

DRAFT Gambier Island Shoreline Development Permit Area – Public Engagement 2026

GAMBIER ISLAND SHORELINE DEVELOPMENT PERMIT AREA

Designation

The Shoreline Development Permit Area includes **all land 30 m upland of the natural boundary of the sea, the foreshore area and all that area of land covered by water between the natural boundary of the sea and and the boundary of the area of bylaw application.**

This designation is shown in a generalized representation on Schedule X. The definitive designation and delineation of Development Permit Area X consists of a digital record compiled by means of a digital elevation model. This digital record is stored and maintained in a Geographic Information System at the offices of the Islands Trust.

Authority

The Shoreline Development Permit Area is designated a development permit area pursuant to Section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity, and Section 488(1)(b) for the protection of development from hazardous conditions.

Special Conditions and Objectives That Justify the Designation

It is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area for the benefit of the residents of the Trust Area, and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia.”

It is Provincial legislation in Section 473(1)(d) of the *Local Government Act* that an official community plan must include statements and map designations for the area covered by the Plan respecting restrictions on the use of land that is subject to hazardous conditions, or that is environmentally sensitive to development.

It is policy of the Islands Trust Council that protection must be given to the natural processes, habitats and species of the Trust Area, including those of open coastal grasslands, the vegetation of dry rocky areas, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, kelp and eel grass beds and that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.

It is also policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address:

- the protection of sensitive coastal areas;
- the planning for and regulation of development in coastal regions to protect natural coastal processes;
- opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways; and

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- the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning area

Shorelines within Gambier Island have high ecological values. Due to their physical and biological characteristics they may need to be carefully managed to avoid potential negative impacts of development. Development and associated shoreline improvements or protection measures can threaten the ecological and physical integrity of the foreshore and upland. In addition, sea level rise, storm surges, increased storm intensity and other anticipated effects of climate change as well as steep slope hazard areas may exert negative effects on potential development.

The Objectives of the development permit area are:

1. To plan and regulate new development in a manner that preserves and protects the long-term physical integrity and ecological values of shorelines and associated foreshore and upland areas.
2. To manage development to minimize disruption of natural features and processes and to retain, wherever possible, natural vegetation and natural features.
3. To minimize the disruption of natural features and processes and to retain, wherever possible, natural vegetation and natural features.
4. To adapt to the anticipated effects of climate change.
5. To protect development from hazardous conditions.

Development Approval Information

The development permit area is also designated an area for which development approval information (DAI) may be required according to Section 485(1) of the *Local Government Act*. The designation of these as areas for which development approval information may be required is based on the special conditions or objectives supporting the designation of the DPA. Development approval information means information on the anticipated impacts of the proposed activity or development in the form of a report from a qualified professional.

Applicability

Section 489 of the *Local Government Act* provides that within areas designated as Development Permit Areas in an official community plan:

- (a) land must not be subdivided,
- (b) construction of, addition to or alteration of a building or structure must not be started;
- (c) land must not be altered;

unless the owner first obtains a Development Permit or an exemption under s 488(4) applies.

Exemptions

The following activities are exempt from any requirement for a development permit:

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1. The placement of impermanent structures such as benches, tables and garden ornaments.
2. Development on land where a conservation covenant under section 219 of the Land Title Act registered against title is granted to the Local Trust Committee or a recognized conservancy and includes provisions which protect shoreline ecosystems in a manner consistent with the applicable DPA guidelines.
3. Repair, maintenance, alteration or reconstruction of existing legal buildings, structures or utilities, including those that are legal non-conforming, provided there is no alteration of undisturbed land or vegetation and that the work is entirely within the existing footprint.
4. Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing.
5. Manual removal of non-native, invasive plants or noxious weeds.
6. Farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2), (3), (4) and (5) of the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation.
7. Construction of a fence so long as no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence.
8. The construction of a trail if all of the following apply:
 - No native trees are removed;
 - The trail is 1 metre wide or less;
 - The trail is for personal, non-vehicular use only;
 - The trail is constructed of soil, gravel, mulch or another pervious surface.
9. Gardening and yard maintenance activities within an existing landscaped area, such as lawn mowing, tree and shrub pruning, vegetation planting and minor soil disturbance that do not alter the general contours of the land.
10. Tree limbing or tree topping, unless the work can reasonably be expected to result in the death and removal of the tree and root system.
11. The removal of trees that have been examined by an International Society of Arboriculture (ISA) certified arborist and certified to pose an immediate threat to life or property.
12. The construction of a small accessory building such as a pump house, gazebo, garden shed or play house if all the following apply:
 - The building is located a minimum of 15 metres from the natural boundary of sea;

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- No native trees are removed; and
 - The total lot coverage of the accessory building is less than 10 m².
13. The installation of a mooring buoy.
14. Works undertaken by a local government or a body established by a local government.
15. Emergency actions required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property including:
- Forest fire or flood;
 - Protection, repair or replacement of public facilities;
 - Clearing of an obstruction from a bridge, culvert, dock, wharf or stream; or
 - Repairs to a bridge, culvert, dock or wharf.
16. Boundary adjustment subdivision where the location of the DPA: i) provides developable areas outside of the DPA; ii) there is no alteration of undisturbed land or vegetation, and iii) written certification by a registered professional biologist that the subdivision layout (access to the lot(s)) will not adversely impact the immediate and long-term viability of any ecosystem and the developable areas are continuous outside the ecosystem or DPA.

Guidelines

Development permits should be issued in accordance with the following guidelines.

General Guidelines:

1. In general, development of the shoreline area should be limited, should minimize negative impacts on the ecological health of immediate terrestrial and marine ecosystems and should not disrupt coastal sediment transport processes.
2. It should be demonstrated that locating development entirely outside of the Development Permit Area has been considered, and a written description of why that is not being proposed should be provided as part of the application.
3. Upland shoreline structures, additions or land alteration should be located and designed to avoid the need for shore protection works.
4. Consideration should be given to minimizing the impacts of sea level rise, storm surges, increased storm intensity and other anticipated effects of climate change.
5. The LTC may consider variances to subdivision or building and structure siting or size regulations to meet the objectives of the development permit area.
6. Development on steep slopes or bluffs should be set back sufficiently from the top of the bluff to ensure that shore protection measures will not be necessary during the life of the structure, as demonstrated by a geotechnical analysis for the site.

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7. Protection of the DPA by delineation (snow/sediment control fencing) and restricted access, (signage) should be installed prior to any land alterations.
8. Soil removal and deposit, as well as areas cleared and disturbed for development should be minimized.
9. Shore protection measures that will cause erosion or other physical damage to adjacent or down-current areas should not be supported.
10. Septic systems should not be located in the development permit area. If such a location cannot be avoided, the encroachment into the development permit area should be minimized, and the design and construction of the septic system be supervised by a qualified professional to ensure that the objectives and guidelines of the development permit area are met as conditions of the permit.
11. Where this development permit area includes critical habitat of any Species at Risk, native plant species or plant communities that are identified locally, provincially, or federally as sensitive, rare, threatened or endangered, or have been identified by a qualified professional as worthy of particular protection, these habitat areas should be left undisturbed. If disturbance cannot be entirely avoided, development and mitigation measures should be undertaken under the supervision of a qualified professional.
12. All development within this development permit area should be undertaken and completed in such a manner as to prevent the release of sediment to the shore or to any watercourse that flows to the marine shore. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.
13. A development permit may require monitoring of the implementation of required environmental mitigation, restoration or enhancement planting or measures approved under a development permit by a qualified professional until all such measures have been completed and the professional has provided a report confirming completion to a standard acceptable to the Local Trust Committee. The Local Trust Committee may require provision of a security to be used to fulfill the conditions of the permit if the permit holder fails to do so.

Guidelines for Shoreline Modification:

14. Shore protection and stabilization measures should not be undertaken for the purpose of extending lawns or gardens or providing space for additions to existing structures or new buildings.
15. When required, shore protection measures should:
 - a. Apply the ‘softest’ possible shore protection measure that will still provide satisfactory protection; and

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- b. Limit the size of shore protection works to the minimum necessary.
16. ‘Hard’ structural shore protection measures (e.g. concrete walls, lock block, stacked rock) may be considered in support of existing development only when a professional geotechnical and biophysical analysis demonstrates that:
- a. an existing structure is at immediate risk from shoreline erosion caused by tidal action, currents, or waves. Evidence of normal sloughing, erosion or steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not sufficient demonstration of need;
 - b. the erosion is not being caused by upland conditions, such as the loss of vegetation and uncontrolled drainage;
 - c. on-site drainage solutions directing drainage away from the shoreline have been exhausted before considering structural shoreline stabilization;
 - d. non-structural or soft shoreline protection measures, such as locating new buildings and structures further from the shoreline, planting vegetation, biotechnical measures, beach enhancement, anchor trees or installing on-site drainage improvements are not feasible or sufficient to address the stabilization issues; and
 - e. unavoidable damage to shoreline ecological function is mitigated as much as feasible and restoration is undertaken when feasible.
17. All structural shore protection measures should be installed within the property line or upland of the natural boundary of the sea, whichever is further inland. ‘Soft’ shoreline protection measures that provide restoration of previously damaged ecological functions may be permitted seaward of the natural boundary subject to obtaining necessary approvals from the provincial and federal governments.
18. Existing shore protection works may be replaced if the existing works can no longer adequately serve their purpose provided that:
- a. The replacement shore protection works are of the same size and footprint as the existing works, unless required to prevent shoreline erosion as determined by a qualified professional;
 - b. The replacement shore protection works are designed, located, sized, and constructed to mitigate the loss of ecological functions, and include habitat restoration measures when feasible;
 - c. Replacement walls or bulkheads do not encroach seaward of the natural boundary or the seaward limit of the existing shore protection works unless there are significant safety or environmental concerns that could only be addressed via such an encroachment. In such cases, the replacement of shore protection works should utilize the ‘softest’ approach possible and should about the existing shore protection works; and

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- d. Where impacts to critical marine habitats would occur by leaving the existing works in place, they can be removed as part of the replacement measure.

Guidelines for Vegetation Management, Restoration and Enhancement:

19. Existing, native vegetation should be retained wherever possible to minimize disruption to habitat and to protect against erosion and slope failure.
20. Existing trees and shrubs to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
21. If the area has been previously cleared of native vegetation, or is cleared during the process of development, replanting should be required in accordance with these guidelines or requirements specified in the development permit. Areas of undisturbed bedrock exposed to the surface of natural sparsely vegetated areas should not require planting.
22. Vegetation species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should preferably be native to the area, and be selected for erosion control and/or fish and wildlife habitat values as needed. Suitably adapted, non-invasive, non-native vegetation may also be considered acceptable.
23. All replanting should be maintained by the property owner for a minimum of 3 years from the date of completion of the planting. This may require removal of invasive, non-native weeds (e.g., Himalayan blackberry, Scotch broom, English ivy) and irrigation. Unhealthy, dying or dead stock should be replaced at the owner's expense within that time in the next regular planting season.
24. The Local Trust Committee may require provision of a security to be used to fulfill the replanting and vegetation maintenance conditions of the permit if the permit holder fails to do so.

Guidelines for Beach Nourishment and Fill:

25. Fill upland of the natural boundary greater than 10 cubic metres in volume should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills should be located, designed, and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.
26. Fill below (seaward of) the natural boundary should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design.

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27. Fill should not be placed at or below the natural boundary for the purposes of providing a trail or walkway.
28. All upland fill and beach nourishment materials should be clean and free of debris and contaminated material. All fill and beach nourishment proposals are subject to review and approval by provincial and federal authorities having jurisdiction.

Guidelines for Shore Access and Parking:

29. Roads, driveways, trails and pathways should follow the contours of the land, appropriately manage drainage, not require retaining walls, and only use stairs as a last resort.
30. Accesses in extremely sensitive areas or hazardous areas should be restricted or prohibited.
31. Parking areas should be located away from the shore, buffered or landscaped, and constructed so as to minimize erosion and water pollution by controlling storm runoff. Structural measures such as catch basins, oil separators, filtration trenches or swales, unpaved or permeable all-weather surfaces should be considered for this purpose.

Guidelines for the Construction and Replacement of Docks:

32. Development activities along the foreshore or in marine areas should be conducted during the low-risk timing window for spawning, nesting and nursery periods.
33. Docks and wharves should be designed to ensure that public access along the shore is maintained except where such access is determined to be infeasible because of incompatible uses, safety, security, or harm to ecological functions.
34. Docks and wharves should be sited to minimize impacts on sensitive ecosystems such as eelgrass beds, fish habitat and natural processes such as currents and littoral drift.
35. Docks should be constructed in a manner that permits the free flow of water beneath. Supports should be located on a hard substrate.
36. Floating docks should not rest on the sea bed at any time and a minimal, moveable ramp rather than a fixed wharf or pier should be utilized to connect the dock with the shore.
37. Piers and pilings and floating docks are preferred over solid-core piers.
38. Docks should not use unenclosed plastic foam or other non-biodegradable materials that have the potential to degrade over time. Docks should be constructed of stable materials that will not degrade water quality. The use of creosote-treated pilings is discouraged.

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- 39. Dock and float design should allow natural light penetration to the submerged land underneath. Natural light penetration can be facilitated by spacing the decking surface of the dock, incorporating grating and minimizing the width of the structure.
- 40. Docks should be located and designed to avoid the need for shore defence works or breakwaters.
- 41. Residential docks should not extend from shore any further than necessary to accommodate a small pleasure craft. Residential docks should not be designed to accommodate boats with a draft greater than 2.2 metres or have floats more than 35 square metres total surface area unless more than two parcels have legal access to the dock, in which case permitted total surface area should be a multiple of the number of lots the dock serves.
- 42. The access ramps, walkways and stairs for docks should not exceed a maximum width of 1.5 metres.

Guidelines for the Construction and Replacement of Boat Launch Facilities:

- 43. Boat launch ramps are the least desirable of all water access structures and should be considered only if they can be located on stable, non-erosional banks where a minimum amount of substrate disturbance or stabilization is necessary. Ramps should be kept flush with the slope of the foreshore to minimize interruption of natural geo-hydraulic processes.
- 44. Construction of a private ramp on an individual residential lot or parcel is discouraged.

Guidelines for the Installation of Ocean-loop Geoexchange Systems:

- 45. Ocean-loop geoexchange systems should only be considered if they are closed-loop systems using only water as the circulating heat transfer fluid; if they meet or exceed the Canadian CSA design standards CAN/CSA-448-02; and if they are designed and installed by a Registered System Designer.

Guidelines for Subdivision:

- 46. All lots in a proposed subdivision must be configured to have sufficient area for permitted principal and accessory uses without encroaching into land use bylaw setbacks, the Development Permit Area, or creating a likelihood of shoreline protection measures for the permitted level of development.

Guidelines for Commercial and Industrial Development:

- 47. Boat maintenance and repair facilities shall be designed and sited in a manner that minimizes the potential for the discharge of toxic materials from boats (e.g. fuels, oils, maintenance by-products).

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48. Lighting of commercial and industrial developments built over the water surface should be kept to the minimum necessary for safety and visibility. Light fixtures on such sites should focus light on the area to be illuminated and avoid spillage of light into other areas. Fixtures should not result in glare when viewed from areas that overlook the sea. Low-glare fixtures with a high-cut off angle should be used. Full-spectrum fixtures are preferred. Neon lighting should not be used outside buildings.
49. Signs on commercial and industrial developments built over the water surface should not move or be audible and should not incorporate lighting that moves or flashes or gives the impression of doing so.
50. Offshore log storage should be located such that natural flushing and water circulation will disperse waste materials, and log dumping facilities should be designed and operated to prevent bark and other debris from accumulating on the sea bed.