



DATE OF MEETING: September 14, 2023

TO: Gabriola Island Local Trust Committee

FROM: Stephen Baugh, Planner 2  
Sonja Zupanec, Island Planner  
Northern Team

COPY: Renée Jamurat, Regional Planning Manager

SUBJECT: Preliminary Report – OCP and LUB Bylaw Amendment Application  
 Applicant/Agent: British Columbia Ferry Services Inc/John Steil, Stantec Consulting  
 Location: DISTRICT LOT 2058 NANAIMO DISTRICT AS SHOWN ON PLAN VIP75537 (PID 025-798-090); and  
 LOT A SECTION 20 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP75538 (PID 025-798-103)

## RECOMMENDATION

1. That the Gabriola Island Local Trust Committee draft Bylaw No. 316 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2023” and draft Bylaw No. 317 cited as “Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2023,” as shown in Attachment 6 and Attachment 7 of the report dated September 14, 2023, be referred to Snuneymuxw First Nation for early comment.

## REPORT SUMMARY

This staff report re-introduces a rezoning application originally submitted in 2019 (GB-RZ-2019.1) and withdrawn by British Columbia Ferry Services Inc. (BC Ferries) in 2021. The applicant has re-applied to amend the Gabriola Island Official Community Plan Bylaw No. 166 (OCP) and Land Use Bylaw No. 177 (LUB) to permit marine and upland improvements to the BC Ferries terminal located in Descanso Bay, Gabriola Island.

This staff report provides the Gabriola Island Local Trust Committee (LTC) with a preliminary overview of the proposal which is substantially similar to what was submitted in 2019; identifies land use planning issues and opportunities associated with the application; and seeks direction from the LTC on proceeding with next steps in the application.

Staff are recommending the draft amendment bylaws associated with the original 2019 application be referred to Snuneymuxw First Nation for early engagement.

## BACKGROUND

The application proposes to amend the OCP and LUB to enable future marine and upland improvements to the Descanso Bay Ferry Terminal, which are consistent with the [BC Ferries Descanso Bay Terminal Development Plan](#) (March 2019). The proposed bylaws were drafted in 2020 and sent out for early referrals. As drafted, the bylaws

would allow a terminal redevelopment project which includes: expanding the terminal into the Descanso Bay marine area for a widened vehicle holding area; improving sidewalk accessibility and safety; creating dedicated pick-up and drop-off areas; creating an updated parking area; and constructing new terminal buildings.

The upland areas of the subject properties currently used for the ferry terminal are zoned for residential use; while the marine area is zoned for commercial – marine transportation use. The intent of the application is to update relevant policies in the OCP and regulations and zoning in the LUB to reflect the intended redevelopment of the ferry terminal.

Application GB-RZ-2019.1 was withdrawn by the applicant in 2021 to allow BC Ferries to engage with Snuneymuxw First Nation (SFN). BC Ferries has stated that in the intervening time between applications they have been in contact with SFN and have a protocol agreement in place with the nation. The applicant has indicated that the SFN are supportive of this application.

The applicant has provided a comprehensive application, including professional reports, as part of the bylaw amendment application. Copies of the professional reports and other documents referenced in this staff report are available at: <https://islandstrust.bc.ca/island-planning/gabriola/current-applications/>.

And include the following:

- Details on the Rights of Way for water lines to the subject property;
- Environmental Impact Assessment identifying potential environmental impacts and mitigating efforts to minimize environmental impacts in the upland and marine areas of the proposed terminal development site;
- Assessment report and recommendations prepared by a qualified professional engineer, with expertise in wastewater treatment for non-domestic systems; and
- an assessment report and recommendations prepared by a qualified professional coastal engineer, that details flood construction levels consistent with Provincial guidelines for redevelopment of the ferry terminal.

The professional reports have been re-submitted with this application and the amending bylaws that were previously drafted remain suitable for the current application since the bylaw amendment request has not changed. The draft bylaws, with minor updates from planning staff, are included as Attachment 6 and Attachment 7 of this report.

Figures 1 and 2 identify existing OCP designations and LUB zoning on the subject properties. Figures 3 and 4 show the proposed OCP designations and LUB zoning for this application.

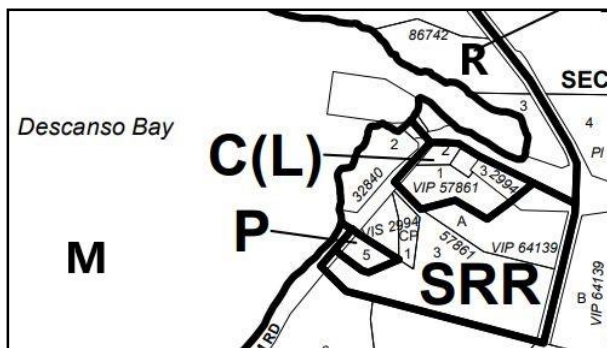


Figure 1. Existing OCP Designations.

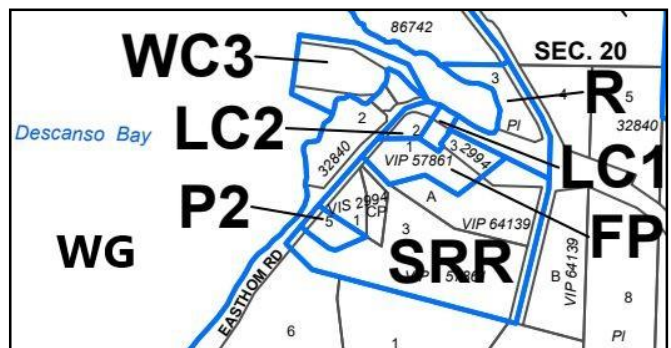
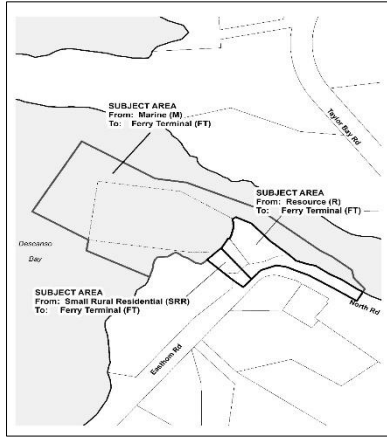
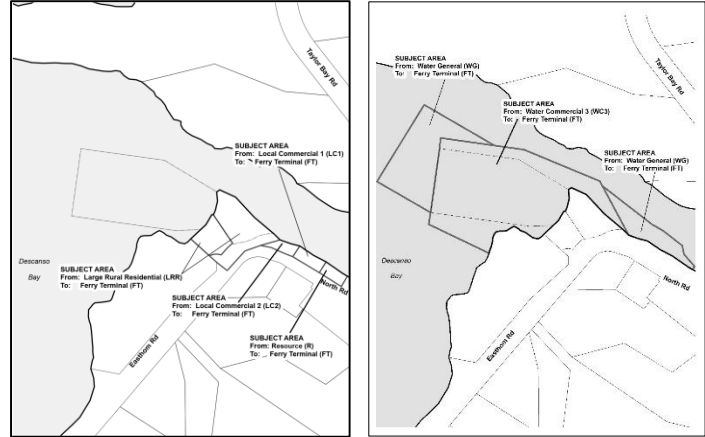


Figure 2. Existing LUB Zoning.



**Figure 3. Proposed OCP Designations.**



**Figure 4. Proposed Upland LUB Zoning (left) and Proposed Marine LUB Zoning (right)**

## ANALYSIS

A site context analysis is provided for the subject parcels in Attachment 1. Additional analysis on the Gabriola Island OCP policies are also included as Attachment 3.

### ***Islands Trust Policy Statement:***

The following Islands Trust Policy Statement (ITPS) directive policies are relevant to the application:

- **Directive Policy 3.4.5** Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.
- **Directive Policy 4.5.8** Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.

Staff note that an ITPS Checklist (Directives Only) has been completed to ensure consistency of the draft bylaws with the ITPS (Attachments 4 and 5).

### ***Official Community Plan:***

The upland areas of the subject properties are designated Resource (R) and Small Rural Residential (SRR), and the adjacent marine area is designated Marine (M). The application proposes to amend the designation of the subject properties.

Attachment 3 of this report provides a comprehensive overview of relevant OCP policies.

### ***Land Use Bylaw:***

The upland areas of the subject properties are currently zoned Large Rural Residential (LRR), and the adjacent marine area is zoned Water Commercial 3 – Marine Transportation (WC3) and Water General (WG). Permitted uses in the WC3 zone include “ferry dock;” permitted uses in the LRR zone include residential use.

The upland area of the subject properties, adjacent marine areas and any expansion into marine areas requires rezoning with site specific regulations to address use, density, siting, size and subdivision.

### ***Development Permit Areas:***

There are no development permit areas (DPA) currently in effect for the subject upland or marine areas. DPAs may be established for one or more purposes including:

- protection of the natural environment, its ecosystems and biological diversity;
- protection of development from hazardous conditions;
- establishing objectives for the form and character of commercial development;
- to promote energy conservation;
- to promote water conservation; and
- to promote the reduction of greenhouse gas emissions.

The draft bylaws include a new DPA to ensure the development of this site will be in line with guidelines related to the above objectives.

### **Issues and Opportunities**

Staff have identified a number of issues and opportunities that arise as a result of this bylaw amendment application. Each is identified and discussed under a different heading below.

#### ***Protection of the Natural Environment***

Given the constraints of the site, the application proposes to expand the upland area by adding fill into the adjacent foreshore. Details of the potential shoreline expansion options are provided in the [Geotechnical Memorandum](#). The applicant has provided a [Biophysical Inventory](#) and [Environmental Impact Assessment](#) with their application. The Biophysical Inventory provides details on the surrounding vegetation, wildlife and marine areas at the site and the Environmental Impact Assessment describes the impacts to the natural environment and mitigation measures that may be undertaken to reduce the negative impacts of the terminal development.

Details for run-off control are provided in a [Stormwater Memorandum](#). Proposed improvements include catch basins, storm mains and an underground storm water oil-grit separator to reduce pollutants discharging into Descanso Bay. Proposed landscaping in the new parking area would include bio-swales and tree/vegetation plantings.

#### ***Groundwater Management***

The [Water Memorandum](#) submitted with the application highlights options for water supply at the ferry terminal. The applicant has indicated the option they are pursuing is to obtain water from the Fiddlehead Spring Water System. Although this water system does have a provincial license it does not yet authorize water supply to the ferry terminal. The *Water Sustainability Act* requires that a water licence be obtained for the use of this system. Additionally, a permit from the Ministry of Transportation and Infrastructure is required to authorize water lines located in the road right-of-way.

#### ***Sewage Disposal***

The [Terminal Water and Sanitary Assessment Report](#) recommends that the sewage system for the proposed terminal be a storage, pump and haul system. This is due to the site constraints limiting the feasibility of on-site septic treatment and the cost and regulatory challenges of marine discharge.

#### ***Parking***

The Gabriola Land Use Bylaw does not currently establish a specific parking requirement for the ferry terminal. The proposed development includes:

- 20 vehicle parking stalls (7 spaces for use by the public including 2 spaces for people with disabilities),
- motorcycle/scooter parking spaces,

- a pick-up/drop-off area,
- 1 community (GERTIE) bus space,
- 1 school bus space,
- Covered bicycle parking for 12 bikes and an indoor bike room for staff.

### ***Pedestrian Access***

This application proposes to improve the pedestrian and bicycle access to the ferry terminal by dedicating a pedestrian crosswalk at the corner of North Road and Easthom Road and widening the road shoulders on both sides of North Road.

### ***Protection of Development from Hazards***

The applicant has provided a report from Northwest Hydraulic Consultants regarding [Flood Construction Levels](#). The report notes an avoidance strategy is generally recommended for property development, however, given that ferry terminals must operate at the shoreline, an avoidance strategy is not a viable option. Therefore, requests for modifications of bylaws and/or exemptions are appropriate. The report also states, “The Provincial Guidelines do not in general account for the operational requirements of a ferry terminal.” This is because a high shoreline may create a challenge for vehicle and passenger loading and unloading for a full range of tidal conditions.

### ***Water and Energy Conservation and Reduction of Greenhouse Gas Emissions***

The draft bylaws include guidelines in a new DPA to promote water and energy conservation and the reduction of greenhouse gas emissions. This is consistent with OCP policies 7.4(a) and 8(b):

**7.4 (a)** Methods of water conservation such as low water use fixtures, retention of rainwater and runoff in cisterns and ponds and other means shall be encouraged.

**8(b)** The Local Trust Committee should consider the development of new criteria for assessing official community plan or land use bylaw amendment applications from the perspective of climate change adaptation and greenhouse gas emission reduction.

Guidelines in the draft bylaw for the DPA, incorporate passive design requirements to increase energy efficiency; this includes designs that maximize solar gain and reduce energy loss; encouraging design that incorporates landscaping, vegetation and storm water management on roofs; and promoting minimal impervious surfaces.

### ***First Nations***

The previous bylaw amendment application was withdrawn as a result of objections raised by Snuneymuxw First Nation for a variety of reasons. The applicant has reported that BC Ferries has engaged with Snuneymuxw First Nation and that a protocol agreement has been agreed to by the two parties in the intervening years between applications. At the time of report writing there was no documented support for the proposed terminal development from Snuneymuxw First Nation. As a result staff are recommending the LTC send an early referral of the draft bylaws to Snuneymuxw First Nation for comment prior to proceeding with the further readings for referrals.

An Archaeological Impact Assessment, completed under a Heritage Inspection Permit, has been provided which states that the Descanso Bay project area has been subject to a high degree of past disturbance due to infrastructure construction for the ferry terminal. An in-field evaluation describes the area as having low archaeological potential for both surface and subsurface cultural materials and features. The report recommends

no further archaeological work within the Descanso Bay terminal component of the project area based on the current proposed redevelopment designs.

### **Consultation**

As the project involves an OCP amendment, the LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. Staff are recommending the LTC refer the proposed bylaws to Snuneymuxw First Nation at this time and undertake additional consultation after first reading.

### **Rationale for Recommendation**

Staff are recommending the LTC refer the draft OCP and LUB bylaws to Snuneymuxw First Nation prior to consideration of first reading. This will allow the LTC to hear from the nation on whether concerns remain about the bylaws or terminal development project prior to advancing the bylaw.

### **ALTERNATIVES**

The LTC may consider the following alternatives to the staff recommendation:

#### **1. Request further information**

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

*That the Gabriola Island Local Trust Committee request that the applicant submit to the Islands Trust [insert information and reasons].*

#### **2. Proceed no further**

The LTC may deny the application. Staff advise that the implications of this alternative are that terminal upgrades to Descanso Bay will not be allowed to proceed. If this alternative is selected, the LTC should state the reasons for their decision. Recommended wording for the resolution is as follows:

*That the Gabriola Island Local Trust Committee deny application GB-RZ-2023.1 for the follows reasons [insert reasons].*

#### **3. Give the draft OCP and LUB bylaws first reading**

The LTC may give first reading to the draft bylaws as presented in attachments XX and XX. If the LTC selects this alternative, consideration should be given to sending referrals out to agencies, other governments, First Nations and other persons, authorities or organizations who may be affected by the proposed bylaws. Recommended wording for the resolutions is as follows:

- 1. That the Gabriola Island Local Trust Committee Bylaw No. 316, cited as "Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2023", be read a first time.*
- 2. That the Gabriola Island Local Trust Committee Bylaw No. 317, cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2023", be read a first time.*
- 3. That Proposed Bylaw No. 316 and Proposed Bylaw No. 317 be referred to the following First Nations, Local Governments and agencies for comment:*

a. *First Nations:*

*Cowichan Tribes, Halalt First Nation, Lyackson First Nation, Penelakut Tribe, Snuneymuxw First Nation, Stz'uminus First Nation, Ts'uubaa-asatx First Nation.*

b. *Local Governments and Agencies:*

*Gabriola Advisory Planning Commission, Gabriola Ferry Advisory Committee, City of Nanaimo, Regional District of Nanaimo, Ministry of Transportation and Infrastructure, School District 68, Islands Trust Freshwater Specialist.*

**4. Receive for information**

The LTC may receive the report for information and defer consideration to a future LTC meeting date.

**NEXT STEPS**

If the LTC proceeds with the staff recommendation, staff will refer to the draft amendment bylaws to Snuneymuxw First Nation.


Submitted By:	Stephen Baugh, Planner 2 Sonja Zupanec, RPP, MCIP, Island Planner	August 28, 2023
Concurrence:	Renee Jamurat, RPP, MCIP, Regional Planning Manager	September 1, 2023

**ATTACHMENTS**

1. Site Context
2. Site Plan
3. OCP Policies
4. Islands Trust Policy Statement Directive Policies - OCP
5. Islands Trust Policy Statement Directive Policies - LUB
6. Draft Bylaw No. 316 (OCP)
7. Draft Bylaw No. 317 (LUB)

## ATTACHMENT 1 – SITE CONTEXT

### LOCATION

Legal Descriptions	DISTRICT LOT 2058 NANAIMO DISTRICT AS SHOWN ON PLAN VIP75537 (PID: 025-798-090) DISTRICT LOT 2093, NANAIMO DISTRICT, PLAN EPC791 (ORDER IN COUNCIL 752, BC REG 315/2012) (PID: 090-112-650) LOT A SECTION 20 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP75538 (PID: 025-798-103)
Civic Address	n/a
Location	

### LAND USE

Current Land Use	Ferry Terminal (upland and marine)
Surrounding Land Use	Southwest: Residential Southeast: Commercial, Parking, Residential North: Residential

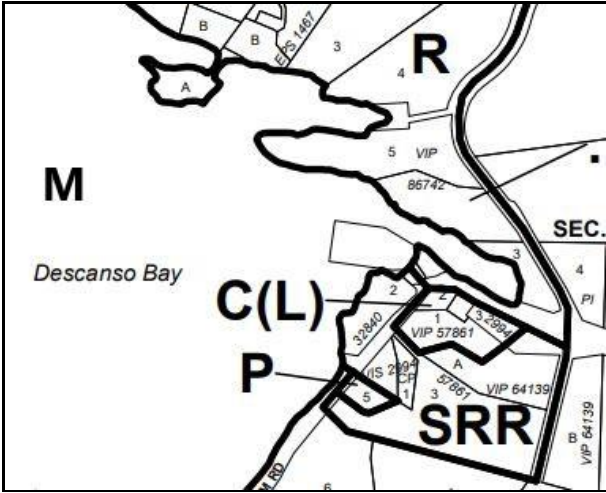
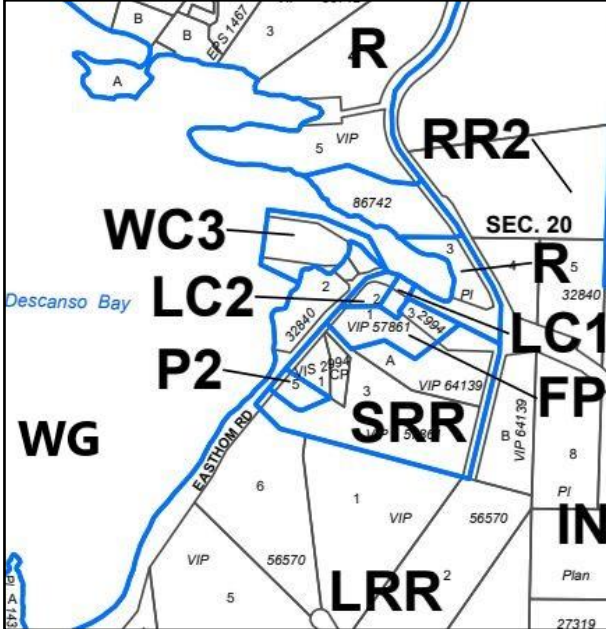
### HISTORICAL ACTIVITY

File No.	Purpose
GB-RZ-2019.1	Application withdrawn in 2021.

### POLICY/REGULATORY


Official Community Plan Designations	Resource (R); Marine (M); Small Rural Residential (SRR) – <b>Change Required</b>
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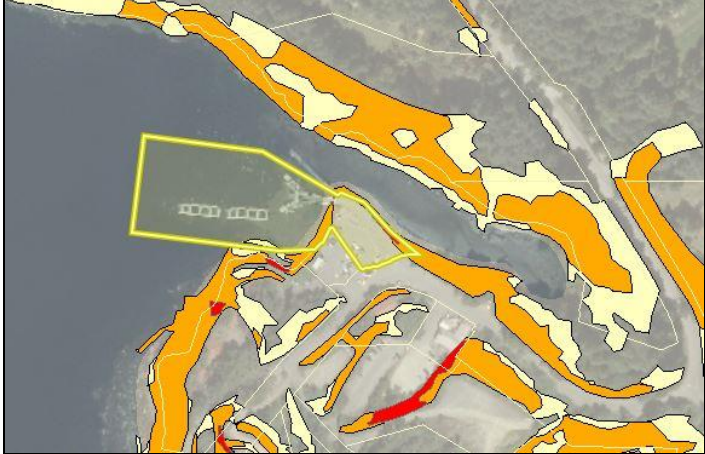


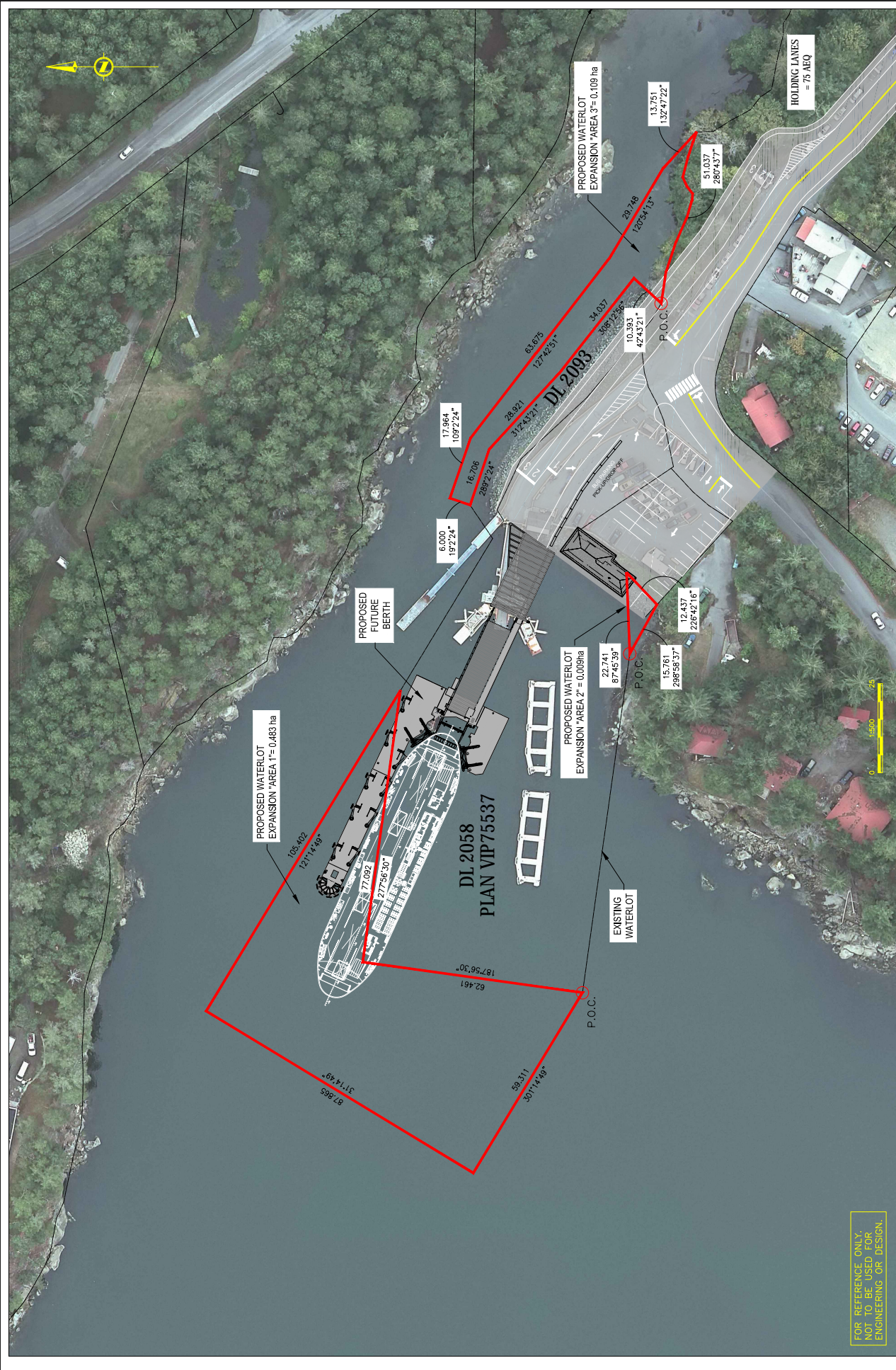
	 <p>Development Permit Area: none</p>
Land Use Bylaw	<p>Large Rural Residential (LRR); Water Commercial 3 – Marine Transportation (WC3); Water General (WG) – <b>Change Required</b></p> 
Other Regulations	The expansion of the marine area necessitates an updated or new Crown Lease tenure. A tenure application is pending with the province.
Covenants	None
Bylaw Enforcement	GB-BE-2020.8

**SITE INFLUENCES**

Islands Trust Conservancy	The proposal does not directly affect an Islands Trust Conservancy Board (ITC) –owned property or conservation covenant, nor directly affects a property adjacent to an ITC-owned property or conservation covenant. Referral to ITC for comment is not required.
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<p>Regional Conservation Strategy</p>	<p>Appendix II of the <a href="#">Regional Conservation Plan 2018-2027</a> estimated importance of habitat composition is LOW on the subject property; however, the marine inlet adjacent to the subject property is estimated to have a HIGH habitat composition. Properties directly adjacent of the marine area to the north/northeast are identified as having HIGH habitat composition.</p> <p>Table 7 of the Regional Conservation Plan identifies “Marine shorelines and nearshore areas” as being biodiversity priorities in the Islands Trust Area. Table 7 notes: <i>“The interface between the ocean and the land is important for marine and terrestrial species. Of particular importance are shoreline areas that support foraging, reproduction and rearing of species, for example, eelgrass beds. Shorelines are also important cultural and harvesting areas for First Nations.”</i></p> <p>The Gabriola Island Local Trust area has been identified as being a HIGH priority for conservation, and is a secondary focus for ITC outreach based on ecosystem values, threats and current levels of conservation (after the very high priority areas – Salt Spring, Lasqueti, and Thetis Island).</p>
<p>Species at Risk</p>	<p>None mapped.</p>
<p>Sensitive Ecosystems</p>	<p>Marine area adjacent to subject property is in a Rockfish Conservation Area. More information can be found at: <a href="http://www.pac.dfo-mpo.gc.ca/fm-gp/maps-cartes/rca-acis/index-eng.html">http://www.pac.dfo-mpo.gc.ca/fm-gp/maps-cartes/rca-acis/index-eng.html</a>.</p> <p>Islands Trust mapping indicates the presence of Mature forest: conifer and Woodland: conifer within one of the subject properties.</p> 
<p>Hazard Areas</p>	<p>Islands Trust mapping indicates Steep Slope areas of High (red), Moderate (orange) and Low Risk (yellow).</p>

		
Archaeological Sites	<p>Remote Access to Archaeological Data (RAAD) indicates a known archaeological site and areas of high archaeological potential within 100 metres of the subject property and/or project area.</p> <p>The applicant has submitted an Archaeological Overview Assessment (AOA) by Golder Associates, dated November 23, 2018, which recommends that a <i>Heritage Conservation Act</i> Section 14 permit be obtained prior to any ground disturbance of the project area. An Archaeological Impact Assessment (AIA) was conducted in 2019, the AIA report does not recommend further archaeological work within the Descanso Bay Terminal Project Area.</p>	
Climate Change Adaptation and Mitigation	<p>The Regional District of Nanaimo (RDN) has completed <a href="#">flood hazard mapping</a> for its coastal areas which indicate a Flood Construction Level of between 5.0-5.5m. However, this may not be feasible for some development, such as a ferry terminal, which must be located at the shoreline. The applicant has submitted a report on the Provincial Flood Construction Level Guidelines as they relate to the proposed terminal redevelopment.</p> <p>Site clearing, replacement of existing structures and construction of the proposed development are anticipated to result in associated greenhouse gas emissions.</p>	
Groundwater Vulnerability	<p>Islands Trust mapping indicates the Aquifer Intrinsic Vulnerability for this area is Moderately High.</p>	
Shoreline Classification	<p>Rock Shoreline - Low Rock/Boulder</p>	
Shoreline Data in TAPIS	<p>Islands Trust mapping indicates the presence of eelgrass approx. 20 metres from the existing ferry dock.</p> <p>There is an existing rip rap revetment slope extending around the perimeter of the foreshore area.</p>	



FOR REFERENCE ONLY.  
NOT TO BE USED FOR  
ENGINEERING OR DESIGN.

REV	DESCRIPTION	DATE	BY
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I			
H			
G	ADDED ADDITIONAL EXPANSION AREA '3'	18/07/23	DS
F	ISSUED FOR WATERLOT EXPANSION	18/06/13	DS
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REVISED FOR	DESIGN BY	CHECKED BY
USE IN CONSTRUCTION	DS	
DATE: 2018/05/18		
FILE NO.: 32-SITE	SCALE: 1:500	
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**BC Ferries**  
British Columbia  
Ferry Services Inc.

GABRIOLA  
TERMINAL DEVELOPMENT  
PROPOSED WATERLOT EXPANSION  
CONCEPTUAL LAYOUT  
DRAWING NO.: GAB-TDP-SK100  
B  
CANCEL, REVISIONS, REMOVED, UNDER REVISION

## ATTACHMENT 3 – OCP POLICIES

### GABRIOLA OFFICIAL COMMUNITY PLAN (GABRIOLA) BYLAW No. 166, 1997

OCP Objective/Policy	Complies	Planner Comments
<b>General Land Use Policies</b>		
2.0 (f) Applications for amendment to this OCP shall be required to include: <ul style="list-style-type: none"> <li>i. details concerning the potential environmental impacts of the proposed development;</li> <li>ii. a plan and specifications detailing how water supply and sewage disposal for the intended use are to be provided, and unless the development is residential and consists of less than five lots or dwelling units the plan and specifications must be prepared by a professional engineer; and</li> <li>iii. such other requirements as may reasonably be deemed necessary in adequately reviewing the application.</li> </ul>	TBD	<p>The applicant has submitted a Biological Inventory prepared by Stantec Consulting Ltd., dated March 29, 2019, that provides details on the marine, vegetation and wildlife habitat and sensitive species on the subject properties and the adjacent area. The applicant has also provided an Environmental Impact Assessment prepared by Hemmera Envirochem Inc., dated January 14, 2020.</p> <p>Options for water supply and sewage disposal have been provided by the applicant in the Wastewater Memorandum and the Water Memorandum prepared by Stantec Consulting Ltd., dated January 7, 2019. Additional analysis on these recommendations has been done through a Water and Sanitary Assessment by McElhanney Ltd., dated January 9, 2020 and an On-Site Groundwater Supply Feasibility Assessment by McElhanney Ltd., dated November 22, 2019.</p>
<b>Small Rural Residential Policies</b>		
2.2 (a) The principal use shall be residential.	no	Application proposes to amend land use designation of subject properties.
<b>Resource Policies</b>		
5.1 (b) In the Resource zone the following uses shall be permitted: one single-dwelling residential unit, horticulture, agriculture, silviculture, forestry and home occupations and the existing AM/FM tower and shooting range.	no	Application proposes to amend land use designation of subject properties.
<b>Environmentally Sensitive Area Policies</b>		
6.1 (a) Development within environmentally sensitive areas may be regulated through the use of development permits.	TBD	<p>For LTC consideration.</p> <p>Staff recommend that a development permit area be established for the protection of the natural environment, its ecosystems and</p>

		biological diversity, in accordance with Section 488 of the <i>Local Government Act</i> . The draft bylaws, as presented, include a DPA for this purpose.
6.1 (b) With respect to an area identified as being environmentally sensitive, the registration of a natural state or environmental covenant and/or the use of a development permit shall be required as a condition of rezoning so as to ensure the long term protection of environmental features.	TBD	For LTC consideration.  Staff recommend that a development permit area be established for the protection of the natural environment, its ecosystems and biological diversity, in accordance with Section 488 of the <i>Local Government Act</i> . The draft bylaws, as presented, include a DPA for this purpose.
6.1 (c) Voluntary covenants or easements to protect natural features and donation or sale of sensitive areas to a conservation agency shall be encouraged.	TBD	For LTC consideration.
6.1 (e) To protect against hazardous conditions and to protect environmentally sensitive areas a setback shall apply from the high water mark of the sea. In the case where a bluff or large land ridge is the prominent upland feature adjacent the sea, a setback from the upper edge of the bluff or ridge shall be applicable.	TBD	A preliminary analyses for two options for shoreline expansion is detailed in the Geotechnical Memorandum prepared by Stantec Consulting Ltd., dated January 25, 2019.  The applicant has provided a report from Northwest Hydraulic Consultants Ltd., dated March 5, 2020 with regards to Provincial Guidelines for Flood Construction Levels.
6.1 (f) The sandstone and conglomerate banks along Gabriola's shoreline shall be protected against the accelerated effects of erosion resulting from human activity by requiring the setback of buildings or structures and control of storm water runoff.	yes	The proposed storm water management infrastructure is detailed in the Storm Water Memorandum prepared by Stantec Consulting Ltd., dated March 25, 2019.
6.1 (g) Trees bearing the nests of great blue heron, bald eagle, osprey and other raptors shall not be cut in accordance with provincial legislation. The zoning bylaw shall set standards and regulate the provision of screening for preserving and protecting trees bearing such nests. Such condition shall be applicable with respect to the rezoning of any site containing such a feature.	yes	As noted in the Biological Inventory, dated March 29, 2019, no nests were visible during the inventory site visit. The Environmental Impact Assessment, dated January 14, 2020, also confirms that no stick or cavity nests were observed during their assessment. It is noted that the Wildlife Tree Stewardship database has indicated a Wildlife Habitat Tree at the North Rd. and Taylor Bay Rd. junction.
6.1 (i) So as to ensure the Island's environmental resource sites are protected, owners (and potential developers) of property located within	TBD	Staff may investigate and report back to LTC.

an environmental sensitive area shall be encouraged to work with recognized conservancy organizations early on in the development process to ensure steps are taken to protect the environmentally sensitive site.		
<b>Marine Resource Policies</b>		
6.2 (a) Except as specifically provided for, the surface of the water in the Gabriola Planning Area shall be zoned Water General wherein the permitted uses shall include boat moorage and boat launching facilities (where suitable), associated with single-dwelling residential uses located on the adjacent upland, public parks, ecological reserves, marine navigational aids and publicly funded and operated boat launching facilities.	yes	Application proposes to expand the marine area, necessitating a zoning amendment of that proposed expansion area.
6.2 (b) The zoning bylaw shall include provision for zones for each of the following foreshore use categories: log storage; log dumping; aquaculture rearing and harvesting; commercial marina operations; and, marine transportation.	yes	Application proposes to amend zoning to include “ferry terminal” as a permitted use.  Staff recommend amending this policy to include “ferry terminal.” The draft bylaw, as presented, includes this amendment.
6.2 (g) The following foreshore sites shall be zoned marine transportation: i. BC Ferry Corporations water lease lot and ferry slip in Descansco Bay; and ii. Green Wharf, situation in Percy Anchorage, at the end of Wharf Road. The former provides ferry access to Nanaimo, the latter provides water connection to Mudge Island.	yes	Existing zoning is Water Commercial 3 – Marine Transportation (WC3). Application proposes to expand the marine area, necessitating a zoning amendment of that proposed expansion area.  Staff recommend amending the Land Use Bylaw to create a site specific “ferry terminal” zone. The draft bylaws, as presented, include this amendment.
6.2 (h) In foreshore locations where commercial and industrial uses are permitted adequate provision shall be made for public access to the foreshore.	no	No public access to the foreshore is proposed; however, staff note that there may be safety concerns for public access at this site.
6.2 (i) No building shall be permitted beyond the high water mark of the sea.	TBD	Staff have taken note of this in the draft bylaw amendments.
6.2 (j) So as to regulate form and character, development permit designations may be considered for commercial and industrial sites adjacent to the natural boundary of the sea.	TBD	For LTC consideration.  Staff recommend that a development permit area be established for the form and character of commercial or industrial development, in accordance with Section 488 of the <i>Local Government Act</i> . The draft bylaws, as presented, include a DPA for this purpose.

6.2 (k) Natural coastal processes shall be left undisturbed to the maximum extent possible and there shall be no deposition of material below the natural boundary of the sea unless a permit is issued by Ministry of Environment and DFO authorizing a breakwater or a seawall to be constructed.	TBD	A tenure application is in process for proposed expansion into marine area. Application referral has not been received at this time.
6.2 (l) Any future applications to establish a new marina or expand an existing marina shall be conditional on it being demonstrated that the use can be carried out while minimizing conflict with other recreational uses and no damage will occur to nearby areas of ecological significance.	TBD	The applicant has provided an Environmental Impact Assessment prepared by Hemmera Envirochem Inc., dated January 14, 2020. The report notes the ferry terminal site does not overlap with Critical Habitat defined under the <i>Species at Risk Act</i> (SARA) for at-risk marine and terrestrial species, nor does it overlap with an Important Bird Area or Wildlife Habitat Area. The report also states that while impacts to fish habitat are anticipated, impacts will be “offset through onsite habitat creation in the form of berth infrastructure and rip rap reef.”
6.2 (p) Harvest refugia areas shall be encouraged in the Gabriola Planning Area.	yes	The marine area adjacent to the subject properties is identified as a Rockfish Conservation Area. Inshore rockfish are protected from recreational and commercial fisheries within these areas. The applicant is encouraged to work with Fisheries and Oceans Canada regarding any impacts on fish habitat.
<b><i>Heritage and Archaeological Resources Policies</i></b>		
6.3 (a) The Snuneymuxw First Nation and the Archaeology Branch should be consulted prior to the initiation of any future development which may impact on a known archaeological site on Gabriola, or an area exhibiting potential for the presence of unrecorded archaeological sites.	TBD	Staff recommend early referral to the Snuneymuxw First Nation of draft amendments to the OCP and LUB. The applicant has indicated BC Ferries is undertaking a separate consultation process with the Snuneymuxw First Nation.  The applicant has submitted an Archaeological Impact Assessment (AIA) by Golder Associates, dated October 17, 2019, which recommends no further archaeological work within the Descanso Bay terminal component of the project area based on the current proposed redevelopment designs.
6.3 (f) Development proponents are encouraged to consider archaeological resources during all phases of project planning, design and implementation.	TBD	An Archaeological Overview Assessment by Golder Associates, dated November 23, 2018. This was followed by an Archaeological Impact Assessment (AIA) by Golder Associates, dated October 17, 2019,



		conducted under Heritage Inspection Permit 2019-018 has been conducted. The AIA report recommends no further archaeological work within the Descanso Bay terminal component of the project area based on the current proposed redevelopment designs.
<p>6.3 (g) The Local Trust Committee should consider the following in the Gabriola Island Land Use Bylaw:</p> <ul style="list-style-type: none"> <li>i. the creation of subdivision regulations to protect registered or potential First Nation archaeological and heritage sites;</li> <li>ii. establishing regulations regarding use, density and the siting and location of buildings and uses on land to protect registered or potential First Nation archaeological and heritage sites;</li> <li>iii. implementation of other options to protect registered or potential First Nation archaeological and heritage sites, including but not limited to designation of heritage conservation areas, dedication of parkland during subdivision, and designation of protected heritage sites; and</li> <li>iv. establishment of bylaws and other mechanisms to protect registered or potential First Nation archaeological and heritage sites in development application processes, including applications for amendments to this Plan and the land use bylaw, applications for permits such as heritage alteration permits, temporary commercial or industrial use permits, or development variance permits, and decisions about parkland dedication that are made in response to applications referred to the Local Trust Committee as part of the subdivision approval process.</li> </ul>	TBD	<p>For LTC consideration.</p> <p>As noted in Attachment 1, the subject properties are within 100 metres of a known archaeological site and archaeological potential. An Archaeological Impact Assessment (AIA) by Golder Associates, dated October 17, 2019, conducted under Heritage Inspection Permit 2019-018 has been conducted. The report recommends no further archaeological work within the Descanso Bay terminal component of the project area based on the current proposed redevelopment designs.</p> <p>Under Section 611 of the <i>Local Government Act</i> (LGA), a local government may designate a property/properties or landscape feature that is determined to have heritage value. Section 588 of the LGA specifies that a natural landscape or undeveloped land may be conserved if it has heritage value or heritage character related to human occupation or use, or if that landmark or natural feature has cultural or historical value.</p>
<b>Land Transportation Policies</b>		
7.1 (k) The creation of an off-road bicycle and pedestrian trail along Gabriola’s busiest traffic corridor from the ferry hill to Tin Can Alley should be considered when land use decisions, rezonings, subdivisions, road resurfacing or other development occurs along this route.	TBD	For LTC consideration.

7.1 (n) The development of a bridge or other form of fixed transportation link of any kind connecting Gabriola to Vancouver Island or any other island or the B.C. Lower Mainland is not supported and is contrary to the provisions of this Plan.	yes	Staff consider the proposed ferry terminal expansion (and expansion of ferry services) to support this policy.
<b>Water Transportation Policies</b>		
7.2 (c) A major ferry terminal on Gabriola to provide service to Vancouver Island and/or a Lower Mainland destination shall be strongly opposed as it is inconsistent with the objectives and policies of this plan.	yes	Application proposes to expand the ferry terminal to meet operational and community needs. Objective 1 of the Water Transportation Policies is, "To ensure the provision of a ferry service to Vancouver Island that meets the needs of the local community."
7.2 (e) Maintenance of the present ferry terminal sites on the Gabriola and the Nanaimo sides is strongly supported.	yes	Application proposes to replace existing infrastructure.
<b>Water Supply Policies</b>		
7.4 (a) Methods of water conservation such as low water use fixtures, retention of rainwater and runoff in cisterns and ponds and other means shall be encouraged.	TBD	For LTC consideration.  Staff recommend that a development permit area be established to promote water conservation, in accordance with Section 488 of the <i>Local Government Act</i> . The draft bylaws, as presented, include a DPA for this purpose.  The application includes Landscape Concept Drawings that propose bioswales as part of the landscape design.
<b>Liquid Waste Management Policies</b>		
7.5 (b) Sewage outfalls into the marine waters of the planning area shall not be permitted unless it may be demonstrated that the resulting effluent has received a tertiary level of treatment to ensure it will not harm the marine environment and the system is adequately maintained in proper working order.	yes	Options for sewage disposal have been provided by the applicant in the Wastewater Memorandum, dated January 7, 2019. Additional analysis on these recommendations has been done in a Water and Sanitary Assessment by McElhanney Ltd., dated January 9, 2020 which recommend a storage, pump and haul system.
<b>Climate Change Adaptation and Greenhouse Gas Emission Policies</b>		
8 (b) The Local Trust Committee should consider the development of new criteria for assessing official community plan or land use bylaw amendment applications from the perspective of climate change adaptation and greenhouse gas emission reduction.	TBD	For LTC consideration.  Staff recommend that a development permit area be established to promote energy conservation, water conservation and reduction of greenhouse gas emissions, in accordance with Section 488 of the <i>Local</i>

		<i>Government Act.</i> The draft bylaws, as presented, include a DPA for this purpose.
8 (i) The Local Trust Committee should consider amending the Land Use Bylaw to consider setbacks from the ocean in relation to sea level rise.	TBD	For LTC consideration.  Applicant has provided a report from Northwest Hydraulic Consultants Ltd. addressing Provincial Flood Construction Level Guidelines.



File No.: GB-RZ-2023.1

File Name: Bylaw No. 316 (OCP)

**PURPOSE**

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

**POLICY STATEMENT**

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council’s guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council’s position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

**DIRECTIVES ONLY CHECKLIST**

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

### PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	<b>3.1</b>	<b>Ecosystems</b>
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2</b>	<b>Forest Ecosystems</b>
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	<b>3.3</b>	<b>Freshwater and Wetland Ecosystems and Riparian Zones</b>
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
✓	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
✓	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

### PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	<b>4.1</b>	<b>Agricultural Land</b>
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	<b>4.2</b>	<b>Forests</b>
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY
	<b>4.3</b>	<b>Wildlife and Vegetation</b>

	<b>4.4</b>	<b>Freshwater Resources</b>
N/A	<b>4.4.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	<b>4.4.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	<b>4.5</b>	<b>Coastal Areas and Marine Shorelands</b>
✓	<b>4.5.8</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	<b>4.5.9</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
✓	<b>4.5.10</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
✓	<b>4.5.11</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	<b>4.6</b>	<b>Soils and Other Resources</b>
N/A	<b>4.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

## PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	<b>5.1</b>	<b>Aesthetic Qualities</b>
✓	<b>5.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	<b>5.2</b>	<b>Growth and Development</b>
✓	<b>5.2.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	<b>5.2.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	<b>5.2.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	<b>5.2.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	<b>5.3</b>	<b>Transportation and Utilities</b>
N/A	<b>5.3.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
✓	<b>5.3.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	<b>5.3.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	<b>5.3.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
N/A	<b>5.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY
	<b>5.5</b>	<b>Recreation</b>

N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	<b>Cultural and Natural Heritage</b>
✓	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
✓	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	<b>Economic Opportunities</b>
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	<b>Health and Well-being</b>
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>



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N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
✓	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2</b>	<b>Forest Ecosystems</b>
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	<b>3.3</b>	<b>Freshwater and Wetland Ecosystems and Riparian Zones</b>
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
✓	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
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### PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
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N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
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N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
CONSISTENT	No.	DIRECTIVE POLICY
	<b>4.2</b>	<b>Forests</b>
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY

	<b>4.3</b>	<b>Wildlife and Vegetation</b>
	<b>4.4</b>	<b>Freshwater Resources</b>
N/A	<b>4.4.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	<b>4.4.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses.
	<b>4.5</b>	<b>Coastal Areas and Marine Shorelands</b>
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✓	<b>4.5.10</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
✓	<b>4.5.11</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	<b>4.6</b>	<b>Soils and Other Resources</b>
N/A	<b>4.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

## PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	<b>5.1</b>	<b>Aesthetic Qualities</b>
✓	<b>5.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	<b>5.2</b>	<b>Growth and Development</b>
✓	<b>5.2.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	<b>5.2.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	<b>5.2.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	<b>5.2.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	<b>5.3</b>	<b>Transportation and Utilities</b>
N/A	<b>5.3.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
✓	<b>5.3.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	<b>5.3.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	<b>5.3.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
N/A	<b>5.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	<b>5.5</b>	<b>Recreation</b>
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	<b>5.6</b>	<b>Cultural and Natural Heritage</b>
✓	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
✓	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	<b>5.7</b>	<b>Economic Opportunities</b>
✓	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	<b>5.8</b>	<b>Health and Well-being</b>
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	<b>POLICY STATEMENT COMPLIANCE</b>
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

# DRAFT

## GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 316

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### A BYLAW TO AMEND GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN, 1997

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The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Gabriola Island Local Trust Committee Bylaw No. 166, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997”, is amended as per Schedules “1” and “2” attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2023”.

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

PUBLIC HEARING HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS  
\_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

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Chair

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Secretary

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 316  
Schedule "1"**

1. **Schedule "A"** of Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997 is amended as follows:
  - 1.1 **Preface, Map Schedules**, III. Schedule D is amended by replacing the words "and 9" with ", 9 and 10".
  - 1.2 **Section 6 – Environmental, Marine and Heritage Resources**, Subsection 6.2 **Marine Resources, Marine Resource Policies**, clause "b)" is amended by inserting the words "ferry terminal;" before "and, marine transportation."
  - 1.3 **Section 6 – Environmental, Marine and Heritage Resources**, Subsection 6.2 **Marine Resources, Marine Resource Policies**, clause "g)" is amended by inserting the words "or ferry terminal:" after "marine transportation".
  - 1.4 **Section 6 – Environmental, Marine and Heritage Resources**, Subsection 6.2 **Marine Resources, Marine Resource Policies**, clause "g) i." is amended by replacing the words "BC Ferry Corporations" with "British Columbia Ferry Services Inc."
  - 1.5 **Section 7 – Transportation and Servicing**, Subsection 7.2 **Water Transportation, Water Transportation Policies**, clause "c)" is amended by removing the words: "Vancouver Island and/or".
  - 1.6 **Section 7 – Transportation and Servicing**, Subsection 7.2 **Water Transportation, Water Transportation Policies**, clause "e)" is deleted in its entirety and replaced with "The ferry terminal at Descanso Bay operated by British Columbia Ferry Services Inc. provides an essential transportation service for the Gabriola Island community and visitors to and from Vancouver Island. Upgrading of the ferry terminal is strongly supported to improve the overall customer experience. The ferry terminal and adjacent marine area in Descanso Bay shall be subject to a Development Permit Area established for the protection of the natural environment, protection of development from hazardous conditions, regulation of the form and character of commercial development and promotion of energy and water conservation and greenhouse gas emission reduction. Ferry Terminal zoning shall regulate permitted uses, building and structures, signage and parking."
  - 1.7 **Section 7 – Transportation and Servicing**, Subsection 7.2 **Water Transportation, Water Transportation Policies**, clauses "g), h) and i)" be deleted and replaced with the following, and all subsequent clauses re-numbered chronologically:

"f) British Columbia Ferry Services Inc. should continue to engage the Islands Trust, First Nations, Ministry of Transportation and Infrastructure, customers and the Ferry Advisory Committee on implementing the Terminal Development Plan for the ferry terminal at Descanso Bay."
  - 1.8 **Section 9 – Development Permit Areas**, Subsection 9.4 **DP-9 Light Industrial Use Development Permit Area**, is corrected by replacing the reference to "Area 8" with "Area 9".

1.9 **Section 9 – Development Permit Areas**, is amended by adding a new subsection 9.5:

**“9.5 Development Permits to Establish Objectives for the Protection of the Natural Environment, Protection of Development from Hazardous Conditions, Form and Character of Commercial Development and Promotion of Energy, Water Conservation and Reduction of Greenhouse Gas Emissions.**

**DP-10 Ferry Terminal**

Development Permit Area 10 (Schedule D) is designated according to Section 488(1)(a),(b),(f),(h),(i) and (j) of the *Local Government Act* and includes the only site designated ‘Ferry Terminal’ in the planning area. The area is also designated as an area for which development approval information may be required as authorized by Section 485 of the *Local Government Act*. Development approval information in the form of a report from a registered professional biologist and/or another qualified professional may be required due to the special conditions and objectives described below. The Development Permit Area should not be interpreted as a prohibition on development activity but as identification of areas where professional assessment and specific development adaptation measures are required.

**Justification**

Descanso Bay represents an ecologically important marine environment and significant coastal setting with rich social and economic history. The bay maintains a strong sense of place and identity as the gateway to Gabriola Island. The ferry terminal represents the busiest traffic corridor on the island with critical infrastructure which may be damaged by future coastal flooding related to sea level rise. The designation of this area as a DPA will help ensure that environmental, social and cultural values are protected and future terminal redevelopment or expansion reflects the needs of the community and can adapt to a changing climate.

**Objective**

The objectives of this development permit area are as follows:

1. To enhance the natural shoreline and marine environment.
2. To manage development in areas exposed to future flooding from the combined effects of sea level rise and coastal storms.
3. To improve the maritime commercial character, safety and efficiency of the ferry terminal for local residents, visitors and service providers.
4. To encourage innovative building design and ecological and cultural interpretive signage for Descanso Bay in Hul’qumi’num and English languages.
5. To reduce energy and water consumption in buildings and encourage occupant comfort, health and safety.
6. To encourage pedestrian, bicycle and transit use.

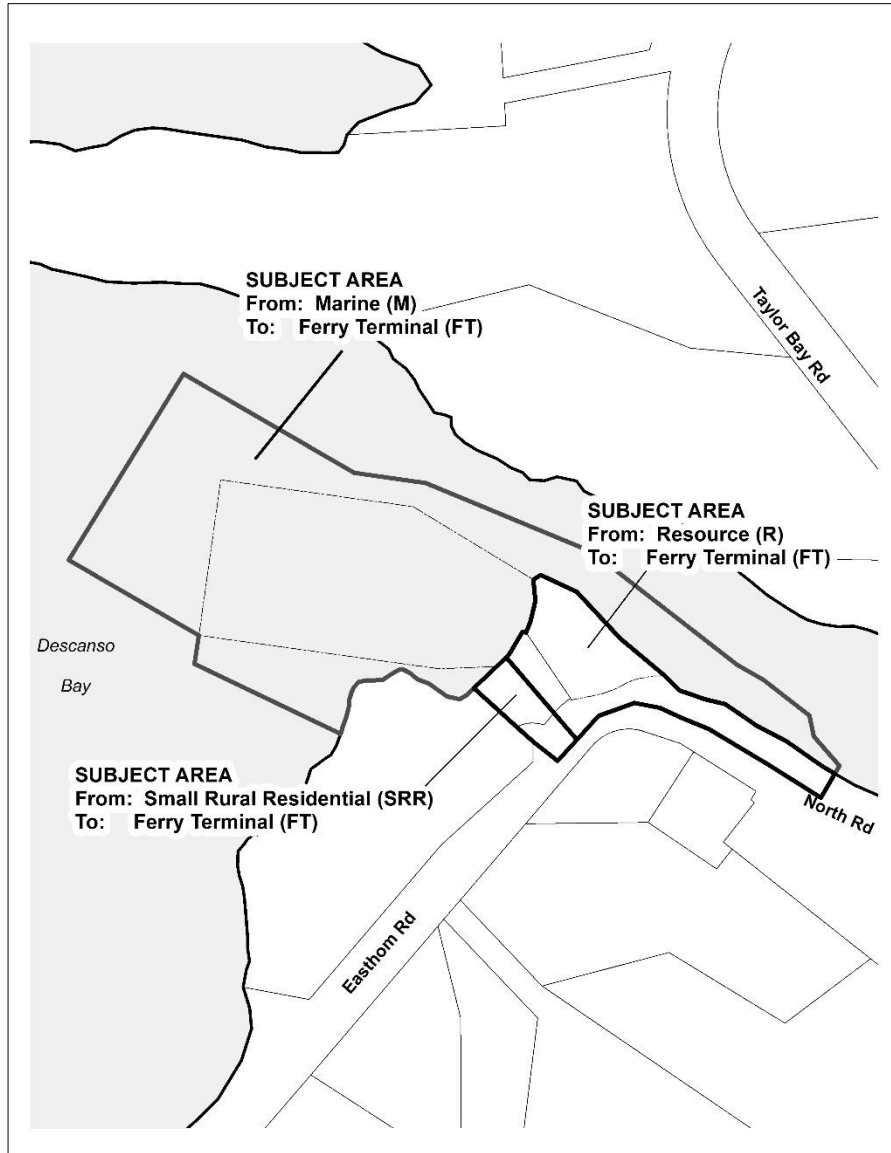
*Information Note: Development Permit Area Guidelines for DP-10 Ferry Terminal are in the Gabriola Island Land Use Bylaw.”*

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE**  
**BYLAW NO. 316**  
**Schedule "2"**

1. Schedule "B" of Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997 is amended as follows:
  - 1.1 **Schedule "B" – Land Use Designations – North Sheet**, is amended as follows:
    - a. On those lands described as DISTRICT LOT 2058, NANAIMO DISTRICT, AS SHOWN ON PLAN VIP75537 (PID 025-798-090) the land use designation is changed from "Resource" and "Marine" to "Ferry Terminal" as shown on Plan No. 1 attached to and forming part of this bylaw and by making such alterations to Schedule "B" of Bylaw No. 166 as are required to effect this change.
    - b. On those lands described as LOT A, SECTION 20, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN VIP75538 (PID 025-798-103) the land use designation is changed from "Resource" and "Small Rural Residential" to "Ferry Terminal" as shown on Plan No. 1 attached to and forming part of this bylaw and by making such alterations to Schedule "B" of Bylaw No. 166 as are required to effect this change.
    - c. On those marine areas on Plan No. 1 the land use designation is changed from "Marine" to "Ferry Terminal" as shown on Plan No. 1 attached to and forming part of this bylaw and by making such alterations to Schedule "B" of Bylaw No. 166 as are required to effect this change.
2. **Schedule "D" – Development Permit Areas - OCP D North Sheet**, is amended by designating a new Development Permit Area "DP 10 – Ferry Terminal" on those marine areas and lands described as DISTRICT LOT 2058, NANAIMO DISTRICT, AS SHOWN ON PLAN VIP75537 (PID 025-798-090); LOT A, SECTION 20, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN VIP75538 (PID 025-798-103) and in those areas as shown on Plan No. 2 attached to and forming part of this bylaw and by making such alterations to Schedule "D" of Bylaw No. 166 as are required to effect this change.

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 316**

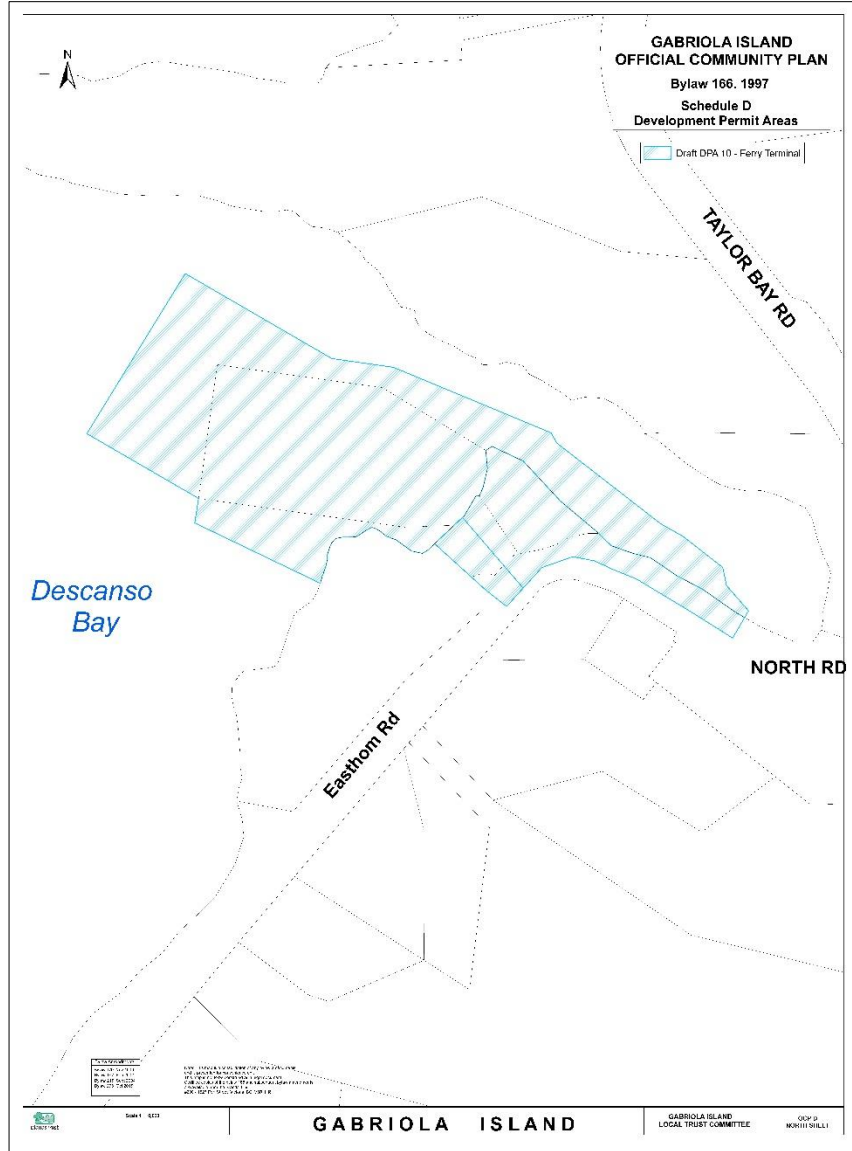
**Plan No. 1**





**GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 316**

**Plan No. 2**



# DRAFT

## GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 317

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### A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

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The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2023”.

2. Gabriola Island Local Trust Committee Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw, 1999”, is amended as per Schedule “1” attached to and forming part of this bylaw.

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

PUBLIC HEARING HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 202x

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary

GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
 BYLAW NO. 317

Schedule "1"

1. Schedule "A" of Gabriola Island Land Use Bylaw, 1999 is amended as follows:

1.1 Part B GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.2 Prohibited Buildings and Structures, is amended by replacing "Subsection D.5.5" with "Subsection D.5.6."

1.2 Part B GENERAL REGULATIONS, Section B.4 SIGNS, Subsection B.4.1 Number and Total Sign Area, Article B.4.1.1 Table 1: Sign Regulations, is amended by adding the following under "Water Zones":

Column 1	Column 2	Column 3
Zone	Maximum Number of Signs Permitted	Maximum Total Sign Area Permitted
FT	No maximum number. Despite subsection B.4.8.1, one electronic ground oriented reader board sign to provide ferry schedule information and advertising shall be permitted at the terminal.	4.0 sq.m. (43 sq.ft.) per water lot or lease and 4.0 sq.m (43 sq.ft.) in the upland portion of the zone.

1.3 Part B GENERAL REGULATIONS, Section B.4 SIGNS, Subsection B.4.2 Exempted Signs, Article B.4.2.1 b., is amended by adding "FT," immediately after the words "interpretive signs in the".

1.4 Part B GENERAL REGULATIONS, Section B.5 PARKING, Subsection B.5.1 Minimum Number of Parking Spaces for Automobiles and Bicycles, Article B.5.1.1 Table 2: Parking Requirements, COMMERCIAL is amended by adding the following:

Column 1	Column 2	Column 3	Column 4
Use	Standard Parking Requirements	Accessible Parking Requirements	Bicycle parking requirements
Ferry terminal	A minimum of 7 parking spaces for public use, plus 6 motorcycle and/or scooter parking	2 per 7 parking spaces for public use.	A minimum of 12 covered bicycle parking spaces.

	<i>spaces for public use</i>		
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- 1.5 **Part GENERAL REGULATIONS**, Section B.5 **PARKING**, Subsection **B.5.4 Location of Parking Spaces**, is amended by adding the following:

“B.5.4.4 Despite Article B.5.4.1, parking spaces for Ferry Terminal use may be permitted on a lot within the Ferry Parking (FP) zone.”

- 1.6 **Part C ESTABLISHMENT OF ZONES**, Section C.1 **DIVISION INTO ZONES**, Subsection **C.1.2 Water Based Zones**, insert new zone “FT Ferry Terminal” after “WG Water General” and before “WC1 Water Commercial 1 – Marina”.

- 1.7 **Part D ZONES**, Section D.5 **WATER ZONES**, insert new Subsection D.5.2 Ferry Terminal (FT) after Subsection **D.5.1 Water General (WG)** as shown on **Appendix 1** attached to and forming part of this bylaw; and renumber all subsequent subsections chronologically.

- 1.8 **Part F DEVELOPMENT PERMIT AREA GUIDELINES** is amended by adding a new Subsection **F.10 DP 10-Ferry Terminal** as shown on **Appendix 2** attached to and forming part of this bylaw.

- 1.9 **Part G DEFINITIONS**, Section G.1 **DEFINITIONS**, is amended by adding the following definition in alphabetical order:

“*ferry terminal* a marine and land-based facility that can include buildings and structures for the transportation of passengers, vehicles and goods; including passenger waiting room and amenities, storage areas, loading and unloading areas, and small scale commercial retail uses oriented to ferry users.”

2. **Schedule “B”** of Gabriola Island Land Use Bylaw, 177 is amended as follows:

- 2.1 Schedule “B” – North Sheet, is amended by changing the zoning classification of DISTRICT LOT 2058, NANAIMO DISTRICT, AS SHOWN ON PLAN VIP75537 (PID 025-798-090) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 177 as are required to effect this change.

- 2.2 Schedule “B” – North Sheet, is amended by changing the zoning classification of LOT A, SECTION 20, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN VIP75538 (PID 025-798-103) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 177 as are required to effect this change.

- 2.3 Schedule “B” – North Sheet, is amended by changing the zoning classification on those land areas as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 177 as are required to effect this change.

- 2.4 Schedule “B” – North Sheet, is amended by changing the zoning classification on those marine areas as shown on Plan No. 2 attached to and forming part of this bylaw, and by

making such alterations to Schedule “B” of Bylaw No. 177 as are required to effect this change.

3. **Schedule “C”** of Gabriola Island Land Use Bylaw, 177 is amended as follows:

- 3.1 Schedule “C” - Map 9, is amended by replacing “Item D.5.2.1.a.vi” with “Item D.5.3.1.a.vi.”

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 317**

**Appendix 1**

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**D.5.2 Ferry Terminal (FT)**

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**D.5. 2.1 Permitted Uses**

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Ferry Terminal (FT) zone:

**a. Permitted *Principal* Uses**

- i *ferry terminal*
- ii *ferry terminal parking*
- iii *emergency dock*
- iv *marine navigation aids*

**b. Permitted *Accessory* Uses**

- i *retail sales, excluding the sale of liquor*
- ii *limited public market*

**D.5.2.2 Buildings and Structures**

The *buildings* and *structures* permitted in Article B.1.1.2, plus the following *buildings* and *structures* and no others are permitted in the Ferry Terminal (FT) zone:

**a. Permitted Land-Based *Buildings* and *Structures***

- i Buildings and structures for *ferry terminal* use.

**b. Permitted Marine-Based *Buildings* and *Structures***

- i Marine-based structures for *ferry terminal* use.
- li No *buildings* are permitted in the marine-based area of this zone, except for mechanical, electrical, and other similar uses that are required for the operation of the ferry terminal.

**D.5.2.3 Regulations**

The general regulations in Part B, plus the following regulations apply in the Ferry Terminal (FT) zone:

**a. *Building* and *Structure* Height Limitations**

**Draft Bylaw No. 317 (LUB)**

- i The maximum *height* of land-based *buildings* or *structures* is 5.0 metres (16.4 feet).
- ii The maximum *height* of marine-based *structures* is:
  - 10.0 metres (32.8 feet) above the water surface for floating *structures*;  
and
  - 10.0 metres (32.8 feet) above the high water mark for *structures* fixed to the bed of the sea.

**b. Building and Structure Siting Requirements**

- i The minimum *setback* for *buildings* and *structures* is 1.5 metres (4.9 feet) from any *lot line* or lease or extension of an upland side *lot line*, with the exception of a *lot line* or lease line that defines the boundary between the sea and adjacent upland in which case there is no minimum *setback*.
- ii Despite B.1.1.2.b, pump/utility houses are permitted on the land-based portion of the Ferry Terminal zone, subject to Subsection B.2.5.
- iii Despite B.1.1.2.b, retaining walls are permitted on the land-based portion of the Ferry Terminal zone, subject to Subsection B.2.6.
- iv Despite B.2.1.1.a, *buildings* and *structures* for the purpose of *ferry terminal use*, may be sited a minimum of 0.0 metres from and at a height above the *natural boundary* of the sea at a level certified appropriate by a professional engineer.

**c. Lot Coverage Limitations**

- i The maximum combined *lot coverage* by marine and land-based *buildings* and *structures* is 60%.

GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 317

Appendix 2

## F.10 DP-10 Ferry Terminal

### F.10.1 Applicability

- F.10.1.1** The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted under Policy F.10.2.1:
- a. subdivision of land;
  - b. construction of, addition to, or alteration of a building or other structure; and
  - c. alteration of land.

### F.10.2 Exemptions

- F.10.2.1** The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, property owners must meet any other local, provincial or federal requirements.
- a. temporary emergency repairs or emergency structural alterations;
  - b. building or structure painting, repairs, maintenance or structural alterations of a minor nature that do not require a building permit;
  - c. building interior renovations with no change to the external appearance of the premises;
  - d. installation of directional or interpretative signage; bicycle racks, bicycle or bus shelters, public art, or electric vehicle charging stations;
  - e. an application resulting in a lot consolidation; and
  - f. marine infrastructure necessary for the docking of ferry vessels.

### F.10.3 Guidelines

Prior to undertaking any development activities within DP-10 that are not exempted by F.10.2.1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

**Protection of the Natural Environment:**

- F.10.3.1** Docks, piers, ramps and marine based structures should be designed and constructed to avoid or minimize and mitigate impacts to environmentally sensitive marine areas such as critical habitat of Species at Risk, eelgrass beds and fish habitat. Enhancement or restoration measures, such as creation of new habitat, are encouraged as a compensation tool.
- F.10.3.2** Minimize shading of the water by incorporating perforations, using large spacing between deck planks or by using an alternative deck surface such as metal mesh or grating.
- F.10.3.3** Exterior lights should be directed and/or shielded to illuminate the ground only and to prevent unnecessary light pollution in the vicinity.

**Draft Bylaw No. 317 (LUB)**

- F.10.3.4 Native vegetation should be retained wherever possible. If not possible, then ecological restoration should be incorporated into the development.
- F.10.3.5 All landscaping plans for new development must be prepared by a member of the B.C. Society of Landscape Architects or other qualified professional. All plant materials and contractor's work must meet or exceed the standards of the B.C. Nursery Trades Association or the B.C. Society of Landscape Architects.
- F.10.3.6 Additional conditions will be included in a development permit to incorporate any qualified professional recommendations within an environmental assessment.

**Protection of Development from Hazardous Conditions:**

- F.10.3.7 Development should be supported by a specific flood construction level study prepared and stamped by a qualified professional engineer with demonstrated experience in coastal engineering.

**Promotion of Energy and Water Conservation and Greenhouse Gas Emission Reduction:**

- F.10.3.8 A qualified professional retained by the applicant is required to provide a written report summarizing the proposed measures incorporated in the proposed development that address energy and water conservation.
- F.10.3.9 An integrated design process should be utilized to identify opportunities to reduce a building's energy and water consumption.
- F.10.3.10 Overall building energy performance and interior thermal comfort should be maximized through a combination of passive design strategies.
- F.10.3.11 The ferry terminal waiting room should include a potable water bottle filling station.
- F.10.3.12 An on-site integrated stormwater management plan prepared by a qualified professional should be required and implemented to reduce impervious surfaces, promote infiltration and capture and treat stormwater runoff from 90% of the average annual rainfall using acceptable best management practices. The plan should incorporate strategies for rainwater and storm water capture and reuse.
- F.10.3.13 Site design should minimize vehicle and pedestrian conflicts and clearly delineate pedestrian walkways throughout the site.
- F.10.3.14 Bicycle parking should be provided in a sheltered location and include a bike repair stand.
- F.10.3.15 Site design should prioritize safe and efficient public bus and school bus loading and off-loading at the terminal.

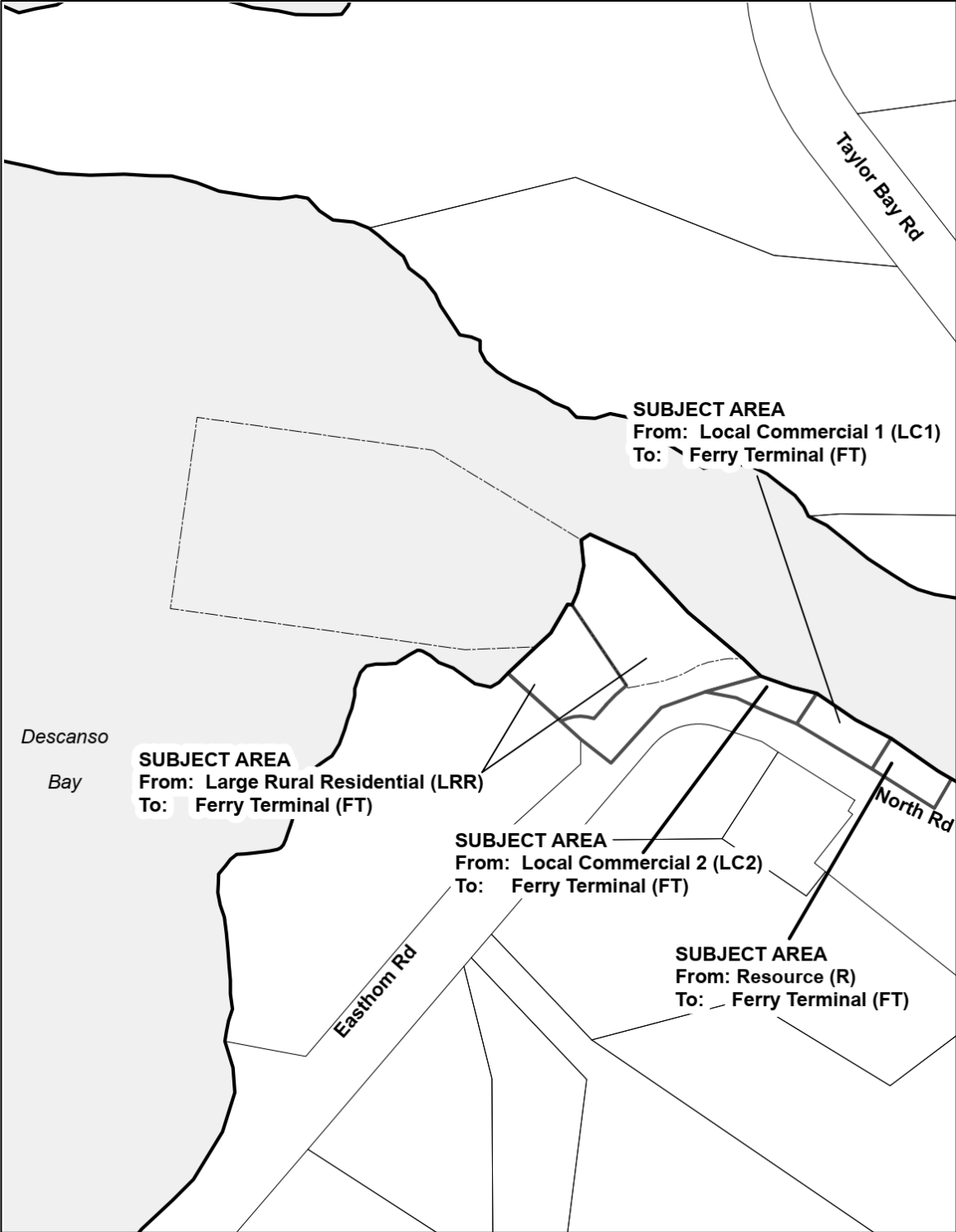


**Form and Character**

- F.10.3.16 Public access to the waterfront should be provided only in a location where it is safe and appropriate to do so. New waiting room and areas should be oriented to the waterfront providing good sightlines to arriving ferries and a sense of arrival to ferries arriving at Descanso Bay.
- F.10.3.17 Interpretive signage in the English and Hul'qumi'num languages pertaining to the ecological and cultural significance of Descanso Bay should be incorporated into the site design where possible.
- F.10.3.18 The ferry terminal waiting room should be universally accessible with a minimum indoor seating capacity for 16 occupants.
- F.10.3.19 Chain link fencing is discouraged.
- F.10.3.20 Public art including interpretation panels, welcoming poles, and other opportunities should be incorporated into terminal design where possible.
- F.10.3.21 Large expanses of blank or unimproved walls lacking building details are discouraged. Building facades should be articulated and broken into smaller distinct visual units. A variety of materials, textures and scales including art, vegetation or other screening should be utilized to provide visual interest.

GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 317

Plan No. 1



GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 317

Plan No. 2

