

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 313

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

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, 1999, Amendment No. 1, 2022”.

2. Gabriola Island Local Trust Committee Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw, 1999,” is amended as per Schedule “1,” Schedule “2” and Schedule “3” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 30 DAY OF March , 2023

READ A SECOND TIME THIS _____ DAY OF _____ , 202x

PUBLIC HEARING WAIVED 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. 313**

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.1.1 Permitted in Any Zone**, Article **B.1.1.1 Uses**, Clause **B.1.1.1(c)**, is amended by replacing "D.4.7 Institutional 4" with "D.4.8 Institutional 4."
 - 1.2 **Part B - GENERAL REGULATIONS**, Section **B.1 USES, BUILDINGS AND STRUCTURES**, Subsection **B.1.1 Permitted in Any Zone**, Article **B.1.1.2 Buildings and Structures**, Clause **B.1.1.2(b)**, Item **B.1.1.2(b)(iv)**, is amended by adding "Trust Committee Area except in public parks and ecological reserves; and" after "Gabriola Island."
 - 1.3 **Part B - GENERAL REGULATIONS**, Section **B.1 USES, BUILDINGS AND STRUCTURES**, Subsection **B.1.1 Permitted in Any Zone**, Article **B.1.1.2 Buildings and Structures**, Clause **B.1.1.2(b)**, is amended by deleting Item B.1.1.2(b)(v) in its entirety and renumbering the item below accordingly.
 - 1.4 **Part C - ESTABLISHMENT OF ZONES**, Section **C.1 DIVISION INTO ZONES**, Subsection **C.1.1 Land Based Zones**, Article **C.1.1.4 Recreation and Institutional Zones**, insert new zone "EP Ecological Protection" after "P3 –Active Recreation Community Park".
 - 1.5 **Part D - ZONES**, Section **D.4 RECREATION AND INSTITUTIONAL ZONES**, insert new Subsection D.4.4 Ecological Protection (EP) after Subsection **D.4.3 Parks 3 – Active Recreation Community Park(P3)** as follows:

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D.4.4 Ecological Protection Zone (EP)

D.4.4.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted *Principal* Uses

- i *ecological reserves, nature parks and conservancies*
- ii *ecological restoration*
- iii natural and cultural resource management and protection

b. Permitted *Accessory* Uses

- i informational, cultural, and historical interpretation
- ii *passive recreation*

D.4.4.2 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 Ecological Protection (EP) zone:

a. Permitted *Buildings* and *Structures*

- i pedestrian trails: unhardened, or constructed for maximum permeability as in the case of a boardwalks
- ii benches, bridges and boardwalks
- iii trail, interpretive, safety and commemorative signage
- iv *structures* that are required to maintain the natural values of the land, including deer and predator fencing and plant support and protection.

D.4.4.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Ecological Protection (EP) zone:

a. *Building* and *Structure* Height Limitations

- i The maximum *height* of *buildings* or *structures* is 5.0 metres (16.5 feet).

b. *Building* and *Structure* Siting Requirements

- i The minimum *setback* for *buildings* or *structures* except for a *sign*, *fence*, or *bench* is 15.0 metres (49.2 feet) from any *lot* line.

c. *Floor Area*

- i No *building* or *structure* shall have a total *floor area* that exceeds 9.3 square (100 square feet).

d. *Lot Coverage* Limitations

- i The maximum combined *lot coverage* by *buildings* and *structures* is 1 percent of the lot area

e. *Lot Area* Requirements for Subdivision

- i No *lot* in the Ecological Protection zone may be subdivided for the purpose of creating additional lots.
- ii Boundary adjustments and *lot* consolidations are permitted for the purpose of increasing the area of a lot in the Ecological Protection (EP) zone.

and renumber subsequent subsections accordingly.

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

“Conservancy means an area designated to conserve and protect natural resource values including flora, fauna, ecosystems and the natural environment.;

Ecological Restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed;

Passive Recreation

is non-motorized outdoor recreation that creates the opportunity to have a high degree of interaction with the natural environment and has minimal impact on land, water, or other resources. Passive recreation requires no installation of equipment or facilities, except for trails and associated improvements;”

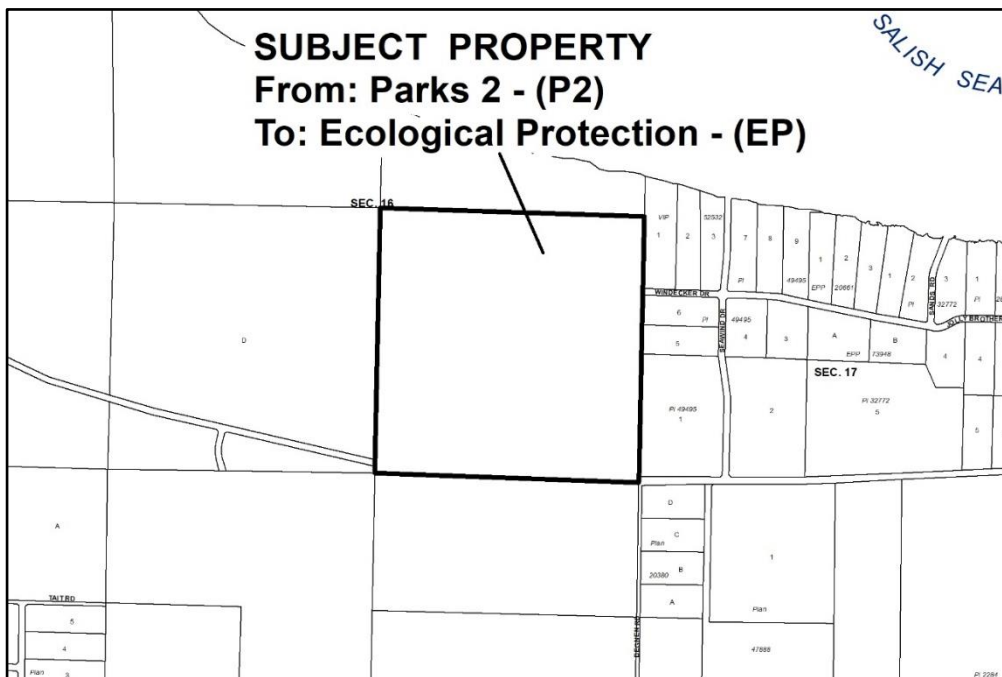
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Schedule "2"

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

1.1 Schedule "B" – South Sheet, is amended by changing the zoning classification of **BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID 026-664-453)** as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Gabriola Island Land Use Bylaw, 1999 as are required to effect this change.

Plan No. 1



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Schedule “3”

1. **Schedule “C”** of Gabriola Island Land Use Bylaw, 1999 is amended as follows:
 - 1.1 Schedule “C” – Map 6, is amended by replacing “Item D.4.4.1.a.vi” with “Item D.4.5.1.a.vi.”
 - 1.2 Schedule “C” – Map 7, is amended by replacing “Item D.4.4.1.a.vii” with “Item D.4.5.1.a.vii.”
 - 1.3 Schedule “C” – Map 8, is amended by replacing “Item D.4.4.1.a.viii” with “Item D.4.5.1.a.viii.”
 - 1.4 Schedule “C” – Map 13, is amended by replacing “Section D.4.4.” with “Subsection D.4.5.”