMENT PERMIT Area 29, VICTORIA ARM - GORGE WATERWAY

1. Under Section 919.1 (1)(a), for the purposes of Section 920 of the Local Government Act, the area shown within the heavy dark grey line on Map 10.29 is designated as Development Permit Area 29, Victoria Arm - Gorge Waterway.
 - (a) For the purpose of establishing objectives and providing guidelines for the protection of the natural environment; and
 - (b) To enable Council to approve the particulars of any alteration of land, subdivision, and construction or alteration of a building or structure.
2. The objectives that justify this designation are:
 - (a) To recognize the environmental importance of a portion of the Gorge Waterway as part of a much larger waterway that is a sensitive, tidal-influenced watercourse connecting important fish-bearing areas within Victoria Harbour;
 - (b) To protect the shoreline of the Victoria Arm, as an important habitat that is supportive of fish and wildlife populations, from the removal of native vegetation and from the alteration of the natural landscape.
3. The following guidelines apply in Development Permit Area 29 to achieve the objectives set out in section 2:
 - (a) The use of fill, sea-walls, and other shoring methods are permitted only if it can be clearly demonstrated that they are necessary to prevent further erosion or sloughing of the existing shoreline in accordance with a Development Permit.
 - (b) Sea-walls and retaining wall structures must satisfy the following requirements in accordance with a Development Permit:
 - i. They must not involve the placement of fill on any lands below the high water mark;
 - ii. They must not involve the placement of foundations below the high water mark;
 - iii. They must not utilize construction debris like broken concrete, blocks, or bricks;
 - iv. They must be constructed of suitable materials like broken stone so as to blend with the natural landscape and the darker colours of the natural shoreline.
 - (c) The removal of native trees, shrubs and forest debris within a strip measured 7 metres perpendicular from the high water mark is prohibited except where:
 - i. The removal is necessary for the construction or maintenance of a path connecting property to the shoreline, and the path is constructed entirely of permeable materials and is not wider than 1 metre, or
 - ii. The removal is of dead tree limbs or dead or dying trees that create an immediate potential hazard to humans.
 - (d) The shoreline lying within a strip measured 7 metres perpendicular from the high water mark must:
 - i. Be retained in a natural state, or
 - ii. If previously cleared or altered it may be left as is at the time of adopting the Development Permit Area or it may be rehabilitated with native plant species.
 - (e) Chemical pesticides and fertilizers must not be used except in accordance with a Development Permit.

Development Permit Area 29, Victoria Arm - Gorge Waterway

- (f) Removal or excavation of land or water must not be carried out except in accordance with a Development Permit.
 - (g) Filling of land or water depressions must not be carried out except in accordance with a Development Permit.
 - (h) Light fixtures that are within 7 metres perpendicular from the high water mark must be designed to avoid glare spillover onto the water's surface in accordance with a Development Permit.
4. A Development Permit is not required in Development Permit Area 29 for any of the following matters:
- (a) Installation of paths connecting properties to the shoreline if the path is
 - i. Constructed entirely of permeable materials, and
 - ii. Not wider than 1 metre;
 - (b) Removal of non-native plant species, including, without limiting this paragraph, broom, English Ivy, and non-native blackberry, if they are replaced with native plant species and in a manner which does not create erosion;
 - (c) New construction or additions to lawful existing buildings that are located farther than 7 meters perpendicular from the high water mark (outside the Development Permit Area);
 - (d) Repairs to lawful existing structures and pathways necessary to remove or address a potential safety hazard;
 - (e) Fences located along side parcel boundaries that are generally at right angles to the shoreline, where the portion of the fence above grade is made entirely of wood.
5. The provisions of this Development Permit Area do not apply to the area of a lot's rear yard for a distance measured 6 metres from the rear most portion of a lawfully sited main building.
6. Other provisions of this Development Permit Area prevail if there is a conflict between any of them and Section 3.