

## STATUS

Title: Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 1

Applicant: Comox Valley Regional District

Electoral Area: All

File No.: CP 1CV 17/PJ 3CV 16

Purpose: To amend the Rural Comox Valley Official Community Plan

Participants: All Electoral Areas



Application Received: **Date:** N/A

Electoral Areas Services Committee: **Date:** September 11, 2017  
**Recommendation:** Proceed to board for 1<sup>st</sup> and 2<sup>nd</sup> readings

Comox Valley Regional District Board: **Date:** September 19, 2017  
**Decision:** 1<sup>st</sup> and 2<sup>nd</sup> readings

Public Hearing: **Date:** November 22, 2017

Comox Valley Regional District Board: **Date:**  
**Decision:**

Comox Valley Regional District Board: **Date:**  
**Decision:**

**Comox Valley Regional District**

**Bylaw No. 489**

**A Bylaw to amend the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014".**

The board of the Comox Valley Regional District in open meeting assembled, enacts the following amendments to the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014:

**Section One Text Amendment**

- 1) Bylaw No. 337, being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014," is hereby amended as set out in Schedule A attached to and forming part of this Bylaw.

**Section Two Title**

- 1) This Bylaw may be cited as the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 1."

<b>Read a first time this</b>	<b>19<sup>th</sup></b>	<b>day of</b>	<b>September</b>	<b>2017.</b>
<b>Read a second time this</b>	<b>19<sup>th</sup></b>	<b>day of</b>	<b>September</b>	<b>2017.</b>
<b>Public hearing held this</b>	<b>22<sup>nd</sup></b>	<b>day of</b>	<b>November</b>	<b>2017.</b>
<b>Read a third time this</b>		<b>day of</b>		<b>2017.</b>
<b>Adopted this</b>		<b>day of</b>		<b>2017.</b>

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Chair

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Corporate Legislative Officer

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 489 being the "Rural Comox Valley Official Community Plan Bylaw No. 337, 2014, Amendment No. 1" as adopted by the board of the Comox Valley Regional District on the                      day of                      2017.

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Corporate Legislative Officer

## Schedule A

### Section One Text Amendment

1. Part Two, Regional Objectives and Policies, section 67(1), “Freshwater policies” be amended by deleting the existing text;

#### **“67(1) Fresh Water – policies**

Prohibit hardening of the shoreline through the use of rip rap, concrete embankments and revetment walls, and other similar structural interventions that permanently alter the ecological function, disturb natural vegetation, and/or destroy fish habitat, including forage and spawning areas. Such development is prohibited unless site specific board approval is obtained in the form of a rezoning.”

and inserting the following new text:

#### **“67(1) Fresh Water - policies**

Generally prohibit hardening of the shoreline through the use of rip rap, concrete embankments and revetment walls, and other similar structural interventions that alter the ecological function and service of the riparian area, disturb natural vegetation, disrupt natural riparian processes, and/or destroy riparian habitat. If a qualified professional demonstrates, through the submission of impact assessment information obtained as development approval information that shoreline hardening is required to protect life or a principal building on the property, and that impacts can be mitigated, the board may consider issuance of a shoreline protection device development permit.”

2. Part Two, Regional Objectives and Policies, section 70(8), Coastal Areas policies” be amended by deleting the existing text;

#### **“70(8) Coastal Areas – policies**

Prohibit the hardening of the coastal shoreline through the use of rip rap, concrete embankments and revetment walls and other similar structural interventions that interrupt natural sediment transfer, disturb natural vegetation, redirect wave energy to adjacent properties, and/or destroy fish habitat, including forage and spawning areas, unless provided for by a site specific rezoning.”

and inserting the following new text:

#### **70(8) Coastal Areas - policies**

Generally prohibit hardening of the coastal shoreline through the use of rip rap, concrete embankments and revetment walls, and other similar structural interventions that alter the ecological function and service of the coastal shoreline, disturb natural vegetation, disrupt natural coastal processes, redirect wave energy to adjacent properties, and/or destroy coastal shore habitat, including forage and spawning areas. If a qualified professional has submitted development approval information that concludes that shoreline hardening is

required to protect life or a principal building on the property and that the impacts of the proposed hardening can be mitigated, the board may consider issuance of a shoreline protection device development permit.

3. Part Four, Administration of the OCP, section 84 “Shoreline Protection Devices - Guidelines” be amended by deleting the existing text;

“The board delegates to the CVRD officers the issuance of development permits. Where an applicant has proposed the installation, replacement or repair of a shoreline protection device under these guidelines the design of the device should follow the soft shore and greenshore approach to foreshore development. Prior to issuance of a Shoreline Protection Device Development Permit a shoreline protection device must be a permitted use under the zoning bylaw.

The board delegates to the CVRD officers through the delegation bylaw, the power to issue development permits. Where an applicant has proposed a shoreline protection device under these guidelines that follows the soft shore and greenshore approach to foreshore development, the permit will be processed through the delegation granted under the delegation bylaw.

Where an applicant is proposing the use or replacement of hard shore protections measures the development permit will be reviewed by the board. Development permits shall be issued in accordance with the following guidelines. Where it is anticipated that shoreline protection devices may cause erosion or other physical damage to adjacent or other properties, the development permit may not be issued.”

**And inserting the following new text:**

“Where an applicant proposes the installation, replacement or repair of a shoreline protection device under these guidelines, the design of the device shall contribute to shoreline resiliency by following soft shore (e.g. “Greenshore”) principles:

- Conserve or restore natural coastal or riparian processes (e.g. sediment transfer);
- Maintain habitat function and diversity;
- Prevent pollutants from entering the aquatic or riparian environment;
- Avoid or reduce cumulative impacts on the shoreline environment, including coastal or riparian processes.

All proposals shall incorporate design elements that contribute to coastal resiliency by protecting or restoring natural coastal processes and habitat. Except when a hardened shoreline is proposed (i.e. based on the findings of a qualified professional that shoreline hardening is required to protect life and/or a principal building), shoreline protection device development permits can be approved under delegated authority. Proposals to harden a shoreline, including replacement and/or maintenance of an existing hard shoreline with similar hard design elements shall require board approval of the development permit.”