



DATE OF MEETING: November 28, 2019  
TO: Gabriola Island Local Trust Committee  
FROM: Ian Cox, Planner 1  
Northern Team  
SUBJECT: Development of Ecological Protection Zone

## RECOMMENDATIONS

1. That the Gabriola Island Local Trust Committee amend the Ecological Protection Zone Project Charter V.3 to include the rezoning of Elder Cedar Nature Reserve;
2. That the Gabriola Island Local Trust Committee request staff to prepare draft amendments to the Gabriola Island Official Community Plan that will:
  - a) Establish a new Ecological Protection (EP) Land Use Designation for the purposes of protection of the natural environment, its ecosystems and biological diversity;
  - b) Designate the Burren's Acres Nature Reserve parcel as Ecological Protection (EP);
  - c) Designate the Elder Cedar Nature Reserve parcel as Ecological Protection (EP);
3. That the Gabriola Island Local Trust Committee request staff to draft amendments to the Gabriola Island Land Use Bylaw that will:
  - a) Create a new zoning designation entitled Ecological Protection (EP) which will regulate permitted uses, buildings and structures, height, siting requirements including setbacks and lot coverage, parking, and subdivision;
  - b) Rezone LOT 3, SECTION 12, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26561 (PID:002-803-925) to Ecological Protection (EP);
  - c) Rezone BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID:026-664-453) to Ecological Protection (EP).

## REPORT SUMMARY

The purpose of this report is to provide the Gabriola Island Trust Committee (LTC) with updated information concerning the Ecological Protection Zone project in accordance with the Project Charter V.3 as amended August 15, 2019. After direction from the Regional District of Nanaimo (RDN) Parks Planning staff and The Nature Trust of BC (TNT), it appears at this time that the project scope should no longer include the rezoning of Coats Marsh Regional Park due to concerns from both bodies. Rezoning of the park to a designation acceptable to the RDN could be accomplished through a separate LTC project. It is the opinion of staff that the Ecological Protection Zone project should still include the creation of the EP zone itself, as well as the rezoning of the Islands Trust Conservancy owned properties Burren's Acres Nature Reserve and Elder Cedar Nature Reserve (S'ul-hween

X'pex) via appropriate amendments to the Gabriola Official Community Plan (OCP) and Land Use Bylaw (LUB). Staff is recommending that the LTC direct staff accordingly through the resolutions provided in this report.

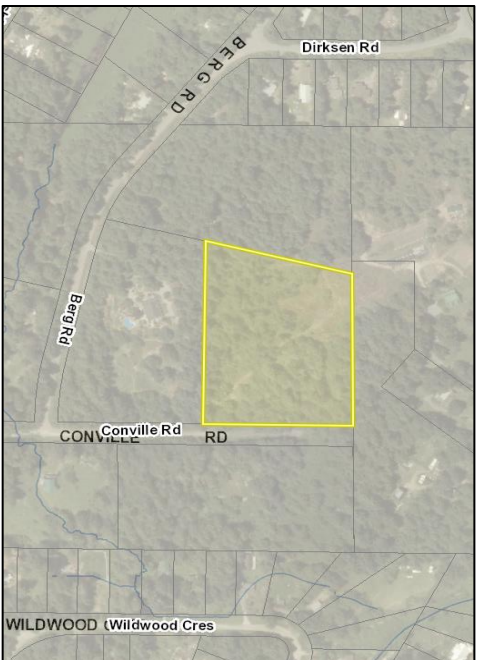


Figure 1 – Location, Burren's Acres Nature Reserve

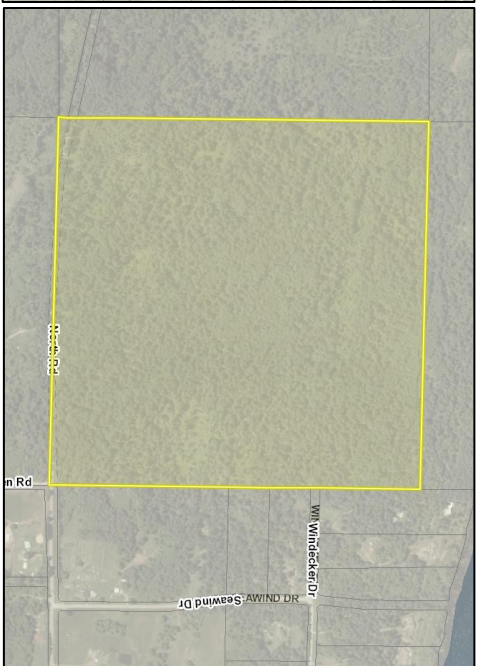


Figure 2 – Location, Elder Cedar Nature Reserve

## BACKGROUND

The Ecological Protection Zone item was placed on the Top Priorities List on November 22, 2018. More recently, the LTC passed the following resolutions at their meeting on July 11, 2019:

**that the Gabriola Island Local Trust Committee** direct Staff to prepare draft bylaws to amend Gabriola Island Land Use Bylaw No. 177 to establish an Ecological Protection Zone, with site specific provisions for Coats Marsh Regional Park and Burren's Acres Nature Reserve, in accordance with the "Ecological Protection Zone" project charter v 1.0 dated January 24, 2019.

**that the Gabriola Island Local Trust Committee** request that the "Ecological Project Zone " project charter v 1.0 dated January 24, 2019 be amended to include an investigation of whether it is possible to include the 707 parkland addition into the Ecological Protection Zone.

## Coats Marsh Regional Park

To date, the versions 1-3 of the Project Charter have included the rezoning of Coats Marsh. For background regarding initial Islands Trust staff discussion with staff from The Nature Trust of BC and the Regional District of Nanaimo (RDN) on the matter of rezoning the park, please refer to the [staff Memorandum dated July 13, 2017](#) from Ann Kjerulf, Regional Planning Manager. At that time, staff were of the opinion that the regional park should be rezoned to a conservation type zone, suggesting that the existing LUB Park 1 designation or similar would be appropriate for consistency with the intent of the Ecological Gifts Program, to ensure that "...the land's biodiversity and environmental heritage are conserved in perpetuity."<sup>1</sup> Per the Memorandum, it seems logical that the natural condition of the ecological gift be protected through appropriate zoning which the Ecological Protection Zone Project Charter V.1 aimed to achieve.

---

<sup>1</sup> <https://www.canada.ca/en/environment-climate-change/services/environmental-funding/ecological-gifts-program/overview.html>

However, the park is jointly managed by the RDN in partnership with TNT utilizing the [Coats Marsh Regional Park Management Plan](#) developed in 2010 by the RDN with stakeholder and public consultation, including a study of the park's ecological features.

Following a staff-to-staff meeting involving the RDN and TNT on September 10, 2019, it became clear to Islands Trust staff that the RDN does not have an interest at this time in seeing the park rezoned to a designation that would be potentially more restrictive than what would be permitted by a community park type zoning, for example. RDN staff recognize the need to amend the zoning to better reflect the intended and current uses of the park which is currently R – Resource, under the LUB.

Both the RDN and TNT feel that adequate protection for the park exists under the auspices of their joint management agreement, particularly through the level of federal government oversight and monitoring required by the terms of the Ecological Gifts program. This includes annual audits for compliance with baseline reports developed as part of the Eco-Gift process.

Should the LTC wish to pursue rezoning the park in future, RDN staff suggestion is to rezone the property using the existing Gabriola LUB Parks 1 (P1) designation which allows for both recreational and conservation uses in equal measure, as opposed to an ecological protection type zone where the focus is conservation rather than recreation. The rationale for this is that the park was intended for use by the community and not solely for the protection of the natural environment. The RDN management plan does consider the protection of important natural features, such as the marsh itself, through the plan's Goals and Policies in Section 3.2 and 3.3:

**ENVIRONMENTAL PROTECTION AND ENHANCEMENT:**

*To ensure the long-term development of healthy forest and wetland ecosystems by minimizing recreational impact, restoring disturbed areas as necessary, and establishing a system of regular monitoring and stewardship.*

**PUBLIC ACCESS AND CIRCULATION:**

*To provide park access for the purpose of nature appreciation, education and low-impact recreation by developing delineated trails, installing maps and amenities in designated areas, and discouraging access to sensitive areas easily disturbed by human presence.*

**EDUCATION AND INTERPRETATION:**

*To facilitate ecological and cultural education related to the park's unique history and environment by restoring original park structures, creating educational facilities, installing interpretive signage and engaging local educational institutions and programs on research and enhancement.*

**Burren's Acres Nature Reserve**

Islands Trust Conservancy (ITC) staff consider Burren's Acres Nature Reserve to be an ideal candidate for rezoning using a newly created Ecological protection zone. The 2.023 hectare property was acquired by the ITC, also through the Ecological Gifts Program. The [Burren's Acres Nature Reserve Property Management Plan](#) was developed and is used by the ITC for annual monitoring, with additional assistance from community volunteer members and the property donor. As the Management Plan states, at the "...earliest opportunity the zoning [should] be changed to better reflect the permitted uses of the Trust Fund Board" (now Trust Conservancy Board). Staff have referred preliminary zoning language to the ITC and have received favourable comment, some suggested edits, and indication that the draft zone would accomplish the goals of the management plan.

### ***Elder Cedar (S'ul-hween X'pey) Nature Reserve***

Islands Trust Conservancy staff has indicated that they would be in support of including Elder Cedar Nature Reserve in the Ecological protection Zone project. This presents an excellent opportunity to further protect two Conservancy owned properties (Burren's Acres and Elder Cedar) utilizing the newly created Ecological Protection Zone. The [management plan](#) for Elder Cedar provides background on its creation and states the following Islands Trust Conservancy objectives which are commensurate with the intent of the Ecological Protection Zone, providing obvious rationale for including the property in the project as a candidate for rezoning:

- To preserve the natural features and functioning of the site;
- To allow for continued low impact recreational use and enjoyment of the site;
- To ensure that permitted uses do not harm the ecological attributes of the site;
- To protect, and enhance where necessary, the natural succession of the plant and animal communities at the site; and
- To provide for educational and research opportunities where deemed appropriate.

The opportunity to rezone the Elder Cedar property was not previously identified or in scope in previous versions of the Project Charter. Staff are now recommending that the charter be amended to include it, per resolutions found on page one of this report.

## **ANALYSIS**

### **POLICY/REGULATORY**

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

A preliminary review of the ITPS is provided for consideration in **Attachment 1** – ITPS Directives Only Checklist. Staff would undertake a full review of the Islands Trust Policy Statement (ITPS) before second reading of draft bylaws.

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

Development of an Ecological Protection Zone is consistent with the objectives and policies of the Gabriola Official Community Plan (OCP). Policies relevant to both the development of conservation/protection type zoning and to the subsequent re-zoning of the two subject properties is presented in **Attachment 2** - Site Context. Staff have identified that an amendment to the OCP is needed in order to create the new EP – Environmental Protection Land Use Designation text portion of the bylaw, and to amend the corresponding map Schedule B showing the designation.

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

Burren's Acres Nature Reserve retains the same LRR – Large Rural Residential zoning that was in place when the property was acquired by the ITC in 2013 and is not consistent with the intent of the Ecological Gifts program or the current uses of the ITC. The newly created Ecological Protection (EP) Zone would be used to remedy this by rezoning the parcel through LUB text zoning regulations and by amending the appropriate map schedules.

## Issues and Opportunities

### ***Islands Trust Conservancy***

Development of the EP Zone with Burren's Acres Nature Reserve and Elder Cedar nature Reserve as the inaugural parcels to receive the EP zoning, presents an opportunity to directly further the conservation Goals and Objectives of the Islands Trust Conservancy Regional Conservation Plan (see [pages 35-37 of the Regional Conservation Plan](#)).

1. *Identify, investigate and communicate about important natural areas to generate action on conservation priorities.*
2. *Strengthen relationships with First Nations to identify and collaborate on shared conservation goals.*
3. *Continue to secure and manage Trust Fund Board [now Trust Conservancy Board] lands and conservation covenants to maximize ecological integrity.*
4. *Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area.*

## Consultation

### ***Statutory Requirements***

As the creation of the EP Zone and the rezoning of both properties involves amendment to the OCP, the LTC is required by the *Local Government Act* to consider opportunities for consultation with First Nations and persons, organizations and authorities it considers will be affected. The statutory process for bylaw amendments is prescribed by the *Local Government Act* and *Island Trust Act*. In addition, Islands Trust Council policy requires that the LTC to consider consulting with adjacent local trust committees.

Further, since the project is of significant interest and concern to Gabriola Local Trust Area constituents, a Community Information Meeting (CIM) should be held at the direction of the LTC prior to second reading of any proposed bylaws for the creation of the zone.

### ***Protocols***

The following protocol agreements exist and are relevant to the draft project:

- There is a Protocol Agreement and Letter of Understanding between the Islands Trust and the Regional District of Nanaimo (RDN) regarding each local government's jurisdictions and responsibilities, and coordination between the Islands Trust and the RDN. Staff will refer draft bylaws accordingly.
- There is a Protocol Agreement between the Snuneymuxw First Nation and the Islands Trust Council (on behalf of the Gabriola Island LTC) that identifies matters in which the LTC will consult with Snuneymuxw First Nation. Staff will make every effort to discuss the project and its intended goals as early as possible with Snuneymuxw and refer draft bylaws accordingly once first reading has taken place.

### ***First Nations***

Burren's Acres Nature Reserve is within the asserted territory of the Snuneymuxw First Nation as well as seven other First Nations and one Treaty Group according to the BC Provincial Consultative Areas Database<sup>2</sup>:

---

<sup>2</sup> The Province of BC Consultative Areas Database contains a current inventory of local First Nations with interests in specific geographic areas.

- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Snuneymuxw First Nation
- Stz'uminus First Nation (Chemainus)
- Hul'qumi'num Treaty Group

In accordance with the Trust Council First Nations Engagement Principles and recent Reconciliation Declaration<sup>3</sup>, staff recommends that the LTC provide local First Nations with an early and ongoing opportunity to comment on any draft bylaw amendments. This would entail providing referrals to First Nations before or immediately following first reading of draft OCP and LUB amendments.

**Rationale for Recommendation**

Staff have identified steps to prepare draft OCP and LUB amending bylaws to enable the creation of an Ecological Protection Zone and the subsequent rezoning of the Burren’s Acres Nature Reserve and Elder Cedar properties. Staff recommendations are found on page 1 of this report.

**ALTERNATIVES**

**1. Proceed no further**

The LTC may choose not to proceed with this project at this time. Recommended wording for the resolution is as follows:

*That the Gabriola Island Local Trust Committee request staff to remove “Development of an Ecological Protection Zone” from the Top Priorities List and place it on the LTC Projects List.*

**NEXT STEPS**

Should the LTC concur with staff recommendations, staff will work to prepare draft bylaw amendments for subsequent LTC consideration. Early referrals may be considered at that time.

Submitted By:	Ian Cox, Planner 1 Northern Team	November 18, 2019
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	November 19, 2019

**ATTACHMENTS**

1. ITPS Directives Only Checklist
2. Site Context

---

<sup>3</sup> <http://www.islandstrust.bc.ca/media/347494/reconciliation-declaration.pdf>

# Attachment 1 – ITPS Directives Only Checklist



Islands Trust

## ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: Not assigned

File Name: Ecological Protection Zone

### 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>
✓	<b>3.1.3</b>	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.
✓	<b>3.1.4</b>	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.
N/A	<b>3.1.5</b>	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>
✓	<b>3.2.2</b>	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>
✓	<b>3.3.2</b>	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>
N/A	<b>3.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	<b>3.4.5</b>	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	<b>4.1.4</b>	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	<b>4.1.5</b>	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	<b>4.1.6</b>	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.
	<b>4.1.7</b>	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	<b>4.1.8</b>	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	<b>4.1.9</b>	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>
✓	<b>4.2.6</b>	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	<b>4.2.7</b>	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.
✓	<b>4.2.8</b>	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.
<b>CONSISTENT</b>	<b>No.</b>	<b>DIRECTIVE POLICY</b>
	<b>4.3</b>	<b>Wildlife and Vegetation</b>
	<b>4.4</b>	<b>Freshwater Resources</b>
<b>N/A</b>	<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.
<b>N/A</b>	<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>N/A</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.
<b>N/A</b>	<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>N/A</b>	<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>N/A</b>	<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>
<b>N/A</b>	<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

<b>CONSISTENT</b>	<b>No.</b>	<b>DIRECTIVE POLICY</b>
	<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>N/A</b>	<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>N/A</b>	<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>
<b>N/A</b>	<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>N/A</b>	<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.
<b>N/A</b>	<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>N/A</b>	<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	5.4.4	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.
<b>CONSISTENT</b>	<b>No.</b>	<b>DIRECTIVE POLICY</b>
	<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.
✓	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.
✓	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>
N/A	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.
N/A	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>
N/A	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>	
	Development of and Ecological Protection Zone and the proposed rezoning of Coats Marsh Regional Park and Burren's Acres Nature Reserve are substantially in compliance with the Islands Trust Policy Statement.

## ATTACHMENT 2 – SITE CONTEXT

### LOCATION

Legal Description	Coats Marsh Regional Park Burren's Acres Nature Reserve
PID	<b>Coats Marsh</b> 009-735-828 <b>Burren's Acres Nature Reserve</b> 002-803-925
Civic Address	<b>Coats Marsh</b> 908 South Road, Gabriola <b>Burren's Acres Nature Reserve</b> 1027 Conville Road, Gabriola
Lot Area	<b>Coats Marsh regional Park</b> 110.63 acres   113 ha <b>Burren's Acres Nature Reserve</b> 5.1 acres   2.03 ha

### LAND USE

Current Land Use	<b>Coats Marsh</b> Park, Passive Recreation <b>Burren's Acres</b> Nature Reserve, Park
Surrounding Land Use	<b>Coats Marsh</b> Residential to the south and east, Parks (as it abuts the 707 on the north-east corner), Forestry/Wilderness Recreation to the north and east parcel boundaries. <b>Burren's Acres</b> Large Lot Residential

### HISTORICAL ACTIVITY

File No.	Purpose
<b>Burren's Acres Nature Reserve</b> GB-OWN-2012.1	Ecogift donation by Margaret Taylor in 2013. 2.023 hectare(5 acre) west side Gabriola Island. The reserve is within the asserted traditional territory of 8 First Nations. Farmed late 1800s/early 1900s, used brief period late 1930s and early 1940s for drying and transporting diatomaceous earth. In more recent decades, the property was logged, and related machinery and scrap metal was dumped on the land. Owner removed dense cover of invasive species cleaned up the debris left by logging/industrial use. Burren's Acres NR includes roughly 0.4 hectares of rock outcrop and 1.6 hectares of forest representing the mid-seral and mature stages of forest succession. Two provincially red- listed vegetation communities have been identified on the

<p><b>Coats Marsh regional Park</b> GB-RZ-2006.2</p>	<p>reserve and there are sensitive herbaceous–rock outcrop ecosystems that are sensitive to disturbance.</p> <p>Wetland and mature second-growth forest area to be dedicated to the Gabriola Land Conservancy in exchange for density transfer of NW 1/4 of Section 10 to West 1/2 of NW 1/4 of Section 11.</p> <p>This application was withdrawn and closed in July 2007.</p>
--	--

**POLICY/REGULATORY**

<p>Official Community Plan No. 166, 1997</p>	<p><b>ENVIRONMENTAL GOALS</b></p> <ol style="list-style-type: none"> <li>1. To preserve the unique natural environment of land, water and air and the life it supports.</li> <li>2. To preserve the natural beauty of the Gabriola Planning Area and recognize that areas of sensitivity or unique value require special protective measures.</li> </ol> <p><b>PARKS AND OUTDOOR RECREATION OBJECTIVES</b></p> <p>The objectives of this section are:</p> <ol style="list-style-type: none"> <li>1. To work co-operatively with provincial ministries and agencies in acquiring and managing provincial parkland on Gabriola;</li> <li>2. To acquire parkland that is representative of the bioregion (i.e. wetlands, first growth forest);</li> <li>3. To involve the community in parks planning;</li> <li>5. To work in cooperation with the Regional District of Nanaimo in acquiring and managing community parks.</li> </ol> <p><b>PARKS AND OUTDOOR RECREATION POLICIES</b></p> <p>l) The Trust Committee shall work with the Regional District of Nanaimo ensuring a smooth coordination of efforts between the two agencies respecting the securing, use, development and planning for park and outdoor recreational space on Gabriola.</p> <p><b>PARKS AND OUTDOOR RECREATION ADVOCACY POLICIES</b></p> <p>n) The Regional District of Nanaimo shall be strongly encouraged to establish additional regional park sites on Gabriola. Such sites should be:</p> <ol style="list-style-type: none"> <li>i. either a regionally significant waterfront site or an upland woodland site of substantial size;</li> <li>ii. retained predominantly in a natural state, except for a small</li> </ol>
--	--

parking area, a public trail network, and interpretative signs.

#### ENVIRONMENTALLY SENSITIVE AREA OBJECTIVES

1. To ensure the protection of environmentally sensitive areas on Gabriola;
2. To protect important habitat and water resources areas through vegetation retention and building setbacks;
3. To encourage retention of the natural tree cover along the shoreline and to discourage tree removal to minimal selective cutting; and
4. To encourage owners of property which is environmentally sensitive to work co-operatively with conservation-based groups in defining means of providing for the protection of important sites; and
5. To consider the goals and objectives of the Regional Conservation Plan when making land-use decisions.

#### ENVIRONMENTALLY SENSITIVE AREA POLICIES

d) In order to protect area watercourses, rezoning adjacent to a watercourse shall be conditional upon the establishment of a protective setback area. The Ministry of Environment - Federal Fisheries report titled: Stream Stewardship - A Guide for Planners & Developers and Land Development Guidelines for the Aquatic Habitat shall be used as a guideline in determining how land is to be developed adjacent a watercourse (including a lake and wetland).

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.

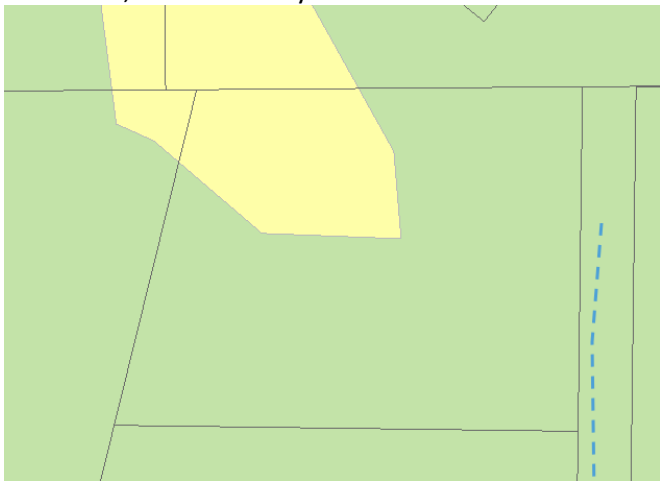
h) Fresh water features which have special biological significance to the local environment, such as Hoggan Lake, shall be protected through zoning and shall be designated as a development permit area

#### ENVIRONMENTALLY SENSITIVE AREA ADVOCACY POLICIES

j) Where environmentally sensitive areas are located on Crown land, Ministry of Environment is strongly encouraged to ensure these areas are placed in protective reserve, ecological reserve or natural state park or dedicated to the Islands Trust Fund for protection. Furthermore, public access should be limited to an appropriate level consistent with

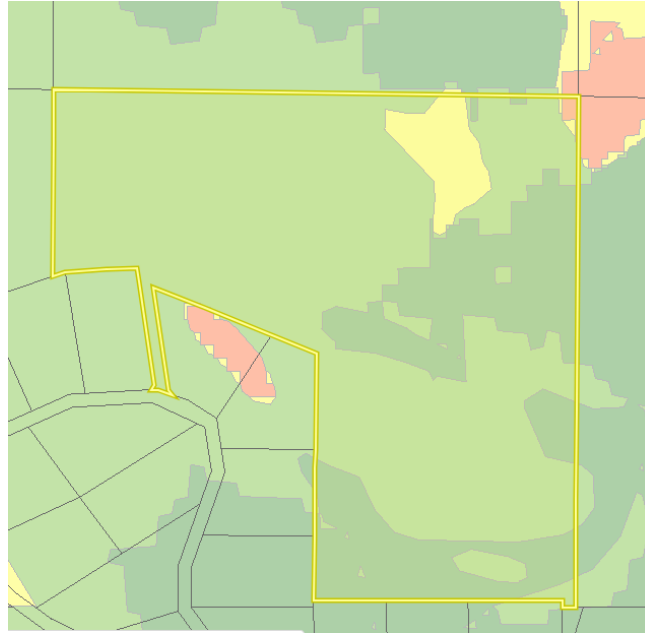
	<p>protecting the environmental sensitivity of the site.</p> <p>k) Once Ministry of Environment’s inventory of eagle trees and other raptor sites on Gabriola is completed, its implications should be considered in relation to future development.</p> <p>l) To protect the island’s watercourses, the Regional District of Nanaimo shall be requested to require applicants for building permit to indicate the location of streams and watercourses on the application.</p> <p>m) Ministry of Environment shall be requested to assist the Islands Trust by confirming the location of streams and watercourses on Gabriola.</p> <p>n) . Where nest sites for great blue heron, bald eagle, osprey and other raptors are located on private property, the property owners shall be encouraged to ensure that the site is protected, including through the use of a voluntary conservation covenant.</p>
<p>Land Use Bylaw No. 177, 1999</p>	<p><b>Coats Marsh</b>  Current zoning:  <b>R-Resource</b>  <b>Permitted Principal Uses</b></p> <ul style="list-style-type: none"> <li>i <i>agriculture</i>, including the sale of agricultural products grown or raised on the lot but excluding animal husbandry on lots less than 2.0 hectares (4.94 acres)</li> <li>ii <i>forestry</i></li> <li>iii <i>single family</i> residential</li> <li>iv shooting range, on lands as shown on Schedule C, Map 4</li> <li>v agri-tourism</li> </ul> <p><b>Burren’s Acres Nature Reserve</b>  Current zoning:  <b>LRR – Large Rural Residential</b>  <b>Permitted Principal Uses</b></p> <ul style="list-style-type: none"> <li>i <i>single family</i> residential</li> <li>ii <i>agriculture</i>, including the sale of agricultural products grown or raised on the lot, but excluding animal husbandry on lots less than 2.0 hectares (4.94 acres)</li> </ul> <p>Permitted Accessory <i>uses</i> and structures may be found in the <a href="#">Gabriola Island Land Use Bylaw No. 177</a></p>
<p>Covenants</p>	<p>There is no Section 219 Conservation Covenant or Section 218 Stat. Right Of Way registered at this time. No other restrictive covenants or easements exist on title.</p>
<p>Bylaw Enforcement</p>	<p>None on file</p>

**SITE INFLUENCES**

Islands Trust Conservancy	<p>The Islands Trust Conservancy (Formerly Islands Trust Fund) currently owns the <b>Burren’s Acres Nature Reserve</b> property. It was gifted to the ITC through the Ecological Gifts Program as described in the staff Memorandum dated July 13, 2017.</p> <p><b>Coats Marsh Regional Park</b> is jointly owned and managed by the Regional District of Nanaimo and the Nature Trust of BC.</p> <p>See Goals and Objectives found on page 35-37 of the ITC Regional Conservation Plan.</p>
Regional Conservation Strategy	<p>Although Coats Marsh Regional Park is already listed as protected in the Regional Conservation Plan, both Burren’s Acres and Coats Marsh are within areas identified as having Medium to High conservation priority in the Islands Trust Area.</p>
Species at Risk	<p>See TCB Burren’s Acres Nature Reserve Management Plan and the RDN Coats Marsh Regional Park Management Plan for species and ecosystems inventories, habitat values, conservation goals, etc.</p>
Sensitive Ecosystems	<p>See TCB Burren’s Acres Nature Reserve Management Plan and the RDN Coats Marsh Regional Park Management Plan for species and ecosystems inventories, habitat values, conservation goals, etc.</p>
Archaeological Sites	<p>Remote Access to Archaeological Data (RAAD) mapping indicates that while no identified and recorded sites currently exist on either property, there is potential within, and adjacent to, the boundaries of each.</p>
Climate Change Adaptation and Mitigation	<p>Rezoning the subject properties using a conservation/ecological protection zoning type would ensure that no further human activity associated with direct GHG emissions or climate change would occur. Further, the protection of ecological biodiversity and biomass/cover would increase CO<sub>2</sub> uptake capacity for the lands.</p>
Groundwater Vulnerability	<p><b>Burren’s Acres</b> Moderate, to Moderately Low</p> 

**Coats Marsh**

Low to Moderately Low vulnerability



While neither parcel is in an area of particularly severe local groundwater stress, restrictions on uses and structures as part of the rezoning would further reduce any possible stress on groundwater for the surrounding area by prohibiting future development that required the use of water, and rather protected natural ecosystems that aid in the protection and recharge of aquifer and groundwater networks. This could be considered to have a cumulative positive impact on groundwater in general for the immediate areas surround the parks and the island as a whole.