



Islands Trust

**DECOURCY ISLAND**

**OFFICIAL COMMUNITY PLAN BYLAW NO. 16  
AS AMENDED BY THE GABRIOLA ISLAND TRUST COMMITTEE  
BYLAWS NO. 191, 251 and 255**

NOTE: Certified copies of the Official Community Plan are available from the Islands Trust Office, 700 North Road, Gabriola Island, BC, V0R 1X3.

Consolidated: April, 2011

CONSOLIDATED BYLAW TEXT AMENDMENTS

This copy is consolidated for convenience only and includes the following **text amendments only**:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 191	Amendment No. 1, 2001	July 18, 2001
Bylaw No. 255	Amendment No. 2, 2010	August 19, 2010
Bylaw No. 251	Amendment No. 1, 2010	March 24, 2011

GABRIOLA ISLAND TRUST COMMITTEE

BYLAW NO. 16

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A BYLAW TO DESIGNATE THE COMMUNITY PLAN FOR DECOURCY ISLAND AS THE OFFICIAL COMMUNITY PLAN FOR THE SAID ISLAND

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WHEREAS by Section 710 of Division (1) of Part 21 of the Municipal Act the Council of a municipality may have community plans prepared and they may be expressed in maps, plans, reports or any combination of them;

AND WHEREAS by Section 711 of the said Division (1), the Council of a municipality may, by bylaw, designate any community plan prepared under the said Section 710 as the Official Community Plan or as part of the Official Community Plan;

AND WHEREAS Section 4(2)(h) of the Islands Trust Act confers on the Gabriola Island Trust Committee all power and authority of a municipality under Section 708 and Divisions (1), (2), (3) and (4) of Part 21 of the Municipal Act and all power and authority of a Regional District under Sections 807 to 813 of the Municipal Act;

AND WHEREAS pursuant to Section 810, except subsection (4), of the Municipal Act, the Gabriola Island Trust Committee has prepared a community plan for Decourcy Island, which said community plan is attached hereto as Schedule "A", and deems it expedient to designate the said community plan as an Official Community Plan;

NOW THEREFORE the Gabriola Island Trust Committee, in open meeting assembled, enacts as follows:

1. The Community Plan attached hereto as Schedule "A" and made a part of this bylaw is hereby designated as the Decourcy Island Official Community Plan.
2. Gabriola Island Trust Committee Bylaw No. 4 cited as "Official Community Plan (Gabriola Island) Bylaw, 1978" is amended by deleting from Schedule "A" all reference to Decourcy Island or Decourcy Islands wherever such references appear in the Bylaw.
3. This bylaw may be cited as the "Decourcy Island Official Community Plan Bylaw, 1981".

READ A FIRST TIME THIS 3rd day of October 1981

READ A SECOND TIME THIS 3rd day of October 1981

READ A THIRD TIME THIS 3rd day of October 1981

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS THIS 28th day of January 1982

RECONSIDERED AND FINALLY ADOPTED THIS 29th day of January 1982

Tony Roberts  
Manager

John Rich  
Chairman

## SCHEDULE "A"

### DECOURCY ISLAND COMMUNITY PLAN

#### INTRODUCTION

Decourcy Island is approximately 185 ha (460 acres) in extent and lies in the centre of the chain of islands located between Gabriola - Valdes to the Northeast and Vancouver Island to the Southwest. The sandstone island rises with an undulating topography to 35 m or 100 ft. and supports a dry Douglas fir forest with pockets of wetland, pasture and rock outcroppings. Conspicuous island wildlife includes deer, small mammals and birds.

Archaeological sites indicate human habitation for many centuries and evidence of early European settlement is seen in the old farm buildings. These are of historical importance because of their connection with the colourful Brother XII who in the early thirties led a religious community on the island.

The Island contains a Class A Provincial Park 24 ha (60 acres) and 144 recreational lots averaging .49 ha (1.2 acres) in size. Many owners of lots and unsubdivided land were concerned over the future of the island and therefore participated in the Community Plan meetings and workshops at which this plan was formulated.

The Gabriola Island Trust Committee recognizes that under the Islands Trust Act it is required to preserve and protect the Islands Trust area. It also appreciates the public demand for a quiet rural atmosphere on the island. This plan is seen as a policy framework leading to these ends.

#### GOALS

1. To preserve those features of the natural and cultural environment which give the island a marine oriented rural atmosphere.
2. To retain the rural, residential and agricultural uses of land which are presently found on the island.
3. To encourage the conservation of fresh water whether on surface or underground.
4. To retain the present level of transportation, utility and other public services now found on the island.
5. To minimize the aesthetic and physical impacts of development on the natural environment including the coastline, the vegetation and land features.
6. To support the actions of the appropriate authorities in their efforts to supervise and control the quiet recreational use of Pirates Cove Marine Park.

#### POLICIES

##### 1. LAND USE

In developing a set of land use policies, special attention has been given to achieving compatibility between uses. Existing activities are recognized and the beneficial relationship between these and the natural environment is preserved.

- 1) Commercial and industrial development should be prohibited but centralized moorage facilities having user fees, cottage industry and home occupations are acceptable.

- 2) Only one residential building per lot should be permitted and an additional guest cottage when lots are in excess of 2 ha (4.94 acres) in area.
- 3) Notwithstanding Policy 1(2) on lots larger than 8 ha (19.76 acres), 1 residential building per 4 ha (9.88 acres) shall be permitted.
- 4) Restrictive covenants should be used to control building sites.
- 5) The environmental system on the island represented by the farm, wetlands and wildlife corridor which on the Community Plan map are within the area designated Resource Protection should be maintained in present use.
- 6) Productivity of the farm should be encouraged.
- 7) Subdivision and the siting of buildings and structures on the coastal strip should take into account hazards, aesthetics and environmental impacts.
- 8) Community facilities and parking areas located on private land, such as the Firehall and parking, are considered appropriate uses and covenants to protect these uses for future community use are encouraged.

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## 2. TRANSPORTATION

A small island such as Decourcy can discourage motor vehicular use thus preserving its peaceful and non-polluted character. The easier the access the greater the pressure for development. It is therefore desirable to avoid vehicular ferries so that development pressures on the social and natural environment can be reduced.

- 1) New road construction should be to the same standards as existing roads.
- 2) New road construction should be minimized.
- 3) Natural vegetation alongside the travelled portion of a road should be maintained.
- 4) Road surfaces should not be hard surfaced.
- 5) A footpath right-of-way should be acquired to complete the circuit of the island using existing roads.
- 6) No vehicular ferry service should be provided to the island.

## 3. PROTECTION OF THE NATURAL ENVIRONMENT

Many of the pleasures and benefits derived from living in summer cottages and residences or using public parks originate with the natural environment and the life it supports. Landscape therefore needs protection for aesthetic, scientific and social reasons.

- 1) Development should be discouraged in the swampy and wet areas.
- 2) Tree cutting should be regulated by bylaw.
- 3) The forest cover on the island should be retained.

- 4) Development should be subject to environmental assessment at the discretion of the Trust Committee.
- 5) Hunting should be prohibited.

4. MARINE AND FORESHORE

The foreshore and the ocean are fragile and valuable components of human and marine life habitat. Interference with the natural systems and their appearance should therefore be kept to a minimum.

- 1) Moorage space for residents and owners should be centralized at one or more locations.
- 2) Private floats and docks serving only individual lots should be discouraged.
- 3) Houseboats should not be permitted.

5. PARK

It is to the mutual advantage of the recreationalist in the park and the island resident that their activities proceed with the minimum of repercussions for each others enjoyment.

- 1) The park area should be well patrolled during the summer months.
- 2) Park activity should be maintained on the peninsula side of the firebreak.
- 3) The public dock should be moved to the peninsula side of the park.
- 4) Neighbourhood park areas should be acquired.

6. WATER AND SEWAGE DISPOSAL

Public health requires adequate supplies of potable water but it is also essential that disposal of water related waste be carried out with minimum pollution of the environment.

- 1) Proof of potable water supply should be established as a condition of subdivision taking into account the island as a whole.
- 2) Septic fields should be situated to minimize impact on groundwater supplies.
- 3) Septic fields should be well set back from the sea.
- 4) Alternate sewage disposal methods should be encouraged.
- 5) Groundwater should be monitored to determine the effects of septic tank fields.
- 6) There should be no solid waste deposit sites on the island.

7. SUBDIVISION POLICY

Relative to its size Decourcy has a high proportion of land already subdivided into small lots. This makes the protection of the remaining undeveloped areas most desirable. They also have special

importance as farmland, wetland, coastline and wildlife corridor all of which requires larger minimum lot sizes if they are to remain viable.

- 1) The farm, wetlands, wildlife corridor, Long Island and adjacent upland is placed in a 8 ha (19.76 acres) minimum lot size Resource Protection designation, the remaining unsubdivided lands are placed in a 4 ha (9.88 acres) minimum lot size Rural designation, and the existing small lot areas and park are in a no additional subdivision designation, all as shown on the Community Plan map.
- 2) A comprehensive development plan will be encouraged provided that:
  - the total number of lots in a comprehensive development plan will, notwithstanding Section 7(1), be calculated on the basis of averaging with a 2 ha (4.94 acre) lot size and with a minimum lot size of .6 ha (1.48 acres)
  - the farm area to be preserved intact
  - the 5% dedication provided for in the Municipal Act to be fulfilled
  - the wildlife corridor and wetlands to be preserved in common tenure.
- 3) Consolidation of existing lots is encouraged.
- 4) Upon the subdivision of the remaining unsubdivided part of the island, the subdivider is encouraged to make provision for all Decourcy Islanders to have access to the farm, wetlands, and wildlife corridor which would be preserved in a comprehensive development plan under subsection 7(2).

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## 8. CLIMATE CHANGE ADAPTATION AND GREENHOUSE GAS EMISSION REDUCTION

Climate change refers to the increasing concentration of heat-trapping greenhouse gases (GHGs) in the atmosphere as the result of human activities— primarily the burning of fossil fuels and large-scale deforestation. A 2007 report from the Intergovernmental Panel on Climate Change reveals that between 1970 and 2004, GHG emissions have increased by 70%. This dramatic rise in atmospheric GHG concentrations has in turn triggered an increase in the average temperatures of near-surface air and ocean water, with temperatures projected to rise 1.1° to 6.4° C over the next century. Although seemingly slight, these temperature changes will have dramatic and negative impact on ecological systems around the globe.

In response to climate change issues, the provincial government gave Royal Assent to Bill 27 [*Local Government (Green Communities) Statutes Amendment Act, 2008*] on May 29, 2008. Bill 27 amends the *Local Government Act* and other Provincial regulations to provide new tools for local governments. Most significantly, Bill 27 requires that all local governments include GHG emission reduction targets—and policies and actions to achieve those targets— in their Official Community Plans.

The following target is set as the first step to ensuring that the reduction of GHG emissions specifically and the impact of climate change in general become part of the planning process for DeCourcy Island, and also to illustrate the light footprint of residents of DeCourcy Island:

- *To achieve by 2020 and 2050 resident per capita emission levels of 50% or less than the Canadian per capita average for 2020 and 2050, respectively, measured from a baseline when an inventory is completed.*

The following objectives are set to help to ensure this target is achieved.

### **Climate Change Adaptation and Greenhouse Gas Emission Reduction Objectives**

The objectives of this subsection are:

- 1) To establish climate change as a fundamental factor in land use decision-making, while adhering to the Islands Trust Policy Statement..
- 2) To develop a community-initiated inventory of greenhouse gas emissions on DeCourcy Island to verify the level of per capita emissions.
- 3) To encourage community discussion on the issues of climate change and greenhouse gas emission reductions at all appropriate community meetings and gatherings.
- 4) To support efforts and policies that help the community adapt to climate change impacts.
- 5) To work with other agencies and levels of government to support actions that limit greenhouse gas emissions.

### **Climate Change Adaptation and Greenhouse Gas Emission Reduction Policies**

- 1) The Local Trust Committee encourages information sharing and education on reducing greenhouse gas emissions and on producing energy from alternative sources.
- 2) The Local Trust Committee encourages on-Island agriculture and the sharing of local food production.
- 3) The Local Trust Committee encourages all new construction be built at the highest possible standards to reduce energy needs.
- 4) Further Policies and Actions with respect to climate change mitigation will be considered as part of a future review of this Bylaw and incorporated into this Bylaw when it is amended.