

# Agenda

## Town of Gibsons

### Regular Meeting of Council

**September 15, 2020 at 7:00pm**

Council Chambers  
Town Hall, 474 South Fletcher Road, Gibsons  
604-886-2274 - [www.gibsons.ca](http://www.gibsons.ca)

***Council***



Mayor Bill Beamish  
Councillor David Croal  
Councillor Annemarie De Andrade  
Councillor Aleria Ladwig  
Councillor Stafford Lumley

# STRATEGIC PLAN 2019 - 2022

## OUR CORE OBJECTIVES

### Increase Community Engagement

- We will inspire and encourage citizens of all ages to engage in the decision-making process
- We will actively listen to the ideas of all our stakeholders
- We will help our citizens understand the challenges and competing demands facing the community

### Manage Our Assets

- We will focus on fiscal sustainability and support our staff in the prudent management of our natural and engineered assets, to ensure the Town can continue to deliver critical services and infrastructure in perpetuity

### Plan for Sustainable Growth

- We will plan for the future in a manner that reflects our finite resources
- We will value the unique character of our Town and its neighbourhoods
- We will create spaces that promote a sense of community and are accessible to all
- We will preserve our green spaces
- We will support local business and foster a diverse economy

### Advocate for and Facilitate A Range of Housing Types

- We will actively work toward increasing the supply and range of safe, secure and attainable affordable housing options

### Increase Resilience to the Changing Climate

- We will apply a climate lens to the planning and development of actions, plans, policies and infrastructure projects
- We will adapt Town infrastructure to increase its resiliency to the local impacts and risks from climate change
- We will reduce the greenhouse gas emissions produced by the community and through the provision of municipal services to meet regional targets

### Advocate and Collaborate on Regional Issues

- We will collaborate and partner with our neighbouring jurisdictions to effectively address shared opportunities and challenges



To view the Strategic Plan in full,  
please go to: [gibsons.ca/strategic-plan](https://gibsons.ca/strategic-plan)

visit [gibsons.ca](https://gibsons.ca)



# Regular Meeting of Council **AGENDA OF**

September 15, 2020

Council Chambers, 7:00pm

474 South Fletcher Road, Gibsons, BC

*We acknowledge that we are fortunate to be able to gather on the  
unceded territory of the Skwxwú7mesh Nation.*

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**1. CALL TO ORDER**

**2. APPROVAL OF THE AGENDA**

**2.1 Regular Council Agenda - September 15, 2020**

RECOMMENDATION(S)

THAT the Regular Business Agenda of September 15, 2020 be adopted.

**3. ADOPTION OF MINUTES**

**3.1 Minutes of the Regular Council Meeting - September 1, 2020**

9 - 14

RECOMMENDATION(S)

THAT the minutes of the Regular Council meeting held September 1, 2020 be adopted.

**4. BUSINESS ARISING FROM THE MINUTES**

**5. DELEGATIONS AND PETITIONS**

**5.1 Kim Stephens, Executive Director, Partnership for Water Sustainability in BC**

PWSBC will be honouring the Town of Gibsons with a framed "Champion Supporter" letter of recognition.

**5.2 Graham Starsage, Director of Developments & Programs, Gibsons Marine Education Society**

Graham Starsage will provide an update regarding the Healthy Harbour Project Plan 2020.

6. INQUIRIES

7. COMMITTEE REPORTS

7.1 **Special Planning & Development Committee Meeting - September 8, 2020**

7.1.1 **Special Planning & Development Committee Meeting Minutes** 15 - 17

RECOMMENDATION(S)

THAT the minutes of the Special Planning & Development Committee meeting held September 8, 2020 be received.

7.1.2 **Development Permit for Form and Character DP-2020-16 for 1000 Venture Way**

RECOMMENDATION(S)

THAT Council authorize the issuance of DP-2020-16 for 1000 Venture Way.

7.1.3 **Development Permit for Form and Character for Townhouses at 741 Hillcrest Road**

RECOMMENDATION(S)

THAT Covenant BK409675, dated December 1996, be discharged from the title of 741 Hillcrest Road;

AND THAT the Planning and Development Committee recommend that the developer bring forward revised plans reducing massing for DP-2020-10 for 741 Hillcrest Road;

AND FURTHER THAT staff bring forward a report with options for rear lane access for public access, including vehicular and active travel behind Hillcrest Road by requesting right-of-ways at the time of development including Rezoning, Subdivision, Development Permit or Building Permit.

7.1.4 **Poplar Lane-Davis Road OCP/Zoning Amendment Survey Results and Consideration of Second Reading**

RECOMMENDATION(S)

THAT OCP Amendment Bylaw 985-25, 2020, to change the Land Use Designation and Development Permit Area for the Davis Road and Poplar Lane area, be forwarded to Council for Second Reading, as amended;

AND THAT Zoning Amendment Bylaw 1065-54, 2020, to rezone the Davis Road and Poplar Lane area to a new



RM-7 zone to allow for a three-family dwelling and extend the Garden Suite Area to this area, be forwarded to Council for Second Reading;

AND FURTHER THAT an electronic Public Hearing be scheduled to begin at 5:30pm on October 6, 2020, as authorized under Ministerial Order M192/2020 and in accordance with Section 465(3) of the Local Government Act.

**7.1.5 Proposed New Anti-Noise Bylaw No. 1285, 2020**

RECOMMENDATION(S)

THAT Anti-Noise Bylaw No. 1285, 2020 be forwarded to Council for First, Second and Third Reading;

AND THAT Bylaw Notice Enforcement Bylaw no. 1125-09 be forwarded to Council for First, Second and Third Reading.

**7.1.6 New Building Bylaw No. 1284, 2020**

RECOMMENDATION(S)

THAT Building Bylaw No. 1284, 2020 be forwarded to Council for First, Second and Third reading;

AND THAT Bylaw Notice Enforcement Amendment Bylaw No 1125-11, 2020 be forwarded to Council for First, Second and Third reading.

**7.2 Committee of the Whole - September 15, 2020**

**7.2.1 Gibsons Pool**



*A recommendation from the September 15, 2020 Committee of the Whole meeting forwarded directly to the September 15, 2020 Regular Council meeting.*

RECOMMENDATION(S)

THAT Council write a letter to the Sunshine Coast Regional District (SCRD) urging them to reconsider the continued closure of the Gibsons pool and asking the SCRD to provide information regarding the associated costs of pool operations.

**8. ADMINISTRATION REPORTS**

**8.1 Director of Corporate Services - 2019 Annual Report**

19 - 93

RECOMMENDATION(S)

THAT the Director of Corporate Services' Staff report titled Town of Gibsons 2019 Annual Report be received;

AND THAT Council consider Public input on the Town of Gibsons' 2019 Annual Report;

AND FURTHER THAT the Town of Gibsons 2019 Annual Report be approved.

8.2	<b>Director of Corporate Services - Youth Representative To Council Terms of Reference Amended</b>	95 - 98
	RECOMMENDATION(S) THAT the Director of Corporate Services' report titled Youth Representative to Council Amended Terms of Reference be received;  AND THAT the attached amended Youth Representative to Council Terms of Reference be adopted.	
9.	<b>COUNCIL REPORTS</b>	
10.	<b>CORRESPONDENCE</b>	
10.1	<b>Gord Schoberg, Senior Manager Community Relations, FortisBC - Eagle Mountain - Woodfibre Gas Pipeline Project - Notification of Request to Extend Environmental Assessment Certificate</b>	99 - 100
	RECOMMENDATION(S) THAT the email dated August 28, 2020 from Gord Schoberg, FortisBC regarding the Eagle Mountain/Woodfibre LNG Pipeline Project - Notification of Request to Extend Environmental Assessment Certificate be received.	
10.2	<b>Hon. Claire Trevena, Minister of Transportation and Infrastructure - BC Ferries Funding</b>	101 - 102
	RECOMMENDATION(S) THAT the letter dated September 4, 2020 from Hon. Claire Trevena, Minister of Transportation & Infrastructure regarding financial aid for BC Ferries be received.	
10.3	<b>Justin Byers, BC Housing - Gibsons Supportive Housing Community Advisory Committee</b>	103 - 104
	RECOMMENDATION(S) THAT the email dated September 15, 2020 from Justin Byers, BC Housing regarding the Gibsons Supportive Housing Community Advisory Committee be received;  AND THAT a member of Council be appointed to the Gibsons Supportive Housing Community Advisory Committee.	
10.4	<b>Council Correspondence</b>	105 - 107
	RECOMMENDATION(S) THAT the Council reading file for the week's ending August 31, 2020 and September 8, 2020 be received.	
11.	<b>BYLAWS</b>	

11.1	<b>Tree Preservation Bylaw 1282</b>	109 - 196
	RECOMMENDATION(S) THAT the Director of Infrastructure Services' report titled Tree Preservation Bylaw – Third Reading be received;  AND THAT "Tree Preservation Bylaw No. 1282, 2020" be given third reading.	
11.2	<b>Bylaw Notice Enforcement Bylaw 1125-10 - Tree Preservation</b>	197 - 200
	RECOMMENDATION(S) THAT the Director of Infrastructure Services' report titled Bylaw Notice Enforcement Bylaw 1125-10 be received;  AND THAT "Bylaw Notice Enforcement Amendment Bylaw No. 1125-10, 2020" be given first, second and third reading.	
11.3	<b>Rates, Fees and Charges Amendment Bylaw 1196-19</b>	201 - 211
	RECOMMENDATION(S) THAT the Director of Infrastructure Services' report regarding Rates, Fees and Charges Amendment Bylaw 1196-19, 2020 be received;  AND THAT "Town of Gibsons Rates, Fees and Charges Amendment Bylaw No. 1196-19, 2020" be given first, second and third reading.	
11.4	<b>Anti-Noise Bylaw 1285</b>	213 - 218
	RECOMMENDATION(S) THAT "Anti-Noise Bylaw No. 1285, 2020" be given first, second and third reading.	
11.5	<b>Bylaw Notice Enforcement Bylaw 1125-09 - Anti-Noise</b>	219 - 220
	RECOMMENDATION(S) THAT "Anti-Noise Bylaw Notice Enforcement Amendment Bylaw No. 1125-09, 2020" be given first, second and third reading.	
11.6	<b>Building Bylaw 1284</b>	221 - 274
	RECOMMENDATION(S) THAT "Building Bylaw No. 1284, 2020" be given first, second and third reading.	
11.7	<b>Bylaw Notice Enforcement Bylaw 1125-11 - Building</b>	275 - 276
	RECOMMENDATION(S)	

THAT "Bylaw Notice Enforcement Amendment Bylaw No. 1125-11, 2020" be given first, second and third reading.

- 11.8      **OCB Bylaw 985-25 - Poplar Road/Davis Lane**      277 - 279

RECOMMENDATION(S)

THAT "Official Community Plan Amendment Bylaw No. 985-25, 2020" be given second reading.

- 11.9      **Zoning Amendment Bylaw 1065-54 - Poplar Road/Davis Lane**      281 - 283

RECOMMENDATION(S)

THAT "Zoning Amendment Bylaw No. 1065-54, 2020" be given second reading.

**12. UNFINISHED BUSINESS**

**13. NEW BUSINESS**

**14. NOTICE OF MOTION**

**15. INQUIRIES**

**16. MOTION TO CLOSE**

RECOMMENDATION(S)

THAT the meeting be closed in accordance with section(s) 90(1)(e) of the Community Charter:

90 (1)A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

(e)the acquisition, disposition or expropriation of land or improvements, if the council considers that disclosure could reasonably be expected to harm the interests of the municipality.

**17. REOPEN TO THE PUBLIC**

**18. REPORT FROM IN CAMERA**

**19. NEXT MEETING**

- 19.1      The next Regular meeting of Council to be held on Tuesday, October 6, 2020 in the Town Hall Council Chambers at 7:00pm.

**20. ADJOURNMENT**



# Regular Council

## MEETING MINUTES

Tuesday, September 1, 2020

Council Chambers, 7:00pm

Municipal Hall, 474 South Fletcher Road, Gibsons, BC

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**PRESENT:**

Mayor Bill Beamish  
Councillor David Croal  
Councillor Annemarie De Andrade  
Councillor Aleria Ladwig

**STAFF:**

Emanuel Machado, Chief Administrative Officer  
Lindsey Grist, Director of Corporate Services  
Dave Newman, Director of Infrastructure Services  
Tracy Forster, Recording Secretary

**CALL TO ORDER**

*The Mayor called the meeting to order at 7:00pm.*

**APPROVAL OF THE AGENDA****R2020-380 Regular Council Agenda - September 1, 2020**

MOVED by Councillor Croal  
SECONDED by Councillor De Andrade

THAT the Regular Business Agenda of September 1, 2020 be adopted.

**CARRIED**

**ADOPTION OF MINUTES****R2020-381 Minutes of the Regular Council Meeting - July 21, 2020 and Minutes of the Special Council Meeting - July 28, 2020**

MOVED by Councillor Croal  
SECONDED by Councillor De Andrade

THAT the minutes of the Regular Council meeting held July 21, 2020 and minutes of the Special Council meeting held July 28, 2020 be adopted.

**CARRIED**

**DELEGATIONS AND PETITIONS**

*Regular Council Meeting Minutes - Tuesday, September 1, 2020*

**Donna Thomas, Sunshine Coast Labour Council**

Regarding the history and significance of BC Labour Day.

**Al Beaver, Protect and Save Charman Creek Lands Perpetually**

Regarding a Protect and Save Charman Creek Lands perpetually petition.

**INQUIRIES**

*The Mayor provided an opportunity for the public to ask questions of Council regarding items on the September 1, 2020 Regular Council Agenda.*

**COMMITTEE REPORTS**

**R2020-382**      MOVED by Councillor Croal  
                     SECONDED by Councillor Ladwig

THAT all staff reports on the September 1, 2020 Regular Council meeting be received.

**CARRIED**

**Committee of the Whole Meeting - July 21, 2020**

**R2020-383**      **Committee of the Whole Meeting Minutes**

MOVED by Councillor Croal  
SECONDED by Councillor De Andrade

THAT the minutes of the Committee of the Whole meeting held July 21, 2020 be received.

**CARRIED**

**Special Planning & Development Committee Meeting - July 28, 2020**

**R2020-384**      **Special Planning & Development Committee Meeting Minutes**  
*A recommendation from the July 28, 2020 Special Planning & Development Committee Meeting regarding the Garden Suite Preliminary review forwarded directly to the July 28, 2020 Special Council meeting.*

MOVED by Councillor Croal  
SECONDED by Councillor Ladwig

THAT the minutes of the Special Planning & Development Committee meeting held July 28, 2020 be received.

**CARRIED**



## Regular Council Meeting Minutes - Tuesday, September 1, 2020

**R2020-385 Proposed New Anti-Noise Bylaw**

MOVED by Councillor Croal  
 SECONDED by Councillor De Andrade

THAT the noise bylaw be brought back to the Planning and Development Committee for review with a table highlighting hours of restriction with the following hours:

**Construction**

<b>Mon-Fri</b>	<b>7 am - 8 pm</b>
<b>Sat, Sun, and Stat Holidays not for gain or profit</b>	<b>8 am - 6 pm</b>
<b>Sat for gain or profit</b>	<b>8 am - 6 pm</b>
<b>Sun and Stat Holidays for gain or profit</b>	<b>Quiet hours</b>

**Power Equipment**

<b>Mon-Sat</b>	<b>8 am – 8 pm</b>
<b>Sun and Stat Holidays</b>	<b>9 am - 6 pm</b>

**Quiet Hours**

<b>Mon-Thu</b>	<b>10 pm – 7 am</b>
<b>Fri-Sun, Stat Holidays</b>	<b>11 pm – 8 am</b>
<b>New Year's Eve</b>	<b>hours to go to 1 am</b>

AND THAT a provision be included for written approval for an extension to the hours – with a fee;

AND FURTHER THAT the Town website publicize that the current anti-noise bylaw is being reviewed and public input is being sought.

**CARRIED**

**R2020-386 Invasive and Noxious Weeds Control Bylaw No.1281**

MOVED by Councillor De Andrade  
 SECONDED by Councillor Croal

THAT the issue regarding lack of disposal for knotweed and the need for broader public education be raised with the Sunshine Coast Regional District by the Town's representative to the Board;

AND THAT Jennifer Grenz be invited as a delegation to educate the Planning and Development Committee on the bylaw and the recommended next steps.

**CARRIED**

Regular Council Meeting Minutes - Tuesday, September 1, 2020

## **COUNCIL REPORTS**

*Members of Council provided an update on their activities since the previous meeting.*

## **CORRESPONDENCE**

### **R2020-387 Council Correspondence**

MOVED by Councillor Croal  
SECONDED by Councillor De Andrade

THAT the Council reading files for the week's ending July 27, 2020, August 4, 2020, August 11, 2020, August 14, 2020, August 24, 2020 be received.

**CARRIED**

### **Honourable Claire Trevena, Ministry of Transportation - Response the Urgent Request for Assistance with Current Highway 101 Project**

*The letter dated August 13, 2020 from Honourable Claire Trevena, Ministry of Transportation regarding the urgent request for improved pedestrian and cycling safety measures with current highway 101/North Rd project was received.*

### **Lindsay Cole, Squamish Lead Transformational Leadership Learning Opportunity**

*The correspondence dated August 24, 2020 from Lindsay Cole regarding a Squamish Lead Transformational Leadership learning opportunity was received.*

### **R2020-388 Lindsay Cole, Squamish Lead Transformational Leadership Learning Opportunity**

MOVED by Councillor Croal  
SECONDED by Councillor Ladwig

THAT reimbursement of expenses for the Squamish Lead Transformational Leadership program be approved for Mayor Beamish.

**CARRIED**

*Regular Council Meeting Minutes - Tuesday, September 1, 2020*

**R2020-389     Lindsay Cole, Squamish Lead Transformational Leadership Learning Opportunity**

MOVED by Councillor Ladwig  
SECONDED by Mayor Beamish

THAT reimbursement of expenses for the Squamish Lead Transformational Leadership program be approved for Councillor De Andrade.

**CARRIED**

**BYLAWS**

**Zoning Amendment Bylaw 1065-47 - Short Term Rentals**

MOVED by Mayor Beamish  
SECONDED by Councillor Croal

THAT "Short-Term Rental Zoning Amendment Bylaw No. 1065-47, 2020" be given third reading.

**R2020-390     Zoning Amendment Bylaw 1065-47 - Short Term Rentals**

MOVED by Councillor De Andrade  
SECONDED by Mayor Beamish

THAT "Short-Term Rental Zoning Amendment Bylaw No. 1065-47, 2020" be postponed to the October 6, 2020 Regular Council meeting.

**CARRIED**

**INQUIRIES**

*The Mayor provided an opportunity for the public to ask questions of Council.*

**MOTION TO EXTEND**

**R2020-391     MOVED by Councillor Croal  
SECONDED by Councillor Ladwig**

THAT the meeting be extended to 9:30pm.

**CARRIED**

*Regular Council Meeting Minutes - Tuesday, September 1, 2020*

**MOTION TO CLOSE**

**R2020-392**    MOVED by Councillor Croal  
                  SECONDED by Councillor Ladwig

THAT the meeting be closed at 8:53pm in accordance with section(s) 90(1)(i) of the *Community Charter*:

*(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.*

**CARRIED**

**REOPEN TO THE PUBLIC**

*The meeting reopened to the public at 9:13pm.*

**NEXT MEETING**

The next Regular meeting of Council to be held on Tuesday, September 15, 2020 in the Town Hall Council Chambers at 7:00pm.

**ADJOURNMENT**

**R2020-393**    MOVED by Councillor Croal  
                  SECONDED by Councillor Ladwig

THAT the meeting be adjourned at 9:13pm.

**CARRIED**

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Lindsey Grist, Corporate Officer

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William Beamish, Mayor



## Special Planning & Development Committee

### MEETING MINUTES

Tuesday, September 8, 2020

Council Chambers, 3:00pm

Municipal Hall, 474 South Fletcher Road, Gibsons, BC

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A Special Planning & Development Committee meeting was held in Council Chambers, 474 South Fletcher Road, Gibsons, on Tuesday, September 8, 2020 at 3:00pm

#### **PRESENT:**

Councillor Aleria Ladwig, Chair (via video-conference)  
Mayor Bill Beamish (via video-conference)  
Councillor David Croal (via video-conference)  
Councillor Annemarie De Andrade (via video-conference)  
Committee Member Clifford Sutton (via video-conference)  
Committee Member Scott Keck (via video-conference)

#### **STAFF:**

Emanuel Machado, Chief Administrative Officer (via video-conference)  
Lindsey Grist, Director of Corporate Services  
Lesley-Anne Staats, Director of Planning (via video-conference)  
Dave Newman, Director of Infrastructure Services (via video-conference)  
Katie Thomas, Planner I (via video-conference)  
Sue Booth, Bylaw Enforcement Office (via video-conference)  
Lisa Howard, Recording Secretary

#### **CALL TO ORDER**

*The Chair called the meeting to order at 3:00pm.*

#### **APPROVAL OF THE AGENDA**

*The September 8, 2020 Special Planning and Development Committee agenda was approved as presented.*

#### **REPORTS**

##### **Katie Thomas, Planner I - Development Permit for Form and Character DP-2020-16 for 1000 Venture Way**

*The report titled Development Permit for form and character DP-2020-16 for 1000 Venture Way was received.*

**RECOMMENDATION(S)**

**THAT Council authorize the issuance of DP-2020-16 for 1000 Venture Way.**

**Katie Thomas, Planner I - Development Permit for Form and Character for Townhouses at 741 Hillcrest Road**

*The report titled Development Permit for Form and Character for Townhouses at 741 Hillcrest Road was received.*

**RECOMMENDATION(S)**

**THAT Covenant BK409675, dated December 1996, be discharged from the title of 741 Hillcrest Road;**

**AND THAT the Planning and Development Committee recommend that the developer bring forward revised plans reducing massing for DP-2020-10 for 741 Hillcrest Road;**

**AND FURTHER THAT staff bring forward a report with options for rear lane access for public access, including vehicular and active travel behind Hillcrest Road by requesting right-of-ways at the time of development including Rezoning, Subdivision, Development Permit or Building Permit.**

**Director of Planning - Poplar Lane-Davis Road OCP/Zoning Amendment Survey Results and Consideration of Second Reading**

*The report titled Poplar Lane-Davis Road OCP/Zoning Amendment Survey Results and Consideration of Second Reading was received.*

**RECOMMENDATION(S)**

**THAT OCP Amendment Bylaw 985-25, 2020, to change the Land Use Designation and Development Permit Area for the Davis Road and Poplar Lane area, be forwarded to Council for Second Reading, as amended;**

**AND THAT Zoning Amendment Bylaw 1065-54, 2020, to rezone the Davis Road and Poplar Lane area to a new RM-7 zone to allow for a three-family dwelling and extend the Garden Suite Area to this area, be forwarded to Council for Second Reading;**

**AND FURTHER THAT an electronic Public Hearing be scheduled to begin at 5:30 pm on October 6, 2020, as authorized under Ministerial Order M192/2020 and in accordance with Section 465(3) of the Local Government Act.**

**Bylaw Enforcement Officer - Proposed New Anti-Noise Bylaw No. 1285, 2020**

*The report titled Proposed New Anti-Noise Bylaw No. 1285, 2020 was received.*



**RECOMMENDATION(S)**

**THAT Anti-Noise Bylaw No. 1285, 2020 be forwarded to Council for First, Second and Third Reading;**

**AND THAT Bylaw Notice Enforcement Bylaw no. 1125-09 be forwarded to Council for First, Second and Third Reading.**

**Director of Planning - New Building Bylaw No. 1284, 2020**

*The report titled New Building Bylaw No. 1284, 2020 was received.*

**RECOMMENDATION(S)**

**THAT Building Bylaw No. 1284, 2020 be forwarded to Council for First, Second and Third reading;**

**AND THAT Bylaw Notice Enforcement Amendment Bylaw No 1125-11, 2020 be forwarded to Council for First, Second and Third reading.**

**MOTION TO EXTEND THE MEETING**

*The meeting was extended until 5:20pm by unanimous consent of the Committee.*

**INQUIRIES**

*The Chair provided an opportunity for public input. There were no inquiries.*

**NEXT MEETING**

*The next Regular Planning & Development Committee meeting to be held on Tuesday, October 6, 2020 in the Town Hall Council Chambers at 3:00pm.*

**ADJOURNMENT**

*The meeting adjourned at 5:01pm.*

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Lindsey Grist, Corporate Officer

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William Beamish, Mayor





# STAFF REPORT

**TO:** Council **MEETING DATE:** September 15, 2020

**FROM:** Lindsey Grist, Corporate Officer **FILE NO:** 0630-30  
Elizabeth Quayle, Communications Coordinator

**SUBJECT:** Town of Gibsons 2019 Annual Report

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## RECOMMENDATION(S)

**THAT Council consider public input on the Town of Gibsons' 2019 Annual Report;**  
**AND THAT the Town of Gibsons' 2019 Annual Report be approved.**

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## BACKGROUND/PURPOSE

The *Community Charter* (Sec. 98) requires Council to prepare an annual report and make it available to the public prior to June 30th in each year. This year, in response to COVID-19, Ministerial Order M159 allowed municipalities to delay this date to August 31, 2020.

The report must then be presented to Council at least 14 days after it has been made available to the public at an Annual Meeting or Council Meeting. The Town of Gibsons 2019 Annual Report was made available to the public on Friday, August 28<sup>th</sup> and is presented to Council today, September 15<sup>th</sup>, 2020 for your approval.

## DISCUSSION

The *Community Charter* requires Council to consider the annual report and hear submissions and questions from the public. Accordingly, an advertisement was placed in the Coast Reporter newspaper, and two social media posts were created to advise the public of the Town's annual reporting and residents' opportunity for input at the Regular Council meeting of September 15, 2020. A digital copy of the annual report is available on the Town's website and a hard copy is available at the front counter of Town Hall.

As in past years, an effort has been made to make the annual report easy to engage with, through the use of short, easy-to-digest project summaries and related photos or graphics with informative cutlines. Over the past few years, we have also focused on helping residents better understand the financial information presented, through the addition of the 'Financial Highlights' pages, the 'Where Do My Property Taxes Go?' graphic and the

'Understanding and Interpreting the Town's Financial Statements' page, which provides a plain language description of the documents that comprise our Financial Statements. Generous use of our corporate colours throughout provides brand consistency with our other corporate materials. Key municipal numbers, such as the current population, the number of business licences issued and the number of development applications received, were also presented in an easily digestible "Gibsons At A Glance / 2019 By The Numbers" full-page spread.

This year, we also included a special report on how the Town is responding to COVID-19. This was positioned as a supplement to the CAO's Message and was included in light of the ongoing interest citizens have in COVID-19 and how it is affecting their community.

There is a legislative duty for annual reports to include "a statement of municipal objectives and measures that will be used to determine progress respecting those objectives, for the current and next year." To fulfill this requirement, the 2019 Annual Report presents the six Core Objectives which comprise the 2019-2022 Strategic Plan, and then shows the progress made against each objective's specific priorities, as at August 2020. This allows Town citizens to easily understand how Council is working to achieve its stated goals.

## **PLAN/POLICY IMPLICATIONS**

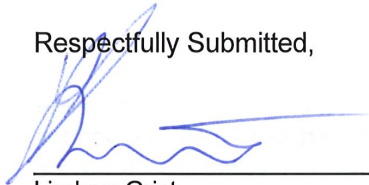
### **Strategic Plan Implications**

The Annual Report is one of the communication tools used by the Town to inform the public. This supports Council's Strategic Objective to enhance communications with residents.

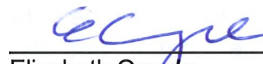
## **RECOMMENDATIONS / ALTERNATIVES**

Staff recommends receipt of the report.

Respectfully Submitted,



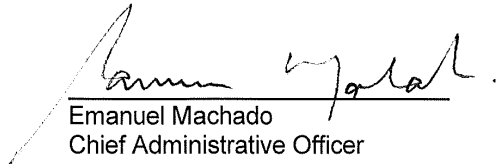
Lindsey Grist  
Director of Corporate Services



Elizabeth Quayle  
Communications Coordinator

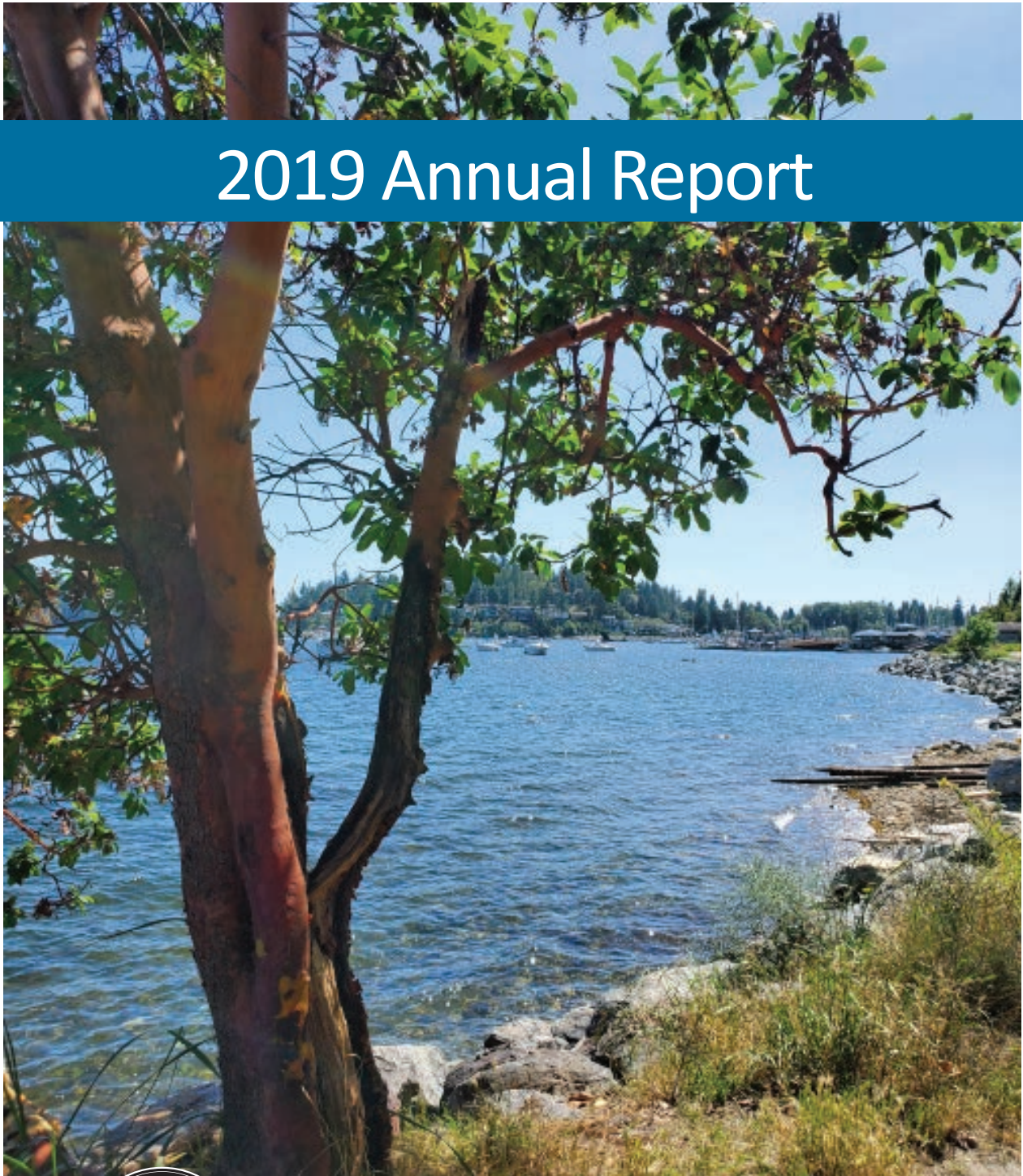
**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I have reviewed the report and support the recommendation(s).



Emanuel Machado  
Chief Administrative Officer

# 2019 Annual Report



[visit-gibsons.ca](http://visit-gibsons.ca)





# OUR VISION

Gibsons will continue to be a welcoming, sustainable community that offers residents and visitors an outstanding quality of life in a natural environment.

We will ensure this beautiful town retains its seaside village character for the enjoyment of all and we will nurture our unique cultural heritage and natural assets while supporting opportunities for the local economy.

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## GIBSONS AT A GLANCE



**4,943\*** population

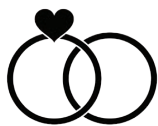
*\*as estimated by BC Stats*



**54.8** years<sup>1</sup>  
Median Age

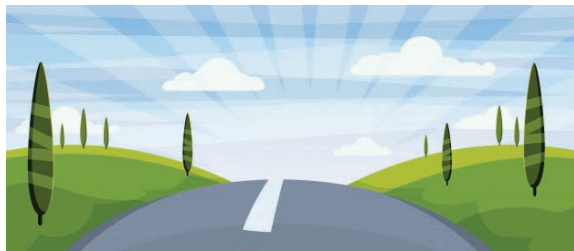


**\$57,370<sup>1</sup>**  
Median Household  
Income



**43.5%**<sup>1</sup>  
of residents are  
married

*1 - According to Statistics Canada 2016 Census*



**32km** paved roads  
**2km** gravel lanes  
**16km** sidewalks

**Total land area:**  
**4.29 km<sup>2</sup>**



**1,048mm**

**Average yearly rainfall**



**28**  
Parks and  
Civic Properties



**8.25** hectares  
of parkland  
per 1,000 residents

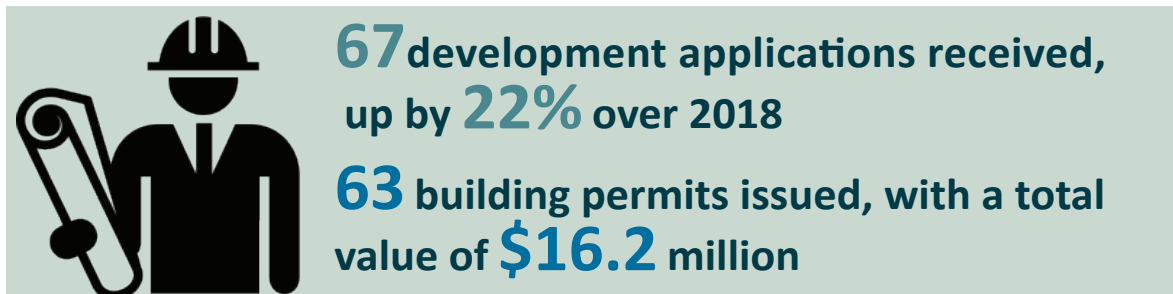
**1886:** George Gibsons and  
his sons land in Gibsons  
Harbour

**1929:** “Gibsons Landing”  
incorporated

**1947:** name changed to  
“Gibsons” at the request  
of citizens



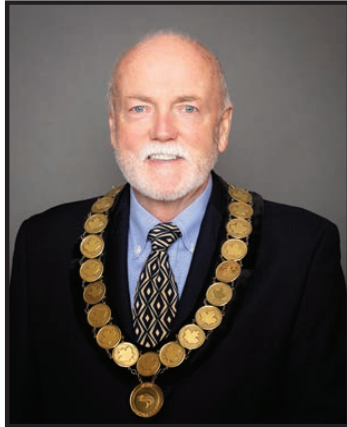
## 2019 BY THE NUMBERS



Gibsons & District Volunteer Fire Department



## MAYOR'S MESSAGE



2019 was a year of transition and change. It was an opportunity for our new Council to begin to put our own ideas into motion while completing many projects initiated by the previous Mayor and Council.

In the spring, plans to build a 40-unit Supportive Housing development on School Road were announced. Spearheaded by BC Housing, this project was jointly supported by the federal government, the Province of BC and the Town of Gibsons. It was finally approved in November 2019 for construction in 2020, after a difficult public hearing.

During the same period, Council appointed two Elphinstone High School students, Sasha Stipek and Jason Lewis, as our first youth Councillors. The Students On Council program was acknowledged by Lt. Governor Janet Austin who visited Gibsons in May and met with Youth Councillor Jason Lewis, members of Council and invited guests from the community.

During 2019, Council also produced a new Strategic Plan, which reflects our key goals and priorities for the community during the 2019 -2022 term. The plan will help to guide our decision-making over the next few years and centres on six core objectives:

- **Increase Community Engagement**
- **Manage our Assets**
- **Plan for Sustainable Growth**
- **Advocate for and Facilitate a Range of Housing Types**
- **Respond to Changing Climate**
- **Advocate and Collaborate on Regional Issues**

Regional planning and cooperation with other local governments on the Sunshine Coast are priorities for Council. In 2019, I, as Mayor, sat on the Regional Board and was chair of the Regional Planning Committee. In December, I stepped down from this position was replaced by Councillor Croal.

Also in 2019, Council established a new Planning and Development Committee (PDC), chaired by Councillor Ladwig. This Committee replaced the Advisory Planning Committee and, in addition to members of Council, includes two volunteer community members, Scott Keck and Clifford Sutton. The PDC provides community perspective to the planning and approval process, reviewing and making recommendations with respect to a broad range of policies and decisions, such as zoning amendments, OCP amendments, Development Permit applications for form and character, and Temporary Use Permit applications.

A policing study was initiated and completed in 2019 by a Select Committee chaired by Councillor Lumley and three community members, Ed Hill, Brad Zalys and Derek Stanfield. Our Corporate Officer, Lindsey Grist, provided staff support. This Committee was asked to identify the impacts on policing in our community, including costs, when our population exceeds 5,000 people. The report, '*Police Services Select Committee Final Report*' was received by Council in December and may be viewed online at [gibsons.ca/police-services-select-committee](http://gibsons.ca/police-services-select-committee).

Our Council also worked with the Affordable Housing Society throughout 2019 to further progress on projects in the community. Projects on Franklin Road and Shaw Road moved from planning to reality and we anticipate that, when completed, these two projects will provide over 70 new rental housing units in Gibsons.

As we closed 2019, we looked forward optimistically to opportunities and plans that would be implemented in 2020. However, regardless of the progress made in the year past, nothing could prepare us for the challenges of a new year and the lurking COVID-19.

I will report on that in full next year. In the meantime, we have provided a report from the CAO on the Town's early responses to the global pandemic on pages 10 - 13.

A handwritten signature in dark ink, appearing to read 'Bill Beamish'.

Bill Beamish  
Mayor, Town of Gibsons  
June 30, 2020

## MAYOR AND COUNCIL

An elected Council comprised of a Mayor and four Councillors governs the Town of Gibsons. Council members are elected for four-year terms to represent the Town at large. The *Community Charter* gives Council the authority to set budgets, levy taxes, and establish policies to guide the growth, development and operation of the community for the benefit and protection of its citizens.



Councillors (left to right) Annemarie De Andrade, Stafford Lumley, Mayor Bill Beamish, Aleria Ladwig and David Croal.



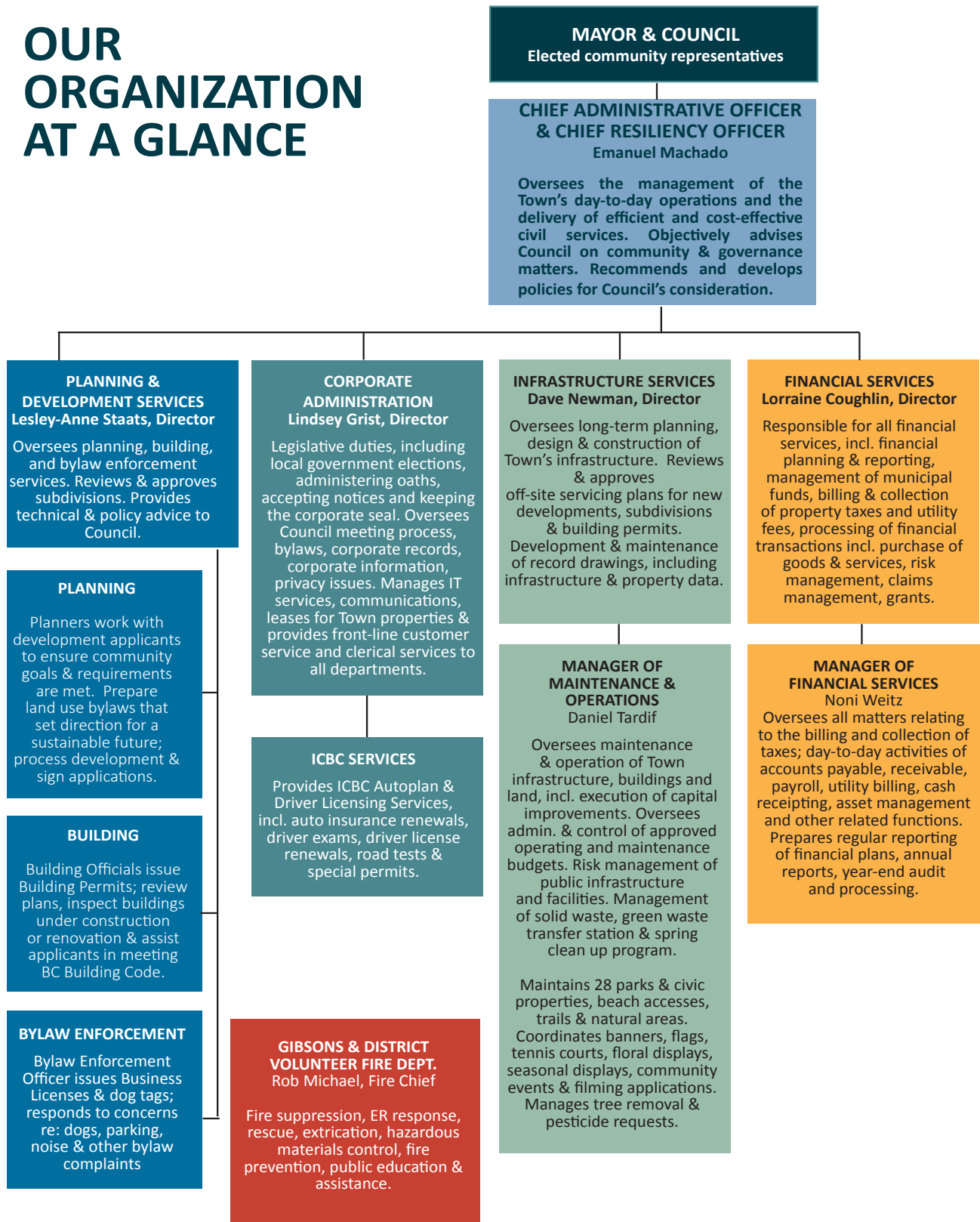
In February 2019, Sacha Stipec and Jason Lewis became the Town of Gibsons' first Youth Councillors. This program was supported by the Gibsons Rotary Club, School District 46 and the community at large, and was developed as a way to provide an opportunity to include and involve students on Council.



The Youth on Council program continued in Fall 2019, when two new students - Eilis Mackenzie and Gravity Guignard - were appointed for the 2019-20 school term.



# OUR ORGANIZATION AT A GLANCE



TOWN OF GIBSONS - 2019 ANNUAL REPORT- 8

## MESSAGE FROM THE CAO



On behalf of the Town's staff, I am pleased to present the Town of Gibsons' Annual Report for 2019.

Last year began with workshops and training sessions to orient and welcome our new Mayor and Council, as they embarked on their four-year term.

One of Council's first projects was the development of the 2019-2022 Strategic Plan. It will help to guide Council's decision-making, as Gibsons continues to grow and prosper, and identifies six core themes: Community Engagement, Asset Management, Sustainable Growth, Affordable Housing, Climate Change and Regional Collaboration. You can read more about the Strategic Plan and see the progress made over the past year against key community objectives on page 29.

In February 2019, the Town of Gibsons was recognized at the Small Business BC Awards Gala, when it won the "Open for Business" category. The award celebrates communities that have created a business-friendly environment which allows small businesses to


flourish. Our current and past Councils have worked hard to do exactly that, through well-developed application processes, excellent community amenities and progressive civic policies. As a result, Gibsons continued to thrive in 2019, with 84 new businesses opening up in the Town during the year.

As the Sunshine Coast attracts more people, the issue of water becomes increasingly critical. How will we ensure there is enough water to meet our needs and, equally importantly, how will we protect our water resources? As water-related decision-making responsibilities are held by Indigenous, federal, provincial and local governments, it is clear that water cannot be managed in isolation. That's why the Town of Gibsons continued to actively advocate for an integrated regional approach to water in 2019, co-hosting two community "Water Dialogue" sessions in June and delivering a report entitled "*Options for Pursuing A Regional Approach to Watershed Management and Governance*" to the Sunshine Coast Regional District (SCRD) in October.

Additionally, the Town advanced our own water strategy in 2019, by laying the foundation to extend water service from the Gibsons Aquifer to Zone 3 residents. This will allow the Town to reduce its water purchases from the SCRD by 95% to 98%, and increase the water available to other users on the Coast. Our next step is to complete a comprehensive analysis and inventory of our community's entire watershed, including forests, drainage networks, aquifer and foreshore areas.

In closing, I would like to take this opportunity to thank every member of our staff, who take great pride in their work. Your constant dedication to a job well done is more than appreciated.

Sincerely,

  
Emanuel Machado  
Chief Administrative Officer  
Town of Gibsons



*The Town of Gibsons has adhered to, and shared, health guidance provided by Dr. Bonnie Henry, Vancouver Coastal Health and trusted sources such as the BC Centre for Disease Control during the pandemic.*

## ***CAO's Update: Resiliency Planning During A Pandemic***

In Gibsons, our response to the COVID-19 emergency has been, primarily, through a climate resiliency lens.

The Town of Gibsons recently applied a resiliency framework that works as a dashboard to identify, prioritize and budget projects and initiatives to increase Gibsons' resiliency to climate change impacts, including global events, which are expected to become more common.

In our resiliency framework, Emergency Planning is identified as an area of focus and includes recommendations to update programs to support neighbourhood preparedness to deal with natural or human-induced disasters.

We had barely identified that as an action, and here we are dealing with an extremely serious situation, affecting everything and everyone we know. I wanted to share some thoughts about what I have observed in terms of our local government's response to this on-going situation.

### **What have been the impacts?**

#### ***Budgetary***

Council recently considered adoption of substantially revised municipal budgets for operations and capital programs. Projects identified as critical were those primarily to deal with ensuring the delivery of essential services, such as water and sewer, affordable housing and climate change initiatives.

Costs of wages and benefits are expected to be higher, at least in the short term, due to overtime costs, increased technology to support staff and Council working from home, physical separation requirements, illness and loss of productivity. Cleaning services for buildings, public washrooms, and additional disinfection requirements have also increased. Bylaw enforcement and community policing costs are up, as we are called on to support implementation of Provincial Health Orders. Pressure to delay property taxes and utility fees required local governments to look to the province for direction on a possible tax deferral or other supports. Without revenues, however, local governments will be unable to pay their bills or maintain basic services.

#### ***Local Economy***

At the community level, businesses are struggling to continue providing essential supports such as medicine and food, daycare, transit and the transportation of goods, while attempting to ensure the health and safety of their staff and the public. The various provincial and federal financial relief programs are most welcome, but you can't help but wonder if the financial aid will arrive too late for some businesses and organizations.

#### ***Mental Health/Property Crime***

A rise in social anxieties is noticeable at home, at work and in the community – and could explain the increase in property-related crime, domestic violence, and mental health-related calls being reported by the RCMP and other police forces.

#### ***Community Response***

One way the Town of Gibsons contributed to the Sunshine Coast's community response effort is by leading the creation of a Business Watch Program, which sees community volunteers patrol business areas after-hours in support of bylaw enforcement and community policing. The Town provides liability insurance and covers the costs of fuel and supplies, as needed. Program background information and implementation details are being shared with other local governments on the Sunshine Coast and elsewhere. More information is available at: [gibsons.ca/gibsons-business-watch](http://gibsons.ca/gibsons-business-watch)

#### ***Public Engagement***

Public engagement is being redefined in order to support the recommended public health need for physical separation. Engagement is almost entirely happening online, by phone and via the newspaper.

However, legislative and legal obligations still require in-person consultation to be considered valid.

The province has provided some flexibility in the short term, but is suggesting that arrangements continue to be made to include the public at large, and other stakeholders that might be affected by Council decision-making.



## How are we responding?

### *Essential Services Maintained*

What has been reassuring from day one is that the provision of essential municipal services, such as water and sewer appear to be resilient to a pandemic, as we and other communities continue to provide those services without interruption.

At the same time, there are challenges with ensuring adequate levels of qualified staff and the procurement of disinfectants and personal protective equipment (PPE), especially if the situation persists over a longer period.

### *The role of natural assets during a pandemic*

During these rapidly changing times, public policy has had to catch up to its new realities.

In an effort to assist with the containment of the virus, public gatherings have been discouraged and people have been asked to practice physical distancing of at least two (2) meters. However, there are concerns about the physical and mental health impacts of long-term isolation.

The Town and others have been trying to find the balance between encouraging people to keep their distance from others, while also promoting healthy activities, such as walks in the woods, trails and other greenspace. There is an abundance of evidence which shows even limited exposure to nature promotes health and wellbeing.

The natural assets that provide those health benefits are managed by the Town of Gibsons, applying natural asset management approaches, as outlined in the Town's asset management policy.

These ecosystem benefits provided by the Town's natural assets, are in addition to other services such as drinking water storage and filtration, rainwater storage and conveyance and slope stabilization, and many others. More information can be found at: [gibsons.ca/natural-assets](https://gibsons.ca/natural-assets)



*The Town and others have been trying to find a balance between encouraging people to maintain physical distancing, while promoting outdoor activities which can help maintain good mental health.*

### *Emergency Management Plan*

On the Sunshine Coast, we have benefited from the existence of an Emergency Management Plan and structure to help the region manage its response to the pandemic. The coordinated response, via an Emergency Operations Centre set-up for that purpose, has been particularly helpful in ensuring unified communications and action planning. Municipal staff from various communities actively participated in the different roles and as a result, we have increased our region's capacity to support the pandemic-related work now and in future events.

Many other agencies and utilities participate as well. More information here: [scred.ca/covid-19-updates](https://scred.ca/covid-19-updates)

### *A culture of teamwork*

Because of the way in which this pandemic has significantly affected virtually everyone, human resources have generated many questions and concerns.

In response, and in close consultation with our labour union, benefits providers and others, we have done our best to provide timely responses and solutions to our staff.

Part of the concern with COVID-19 is that if too many staff get sick at once, we will not be able to deliver the services the community requires.

One key response was to create a series of staff teams, and to operate as follows:

- The new work scheduling system is designed to limit exposure among staff and to ensure that the Town continues to be able to offer at least a minimum level of our usual civic services, over the long term.
- This strategy is one that has been implemented with success in other parts of the world and we felt it was prudent to establish it within our workforce sooner rather than later.
- Each department identified 2-3 teams (Team A, Team B and Team C), based on the number of people in each section. Team A and B work alternating weekly schedules. If a department has enough people for a Team C, those employees remain at home and practice self-isolation during working hours. Team C will be called on to work if either Team A or Team B becomes ill.



*At Town Hall, many COVID-19 precautions were implemented, including the installation of partitions at the front counters.*

### *Continuing Education/Certification*

With the new scheduling protocol in place, many people will be spending increased periods of time at home and perhaps seeking additional ways to stay mentally stimulated. Therefore, we established employee access to LinkedIn Learning (previously known as Lynda.com). LinkedIn Learning is an online learning platform which offers subscribers access to literally thousands of courses, from photography to business to design.

Additionally, if staff requires work-related certification, employees with Environmental Operators Certification Program (EOCP) certificates have been encouraged to sign up for online courses with YOW Canada and with Sacramento University.

### *Risk management*

On top of enhanced health and safety measures to protect workers, contractors and the public, the Town has also conducted Critical Failure Testing on its key infrastructure in the water and sewer utilities. Contingency plans were then developed for the scenarios identified.

Business continuity was our focus when, in a matter of a few days, we eliminated nearly all direct interactions with the public, and between co-workers, and began offering online and phone support to homeowners, builders and developers. Building and development permit applications continue to be received and processed.

Information technology (IT) finally proved its worth, as the transition to working from home instead of the office was almost seamless, albeit with limitations. Despite concerns about data security, privacy and productivity, many of the changes we have introduced are likely to be used more regularly in the future, once the pandemic has passed.

Unfortunately, a real possibility is that we might be faced with having to manage other disasters, such as floods or wildfires, while the current one is still active. In those scenarios, we anticipate that our human resources would be highly stretched to respond. We continue to plan for those eventualities.

## 2019 PROJECTS & HIGHLIGHTS

### CORPORATE SERVICES

The Corporate Services Department (CSD) keeps the Town organized and running smoothly, from managing our Council Meetings to staffing the customer service counter to providing behind-the-scenes clerical support to all departments. The team also manages Town Hall's IT needs and produces all of its external communications, including its press releases, social media, advertising and website content.

During 2019, the CSD was kept busy, overseeing 22 Regular Council, 10 Special Council, 16 In-Camera Council, 18 Committee of the Whole, and seven Planning and Development Committee meetings, tracking progress on 350 resolutions of Council, and hosting two Public Hearings. The team also responded to 12 formal Requests for Information, conducted two Alternate Approval Processes (see following page for more details), produced the 2018 Annual Report, and created a steady stream of print, radio and digital communications to help keep residents informed about Town of Gibsons' issues and projects.

#### ICBC Driver Services

The Corporate Services Department provides ICBC Autoplan and Driver Licensing Services as an appointed agent under contract to ICBC. Services provided include auto insurance application and renewal, driver license/BC Identification application and renewal, and driver testing.

ICBC: KEY STATISTICS	2019	2018	2017	2016
Customer Transactions	14,198	13,550	13,360	13,371
Gross Commissions (\$)	362,747	338,148	316,862	311,588

### FINANCIAL SERVICES

The Finance Department is responsible for the overall financial services of the Town, including financial planning and reporting, monitoring and reporting of government grants, processing of financial transactions including the purchase of goods and services, management of all municipal funds and the maintenance of a system of internal controls, billing and collection of property taxes and utility user fees, and monitoring risk management practices and processing/evaluation of claims.

The Finance Department is also responsible for producing accurate and timely financial reports in accordance with statutory requirements set forth in the *Community Charter*, including developing a *Five-Year Financial Plan* and *Annual Tax Rates Bylaw* each year.

FINANCIAL SERVICES PROVIDED	2019	2018	2017	2016
Homeowner grants processed	1,535	1,539	1,534	1,511
Value of homeowner grants ( <i>in \$ millions</i> )	1.41	1.41	1.40	1.38
Residential tax deferrals administered	253	223	203	180
Property tax notices issued ( <i>annual</i> )	2,412	2,410	2,378	2,342
Utility bills issued ( <i>semi-annual</i> )	4,485	4,442	4,406	4,340
Payments processed ( <i>to suppliers &amp; other taxing agencies</i> )	1,695	1,691	1,480	1,425



## Alternate Approval Processes

The Community Charter gives Council an alternate method of seeking approval from the Town's electors by referendum: the Alternative Approval Process (AAP). The AAP is a less costly and less time-consuming way of asking the electorates' permission to proceed with the adoption of, for example, a borrowing bylaw. If at least 10 per cent of the estimated number of electors (i.e. 372 in Gibsons) oppose the bylaw, agreement or other matter in question, it must be taken to a formal referendum vote before it can be adopted.

### AAP re) Prowse Road Lift Station

In June 2019, Council approved an AAP for "Loan Authorization Bylaw No. 1264, 2019 Capital Improvement Financing Bylaw, Prowse Road Lift Station". The bylaw was brought forward due to the Prowse Road Lift Station requiring a number of critical upgrades, budgeted at approximately \$1.76 million. As there was no capital reserve in place for these upgrades and applications for grant funding for the project had not been successful, the Town proposed borrowing the money necessary to finance the project. During the AAP's 30-day response period, 334 responses were received. As this did not meet the 10% threshold, Bylaw No. 1264, 2019 was adopted on June 18, 2019.

For more information about the rehabilitation of the Prowse Road Lift Station, please refer to page 13.



*The Prowse Road Lift Station provides service for roughly 40% of Gibson's sanitary flows. Sewage from the eastern portion of the Town, which cannot drain by gravity directly to the wastewater treatment plant, drains to the Lift Station, and is then pumped via a force main to the wastewater plant for treatment.*

### AAP re) Aquifer Service Expansion

On July 30, 2019, Council approved an Alternate Approval Process (AAP) for "Zone 3 Aquifer Expansion and General Watermain Replacements (Bylaw No. 1265)", which proposed borrowing no more than \$3,329,000, to be repaid within a 25-year period. During the 30-day response period, one response was received. As a result, the Corporate Officer certified these results and, following a 30-day "quashing period", the Town applied for a provincial review and certificate of approval.

Under Bylaw No. 1265, the Town's annual debt payments will increase by approximately \$182,000 (25-year term). However, the cost savings from reduced bulk water purchases from the Sunshine Coast Regional District (SCRD) are expected to fully offset the debt servicing, as well as the increased operations and maintenance of the new infrastructure. Future water DCCs could also be used to offset the payment of the debt principle.

For more information about the extension of Aquifer service to Zone 3, please refer to page 12.



*As a new supply well drilled in Dougall Park in early 2019 did not produce the amount of water required to expand the aquifer service into Zone 3, an additional supply well was drilled at the west end of Oceanmount Blvd. This well has proven to be an excellent producer.*



## INFRASTRUCTURE SERVICES

The Infrastructure Services Department (IS) is responsible for oversight of the Town's capital works projects; long-term infrastructure planning; Parks and Public Works operations and maintenance; operating and maintaining the Town's Geographical Information System (GIS); development-related infrastructure improvements; and advancing the Town's formalized asset management program and initiatives.

### Aquifer Service Expansion

In 2019, the Town made significant progress in its work to extend water services from the Gibsons Aquifer to Zone 3, including:

**Drilled two new monitoring wells:** These wells will enable the Town to monitor the affect of the increased draw on the aquifer, as well as for saltwater intrusion due to climate change and sea level rise. Conservative estimates, based on regular reports from the Town's existing monitoring wells, show that the aquifer is healthy and able to supply the required water volume for the build out of the Town.

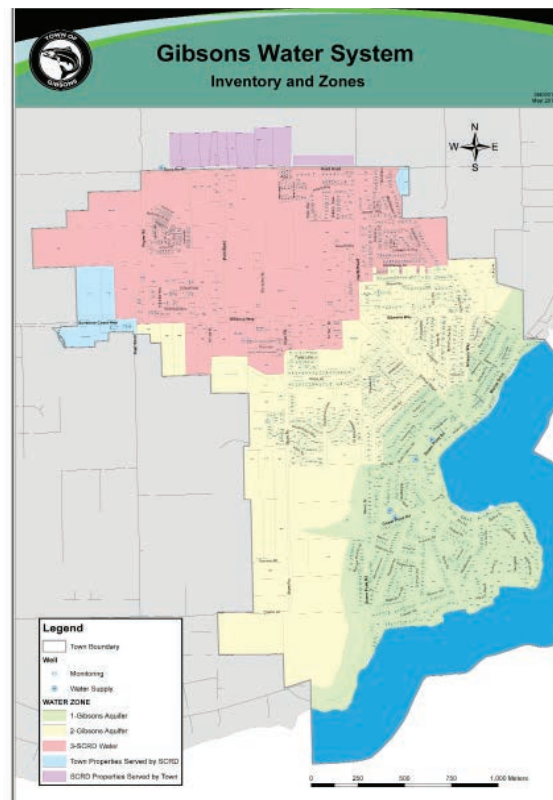
**Drilled a new supply well:** Drilled at the west end of Oceanmount Blvd., this well will allow reliable service to Zone 3. The addition of this well to the Town system will enable the Town to provide adequate water for an estimated population of 7200.

#### Awarded construction tender for Parkland Booster

**Station:** On November 19, 2019, the Parkland Booster Station construction tender was awarded to CHB Services Ltd. in the amount of \$1,050,000, excluding GST.

In the first half of 2020, work continued, with a booster pump station and chlorination equipment constructed next to the Parkland reservoir and a watermain on Reed Road replaced and twinned.

In July 2020, Zone 3 was officially connected to the Gibsons Aquifer.



*The Town of Gibsons is divided into three water zones. Until July 2020, Zone 3 was supplied through a bulk water agreement with the SCRD, while Zone 1 and Zone 2 were served by the Gibsons Aquifer. Now, all three zones are connected to the aquifer.*

#### AQUIFER SERVICE EXPANSION: BACKGROUNDER



Expanding the Town's water supply system is projected to cost approximately \$3.62 million, with \$3.32 million funded by debt. (See page 11 for more information about a related Alternate Approval Process, undertaken in summer 2019.) The cost savings from reduced water purchases from the SCRD are expected to fully offset these capital costs, as well as related regular maintenance costs, over time.

The intent is that the Town will provide the average daily demand and maximum daily demand to Zone 3 from the Gibsons aquifer but will still rely on the SCRD for peak hour water use, emergency storage and fire flow. The new system is expected to reduce the Town's reliance on the SCRD water supply by 95% to 98%.

## Town Embraces Diversity



In June 2019, just in time for 'Pride Month', the Town of Gibsons unveiled three "rainbow" crosswalks at the intersection of School Road, Gibsons Way and Gower Point Road (also known as 'Five Corners'). The crosswalks acknowledge diversity and acceptance of the LGBTQ members of our community.

In July 2020, Council carried a motion to support the "Critical Incident Response Protocol" to demonstrate its support for the idea that "it is desirable for all residents of the Sunshine Coast to enjoy...living in a free, welcoming, inclusive and civil society" and that they "agree to work towards the effective implementation of policies and practices...that recognize, affirm, and encourage the inclusion of all."

## Prowse Road Lift Station Upgraded

Built in 1972, the Prowse Road Lift Station is a significant infrastructure component of the Town's sanitary collection system, providing service for roughly 40% of Gibsons' sanitary flows.

Sewage from the eastern portion of the Town, which cannot drain by gravity directly to the wastewater treatment plant, drains to the Prowse Road Lift Station, and is then pumped via a force main to the wastewater plant for treatment.

Following an AAP in June 2019 (see page 11 for more details), the Town initiated a number of significant upgrades to the Prowse Road lift station, which include replacing corroded pipes, improving the wet well and updating valves and electrical components.

These upgrades are also expected to help the lift station better sustain extreme weather events, which have become more common in recent years.

The project has been budgeted at approximately \$1.76 million and the upgrade work started in October 2019. It is expected to be complete by fall 2020.

## Beaches/Foreshore Restored

In December 2018, an unusually strong winter storm hit Gibsons, creating damage at Georgia, Pebbles and Atlee's Beaches. Subsequently, staff applied for, and received, a partial grant from Provincial Disaster Financial Assistance and in fall 2019, a range of needed repairs were undertaken.

These included reconstructing a lock block wall at Pebbles Beach and addressing significant erosion issues at Georgia Beach. Improvements were also made at Armours Beach, with the vertical pilings and log booms replaced in summer 2019.

Further upgrades are planned for all four beaches in 2020, depending on the impact of COVID-19 on the Town's annual finances.



*Improvements in front of the old Coles Marina site built up the area over the trunk sewer to provide a continuous level area for maintenance vehicles and pedestrians.*



*The improvements in front of Armours Beach included replacing a failing block wall with sloped rock protection and rebuilding the stairs down to the beach.*

## PUBLIC WORKS

The Public Works team is responsible for ensuring the continuous and safe operation of the Town's infrastructure and facilities, including our wastewater collection and treatment system, water supply system, drainage system and municipal buildings, as well as 32km of paved roads, 2km of gravel lanes, 16km of sidewalks, street signage, and streetlights. (It is not responsible for maintaining Highway 101, which is serviced by the Province of BC.) The team is also responsible for brush cutting, line painting, vehicle purchasing and solid waste management, including the spring cleanup program and operation of the green waste transfer facility.

During 2019, the Public Works crew performed multiple operations and maintenance-related duties, including snow clearing and salting, regular water sampling, well inspections, catch basin cleaning, fire hydrant inspections, dust control, street sweeping, and flushing of the Town's watermain, as well as responding to multiple service requests each quarter. Importantly, they also operated and maintained Gibsons' Wastewater Treatment Plant, ensuring that it consistently met (or surpassed) all four effluent permit parameters established by the Province of BC.

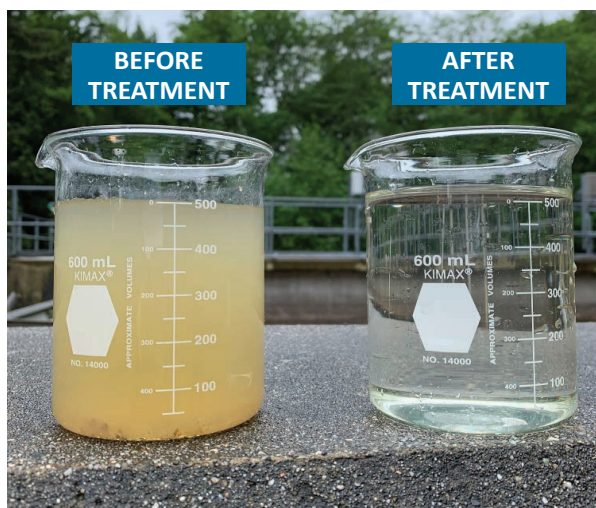
### New Technology, Processes Create Efficiencies, Improve Communication & Reduce Risk



Parks, public works, and the wastewater treatment plant crews are responsible for the natural and engineered asset operations and maintenance at the Town. During 2019, the crews undertook significant changes in processes, technology and documentation, including:

- adopting new hardware and software;
- evolving their use of existing software;
- developing new processes to handle work requests;
- implementing an operations and maintenance scheduler; and
- creating a complete range of new documents, specifically designed to support change initiatives, mark progress, be used as tools and create organizational resiliency.

As a result of these changes, and the crews efforts, the Town has seen significant progress in its processes (which are now more efficient and manageable), technology (which is creating efficiencies data collection and internal communications) and documentation (which protects against liability, creates organizational resiliency to change and helps with decision-making).



### Wastewater Treatment Plant Optimized & Upgraded

The Town of Gibsons' wastewater treatment plant (WWTP) was commissioned in 2005.

In 2019, a number of optimization and upgrades were completed at the facility, including the construction of an equalization tank, and modernization of the process instrumentation and control system to improve the plant efficiency.

Budgeted at \$2.1 million, the upgrades were required so that the Town may continue to meet our Provincial permitting requirements to discharge treated effluent into the ocean, and to ensure the plant continues to run as efficiently as possible.

*(left) Our WWTP removes 99% of suspended solids from influent before discharging into the ocean.*



## PARKS/COMMUNITY SERVICES



*"Butterfly" gardens have been planted at Armour's Beach in order to attract beneficial insects which help with pollination. Parks crew also planted many native plants at the site, which thrive in our climate.*

### User-Friendly Trail Guide Issued

Published in April 2019, this Sunshine Coast user-friendly trail guide (right) was produced in partnership with the District of Sechelt and the Sunshine Coast Regional District. Specifically designed for the mobility-challenged, the guide features low-gradient trails and trail profiles to help users make an informed decision about which trails best suit their abilities. Copies of the trail guide may be downloaded at: [gibsons.ca/walk-or-cycle-gibsons](http://gibsons.ca/walk-or-cycle-gibsons).

### Bear Management Initiatives Underway

In late 2019, four bear-proof garbage cans were purchased to reduce bear attractants. Moving forward, the Town's goal is to place bear-proof cans at all trailheads, along with standardized signage to improve way-finding.

### Playing Fields Prioritized & Improved

In fall 2019, staff met with a group of playing field stakeholders, including representatives for sports teams, other local municipal governments and the school district, to identify the maintenance required to ensure minimum service levels. Since then, considerable work has been undertaken at the Brothers Park to improve the condition of the playing fields.

### Wendy Gilbertson Retires

Wendy Gilbertson, the long-time Director of Parks and Cultural Services retired in August 2019, after 35 years with the Town. A retirement celebration was held at Town Hall and was well attended by many of Wendy's past and present friends, colleagues and associates.

The Parks team is responsible for maintaining 28 parks and civic properties, beach accesses, trails, playing fields, playgrounds, tennis courts and natural areas for the use and enjoyment of the public. The team also manages the Town's banner program, special flag ceremonies, floral and seasonal displays, tree removal and pesticide applications.

Community events are managed by the team in coordination with event organizers and organizations. During 2019, 24 community events were held in Gibsons, including the Jazz Fest, Music in the Landing, and Gibson's first Lantern Festival. In August 2019, the Town sponsored "Nearly Neil", an outdoor musical concert featuring a Neil Diamond impersonator. The "Nearly Neil" event was held in lieu of Sea Cavalcade, which was cancelled for the first time in 50 years due to a lack of volunteers.



## Natural Asset Management



The Town of Gibsons is internationally recognized for its work in pioneering an Eco-Asset Strategy, which recognizes and quantifies the role that natural assets such as our foreshore, the Gibsons Aquifer, and White Tower Park storm water ponds (*shown left*) play in delivering core municipal services.

During 2019, we continued to apply traditional asset management and financial tools to our natural assets, with the goals of: increasing the Town's natural resilience to climate change; providing core services to residents at a reasonable cost; and reducing the risks and costs associated with maintaining a suite of engineered assets.

We also continued working to help other municipalities and asset management organizations to translate their enthusiastic interest in our asset management approach into real-world practice.

In June 2019, for example, CAO Emanuel Machado presented an overview of the Town's nature-based program at the annual meeting of the Canadian Council of Ministers of the Environment.

Mr. Machado was one of three speakers invited to speak to the group, which is composed of the environment ministers from the federal, provincial and territorial governments.

Gibsons' natural asset strategy also attracted attention from international quarters, with staff hosting delegates from the South African Local Government Association in July 2019. The delegates were participants in the Federation of Canadian Municipalities *Building Inclusive Green Municipalities Program*, which aims to stimulate economic growth and modernize infrastructure in South Africa's Eastern Cape Province.

In 2019, the Town also received an award for "Government Leadership in Sustainable Infrastructure" at the annual Awards for Civil Engineering Excellence, and contributed an article to Public Sector Digest, which described how the Town's natural asset strategy is helping it prepare for climate change.



In November 2019, an eelgrass mapping study was conducted as Phase 1 of 'Project Healthy Harbour' which will see the Gibsons Marine Education Centre Society work with the Town of Gibsons to advance the goals set out by Council for the Gibsons Harbour area. Through a variety of initiatives, including targeted marine surveys and public engagement activities, Project Healthy Harbour aims to build regional expertise, and support actions to ensure responsible stewardship of the Gibson Harbour's social, cultural and economic assets.

### WHAT IS ASSET MANAGEMENT?

**Asset management is the formalized process\* the Town of Gibsons uses to help ensure the services we provide are delivered in the most cost-effective, reliable, and sustainable way, using the resources we have.**

**Good asset management planning helps the Town plan for the long term, make effective operations and maintenance plans, and prioritize infrastructure projects.**

**Asset management is the Town's most important job.**

\*Asset Management BC provides a framework, resources and support to local governments to support asset management practices.

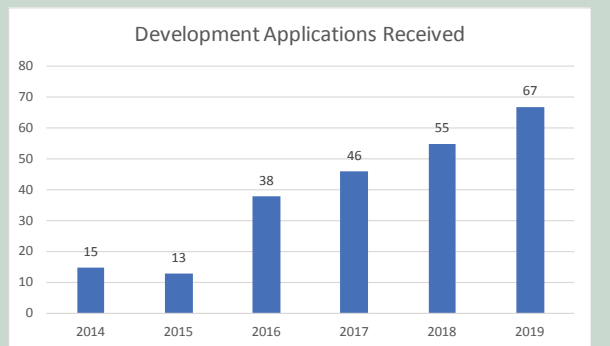
## PLANNING & DEVELOPMENT

The Planning, Building and Bylaw Enforcement Departments work to promote and enhance Gibsons' social, environmental and economic well-being by working with developers, builders, owners and the public to ensure that community goals and requirements are met, and by following up on complaints and concerns raised. There are two main types of work handled by the Planning Department; long-term planning, which includes work with the community on initiatives with a long-range focus, and current planning, which includes the processing of subdivision and development applications.

### Development Applications Rise Again

Planning staff received 67 development applications in 2019, up by 22% over 2018.

These included a variety of applications, including development permits (25), variances (10), comfort letters (8), temporary use permits (6), sign permits (5), and others.



### We Are An Age-Friendly Community!

In September 2019, the Town of Gibsons was one of 10 communities in the province to be officially recognized by the Province of BC as being an "Age-Friendly Community."

The recognition is due to efforts by past and present staff and Council to support seniors so they can live active, safe, socially engaged and independent lives. Examples of local projects include: the development of lower gradient pathways between Lower and Upper Gibsons, such as Helen's Way and the multi-use trail on Gibsons Way; development of several affordable housing projects, including the supportive housing complex on School Road; revitalization of

Armours Beach, to improve usability and accessibility; creation of Gibsons Public Market as a community gathering place; and publication of User-Friendly Trail Guide for the Mobility Challenged.



### Housing Needs Assessment Underway

In 2018, the Province introduced legislation requiring all local governments in BC to review their local housing needs and to consider those specific needs when creating policy and making decisions about future development.

Accordingly, in 2019, the Town applied for, and received, a grant from the UBCM Housing Needs Reports Program to conduct a comprehensive assessment of the housing needs on the Sunshine Coast.

Conducted in partnership with the District of Sechelt and the Sunshine Coast Regional District, the housing needs assessment was launched in spring 2020 via an online survey which attracted 604 respondents.

A final report on the findings is expected to be complete in fall 2020, and will include data on affordability, population (current and projected), real estate, homelessness and insecure housing, household incomes, and dwelling unit types and condition.





## Affordable Housing Projects

Over the last decade, housing on the Sunshine Coast has become increasingly expensive, spurring an urgent need for additional affordable housing options. The Town of Gibsons is working to address this challenge, both by partnering on local development projects with key organizations, such as BC Housing and the Sunshine Coast Affordable Housing Society (SCAHS), and by working to amend our policies and bylaws in order to encourage the creation of more affordable housing units.



### 571 Shaw Road Project

Phase 1 of this affordable housing project (shown above) will include a 40-unit building comprising a mix of studio, one, two and three-bedroom apartments. The Town of Gibsons is contributing the land for the project, which is valued at about \$1.6 million.

In January 2019, Council determined that this affordable housing project (which was originally proposed to be set on the Charman Lands) would be moved to 571 Shaw Road.

In spring 2019, the Town received a zoning and OCP amendment application for the project. The amendments were approved in October 2019, following a Public Hearing.

In December 2019, the SCAHS requested \$400,000 toward the cost of Phase 1 construction. In March 2020, Council approved a contribution of \$310,000, or an amount equal to the project's Developer Cost Contributions. The funds will come from the Town's Affordable Housing Reserve.

In summer 2020, Council approved the issuance of a form and character development permit for the project.

### Harmony Lane at Franklin Road

The Town is working in partnership with the SCAHS to build three rental units – one single family dwelling with a secondary suite (both 25% below market rental rates) and garden suite (market rental rate) – on the proposed property at Franklin Road/Harmony Lane.

The Town is contributing a 60-year land lease and some funding from its Affordable Housing Reserve to the project, and BC Housing will hold the mortgage. SCAHS will manage and operate the three rentals when completed. In May 2020, the SCAHS announced that construction on the project had begun.

### Supportive Housing Project: 749 School Road

In March 2019, the federal government announced it was transferring the property at 749 School Road to the Town of Gibsons for the purposes of constructing a 40-unit supportive housing development.

Through the spring and summer of 2019, feedback from the community was gathered through several forums, including two Public Information Meetings held at the Gibsons Public Market. Comments were also received from the RCMP, School District 46, Vancouver Coastal Health, and Sunshine Coast Community Services.

In October, a Public Hearing was held at the Gibsons Legion, with a total of 308 written and verbal submissions received. Of those, 28% opposed the proposal and 72% supported the proposal.

Subsequently, Council adopted the bylaw amendments required to allow the construction of the building.

In January 2020, the old RCMP building was demolished, with site preparation and footing construction underway through to spring. In August 2020, the modules that will comprise the housing development were lifted into place.



*In December 2019, indigenous artist Simon Daniel James Winadzi, of the firm Kolus Arts, presented three artwork designs for the exterior of 749 School Road.*

## Bylaw & Policy Development



### Short Term Rental Accommodation (STR) Bylaws

Over the past decade, the popularity of short-term rentals (defined as accommodation rentals less than 30 days in length) has grown exponentially, spurring a need in the Town for defined STR regulations.

In 2019, a consultant was hired to support staff in the development of rules that would:

- Respond to the needs of homeowners who wish to have added revenue;
- Provide tourists with accommodation options for staying in and visiting Gibsons; and
- Keep the scale of businesses appropriate to residential neighbourhoods.

In October 2019, the consultant hosted a series of community dialogues with stakeholders in the STR industry.

In December 2019, a report on how to regulate STRs was brought forward for Council's consideration. Council subsequently directed staff to prepare bylaws to regulate and allow hosted STRs (where the host lives on-site) and disallow un-hosted STRs (where the host does not live on-site).

In May 2020, staff presented three STR-related bylaws for consideration, which proposed:

- Merging B&Bs with STRs;
- Requiring a property owner or authorized operator to be on-site during a guest stay;
- Enhanced business license requirements; and
- Increased fines for certain violations.

Two virtual hearings on the proposed bylaws took place in July 2020, with Council ultimately deferring its decision on third reading until September 2020, when all Councillors could be present.

### Cannabis Policy

On October 17, 2018, the government of Canada legalized non-medical cannabis. This major change to national legislation, in turn, triggered changes in how the Town of Gibsons treated existing non-medicinal cannabis retail stores, and how future applications for a licence to sell or produce non-medicinal cannabis within Town boundaries will be processed.

Initially, the Town's approach was to provide Temporary Use Permits to cannabis retailers on a case-by-case basis. However, this process was found to be both onerous and uncertain, and work began to develop a comprehensive cannabis policy.

During the third quarter of 2019, a consultant was engaged to collect feedback on potential bylaw amendments from the cannabis production and retail community.

Subsequently, a report on the findings was delivered, with the Planning and Development Committee recommending that Council direct staff to prohibit cannabis production in all zones, and consider retail cannabis store and cannabis production facility applications on a case-by-case basis.

Next, staff started work to develop a policy to outline criteria for spot rezoning applications. In April 2020, an online survey to collect feedback from the public on the criteria was launched, with 72 people completing the survey and indicating general agreement with the policy as proposed.



In June 2020, Council adopted the Cannabis Policy, which describes locational criteria for cannabis production facilities and retail stores and outlines the procedure under which applications will be accepted, assessed and approved. The policy will be reassessed after a period of three years to determine whether amendments are warranted.

The first application for a cannabis production facility was approved by Council on July 28, 2020.



## Development Projects

### Block 7 (Gospel Rock)



Greenlane Homes anticipates constructing a mixture of commercial, multi-family and single-family buildings on this 47-acre site. The proposal allows for up to 360 residential units and protects approximately 46% of Block 7 from development through park and greenspace.

In the first quarter of 2019, Council finalized the rezoning of Block 7, and the developer completed initial tree clearing in preparation for planned roads and the first building site.

In fall 2019, following several presentations to the Planning & Development Committee, Council authorized the issuance of the form and character development permits required for the Gospel Rock Village, Apartments, Townhouses, and Hotel.

By mid-2020, site works had begun at the upper level of the project, with staff working with the developer on a subdivision servicing plan for the lot. Additionally, input was received from various stakeholders on the construction of a boardwalk to run alongside a portion of Gower Point Road.

### 409 - 385 Gower Point Road (The George)

Klaus Fuerniss Enterprises Inc. is proposing a mixed-use development to include residences, hotel, conference centre and waterfront restaurant on this 1.3 acre site. A form and character development permit (DP-2018-05) was issued in June 2018.

In early 2019, the Town issued a Preliminary Layout Approval (PLA) to the developer. Shortly after that, all structures were removed from development site.

On May 19, 2020, Council resolved that DP-2018-05 be extended to June 1, 2022, subject to an updated landscape estimate and that the previously approved Land Exchange Agreement be extended to June 1, 2022, subject to the Town securing an accessible pathway through The George property to access Winegarden Park.

### 464 Eaglecrest Drive (Eagleview)

TCD Developments (Gibsons) Ltd. plans to build 87 residential units on this 5-acre site.

In 2019, Council finalized the rezoning of 464 Eaglecrest Drive and issued the necessary Development Permits. The developer has also received a building permit for the first structure on the property, but a commencement date is not known at this time.

On May 5, 2020, a legal action brought against the Town of Gibsons by the O'Shea/Oceanmount Community Association in relation to this project was found, in the Town's favour.



## Building Inspection Services

Building Inspection Services works ensure our citizens' quality of life is maintained by regulating all construction within the Town. This is achieved through the use of the *Building and Plumbing Bylaw*, the *British Columbia Building Code*, the *British Columbia Fire Code*, and other related bylaws and enactments within the Town of Gibsons.

<b>BUILDING PERMITS ISSUED</b>	<b>2019</b>	2018	2017	2016
Single-family:	35	50	39	24
Two-family:	0	0	5	12
Multi-family:	6	3	7	2
Commercial, industrial, institutional:	13	21	19	18
Other:	9	7	9	17
<b>Total number of permits issued</b>	<b>63</b>	81	79	73
<b>Total value of permits issued (\$ millions)</b>	<b>16.2</b>	13.4	13.3	13.8

## Bylaw Enforcement

Staff deal with bylaw complaints on a daily basis. These include calls about noise, animal control, zoning, parking, unsightly property, sidewalk encroachment and signage uses.

The general operating philosophy of the Town's Bylaw Enforcement Officer is one of education and voluntary compliance first, which generates a high success rate. After that, municipal ticketing, adjudication or remedial action may be used to achieve compliance.

In June 2019, Council approved *Bylaw Enforcement Policy 3.16*, which ensures a consistent, unbiased and transparent approach to bylaw enforcement based on current and best practices. The policy describes the procedures related to Bylaw Enforcement, including the complaint process, the setting of priorities for action, assessment criteria, and the appeal process.

In fall 2019, the Bylaw Enforcement Officer began working with the BC Conservation Service and the Wild Safe Coordinator following a dramatic increase in bear conflicts within the Town. Efforts centred on working with owners of problematic properties, to help them upgrade their waste containers and fortify communal collection areas. Additionally, work began on a bylaw amendment to make it a ticketable offense to place recyclables in the garbage. This change, which was primarily designed to provide the Bylaw Enforcement Officer with the ability to fine habitual offenders, was adopted in January 2020.



<b>BYLAW ENFORCEMENT STATISTICS</b>	<b>2019</b>	2018	2017	2016
Dog tags issued:	351	370	363	359
Complaints received:	284	295	292	300
New business licenses:	84	89	96	76
Renewed business licenses:	485	475	450	433
Enforcement Notices:	337	264	382	270

# GIBSONS AND DISTRICT VOLUNTEER FIRE DEPARTMENT



The Gibsons and District Volunteer Fire Department (GDVFD) has been providing life and property protection to the West Howe Sound Fire Protection District since 1937.

The Fire Department is a Sunshine Coast Regional District (SCRD) function, which serves a population of about 10,000 and covers a fire protection district of roughly 22.7 km<sup>2</sup>.

The SCRD Board established the GDVFD as “full service” in accordance with the Provincial Playbook in 2016.

## GDVFD STATISTICS

	<u>2019</u>	<u>2018</u>	<u>2017</u>	<u>2016</u>
<b>Calls for service:</b>	<b>296</b>	228	267	276
<b>Person hours (service calls):</b>	<b>2,795</b>	2,500	2,805	2,128
<b>Person hours (training):</b>	<b>4,408</b>	4,224	4,814	4,758

## Fire Crew

At December 31, 2019, the GDVFD consisted of 42 active volunteer members and six new recruits. Duties of the volunteers include 24/7 response to fire and rescue operations, and maintaining the readiness of all apparatus and equipment. Operational support to the volunteer members comprises four paid full-time staff; one Fire Chief, one training officer, one fire prevention officer and one fire inspector. In addition to emergency response, these members conduct fire and life safety inspections, develop pre-incident plans, take an active role in local developments and work to educate the public through a variety of outreach initiatives.

## Annual Highlights

In February 2019, a team of firefighters from the Sunshine Coast participated in the BC Lung Association’s 18th Annual “Climb the Wall” event. Through their participation in this event, Sunshine Coast firefighters have raised nearly \$30,000 over the past 12 years, in support of lung health research, education and patient support programs.

During 2019, Dave Mitchell & Associates (a BC company that offers independent consulting on a wide range of issues related to public safety operations) delivered a final report on the Sunshine Coast’s four fire services to the SCRD’s Planning & Development Committee meeting. The report, which was also presented to the Town of Gibsons’ Council, included 45 recommendations, some of which were approved for immediate implementation. A service plan was recommended to implement the remaining recommendations in a balanced manner.

In an effort to better familiarize fire department personnel with the features of public buildings, such as the location of utility and fire suppression equipment and potential hazards to personnel, pre-incident plans are being created for 204 properties in the GDVFDs fire protection district. In 2019, pre-incidents plans were created for the Gibsons Professional Block, Gibsons Quay, Venture Way Storage, Camp Sunrise, Gibsons Marina, IGA Plaza, Sunshine Coast Self-Storage, Gibsons Curling Club, Andy’s Plaza, BMO Blue Heron and North Road Thrift Store.





**SCRED**

## 2019 - 2022 STRATEGIC PLAN

The 2019 -2022 Strategic Plan was created in cooperation with Town staff and the community, and is meant to help guide Council's decisions, activities and allocation of resources during their term of office. Additionally, as a number of Priorities have been developed for each of the Strategic Plan's 'Core Objectives', we can use it as a means of tracking the progress made against the Council's stated goals. On the following pages, brief descriptions of the key actions taken on each priority between January 2019 and August 2020 is provided.

### OUR CORE OBJECTIVES

#### Increase Community Engagement

- We will inspire and encourage citizens of all ages to engage in the decision-making process
- We will actively listen to the ideas of all our stakeholders
- We will help our citizens understand the challenges and competing demands facing the community

#### Manage Our Assets

- We will focus on fiscal sustainability and support our staff in the prudent management of our natural and engineered assets, to ensure the Town can continue to deliver critical infrastructure services in perpetuity

#### Plan for Sustainable Growth

- We will plan for the future in a manner that reflects our finite resources
- We will value the unique character of our Town and its neighbourhoods
- We will create spaces that promote a sense of community and are accessible to all
- We will preserve our green spaces
- We will support local business and foster a diverse economy

#### Advocate for and Facilitate A Range of Housing Types

- We will actively work toward increasing the supply and range of safe, secure and attainable affordable housing options

#### Respond to the Changing Climate

- We will apply a climate lens to the planning and development of actions, plans, policies and infrastructure projects
- We will adapt Town infrastructure to increase its resiliency to the local impacts and risks from climate change
- We will reduce the greenhouse gas emissions produced by the community and through the provision of municipal services to meet regional targets

#### Advocate and Collaborate on Regional Issues

- We will collaborate and partner with our neighbouring jurisdictions to effectively address shared opportunities and challenges

*To view the Strategic Plan in full,  
please go to: [gibsons.ca/strategic-plan](https://gibsons.ca/strategic-plan)*

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### INCREASE COMMUNITY ENGAGEMENT

*Goal: To inspire and encourage citizens to become engaged with municipal government and have their voices heard, while ensuring our citizens understand the challenges and competing demands facing the community.*

#### PRIORITIES/PROGRESS

##### Live-stream Council meetings

- As of April 7, 2020, all Council meetings, Planning & Development Committee meetings and Committee of the Whole meetings are livestreamed, as well as recorded and uploaded to YouTube for future viewing.

##### Continue to develop and expand opportunities for youth involvement with Council

- In February 2019, Sacha Stipek and Jason Lewis became the Town's first Youth Councillors.
- In fall 2019, Eilis Mackenzie and Gravity Guignard were appointed as Youth Councillors for the 2019 - 2020 school term.

##### Create more opportunities for public dialogue with Council

- In July 2019, Mayor Beamish re-initiated Community Dialogue sessions, which are intended to provide an ongoing opportunity for residents to meet with members of Gibsons Council and staff in a neutral setting and to provide opportunity to discuss issues of current interest or specific projects that are planned or actively being considered for the community. Between July 2019 and March 2020, four community dialogues were held on these topics: Council-community communications; the Strategic Plan; Accessibility in the Town; and FireSmart & Wildfire Protection.
- Prior to COVID-19, Mayor Beamish made himself available to residents at Town Hall during regularly scheduled hours, which were published on the Town's website.

##### Create more opportunities for early public input on key decisions

- In November 2019, an initiative to build a supportive housing development at 739 School Road was passed. Prior to that decision, extensive community consultation was undertaken by BC Housing and the Town, including through two letters to residents, four community dialogues, an interactive website, two Public Information Meetings, radio and newspaper advertisements and a Public Hearing.
- Online surveys are now being employed to solicit community feedback on proposed policy changes. Between April 2020 and August 2020, survey topics included cannabis, the BC Energy Step Code, Davis Road-Poplar Lane Rezoning and the Stonehurst Proposal.

##### Continue to plan for an age-friendly and inclusive community

- In September 2019, the Town of Gibsons was one of 10 communities in BC to be officially recognized as being an "Age-Friendly Community".
- In July 2020, April Struthers, of the Sunshine Coast Organizing Against Racism and Hate Committee presented to Gibsons Council and asked Council to sign a community protocol for response to critical incidents of racism and hate. Subsequently, Council carried a motion to support the Critical Incident Response - Protocol for Organizing Against Racism and Hate.

## MANAGE OUR ASSETS

*Goal: To effectively manage and protect the Town of Gibsons' assets - human, natural and engineered - so they may continue to provide our citizens with safe, reliable services and infrastructure in the near and long-term.*

### PRIORITIES/PROGRESS

#### **Continue to support, advance, and promote our natural asset management strategy**

- Throughout 2019 and the first half of 2020, we continued to apply traditional asset management and financial tools to our natural assets.
- In April 2019, Town staff contributed an article to Public Sector Digest about how the Town's natural asset strategy is helping it prepare for climate change.
- In June 2019, the CAO presented on the Town's nature-based program at the annual meeting of the Canadian Council of Ministers of the Environment.
- In July 2019, staff hosted delegates from the South African Local Government Association who were participants in the Federation of Canadian Municipalities "Building Inclusive Green Municipalities Program".

#### **Continue to seek operational efficiencies in order to maximize Town resources**

- In December 2019, Parks staff was trained on air brake operations. This enables them to provide additional capacity to the crew for salting and snowplowing Town roads during the winter season.

#### **Complete White Tower Pond upgrades**

- In July 2020, the Town of Gibsons announced that it had been awarded a total of \$955,000 by the Province of BC (\$382,000) and the Government of Canada (\$573,000) to construct an additional storm water pond at White Tower Park. With the new funding, the Town will build an additional pond on the vacant Town-owned parcel of land behind the Gibsons & District Aquatic Centre. Work on the new pond is expected to begin in 2021 and take several months to complete.

#### **Extend Aquifer service area to Zone 3 residents**

- In August 2020, this two year, \$3.3 million project was completed. (See page 16 for more information.)

#### **Complete optimization and upgrade of Wastewater Treatment Plan**

- By the end of Q2 2020, this \$2.1 million project was 98% complete. (See page 18 for more information.)

#### **Complete optimization and upgrade of Prowse Road Lift Station**

- By the end of Q2 2020, this \$1.2 million project was 50% complete. (See page 17 for more information.)

#### **Support advancement and implementation of formal asset management plans**

- Management plans for the various asset classes, including natural assets, continue to be developed, updated and implemented on an ongoing basis.

#### **Set tax rates and user fees that move Gibsons closer to true financial sustainability**

- The annual review of the Town's Long-Term Financial Plan takes place each fall. Updated information is incorporated at that time. Staff uses this information as basis for any recommended changes to tax/user rates each year.

#### **Partner with Nicholas Sonntag Marine Education Centre to advance the environmental stewardship of Gibsons Harbour**

- In November 2019, an eelgrass mapping study was conducted as Phase 1 of 'Project Healthy Harbour' which will see the Gibsons Marine Education Centre Society work with the Town of Gibsons to advance the goals set out by Council for the Gibsons Harbour area. (See page 20 for more information.)

## PLAN FOR SUSTAINABLE GROWTH

*Goal: That planning for the future results in appropriate densities, maintains our unique character, preserves green space, provides for accessible, connected neighborhoods and reflects our carrying capacity; to gain support for a strategic, long-term approach to addressing the impacts of growth and development.*

### PRIORITIES/PROGRESS

#### Implement a Cannabis Policy

- On June 16, 2020, after extensive community and stakeholder consultation, Council adopted *Cannabis Policy 3.17 for Retail and Production Facilities*.

#### Plan for funding our police force

- In February 2019, Council established a Policing Services Select Committee to provide an overview of the history of police services in Gibsons, identify issues and actions to improve the level of policing services in Gibsons, and discuss options for policing the Town of Gibsons.
- On December 17, 2019, the Committee delivered the "*Police Services Select Committee Final Report*" to Council, which recommended that the Town opt for an agreement for RCMP policing, but with a contract that spells out specific service levels. The report also estimated that under the 70% cost-sharing model (which kicks in when Gibson's population officially reaches 5,000), the Town will need to raise between \$739,978.40 and \$1,001,221.20 in new taxation, depending on the number of dedicated officers for Gibsons.
- In the 2020 budget, Council intended to implement a 4% tax increase, with 1% of that placed in a reserve fund for future policing costs. However, due to COVID-19, the tax increase was held to 2.2% and the plan to establish a Police Reserve Fund was postponed.

#### Develop policies that support local, sustainable businesses

- In the 2020 Budget, the Business Tax Multiple was reduced from 2.97 to 2.75.
- Cannabis Policy 3.17 was developed to provide clarity and opportunity to cannabis-related business owners, while balancing the needs of minors and other community stakeholders.

#### Ensure developers fairly contribute to increasing the livability of our community

- During 2019, an update of the *Community Amenity and Affordable Housing Contribution Policy* was initiated and carried forward into 2020. A budget of \$30k has been established for the work.

#### Seek opportunities to honour local/Indigenous history and traditions

- During 2019 and the first half of 2020, several ideas were put forth to address this priority, including:
  - Identify places of Indigenous significance and introduce signage.
  - Integrate Squamish history and/or plantings around the new White Tower Park stormwater ponds.
  - Consider First Nations focussed street names. A Staff report to determine street names for the Gospel Rock neighbourhood is pending.

#### Future Priority Items

- Review and update sections of the Official Community Plan relating to: density clarification; form and character DPA guidelines; greenspace protection; connectivity; financial sustainability; natural asset management; Harbour Development strategy; age-friendly/accessibility strategy; active transportation; placemaking; and public art.**
- Lobby for improvements to transportation between Upper and Lower Gibsons**



## ADVOCATE FOR AND FACILITATE A RANGE OF HOUSING TYPES

*Goal: To advance the development of a full range of housing types, with an appropriate supply of affordable housing options which address the full spectrum of housing needs.*

### PRIORITIES/PROGRESS

#### Complete a housing needs assessment

- In the third quarter of 2019, the Town of Gibsons received a grant from the UBCM Housing Needs Reports Program for a 'Regional Housing Needs Assessment' for the Sunshine Coast. The project was managed by the Town of Gibsons, and conducted in partnership with the SCRD and District of Sechelt.
- In December 2019, the contract to conduct the Housing Needs Assessment was awarded to Urban Matters.
- In May 2020, an online survey was launched; it was advertised via social media, local media and through local community partners.
- As of July 2020, the community consultation phase had been completed, with the survey attracting 604 respondents. A final housing needs report is expected to be presented to Council, and then made available to the public, in fall 2020. (For more information, please see page 21.)

#### Develop an affordable housing strategy to address the full spectrum of housing needs for the community

- A separate affordable housing strategy for the Town may not need to be developed, depending on the data and recommendations provided in the Regional Housing Needs Assessment report.

#### Facilitate the development of a range of affordable housing projects

- During 2019 and the first half of 2020, 82 units of affordable housing were approved for development. These include 40 studio, one, two and three-bedroom rental apartments at 571 Shaw Road, two affordable rental units (plus one unit to be rented at market rates) at a Town-owned property on Franklin Road, and 40 units of supportive housing at 749 School Road. (For more information on these projects, please see page 22.)

#### Implement a short-term rentals strategy

- In May 2020, after extensive community consultation, staff presented three STR-related bylaws for consideration and were directed by Council to seek a legal review of the amendments prior to first and second readings.
- Following the legal review, Virtual Public Hearings on the proposed bylaws were held July 14th and July 21st. At their conclusion, Council chose to defer making a decision on adoption of the bylaws until the Regular Council Meeting to be held on September 1, 2020. (For more information, please see page 23.)

#### Future Priority Items

- **Consider opportunities to expand the community services on Christenson Lands**

## RESPOND TO THE CHANGING CLIMATE

*Goal: to increase our community's resilience to the local impacts and risks from climate change by seeking out opportunities for mitigation and adaptation measures.*

### PRIORITIES/PROGRESS

**Prioritize retention and expansion of green space to secure adequate levels of tree canopy, protect habitat, decelerate the rapid rate of biodiversity loss, and foster community health, connectivity and well-being**

- The development of an Urban Forest Plan (UFP) has been identified as a three-year project. The urban forest includes every tree within Town boundaries and the UFP will act as the asset management plan for this natural asset.
- One of the first steps in Gibsons' Urban Forestry management is the development of a Tree Preservation bylaw. This initiative is underway, with the proposed bylaw receiving first and second reading on July 7, 2020.
- Work is also underway to update the Town's Subdivision and Development Bylaw, with edits to the Stormwater Management section complete.

**Continue to address climate change risk in our Asset Management plans**

- The "Managing Natural Assets to Increase Coastal Resilience" and "Source to Sea" projects are based on an integrated computer modelling program which will provide information on how changes in the climate (e.g. higher than normal rainfall) would impact a complete range of Gibsons' natural and built infrastructure assets.

**Update trail and cycle network strategy**

- Staff are actively working to promote expansion of bike lanes on Ministry roads within Town boundaries and have requested a southbound bike lane on North Road; a crosswalk at Kiwanis; and a westbound bike lane on Gibsons Way between North Road and Sunnycrest.

**Update business plan for district energy utility in Upper Gibsons**

- In 2019, the Town retained a consultant to investigate and report on potential future options for the district energy utility and the Parkland neighbourhood.
- In May 2020, after receiving the consultant's report, Gibsons' Council made the decision to decommission the district energy utility over a three-year period. Property owners will be compensated for the remaining life of their heat pumps as at September 30, 2023 (the final day of operation for the utility.)

**Support community and student-led initiatives that focus on climate change mitigation and adaptation**

- During 2019, local students participated in a series of international "strikes" to demand more action on the climate change crisis. These actions were discussed with our Youth Councillors and supported by Council.

### Future Priority Items

- **Develop and implement a comprehensive Climate Action & Resiliency Plan that is bold, inclusive and focused on a low-carbon economy and Zero Waste**
- **Update community greenhouse gas inventory and develop carbon-neutral operations plan**
- **Support strategies to reduce impact of climate change on local wildlife**

## COLLABORATE ON REGIONAL ISSUES

*Goal: To collaborate and partner with our neighbouring jurisdictions to effectively address shared opportunities and challenges.*

### PRIORITIES/PROGRESS

#### Develop regional Water Governance Model

- During 2019, the Town of Gibsons co-hosted two community “Water Dialogue” sessions in June and delivered a report entitled “Options for Pursuing A Regional Approach to Watershed Management and Governance” to the Sunshine Coast Regional District (SCRD) in October.
- In August 2020, water service from the Gibsons Aquifer was extended to Zone 3 residents. This allows the Town to reduce its water purchases from the SCR D by 95% to 98%, and increase the water available to other users on the Coast. (For more information, see page 16.)

#### Advocate for improvements to highway infrastructure and ferry services

- Local governments on the Sunshine Coast regularly team up to press BC’s Transportation Minister for better, safer local highways.
- Council maintains representation on the Southern Sunshine Coast Ferries Advisory Committee, which advocates for the needs of local ferry users.
- Town staff are actively working to promote expansion of bike lanes on Ministry roads within Town boundaries, which would benefit residents of, and visitors to, the entire Sunshine Coast.

#### Support regional childcare needs assessment

- The Sunshine Coast Child Care Action Plan was completed in February 2020, a collaboration among the District of Sechelt, Town of Gibsons and Sunshine Coast Regional District, with support from a steering committee comprised of local child care advocates, government agencies and local business.

#### Develop Fringe Area Plan with SCR D (Areas E & F)

- Work to extend the Aquifer Protection DPA, so that it sits within the Elphinstone OCP and the West Howe Sound OCP, is underway.

#### Collaborate on regional affordable housing strategy

- Conducted in partnership with the District of Sechelt and the SCR D, a housing needs assessment was launched in spring 2020 via an online survey which attracted 604 respondents. A final report on the findings is expected to be complete in fall 2020.

#### Collaborate on regional wildfire and emergency plan

- In March 2020, the SCR D received a \$114,850 grant to assist with wildfire planning and prevention on the Coast.
- In June 2020, an RFP calling for prospective Proponents to develop a Coast-wide Community Wildfire Protection Plan (CWPP) closed. As at July 31st, the successful proponent had not been announced.

#### Collaborate to improve condition of local sports fields

- In fall 2019, Town staff met with a group of playing field stakeholders to identify the maintenance required to ensure minimum service levels and discuss sharing resources. Since then, considerable work has been undertaken to successfully improve the condition of local sports fields.

#### Pursue legal protection of Gibsons Aquifer recharging areas and promote consistency with bylaws relating to Aquifer protection

- The Town is working with regional, provincial and indigenous governments to further protect the Aquifer’s recharge area.

#### Maintain a regional approach to economic development and tourism

- Council supports and contributes financially to the work of the Sunshine Coast Regional Economic Development Organization (SCREDO) and Sunshine Coast Tourism.

#### Future Priority Items

- Collaborate on regional climate resiliency strategy
- Support clean regional transportation strategies
- Collaborate on regional growth strategy

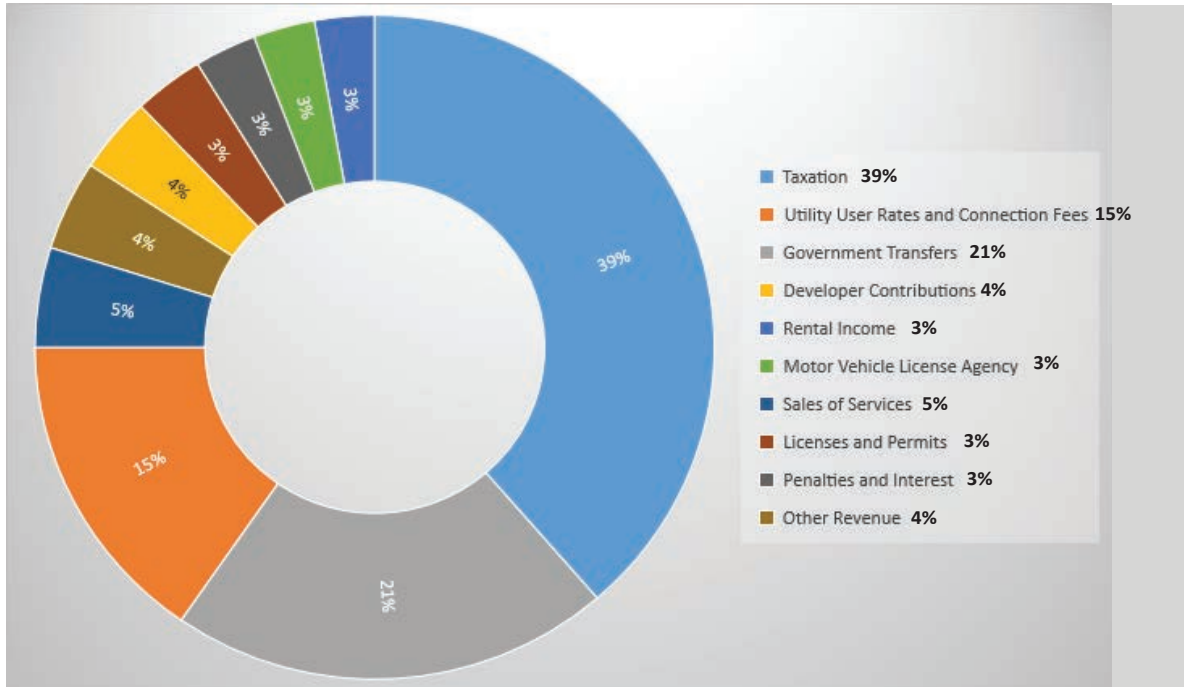


## Town of Gibsons Financial Information



## 2019 FINANCIAL HIGHLIGHTS

### WHERE THE MONEY CAME FROM: 2019 GROSS REVENUE



**Taxation** is the net municipal portion of all property taxes, 1% utility tax, grants in lieu of taxes levied or collected and fees & charges.

**Motor Vehicle Licence (ICBC)** revenues are commissions raised from the sale of vehicle insurance, driver exams, driver license renewals and special permits.

**Utility User Rates and Connection Fees** are revenues generated from the water & sewer funds.

**Sales of Services** is the revenue from the sales of goods and services to individuals, organizations or other governments. This includes garbage and organic collection user fees.

**Government Transfers** are essentially grants from senior levels of government.

**Licenses and Permits** include revenue collected from municipal licenses. It also includes revenue collected from permits such as building, construction, demolition and plumbing.

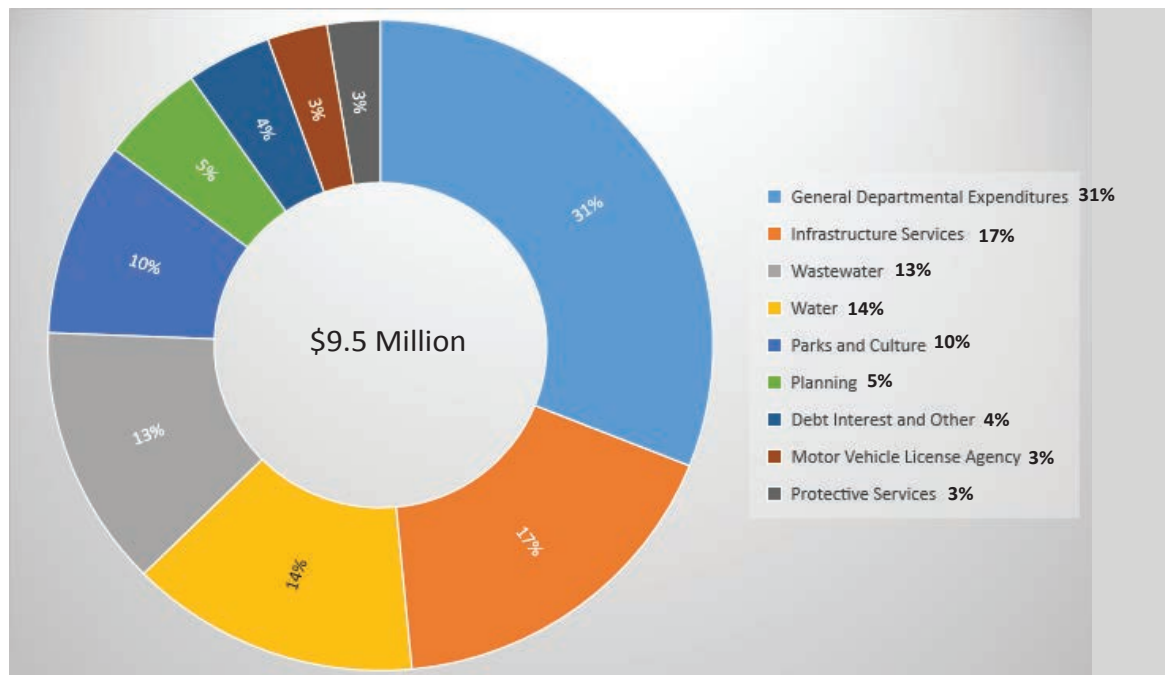
**Developer Contributions** are tangible capital assets recorded at their fair market value that have been transferred to the Town. These contributions are from privately developed subdivisions and include assets such as water systems, wastewater systems, storm systems, roads and parks.

**Penalties and Interest** are revenues generated from taxpayers who have not paid their taxes or utility bills by the due date.

**Rental Income** is income generated through the rental fees for use of properties and facilities owned by the Town.

**Other Revenue** includes revenues which are not included in the revenue categories defined above. This includes Planning & Transportation revenues.

## WHAT THE MONEY WAS USED FOR: 2019 EXPENSES BY FUNCTION



**General Departmental Expenditures** includes Council, legislative and general administration.

**Infrastructure Services** includes engineering services, asset management, public works, GIS and project management.

**Wastewater** includes the collection system, sewer lift stations and wastewater treatment plant.

**Water** includes the water distribution system, wells, pumps and reservoirs.

**Parks and Culture** includes parks maintenance and cultural programs offered by the Town.

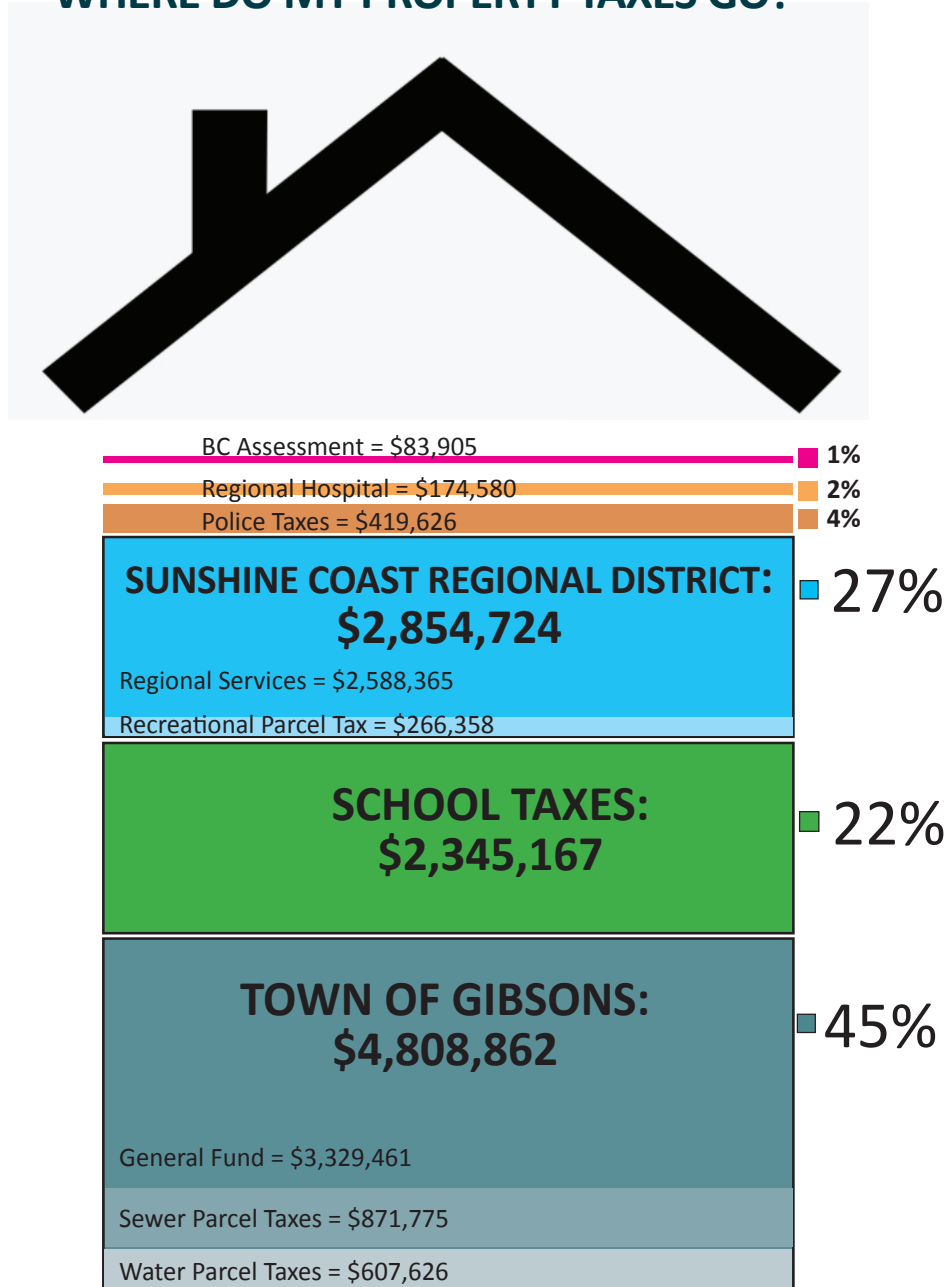
**Planning** The Planning Department is responsible for managing the Town's growth and development. Assistance and inquiries from residents, property owners and developers on land use, and development matters are provided.

**Debt Interest and Other** includes the interest the Town pays for long-term debt borrowing and bank charges.

**Motor Vehicle License Agency** refers to operation of I.C.B.C. Driver Services, including insurance, driver examinations, driver license renewals and special permits.

**Protective Services** includes the Building Inspections and Bylaw department. Services include building inspections, review of plans, inspection of construction and answering enquiries from residents, property owners, architects, engineers, builders and developers on matters related to building construction, renovation, the BC Building and Plumbing Code and applicable Provincial and Federal regulations. Bylaw Enforcement monitors and seeks compliance with the bylaws enacted by Mayor and Council to regulate the affairs of the Town of Gibsons.

## 2020 COLLECTION OF TAXES: WHERE DO MY PROPERTY TAXES GO?



The Town of Gibsons retains just 45% of the total property taxes it collects. The balance is distributed to five other governmental agencies, which each set their own tax rates.



# TOWN OF GIBSONS FINANCIAL STATEMENTS

As at December 31, 2019

## UNDERSTANDING AND INTERPRETING THE TOWN OF GIBSONS' FINANCIAL STATEMENTS

On an annual basis, the Town of Gibson's Financial Statements are prepared in accordance with provisions set out in the Community Charter and must comply with the Canadian public sector accounting standards, which provides guidance for financial and other information reported by public sectors.

There are four main components to the Town's Financial Statements:

### 1. Statement of Financial Position

The Statement of Financial Position reports on the Town's assets, liabilities and accumulated surplus at the end of each year. This statement will give readers an indication whether or not the Town has the necessary assets to provide services to its citizens in the future and meet its current financial commitments.

### 2. Statement of Operations

The Statement of Operations reports on revenues, expenses and results of operations for the entire year.

### 3. Statement of Changes in Net Debt

The Statement of Changes in Net Debt reconciles the annual surplus to the net debt. This reports the extent to which revenue met expenditures during the year and includes information about the acquisition and disposal of tangible assets which do not show in the Statement of Operations. A net debt position indicates that future revenues will be required to pay for past transactions and events.

### 4. Statement of Cashflows

The Statement of Cashflows identifies where the Town's cash came from and how it was used. This statement explains the change in cash and cash equivalents since the previous reporting period.

### Notes to the Financial Statements

The notes to the Financial Statements contain important information and explanations, some of which are required by legislation and regulation. The notes highlight various aspects and provide background information on the impacts of specific values in the Financial Statements.

## Additional Details

The financial statements of The Town of Gibson (the "Town") are the responsibility of management and have been prepared in accordance with Canadian public sector accounting standards as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Town's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the financial statements. These systems are monitored and evaluated by management.

Mayor and Council meet with management and the external auditors to review the financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the financial statements. The financial statements have been audited by BDO Canada LLP, independent external auditors appointed by the Town. The accompanying Independent Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the Town's financial statements.

## WHO USES THE TOWN OF GIBSONS FINANCIAL STATEMENTS AND WHY?

### Town Residents:

Town of Gibson residents use the Town's Financial Statements to help them understand how financial resources have been used to provide services to their community.

### Town Council:

The Town's Financial Statements provide information to Council on its financial position. This information has been validated by a professional, independent auditor.

### Governments:

Senior levels of government use the Town's Financial Statements to determine if funds were used in accordance with the funding requirements.



TOWN OF GIBSONS - 2019 ANNUAL REPORT- 40

**Town of Gibsons  
Financial Statements  
For the Year Ended December 31, 2019**

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## Management's Responsibility for the Financial Statements

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The accompanying financial statements of The Town of Gibsons (the "Town") are the responsibility of management and have been prepared in accordance with Canadian public sector accounting standards as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. A summary of the significant accounting policies are described in Note 1 to the financial statements. The preparation of financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The Town's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the financial statements. These systems are monitored and evaluated by management.

Mayor and Council meet with management and the external auditors to review the financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the financial statements.

The financial statements have been audited by BDO Canada LLP, independent external auditors appointed by the Town. The accompanying Independent Auditor's Report outlines their responsibilities, the scope of their examination and their opinion on the Town's financial statements.



Chief Administrative Officer



Director of Finance

May 5, 2020





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## Independent Auditor's Report

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To the Mayor and Council of the Town of Gibsons

### Opinion

We have audited the financial statements of the Town of Gibsons (the "Town") which comprise the Statement of Financial Position as at December 31, 2019 and the Statements Operations, Changes in Net Debt, and Cash Flows for the year then ended, and notes to the financial statements, including a summary of significant accounting policies.

In our opinion, the financial statements present fairly, in all material respects, the financial position of the Town of Gibsons as at December 31, 2019 and its results of operations, its change in net debt and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally-accepted auditing standards. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of this report. We are independent of the Town in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

### Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Town's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Town, or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Town's financial reporting process.

BDO Canada LLP, a Canadian limited liability partnership, is a member of BDO International Limited, a UK company limited by guarantee, and forms part of the international BDO network of independent member firms.





#### **Auditor's Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally-accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements. As part of an audit in accordance with Canadian generally-accepted auditing standards we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances. But not for the purpose of expressing an opinion on the effectiveness of the Town's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Town's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditor's report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditor's report. However future events or conditions may cause the Town to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

*BDO Canada LLP*

Chartered Professional Accountants

Vancouver, British Columbia  
May 5, 2020

**Town of Gibsons**  
**Statement of Financial Position**

December 31	2019	2018
<b>Assets</b>		
<b>Financial Assets</b>		
Cash	\$ 225,796	\$ 320,369
Portfolio investments (Note 2)	5,231,704	4,778,732
Taxes receivable	460,306	399,494
Accounts receivable	2,061,506	2,255,613
	<u>7,979,312</u>	<u>7,754,208</u>
<b>Liabilities</b>		
Accounts payable and accrued liabilities	1,941,898	1,506,505
Deferred revenue (Note 3)	244,897	259,517
Long-term debt (Note 4) (Schedule 1)	6,979,854	7,591,007
Development cost charges (Note 5)	1,138,557	1,098,555
	<u>10,305,206</u>	<u>10,455,584</u>
<b>Net Debt</b>	<u>(2,325,894)</u>	<u>(2,701,376)</u>
<b>Non-Financial Assets</b>		
Tangible capital assets (Note 9)	56,729,965	54,412,953
Prepaid expenses	25,218	22,895
	<u>56,755,183</u>	<u>54,435,848</u>
<b>Accumulated Surplus (Note 6)</b>	<u>\$ 54,429,289</u>	<u>\$ 51,734,472</u>

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Director of Finance

The accompanying notes are an integral part of these financial statements.

Town of Gibsons Statement of Operations			
For the Year Ended December 31	Fiscal Plan 2019	2019	2018
<b>Revenue</b> (Schedules 3 and 4)			
Taxation (Note 10)	\$ 4,720,716	\$ 4,754,784	\$ 4,421,003
Utility user rates and connection fees	1,925,574	1,886,997	1,755,235
Government transfers (Schedule 2)	2,472,379	2,588,664	1,674,221
Other contributions	-	42,368	-
Sales of services	1,050,936	599,225	556,748
Other revenue	1,256,212	1,825,697	1,429,745
Contributions from developers	766,655	454,560	3,092,600
	<u>12,192,472</u>	<u>12,152,295</u>	<u>12,929,552</u>
<b>Expenses</b> (Schedules 3 and 4)			
General departmental expenditures	6,410,422	6,428,628	6,149,023
Water system	1,330,057	1,431,499	1,262,351
Sewer system	1,332,153	1,320,921	1,249,434
Motor vehicle license agency	286,088	275,780	269,946
Loss on disposal of tangible capital assets	-	650	132,051
	<u>9,358,720</u>	<u>9,457,478</u>	<u>9,062,805</u>
<b>Annual Surplus</b>	<u>2,833,752</u>	<u>2,694,817</u>	<u>3,866,747</u>
<b>Accumulated Surplus, beginning of year</b>	<u>51,734,472</u>	<u>51,734,472</u>	<u>47,867,725</u>
<b>Accumulated Surplus, end of year</b>	<u>\$ 54,568,224</u>	<u>\$ 54,429,289</u>	<u>\$ 51,734,472</u>

Fiscal Plan (Note 14)

The accompanying notes are an integral part of these financial statements.

**Town of Gibsons**  
**Statement of Changes in Net Debt**

For the Year Ended December 31	Fiscal Plan 2019	2019	2018
<b>Annual Surplus</b>	\$ 2,833,752	\$ 2,694,817	\$ 3,866,747
Acquisition of tangible capital assets	(10,686,000)	(3,862,675)	(5,537,010)
Amortization of tangible capital assets	1,390,100	1,545,013	1,506,891
Loss on disposal of tangible capital assets	-	650	132,051
	(9,295,900)	(2,317,012)	(3,898,068)
Net acquisition of prepaid expenses	-	(2,323)	(14,500)
<b>Change in net debt for the year</b>	(6,462,148)	375,482	(45,821)
<b>Net debt, beginning of year</b>	(2,701,376)	(2,701,376)	(2,655,555)
<b>Net debt, end of year</b>	\$ (9,163,524)	\$ (2,325,894)	\$ (2,701,376)

Fiscal Plan (Note 14)

The accompanying notes are an integral part of these financial statements.

<b>Town of Gibsons</b>		
<b>Statement of Cash Flows</b>		
<b>For the Year Ended December 31</b>	<b>2019</b>	<b>2018</b>
<b>Cash provided by (used in)</b>		
<b>Operating transactions</b>		
Annual surplus	\$ 2,694,817	\$ 3,866,747
<b>Items not involving cash</b>		
Development cost charges recognized	(376,810)	(250,575)
Contributed tangible capital assets	(638,000)	(2,416,745)
Loss on disposal of tangible capital assets	650	132,051
Amortization	1,545,013	1,506,891
	<b>3,225,670</b>	<b>2,838,369</b>
<b>Changes in non-cash operating balances</b>		
Accounts and taxes receivable	133,295	(1,032,324)
Accounts payable and accrued liabilities	435,393	(460,482)
Prepaid expenses	(2,323)	(14,500)
Deferred revenue	(14,620)	36,977
	<b>3,777,415</b>	<b>1,368,040</b>
<b>Capital transaction</b>		
Acquisition of tangible capital assets	(3,224,675)	(3,120,265)
<b>Investing transactions</b>		
Change in portfolio investments, net	(452,972)	579,552
<b>Financing transactions</b>		
Issuance of long-term debt	-	1,784,000
Development cost charges contributions	385,698	196,995
Interest on development cost charges	31,114	26,151
Repayment of debt	(611,153)	(627,138)
	<b>(194,341)</b>	<b>1,380,008</b>
<b>Increase (decrease) in cash during year</b>	<b>(94,573)</b>	<b>207,335</b>
<b>Cash, beginning of year</b>	<b>320,369</b>	<b>113,034</b>
<b>Cash, end of year</b>	<b>\$ 225,796</b>	<b>\$ 320,369</b>

The accompanying notes are an integral part of these financial statements.



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**Town of Gibsons**  
**Notes to the Financial Statements**  
**December 31, 2019**

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The Town of Gibsons (the "Town") is a municipality in the Province of British Columbia and operates under the provisions of the Local Government Act and Community Charter. The Town provides municipal services such as public works, planning, parks, garbage collection and other general government services.

These financial statements are prepared by management in accordance with Canadian public sector accounting standards using guidelines developed by the Public Sector Accounting Board ("PSAB") of the Chartered Professional Accountants of Canada.

**1. Significant Accounting Policies**

**(a) Tangible Capital Assets**

Tangible capital assets are recorded at cost less accumulated amortization and are classified according to their functional use. Cost includes all costs directly attributable to acquisition or construction of the tangible capital asset including transportation costs, installation costs, design and engineering fees, legal fees and site preparation costs. Amortization is recorded on a straight-line basis over the estimated life of the tangible capital asset commencing once the asset is put into use. Contributed tangible capital assets are recorded at fair value at the time of the contribution.

Estimate useful lives of tangible capital assets are as follows:

Buildings	50 to 60 years
Equipment and Furniture	5 to 25 years
Vehicles	10 to 15 years
Roads	15 to 80 years
Drainage	30 to 80 years
Geo Utility	10 to 80 years
Other Tangible Capital Assets	15 to 40 years
Sewer Infrastructure	3 to 80 years
Water Infrastructure	10 to 80 years
Work in Progress	Not amortized until put into use

The Town is fortunate to have many natural assets that reduce the need for engineered infrastructure that would otherwise be required. This includes the Gibsons aquifer (water storage and filtration), creeks, ditches and wetlands (rain water management) and the foreshore area (natural seawall). Canadian public sector accounting standards do not allow for the valuation and recording of such assets into the financial statements of the Town. As such, these natural assets are not reported in these financial statements. The Town's ability to provide services is dependent on the ability of these assets to withstand the impacts of climate change and to continue to perform as required. Recognizing this importance of this, the Town is investing in natural assets to increase our resiliency to climate change. This investment includes: foreshore restoration, urban forest planning, creek assessment and monitoring, aquifer monitoring, expansion of drainage ponds as well as upgrading a seaside sanitary pump station.

**1. Significant Accounting Policies (Continued)**

**(b) Revenue Recognition**

Taxes are recorded in the period when they meet the definition of an asset, have been authorized and the taxable event occurs. Annual levies for non-optional municipal services and general administrative services are recorded as taxes for municipal services in the year they are levied. Taxes receivable are recognized net of an allowance for anticipated uncollectable amounts. Levies imposed by other taxing authorities and collected on their behalf are not included as taxation revenue.

Through the British Columbia Assessments appeal process, taxes may be adjusted by way of supplementary roll adjustments. The effects of these adjustments on taxes are recognized at the time they are awarded.

Sales of service and other revenue is recognized on an accrual basis as services are rendered.

Charges for sewer and water usage are recorded as utility user fees. Connection fee revenues are recognized when the connection has been established.

Receipts which are restricted by agreement with external parties are recorded as deferred revenue at the time they are received. When the qualifying expenditures are incurred the related contributions are brought into revenue.

**(c) Government Transfers**

Government transfers, which include legislative grants, are recognized as revenue in the financial statements when the transfer is authorized and any eligibility criteria are met, except to the extent that transfer stipulations give rise to an obligation that meets the definition of a liability. Government transfers are recognized as deferred revenue when transfer stipulations give rise to a liability. Government transfer revenue is recognized in the statement of operations as the stipulation liabilities are settled.

**(d) Cash**

Cash includes all highly liquid investments with maturity of three months or less at acquisition.

**(e) Portfolio Investments**

Portfolio investments represent pooled investment funds and term deposits and are recorded at market values which approximate cost.

**1. Significant Accounting Policies (Continued)**

**(f) Collection of Taxes on Behalf of Other Entities**

The Town collects taxation revenue on behalf of other entities. Such levies, other revenues, expenses, assets and liabilities with respect to the operations of entities are not reflected in these financial statements.

**(g) Deferred Revenue**

Funds received for specific purposes which are externally restricted by legislation, regulation or agreement and are not available for general municipal purposes are accounted for as deferred revenue on the statement of financial position. The revenue is recognized in the statement of operations in the year in which it is used for the specified purpose.

Revenues from the sale of business licenses, dog tags and rental revenues pertaining to the subsequent year have been deferred. These amounts will be recognized as revenue in the period services are provided.

**(h) Liability for Contaminated Sites**

Contaminated sites are a result of contamination being introduced into air, soil, water or sediment of a chemical, organic or radioactive material or live organism that exceeds an environmental standard. Liabilities are recorded net of any expected recoveries.

A liability for remediation of contaminated sites is recognized when all the following criteria are met:

- an environmental standard exists;
- contamination exceeds the environmental standard;
- the Town is directly responsible or accepts responsibility;
- it is expected that future economic benefits will be given up; and
- a reasonable estimate of the amount can be made.

The liability is recognized as management's estimate of the cost of post-remediation including operation, maintenance and monitoring that are an integral part of the remediation strategy for a contaminated site.

As at December 31, 2019 and 2018, the Town has reported no amounts as liability for contaminated sites.

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**Town of Gibsons**  
**Notes to the Financial Statements**  
**December 31, 2019**

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**1. Significant Accounting Policies (Continued)**

**(i) Use of Estimates**

The preparation of financial statements in accordance with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from management's best estimates as additional information becomes available in the future. Areas requiring the greatest degree of estimation include useful lives of tangible capital assets and collectability of receivables.

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**2. Portfolio Investments**

Portfolio investments include CIBC high interest savings, BC Credit Union term deposits and Municipal Finance Authority Pooled Investments. CIBC high interest savings and BC Credit Union term deposits yielded an effective interest rate of 2.25% - 2.46% (2018 - 1.75% - 2.25%) and are redeemable at any time. MFA money market funds include securities issued by federal and provincial governments, Canadian banks and highly rated corporations. The money market fund yielded an annualized interest rate of 1.86% (2018 - 1.65%) and its investments are redeemable at any time.

Not included in portfolio investments are \$2,832,652 (2018 - \$558,240) related to developer deposits that are refundable should the developer meet certain conditions.

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**3. Deferred Revenue**

Deferred revenue represents funds received, which are held for various restricted purposes. These funds are recognized as revenue in the period when the eligible related expenditures or restrictions have been met.

	2018	Receipts	Revenue Recognized	2019
Donations	\$ 17,668	\$ -	\$ -	\$ 17,668
Prepaid rent	132,595	-	-	132,595
Prepaid services	109,254	94,634	(109,254)	94,634
	<u>\$ 259,517</u>	<u>\$ 94,634</u>	<u>\$ (109,254)</u>	<u>\$ 244,897</u>

**Town of Gibsons**  
**Notes to the Financial Statements**  
December 31, 2019

**4. Debt**

**(a) Future principal requirements on existing long-term debt:**

2020	\$ 547,346
2021	531,066
2022	528,981
2023	452,824
2024	469,793
2024 and onwards	<u>4,449,844</u>
	<u>\$ 6,979,854</u>

**(b) Unissued Debt**

The following approved debt remained unissued as at December 31, 2019:

<b>Loan Authorization</b>	<b>Expiry</b>	<b>Gross Amount Approved</b>	<b>Unissued Amount</b>	<b>Temporary Borrowings</b>
1264 Sewer Capital Improvements	2024	1,760,000	1,760,000	-
1265 Water Capital Improvements	2024	3,329,000	3,329,000	-

**5. Development Cost Charges**

	<b>Roads</b>	<b>Drainage</b>	<b>Water</b>	<b>Sewer</b>	<b>Total</b>
Balance, January 1, 2018	\$ 199,878	\$ 585,198	\$ -	\$ 340,908	\$ 1,125,984
Interest received	4,991	13,289	91	7,780	26,151
Developer contributions	111,234	34,696	23,958	27,107	196,995
Expenditures	-	(159,142)	(23,957)	(67,476)	(250,575)
Balance, December 31, 2018	316,103	474,041	92	308,319	1,098,555
Interest received	10,034	12,272	554	8,254	31,114
Developer contributions	219,162	41,483	53,005	72,048	385,698
Expenditures	(32,879)	(34,555)	-	(309,376)	(376,810)
<b>Balance, December 31, 2019</b>	<b>\$ 512,420</b>	<b>\$ 493,241</b>	<b>\$ 53,651</b>	<b>\$ 79,245</b>	<b>\$ 1,138,557</b>



**Town of Gibsons**  
**Notes to the Financial Statements**  
December 31, 2019

**6. Accumulated Surplus**

The Town segregates its accumulated surplus in the following categories:

	2019	2018
Total Operating Fund (a)	<b>\$ 2,881,488</b>	\$ 3,366,800
Reserve Fund (b)	<b>1,797,690</b>	1,545,726
Investment in tangible capital assets (c)	<b>49,750,111</b>	46,821,946
	<b><u>\$ 54,429,289</u></b>	<b><u>\$ 51,734,472</u></b>

- (a) Included in the total are funds externally restricted related to the Estate of Muriel Haynes of \$204,698 (2018 - \$199,794). These funds are to be spent on capital improvements at the Gibsons Pool for the general benefit of the community of Gibsons as a whole.
- (b) Reserve funds represent funds set aside bylaw or council resolution for specific purposes and are comprised of the following:

	Capital Works	Community Works	Public Parking	Park Acquisition	Affordable Housing	Community Amenity	Total
Balance, January 1, 2018	\$ 263,683	\$ -	\$ 117,521	\$ 28,743	\$ 315,761	\$ -	<b>\$ 725,708</b>
Interest Received	5,933	9,839	2,644	647	7,105	1,664	<b>27,832</b>
Contributions and transfers	-	-	-	-	270,000	150,000	<b>420,000</b>
Operating fund transfers	145,143	630,322	-	-	-	-	<b>775,465</b>
Expenditures	(62,159)	(306,605)	-	-	(7,002)	(27,513)	<b>(403,279)</b>
<b>Balance, December 31, 2018</b>	<b>352,600</b>	<b>333,556</b>	<b>120,165</b>	<b>29,390</b>	<b>585,864</b>	<b>124,151</b>	<b>1,545,726</b>
Interest received	8,674	13,397	2,956	723	14,412	3,054	<b>43,216</b>
Contributions and transfers	-	500,142	-	-	1,650	-	<b>671,792</b>
Operating fund transfers	170,000	-	-	-	-	-	<b>-</b>
Expenditures	(6,000)	(299,593)	-	-	(34,175)	(123,276)	<b>(463,044)</b>
<b>Balance, December 31, 2019</b>	<b>\$ 525,274</b>	<b>\$ 547,502</b>	<b>\$ 123,121</b>	<b>\$ 30,113</b>	<b>\$ 567,751</b>	<b>\$ 3,929</b>	<b>\$1,797,690</b>

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**Town of Gibsons**  
**Notes to the Financial Statements**  
December 31, 2019

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**6. Accumulated Surplus (Continued)**

- (c) The investment in tangible capital assets represents amounts already spent and invested in infrastructure.

	2019	2018
Tangible capital assets	<u>\$56,729,965</u>	\$54,412,953
Amounts financed by:		
Long-term debt	<u>(6,979,854)</u>	(7,591,007)
<b>Investment in TCA</b>	<u><b>\$49,750,111</b></u>	<u><b>\$46,821,946</b></u>

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**7. Commitments**

**(a) Integration of Regional District and Town Water Supply**

The Town has entered into a Bulk Water Supply Agreement with the Sunshine Coast Regional District to provide water supply to Zone 3 residents. In 2019, the Town purchased 228,395 m<sup>3</sup> of water (2018 – 214,569 m<sup>3</sup>) at a cost of \$315,036 (2018 - \$285,372). The twenty-five year agreement commenced June 3, 2013 and expires June 2, 2038.

**(b) Residential Garbage Services**

On March 1, 2019, the Town entered into an agreement for residential garbage pickup and disposal, at an approximate annual cost of \$206,000. The five-year agreement commenced March 1, 2019 and expires February 28, 2024.

**(c) Residential Organics Services**

On April 1, 2019, the Town entered into an agreement for residential organics pickup and disposal services at an approximate annual cost of \$272,000. The five-year agreement commenced on April 1, 2019 and expires on March 31, 2024.

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**8. Pension Plan**

The Town and its employees contribute to the Municipal Pension Plan (the "Plan"), a jointly-trusted pension plan. The board of Trustees, representing plan members and employers, is responsible for administering the management of the Plan, including investment of the assets and administration of the benefits. The Plan is a multi-employer defined benefit pension plan. Basic pension benefits provided are based on a formula. As at December 31, 2018, the Plan has about 205,000 active members and approximately 101,000 retired members. Active members include approximately 44,000 contributors from local government.

Every three years, an actuarial valuation is performed to assess the financial position of the Plan and adequacy of plan funding. The actuary determines an appropriate combined employer and member contribution rate to fund the Plan. The actuary's calculated contribution rate is based on the entry-age normal cost method, which produces the long-term rate of member and employer contributions sufficient to provide benefits for average future entrants to the Plan. This rate may be adjusted for the amortization of any funding surplus and will be adjusted for the amortization of any unfunded actuarial liability.

The most recent actuarial valuation as at December 31, 2018 indicated a \$2,866 Million funding surplus for basic pension benefits on a going concern basis.

The Town paid \$248,691 (2018 - \$253,923) for employer contributions while employee contributions totaled \$220,053 (2018 - \$216,845) to the Plan in fiscal 2019.

The next valuation will be as at December 31, 2021, with results available in 2022. Employers participating in the plan record their pension expense at the amount of employer contributions made during the fiscal year (defined contribution pension plan accounting). This is because the plan records accrued liabilities and accrued assets for the plan in aggregate, resulting in no consistent and reliable basis for allocating the obligation, assets and cost to individual employers participating in the plan.

**Town of Gibsons**  
**Notes to the Financial Statements**  
**December 31**

**9. Tangible Capital Assets**

	Land	Buildings	Furn. and Equip.	Vehicles	Roads	Drainage	Geo Utility	Other Tangible Capital Assets	Sewer Utility	Water Utility	Work In Progr.	2019	2018
Cost, beginning of year	\$10,326,892	\$ 7,224,372	\$ 509,158	\$ 1,472,493	\$17,007,600	\$ 6,840,829	\$ 1,250,867	\$ 2,973,112	\$14,093,142	\$15,342,203	\$ 666,984	<b>\$77,707,652</b>	\$ 72,662,895
Additions	638,000	35,534	-	-	-	-	-	131,139	340,842	166,220	2,550,940	<b>3,862,675</b>	5,537,010
Disposals	-	(3,541)	-	-	-	-	-	-	-	-	-	<b>(3,541)</b>	(492,253)
Transfers	-	61,113	-	-	-	-	-	161,031	35,260	51,903	(309,307)	-	-
Cost, end of year	10,964,892	7,317,478	509,158	1,472,493	17,007,600	6,840,829	1,250,867	3,265,282	14,469,244	15,560,326	2,908,617	<b>81,566,796</b>	77,707,652
Accumulated amortization, beginning of year	-	3,288,046	441,879	872,454	6,897,233	1,611,125	172,364	1,377,584	4,930,813	3,703,181	-	<b>23,294,699</b>	22,148,005
Amortization	-	176,501	26,410	84,642	487,116	88,052	26,926	96,895	255,920	302,551	-	<b>1,545,013</b>	1,506,891
Disposals	-	(2,891)	-	-	-	-	-	-	-	-	-	<b>(2,891)</b>	(360,197)
Accumulated amortization, end of year	-	3,461,656	468,289	957,096	7,384,349	1,699,177	199,310	1,474,479	5,186,733	4,005,732	-	<b>24,836,821</b>	23,294,699
Net carrying amount, end of year	\$10,964,892	\$ 3,855,822	\$ 40,869	\$ 515,397	\$ 9,623,251	\$ 5,141,652	\$ 1,051,557	\$ 1,790,803	\$ 9,282,511	\$11,554,594	\$ 2,908,617	<b>\$56,729,965</b>	\$ 54,412,953

**Town of Gibsons**  
**Notes to the Financial Statements**  
December 31, 2019

**10. Taxation**

	Fiscal Plan 2019	2019	2018
General municipal purposes	\$ 3,342,301	\$ 3,336,783	\$ 3,071,603
Specified area requisitions	-	7,639	40,298
Collections for other governments			
Province of British Columbia - School	-	2,766,901	2,572,611
Regional District Hospital	-	178,295	174,365
Municipal Finance Authority	-	387	336
British Columbia Assessment Authority	-	79,243	73,334
Regional District	-	2,674,283	2,564,726
Police Tax	-	400,882	373,691
	<u>3,342,301</u>	<u>9,444,413</u>	<u>8,870,964</u>
Transfers to other governments			
Province of British Columbia - School	-	(2,766,729)	(2,572,539)
Regional Hospital District	-	(178,417)	(174,626)
Municipal Finance Authority	-	(387)	(336)
British Columbia Assessment Authority	-	(79,261)	(73,451)
Regional District	-	(2,674,428)	(2,567,513)
Police Tax	-	(401,054)	(373,763)
	<u>-</u>	<u>(6,100,276)</u>	<u>(5,762,228)</u>
Total general municipal taxes	<u>3,342,301</u>	<u>3,344,137</u>	<u>3,108,736</u>
Frontage, local improvement and parcel taxes			
Water system	566,536	581,106	541,453
Sewer system	811,879	829,541	770,814
	<u>1,378,415</u>	<u>1,410,647</u>	<u>1,312,267</u>
	<u>\$ 4,720,716</u>	<u>\$ 4,754,784</u>	<u>\$ 4,421,003</u>



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**Town of Gibsons**  
**Notes to the Financial Statements**  
December 31, 2019

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**11. Gibsons Landing Harbour Authority**

The Gibsons Landing Harbour Authority (the "GLHA") is an independently operated organization of which the Town of Gibsons is the sole member. The Town controls the board appointments of the GLHA. However, its bylaws require that upon dissolution or wind-up, its net assets will revert to the Department of Fisheries - Government of Canada. As such, the GLHA is not accounted for on a consolidated or equity basis and the transactions and balances of the Harbour Authority are not disclosed elsewhere in these financial statements.

The following summarizes the transactions and balances of the Gibsons Landing Harbour Authority as of its latest fiscal year ended March 31, 2019 as presented in their annual unaudited financial statements:

	2019	2018
<b>Assets</b>		
Cash	\$ 139,103	\$ 231,024
Other assets	157,857	22,424
Property and equipment	673,757	735,614
	<u>970,717</u>	<u>989,062</u>
<b>Liabilities</b>	61,998	48,780
<b>Deferred capital contributions</b>	457,558	508,398
<b>Net assets</b>	451,161	431,884
	<u>970,717</u>	<u>989,062</u>
<b>Revenues for the year</b>		
Moorage	255,633	255,624
Other revenues	135,611	178,862
	<u>391,244</u>	<u>434,486</u>
<b>Expenses for the year</b>		
Wages	180,714	162,713
Other expenses	191,253	270,003
	<u>371,967</u>	<u>432,716</u>
<b>Excess of revenues over expenses for the year</b>	<u>\$ 19,277</u>	<u>\$ 1,770</u>

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**12. Contingent Liabilities**

- (a) As a member of the Sunshine Coast Regional District, the Town is responsible for its portion of any operating deficit or long-term debt related to functions in which it participates.
- (b) The Sunshine Coast Regional District has requested and has been provided with demand notes drawn in its favour totaling \$282,296 (2018 - \$318,637) to provide for additional funds, should the need arise, to service its debt in which the Town shares.
- (c) The Town is partially self-insured through the Municipal Insurance Association of British Columbia. Should the Association pay out claims in excess of premiums received, it is possible that the Town, along with the other participants, would be required to contribute towards the deficit.

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**13. Contractual Rights**

**(a) Contributed Tangible Capital Assets**

Subdivision developers are required to provide subdivision infrastructure such as streets, lighting, sidewalks, and drainage. Upon completion these assets are turned over to the Town. Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and are also recorded as revenue.

**(b) RCMP Funding**

The Town has entered into an agreement with the Royal Canadian Mounted Police for the occupancy of the RCMP station on Sunnycrest Road for the provision of policing services for the Town. In return, the Town has received a commitment to receive annual lease revenue of \$159,000. This agreement will be reviewed once the Town's population exceeds 5,000.

**(c) Marina Lease**

The Town has entered into a Marina Lease Agreement with Gibsons Marina Hotel Incorporated (GMHI) for a 30 year term, expiring February 28, 2042. In return, the Town has received a commitment to receive annual lease revenue which is based on a portion of annual gross revenue earned by GMHI.

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**14. Fiscal Plan**

Fiscal plan amounts represent the Financial Plan Bylaw adopted by Council on May 7, 2019. The Financial Plan does not include certain revenues that are accounted for under Canadian public sector accounting standards. The budget amounts disclosed in the statement of operations and statement of changes in net debt include \$766,655 related to contributions from developers and \$1,465,510 related to government transfers that were not included as revenues in the Financial Plan Bylaw.

The Financial Plan Bylaw included certain revenues and expenses that the Town administers on behalf of the Gibsons Public Market. As these amounts do not relate to the Town's operations they are excluded from the budget amounts disclosed in the statement of operations and statement of changes in net debt.

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**15. Segmented Information**

The Town is a diversified municipal government institution that provides a wide range of services to its citizens such as roads, water, sewer and drainage infrastructure, garbage collection and parks. The Town also contributes to the costs of fire protection and transit which are under the jurisdiction of the Sunshine Coast Regional District. Distinguishable functional segments have been separately disclosed in the segmented information. The nature of the segments and the activities they encompass are as follows:

**Corporate Services**

The Corporate Services Department is the communications link between Council and other Municipal Departments and the general public, providing assistance and advice to citizens with respect to Council/Committee processes, reporting procedures and decisions. A segment of this department is the ICBC Autoplan and Driver Licensing Agency.

**Finance**

The Finance Department is responsible for the overall financial and risk management of the Town.

**ICBC Autoplan and Driver Licensing Agency**

This department, under an agency agreement, provides ICBC Autoplan and Driver Licensing services. Autoplan services consist of vehicle registration and insurance renewals and Driver Licensing services include driver licence renewals, road tests and the processing of motor vehicle fines.

**Parks and Cultural Services**

The Parks and Cultural Services Department contributes to the quality of life and personal wellness of the community through the provision of a variety of special events, programs, services and facilities.

**15. Segmented Information (Continued)**

**Planning**

This department provides short-term and long-term planning services.

- Short-Term Planning includes the processing of subdivision and development applications.
- Long-Term Planning includes work with the community on reviewing the Town's Official Community Plan, developing new Neighbourhood Plans, the Trail and Bicycle Network Plans and the review of relevant bylaws.

**Protective Services**

Protection is comprised of bylaw enforcement and building inspection.

- Bylaw enforcement administers, monitors, and seeks compliance with the bylaws enacted by the Mayor and Council to regulate the conduct of affairs in the Town of Gibsons.
- The Town of Gibsons Building Department maintains the quality of life for Gibsons' citizens by regulating all construction within the Town. This is achieved through the use of the Town of Gibsons Building and Plumbing Bylaw, the British Columbia Building Code, the British Columbia Fire Code and other related bylaws and enactments within the Town of Gibsons.

**Public Works**

Public works is responsible for the essential services of the Town:

- ensuring clean and safe water to our Town, supplied through underground pipes, wells and reservoirs;
  - maintaining a separate system of underground pipes to collect sewer or waste water for proper treatment prior to discharging it;
  - providing and maintaining the Town's roads, sidewalks, street lights, signage and line markings, storm drainage and hydrants; and
  - providing other key services including street cleaning and the coordination of residential garbage collection services.
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**16. Comparative Information**

Certain comparative information has been reclassified to conform with the financial statement presentation adopted in the current year.

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**17. Subsequent Events**

Subsequent to year end, the impact of COVID-19 in Canada and the global economy increased significantly. As the impacts of COVID-19 continue, there could be further impact on the Town, its citizens, employees and suppliers that could affect the timing and amounts realized on the Town's assets and future ability to deliver services and projects. At this time, the full potential impact of COVID-19 on the Town is not known. Although the disruption from the virus is expected to be temporary, given the dynamic nature of these circumstances, the duration of disruption and the related financial impact cannot be reasonably estimated at this time. The Town's ability to continue delivering non-essential services and employ related staff will depend on the legislative mandates from the various levels of government. The Town will continue to focus on collecting receivables, managing expenditures, and leveraging existing reserve and available credit facilities to ensure it is able to continue providing essential services to its citizens.



**Town of Gibsons**  
**Schedule 1 - Long-Term Debt**

**For the Year Ended December 31**

Loan Authorization Bylaw	Purpose	Year of Maturity	Rate	Balance 2019	Outstanding 2018
<b>General</b>					
890	Downtown revitalization	2019	2.10%	\$ -	\$ 83,035
1057	Road improvement	2022	2.90%	159,097	208,103
1093	Road improvements	2029	2.25%	50,741	54,804
1105	Capital improvements	2020	4.50%	34,853	68,366
1126	RCMP Building	2031	3.56%	1,588,311	1,689,951
1231	Road improvement	2027	2.80%	322,585	357,806
1234	Capital improvements	2021	*	44,000	66,000
1246	Road improvements	2038	3.15%	1,717,607	1,784,000
				<b>3,917,194</b>	<b>4,312,065</b>
<b>Water</b>					
1093	Cross connection control and water meter	2029	2.25%	516,829	558,221
1057	Water mains	2022	2.90%	106,065	138,735
1134	Zone 2 Reservoir	2032	2.90%	730,059	772,279
1186	Water mains	2034	3.30%	589,040	617,325
				<b>1,941,993</b>	<b>2,086,560</b>
<b>Sewer</b>					
977	Waste Water Treatment Plant upgrade	2031	4.85%	1,120,667	1,192,382
				<b>\$ 6,979,854</b>	<b>\$ 7,591,007</b>

\* This financing bears interest at the 30-day Banker's Acceptance rate, is calculated daily and is payable monthly.

**Town of Gibsons**  
**Schedule 2 - Government Transfers**

For the Year Ended December 31	Fiscal Plan 2019	2019	2018
<b>Government Transfers</b>			
<b>Federal Government</b>			
In lieu of taxes - general	\$ 15,000	\$ 14,207	\$ 14,670
Land Transfer	-	638,000	-
	<u>15,000</u>	<u>652,207</u>	<u>14,670</u>
<b>Provincial Government</b>			
Small Communities	488,515	497,203	488,515
Planning	-	55,000	-
Street lighting	1,000	1,318	989
Other	-	36,516	485,733
Community Works	502,354	500,142	251,178
Clean Water and Waste Water Fund	-	-	284,120
New Build Canada Fund*	1,465,510	846,278	149,016
	<u>2,457,379</u>	<u>1,936,457</u>	<u>1,659,551</u>
	<u>\$ 2,472,379</u>	<u>\$ 2,588,664</u>	<u>\$ 1,674,221</u>

\* This grant is provided under the New Build Canada - Small Communities Fund. The program is administered by the Province and includes matching Federal funding.

**Town of Gibsons**  
**Schedule 3 - Statement of Operations by Segment**

For the Year Ended December 31, 2019	General Government Services	ICBC Autoplan Driver Licence Agency	Protective Services	Planning and Economic Devel. Services	Public Works	Park Services	Unallocated	Water Utility	Sewer Utility	Total 2019 Actual	Total 2019 Fiscal Plan
<b>Revenues</b>											
Taxation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,344,137	\$ 581,106	\$ 829,541	\$ 4,754,784	\$ 4,720,716
Utility user rates and connection fees	-	-	-	-	-	-	-	1,110,272	776,725	1,886,997	1,925,574
Government transfers	503,878	-	-	55,000	672,098	-	511,410	-	846,278	2,588,664	2,472,379
Other contributions	2,000	-	-	-	-	-	-	-	40,368	42,368	-
Sales of services	5,169	-	15,534	-	578,522	-	-	-	-	599,225	1,050,936
Other revenue	283,279	362,747	465,900	-	171,002	4,943	442,813	44,466	50,547	1,825,697	1,256,212
Contributions from developers	40,064	-	-	1,650	103,469	-	-	-	309,377	454,560	766,655
<b>Total Revenues</b>	<b>834,390</b>	<b>362,747</b>	<b>481,434</b>	<b>56,650</b>	<b>1,525,091</b>	<b>4,943</b>	<b>4,298,360</b>	<b>1,735,844</b>	<b>2,852,836</b>	<b>12,152,295</b>	<b>12,192,472</b>
<b>Expenses</b>											
<b>Operating</b>											
Goods and Services	1,007,270	7,624	24,380	276,342	871,827	358,227	-	751,256	619,754	3,916,679	4,163,568
Labour	941,277	268,156	220,556	205,190	778,405	555,030	-	280,362	354,776	3,603,752	3,607,752
Debt interest and other	203,581	-	-	-	-	-	-	97,330	90,473	391,384	197,300
Amortization of tangible capital assets	986,543	-	-	-	-	-	-	302,551	255,919	1,545,013	1,390,100
Loss on disposal of tangible capital assets	3,138,671	275,780	244,936	481,532	1,650,232	913,257	-	1,431,499	1,320,922	9,456,828	9,358,720
	650	-	-	-	-	-	-	-	-	650	-
<b>Total Expenses</b>	<b>3,139,321</b>	<b>275,780</b>	<b>244,936</b>	<b>481,532</b>	<b>1,650,232</b>	<b>913,257</b>	<b>-</b>	<b>1,431,499</b>	<b>1,320,922</b>	<b>9,457,478</b>	<b>9,358,720</b>
<b>Excess (deficiency) in revenues over expenses</b>	<b>\$ (2,304,931)</b>	<b>\$ 86,967</b>	<b>\$ 236,498</b>	<b>\$ (424,882)</b>	<b>\$ (125,141)</b>	<b>\$ (908,314)</b>	<b>\$ 4,298,360</b>	<b>\$ 304,345</b>	<b>\$ 1,531,914</b>	<b>\$ 2,694,817</b>	<b>\$ 2,833,752</b>

**Town of Gibsons**  
**Schedule 4 - Statement of Operations by Segment**

For the Year Ended December 31, 2018	General Government Services	ICBC Autoplan Licence Agency	Protective Services	Planning and Economic Devel. Services	Public Works	Park Services	Unallocated	Water Utility	Sewer Utility	Total 2018 Actual	Total 2018 Fiscal Plan
<b>Revenues</b>											
Taxation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3,108,736	\$ 541,453	\$ 770,814	\$ 4,421,003	\$ 4,393,781
Utility user rates and connection fees	-	-	-	-	-	-	-	1,026,857	728,378	1,755,235	1,681,333
Government transfers	403,879	-	-	-	334,021	-	503,185	284,120	149,016	1,674,221	1,677,774
Sales of services	26,086	-	19,750	-	510,912	-	-	-	-	556,748	874,914
Other revenue	236,965	338,149	279,118	-	151,754	2,214	335,280	40,501	45,764	1,429,745	1,332,064
Contributions from developers	31,255	-	-	270,000	2,226,491	150,000	-	208,923	205,931	3,092,600	376,489
<b>Total Revenues</b>	<b>698,185</b>	<b>338,149</b>	<b>298,868</b>	<b>270,000</b>	<b>3,223,178</b>	<b>152,214</b>	<b>3,947,201</b>	<b>2,101,854</b>	<b>1,899,903</b>	<b>12,929,552</b>	<b>10,336,355</b>
<b>Expenses</b>											
<b>Operating</b>											
Goods and Services	815,258	7,129	34,969	238,507	1,104,933	201,347	-	582,292	593,225	3,577,660	4,107,791
Labour	884,675	262,817	172,507	191,617	809,724	516,815	-	289,873	310,732	3,438,760	3,503,409
Debt interest and other	219,640	-	-	-	-	-	-	97,330	90,473	407,443	386,140
Amortization of tangible capital assets	959,031	-	-	-	-	-	-	292,856	255,004	1,506,891	1,355,750
Loss on disposal of tangible capital assets	2,878,604	269,946	207,476	430,124	1,914,657	718,162	-	1,262,351	1,249,434	8,930,754	9,353,090
	130,747	-	-	-	-	-	-	1,304	-	132,051	-
<b>Total Expenses</b>	<b>3,009,351</b>	<b>269,946</b>	<b>207,476</b>	<b>430,124</b>	<b>1,914,657</b>	<b>718,162</b>	<b>-</b>	<b>1,263,655</b>	<b>1,249,434</b>	<b>9,062,805</b>	<b>9,353,090</b>
<b>Excess (deficiency) in revenues over expenses</b>	<b>\$ (2,311,166)</b>	<b>\$ 68,203</b>	<b>\$ 91,392</b>	<b>\$ (160,124)</b>	<b>\$ 1,308,521</b>	<b>\$ (565,948)</b>	<b>\$ 3,947,201</b>	<b>\$ 838,199</b>	<b>\$ 650,469</b>	<b>\$ 3,866,747</b>	<b>\$ 983,265</b>

## CONTRIBUTIONS TO THE COMMUNITY: GRANTS OF ASSISTANCE

Organization	2,019	2018
Coasting Along Theatre Society	750	
Coast Cultural Alliance (Arts Calendar, Arts Crawl)	1,800	1,800
Community Resource Centre - Seniors Planning Table	2,500	
Dakota Ridge Nordics	750	
Deer Crossing Art Farm	2,000	2,500
Gibsons Seniors Centre Society	4,000	0
Gibsons Marine Rescue Society		1,000
Gibsons Outrigger Race		1,000
Gibsons Public Art Gallery	2,000	4,300
Gooberville Multimedia		500
Huckleberry Coast Childcare Society	1,000	1,000
Popsicle Bridge Contest	250	
Restorative Justice Program of the Sunshine Coast		500
Salvation Army - Sunshine Coast	500	0
School District No. 46 (Student Bursary)	1,000	1,000
Sea Cavalcade Committee	14,707	15,110
Special Olympics Sunshine Coast	1,000	
Sunday in the Park with Pride Society	1,000	1,000
Sunshine Coast Branch of the BC Schizophrenia Society	1,000	0
Sunshine Coast Community Services Society (Crisis Support Worker)		400
Sunshine Coast Community Services Society (Parent & Tot Summer Prog.)	2,000	800
Sunshine Coast Community Services Society (Childre's Fest & Duck Pluck)	1,000	
Sunshine Coast Hospice Society	1,000	600
Sunshine Coast Jazz Society	2,000	
Tetrahedron Outdoor Club		750
Tides Canada Initiative	1,000	1,000
Transportation Choices Sunshine Coast	500	1,000
	<b>41,757</b>	<b>34,260</b>



## PERMISSIVE TAX EXEMPTIONS

Name of Property Owner/Occupier	Total Property Value	Tax Class	Tax Exemption*
Good Samaritan Canada (Christenson Village)	\$ 22,327,000	1	\$26,250
Gibsons Community Fellowship Society	473,000	8	\$2,315
Gibsons Community Fellowship Society	523,800	8	\$2,564
01987152 BC Ltd. (Gibsons Public Market)	1,128,000	6	\$5,521
Pentacostal Assemblies of Canada (Christian Life Assembly)	1,013,000	8	\$4,958
Royal Canadian Legion Branch #109	508,000	8	\$2,487
Royal Canadian Legion Branch #109	1,142,000	1	\$5,590
Gibsons Public Art Gallery	961,000	6	\$4,704
Gibsons Public Art Gallery	138,000	6	\$675
S.C. Community Services Society (Community Treasures Thrift Shop)	669,000	6	\$3,275
Parish of St. Aidan and St. Bartholomew Anglican Church	1,764,000	8	\$8,634
Sunshine Coast Kiwanis Village (Village Apartments)	2,011,000	1	\$3,152
Gibsons Congregation of Jehovah's Witnesses	373,600	8	\$1,829
Calvary Baptist Church	869,200	8	\$4,254
Roman Catholic Archbishop of Vancouver (St. Mary's Catholic Church)	1,527,900	8	\$7,479
	<b>\$ 35,428,500</b>		<b>\$83,687</b>
*Includes Statutory Exemption if applicable			



Photos of 2019 Lantern Festival by Jessica A Gihon



## ENGAGE WITH US (IT'S EASY!)

There are many ways to learn about what's happening in your Town, whether you prefer to attend Council meetings, have information sent directly to your inbox, or follow us on Facebook.

### Town Website

Your guide to Town services, Council Meetings, Important Notices, reports, mapping, special projects, events and more. Find it all at [www.gibsons.ca](http://www.gibsons.ca).

### CivicWeb Portal

Access agendas for upcoming meetings, review minutes from past meetings, view staff reports, research bylaws – every detail about past, present and future activities at Town Hall can be found at: <https://gibsons.civicweb.net/portal/>

### Digital Newsletter

Have all the latest news from Town Hall sent directly to your inbox. Sign up for our digital newsletter at [gibsons.ca](http://gibsons.ca) or by sending an email with “sign me up” in the subject line to [info@gibsons.ca](mailto:info@gibsons.ca). It's the easiest way to stay informed about what's happening in your Town!

### Social Media

Follow us on Facebook, Instagram, LinkedIn or Twitter by clicking on the icons at [www.gibsons.ca](http://www.gibsons.ca).

### Council Meetings

The powers of Mayor and Council are exercised through the adoption of resolutions or the enactment of bylaws at regularly scheduled Council meetings. Council holds two regular meetings each month (except August) on the first and third Tuesdays at 7:00pm. Meetings are open to the public and agendas are available at Town Hall and on the Town's CivicWeb Portal at <https://gibsons.civicweb.net/portal/>.

### Muni Memo

For reminders about upcoming events, civic payments coming due, new Town Hall services and more, look for the “Muni Memo” bulletin in the Coast Reporter, on the first and third Friday of each month.

### Talk of the Town

For insight directly from the Mayor (or other Councillor) on Gibsons' happenings, look for the “Talk of the Town” column on the second Thursday of each month in The Local newspaper.

### Public Information Meetings

Held on an “as-needed” basis, Public Information Meetings provide residents with key information about important topics such as the Town's current budget and major capital projects.

### Annual Report

As required under the Community Charter, the Annual Report is a means for local government to report on financial and operational information, progress made on the previous year's objectives and to set out current and future strategic goals and objectives. A new report is produced and made available to the public each year by June 30th. (August 31st in 2020, due to COVID-19).



visit [gibsons.ca](http://gibsons.ca)

**TOWN OF GIBSONS**  
**474 South Fletcher Road**  
**Gibsons, BC V0N 1V0**

**604.886.2274**  
**info@gibsons.ca**  
**www.gibsons.ca**









# STAFF REPORT

**TO:** Council **MEETING DATE:** September 15, 2020  
**FROM:** Lindsey Grist **FILE NO:** 0540-10  
Director of Corporate Services  
**SUBJECT: Youth Representative to Council Amended Terms of Reference**

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## RECOMMENDATIONS

**THAT the report titled Youth Representative to Council Amended Terms of Reference be received;**

**AND THAT the attached amended Youth Representative to Council Terms of Reference be adopted.**

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## BACKGROUND / PURPOSE

The purpose of this report is to present amended Terms of Reference for the Youth Representative to Council.

At the January 8, 2019, Regular Council meeting Bylaw 1207-01, a Bylaw to require the amendment of the Town of Gibsons Council Procedure Bylaw 1207, 2015, was adopted. Bylaw 1207-01 established a Youth Representative to Council.

The Terms of Reference for the Youth Representative were first adopted at the Regular Council meeting of February 5, 2019 (R2019-052). The first term of the Youth Representative to Council was completed in July 2019.

The attached draft amended Terms of Reference includes changes which reflect lessons learned over the previous two terms of Youth Representatives to Council. These amendments include specificity over the school grades of the representatives chosen, and further clarity that the Alternate Youth Representative will move into the role of Youth Representative the following year, without the need for entering into another selection process.

## Attachments

- Attachment A – Draft Amended Youth Representative Terms of Reference

Respectfully Submitted,

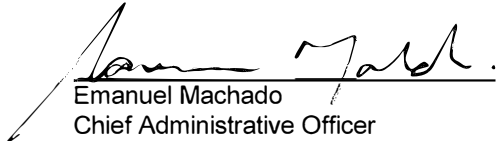


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Lindsey Grist  
Director of Corporate Services

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I have reviewed the report and support the recommendation(s).

  
Emanuel Machado  
Chief Administrative Officer



## *Youth Representative to Council Terms of Reference*

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### **1. ESTABLISHMENT AND AUTHORITY**

At the January 8, 2019, Regular Council meeting Bylaw 1207-01, a Bylaw to require the amendment of the Town of Gibsons Council Procedure Bylaw 1207, 2015, was adopted. Bylaw 1207-01 established a Youth Representative to Council.

### **2. MANDATE**

The mandate of the Youth Representative is to:

- 1) Provide youth input to Council and Committees;
- 2) Report back to youth on Council activities, and vice versa;
- 3) Advocate for and on behalf of all youth in the Town of Gibsons;
- 4) Help initiate youths' ideas and projects;
- 5) Raise awareness of the positive contributions that youth are making to our community.

### **3. ROLES AND RESPONSIBILITIES**

The Youth Representative will:

- 1) Participate in the discussion of matters under consideration, ask questions, and provide a report under Council Reports;
- 2) Use existing leadership committees within the School District framework to liaise with youth in the Town;
- 3) Provide Council information to youth;
- 4) Bring youth issues and opportunities to Council;
- 5) Attend Council meetings in person and not by electronic means.

### **4. DURATION**

The Youth Representative will sit on Council from September to June annually.

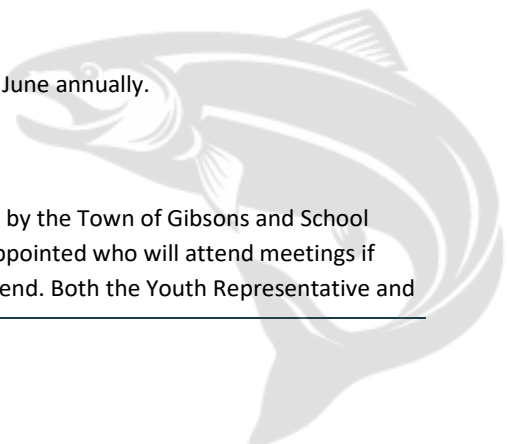
### **5. COMPOSITION**

Council will appoint a Youth Representative by a process agreed by the Town of Gibsons and School District 46. An alternate representative (the Alternate) will be appointed who will attend meetings if and/or when the primary youth representative is not able to attend. Both the Youth Representative and

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**TOWN OF GIBSONS**

*"Nature is our most valuable asset"*



the Alternate will be full time students in School District 46. The Youth Representative will be a grade 12 student, and the Alternate will be a grade 11 student, unless otherwise selected by Council.

## **6. APPOINTMENT AND MEMBERSHIP**

- 6.1 The Youth Representative will be selected by an agreed upon process established by Council and School District 46.
- 6.2 The process will be reviewed in June annually to determine its effectiveness and allow for adjustments for the continuation of the program.
- 6.3 The Youth Representative and the Alternate will participate in an orientation program as coordinated by the Corporate Officer.
- 6.4 If the Youth Representative or the Alternate is less than 18 years of age, parental or guardian consent will be required.
- 6.5 Consent to photograph/video will be obtained from the Youth Representative and the Alternate through a photo/video release authorization form. If the Youth Representative or the Alternate is less than 18 years of age, parental or guardian consent to photograph/video will be required.
- 6.6 Council will provide to the Youth Representative an honorarium up to \$75.00 per Council or Committee of the Whole meeting attended.
- 6.7 An invitation to applicable training, workshops or events will be extended to the Youth Representative, however, no honorarium will be given if the Youth Representative chooses to attend training, workshops or events.
- 6.8 The honorarium will be placed in an education reserve for the Youth Representative to be paid at the end of the Youth Representative term in June.
- 6.9 The Alternate will assume the position of the Youth Representative in the successive term, without having to reenter the selection process.
- 6.10 The Youth Representative, or Alternate, may at any time formally step down from their role by submitting a letter to Council.
- 6.11 The appointment of the Youth Representative may be rescinded at any time by Council.

## **7. LIMITATIONS OF THE DUTIES AND POWERS OF THE YOUTH REPRESENTATIVE**

- 7.1 Authority
  - 7.1.1 The Youth Representative has no delegated authority from Council.
  - 7.1.2 The Youth Representative shall not vote on a Council decision and as such will not constitute a quorum.
  - 7.1.3 The Youth Representative will not attend closed or In Camera meetings.
  - 7.1.4 The Youth Representative is reminded that they cannot direct staff or take any action contrary to existing Council policies and directives.

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### **TOWN OF GIBSONS**

*"Nature is our most valuable asset"*

## Tracy Forster

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**Subject:** FW: Eagle Mountain - Woodfibre Gas Pipeline Project: Notification of request to extend Environmental Assessment Certificate

----- Forwarded message -----

From: "Schoberg, Gord" <[Gord.Schoberg@fortisbc.com](mailto:Gord.Schoberg@fortisbc.com)>

Date: Aug. 28, 2020 11:43 a.m.

Subject: Eagle Mountain - Woodfibre Gas Pipeline Project: Notification of request to extend Environmental Assessment Certificate

To: Mayor Beamish <[mayor@gibsons.ca](mailto:mayor@gibsons.ca)>

Cc:

Mayor Beamish:

I am writing to notify you and seek your feedback on the Eagle Mountain-Woodfibre Gas Pipeline Project (the EGP Project). FortisBC is planning to request an extension to our Environmental Assessment Certificate No. E16-01 (EAC or Certificate) for the EGP Project in October 2020. FortisBC has notified the BC EAO of our intention to apply for an extension. The current certificate is set to expire on August 9, 2021. FortisBC plans to request a five year extension to August 9, 2026. The Environmental Assessment Office's Certificate Extension Policy outlines the procedures for requesting an extension to the EAC, including engagement requirements and the contents of the application.

FortisBC remains fully committed to constructing and operating the Project. FortisBC has invested significant time, effort, and resources towards advancing the Project's pre-construction requirements since the EAC was issued. Despite these efforts, there have been considerable technical, administrative, and external challenges that have delayed Project pre-construction development, resulting in delays to the overall construction schedule. The following is a brief outline of the reasons for requesting the extension.

- The Project is being built to meet the natural gas transmission capacity requirements of the approved Woodfibre LNG Limited (WLNG) facility and to enable FortisBC to continue to provide reliable service to existing and other future customers. External challenges during pre-construction planning including intermittent delays in financial investment decisions have occurred resulting in intermittent pauses in Project advancement. In addition, FortisBC must align in-service dates with the WLNG project, which has also recently requested an EAC extension for 5 years.
- As a result of engineering optimization and feedback during engagement, FortisBC is seeking an amendment to the EAC from the BC EAO and through the Squamish Nation Environmental Assessment Agreement (Squamish Nation EAA) process for four changes to the Project's technical design and routing. During development of the proposed amendment application the revitalized BC Environmental Assessment Act (2018) came into force on December 16, 2019. The revitalized Act included additional assessment matters that were not previously included in the former Act and that were not yet included in the amendment application under development. In 2020 FortisBC invested significant time and effort to prepare the amendment application in accordance with the revitalized Act, with submission anticipated in late fall 2020.
- Commercial challenges have also occurred since the EAC for the Project was issued. FortisBC has been evaluating qualified construction contracting companies capable of constructing the Project safely and in accordance with applicable management plans and environmental requirements. As a result of delays to the Woodfibre LNG project, there have been commercial challenges in procurement activities.
- The COVID-19 global pandemic has also disrupted business continuity for FortisBC and imposed challenges to advancing the Project to construction in 2020. As a critical infrastructure service provider, FortisBC remains focused on providing the safe, sustainable, and reliable delivery of energy to customers and communities,



while reacting and responding to the demands of the global pandemic. Throughout this period, FortisBC has continued to respectfully engage with Indigenous groups and local communities since the pandemic emerged; however, schedule delays have occurred while these groups address more pressing matters to support their communities through these unprecedented circumstances. In addition, COVID-19 may have ongoing implications on our Project financing arrangements and commercial negotiations with contractors and the schedule implications for Project pre-construction planning remain unclear at this time.

FortisBC is seeking your feedback on our intention to request and EAC Extension. Please provide your feedback via email or written response by September 25, 2020. Alternatively, if you would like to meet with us to discuss the EAC Extension Request and your feedback we would be happy to set up a meeting. Your feedback will be summarized and considered into the EAC Extension Request that is planned for October 2020. Following submission of the EAC Extension Request to the BC EAO, there will be other opportunities for Indigenous nations and key stakeholders (including members of the BC EAO's Technical Advisory Committee) to participate in the review process led by the BC EAO.

If you have any questions, please contact me at 604.220.9785 or by e-mail at [gord.schoberg@fortisbc.com](mailto:gord.schoberg@fortisbc.com).

Kind regards,

**Gord Schoberg | FortisBC | SENIOR MANAGER, MUNICIPAL & COMMUNITY RELATIONS**

Cell: 604.220.9785 | *Eagle Mountain – Woodfibre Gas Pipeline Project*

16705 Fraser Hwy | Surrey, B.C. | Canada, V4N 0E8

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\*FortisBC\* refers to the FortisBC group of companies which includes FortisBC Holdings, Inc., FortisBC Energy Inc., FortisBC Inc., FortisBC Alternative Energy Services Inc. and Fortis Generation Inc.

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September 4, 2020

His Worship  
Mayor Bill Beamish  
Town of Gibsons  
474 South Fletcher Road  
PO Box 340  
Gibsons BC V0N 1V0

Reference: 295446  
Your File: 0530-60

Dear Mayor Beamish,

**Re: BC Ferries Funding**

Thank you for your letter of July 22, 2020, regarding funding for BC Ferries. I am sorry it has taken me so long to reply.

You have likely heard by now that [BC Ferries is eligible](#) under the transit funding envelope of the [Safe Restart Agreement](#), a partnership with the federal government. The provincial government is working with members of the BC Ferry Authority and BC Ferries Services Inc. boards to help inform any relief proposal brought forward by BC Ferries. As we work towards finding solutions, the ministry's priorities will be to ensure that communities have certainty around service levels, fares remain affordable and the ferry service contributes to the safe and responsible restart of our economy.

BC Ferries had implemented some reductions in sailings at the height of the pandemic in early April due to declining travel. However, as you have likely heard, BC Ferries announced in early June that it was increasing the frequency of scheduled services on the Horseshoe Bay/Langdale route and, on July 2, BC Ferries increased the number of sailings again to provide even more travel options. The company is also making other changes to improve service, such as giving Langdale sailings priority at Horseshoe Bay. You can learn more in the [company's news release](#).

This past June, I announced that the ministry was providing \$180,000 to BC Ferries so the company can continue the roundtrips it had planned to stop. This funding ensured these sailings continue through the summer season's high demand. BC Ferries is also required to consult with the provincial government before making any changes to ferry service levels. BC Ferries recently announced that it will continue to provide these services for the rest of the fiscal year. I will continue to work with BC Ferries to ensure that these services are permanently included in the Coastal Ferry Services Contract so that coastal communities will have certainty regarding ferry service levels.

...2

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Ministry of Transportation  
and Infrastructure

Office of the Minister

Mailing Address:  
Parliament Buildings  
Victoria BC V8V 1X4

By working together, British Columbians have minimized the impact of the virus in our communities, making it possible to cautiously allow increases in some activity in B.C., while closely monitoring health information to minimize the risk to the public. More information about [B.C.'s Restart Plan](#) is available online.

Thank you again for taking the time to write.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Claire Trevena', with a stylized flourish at the end.

Claire Trevena  
Minister

## Tracy Forster

---

**Subject:** FW: Gibsons Supportive Housing CAC

---

**From:** Kirsten Rawkins <[krawkins@gibsons.ca](mailto:krawkins@gibsons.ca)>  
**Sent:** August 31, 2020 2:36 PM  
**To:** Justin Byers <[jbyers@bchousing.org](mailto:jbyers@bchousing.org)>  
**Cc:** Lindsey Grist <[lgrist@gibsons.ca](mailto:lgrist@gibsons.ca)>; Lesley-Anne Staats <[Lstaats@gibsons.ca](mailto:Lstaats@gibsons.ca)>  
**Subject:** RE: Gibsons Supportive Housing CAC

Justin, thank you for reaching out. Aren't we all learning new ways to get things done!  
I expect that the best person to represent the Town on the committee will be one of the Town's elected officials. I have copied our Corporate Officer Lindsey Grist who I believe will be able to help coordinate that with you.

Kind regards,

KIRSTEN RAWKINS  
Planner I  
Town of Gibsons  
P: 604-886-2274

### **Be Calm. Be Kind. Be Coastal.**

As always, the health and safety of our staff and the community are our top priority. In response to the COVID-19 pandemic, the Town of Gibsons has adjusted our operating procedures in order to help promote physical distancing and reduce the spread of the corona virus. For details about those changes, as well as how best to conduct business with the Town at this time, please visit: <https://gibsons.ca/community/community-resources/covid-19-town-services/>

---

**From:** Justin Byers [<mailto:jbyers@bchousing.org>]  
**Sent:** Monday, August 31, 2020 1:36 PM  
**To:** Kirsten Rawkins <[krawkins@gibsons.ca](mailto:krawkins@gibsons.ca)>  
**Subject:** Gibsons Supportive Housing CAC

Hi Kirsten,

As we are now through the summer months and getting more used to navigating our meetings in a virtual way, we would like to get the ball rolling on the setting up a community advisory committee for the upcoming supportive housing project in Gibsons.

Our next steps will be to convene with our facilitator, review/ agree upon a terms of reference and a member application form/process.

I wanted to first ensure that you would be the best person from the municipality to join our group and second, what your availability may be for next week?

Thanks and I look forward to getting this up and running.

Justin.





## Town of Gibsons

# MEMORANDUM

TO: Mayor and Council

FROM: Tracy Forster, Administrative Assistant II

DATE: August 31, 2020

SUBJECT: **Correspondence for the Week Ending August 31, 2020**

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**Please note:** Only correspondence indicated has been forwarded to staff.  
If you have any questions, or would like staff to follow up with items on the CRF, please contact Lindsey as items do not need to wait for a Council meeting to be actioned.

1. Time Sensitive Material

- 2020-08-26 Brian Anderson, Vice President, BC Ferries re Moving Ahead Together on the Sunshine Coast Survey Available Until Sept 14

2. Regular Correspondence (Including Emails)

- 2020-08-19 Coastal Fire Centre Status Report
- 2020-08-25 22(1) FOIPPA re Federal Govt Wharf Complaints
- 2020-08-26 AVICC Update - Nominating Students for UBCM Convention, Registering for AVICC AGM for Members Not Attending UBCM
- 2020-08-26 Coastal Fire Centre Status Report
- 2020-08-26 UBCM Convention Session Announced, Annual Report, FireSmart Funding, Indigenous-Local Government Database
- 2020-08-27 22(1) FOIPPA re Thank you for Bike Lanes on North Rd
- 2020-08-27 22(1) FOIPPA re COVID-19 Letter to Municipalities Fall 2020
- 2020-08-28 Diane Henley, Sunshine Coast Bear Alliance re Charman Creek Lands
- 2020-08-28 22(1) FOIPPA re National Healing Forest in Gibsons
- 2020-08-30 22(1) FOIPPA re 718 North Road





Town of Gibsons

## MEMORANDUM

TO: Mayor and Council

FROM: Tracy Forster, Administrative Assistant

DATE: 11 September 8, 2020

SUBJECT: **Correspondence for the Week Ending September 8, 2020**

---

**Please note:** Only correspondence indicated has been forwarded to staff.  
If you have any questions, or would like staff to follow up with items on the CRF, please contact Lindsey  
as items do not need to wait for a Council meeting to be actioned

1. Regular Correspondence (Including Emails)

- 2020-08-31 Bruce Grebeldinger, OOCA Oceanmount re Traffic Issues
- 2020-08-31 Sunshine Coast Tourism Industry Update
- 2020-08-31 UBCM Meeting Requests w Staff from Prov Ministries, Agencies, Commissions and Corporations
- 2020-09-01 Correspondence Regarding Charman Lands
- 2020-09-01 Correspondence Regarding Eaglecrest Tree Cutting
- 2020-09-02 Coastal Fire Centre Status Report
- 2020-09-02 UBCM re Confronting Systemic Racism, Active Transportation Grants, Funding and Resources Update
- 2020-09-03 ICET re Revitalizing Lantzville's Commercial Core Through Redevelopment
- 2020-09 Correspondence Regarding Gibsons Pool Closure
- 2020-09-04 22(1) FOIPPA [REDACTED] re Boat





# STAFF REPORT

**TO:** Regular Council **MEETING DATE:** September 15, 2020  
**FROM:** Dave Newman **FILE NO:** 3900-20-1282  
Director of Infrastructure Services  
**SUBJECT:** Tree Preservation Bylaw – Third Reading

---

## RECOMMENDATIONS

**THAT** the report titled Tree Preservation Bylaw – Third Reading be received;

**AND THAT** Council give the Tree Preservation Bylaw No. 1282, 2020 Third Reading;

**AND THAT** Council repeal Policy 6.1 Tree Removal on Public Land;

**AND THAT** the Tree Protection Bylaw No. 1282, 2020 be reviewed after six months and that staff prepare a report to Council on its implementation with recommendations for any amendments or additional consultations with the community in April 2021; and

**AND FURTHER THAT** staff include information about actions taken, permits issued, trees removed, and trees replaced, and other matters under the Tree Protection Bylaw in the Infrastructure Department's quarterly reports to Council and in the Annual Report to the Community.

---

## BACKGROUND / PURPOSE

A Tree Preservation Bylaw was presented by staff for First and Second reading on July 7, 2020; Council made the following resolutions as recommended by the Planning and Development Committee:

**R2020-329 Tree Preservation Bylaw**

*A recommendation from the July 7, 2020 Planning & Development Committee meeting forwarded directly to the July 7, 2020 Regular Council meeting.*

MOVED by Councillor Croal

SECONDED by Councillor Ladwig

**THAT** Tree Preservation Bylaw No. 1282, 2020 be forwarded to Council for First Reading and Second Reading;



AND THAT staff be instructed to report back to Council during the last quarter of 2020 to provide feedback on the reception of the Tree Preservation Bylaw by the public and contractors and to recommend any amendments based on experiences of applying the terms of the bylaw;

AND THAT staff be instructed to continue with plans for the protection and preservation of our Urban Forest including:

1. Amending the Subdivision and Development Servicing and Stormwater Management Bylaw No. 1175, 2012 to allow for wider road dedications and cohesion with new Tree Preservation Bylaw;
2. Examine establishing a National Healing Forest as part of the Whitetower Pond expansion;
3. Provide a report detailing the next steps in establishing an Urban Forest Master/Strategic Plan.

AND THAT Staff bring back a public consultation plan for the Bylaw for Council review;

AND FURTHER THAT Staff develop a communications plan that encourages voluntary compliance with the spirit of the Bylaw in the community until the adoption of the Tree Preservation Bylaw.

**R2020-336      Tree Preservation Bylaw 1282**

THAT "Tree Preservation Bylaw No. 1282, 2020" be given first and second reading

The purpose of this report is to update Council on the above resolutions and present edits brought forward by members of Council as well as some minor staff edits to the Tree Preservation Bylaw; staff will provide a verbal update to Council regarding the September 14, 2020 Public Hearing.

**DISCUSSION**

**Tree Preservation Bylaw edits**

In response to Council comments on July 7<sup>th</sup>, Staff have made the following amendments to the Tree Preservation Bylaw:

- Added Specimen Tree and removed Significant Tree from Definitions.
- Established an invasive tree species list and excluded invasive species from any regulation, regardless of diameter.
- Streamlined the procedure for dealing with Hazardous Trees.
- Addressed when permits and/permit fees are or are not required

Staff have also made some minor editorial edits, including the removal of some clauses that overlap with Development Permit 1 or 2 regulations.

The above revisions are shown in the attachment as red text (deletions) and blue text (additions).

#### **Update on National Healing Forest:**

On August 26, 20, Mayor Beamish and staff met with Samaya Jardey, Director of Language and Cultural Affairs of the Skwxwú7mesh Úxwumixw via Zoom.

Staff presented a slideshow titled “Opportunities for the Creation of a Healing Forest in the Spirit of Reconciliation” which included an overview of the proposed Tree Preservation Bylaw, Whitetower Pond expansion and the desire for implementation of a National Healing Forest.

During that Zoom meeting, staff also presented a “Sample of Opportunities for Public Art, Street Naming, and Story Telling in the Town of Gibsons” slideshow, in which staff are looking to engage the Skwxwú7mesh to determine areas of cultural significance/importance that could be opportunities for public art/information.

The presentation was well received by the Director of Language and Cultural Affairs, who expressed her gratitude for Gibsons’ interest in undertaking this work with the Skwxwú7mesh Úxwumixw.

#### **COMMUNICATION**

Staff has included information on the Whitetower Park Stormwater Pond webpage about the potential for the upcoming expansion project to be an appropriate site for the establishment of British Columbia’s first National Healing Forest. <https://www.nationalhealingforests.com/>

Additionally, Staff has developed a Communications Plan for the Tree Preservation Bylaw which includes:

- Webpage
- Social Media (Facebook, Instagram, Twitter)
- Digital Newsletter,
- Newspaper Ad (Public Hearing),
- Direct Mail, and
- Public Hearing

To date, the webpage for the Tree Preservation Bylaw <https://gibsons.ca/services/bylaw-enforcement/tree-preservation-bylaw/> has been created and is being updated as the bylaw progresses. The bylaw webpage is being promoted via social media and the Town’s digital newsletter.

The page includes an easy-to-follow flowchart which helps residents determine whether they need a permit to remove a tree. Property owners are being asked to adhere to these guidelines prior to official adoption of the bylaw. In addition, the tree preservation bylaw page links to a second

webpage on the Urban Forest Plan <https://gibsons.ca/sustainability/natural-assets/urban-forest-plan/>.

Furthermore, a Public Hearing is been held on September 14<sup>th</sup>, 2020. Staff will report verbally the summary of the Hearing at the September 15<sup>th</sup>, 2020 Council meeting.

Following the adoption of the bylaw, a postcard will be sent to all Town of Gibsons residents informing them about the bylaw and its key regulations. The postcard will also direct property owners to visit the Tree Preservation Bylaw webpage or contact the Infrastructure Service department, before removing any tree from their property. Key messages will also be communicated via social media and the Town's digital newsletter. A Public Hearing is to be held on September 14<sup>th</sup>, 2020. Staff will report verbally the summary of the Hearing at the September 15<sup>th</sup>, 2020 Council meeting.

## **POLICY / PLAN IMPLICATIONS**

### **Strategic Plan Implications**

The draft Tree Preservation Bylaw is consistent with Council's objective of Responding to a Changing Climate.

### **Financial Plan Implications**

The legal review of the bylaw (completed) was budgeted as a line item in the 2020 Financial Plan. Some additional funding has also been allocated towards initial work on the Urban Forest which staff will continue to work on. Staff has made additions of fees, charges and fines related to the Tree Preservation Bylaw (under a separate report) should Council wish to move towards adoption.

Fees and charges as well as fines related to the Tree Preservation Bylaw are being presented in separate reports.

### **Other Policy or Plan Implications**

This bylaw is consistent with the Town's OCP, Asset Management Policy, and Eco Asset Strategy.

## **NEXT STEPS**

- Sept 2020 – Adoption of Tree Preservation Bylaw.
- Q4 2020 – Report back to Council with staff and public feedback.
- Q3 2020 - Healing Forest – The staff presentation has been sent to the Skwxwú7mesh Úxwumixw which they will then take to their Council Committee. They will discuss the Nations' interest in the concept of the Healing Forest and identify area of cultural significance/importance that could be opportunities for public art/information. The Committee decides which items go to Council and if that is the case then Staff may be asked to present to the Skwxwú7mesh Council.

- Q4 2020 – Staff are continuing to work on Subdivision and Development Servicing and Stormwater Management Bylaw 1175.
- Q2 2021 - Staff to report back to Council as to the success of the implementation of the Tree Preservation Bylaw and with any recommendations for amendments based on experiences.

#### **RECOMMENDATIONS / ALTERNATIVES**

Staff recommendations are on the first page of this report. Alternatively, Council may wish to make further amendments to the bylaw before adoption.

#### **Attachments**

- Attachment A – edited draft Tree Preservation Bylaw
- Attachment B – clean draft Tree Preservation Bylaw

Respectfully Submitted,

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Dave Newman  
Director of Infrastructure Services

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Michelle Lewis  
Natural Asset Technician

#### **CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I have reviewed the report and support the recommendation(s).

---

Emanuel Machado  
Chief Administrative Officer

**ATTACHMENT A**

**TOWN OF GIBSONS**



**TREE PRESERVATION BYLAW  
BYLAW No. 1282, 2020**

**Adopted: Month #<sup>th</sup>, 2020**



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## **TOWN OF GIBSONS BYLAW NO. 1282**

A Bylaw to provide for the protection and preservation of Trees  
within the Town of Gibsons.

**WHEREAS** it is deemed desirable to regulate the removal and retention of trees within the Town of Gibsons; and

**WHEREAS** trees are recognized as a Natural Asset of the community; and

**WHEREAS** trees and tree cover provide many services for the Town,

**THEREFORE**, the Municipal Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

### **SECTION 1 INTRODUCTION**

#### **1.1 SHORT TITLE**

This Bylaw may be cited for all purposes as "Tree Preservation Bylaw No. 1282, 2020".

#### **1.2 REPEAL**

Tree Cutting Permit Bylaw No. 623, 1990 is hereby repealed.

#### **1.3 PURPOSE**

This Bylaw is enacted for the purposes of regulating the damaging, removal and replacement of trees within the Town of Gibsons and to preserve the overall ecological function of the Urban Forest by:

- 1.3.1 Regulating the altering, cutting, damaging or removing of trees within the Town of Gibsons;
- 1.3.2 Describing the conditions under which permits will be granted for the altering, cutting, or removal of trees.

#### **1.4 BYLAW SCHEDULES**

Attached as integral parts of the Bylaw are the following Schedules:

- 1.4.1 SCHEDULE "A" - PROTECTED TREE SPECIES
- 1.4.2 SCHEDULE "B" - PROTECTED TREE SEEDLINGS
- 1.4.3 SCHEDULE "C" - TREE PROTECTION PRACTICES

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1.4.4 SCHEDULE "D" - REPLACEMENT TREE STOCK AND PLANTING REQUIREMENTS

1.4.5 SCHEDULE "E" - RECOMMENDED REPLACEMENT TREE SPECIES

~~1.4.5~~ 1.4.6 SCHEDULE "F" - INVASIVE TREE SPECIES

**SECTION 2 DEFINITIONS AND APPLICATION OF BYLAW**

**2.1 DEFINITIONS**

In this Bylaw, unless the context requires otherwise, the following words and terms shall have the meanings hereinafter assigned to them:

**~~ANTI-NOISE BYLAW~~**

~~means Anti-Noise Bylaw No. 364, 1980, as amended or replaced from time to time.~~

**BOULEVARD**

means an improved portion of land, within a Highway dedication adjacent to a Road surface, sidewalk, or Lot.

**CERTIFIED ARBORIST**

means an Arborist who is certified and in good standing with the International Society of Arboriculture.

**CONIFEROUS**

a tree that bears cones and needle-like or scale-like leaves that are typically evergreen.

**COUNCIL**

means the municipal Council of the Town of Gibsons.

**CROWN**

means the entire system of branches, leaves and reproductive structures of a Tree extending away from the trunk or main stem(s).

**CUT**

means to limb, trim, Top, or prune any parts of a Tree, or by any mechanical means remove any branch, foliage, root, stem, or other part of a Tree, and "Cutting" shall have a corresponding meaning.

**DAMAGE**

means to take any action that may cause a Tree to die or decline, including but not limited to:

- a) girdling;
- b) ringing;

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- c) poisoning;
- d) burning;
- e) soil compaction;
- f) depositing soil, undermining, or removing soil from, around the Tree;
- g) depositing toxins on any part of a Tree or into groundwater taken up by a Tree;
- h) placing concrete or any other hard surface within the Protected Root Zone of a Tree without authorization from the Town;
- i) blasting within 5 metres of the Protected Root Zone;
- j) penetrating or removing any part of the bark of the Tree;
- k) excessive Crown lifting, excessive pruning of the Crown, branches, limbs and or roots; or
- l) any other pruning in a manner not in accordance with Sound Arboricultural Practices as set out by the International Society of Arboriculture.

**DIAMETER AT BREAST  
HEIGHT or DBH**

means diameter of the stem of a Tree measured at breast height, except where the Tree has multiple stems at such a point, in which case the DBH of such Tree shall be the sum of 100% of the diameter of the largest stem and 60% of the diameter of each additional stem, all measured at breast height, and breast height for the purposes of such measurements shall be deemed to be 1.3 metres above the natural grade on the uphill side of the Tree.

**DECIDUOUS**

means a Tree which sheds all leaves annually at the end of the growing season followed by a dormant period without leaves.

**DEPOSIT**

means place, move, discharge, spray, spill, leak, seep, pour, emit, store, stockpile, or release directly or indirectly into or onto the land,



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air, soil and groundwater such that Damage to a Tree results, and Depositing has a corresponding meaning.

**DEVELOPMENT**

means an activity which requires a building permit under the Building and Plumbing Bylaw, No. 822, 1996

**DPA 2**

means Environmentally Sensitive Development Permit Area No. 2 as defined in the Official Community Plan Bylaw No. 985, 2005, as amended or replaced from time to time.

**DIRECTOR**

means the person appointed by the Town as Director of Infrastructure Services, their deputy, or a person authorized by the Director to perform duties of the Director under this bylaw.

**FEES AND CHARGES  
BYLAW**

means the Rates, Fees and Charges Bylaw No. 1196, 2014, as amended or replaced from time to time.

**HAZARDOUS TREE**

means a Tree or a portion of a Tree that:

- a) in the opinion of a Certified Arborist or the Director, poses an unacceptable level of risk to people or property because of location, lean, physical damage, overhead hazards, deterioration of limbs, stem or root system, or a combination thereof;
- b) in the opinion of the utility having jurisdiction, interferes with, or is in such proximity to, utility wires as to create a dangerous situation; or
- c) in the opinion of the Director, interferes with, blocks, or damages a drainage, water or sewer system or other parts of an improvement.

**HEDGE**

means a row of three or more Trees that through growth and pruning form a continuous dense screen of vegetation from ground level which provides privacy, fencing, wind breaking, and/or boundary definition.

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<b>HERITAGE TREE</b>	means a designated Tree that has been determined by Council to be of significant value to the community because of special characteristics such as uniqueness of species, uniqueness of ecosystem, historical or landmark value.
<b>LANDSCAPE ARCHITECT</b>	means a Landscape Architect registered with the British Columbia Society of Landscape Architects.
<b>LOT</b>	as defined in the Zoning Bylaw.
<b>NATIVE SPECIES</b>	means a Tree species that occurred naturally in the Town of Gibsons prior to European contact.
<b>NATURAL ASSET</b>	means a feature or features in the natural environment that perform a civil function.
<b><u>OWNER</u></b>	<u>as defined in the Subdivision and Development Servicing and Stormwater Management Bylaw No. 1175, 2012</u>
<b>PROTECTED TREE</b>	means <ul style="list-style-type: none"><li>a) any Tree having a DBH of 10 cm or more on Sloping Terrain;</li><li><del>b) any Tree having a DBH of 10 cm or more located in DPA 2;</del></li><li><del>e) b)</del> any Replacement, Retained, <u>Specimen</u>, Heritage or Wildlife Tree;</li><li><del>d) c)</del> any Tree with evidence of nesting or use that is protected under federal or provincial regulations including the B.C. Wildlife Act, Migratory Birds Convention Act, and Species at Risk Act;</li><li><del>e) d)</del> any Tree listed in Schedule "A" with a DBH of 20 cm or more;</li><li><del>f) e)</del> any Protected Tree Seedling;</li><li><del>g) f)</del> any Tree, including multi-stemmed Trees, regardless of species, having a DBH of 30 cm or more.</li></ul>

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<b>PROTECTED TREE SEEDLING</b>	means any young, independent, living, erect, woody plant that is listed in Schedule "B" and has a height of more than 50cm and less than 5m, regardless of DBH
<b>PROTECTED ROOT ZONE</b>	means <ul style="list-style-type: none"><li>a) the area of land surrounding the trunk of a Tree that contains the bulk of the critical root system of the Tree which has been specifically delineated on a Tree plan prepared by a Certified Arborist and approved by the Director;</li><li>b) in the absence of such information, the area of land surrounding the trunk of a Tree contained within a circle having a radius which is calculated by multiplying the DBH of the Tree by 18.</li></ul>
<b>QUALIFIED ENVIRONMENTAL PROFESSIONAL</b>	means an individual holding one of the following designations: <ul style="list-style-type: none"><li>a) Agrologist;</li><li>b) Professional biologist;</li><li>c) Professional engineer;</li><li>d) Professional forester;</li><li>e) Professional geoscientist; and</li><li>f) Registered forest technologist.</li></ul>
<b>REPLACEMENT TREE</b>	means a Tree required in accordance with this Bylaw to be planted to replace a Tree that has been Cut, Removed or Damaged, or a Tree planted as a condition of Subdivision or other municipal approval.
<b>RETAINED TREE</b>	means a Tree not to be Cut, Removed or Damaged and must be permanently protected.
<b>REMOVE</b>	means to entirely sever the main stem of a Tree, and "Removed", "Removal" and "Removing" shall have corresponding meanings.

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<b>SLOPING TERRAIN</b>	means land with a slope angle greater than 20%, measured over a horizontal distance of 6.0 m (19.7 ft) or more <a href="#">at the location of the tree</a> .
<b>SOUND ARBORICULTURAL PRACTICE</b>	means in accordance with the Best Management Practices Series of the International Society of Arboriculture (ISA).
<b>SPECIMEN TREE</b>	means a Tree of any size which a Certified Arborist, Landscape Architect, or the Director of <a href="#">Infrastructure in consultation with the Director of Planning</a> deems to be of exceptional value because of its species, condition, form, age or size.
<b>SUBDIVISION</b>	means <a href="#">a)</a> a Subdivision as defined in the Land Title Act, or <a href="#">a)b)</a> a Subdivision under the Strata Property Act.
<b>TOP</b>	means to entirely sever the stem of a Tree such that the upper stem and branches of the Tree are completely removed, resulting in an abruptly truncated stem, and "Topping" and "Topped" shall have corresponding meanings.
<b>TOWN</b>	means the Town of Gibsons.
<b>TREE</b>	means a woody perennial plant having one or more stems and includes any part of the Tree or root system which is above or below ground, <a href="#">with the exception of the invasive tree species as <del>named</del> listed in Schedule "F" of this Bylaw</a> .
<b>TREE CUTTING PERMIT</b>	means a permit issued pursuant to this Bylaw by the Director authorizing the pruning, Cutting or Removal of one or more Protected Trees.
<b>TREE PROTECTION BARRIER</b>	means a sturdy temporary or permanent fence or barrier at least 1.2 metres in height, with wood-framed top and side rails or equivalent.
<b>URBAN FOREST</b>	means the Trees, forests, greenspace, and

## TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

related abiotic, biotic, and cultural components located within the Town.

### **WILDLIFE TREE**

means any standing dead or live Tree having special characteristics that provide valuable habitat for the conservation or enhancement of wildlife, as determined and classified by the Director, in accordance with criteria contained in the "Wildlife/Danger Tree Assessor's Course Workbook – Parks and Recreation Sites".

### **ZONING BYLAW**

means the Town of Gibsons Zoning Bylaw No. 1065, 2007, as amended or replaced from time to time.

## **2.2 APPLICATION OF BYLAW**

2.2.1 This Bylaw applies to all land within the Town.

2.2.2 This Bylaw does not apply to Protected Trees on Town-owned property or highways that are Cut or Removed by the Town or its authorized agents in accordance with approved Town operations.

## **SECTION 3 RESTRICTIONS AND EXEMPTIONS**

### **3.1 RESTRICTIONS**

3.1.1 No person shall Cut, Remove, or move any Protected Tree, or cause, suffer or permit any Protected Tree to be Cut, Removed or moved, except in accordance with the terms and conditions of a valid Tree Cutting Permit issued under this Bylaw.

3.1.2 No person shall fail to comply with the terms and conditions of a Tree Cutting Permit issued under this Bylaw.

3.1.3 Except to the extent granted by a Tree Cutting Permit, or as provided for in Section 3.2.2, a person must not:

- a) Damage a Protected Tree;
- b) Top a Protected Tree except if the Protected Tree forms part of a Hedge;
- c) Attach a sign or poster to a Protected Tree in any manner that may Damage the Protected Tree.

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**3.2 PUBLIC LANDS**

- 3.2.1 Any Tree on land owned by or under the jurisdiction of the Town, including, without limitation, a Tree in a park or on a Boulevard, road, lane allowance or right of way is considered a Protected Tree.
- 3.2.2 No person shall plant a Tree or Hedge on Town lands or cause Trees or Hedges to be planted on Town lands without prior written authorization from the Director.

**3.3 EXEMPTIONS**

- 3.3.1 A Tree Cutting Permit is not required to Cut or Remove a ~~Hedge or a~~ Protected Tree where:

a) A Development Permit under DPA 1 or 2 and/or Rezoning has been ~~approved~~ issued which addresses the Removal of the Protected Tree;

~~— The roots of the Protected Tree are interfering with, or presenting a hazard to, underground or overhead services and utilities where removal of the tree is the only means to address the issue;~~

~~a) b)~~

~~b) —~~

c) The Cutting or Removal constitutes normal pruning of Trees in accordance with Sound Arboricultural Practice.

~~d) —~~

**3.4 HAZARDOUS TREES**

- 3.4.1 In the event that a Tree is in imminent danger of falling, the Owner may Cut the Tree or have it Cut prior to obtaining a permit, ~~but shall report the Cutting of the Tree to the Director within the next business day along with a photograph of the Tree prior to such Cutting.~~
- 3.4.2 The Owner shall not remove the Tree from the Lot until the Director has attended the site and has confirmed the Tree was in imminent danger of falling.
- 3.4.3 If the Director determines that the Tree was not in imminent danger of falling, or was in imminent danger of falling due to reasons other than natural causes, the Owner may be found to have acted in contravention of this bylaw and be subject to the penalties in SECTION 7. ~~may be~~



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~~subject to the offences and penalties as listed in the Bylaw Notice  
Enforcement Bylaw No. 1125, 2010.~~

## **SECTION 4      TREE CUTTING PERMIT APPLICATION**

### **4.1      GENERAL CONDITIONS OF TREE CUTTING PERMIT**

- 4.1.1      An application for a Tree Cutting Permit shall be in the form prescribed for that purpose by the Director from time to time.
- 4.1.2      A Tree Cutting Permit issued under this Bylaw is non-transferable.
- 4.1.3      The Tree Cutting Permit shall be displayed in an accessible and conspicuous location on the Lot to which it pertains no less than 72 hours prior to and during Tree Cutting or Removal operations.

### **4.2      APPLICATION REQUIREMENTS**

Every application for a Tree Cutting Permit shall include:

- 4.2.1      A non-refundable application fee in the amount applicable under the Rates, Fees and Charges Bylaw except as provided in 4.2.1.1.

4.2.1.1      No permit fee is required where any of the following conditions apply:

- a) the Protected Tree is located within the building envelope of a Lot and the Cutting or Removal of the Protected Tree is deemed by the Director to be necessary for the purpose of lawfully constructing a building or accessory building, or an addition to a building or accessory building in respect of an approved Building Permit;
- b) the removal of a Protected Tree is to facilitate the installation of roads or services in respect of a Subdivision and as shown on an engineering drawing approved by the Town; or
- c) The Tree is dead, dying, severely Damaged, unstable or deemed to be Hazardous; or
- d) The roots of the Protected Tree are interfering with, or presenting a hazard to, underground or overhead services and utilities where, in the opinion of the Director, removal of the tree is the only means to address the issue.
- e) \_\_\_\_\_

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~~4.2.2 A non-refundable application fee in the amount applicable under the Rates, Fees and Charges Bylaw unless the application is for permission to remove a Hazardous Tree, in which case no application fee is required;~~

~~4.2.3~~ 4.2.2 The following documents, plans and information relating to the proposed Tree Cutting or Removal:

- a) A statement of purpose and rationale for the proposed Tree Cutting or Removal;
- b) The street location and a title search for the Lot dated no more than 14 days prior to the date of application;
- c) The consent in writing of the registered Owner of the Lot, if different from the applicant, authorizing the applicant to act as the Owner's agent;
- d) The consent in writing of the registered Owner(s) of the Lot(s) where the base of the Tree to be Cut or Removed is located and current contact information for that Owner or Owners;
- e) The methods proposed for control of drainage and erosion impacts during and after the Tree Cutting or Removal;
- f) The proposed methods for disposal of wood waste and other debris;
- g) The proposed methods of noise and dust control during the Tree Cutting or Removal operation;
- h) The proposed completion dates for Tree Cutting or Removal;
- i) Where the Tree(s) proposed to be Cut or Removed are on Sloping Terrain, a report signed by a Geotechnical Engineer certifying that the proposed Cutting or Removal shall not result in an increased risk or danger of flooding, erosion or slope instability;
- j) The proposed location and species of Replacement Trees required in accordance with Section 5.2;
- k) If required by the Director:
  - i) A Tree Cutting and replacement plan drawn to approximate scale identifying:
    - a) the boundaries of the subject Lot;
    - b) any abutting streets, lanes or public access rights of way;

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- c) the location of existing buildings and structures;
  - d) the location, species and DBH of those Trees proposed to be Cut or Removed;
  - e) the location, species and DBH of those Trees proposed to be Retained and protected;
  - f) the location, species and DBH of proposed Replacement Trees;
  - g) the location of significant topographic and hydrographic features and other pertinent site information; and
  - h) the location of proposed Tree Protection Barriers.
- ii) ~~—A report certifying that the proposed Tree Cutting or Removal will not create an adverse impact including flooding, erosion, land slip or contamination of a watercourse prepared by a Qualified Environmental Professional qualified to provide such certification;~~
  - iii) ~~Where the site of the Tree Cutting or Removal is on a Lot adjacent to or containing any part of a watercourse, a survey plan prepared by a BC Land Surveyor or professional engineer showing the top of bank of such watercourse;~~ Such further and other information as the Director determines is necessary to adequately describe the nature and extent of the Tree Cutting or Removal operation.
- l) In addition to the requirements in Sections 4.2.1 and 4.2.2 of this Bylaw, any Lot undergoing Subdivision or Development shall place a Tree Protection Barrier around any Tree or Trees which are not to be Cut or Removed, in such a manner to ensure that the trunk, branches and Protected Root Zone are not Damaged by the Cutting or Removal operations. The Tree Protection Barrier must be constructed prior to the issuance of the Tree Cutting Permit and must remain intact for any construction or demolition throughout the entire period of construction or demolition.

4.2.3 Where the Tree Cutting or Removal is for a Tree that the applicant purports to be a Hazardous Tree:

- a) Evidence that the Tree is in imminent danger of falling, as requested by the Director; ~~or~~
- b) A report prepared by a Certified Arborist certifying that the Tree is

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dead, diseased, damaged or otherwise constitutes a physical hazard to persons or property; or

~~m)~~ In the event that it is not possible for reasons of safety to obtain a report prior to the tree falling, the Owner may cut the tree or have it cut, but shall report the cutting of the tree to the Town within 30 days, along with a photograph of the tree prior to such cutting.

#### 4.3 PERMIT ISSUANCE OR REFUSAL

4.3.1 The Director will issue a Tree Cutting Permit in the form prescribed for that purpose from time to time by the Director if:

- a) the applicant has submitted an application for the Tree Cutting Permit in accordance with the conditions of this Bylaw;
- b) the applicant has paid the required application fee;
- c) the proposed Cutting is not contrary to the provisions of this Bylaw;
- d) there is no covenant or similar agreement registered against title to the Lot that prohibits the proposed activity;
- e) the Director deems the proposed activity is necessary where
  - ii) the tree removal is to facilitate the lawful construction of a building or building addition in respect of an approved Building Permit;
  - iii) any part of the tree is causing damage or may be reasonably expected to cause damage to a permanent building and where removal of the tree is the only means to address the issue;
  - ~~iii)~~iv) The roots of the protected tree are interfering with, or presenting a hazard to, underground or overhead services and utilities where removal of the tree is the only means to address the issue;
  - ~~iv)~~v) the installation of a driveway permitted by the Subdivision and Development Servicing and Stormwater Management Bylaw;
  - vi) the removal is necessary for the installation of roads or services in respect of a Subdivision and as shown on an engineering drawing approved by the Town; or

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~~v)~~ the tree is one of several trees on the property and removing one or more trees will promote the health and safety of the remainder.

- f) the Proposed Cutting will not, in the opinion of the Director, cause an unacceptable impact on engineered infrastructure, other Trees or other Natural Assets; and
- g) if required by this Bylaw, the applicant has provided security in accordance with Section 5.2.4 of this Bylaw for the planting and maintenance of Replacement Trees on the Lot.
- h) subject to the observance or fulfilment of additional conditions specified in the Tree Cutting Permit which in the opinion of the Director are necessary to achieve the purposes of this Bylaw.

4.3.2 The issuance of a Tree Cutting Permit does not authorize the permit holder to undertake any work that will contravene the Wildlife Act.

**4.4 PERMIT EXPIRY, RENEWAL, EXTENSION OR MODIFICATION**

4.4.1 The Maximum duration of Every Tree Cutting Permit will be determined by the Director up to a maximum of ~~will be 12 months. up to the discretion of the Director shall expire two (2) months from the date of issue or upon such earlier date as may be specified in the permit.~~

4.4.2 The Director may renew, extend, or modify a Tree Cutting Permit upon written request of the permit holder, subject to the following:

- ~~a) A permit holder has no vested right to receive an extension, renewal or modification and the Director may require that a new permit be obtained;~~
- ~~b) The permit holder shall pay a non-refundable permit extension fee in the amount applicable under the Fees and Charges Bylaw;~~
- ~~c) At the discretion of the Director the permit may be extended for the period of two months;~~
- ~~d)~~ a) The Director may require that the permit holder provide additional information authorized by this Bylaw as a precondition to considering an application for a Tree Cutting Permit renewal, extension, or modification; and
- ~~e)~~ b) All terms and conditions set out in the original permit shall apply to each renewal, extension, or modification of the Tree Cutting Permit except as amended or modified by the renewal, extension, or modification.



## SECTION 5 Regulations

### 5.1 TREE CUTTING OR REMOVAL

5.1.1 Every Cutting or Removal of a Protected Tree shall comply with, and every Tree Cutting Permit issued under this Bylaw is subject to, the observance or fulfilment of the following requirements, restrictions, and regulations, to the satisfaction and approval of the Director:

- a) Flag or mark with red or orange paint each Tree proposed to be Cut or Removed;
- b) Mark on the ground with paint, stakes or flagging the Protected Root Zones of all Trees on the Lot and the boundaries of the areas within such Protected Root Zones on which the proposed Tree-activities are proposed to be carried out;
- c) Tree parts and wood waste shall be removed from the land and properly disposed of;
- d) precautions shall be taken to ensure that Trees which are not to be Cut or Removed are not subject to any Damage;
- ~~e) no Tree Cutting or Removal activities may be carried out between the hours of 6:00 p.m. and 8:00 a.m. or in a manner contrary to the Anti-Noise Bylaw, whichever is more stringent, unless approved in writing by the Director;~~
- ~~f)e)~~ all damage to drainage facilities, watercourses, highways or other public or private property arising from an activity in respect ~~of which a Tree Permit was issued under this Bylaw to the Cutting or Removal of a tree~~ shall be promptly and properly repaired to the satisfaction of the Director at the expense of the permit holder;
- ~~g)f)~~ all watercourses, groundwater aquifers, waterworks, ditches, drains, sewers or other established drainage facilities shall be kept free of all wood waste arising from the activity in respect of which a Tree Cutting Permit was issued under this Bylaw;
- ~~h)g)~~ all hazards or potential hazards associated with the Tree Cutting or Removal operation shall be adequately fenced or otherwise barricaded to ensure the safety of the public;
- ~~i)h)~~ Tree Cutting or Removal operations must not encroach upon, undermine, damage or endanger any adjacent Lot or any setback area prescribed in the Tree Cutting Permit or a Bylaw; and
- ~~j)i)~~ Tree Cutting or Removal operations shall be limited only to the

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area specified in the Tree Cutting Permit which shall be clearly marked according to Section 4.2.2 and such markings maintained for the duration of the Tree Cutting Permit.

- 5.1.2 For any Subdivision and Development, every Cutting or Removal of a Protected Tree, ~~or Specimen Tree or Significant Tree~~ shall comply with, and every Tree Cutting Permit issued under this Bylaw ~~is~~ shall be subject to, the observance or fulfilment of the requirements, restrictions and regulations outlined in 5.1.1, to the satisfaction and approval of the Director, as well as the practices outlined in Schedule "C" of this Bylaw.

### 5.2 REPLACEMENT TREES

- 5.2.1 For Lots containing a single-family dwelling, as that term is defined in the Zoning Bylaw, as a condition of any permit issued under this Bylaw, the Owner shall plant and maintain two (2) Replacement Trees for each 20-30cm DBH Protected Tree Cut or Removed, and shall plant and maintain three (3) Replacement Trees for each 30 cm or greater DBH Protected Tree Cut or Removed, on the subject Lot in accordance with the requirements of Schedule "D".

- 5.2.2 For all other Lots, as a condition of permit issuance under this Bylaw, the Owner shall plant and maintain two (2) Replacement Trees for each Protected Tree Cut or Removed on the subject Lot in accordance with the requirements of Schedule "D".

- 5.2.3 For Lots within DPA 1 or 2 where a Development Permit has been issued which addresses the removal of the Protected Tree, the Owner shall plant and maintain three (3) Replacement Trees of Native Species on the subject Lot for each Protected Tree Cut or Removed, in accordance with the requirements of Schedule "D".

- ~~5.2.4 If a Tree or Trees located on any Lot form part of a Hedge, the Director may require that less than one Replacement Tree be planted and maintained for each Tree that is Cut or Removed.~~

- ~~5.2.5~~ 5.2.4 Where the planting and maintenance of a Replacement Tree is required pursuant to this Bylaw, the Owner shall provide to the Town prior to issuance of a Tree Cutting Permit a security deposit in the amount of \$300 cash for each Replacement Tree to be planted and maintained. If at any time the Owner fails to comply with the provisions of this Bylaw relating to the planting and maintenance of Replacement Trees, the Town may by its employees or contractors enter upon the subject Lot to fulfil the obligations of the Owner and, for such purposes, the Town may draw upon the security deposit to cover any costs of doing so. The security deposit or portion remaining thereof, if any, shall be released to the Owner 24 months after planting, provided the Director is satisfied the Tree is in

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good health.

~~5.2.6~~5.2.5 If, in the opinion of the Director, Replacement Trees cannot, or need not, be accommodated because of the configuration of buildings or proposed buildings on the Lot, or constraints due to lack of acceptable planting areas, the Director may accept from the Owner payment in lieu in an amount of \$300 into the Tree Planting and Replacement Reserve Fund for each Replacement Tree not planted.

~~5.2.7~~5.2.6 Replacement Trees shall be planted and maintained in accordance with Sound Arboricultural Practice to the satisfaction of the Director.

~~5.2.8~~5.2.7 Replacement Trees are not required for Tree Cutting or Removal of a Hazardous Tree.

### **SECTION 6 Administration**

#### **6.1 INSPECTION**

6.1.1 The Director is hereby authorized at all reasonable times to enter upon and inspect any lands to determine whether the requirements, restrictions, regulations, terms, conditions and directions of this Bylaw or a Tree Cutting Permit issued under this Bylaw are being observed.

6.1.2 Without limiting the generality of 6.1.1, the Director may, at all reasonable times, assess or inspect, or cause an assessment or inspection to be made of any Protected Trees to which this Bylaw applies, including an assessment of the location, size, species and condition of such Trees, in the following circumstances:

- a) Where land is the subject of an application for Subdivision, approval of a servicing plan prior to Subdivision, a development permit, a development variance permit, a temporary commercial or industrial use permit or a building permit;
- b) When Replacement Trees have been planted as required by this Bylaw; or
- c) When an application for a Tree Cutting Permit has been made under this Bylaw.

6.1.3 No person shall prevent or obstruct or attempt to prevent or obstruct the Director from entering upon lands and carrying out the activities authorized by Sections 6.1.1 and 6.1.2.

6.1.4 Where a Protected Tree has been Cut or Damaged in contravention of this Bylaw or the terms of a Tree Cutting Permit, no person shall remove from a Lot the stem, limbs, roots and remains of a tree Cut or Damaged

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until an investigation and assessment by the Director is complete and the Director has expressly authorized the removal of the remains of the Tree.

**6.2 NOTICE OF NON-COMPLIANCE**

- 6.2.1 The Director may give notice to any person of a breach of, or noncompliance with, any of the provisions of this Bylaw or a Tree Cutting Permit issued under this Bylaw, and such person shall immediately cease all Tree Cutting or Removal activities until such breach or non-compliance is remedied to the satisfaction of the Director, and every Owner of real property shall refuse to suffer or permit further Tree Cutting or Removal operations upon the real property until such time as the breach or non-compliance is remedied to the satisfaction of the Director.

**6.3 FAILURE TO REMEDY NON-COMPLIANCE**

- 6.3.1 In the event that a person having received notice under Section 6.2 fails within the time specified therein to remedy such breach, the Town or its appointed agents may enter upon the real property and undertake, at the Owner's or occupier's expense, the works required to remedy the breach.

**6.4 NOTICE OF REMEDIAL REQUIREMENT**

- 6.4.1 In addition to any other provision of this Bylaw, where a person cuts, removes or damages, or causes, suffers or permits any Protected Tree to be cut, removed, or damaged in contravention of this Bylaw or in violation of any term or condition of a Tree Cutting Permit issued under this Bylaw, that person, within 30 days of receiving notice of such requirement from the Director, shall:
- a) Submit for the Director's approval a Tree Cutting and Replacement Plan in accordance with the requirements of Section 4.2.2 j) specifying the location and species of all Replacement Trees; and
  - b) Provide twice the number of Replacement Trees required by section 5.2.1, 5.2.2 and 5.2.3;
  - c) Provide a security deposit in accordance with Section 5.2.4 of this Bylaw; and
  - d) Plant and maintain Replacement Trees in accordance with Section 5.2 of this Bylaw and the Tree Cutting and Replacement Plan approved by the Director.

**6.5 SUSPENSION OR CANCELLATION OF PERMIT**

- 6.5.1 Without limiting the application of Section 7 (Offences and Penalties), if:

## TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

- a) There is a contravention of any term, condition, requirement or restriction of this Bylaw or a Tree Cutting Permit issued under this Bylaw; or
- b) A Tree Cutting Permit was issued under this Bylaw on the basis of statements made in the permit application or a report, declaration or record required under this Bylaw, that were false or misleading with respect to a material fact or that omitted to state a material fact, the omission of which made the statement false or misleading;

the Director may:

- i) Suspend in whole or in part the rights of the permit holder under the Tree Cutting Permit;
- ii) Cancel the Tree Cutting Permit; or
- iii) Amend or attach new conditions to a Tree Cutting Permit.

### 6.6 RIGHT OF RECONSIDERATION

6.6.1 Where an Owner or occupier of real property is subject to a requirement or a decision made by the Director under this Bylaw, the Owner or occupier may apply to Council for reconsideration of the matter.

~~6.6.2 — There is no charge for an application for reconsideration.~~

~~6.6.3~~ 6.6.2 An Owner or occupier who wishes to have a decision reconsidered by Council must apply for the reconsideration by delivering to the Director of Corporate Services, within 30 days after the decision is communicated in writing to the Owner or occupier, a reconsideration application in writing, which must set out all of the following:

- a) The date of the decision and the nature of the decision;
- b) Reasons why the Owner or occupier considers the Director's decision or requirement to be inappropriate;
- c) The decision the Owner wishes to have Council substitute for the Director's decision, with brief reasons in support of the request; and
- d) A copy of any materials considered by the Owner to be relevant to the reconsideration by Council.

~~6.6.4~~ 6.6.3 A reconsideration application must be considered by Council at a regular meeting of Council held no more than six weeks after the date on which the reconsideration application is delivered to the Director of

## TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

Corporate Services;

~~6.6.5~~6.6.4 The Director of Corporate Services must:

- a) Place each reconsideration application on the agenda for a regular meeting of Council;
- b) Give notice of each reconsideration by Council in accordance with any notice requirements in respect of the original application that are set out in the Development Application Procedures Bylaw No. 1166, 2014 or the applicable legislation; and
- c) Before each reconsideration by Council, deliver to each Council member a copy of the materials that were considered by the Director in making the decision that is to be reconsidered.

~~6.6.6~~6.6.5 In reconsidering a decision, Council must consider the material that was considered by the Director in making the decision;

~~6.6.7~~6.6.6 At a reconsideration of a decision, the Owner or occupier and any other person who is interested in the decision are entitled to be heard by Council;

~~6.6.8~~6.6.7 Council is entitled to adjourn a reconsideration of a decision; and

~~6.6.9~~6.6.8 After having reconsidered a decision, Council may either confirm the Director's decision, amend the Director's decision, or may set aside all or part of the Director's decision and substitute the decision of Council.

### **6.7 RECOVERY OF COSTS AND FEES FROM REAL PROPERTY TAXES**

6.7.1 The costs of actions taken by the Town to remedy a default or breach of this Bylaw may be collected by the Town in the same manner as real property taxes, and will be added as arrears of taxes if unpaid by December 31 in the year in which the costs are incurred.

### **SECTION 7 Offences and Penalties**

7.1.1 Any person who contravenes or violates any provision of this Bylaw or of any Tree Cutting Permit issued under this Bylaw, or who suffers or allows any act or thing to be done in contravention or violation of any of the provisions of this Bylaw or any Tree Cutting Permit issued under this Bylaw, or who fails or neglects to obey any order, direction or notice given under this Bylaw or any Tree Cutting Permit issued under this Bylaw, other than an offence referred to in Section 7.1.4, below, commits an offence against this Bylaw and is liable on summary conviction to a fine of up to \$5,000 in addition to the costs of prosecution.



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- 7.1.2 Where one or more Protected Trees is Cut or Removed other than as authorized by this Bylaw, or more than one Protected Tree is not replaced or maintained in accordance with a Tree Cutting Permit issued under this Bylaw, a separate offence is committed in respect of each such Tree.
- 7.1.3 Where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.
- 7.1.4 Notwithstanding Section 7.1.1, any person who is guilty of obstructing the Director or Officer or their appointed designates while performing his/her duties in relation to this Bylaw is liable upon summary conviction to a fine of not less than \$2,000.00, or to imprisonment for not more than 6 months, and the cost of prosecution.

**SECTION 8 Severability**

- 8.1.1 If any part, Section, sub-Section, sentence, clause or sub-clause of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid Section shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.
- 8.1.2 Section headings do not form part of this Bylaw. They are included for convenience only and must not be used in interpreting this Bylaw.

**READ A FIRST TIME** this 7<sup>TH</sup> DAY OF JULY , 2020

**READ A SECOND TIME** this 7<sup>TH</sup> DAY OF JULY , 2020

**READ A THIRD TIME** this ##### DAY OF MONTH , YEAR

**ADOPTED** this ##### DAY OF MONTH , YEAR

\_\_\_\_\_  
William Beamish, Mayor

\_\_\_\_\_  
Lindsey Grist, Corporate Officer

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**SCHEDULE “A” - PROTECTED TREE SPECIES**

- a) Arbutus (*Arbutus menziesii*)
- b) Pacific Dogwood (*Cornus nuttallii*)
- c) Pacific Yew (*Taxus brevifolia*)
- d) Garry Oak (*Quercus garryana*)
- e) Douglas Fir (*Pseudotsuga menziesii*)
- f) Western Red Cedar (*Thuja plicata*)
- g) Bigleaf Maple (*Acer macrophylla*)
- h) Grand Fir (*Abies grandis*)
- i) Western Hemlock (*Tsuga heterophylla*)
- j) Yellow Cedar (*Chamaecyparis nootkatensis*)
- k) Balsam Fir (*Abies balsamea*)

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**SCHEDULE “B”- PROTECTED TREE SEEDLINGS**

- a) Garry Oak (*Quercus garryana*),
- b) Pacific Dogwood (*Cornus nuttallii*),
- c) Arbutus (*Arbutus menziesii*).

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**SCHEDULE "C" -TREE PROTECTION PRACTICES**

- a) Ensure all Protected Trees are tagged with uniquely numbered plastic Tree tags.
- b) Have a Certified Arborist prepare a Tree Protection Plan in accordance with Schedule "D" of this bylaw, and review with Proponent, Design Consultants (particularly Civil Engineer, Architect and Landscape Architect), General Contractor and relevant sub-contractors.
- c) Erect sturdy, well-signed, Tree Protection Barriers for each Retained Tree prior to commencement of demolition, site preparation or construction and continuously maintain the fence and signage until the completion of the work proposed to be carried out on the land to which the permit applies.
- d) Conserve Trees in groups, where possible. Conserve growing soils and "placeholders" for new Trees, when planning the site.
- e) Discuss site access, storage, servicing, blasting and work-sequencing requirements with your Contractor and resolve any conflicts with the Protected Tree areas or measures.
- f) When blasting, ensure that explosive materials are selected that minimize combustible gases, which may otherwise harm roots. "Pre-shearing" and low "particle velocities" will also help to minimize root trauma.
- g) Store all excavation and building material away from Retained Trees.
- h) Use an access route to the subject site that avoids impact on the Protected Root Zones of adjacent Trees.
- i) Locate concrete washout areas away from Retained Trees (preferably down slope) and away from proposed and existing garden areas.
- j) Where Tree roots are impacted by digging or other site activities, Damaged roots should be pruned cleanly just before the point of impact with a sharp pruner or saw. Roots Cut by excavation must be immediately wrapped in a root curtain of wire mesh lined with burlap surrounded by posts, and the root

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curtain must be kept moist throughout the construction process.

- k) Make use of new techniques and products to broaden the number and efficiency of the proposed Tree protection options (e.g. hydraulic excavation, vertical shoring, on-grade road or sidewalk construction, pier and post construction, structural soils, permeable pavers etc.). Consult a Certified Arborist or Landscape Architect.
- l) Apply a 10cm layer of mulch to Protected Tree areas to retain moisture, improve nutrients and increase beneficial soil biology.

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**SCHEDULE “D” - REPLACEMENT TREE STOCK AND PLANTING REQUIREMENTS**

The Town maintains a list of acceptable Recommended Replacement Tree Species (see Schedule “E”). Where Replacement Trees are required to be provided pursuant to this Bylaw, such Replacement Trees shall be provided and planted as follows:

- a) For Removal of a Protected Tree, the Replacement Tree (s) must be of the same species as the Tree that has been removed.
- b) At least half of the total number of Trees on the property, including existing Retained and Replacement Trees, must be Native Species, unless the Trees being replaced are located within DPA 2, in which case all the Replacement Trees shall be Native Species.
- c) For Tree Removals on properties containing a single-family dwelling, Tree Removal not related to demolition or construction of a new single-family dwelling requires the following Tree Replacement:
  - i) Deciduous Replacement Trees are to be of a minimum 6cm DBH,
  - ii) Coniferous Replacement Trees are to be a minimum of 3m in height.
- d) For Tree Removals under Tree Cutting Permits related to construction, demolition, rezoning, development permits, Subdivisions or building Permits for all properties other than properties containing single family dwellings:
  - i) Every Deciduous Replacement Tree shall be of the minimum DBH specified in Column 3 of Table 1 of this Schedule corresponding to the DBH of the Tree Removed,
  - ii) Every Coniferous Replacement Tree shall be a Tree of the minimum height specified in Column 2 of Table 1 of this Schedule corresponding to the DBH of the Tree Removed.
- e) Replacement Trees shall not be planted:
  - i) within 3 metres of a building foundation wall and within 1 metre of any property line of a Lot;
  - ii) within 5 metres of an overhead utility line for Trees that may grow to a maximum of 5 metres in height, and within 10 metres of an overhead utility line for Trees that may grow to a greater height;
  - iii) within an easement or statutory right of way.
- f) Every Replacement Tree shall be spaced from existing Trees and other Replacement Trees in accordance with Sound Arboricultural Practice to best ensure survival of the Replacement and existing Trees.



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- g) Replacement Trees must meet the plant condition and structure requirements set out in the latest edition of the CSLA/CLNA "Canadian Landscape Standard" and the CNTA "Canadian Standards for Nursery Stock" to be considered acceptable by the Director.
- h) Replacement Trees shall be planted and maintained in accordance with the requirements set out in the latest edition of the CSLA/CLNA "Canadian Landscape Standard".
- i) Tree caging will be required in areas prone to deer browsing until the Tree is 6 feet in height.
- j) Replacement Trees shall be planted during the suitable local planting seasons generally defined as fall (September – November) and spring (February - April). Where planting must occur outside of these time periods, then a strategy for ensuring the Trees are watered (in the summer) or protected from cold weather (in the winter) must be included as part of the Tree Cutting Permit application.
- k) The following minimum specifications for topsoil or amended organic soil are required for replanting on a property unless otherwise advised against by the Arborist:
  - i) organic matter content of 15% dry weight in planting beds and 8% in turf areas;
  - ii) depth of 300 mm for turf;
  - iii) depth of 450 mm for shrubs/Trees;
  - iv) depth of 300 mm around and below the root ball of all Trees;
  - v) pH from 6.0 to 8.0 or matching that of the original undisturbed soil;
  - vi) subsoils scarified to a depth of minimum 100 mm with some topsoil being incorporated into the subsoil; and
  - vii) planting beds mulched with a minimum of 50 mm of organic materials.

<b>TABLE 1 – Replacement Trees</b>		
<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
<b>D.B.H. of Tree Cut or Removed</b>	<b>Minimum Height of Coniferous Replacement Tree</b>	<b>Minimum DBH of Deciduous Replacement Tree</b>
Up to 30cm (12")	2.5 m (8.2 ft)	6 cm (2.5")
30-60 cm (12" – 24")	3.5 m (11.5 ft)	8 cm (3")
60cm + (24" +)	4.5 m (14.8 ft)	10 cm (4")

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**SCHEDULE "E"- RECOMMENDED REPLACEMENT TREE SPECIES**

**NATIVE TREE SPECIES**

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>SHADE TOLERANCE</u>	<u>DESCRIPTION</u>
<b><u>VERY DRY SITE</u></b>				
ARBUTUS MENZIESII	ARBUTUS	UP TO 30 m	FULL SUN	BROADLEAF EVERGREEN
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	FULL SUN	CONIFEROUS
QUERCUS GARRYANA	GARRY OAK	20-30 m	FULL SUN	DECIDUOUS
<b><u>DRY SITE</u></b>				
ABIES GRANDIS	GRAND FIR	40-70 m	FULL SUN TO PART SHADE	CONIFEROUS
ACER CIRCINATUM	VINE MAPLE	3-5 m	PART SHADE	DECIDUOUS
ACER MACROPHYLLA	BIGLEAF MAPLE	15-20 m	FULL SUN TO PART SHADE	DECIDUOUS
POPULUS TREMULOIDES	TREMBLING ASPEN	20-25 m	FULL SUN TO PART SHADE	DECIDUOUS
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	FULL SUN	CONIFEROUS
THUJA PLICATA	WESTERN RED CEDAR	30 m	FULL SUN TO PART SHADE	CONIFEROUS
<b><u>SLIGHTLY DRY SITE</u></b>				
ABIES GRANDIS	GRAND FIR	40-70 m	FULL SUN TO PART SHADE	CONIFEROUS
ACER CIRCINATUM	VINE MAPLE	3-5 m	PART SHADE	DECIDUOUS
ACER MACROPHYLLA	BIGLEAF MAPLE	15-20 m	FULL SUN TO PART SHADE	DECIDUOUS
CORNUS NUTTALLII	PACIFIC DOGWOOD	10-20 m	FULL SUN TO PART SHADE	DECIDUOUS
PICEA SITCHENSIS	SITKA SPRUCE	70 m	FULL SUN	CONIFEROUS
POPULUS TREMULOIDES	TREMBLING ASPEN	20-25 m	FULL SUN TO PART SHADE	DECIDUOUS
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	FULL SUN	CONIFEROUS
TAXUS BREVIFOLIA	WESTERN YEWE	10-15 m	PART SHADE	CONIFEROUS
THUJA PLICATA	WESTERN RED CEDAR	30 m	FULL SUN TO PART SHADE	CONIFEROUS

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TSUGA HETEROPHYLLA	WESTERN HEMLOCK	50-70 m	SUN TO SHADE	CONIFEROUS
<b><u>MOIST SITE</u></b>				
ACER CIRCINATUM	VINE MAPLE	3-5 m	PART SHADE	DECIDUOUS
ACER MACROPHYLLA	BIGLEAF MAPLE	15-20 m	FULL SUN TO PART SHADE	DECIDUOUS
MALUS DIVERSIFOLIA	PACIFIC CRABAPPLE	12 m	FULL SUN	DECIDUOUS
PICEA SITCHENSIS	SITKA SPRUCE	70 m	FULL SUN	CONIFEROUS
POPULUS TREMULOIDES	TREMBLING ASPEN	20-25 m	FULL SUN TO PART SHADE	DECIDUOUS
TAXUS BREVIFOLIA	WESTERN YEW	10-15 m	PART SHADE	CONIFEROUS
THUJA PLICATA	WESTERN RED CEDAR	30 m	FULL SUN TO PART SHADE	CONIFEROUS

**TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020**

**COLUMNAR TREE SPECIES**  
LESS THAN 8M IN WIDTH AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER PLATANOIDES 'CRIMSON SENTRY'	CRIMSON SENTRY MAPLE	13 m	6 m	MODERATE	DARK PURPLE	
ACER RUBRUM 'BOWHALL'	BOWHALL MAPLE	15 m	5 m	MODERATE	MED GREEN FALL- ORANGE	
ACER RUBRUM 'KARPICK'	KARPICK MAPLE	13 m	6 m	MODERATE	GREEN FALL- ORANGE YELLOW	RED STEMS
ACER X FREEMANII 'SCARSEN'	SCARLET SENTINEL MAPLE	15 m	6 m	FULL SUN TO PART SHADE	DK GREEN FALL -ORANGE YELLOW	DROUGHT TOLERANT
CARPINUS BETULUS 'FASTIGIATA'	PYRAMIDAL EUROPEAN HORNBEAM	12 m	8 m	FULL SUN TO PART SHADE	DK GREEN FALL -YELLOW	TOLERANT OF URBAN CONDITIONS
FAGUS SYLVATICA 'DAWYCKII'	FASTIGIATE BEECH	10-15 m	3-4 m	FULL SUN TO PART SHADE	DK GREEN	DROUGHT TOLERANT
FAGUS SYLVATICA 'DAWYCKII PURPLE'	PURPLE FASTIGIATE BEECH	12 m	2-3 m	FULL SUN TO PART SHADE	DEEP PURPLE	DROUGHT TOLERANT
FAGUS SYLVATICA 'DAWYCKII GOLD'	GOLD LEAF FASTIGIATE BEECH	10 m	2-3 m	FULL SUN TO PART SHADE	GOLDEN YELLOW	DROUGHT TOLERANT
GINKGO BILOBA 'SENTRY'	SENTRY MAIDENHAIR	12 m	4-5 m	FULL SUN	GREEN FALL- BRIGHT YELLOW	
LIQUIDAMBAR STYRACIFLUA 'EMERALD SENTINEL'	EMERALD SENTINEL SWEETGUM	9 m	3-4 m	FULL SUN TO PART SHADE	DK GREEN FALL- YELLOW/ORANGE	
PARROTIA PERSICA 'VANESSA'	UPRIGHT IRONWOOD	7 m	3-4 m	FULL SUN	DARK GREEN FALL-CRIMSON GOLD	PREFERS WELL DRAINED SITE
PYRUS CALLERYANA 'CHANTICLEER'	CHANTICLEER PEAR	12 m	5 m	FULL SUN	DK GREEN FALL - RED PURPLE	
QUERCUS ROBUR 'FASTIGIATA'	FASTIGIATE ENGLISH OAK	18 m	8 m	FULL SUN TO PART SHADE	DK GREEN FALL - GOLD/BROWN	PERSISTANT LEAVES IN FALL/WINTER

TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

**CONIFEROUS TREE SPECIES**

<b><u>BOTANICAL NAME</u></b>	<b><u>COMMON NAME</u></b>	<b><u>HEIGHT</u></b>	<b><u>WIDTH</u></b>	<b><u>SHADE TOLERANCE</u></b>	<b><u>FOLIAGE COLOUR</u></b>	<b><u>COMMENTS</u></b>
CALOCEDRUS DECURRENS	INCENSE CEDAR	15 m	5 m	FULL SUN TO PART SHADE	RICH GREEN	
CEDRUS ATLANTICA 'GLAUCA'	BLUE ATLAS CEDAR	30 m	10 m	FULL SUN	BLUE GREEN	
CHAMAECYPARIS NOOTKATENSIS	YELLOW CEDAR	40 m	12 m	FULL SUN TO PART SHADE	GREEN	TOLERANT OF POOR SOILS. NATIVE TREE
PICEA OMORIKA	SERBIAN SPRUCE	20 m	5 m	FULL SUN TO PART SHADE	BRIGHT GREEN WITH SILVERY UNDERSIDES	
PINUS NIGRA	AUSTRIAN PINE	25 m	10 m	FULL SUN	DK GREEN	
PINUS SYLVESTRIS	SCOTS PINE	22 m	15 m	FULL SUN	BLUE GREEN	
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	12 m	FULL SUN	DARK GREEN	NATIVE TREE
SEQUOIA DENDRON SEMPERVIRENS	GIANT REDWOOD	60 m	25 m	FULL SUN	BRIGHT GREEN	NATIVE TO THE PACIFIC NORTHWEST
THUJA PLICATA	WESTERN RED CEDAR	30 m	15 m	FULL SUN TO PART SHADE	GREEN	ACIDIC, WELL DRAINED SOIL

**TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020**

**SMALL TREE SPECIES**  
LESS THAN 9M IN HEIGHT AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER BUERGERIANUM	TRIDENT MAPLE	8 m	6 m	FULL SUN	DK GREEN FALL-YELLOW TO RED	
ACER CIRCINATUM	VINE MAPLE	6 m	6 m	FULL TO PART SHADE	MED GREEN FALL-YELLOW TO RED	NATIVE TREE
ACER GINNALA	AMUR MAPLE	6 m	6 m	FULL SUN TO PART SHADE	DK GREEN FALL- ORANGE/RED	
ACER GRISEUM	PAPERBARK MAPLE	8 m	6 m	FULL SUN	DK BLUE/GREEN FALL-RED	EXFOLIATING BARK
ACER PALMATUM	JAPANESE MAPLE	VARIES	VARIES	VARIES	VARIES	UPRIGHT FORMS BEST FOR STREET TREES
ACER PLATANOIDES GLOBOSUM	GLOBE MAPLE	4.5 m	5.5 m	FULL SUN	DARK GREEN FALL-YELLOW	
AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	6 m	4-5 m	FULL SUN	MED GREEN FALL-BRIGHT RED	WHITE FLWR PURPLE/BLUE FRUIT WILDLIFE TREE
CORNUS KOUSA	JAPANESE DOGWOOD	6 m	6 m	FULL SUN TO PART SHADE	GREEN TO RED FALL-YELLOW	WHITE /PINK FLWRS
CRATAEGUS X LAVALEI	LAVELLE HAWTHORN	8.5 m	9 m	FULL SUN	DARK GREEN FALL-YELLOW	GOOD WILDLIFE VALUE, WHITE FLWR ORANGE FRUIT
CRATAEGUS X MORDENSIS 'TOBA'	TOBA HAWTHORN	6 m	6 m	FULL SUN	DARK GREEN FALL-YELLOW	GOOD WILDLIFE VALUE, FRAGRANT FLOWER RED FRUIT
HALESIA CAROLINA	CAROLINA SILVERBELL	9 m	6 m	FULL SUN TO PART SHADE	LIGHT GREEN FALL-YELLOW	WHITE FLWR
MAGNOLIA KOBUS	KOBUS MAGNOLIA	9 m	6 m	FULL SUN	GREEN FALL-YELLOW	WHITE FLWR
PRUNUS CERASIFERA	PISSARD PLUM	9 m	4.5 m	FULL SUN	RED/PURPLE	PINK FLWR



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'ATROPURPUREA'						
PRUNUS X YEDOENSIS 'AKEBONO'	AKEBONO CHERRY	7.5 m	7.5 m	FULL SUN	DARK GREEN FALL-YELLOW	SOMEWHAT ROOT INVASIVE, NOT SUITABLE FOR SIDEWALKS
STYRAX JAPONICA	JAPANESE SNOWBELL	7.5 m	7.5 m	FULL SUN	LIGHT GREEN FALL-YELLOW	WHITE FRAGRANT FLWR
STYRAX JAPONICA 'ROSEA' OR 'PINK CHIMES'	PINK JAPANESE SNOWBELL	6 m	6 m	FULL SUN TO PART SHADE	LIGHT GREEN FALL-YELLOW	PINK FLWR

**TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020**

**MEDIUM TREE SPECIES**  
9-15M IN HEIGHT AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER CAMPESTRE 'QUEEN ELIZABETH'	HEDGE MAPLE	9 m	9 m	FULL SUN TO PART SHADE	DK GREEN FALL-YELLOW	PERFORMS WELL IN URBAN CONDITIONS
ACER PLATANOIDES 'CLEVELAND'	CLEVELAND MAPLE	12 m	9 m	FULL SUN TO PART SHADE	DARK GREEN SUMMER FALL-GOLDEN YELLOW	PERFORMS WELL IN URBAN CONDITIONS
ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY MAPLE	12 m	11 m	FULL SUN TO PART SHADE	MED GREEN FALL-DEEP RED PURPLE	
ACER RUBRUM 'RED SUNSET'	RED SUNSET MAPLE	14 m	10 m	FULL SUN TO PART SHADE	DK GREEN FALL-RED	
ACER TRUNCATUM X PLATANOIDES	PACIFIC SUNSET SHANTUNG MAPLE	10 m	8 m	FULL SUN TO PART SHADE	DK GREEN FALL-ORANGE/RED	DROUGHT AND POLLUTION TOLERANT
AESCULUS X CARNEA 'BRIOTII'	RUBY RED HORSECHESTNUT	13 m	12 m	FULL SUN TO PART SHADE	DK GREEN	RED PANICLES
BETULA JACQUEMONTII	WHITE HIMALAYAN BIRCH	12 m	9 m	FULL SUN	DK GREEN FALL-YELLOW	TOLERANT OF POOR SOILS, CATKINS
BETULA NIGRA	RIVER BIRCH	14 m	14 m	FULL SUN	MED GREEN FALL -YELLOW	PREFERS MOIST ACIDIC CONDITIONS, CATKINS
CARPINUS BETULUS	EUROPEAN HORNBEAM	12 m	12 m	FULL SUN TO PART SHADE	DK GREEN FALL-YELLOW	TOLERANT OF URBAN CONDITIONS, CATKINS
CORNUS NUTALLII 'EDDIE'S WHITE WONDER'	PACIFIC FLOWERING DOGWOOD	12 m	12 m	FULL SUN TO PART SHADE	OLIVE GREEN FALL-RED	RESISTANT TO ANTHRACNOSE, WHITE BRACTS
FRAXINUS AMERICANA 'AUTUMN APPLAUSE'	AUTUMN APPLAUSE ASH	12 m	7 m	FULL SUN TO PART SHADE	BRIGHT GREEN FALL-GOLD	
FRAXINUS AMERICANA 'AUTUMN PURPLE'	AUTUMN PURPLE ASH	14 m	13 m	FULL SUN TO PART SHADE	GREEN FALL-RED/PURPLE	SENSITIVE TO DROUGHT

# TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

FRAXINUS OXYCARPA 'RAYWOOD'	RAYWOOD ASH	11 m	10 m	FULL SUN	MED GREEN FALL - RED/PURPLE	PREFERS WELL DRAINED SITE
GLEDITSIA TRIACANTHOS INERMIS 'SKYLINE'	SKYLINE HONEYLOCUST	15 m	11 m	FULL SUN	MED GREEN FALL-YELLOW	SALT AND DROUGHT TOLERANT
GLEDITSIA TRIACANTHOS INERMIS 'SUNBURST'	SUNBURST LOCUST	13 m	11 m	FULL SUN	BRIGHT YELLOW FALL- YELLOW/BROWN	SALT AND DROUGHT TOLERANT
GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER'	SHADEMASTER LOCUST	13 m	11 m	FULL SUN	DARK GREEN FALL- YELLOW/BROWN	SALT AND DROUGHT TOLERANT
MAGNOLIA GRANDIFLORA	EVERGREEN SOUTHERN MAGNOLIA	15 m	7 m	PT SHADE	DARK GREEN FALL- YELLOW/BROWN	PROTECTION NEEDED FROM WINTER WINDS, WHITE FLWR
OXYDENDRUM ARBOREUM	SOURWOOD	12 m	6 m	FULL SUN TO PART SHADE	MED GREEN FALL- ORANGE/RED	NOT SUITABLE FOR STREET TREE USE. USE AS SPECIMEN ONLY
PARROTIA PERSICA	PERSIAN IRONWOOD	13 m	10 m	FULL SUN	RED PURPLE TO DK GREEN FALL-RED/GOLD	PREFERS WELL DRAINED SITE, RED STAMENS

**TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020**

**LARGE TREE SPECIES**  
OVER 15M IN HEIGHT AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER PLATANOIDES 'DEBORAH'	DEBORAH MAPLE	18 m	15 m	FULL SUN TO PART SHADE	BRONZE GREEN FALL- BRONZE	
ACER RUBRUM 'MORGAN'	MORGAN MAPLE	16 m	14 m	FULL SUN TO PART SHADE	MED GREEN FALL- ORANGE/R ED	SMALL RED
ACER SACCHARUM 'LEGACY'	LEGACY SUGAR MAPLE	20 m	15 m	FULL SUN TO PART SHADE	DARK GREEN FALL- ORANGE/R ED	VARIETY SUITED TO THE WEST COAST CLIMATE
BETULA PAPYRIFERA	PAPER BIRCH	18 m	10 m	FULL SUN TO PART SHADE	DARK GREEN FALL- YELLOW/O RANGE	
CATALPA SPECIOSA	NORTHERN CATALPA	16 m	12 m	FULL SUN	MED GREEN FALL- YELLOW	TOLERANT OF DIFFICULT SOILS, WHITE FLWR
DAVIDIA INVOLUCRATA	DOVE TREE/ HANKERCHIEF TREE	18 m	10 m	FULL SUN	GREEN FALL- BROWN	WHITE FLWR
FAGUS SYLVATICA	EUROPEAN BEECH	25 m	20 m	FULL SUN TO PART SHADE	DK GREEN FALL- RED/BROW N	WILL NOT TOLERATE WET OR COMPACTED SITES
FAGUS SYLVATICA 'PURPUREA'	COPPER BEECH	25 m	18 m	FULL SUN TO PART SHADE	PURPLE COPPER FALL- COPPER GREEN	
GINKGO BILOBA	MAIDENHAIR TREE	25 m	15 m	FULL SUN	LIGHT GREEN FALL- BRIGHT YELLOW	
LIQUIDAMBAR STYRACIFLUA	WORPLESDON AMERICAN	15 m	9 m	FULL SUN	MED GREEN FALL-	EXCELLENT AS STREET OR PARK

# TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

'WORPLESDON'	SWEETGUM				ORANGE/R ED/PURPLE	TREE
LIRIODENDRON TULIPIFERA	TULIP TREE	24 m	13 m	FULL SUN TO PART SHADE	MED GREEN FALL- YELLOW	NOT SUITABLE AS STREET TREE, YELLOW FLWR
METASEQUOIA GLYPTOSTROBOD ES	DAWN REDWOOD	25 m	15 m	FULL SUN	BRIGHT GREEN FALL- ORANGE/B ROWN	POLLUTION TOLERANT
NOTHOFAGUS ANTARCTICA	ANTARCTIC BEECH	30 m	25 m	FULL SUN	DARK GREEN	POLLUTION TOLERANT, FRAGRANT FOLIAGE
QUERCUS COCCINEA	SCARLET OAK	16 m	12 m	FULL SUN TO PART SHADE	DARK GREEN FALL- SCARLET	TOLERANT OF URBAN CONDITIONS, ACORNS
QUERCUS PHELLOS	WILLOW OAK	17 m	15 m	FULL SUN TO PART SHADE	BRIGHT GREEN FALL- YELLOW/BR OWN	GOOD SELECTION FOR STREET TREE USE, ACORNS
TILIA TOMENTOSA	SILVER LINDEN	20 m	16 m	FULL SUN TO PART SHADE	DK GREEN ABOVE, SILVER UNDER FALL- YELLOW	GOOD PARK TREE, BEES. DROUGHT TOLERANT
ULMUS 'HOMESTEAD'	HOMESTEAD ELM	18 m	15 m	FULL SUN	MED GREEN FALL- YELLOW	RESISTANT TO DUTCH ELM DISEASE

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**SCHEDULE “F”- INVASIVE TREE SPECIES**

- Butterfly Bush (*Buddleia davidii*)
- Russian Olive (*Elaeagnus angustifolia*)
- English Holly (*Ilex aquifolium*)
- Cherry Laurel (*Prunus laurocerasus*)
- Smooth Sumac (*Rhus glabra*)
- Black Elderberry (*Sambucus nigra*)
- European Mountain Ash / Rowan (*Sorbus aucuparia*)
- Tamarisk (*Tamarix chinensis*, *T. ramosissima*)

Schedule F provides a list of potentially invasive trees and tree-like shrubs that are exempt from needing a permit for removal. This list is not intended to be a comprehensive list of Invasive Plant Species.



**ATTACHMENT B**

**TOWN OF GIBSONS**



**TREE PRESERVATION BYLAW  
BYLAW No. 1282, 2020**

**Adopted: Month #<sup>th</sup>, 2020**

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## **TOWN OF GIBSONS BYLAW NO. 1282**

A Bylaw to provide for the protection and preservation of Trees  
within the Town of Gibsons.

**WHEREAS** it is deemed desirable to regulate the removal and retention of trees within the Town of Gibsons; and

**WHEREAS** trees are recognized as a Natural Asset of the community; and

**WHEREAS** trees and tree cover provide many services for the Town,

**THEREFORE**, the Municipal Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

### **SECTION 1 INTRODUCTION**

#### **1.1 SHORT TITLE**

This Bylaw may be cited for all purposes as "Tree Preservation Bylaw No. 1282, 2020".

#### **1.2 REPEAL**

Tree Cutting Permit Bylaw No. 623, 1990 is hereby repealed.

#### **1.3 PURPOSE**

This Bylaw is enacted for the purposes of regulating the damaging, removal and replacement of trees within the Town of Gibsons and to preserve the overall ecological function of the Urban Forest by:

- 1.3.1 Regulating the altering, cutting, damaging or removing of trees within the Town of Gibsons;
- 1.3.2 Describing the conditions under which permits will be granted for the altering, cutting, or removal of trees.

#### **1.4 BYLAW SCHEDULES**

Attached as integral parts of the Bylaw are the following Schedules:

- 1.4.1 SCHEDULE "A" - PROTECTED TREE SPECIES
- 1.4.2 SCHEDULE "B" - PROTECTED TREE SEEDLINGS
- 1.4.3 SCHEDULE "C" - TREE PROTECTION PRACTICES

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1.4.4 SCHEDULE "D" - REPLACEMENT TREE STOCK AND PLANTING REQUIREMENTS

1.4.5 SCHEDULE "E" - RECOMMENDED REPLACEMENT TREE SPECIES

1.4.6 SCHEDULE "F"- INVASIVE TREE SPECIES

## **SECTION 2 DEFINITIONS AND APPLICATION OF BYLAW**

### **2.1 DEFINITIONS**

In this Bylaw, unless the context requires otherwise, the following words and terms shall have the meanings hereinafter assigned to them:

<b>BOULEVARD</b>	means an improved portion of land, within a Highway dedication adjacent to a Road surface, sidewalk, or Lot.
<b>CERTIFIED ARBORIST</b>	means an Arborist who is certified and in good standing with the International Society of Arboriculture.
<b>CONIFEROUS</b>	a tree that bears cones and needle-like or scale-like leaves that are typically evergreen.
<b>COUNCIL</b>	means the municipal Council of the Town of Gibsons.
<b>CROWN</b>	means the entire system of branches, leaves and reproductive structures of a Tree extending away from the trunk or main stem(s).
<b>CUT</b>	means to limb, trim, Top, or prune any parts of a Tree, or by any mechanical means remove any branch, foliage, root, stem, or other part of a Tree, and "Cutting" shall have a corresponding meaning.
<b>DAMAGE</b>	means to take any action that may cause a Tree to die or decline, including but not limited to: <ul style="list-style-type: none"><li>a) girdling;</li><li>b) ringing;</li><li>c) poisoning;</li><li>d) burning;</li></ul>

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- e) soil compaction;
- f) depositing soil, undermining, or removing soil from, around the Tree;
- g) depositing toxins on any part of a Tree or into groundwater taken up by a Tree;
- h) placing concrete or any other hard surface within the Protected Root Zone of a Tree without authorization from the Town;
- i) blasting within 5 metres of the Protected Root Zone;
- j) penetrating or removing any part of the bark of the Tree;
- k) excessive Crown lifting, excessive pruning of the Crown, branches, limbs and or roots; or
- l) any other pruning in a manner not in accordance with Sound Arboricultural Practices as set out by the International Society of Arboriculture.

**DIAMETER AT BREAST  
HEIGHT or DBH**

means diameter of the stem of a Tree measured at breast height, except where the Tree has multiple stems at such a point, in which case the DBH of such Tree shall be the sum of 100% of the diameter of the largest stem and 60% of the diameter of each additional stem, all measured at breast height, and breast height for the purposes of such measurements shall be deemed to be 1.3 metres above the natural grade on the uphill side of the Tree.

**DECIDUOUS**

means a Tree which sheds all leaves annually at the end of the growing season followed by a dormant period without leaves.

**DEPOSIT**

means place, move, discharge, spray, spill, leak, seep, pour, emit, store, stockpile, or release directly or indirectly into or onto the land, air, soil and groundwater such that Damage to a Tree results, and Depositing has a

TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

corresponding meaning.

**DEVELOPMENT**

means an activity which requires a building permit under the Building and Plumbing Bylaw, No. 822, 1996

**DPA 2**

means Environmentally Sensitive Development Permit Area No. 2 as defined in the Official Community Plan Bylaw No. 985, 2005, as amended or replaced from time to time.

**DIRECTOR**

means the person appointed by the Town as Director of Infrastructure Services, their deputy, or a person authorized by the Director to perform duties of the Director under this bylaw.

**FEES AND CHARGES BYLAW**

means the Rates, Fees and Charges Bylaw No. 1196, 2014, as amended or replaced from time to time.

**HAZARDOUS TREE**

means a Tree or a portion of a Tree that:

- a) in the opinion of a Certified Arborist or the Director, poses an unacceptable level of risk to people or property because of location, lean, physical damage, overhead hazards, deterioration of limbs, stem or root system, or a combination thereof;
- b) in the opinion of the utility having jurisdiction, interferes with, or is in such proximity to, utility wires as to create a dangerous situation; or
- c) in the opinion of the Director, interferes with, blocks, or damages a drainage, water or sewer system or other parts of an improvement.

**HEDGE**

means a row of three or more Trees that through growth and pruning form a continuous dense screen of vegetation from ground level which provides privacy, fencing, wind breaking, and/or boundary definition.

**HERITAGE TREE**

means a designated Tree that has been determined by Council to be of significant value



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to the community because of special characteristics such as uniqueness of species, uniqueness of ecosystem, historical or landmark value.

**LANDSCAPE ARCHITECT**

means a Landscape Architect registered with the British Columbia Society of Landscape Architects.

**LOT**

as defined in the Zoning Bylaw.

**NATIVE SPECIES**

means a Tree species that occurred naturally in the Town of Gibsons prior to European contact.

**NATURAL ASSET**

means a feature or features in the natural environment that perform a civil function.

**OWNER**

as defined in the Subdivision and Development Servicing and Stormwater Management Bylaw No. 1175, 2012

**PROTECTED TREE**

means

- a) any Tree having a DBH of 10 cm or more on Sloping Terrain;
- b) any Replacement, Retained, Specimen, Heritage or Wildlife Tree;
- c) any Tree with evidence of nesting or use that is protected under federal or provincial regulations including the B.C. Wildlife Act, Migratory Birds Convention Act, and Species at Risk Act;
- d) any Tree listed in Schedule "A" with a DBH of 20 cm or more;
- e) any Protected Tree Seedling;
- f) any Tree, including multi-stemmed Trees, regardless of species, having a DBH of 30 cm or more.

**PROTECTED TREE  
SEEDLING**

means any young, independent, living, erect, woody plant that is listed in Schedule "B" and has a height of more than 50cm and less than 5m, regardless of DBH

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<b>PROTECTED ROOT ZONE</b>	means <ul style="list-style-type: none"><li>a) the area of land surrounding the trunk of a Tree that contains the bulk of the critical root system of the Tree which has been specifically delineated on a Tree plan prepared by a Certified Arborist and approved by the Director;</li><li>b) in the absence of such information, the area of land surrounding the trunk of a Tree contained within a circle having a radius which is calculated by multiplying the DBH of the Tree by 18.</li></ul>
<b>QUALIFIED ENVIRONMENTAL PROFESSIONAL</b>	means an individual holding one of the following designations: <ul style="list-style-type: none"><li>a) Agrologist;</li><li>b) Professional biologist;</li><li>c) Professional engineer;</li><li>d) Professional forester;</li><li>e) Professional geoscientist; and</li><li>f) Registered forest technologist.</li></ul>
<b>REPLACEMENT TREE</b>	means a Tree required in accordance with this Bylaw to be planted to replace a Tree that has been Cut, Removed or Damaged, or a Tree planted as a condition of Subdivision or other municipal approval.
<b>RETAINED TREE</b>	means a Tree not to be Cut, Removed or Damaged and must be permanently protected.
<b>REMOVE</b>	means to entirely sever the main stem of a Tree, and "Removed", "Removal" and "Removing" shall have corresponding meanings.
<b>SLOPING TERRAIN</b>	means land with a slope angle greater than 20%, measured over a horizontal distance of 6.0 m (19.7 ft) or more at the location of the tree.

TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

<b>SOUND ARBORICULTURAL PRACTICE</b>	means in accordance with the Best Management Practices Series of the International Society of Arboriculture (ISA).
<b>SPECIMEN TREE</b>	means a Tree of any size which a Certified Arborist, Landscape Architect, or the Director of Infrastructure in consultation with the Director of Planning deems to be of exceptional value because of its species, condition, form, age or size.
<b>SUBDIVISION</b>	means <ul style="list-style-type: none"><li>a) a Subdivision as defined in the Land Title Act, or</li><li>b) a Subdivision under the Strata Property Act.</li></ul>
<b>TOP</b>	means to entirely sever the stem of a Tree such that the upper stem and branches of the Tree are completely removed, resulting in an abruptly truncated stem, and "Topping" and "Topped" shall have corresponding meanings.
<b>TOWN</b>	means the Town of Gibsons.
<b>TREE</b>	means a woody perennial plant having one or more stems and includes any part of the Tree or root system which is above or below ground, with the exception of the invasive tree species as listed in Schedule "F" of this Bylaw.
<b>TREE CUTTING PERMIT</b>	means a permit issued pursuant to this Bylaw by the Director authorizing the pruning, Cutting or Removal of one or more Protected Trees.
<b>TREE PROTECTION BARRIER</b>	means a sturdy temporary or permanent fence or barrier at least 1.2 metres in height, with wood-framed top and side rails or equivalent.
<b>URBAN FOREST</b>	means the Trees, forests, greenspace, and related abiotic, biotic, and cultural components located within the Town.

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### **WILDLIFE TREE**

means any standing dead or live Tree having special characteristics that provide valuable habitat for the conservation or enhancement of wildlife, as determined and classified by the Director, in accordance with criteria contained in the "Wildlife/Danger Tree Assessor's Course Workbook – Parks and Recreation Sites".

### **ZONING BYLAW**

means the Town of Gibsons Zoning Bylaw No. 1065, 2007, as amended or replaced from time to time.

## **2.2 APPLICATION OF BYLAW**

2.2.1 This Bylaw applies to all land within the Town.

2.2.2 This Bylaw does not apply to Protected Trees on Town-owned property or highways that are Cut or Removed by the Town or its authorized agents in accordance with approved Town operations.

## **SECTION 3 RESTRICTIONS AND EXEMPTIONS**

### **3.1 RESTRICTIONS**

3.1.1 No person shall Cut, Remove, or move any Protected Tree, or cause, suffer or permit any Protected Tree to be Cut, Removed or moved, except in accordance with the terms and conditions of a valid Tree Cutting Permit issued under this Bylaw.

3.1.2 No person shall fail to comply with the terms and conditions of a Tree Cutting Permit issued under this Bylaw.

3.1.3 Except to the extent granted by a Tree Cutting Permit, or as provided for in Section 3.2.2 a person must not:

- a) Damage a Protected Tree;
- b) Top a Protected Tree except if the Protected Tree forms part of a Hedge;
- c) Attach a sign or poster to a Protected Tree in any manner that may Damage the Protected Tree.

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**3.2 PUBLIC LANDS**

- 3.2.1 Any Tree on land owned by or under the jurisdiction of the Town, including, without limitation, a Tree in a park or on a Boulevard, road, lane allowance or right of way is considered a Protected Tree.
- 3.2.2 No person shall plant a Tree or Hedge on Town lands or cause Trees or Hedges to be planted on Town lands without prior written authorization from the Director.

**3.3 EXEMPTIONS**

- 3.3.1 A Tree Cutting Permit is not required to Cut or Remove a Protected Tree where:
  - a) A Development Permit under DPA 1 or 2 has been issued which addresses the Removal of the Protected Tree;
  - b)
  - c) The Cutting or Removal constitutes normal pruning of Trees in accordance with Sound Arboricultural Practice.

**3.4 HAZARDOUS TREES**

- 3.4.1 In the event that a Tree is in imminent danger of falling, the Owner may Cut the Tree or have it Cut prior to obtaining a permit.
- 3.4.2 The Owner shall not remove the Tree from the Lot until the Director has attended the site and has confirmed the Tree was in imminent danger of falling.
- 3.4.3 If the Director determines that the Tree was not in imminent danger of falling, or was in imminent danger of falling due to reasons other than natural causes, the Owner may be found to have acted in contravention of this bylaw and be subject to the penalties in SECTION 7.

## **SECTION 4      TREE CUTTING PERMIT APPLICATION**

### **4.1      GENERAL CONDITIONS OF TREE CUTTING PERMIT**

- 4.1.1      An application for a Tree Cutting Permit shall be in the form prescribed for that purpose by the Director from time to time.
- 4.1.2      A Tree Cutting Permit issued under this Bylaw is non-transferable.
- 4.1.3      The Tree Cutting Permit shall be displayed in an accessible and conspicuous location on the Lot to which it pertains no less than 72 hours prior to and during Tree Cutting or Removal operations.

### **4.2      APPLICATION REQUIREMENTS**

Every application for a Tree Cutting Permit shall include:

- 4.2.1      A non-refundable application fee in the amount applicable under the Rates, Fees and Charges Bylaw except as provided in 4.2.1.1.
  - 4.2.1.1      No permit fee is required where any of the following conditions apply:
    - a)      the Protected Tree is located within the building envelope of a Lot and the Cutting or Removal of the Protected Tree is deemed by the Director to be necessary for the purpose of lawfully constructing a building or accessory building, or an addition to a building or accessory building in respect of an approved Building Permit;
    - b)      the removal of a Protected Tree is to facilitate the installation of roads or services in respect of a Subdivision and as shown on an engineering drawing approved by the Town; or
    - c)      The Tree is dead, dying, severely Damaged, unstable or deemed to be Hazardous; or
    - d)      The roots of the Protected Tree are interfering with, or presenting a hazard to, underground or overhead services and utilities where, in the opinion of the Director, removal of the tree is the only means to address the issue.
    - e)
- 4.2.2      The following documents, plans and information relating to the proposed

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Tree Cutting or Removal:

- a) A statement of purpose and rationale for the proposed Tree Cutting or Removal;
- b) The street location and a title search for the Lot dated no more than 14 days prior to the date of application;
- c) The consent in writing of the registered Owner of the Lot, if different from the applicant, authorizing the applicant to act as the Owner's agent;
- d) The consent in writing of the registered Owner(s) of the Lot(s) where the base of the Tree to be Cut or Removed is located and current contact information for that Owner or Owners;
- e) The methods proposed for control of drainage and erosion impacts during and after the Tree Cutting or Removal;
- f) The proposed methods for disposal of wood waste and other debris;
- g) The proposed methods of noise and dust control during the Tree Cutting or Removal operation;
- h) The proposed completion dates for Tree Cutting or Removal;
- i) Where the Tree(s) proposed to be Cut or Removed are on Sloping Terrain, a report signed by a Geotechnical Engineer certifying that the proposed Cutting or Removal shall not result in an increased risk or danger of flooding, erosion or slope instability;
- j) The proposed location and species of Replacement Trees required in accordance with Section 5.2;
- k) If required by the Director:
  - i) A Tree Cutting and replacement plan drawn to approximate scale identifying:
    - a) the boundaries of the subject Lot;
    - b) any abutting streets, lanes or public access rights of way;
    - c) the location of existing buildings and structures;
    - d) the location, species and DBH of those Trees proposed to be Cut or Removed;



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- e) the location, species and DBH of those Trees proposed to be Retained and protected;
  - f) the location, species and DBH of proposed Replacement Trees;
  - g) the location of significant topographic and hydrographic features and other pertinent site information; and
  - h) the location of proposed Tree Protection Barriers.
  - ii) A report certifying that the proposed Tree Cutting or Removal will not create an adverse impact including flooding, erosion, land slip or contamination of a watercourse prepared by a Qualified Environmental Professional qualified to provide such certification;
  - iii) Such further and other information as the Director determines is necessary to adequately describe the nature and extent of the Tree Cutting or Removal operation.
  - l) In addition to the requirements in Sections 4.2.1 and 4.2.2 of this Bylaw, any Lot undergoing Subdivision or Development shall place a Tree Protection Barrier around any Tree or Trees which are not to be Cut or Removed, in such a manner to ensure that the trunk, branches and Protected Root Zone are not Damaged by the Cutting or Removal operations. The Tree Protection Barrier must be constructed prior to the issuance of the Tree Cutting Permit and must remain intact for any construction or demolition throughout the entire period of construction or demolition.
- 4.2.3 Where the Tree Cutting or Removal is for a Tree that the applicant purports to be a Hazardous Tree:
- a) Evidence that the Tree is in imminent danger of falling, as requested by the Director;
  - b) A report prepared by a Certified Arborist certifying that the Tree is dead, diseased, damaged or otherwise constitutes a physical hazard to persons or property; or
- 4.2.4 In the event that it is not possible for reasons of safety to obtain a report prior to the tree falling, the Owner may cut the tree or have it cut, but shall report the cutting of the tree to the Town within 30 days, along with a photograph of the tree prior to such cutting.

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**4.3 PERMIT ISSUANCE OR REFUSAL**

- 4.3.1 The Director will issue a Tree Cutting Permit in the form prescribed for that purpose from time to time by the Director if:
- a) the applicant has submitted an application for the Tree Cutting Permit in accordance with the conditions of this Bylaw;
  - b) the applicant has paid the required application fee;
  - c) the proposed Cutting is not contrary to the provisions of this Bylaw;
  - d) there is no covenant or similar agreement registered against title to the Lot that prohibits the proposed activity;
  - e) the Director deems the proposed activity is necessary where
    - ii) the tree removal is to facilitate the lawful construction of a building or building addition in respect of an approved Building Permit;
    - iii) any part of the tree is causing damage or may be reasonably expected to cause damage to a permanent building and where removal of the tree is the only means to address the issue;
    - iv) The roots of the protected tree are interfering with, or presenting a hazard to, underground or overhead services and utilities where removal of the tree is the only means to address the issue;
    - v) the installation of a driveway permitted by the Subdivision and Development Servicing and Stormwater Management Bylaw;
    - vi) the removal is necessary for the installation of roads or services in respect of a Subdivision and as shown on an engineering drawing approved by the Town; or
  - f) the tree is one of several trees on the property and removing one or more trees will promote the health and safety of the remainder. the Proposed Cutting will not, in the opinion of the Director, cause an unacceptable impact on engineered infrastructure, other Trees or other Natural Assets; and
  - g) if required by this Bylaw, the applicant has provided security in accordance with Section 5.2.4 of this Bylaw for the planting and maintenance of Replacement Trees on the Lot.

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- h) subject to the observance or fulfilment of additional conditions specified in the Tree Cutting Permit which in the opinion of the Director are necessary to achieve the purposes of this Bylaw.
- 4.3.2 The issuance of a Tree Cutting Permit does not authorize the permit holder to undertake any work that will contravene the Wildlife Act.

### **4.4 PERMIT EXPIRY, RENEWAL, EXTENSION OR MODIFICATION**

- 4.4.1 The duration of a Tree Cutting Permit will be determined by the Director up to a maximum of 12 months.
- 4.4.2 The Director may renew, extend, or modify a Tree Cutting Permit upon written request of the permit holder, subject to the following:
  - a) The Director may require that the permit holder provide additional information authorized by this Bylaw as a precondition to considering an application for a Tree Cutting Permit renewal, extension, or modification; and
  - b) All terms and conditions set out in the original permit shall apply to each renewal, extension, or modification of the Tree Cutting Permit except as amended or modified by the renewal, extension, or modification.

## **SECTION 5 Regulations**

### **5.1 TREE CUTTING OR REMOVAL**

- 5.1.1 Every Cutting or Removal of a Protected Tree shall comply with, and every Tree Cutting Permit issued under this Bylaw is subject to, the observance or fulfilment of the following requirements, restrictions, and regulations, to the satisfaction and approval of the Director:
  - a) Flag or mark with red or orange paint each Tree proposed to be Cut or Removed;
  - b) Mark on the ground with paint, stakes or flagging the Protected Root Zones of all Trees on the Lot and the boundaries of the areas within such Protected Root Zones on which the proposed Tree-activities are proposed to be carried out;
  - c) Tree parts and wood waste shall be removed from the land and properly disposed of;
  - d) precautions shall be taken to ensure that Trees which are not to be Cut or Removed are not subject to any Damage;

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- e) all damage to drainage facilities, watercourses, highways or other public or private property arising from an activity in respect to the Cutting or Removal of a tree shall be promptly and properly repaired to the satisfaction of the Director at the expense of the permit holder;
  - f) all watercourses, groundwater aquifers, waterworks, ditches, drains, sewers or other established drainage facilities shall be kept free of all wood waste arising from the activity in respect of which a Tree Cutting Permit was issued under this Bylaw;
  - g) all hazards or potential hazards associated with the Tree Cutting or Removal operation shall be adequately fenced or otherwise barricaded to ensure the safety of the public;
  - h) Tree Cutting or Removal operations must not encroach upon, undermine, damage or endanger any adjacent Lot or any setback area prescribed in the Tree Cutting Permit or a Bylaw; and
  - i) Tree Cutting or Removal operations shall be limited only to the area specified in the Tree Cutting Permit which shall be clearly marked according to Section 4.2.2 and such markings maintained for the duration of the Tree Cutting Permit.
- 5.1.2 For any Subdivision and Development, every Cutting or Removal of a Protected Tree or Specimen Tree shall comply with, and every Tree Cutting Permit issued under this Bylaw shall be subject to, the observance or fulfilment of the requirements, restrictions and regulations outlined in 5.1.1, to the satisfaction and approval of the Director, as well as the practices outlined in Schedule "C" of this Bylaw.

### 5.2 REPLACEMENT TREES

- 5.2.1 For Lots containing a single-family dwelling, as that term is defined in the Zoning Bylaw, as a condition of any permit issued under this Bylaw, the Owner shall plant and maintain two (2) Replacement Trees for each 20-30cm DBH Protected Tree Cut or Removed, and shall plant and maintain three (3) Replacement Trees for each 30 cm or greater DBH Protected Tree Cut or Removed, on the subject Lot in accordance with the requirements of Schedule "D".
- 5.2.2 For all other Lots, as a condition of permit issuance under this Bylaw, the Owner shall plant and maintain two (2) Replacement Trees for each Protected Tree Cut or Removed on the subject Lot in accordance with the requirements of Schedule "D."
- 5.2.3 For Lots within DPA 1 or 2 where a Development Permit has been issued which addresses the removal of the Protected Tree, the Owner shall plant

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and maintain three (3) Replacement Trees of Native Species on the subject Lot for each Protected Tree Cut or Removed, in accordance with the requirements of Schedule "D".

- 5.2.4 Where the planting and maintenance of a Replacement Tree is required pursuant to this Bylaw, the Owner shall provide to the Town prior to issuance of a Tree Cutting Permit a security deposit in the amount of \$300 cash for each Replacement Tree to be planted and maintained. If at any time the Owner fails to comply with the provisions of this Bylaw relating to the planting and maintenance of Replacement Trees, the Town may by its employees or contractors enter upon the subject Lot to fulfil the obligations of the Owner and, for such purposes, the Town may draw upon the security deposit to cover any costs of doing so. The security deposit or portion remaining thereof, if any, shall be released to the Owner 24 months after planting, provided the Director is satisfied the Tree is in good health.
- 5.2.5 If, in the opinion of the Director, Replacement Trees cannot, or need not, be accommodated because of the configuration of buildings or proposed buildings on the Lot, or constraints due to lack of acceptable planting areas, the Director may accept from the Owner payment in lieu in an amount of \$300 into the Tree Planting and Replacement Reserve Fund for each Replacement Tree not planted.
- 5.2.6 Replacement Trees shall be planted and maintained in accordance with Sound Arboricultural Practice to the satisfaction of the Director.
- 5.2.7 Replacement Trees are not required for Tree Cutting a Hazardous Tree or Removal of a Hazardous Tree.

## **SECTION 6 Administration**

### **6.1 INSPECTION**

- 6.1.1 The Director is hereby authorized at all reasonable times to enter upon and inspect any lands to determine whether the requirements, restrictions, regulations, terms, conditions and directions of this Bylaw or a Tree Cutting Permit issued under this Bylaw are being observed.
- 6.1.2 Without limiting the generality of 6.1.1, the Director may, at all reasonable times, assess or inspect, or cause an assessment or inspection to be made of any Protected Trees to which this Bylaw applies, including an assessment of the location, size, species and condition of such Trees, in the following circumstances:
  - a) Where land is the subject of an application for Subdivision, approval of a servicing plan prior to Subdivision, a development

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permit, a development variance permit, a temporary commercial or industrial use permit or a building permit;

- b) When Replacement Trees have been planted as required by this Bylaw; or
  - c) When an application for a Tree Cutting Permit has been made under this Bylaw.
- 6.1.3 No person shall prevent or obstruct or attempt to prevent or obstruct the Director from entering upon lands and carrying out the activities authorized by Sections 6.1.1 and 6.1.2.
- 6.1.4 Where a Protected Tree has been Cut or Damaged in contravention of this Bylaw or the terms of a Tree Cutting Permit, no person shall remove from a Lot the stem, limbs, roots and remains of a tree Cut or Damaged until an investigation and assessment by the Director is complete and the Director has expressly authorized the removal of the remains of the Tree.

### **6.2 NOTICE OF NON-COMPLIANCE**

- 6.2.1 The Director may give notice to any person of a breach of, or noncompliance with, any of the provisions of this Bylaw or a Tree Cutting Permit issued under this Bylaw, and such person shall immediately cease all Tree Cutting or Removal activities until such breach or non-compliance is remedied to the satisfaction of the Director, and every Owner of real property shall refuse to suffer or permit further Tree Cutting or Removal operations upon the real property until such time as the breach or non-compliance is remedied to the satisfaction of the Director.

### **6.3 FAILURE TO REMEDY NON-COMPLIANCE**

- 6.3.1 In the event that a person having received notice under Section 6.2 fails within the time specified therein to remedy such breach, the Town or its appointed agents may enter upon the real property and undertake, at the Owner's or occupier's expense, the works required to remedy the breach.

### **6.4 NOTICE OF REMEDIAL REQUIREMENT**

- 6.4.1 In addition to any other provision of this Bylaw, where a person cuts, removes or damages, or causes, suffers or permits any Protected Tree to be cut, removed, or damaged in contravention of this Bylaw or in violation of any term or condition of a Tree Cutting Permit issued under this Bylaw, that person, within 30 days of receiving notice of such requirement from the Director, shall:
- a) Submit for the Director's approval a Tree Cutting and Replacement Plan in accordance with the requirements of Section 4.2.2 j)

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specifying the location and species of all Replacement Trees; and

- b) Provide twice the number of Replacement Trees required by section 5.2.1, 5.2.2 and 5.2.3;
- c) Provide a security deposit in accordance with Section 5.2.4 of this Bylaw; and
- d) Plant and maintain Replacement Trees in accordance with Section 5.2 of this Bylaw and the Tree Cutting and Replacement Plan approved by the Director.

### **6.5 SUSPENSION OR CANCELLATION OF PERMIT**

6.5.1 Without limiting the application of Section 7 (Offences and Penalties), if:

- a) There is a contravention of any term, condition, requirement or restriction of this Bylaw or a Tree Cutting Permit issued under this Bylaw; or
- b) A Tree Cutting Permit was issued under this Bylaw on the basis of statements made in the permit application or a report, declaration or record required under this Bylaw, that were false or misleading with respect to a material fact or that omitted to state a material fact, the omission of which made the statement false or misleading;

the Director may:

- i) Suspend in whole or in part the rights of the permit holder under the Tree Cutting Permit;
- ii) Cancel the Tree Cutting Permit; or
- iii) Amend or attach new conditions to a Tree Cutting Permit.

### **6.6 RIGHT OF RECONSIDERATION**

6.6.1 Where an Owner or occupier of real property is subject to a requirement or a decision made by the Director under this Bylaw, the Owner or occupier may apply to Council for reconsideration of the matter.

6.6.2 An Owner or occupier who wishes to have a decision reconsidered by Council must apply for the reconsideration by delivering to the Director of Corporate Services, within 30 days after the decision is communicated in writing to the Owner or occupier, a reconsideration application in writing, which must set out all of the following:

- a) The date of the decision and the nature of the decision;



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- b) Reasons why the Owner or occupier considers the Director's decision or requirement to be inappropriate;
  - c) The decision the Owner wishes to have Council substitute for the Director's decision, with brief reasons in support of the request; and
  - d) A copy of any materials considered by the Owner to be relevant to the reconsideration by Council.
- 6.6.3 A reconsideration application must be considered by Council at a regular meeting of Council held no more than six weeks after the date on which the reconsideration application is delivered to the Director of Corporate Services;
- 6.6.4 The Director of Corporate Services must:
- a) Place each reconsideration application on the agenda for a regular meeting of Council;
  - b) Give notice of each reconsideration by Council in accordance with any notice requirements in respect of the original application that are set out in the Development Application Procedures Bylaw No. 1166, 2014 or the applicable legislation; and
  - c) Before each reconsideration by Council, deliver to each Council member a copy of the materials that were considered by the Director in making the decision that is to be reconsidered.
- 6.6.5 In reconsidering a decision, Council must consider the material that was considered by the Director in making the decision;
- 6.6.6 At a reconsideration of a decision, the Owner or occupier and any other person who is interested in the decision are entitled to be heard by Council;
- 6.6.7 Council is entitled to adjourn a reconsideration of a decision; and
- 6.6.8 After having reconsidered a decision, Council may either confirm the Director's decision, amend the Director's decision, or may set aside all or part of the Director's decision and substitute the decision of Council.

## **6.7 RECOVERY OF COSTS AND FEES FROM REAL PROPERTY TAXES**

- 6.7.1 The costs of actions taken by the Town to remedy a default or breach of this Bylaw may be collected by the Town in the same manner as real property taxes, and will be added as arrears of taxes if unpaid by December 31 in the year in which the costs are incurred.

**SECTION 7      Offences and Penalties**

- 7.1.1      Any person who contravenes or violates any provision of this Bylaw or of any Tree Cutting Permit issued under this Bylaw, or who suffers or allows any act or thing to be done in contravention or violation of any of the provisions of this Bylaw or any Tree Cutting Permit issued under this Bylaw, or who fails or neglects to obey any order, direction or notice given under this Bylaw or any Tree Cutting Permit issued under this Bylaw, other than an offence referred to in Section 7.1.4, below, commits an offence against this Bylaw and is liable on summary conviction to a fine of up to \$5,000 in addition to the costs of prosecution.
- 7.1.2      Where one or more Protected Trees is Cut or Removed other than as authorized by this Bylaw, or more than one Protected Tree is not replaced or maintained in accordance with a Tree Cutting Permit issued under this Bylaw, a separate offence is committed in respect of each such Tree.
- 7.1.3      Where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.
- 7.1.4      Notwithstanding Section 7.1.1, any person who is guilty of obstructing the Director or Officer or their appointed designates while performing his/her duties in relation to this Bylaw is liable upon summary conviction to a fine of not less than \$2,000.00, or to imprisonment for not more than 6 months, and the cost of prosecution.

**SECTION 8      Severability**

- 8.1.1      If any part, Section, sub-Section, sentence, clause or sub-clause of this Bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid Section shall be severed and the decision that it is invalid shall not affect the validity of the remaining portions of this Bylaw.
- 8.1.2      Section headings do not form part of this Bylaw. They are included for convenience only and must not be used in interpreting this Bylaw.

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**READ** A FIRST TIME this 7<sup>TH</sup> DAY OF JULY , 2020

**READ** A SECOND TIME this 7<sup>TH</sup> DAY OF JULY , 2020

**READ** A THIRD TIME this ##### DAY OF MONTH , YEAR

**ADOPTED** this ##### DAY OF MONTH , YEAR

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William Beamish, Mayor

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Lindsey Grist, Corporate Officer

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**SCHEDULE “A” - PROTECTED TREE SPECIES**

- a) Arbutus (*Arbutus menziesii*)
- b) Pacific Dogwood (*Cornus nuttallii*)
- c) Pacific Yew (*Taxus brevifolia*)
- d) Garry Oak (*Quercus garryana*)
- e) Douglas Fir (*Pseudotsuga menziesii*)
- f) Western Red Cedar (*Thuja plicata*)
- g) Bigleaf Maple (*Acer macrophylla*)
- h) Grand Fir (*Abies grandis*)
- i) Western Hemlock (*Tsuga heterophylla*)
- j) Yellow Cedar (*Chamaecyparis nootkatensis*)
- k) Balsam Fir (*Abies balsamea*)

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**SCHEDULE “B”- PROTECTED TREE SEEDLINGS**

- a) Garry Oak (*Quercus garryana*),
- b) Pacific Dogwood (*Cornus nuttallii*),
- c) Arbutus (*Arbutus menziesii*).

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**SCHEDULE "C" -TREE PROTECTION PRACTICES**

- a) Ensure all Protected Trees are tagged with uniquely numbered plastic Tree tags.
- b) Have a Certified Arborist prepare a Tree Protection Plan in accordance with Schedule "D" of this bylaw, and review with Proponent, Design Consultants (particularly Civil Engineer, Architect and Landscape Architect), General Contractor and relevant sub-contractors.
- c) Erect sturdy, well-signed, Tree Protection Barriers for each Retained Tree prior to commencement of demolition, site preparation or construction and continuously maintain the fence and signage until the completion of the work proposed to be carried out on the land to which the permit applies.
- d) Conserve Trees in groups, where possible. Conserve growing soils and "placeholders" for new Trees, when planning the site.
- e) Discuss site access, storage, servicing, blasting and work-sequencing requirements with your Contractor and resolve any conflicts with the Protected Tree areas or measures.
- f) When blasting, ensure that explosive materials are selected that minimize combustible gases, which may otherwise harm roots. "Pre-shearing" and low "particle velocities" will also help to minimize root trauma.
- g) Store all excavation and building material away from Retained Trees.
- h) Use an access route to the subject site that avoids impact on the Protected Root Zones of adjacent Trees.
- i) Locate concrete washout areas away from Retained Trees (preferably down slope) and away from proposed and existing garden areas.
- j) Where Tree roots are impacted by digging or other site activities, Damaged roots should be pruned cleanly just before the point of impact with a sharp pruner or saw. Roots Cut by excavation must be immediately wrapped in a root curtain of wire mesh lined with burlap surrounded by posts, and the root

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curtain must be kept moist throughout the construction process.

- k) Make use of new techniques and products to broaden the number and efficiency of the proposed Tree protection options (e.g. hydraulic excavation, vertical shoring, on-grade road or sidewalk construction, pier and post construction, structural soils, permeable pavers etc.). Consult a Certified Arborist or Landscape Architect.
- l) Apply a 10cm layer of mulch to Protected Tree areas to retain moisture, improve nutrients and increase beneficial soil biology.



TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

**SCHEDULE “D” - REPLACEMENT TREE STOCK AND PLANTING REQUIREMENTS**

The Town maintains a list of acceptable Recommended Replacement Tree Species (see Schedule “E”). Where Replacement Trees are required to be provided pursuant to this Bylaw, such Replacement Trees shall be provided and planted as follows:

- a) For Removal of a Protected Tree, the Replacement Tree (s) must be of the same species as the Tree that has been removed.
- b) At least half of the total number of Trees on the property, including existing Retained and Replacement Trees, must be Native Species, unless the Trees being replaced are located within DPA 2, in which case all the Replacement Trees shall be Native Species.
- c) For Tree Removals on properties containing a single-family dwelling, Tree Removal not related to demolition or construction of a new single-family dwelling requires the following Tree Replacement:
  - i) Deciduous Replacement Trees are to be of a minimum 6cm DBH,
  - ii) Coniferous Replacement Trees are to be a minimum of 3m in height.
- d) For Tree Removals under Tree Cutting Permits related to construction, demolition, rezoning, development permits, Subdivisions or building Permits for all properties other than properties containing single family dwellings:
  - i) Every Deciduous Replacement Tree shall be of the minimum DBH specified in Column 3 of Table 1 of this Schedule corresponding to the DBH of the Tree Removed,
  - ii) Every Coniferous Replacement Tree shall be a Tree of the minimum height specified in Column 2 of Table 1 of this Schedule corresponding to the DBH of the Tree Removed.
- e) Replacement Trees shall not be planted:
  - i) within 3 metres of a building foundation wall and within 1 metre of any property line of a Lot;
  - ii) within 5 metres of an overhead utility line for Trees that may grow to a maximum of 5 metres in height, and within 10 metres of an overhead utility line for Trees that may grow to a greater height;
  - iii) within an easement or statutory right of way.
- f) Every Replacement Tree shall be spaced from existing Trees and other Replacement Trees in accordance with Sound Arboricultural Practice to best ensure survival of the Replacement and existing Trees.

**TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020**

- g) Replacement Trees must meet the plant condition and structure requirements set out in the latest edition of the CSLA/CLNA "Canadian Landscape Standard" and the CNTA "Canadian Standards for Nursery Stock" to be considered acceptable by the Director.
- h) Replacement Trees shall be planted and maintained in accordance with the requirements set out in the latest edition of the CSLA/CLNA "Canadian Landscape Standard".
- i) Tree caging will be required in areas prone to deer browsing until the Tree is 6 feet in height.
- j) Replacement Trees shall be planted during the suitable local planting seasons generally defined as fall (September – November) and spring (February - April). Where planting must occur outside of these time periods, then a strategy for ensuring the Trees are watered (in the summer) or protected from cold weather (in the winter) must be included as part of the Tree Cutting Permit application.
- k) The following minimum specifications for topsoil or amended organic soil are required for replanting on a property unless otherwise advised against by the Arborist:
  - i) organic matter content of 15% dry weight in planting beds and 8% in turf areas;
  - ii) depth of 300 mm for turf;
  - iii) depth of 450 mm for shrubs/Trees;
  - iv) depth of 300 mm around and below the root ball of all Trees;
  - v) pH from 6.0 to 8.0 or matching that of the original undisturbed soil;
  - vi) subsoils scarified to a depth of minimum 100 mm with some topsoil being incorporated into the subsoil; and
  - vii) planting beds mulched with a minimum of 50 mm of organic materials.

<b>TABLE 1 – Replacement Trees</b>		
<b>COLUMN 1</b>	<b>COLUMN 2</b>	<b>COLUMN 3</b>
<b>D.B.H. of Tree Cut or Removed</b>	<b>Minimum Height of Coniferous Replacement Tree</b>	<b>Minimum DBH of Deciduous Replacement Tree</b>
Up to 30cm (12")	2.5 m (8.2 ft)	6 cm (2.5")
30-60 cm (12" – 24")	3.5 m (11.5 ft)	8 cm (3")
60cm + (24" +)	4.5 m (14.8 ft)	10 cm (4")

TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

**SCHEDULE "E"- RECOMMENDED REPLACEMENT TREE SPECIES**

**NATIVE TREE SPECIES**

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>SHADE TOLERANCE</u>	<u>DESCRIPTION</u>
<b><u>VERY DRY SITE</u></b>				
ARBUTUS MENZIESII	ARBUTUS	UP TO 30 m	FULL SUN	BROADLEAF EVERGREEN
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	FULL SUN	CONIFEROUS
QUERCUS GARRYANA	GARRY OAK	20-30 m	FULL SUN	DECIDUOUS
<b><u>DRY SITE</u></b>				
ABIES GRANDIS	GRAND FIR	40-70 m	FULL SUN TO PART SHADE	CONIFEROUS
ACER CIRCINATUM	VINE MAPLE	3-5 m	PART SHADE	DECIDUOUS
ACER MACROPHYLLA	BIGLEAF MAPLE	15-20 m	FULL SUN TO PART SHADE	DECIDUOUS
POPULUS TREMULOIDES	TREMBLING ASPEN	20-25 m	FULL SUN TO PART SHADE	DECIDUOUS
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	FULL SUN	CONIFEROUS
THUJA PLICATA	WESTERN RED CEDAR	30 m	FULL SUN TO PART SHADE	CONIFEROUS
<b><u>SLIGHTLY DRY SITE</u></b>				
ABIES GRANDIS	GRAND FIR	40-70 m	FULL SUN TO PART SHADE	CONIFEROUS
ACER CIRCINATUM	VINE MAPLE	3-5 m	PART SHADE	DECIDUOUS
ACER MACROPHYLLA	BIGLEAF MAPLE	15-20 m	FULL SUN TO PART SHADE	DECIDUOUS
CORNUS NUTTALLII	PACIFIC DOGWOOD	10-20 m	FULL SUN TO PART SHADE	DECIDUOUS
PICEA SITCHENSIS	SITKA SPRUCE	70 m	FULL SUN	CONIFEROUS
POPULUS TREMULOIDES	TREMBLING ASPEN	20-25 m	FULL SUN TO PART SHADE	DECIDUOUS
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	FULL SUN	CONIFEROUS
TAXUS BREVIFOLIA	WESTERN YEWE	10-15 m	PART SHADE	CONIFEROUS
THUJA PLICATA	WESTERN RED CEDAR	30 m	FULL SUN TO PART SHADE	CONIFEROUS

# TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

TSUGA HETEROPHYLLA	WESTERN HEMLOCK	50-70 m	SUN TO SHADE	CONIFEROUS
<b><u>MOIST SITE</u></b>				
ACER CIRCINATUM	VINE MAPLE	3-5 m	PART SHADE	DECIDUOUS
ACER MACROPHYLLA	BIGLEAF MAPLE	15-20 m	FULL SUN TO PART SHADE	DECIDUOUS
MALUS DIVERSIFOLIA	PACIFIC CRABAPPLE	12 m	FULL SUN	DECIDUOUS
PICEA SITCHENSIS	SITKA SPRUCE	70 m	FULL SUN	CONIFEROUS
POPULUS TREMULOIDES	TREMBLING ASPEN	20-25 m	FULL SUN TO PART SHADE	DECIDUOUS
TAXUS BREVIFOLIA	WESTERN YEW	10-15 m	PART SHADE	CONIFEROUS
THUJA PLICATA	WESTERN RED CEDAR	30 m	FULL SUN TO PART SHADE	CONIFEROUS

**TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020**

**COLUMNAR TREE SPECIES  
LESS THAN 8M IN WIDTH AT MATURITY**

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER PLATANOIDES 'CRIMSON SENTRY'	CRIMSON SENTRY MAPLE	13 m	6 m	MODERATE	DARK PURPLE	
ACER RUBRUM 'BOWHALL'	BOWHALL MAPLE	15 m	5 m	MODERATE	MED GREEN FALL- ORANGE	
ACER RUBRUM 'KARPICK'	KARPICK MAPLE	13 m	6 m	MODERATE	GREEN FALL- ORANGE YELLOW	RED STEMS
ACER X FREEMANII 'SCARSEN'	SCARLET SENTINEL MAPLE	15 m	6 m	FULL SUN TO PART SHADE	DK GREEN FALL -ORANGE YELLOW	DROUGHT TOLERANT
CARPINUS BETULUS 'FASTIGIATA'	PYRAMIDAL EUROPEAN HORNBEAM	12 m	8 m	FULL SUN TO PART SHADE	DK GREEN FALL -YELLOW	TOLERANT OF URBAN CONDITIONS
FAGUS SYLVATICA 'DAWYCKII'	FASTIGIATE BEECH	10-15 m	3-4 m	FULL SUN TO PART SHADE	DK GREEN	DROUGHT TOLERANT
FAGUS SYLVATICA 'DAWYCKII PURPLE'	PURPLE FASTIGIATE BEECH	12 m	2-3 m	FULL SUN TO PART SHADE	DEEP PURPLE	DROUGHT TOLERANT
FAGUS SYLVATICA 'DAWYCKII GOLD'	GOLD LEAF FASTIGIATE BEECH	10 m	2-3 m	FULL SUN TO PART SHADE	GOLDEN YELLOW	DROUGHT TOLERANT
GINKGO BILOBA 'SENTRY'	SENTRY MAIDENHAIR	12 m	4-5 m	FULL SUN	GREEN FALL- BRIGHT YELLOW	
LIQUIDAMBAR STYRACIFLUA 'EMERALD SENTINEL'	EMERALD SENTINEL SWEETGUM	9 m	3-4 m	FULL SUN TO PART SHADE	DK GREEN FALL- YELLOW/ORANGE	
PARROTIA PERSICA 'VANESSA'	UPRIGHT IRONWOOD	7 m	3-4 m	FULL SUN	DARK GREEN FALL-CRIMSON GOLD	PREFERS WELL DRAINED SITE
PYRUS CALLERYANA 'CHANTICLEER'	CHANTICLEER PEAR	12 m	5 m	FULL SUN	DK GREEN FALL - RED PURPLE	
QUERCUS ROBUR 'FASTIGIATA'	FASTIGIATE ENGLISH OAK	18 m	8 m	FULL SUN TO PART SHADE	DK GREEN FALL - GOLD/BROWN	PERSISTANT LEAVES IN FALL/WINTER

TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

**CONIFEROUS TREE SPECIES**

<b><u>BOTANICAL NAME</u></b>	<b><u>COMMON NAME</u></b>	<b><u>HEIGHT</u></b>	<b><u>WIDTH</u></b>	<b><u>SHADE TOLERANCE</u></b>	<b><u>FOLIAGE COLOUR</u></b>	<b><u>COMMENTS</u></b>
CALOCEDRUS DECURRENS	INCENSE CEDAR	15 m	5 m	FULL SUN TO PART SHADE	RICH GREEN	
CEDRUS ATLANTICA 'GLAUCA'	BLUE ATLAS CEDAR	30 m	10 m	FULL SUN	BLUE GREEN	
CHAMAECYPARIS NOOTKATENSIS	YELLOW CEDAR	40 m	12 m	FULL SUN TO PART SHADE	GREEN	TOLERANT OF POOR SOILS. NATIVE TREE
PICEA OMORIKA	SERBIAN SPRUCE	20 m	5 m	FULL SUN TO PART SHADE	BRIGHT GREEN WITH SILVERY UNDERSIDES	
PINUS NIGRA	AUSTRIAN PINE	25 m	10 m	FULL SUN	DK GREEN	
PINUS SYLVESTRIS	SCOTS PINE	22 m	15 m	FULL SUN	BLUE GREEN	
PSEUDOTSUGA MENZIESII	DOUGLAS FIR	40 m	12 m	FULL SUN	DARK GREEN	NATIVE TREE
SEQUOIA DENDRON SEMPERVIRENS	GIANT REDWOOD	60 m	25 m	FULL SUN	BRIGHT GREEN	NATIVE TO THE PACIFIC NORTHWEST
THUJA PLICATA	WESTERN RED CEDAR	30 m	15 m	FULL SUN TO PART SHADE	GREEN	ACIDIC, WELL DRAINED SOIL

**TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020**

**SMALL TREE SPECIES**  
LESS THAN 9M IN HEIGHT AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER BUERGERIANUM	TRIDENT MAPLE	8 m	6 m	FULL SUN	DK GREEN FALL-YELLOW TO RED	
ACER CIRCINATUM	VINE MAPLE	6 m	6 m	FULL TO PART SHADE	MED GREEN FALL-YELLOW TO RED	NATIVE TREE
ACER GINNALA	AMUR MAPLE	6 m	6 m	FULL SUN TO PART SHADE	DK GREEN FALL- ORANGE/RED	
ACER GRISEUM	PAPERBARK MAPLE	8 m	6 m	FULL SUN	DK BLUE/GREEN FALL-RED	EXFOLIATING BARK
ACER PALMATUM	JAPANESE MAPLE	VARIES	VARIES	VARIES	VARIES	UPRIGHT FORMS BEST FOR STREET TREES
ACER PLATANOIDES GLOBOSUM	GLOBE MAPLE	4.5 m	5.5 m	FULL SUN	DARK GREEN FALL-YELLOW	
AMELANCHIER X GRANDIFLORA 'AUTUMN BRILLIANCE'	AUTUMN BRILLIANCE SERVICEBERRY	6 m	4-5 m	FULL SUN	MED GREEN FALL-BRIGHT RED	WHITE FLWR PURPLE/BLUE FRUIT WILDLIFE TREE
CORNUS KOUSA	JAPANESE DOGWOOD	6 m	6 m	FULL SUN TO PART SHADE	GREEN TO RED FALL-YELLOW	WHITE /PINK FLWRS
CRATAEGUS X LAVALEI	LAVELLE HAWTHORN	8.5 m	9 m	FULL SUN	DARK GREEN FALL-YELLOW	GOOD WILDLIFE VALUE, WHITE FLWR ORANGE FRUIT
CRATAEGUS X MORDENSIS 'TOBA'	TOBA HAWTHORN	6 m	6 m	FULL SUN	DARK GREEN FALL-YELLOW	GOOD WILDLIFE VALUE, FRAGRANT FLOWER RED FRUIT
HALESIA CAROLINA	CAROLINA SILVERBELL	9 m	6 m	FULL SUN TO PART SHADE	LIGHT GREEN FALL-YELLOW	WHITE FLWR
MAGNOLIA KOBUS	KOBUS MAGNOLIA	9 m	6 m	FULL SUN	GREEN FALL-YELLOW	WHITE FLWR
PRUNUS CERASIFERA	PISSARD PLUM	9 m	4.5 m	FULL SUN	RED/PURPLE	PINK FLWR



TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

'ATROPURPUREA'						
PRUNUS X YEDOENSIS 'AKEBONO'	AKEBONO CHERRY	7.5 m	7.5 m	FULL SUN	DARK GREEN FALL-YELLOW	SOMEWHAT ROOT INVASIVE, NOT SUITABLE FOR SIDEWALKS
STYRAX JAPONICA	JAPANESE SNOWBELL	7.5 m	7.5 m	FULL SUN	LIGHT GREEN FALL-YELLOW	WHITE FRAGRANT FLWR
STYRAX JAPONICA 'ROSEA' OR 'PINK CHIMES'	PINK JAPANESE SNOWBELL	6 m	6 m	FULL SUN TO PART SHADE	LIGHT GREEN FALL-YELLOW	PINK FLWR

**TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020**

**MEDIUM TREE SPECIES**  
9-15M IN HEIGHT AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER CAMPESTRE 'QUEEN ELIZABETH'	HEDGE MAPLE	9 m	9 m	FULL SUN TO PART SHADE	DK GREEN FALL-YELLOW	PERFORMS WELL IN URBAN CONDITIONS
ACER PLATANOIDES 'CLEVELAND'	CLEVELAND MAPLE	12 m	9 m	FULL SUN TO PART SHADE	DARK GREEN SUMMER FALL-GOLDEN YELLOW	PERFORMS WELL IN URBAN CONDITIONS
ACER RUBRUM 'OCTOBER GLORY'	OCTOBER GLORY MAPLE	12 m	11 m	FULL SUN TO PART SHADE	MED GREEN FALL-DEEP RED PURPLE	
ACER RUBRUM 'RED SUNSET'	RED SUNSET MAPLE	14 m	10 m	FULL SUN TO PART SHADE	DK GREEN FALL-RED	
ACER TRUNCATUM X PLATANOIDES	PACIFIC SUNSET SHANTUNG MAPLE	10 m	8 m	FULL SUN TO PART SHADE	DK GREEN FALL-ORANGE/RED	DROUGHT AND POLLUTION TOLERANT
AESCULUS X CARNEA 'BRIOTII'	RUBY RED HORSECHESTNUT	13 m	12 m	FULL SUN TO PART SHADE	DK GREEN	RED PANICLES
BETULA JACQUEMONTII	WHITE HIMALAYAN BIRCH	12 m	9 m	FULL SUN	DK GREEN FALL-YELLOW	TOLERANT OF POOR SOILS, CATKINS
BETULA NIGRA	RIVER BIRCH	14 m	14 m	FULL SUN	MED GREEN FALL -YELLOW	PREFERS MOIST ACIDIC CONDITIONS, CATKINS
CARPINUS BETULUS	EUROPEAN HORNBEAM	12 m	12 m	FULL SUN TO PART SHADE	DK GREEN FALL-YELLOW	TOLERANT OF URBAN CONDITIONS, CATKINS
CORNUS NUTALLII 'EDDIE'S WHITE WONDER'	PACIFIC FLOWERING DOGWOOD	12 m	12 m	FULL SUN TO PART SHADE	OLIVE GREEN FALL-RED	RESISTANT TO ANTHRACNOSE, WHITE BRACTS
FRAXINUS AMERICANA 'AUTUMN APPLAUSE'	AUTUMN APPLAUSE ASH	12 m	7 m	FULL SUN TO PART SHADE	BRIGHT GREEN FALL-GOLD	
FRAXINUS AMERICANA 'AUTUMN PURPLE'	AUTUMN PURPLE ASH	14 m	13 m	FULL SUN TO PART SHADE	GREEN FALL-RED/PURPLE	SENSITIVE TO DROUGHT

# TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

FRAXINUS OXYCARPA 'RAYWOOD'	RAYWOOD ASH	11 m	10 m	FULL SUN	MED GREEN FALL - RED/PURPLE	PREFERS WELL DRAINED SITE
GLEDITSIA TRIACANTHOS INERMIS 'SKYLINE'	SKYLINE HONEYLOCUST	15 m	11 m	FULL SUN	MED GREEN FALL-YELLOW	SALT AND DROUGHT TOLERANT
GLEDITSIA TRIACANTHOS INERMIS 'SUNBURST'	SUNBURST LOCUST	13 m	11 m	FULL SUN	BRIGHT YELLOW FALL- YELLOW/BROWN	SALT AND DROUGHT TOLERANT
GLEDITSIA TRIACANTHOS INERMIS 'SHADEMASTER'	SHADEMASTER LOCUST	13 m	11 m	FULL SUN	DARK GREEN FALL- YELLOW/BROWN	SALT AND DROUGHT TOLERANT
MAGNOLIA GRANDIFLORA	EVERGREEN SOUTHERN MAGNOLIA	15 m	7 m	PT SHADE	DARK GREEN FALL- YELLOW/BROWN	PROTECTION NEEDED FROM WINTER WINDS, WHITE FLWR
OXYDENDRUM ARBOREUM	SOURWOOD	12 m	6 m	FULL SUN TO PART SHADE	MED GREEN FALL- ORANGE/RED	NOT SUITABLE FOR STREET TREE USE. USE AS SPECIMEN ONLY
PARROTIA PERSICA	PERSIAN IRONWOOD	13 m	10 m	FULL SUN	RED PURPLE TO DK GREEN FALL-RED/GOLD	PREFERS WELL DRAINED SITE, RED STAMENS

**TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020**

**LARGE TREE SPECIES**  
OVER 15M IN HEIGHT AT MATURITY

<u>BOTANICAL NAME</u>	<u>COMMON NAME</u>	<u>HEIGHT</u>	<u>WIDTH</u>	<u>SHADE TOLERANCE</u>	<u>FOLIAGE COLOUR</u>	<u>COMMENTS</u>
ACER PLATANOIDES 'DEBORAH'	DEBORAH MAPLE	18 m	15 m	FULL SUN TO PART SHADE	BRONZE GREEN FALL- BRONZE	
ACER RUBRUM 'MORGAN'	MORGAN MAPLE	16 m	14 m	FULL SUN TO PART SHADE	MED GREEN FALL- ORANGE/R ED	SMALL RED
ACER SACCHARUM 'LEGACY'	LEGACY SUGAR MAPLE	20 m	15 m	FULL SUN TO PART SHADE	DARK GREEN FALL- ORANGE/R ED	VARIETY SUITED TO THE WEST COAST CLIMATE
BETULA PAPYRIFERA	PAPER BIRCH	18 m	10 m	FULL SUN TO PART SHADE	DARK GREEN FALL- YELLOW/O RANGE	
CATALPA SPECIOSA	NORTHERN CATALPA	16 m	12 m	FULL SUN	MED GREEN FALL- YELLOW	TOLERANT OF DIFFICULT SOILS, WHITE FLWR
DAVIDIA INVOLUCRATA	DOVE TREE/ HANKERCHIEF TREE	18 m	10 m	FULL SUN	GREEN FALL- BROWN	WHITE FLWR
FAGUS SYLVATICA	EUROPEAN BEECH	25 m	20 m	FULL SUN TO PART SHADE	DK GREEN FALL- RED/BROW N	WILL NOT TOLERATE WET OR COMPACTED SITES
FAGUS SYLVATICA 'PURPUREA'	COPPER BEECH	25 m	18 m	FULL SUN TO PART SHADE	PURPLE COPPER FALL- COPPER GREEN	
GINKGO BILOBA	MAIDENHAIR TREE	25 m	15 m	FULL SUN	LIGHT GREEN FALL- BRIGHT YELLOW	
LIQUIDAMBAR STYRACIFLUA	WORPLESDON AMERICAN	15 m	9 m	FULL SUN	MED GREEN FALL-	EXCELLENT AS STREET OR PARK

# TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

'WORPLESDON'	SWEETGUM				ORANGE/R ED/PURPLE	TREE
LIRIODENDRON TULIPIFERA	TULIP TREE	24 m	13 m	FULL SUN TO PART SHADE	MED GREEN FALL- YELLOW	NOT SUITABLE AS STREET TREE, YELLOW FLWR
METASEQUOIA GLYPTOSTROBOD ES	DAWN REDWOOD	25 m	15 m	FULL SUN	BRIGHT GREEN FALL- ORANGE/B ROWN	POLLUTION TOLERANT
NOTHOFAGUS ANTARCTICA	ANTARCTIC BEECH	30 m	25 m	FULL SUN	DARK GREEN	POLLUTION TOLERANT, FRAGRANT FOLIAGE
QUERCUS COCCINEA	SCARLET OAK	16 m	12 m	FULL SUN TO PART SHADE	DARK GREEN FALL- SCARLET	TOLERANT OF URBAN CONDITIONS, ACORNS
QUERCUS PHELLOS	WILLOW OAK	17 m	15 m	FULL SUN TO PART SHADE	BRIGHT GREEN FALL- YELLOW/BR OWN	GOOD SELECTION FOR STREET TREE USE, ACORNS
TILIA TOMENTOSA	SILVER LINDEN	20 m	16 m	FULL SUN TO PART SHADE	DK GREEN ABOVE, SILVER UNDER FALL- YELLOW	GOOD PARK TREE, BEES. DROUGHT TOLERANT
ULMUS 'HOMESTEAD'	HOMESTEAD ELM	18 m	15 m	FULL SUN	MED GREEN FALL- YELLOW	RESISTANT TO DUTCH ELM DISEASE

TOWN OF GIBSONS TREE PRESERVATION BYLAW NO. 1282, 2020

**SCHEDULE “F”- INVASIVE TREE SPECIES**

- Butterfly Bush (*Buddleia davidii*)
- Russian Olive (*Elaeagnus angustifolia*)
- English Holly (*Ilex aquifolium*)
- Cherry Laurel (*Prunus laurocerasus*)
- Smooth Sumac (*Rhus glabra*)
- Black Elderberry (*Sambucus nigra*)
- European Mountain Ash / Rowan (*Sorbus aucuparia*)
- Tamarisk (*Tamarix chinensis*, *T. ramosissima*)

Schedule F provides a list of potentially invasive trees and tree-like shrubs that are exempt from needing a permit for removal. This list is not intended to be a comprehensive list of Invasive Plant Species.



# STAFF REPORT

**TO:** Council

**MEETING DATE:** September 15, 2020

**FROM:** Dave Newman  
Director of Infrastructure Services

**FILE NO:** 3900-20-1125

**SUBJECT:** Bylaw Notice Enforcement Bylaw 1125-10

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## RECOMMENDATION(S)

**THAT** the Director of Infrastructure's report regarding Bylaw Notice Enforcement Bylaw 1125-10 be received;

**AND THAT** Bylaw Notice Enforcement Bylaw 1125-10 be given First, Second and Third Reading.

---

## BACKGROUND/PURPOSE

The pending adoption of the Tree Preservation Bylaw 1282 requires an amendment to the Bylaw Notice Enforcement Bylaw 1125-10 to facilitate the collection of fines for infractions contained in Bylaw 1282.

## DISCUSSION

Appendix A of the attached amending bylaw provides a listing of the infractions contained in the Tree Preservation Bylaw 1282. To have Bylaw 1125-10 be adopted at the same time as Bylaw 1282, staff are recommending that Council gives First, Second and Third Reading at this time.

Bylaw Notice Enforcement Bylaw 1125-10 is attached for Council's consideration.

## PLAN/POLICY IMPLICATIONS

### Strategic Plan Implications

This bylaw amendment supports the Strategic Objective of Managing Our Assets.

### Financial Plan Implications

Fines should be set to recover the costs of staff time and to have them appropriately set to encourage compliance.

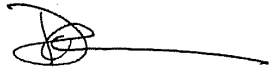
**Other Policy or Plan Implications**

The proposed bylaw amendments are consistent with the Town's Asset Management Policy.

**RECOMMENDATIONS / ALTERNATIVES**

Staff recommendations are on page one of this report. Alternatively, Council may wish staff to make additional changes to the Bylaw Enforcement Notice Bylaw.

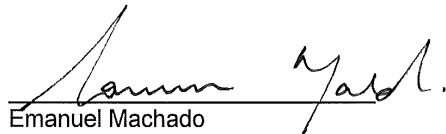
Respectfully Submitted,



Dave Newman  
Director of Infrastructure Services

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I have reviewed the report and support the recommendation(s).



Emanuel Machado  
Chief Administrative Officer



**TOWN OF GIBSONS**  
**BYLAW NO. 1125-10, 2020**

*A Bylaw to amend Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*

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**WHEREAS** the Council for the Town of Gibsons has adopted *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*;

**AND WHEREAS** the Council for the Town of Gibsons deems it desirable to amend *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*.

**NOW THEREFORE** the Council for the Town of Gibsons, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "*Bylaw Notice Enforcement Amendment Bylaw No. 1125-10, 2020*".
2. The *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010* is hereby amended by:
  - (a) Adding penalties for Tree Preservation Bylaw 1282, 2020 violations to Schedule A, as listed on Appendix A, attached to and forming part of this bylaw;
  - (b) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering.

**READ** a first time the \_\_\_\_\_ day of \_\_\_\_\_,

**READ** a second time the \_\_\_\_\_ day of \_\_\_\_\_,

**READ** a third time the \_\_\_\_\_ day of \_\_\_\_\_,

**ADOPTED** the \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_  
William Beamish, Mayor

\_\_\_\_\_  
Lindsey Grist, Corporate Officer

**'Appendix A'**

**TO TOWN OF GIBSONS  
BYLAW NOTICE ENFORCEMENT BYLAW NO. 1125, 2010**

<b>BYLAW NO.</b>	<b>SECTION</b>	<b>DESCRIPTION</b>	<b>A1 PENALTY</b>	<b>A2 EARLY PAYMENT PENALTY</b>	<b>A3 LATE PAYMENT PENALTY</b>	<b>A4 COMPLIANCE AGREEMENT AVAILABLE</b>
<b>TREE PRESERVATION BYLAW NO. 1282, 2020</b>						
1282	3.1.1	Cut, remove, or move any Protected Tree	\$900	\$800	\$1000	NO
1282	3.1.2	Failure to Comply with Permit terms and conditions	\$200	\$150	\$300	YES
1282	3.1.3 a)	Damage a Protected Tree	\$300	\$250	\$400	NO
1282	3.1.3 b)	Top a Protected Tree	\$400	\$350	\$500	NO
1282	3.1.3 c)	Attach a sign or poster to a Protected Tree in any manner that may damage the Protected Tree	\$200	\$150	\$300	YES
1282	3.2	Plant a tree or hedge on Town Land without prior authorization	\$200	\$150	\$300	YES
	4.2.3.f)	Failure to dispose of wood waste and other debris	\$100	\$75	\$150	YES
1282	4.2.3 j)	Failure to place a Tree Protection Barrier around any trees to be retained	\$300	\$250	\$400	YES
1282	4.4.1	Perform work outside of Permit Expiry Date	\$200	\$150	\$300	YES
1282	5.1	Failure to meet Permit Requirements	\$200	\$150	\$300	NO
1282	6.1.3	Obstructing the Director of Infrastructure Services or Designate	\$400	\$350	\$450	NO
1282	6.1.4	Removal of remains of Protected Tree from the lot before inspection by the Director of Infrastructure Services or Designate.	\$200	\$150	\$300	NO



# STAFF REPORT

**TO:** Council

**MEETING DATE:** September 15, 2020

**FROM:** Dave Newman  
Director of Infrastructure Services

**FILE NO:** 3900-20-1196

**SUBJECT:** Rates, Fees and Charges Amendment Bylaw 1196-19, 2020

---

## RECOMMENDATION(S)

**THAT the Director of Infrastructure Services' report regarding Rates, Fees and Charges Amendment Bylaw 1196-19, 2020 be received;**

**AND THAT Rates, Fees and Charges Amendment Bylaw 1196-19, 2020 be given First, Second and Third Reading.**

---

## BACKGROUND/PURPOSE

Staff have identified several sections of the Rates, Fees and Charges Bylaw that require updating.

- Administrative update
- Updated and additional storm, sanitary and water utility unit installation costs that will streamline internal processes
- The pending adoption of the Tree Preservation Bylaw 1282

## DISCUSSION

There are several housekeeping amendments included in Bylaw 1196-19:

1. Section 2.3:
  - This section has been expanded to reflect administration costs relating to processing of overpayments, transfers, and payments made in error.
2. Schedule B:
  - Water service connection costs have been updated to reflect current material and labour costs. Additional items have also been added to streamline internal processing.

3. Schedule C:

- Sanitary and Storm Service connection costs have been updated to reflect current material and labour costs. Additional items have also been added to streamline internal processing.

4. Schedule J:

- Creation of a new Schedule J to reflect the fees and charges included in the Tree Preservation Bylaw

Rates, Fees and Charges Bylaw Amendment 1196-19, 2020 is attached for Council's consideration.

## **PLAN/POLICY IMPLICATIONS**

### **Strategic Plan Implications**

This bylaw amendment supports the Strategic Objective of Managing Our Assets.

### **Financial Plan Implications**

Rates, Fees and Charges should be set to fully recover the costs of providing municipal services.

### **Other Policy or Plan Implications**

The proposed bylaw amendments are consistent with the Town's Asset Management Policy.

## **RECOMMENDATIONS / ALTERNATIVES**

Staff recommendations are on page one of this report. Alternatively, Council may wish staff to make additional changes to the Rates, Fees and Charges Bylaw.

Respectfully Submitted,



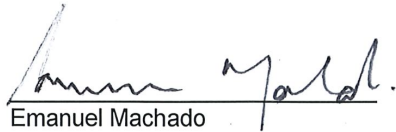
Dave Newman  
Director of Infrastructure Services



Lorraine Coughlin  
Director of Finance

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I have reviewed the report and support the recommendation(s).

A handwritten signature in dark ink, appearing to read 'Emanuel Machado', is written over a horizontal line.

Emanuel Machado  
Chief Administrative Officer

## TOWN OF GIBSONS

### BYLAW NO. 1196-19

A Bylaw to amend the *Town of Gibsons Rates, Fees and Charges Bylaw No. 1196, 2014*

**WHEREAS** the Council for the Town of Gibsons has adopted the *Town of Gibsons Rates, Fees and Charges Bylaw No. 1196, 2014*;

**AND WHEREAS** the Council for the Town of Gibsons deems it desirable to amend the *Town of Gibsons Rates, Fees and Charges Bylaw No. 1196, 2014* to provide for new tree permit fees, and updated water and sewer connection charges;

**THEREFORE**, the Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

#### PART A – CITATION

1. This Bylaw may be cited as the *Town of Gibsons Rates, Fees and Charges Amendment Bylaw No. 1196-19, 2020*.

#### PART B – AMENDMENT

2. The *Town of Gibsons Rates, Fees and Charges Bylaw No. 1196, 2014* is amended as follows:

2.1. By deleting Section 2.3 in its entirety and replacing it with the following:

##### **2.3 CHARGES FOR: DISHONOURED PAYMENT, OVERPAYMENT REFUND, OVERPAYMENT TRANSFER, PAYMENT MADE IN ERROR**

**2.3.1** Where a payment received by the Town in payment of a bill is not honoured by a Person's financial institution for any reason other than clerical error, the Town may charge the Person \$40. This charge represents a reasonable pre-estimate of the administrative costs incurred by the Town as a result of the dishonoured payment.

**2.3.2** Where a refund of an overpayment received by the Town has been requested for any reason, the Town may charge the Person \$40. This charge represents a reasonable pre-estimate of the administrative costs incurred by the Town as a result of the overpayment.

**2.3.3** Where a transfer of an overpayment received by the Town has been requested for any reason, the Town may charge the Person \$40. This charge represents a reasonable pre-estimate of the administrative costs incurred by the Town as a result of the overpayment transfer.

**2.3.4** Where a refund for a payment made in error received by the Town has been requested for any reason, the Town may charge the Person \$40. This charge represents a reasonable pre-estimate of the administrative costs incurred by the Town as a result of the payment made in error.

**2.2.** By deleting Schedule B in its entirety and replacing it with the new Schedule B attached to and forming part of this bylaw; and

**2.3.** By deleting Schedule C in its entirety and replacing it with the new Schedule C attached to and forming part of this bylaw;

**2.4.** By adding a new Schedule J attached to and forming part of this bylaw; and

**2.5.** Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering of the Bylaw.

**PART C – ADOPTION**

**READ A FIRST TIME** this DAY OF ,

**READ A SECOND TIME** this DAY OF ,

**READ A THIRD TIME** this DAY OF ,

**ADOPTED** this DAY OF ,

\_\_\_\_\_  
William Beamish, Mayor

\_\_\_\_\_  
Lindsey Grist, Corporate Officer

SCHEDULE B

WATER				
FEES AND CHARGES				
Bylaw No.	Description		Fee	Unit
No.1192, 2014	3/4" Service Connection, c/w setter and Meter Box*		\$2,920	each
No.1192, 2014	3/4" Meter Setter and box*		\$1,440	each
No.1192, 2014	1" Service Connection, c/w setter and Meter Box*		\$3,060	each
No.1192, 2014	1" (25 mm) Meter Setter and box*		\$1,510	each
No.1192, 2014	5/8" x 3/4" Meter		\$730	each
No.1192, 2014	3/4" Meter		\$790	each
No.1192, 2014	1" Meter		\$810	each
No.1192, 2014	Meter Box (supply and installation)		\$1,200	each
No.1192, 2014	Meter Box and Lid (Supply only)		\$120	each
No.1192, 2014	Meter Box Riser (Supply only)		\$30	each
No.1192, 2014	Service connection to watermain only, no excavation or materials		\$500	each
No.1192, 2014	Asphalt trench repair		\$500	sq m
No.1192, 2014	Concrete curb repair (10m max)		\$850	10m max
No.1192, 2014	Concrete curb repair (>10m)		\$90	metre
No.1192, 2014	Concrete sidewalk repair (7 sq m max)		\$850	7 sq m max
No.1192, 2014	Concrete sidewalk repair (>7 sq m)		\$120	sq m
No.1192, 2014	Inspection Fee		\$50	each
No.1192, 2014	Disconnection Fee (up to 2")		\$410	each
No.1192, 2014	Disconnection Fee (over 2")		At Cost	each
No.1192, 2014	Water Shut Off		\$70	each
No.1192, 2014	Administration Fee		\$100	Lump Sum
No.1192, 2014	Basic Service Call	Minimum	\$80	each
No.1192, 2014	Meter Testing	Minimum	At Cost	each
No.1192, 2014	Leak Adjustment		\$50	each
No.1192, 2014	Hydrant Use Fee	per day	\$100	each
No.1192, 2014	Hydrant Use – Damage Deposit		\$500	each
No.1192, 2014	Temporary Lawn Sprinkling Permit		\$25	each
No.1192, 2014	Facilities charge – single family and duplex residential		\$966.33	per parcel
No.1192, 2014	Facilities charge - Garden Suites		\$637.78	per unit
No.1192, 2014	Facilities charge - Townhouse		\$7.43	per square meter of floor area
No.1192, 2014	Facilities charge - Apartment		\$12.23	per square meter of floor area
No.1192, 2014	Facilities charge - industrial, Commercial and Institutional		\$1.93	per square meter of floor area
*Additional Fees will be charged at cost for excavation depths greater than 1.5m				



USER RATES – DOMESTIC				
Bylaw No.	Description	Period	Fee	Unit
No.1192, 2014	Single Family base rate	6 months or portion thereof	\$50.32	Utility Account
No.1192, 2014	Multi-Family base rate	6 months or portion thereof	\$14.97	Utility Account
No.1192, 2014	For each cubic meter of water consumed up to 138 cubic meters	6 months	\$1.46	Cubic metre
No.1192, 2014	For each cubic meter of water consumed in excess of 138 cubic meters and up to 275 cubic meters	6 months	\$1.96	Cubic metre
No.1192, 2014	For each cubic meter of water consumed in excess of 275 cubic meters	6 months	\$2.47	Cubic metre
No.1192, 2014	Unmetered Domestic User	Annual	\$400.00	each
USER RATES – COMMERCIAL (BASE RATES)				
Bylaw No.	Description	Period	Fee	Unit
No.1192, 2014	5/8 or 3/4 inch meter	6 months	\$157.36	each
No.1192, 2014	1 inch meter	6 months	\$212.50	each
No.1192, 2014	1.5 inch meter	6 months	\$519.19	each
No.1192, 2014	2 inch meter	6 months	\$698.95	each
No.1192, 2014	3 inch meter	6 months	\$1,143.47	each
No.1192, 2014	4 inch meter	6 months	\$2,326.86	each
USER RATES – COMMERCIAL				
Bylaw No.	Description	Period	Fee	Unit
No.1192, 2014	Commercial base rate	6 months or portion thereof	\$83.28	Utility Account
No.1192, 2014	For each cubic meter of water consumed up to 138 cubic meters	6 months	\$1.31	Cubic metre
No.1192, 2014	For each cubic meter of water consumed in excess of 138 cubic meters and up to 275 cubic meters	6 months	\$1.77	Cubic metre
No.1192, 2014	For each cubic meter of water consumed in excess of 275 cubic meters	6 months	\$2.23	Cubic metre
No.1192, 2014	Unmetered Commercial User	Annual	\$1,325.00	each
No.1192, 2014	Unmetered service surcharge	Annual	\$1,200.00	each
No.1192, 2014	Unprotected water service surcharge (no-backflow prevention device)	Annual	\$1,200.00	each
No.1192, 2014	Town of Gibsons Water Vending		\$0.25	Litre

SCHEDULE C

SANITARY AND STORM SEWER				
FEES AND CHARGES				
Bylaw No.	Description		Fee	Unit
No 1175, 2012 No.1194, 2014	Sanitary/Storm Service Connection installation: 100 mm*		\$2,520	each
No 1175, 2012 No.1194, 2014	Sanitary/Storm Service Connection installation: 150 mm*		\$2,610	each
No 1175, 2012 No.1194, 2014	Inspection Chamber - supply and installation on existing service*		\$1,800	each
No 1175, 2012 No.1194, 2014	Inspection Chamber - supply only		\$210	each
No 1175, 2012 No.1194, 2014	Protective Inspection Chamber box in driving surface (additional cost)		\$340	each
No 1175, 2012 No.1194, 2014	Asphalt trench repair		\$500	sq m
No 1175, 2012 No.1194, 2014	Concrete curb repair (10m max)		\$850	10m max
No 1175, 2012 No.1194, 2014	Concrete curb repair (>10m)		\$90	metre
No 1175, 2012 No.1194, 2014	Concrete sidewalk repair (7 sq m max)		\$850	7 sq m max
No 1175, 2012 No.1194, 2014	Concrete sidewalk repair (>7 sq m)		\$120	sq m
No 1175, 2012 No.1194, 2014	Inspection Fee per Connection		\$50	each
No 1175, 2012 No.1194, 2014	Additional Inspections where required		\$50	each
No 1175, 2012 No.1194, 2014	Disconnection Fee per Connection		\$50	each
No 1175, 2012 No.1194, 2014	Basic Service Call		\$80	each
No 1175, 2012 No.1194, 2014	Processing and Administration Fee		\$100	each
*Additional Fees will be charged at cost for excavation depths greater than 1.5m				

SANITARY USER RATES – DOMESTIC				
Bylaw No.	Description	Period	Fee	Unit
No.1194, 2014	Dwelling Unit	6 months	\$130.81	per unit
SANITARY USER RATES – COMMERCIAL				
Bylaw No.	Description	Period	Fee	Unit
No.1194, 2014	Apartments	6 months	\$98.13	1 bedroom unit
No.1194, 2014		6 months	\$130.81	2 bedroom units
No.1194, 2014	Barber	6 months	\$182.22	5 chairs
No.1194, 2014		6 months	\$17.16	each additional chair
No.1194, 2014	Cabaret	6 months	\$1,455.24	first 100 seats
No.1194, 2014		6 months	\$7.73	each additional seat
No.1194, 2014	Car Wash	6 months	\$1,009.34	first 2 bays
No.1194, 2014		6 months	\$186.11	each additional bay
No.1194, 2014	Fermentation Operation - Brewery	6 months	\$375.00	2000 hl/year or portion thereof
No.1194, 2014	Fermentation Operation - Distillery	6 months	\$187.50	each
No.1194, 2014	Hairdresser	6 months	\$182.22	five chairs
No.1194, 2014		6 months	\$17.16	each additional chair
No.1194, 2014	Hospital	6 months	\$75.86	per bed

No.1194, 2014	Laundromat	6 months	\$598.83	first 5 washing machines
No.1194, 2014		6 months	\$68.35	each additional machine
No.1194, 2014	Licensed Lounge	6 months	\$531.47	first 50 seats
No.1194, 2014		6 months	\$7.73	each additional seat
No.1194, 2014	Licensed Public House	6 months	\$1,063.02	first 100 seats
No.1194, 2014		6 months	\$7.73	each additional seat
No.1194, 2014	Motel/Hotel	6 months	\$130.81	first unit
No.1194, 2014		6 months	\$75.86	each additional Unit
No.1194, 2014	Restaurants/Cafe	6 months	\$379.60	first 30 seats
No.1194, 2014		6 months	\$6.03	each additional seat
No.1194, 2014	Rooming House	6 months	\$130.81	first unit
No.1194, 2014		6 months	\$50.06	each additional unit
No.1194, 2014	School	6 months	\$130.81	per classroom
No.1194, 2014	Service Station/Garage	6 months	\$144.28	each
No.1194, 2014	Store	6 months	\$130.81	retail/wholesale
No.1194, 2014	Suites	6 months	\$130.81	each unit
No.1194, 2014	Trailer Park	6 months	\$130.81	per rental space
No.1194, 2014	All other users	6 months	\$130.81	unit

**SCHEDULE J**

TREE PROTECTION BYLAW				
FEES AND CHARGES				
Bylaw No.	Description		Fee	Unit
No. 1282	Tree Cutting Permit Application Fee		\$50	Up to three trees
No. 1282	Security deposit - Private land		\$300	each
No. 1282	Payment in Lieu - Public Land		\$300	each



# **TOWN OF GIBSONS**



## **ANTI-NOISE BYLAW BYLAW No. 1285, 2020**

**Adopted: Month #<sup>th</sup>, 20##**





## **TOWN OF GIBSONS BYLAW NO. 1285, 2020**

A Bylaw to regulate noise or sound  
within the Town of Gibsons

**WHEREAS** it is deemed desirable to regulate or prohibit the making or causing of noises or sounds under the authority of the Local Government Act;

**THEREFORE**, the Municipal Council of the Town of Gibsons, in open meeting assembled, enacts as follows:

### **SECTION 1      GENERAL PROVISIONS**

#### **1.1      SHORT TITLE**

This Bylaw may be cited for all purposes as "Anti-Noise Bylaw No. 1285, 2020".

#### **1.2      REPEAL**

Bylaw No. 364, 1980 is repealed.

### **SECTION 2      DEFINITIONS**

#### **2.1      DEFINITIONS**

In this Bylaw;

"BYLAW ENFORCEMENT OFFICER" means a person employed by the Town of Gibsons for the purpose of enforcing the Towns Bylaws.

"COUNCIL" means the Council of the Town of Gibsons.

"CONSTRUCTION" means the alteration, erection, repair, enlargement, demolition or removal of a building or other structure and includes all land clearing and excavation.

"HOLIDAY" means any day set out by the Parliament of Canada or by the Legislature as a public holiday.

"POWER EQUIPMENT" means any tool, equipment or machinery powered by an internal combustion engine or electric motor that is used for construction, for lawn, garden, building and property maintenance, vehicle repair and includes edge trimmers, weed-eaters, rototillers, lawnmowers, leaf blowers, chain saws, pressure washers, carpet cleaning equipment and hand operated power tools.

### **SECTION 3      GENERAL REGULATIONS**

- 3.1 No person shall, except as herein provided, make or cause to be made any noise or sound anywhere in the Town of Gibsons which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or persons in the vicinity.
- 3.2 No owner or occupier of property in the municipality shall allow such property to be used so that noise or sound emanates therefrom which disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or of persons in the vicinity.
- 3.3 No person shall play or operate any radio, stereo equipment or other instrument or any apparatus for the production or amplification of sound either in private or public places in such a manner as to disturb the quiet, peace, rest, enjoyment, comfort or convenience of the neighbourhood or persons in the vicinity.
- 3.4 No person shall own, keep or harbour any animal or bird which by its cries unduly disturbs the peace, rest or tranquillity of surrounding neighbourhoods or the public at large.

### **SECTION 4      SPECIFIC REGULATIONS**

#### **4.1      CONSTRUCTION HOURS**

- a) No person shall, before 0730 hours and after 2000 hours between Monday and Friday, engage in or permit construction in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any persons in the neighbourhood or of persons in the vicinity.
- b) No person shall before 0800 and after 1800 hours on a Saturday engage in or permit construction in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any person in the neighbourhood or of persons in the vicinity.
- c) No person shall for gain or profit on any Sunday or on any holiday, engage in or permit construction in any manner which disturbs the quiet, peace, rest, enjoyment, comfort or convenience of any persons in the neighbourhood or of persons in the vicinity.

Where it is impossible or impractical to comply with this section, the Municipal Building Inspector or a Bylaw Enforcement Officer may give written approval to carry out the work that is found to be necessary at designated hours.

**4.2 POWER EQUIPMENT NOISE**

No person shall, before 0800 hours or after 2100 hours on any day or before 0900 hours or after 1800 hours on a Sunday or Holiday, operate, or permit the operation of any power equipment.

**4.3 QUIET HOURS**

No person shall before 0700 hours or after 2300 hours on any day, cause or permit a noise of any kind which interrupts the sleep, or prevents the sleep of a person in the neighbourhood or vicinity.

**SECTION 5 EXCEPTIONS**

- 5.1 The provisions of this Bylaw shall not apply to sound caused by.
- 5.2 Operators of Emergency vehicles in the conduct of their lawful duty.
- 5.3 The performance of activities of an emergency nature for the preservation or protection of life, health or property.
- 5.4 The use of an explosive device or the operation of a rock drill or hammer in accordance with a blasting permit issued by the Town of Gibsons.
- 5.5 The loading or unloading of goods, materials, machines, equipment, waste or garbage by any means, except on a Sunday or holiday between 0730 hours and 1730 hours.
- 5.6 The operation of a street sweeper, snow removal, road and parks maintenance machines and equipment by or on behalf of the Town.

**SECTION 6 RIGHT OF ENTRY**

- 6.1 A Bylaw Enforcement Officer or a Building Inspector may enter onto a property or premises at a reasonable time and a reasonable manner to ascertain whether the provisions of this Bylaw are being observed.

**SECTION 7 PENALTY**

- 7.1 Every person who violates a provision of this bylaw, or who consents, allows or permits an act or thing to be done in violation of a section of this bylaw commits an offence and each day a violation continues or is allowed to continue constitutes a separate offence.
- 7.2 Every person who commits an offence under this bylaw is liable on summary

conviction to a fine not exceeding the maximum allowed by the Offence act.

- 7.3 Every person who commits an offence under this bylaw shall be liable for fines and penalties established in the Town of Gibsons Bylaw Notice Enforcement Bylaw No.1125, 2010 as amended from time to time.

## **SECTION 8 SEVERABILITY**

If any provision of this bylaw is held to be invalid by any court of competent jurisdiction, that provision shall be severed and its severance shall not affect the validity of the remainder of this bylaw.

Read a First time this	day of	2020
Read a Second time this	day of	2020
Read a Third time this	day of	2020
Adopted this	day of	2020

---

Bill Beamish  
Mayor

---

Lindsey Grist  
Corporate Officer

## TOWN OF GIBSONS

### BYLAW NO. 1125-09, 2020

*A Bylaw to amend Schedule A of Bylaw Notice Enforcement Bylaw No. 1125 to include Anti-Noise Bylaw 1285, 2020.*

---

**WHEREAS** the Council for the Town of Gibsons has adopted *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*;

**AND WHEREAS** the Council for the Town of Gibsons deems it desirable to amend *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*.

**NOW THEREFORE** the Council for the Town of Gibsons, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “*Anti-Noise Bylaw Notice Enforcement Amendment Bylaw No. 1125-09, 2020*”.
2. The *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010* is hereby amended by:
  - (a) Delete references to Anti-Noise Bylaw 364, 1980 and replace with updated noise violations related to Anti-Noise Bylaw 1285, 2020 to Schedule A, as listed on Appendix A, attached to and forming part of this bylaw;
  - (b) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering.

Read a first time this	day of	201X
Read a second time this	day of	201X
Read a third time this	day of	201X
ADOPTED this	day of	201X

---

William Beamish, Mayor

---

Lindsey Grist, Corporate Officer

## APPENDIX A

*Town of Gibsons Bylaw Enforcement Bylaw No. 1125-09, 2020 – Summary of Update to Bylaw No. 1125, 2010*

ANTI-NOISE BYLAW NO. 1285, 2020						
BYLAW NO.	SECTION	DESCRIPTION	A1 PENALTY	A2 EARLY PAYMENT PENALTY	A3 LATE PAYMENT PENALTY	A4 COMPLIANCE AGREEMENT AVAILABLE
1285	3.1	Noise which disturbs	\$200	\$150	\$300	No
1285	3.2	Noise which disturbs	\$200	\$150	\$300	No
1285	3.3	Amplified music which disturbs	\$200	\$150	\$300	No
1285	3.4	Animal/bird noise which disturbs	\$200	\$150	\$300	No
1285	4.1	Construction noise which disturbs	\$200	\$150	\$300	No
1285	4.2	Power equipment noise which disturbs	\$200	\$150	\$300	No
1285	4.3	Disturb Quiet Hours	\$200	\$150	\$300	No



## **BUILDING BYLAW NO. 1284, 2020**

*A Bylaw for Administration of the Building Code and Regulation of Construction*

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**Town of Gibsons**  
**BUILDING BYLAW NO. 1284, 2020**

*A Bylaw for Administration of the Building Code and Regulation of Construction*

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GIVEN that the Town Council

- A. may by bylaw regulate, prohibit and impose requirements in respect to buildings and structures under sections 8(3)(g) and (l) of the *Community Charter* for the following under section 53(2):
  - (a) the provision of access to a building or other structure, or to part of a building or other structure, for a person with disabilities;
  - (b) the conservation of energy or water;
  - (c) the reduction of greenhouse gas emissions;
  - (d) the health, safety or protection of persons or property;
- B. is enacting this bylaw to regulate construction and administer the British Columbia *Building Code* in the Town of Gibsons in accordance with the *Community Charter* and the *Building Act*;
- C. has employed trained building officials for the purposes of this bylaw;

NOW THEREFORE the Council of the Town of Gibsons enacts as follows:

**PART 1: TITLE**

**Citation**

- 1.1 This bylaw may be cited as "Building Bylaw No. 1284, 2020".

**PART 2: PURPOSE OF BYLAW**

- 2.1 Despite any other provision in this bylaw, this bylaw must be interpreted in accordance with this Part.
- 2.2 Every *permit* issued under this bylaw is issued expressly subject to the provisions of this Part.
- 2.3 This bylaw is enacted to regulate, prohibit and impose requirements in regard to *construction* in the Town in the public interest.

- 2.4 The purpose of this bylaw does not extend to
- (a) the protection of *owners, designers or constructors* from economic loss;
  - (b) the assumption by the Town or any *building official* of any responsibility for ensuring the compliance by any *owner*, his or her representatives or any employees, *constructors* or *designers* retained by the *owner*, with the *building code*, the requirements of this bylaw, or other applicable enactments, codes or standards;
  - (c) providing any person a warranty of design or workmanship with respect to any *building or structure* for which a *building permit* or *occupancy permit* is issued under this bylaw;
  - (d) providing any person a warranty or assurance that *construction* undertaken under *building permits* issued by the Town is free from latent, or any, defects; or
  - (e) the protection of adjacent real property from incidental damage or nuisance.

### **PART 3: SCOPE AND EXEMPTIONS**

#### **Application**

- 3.1 This bylaw applies to the geographical area of the Town and to land, the surface of water, air space, *buildings* or *structures* in the Town.
- 3.2 This bylaw applies to the design, construction or *occupancy* of new *buildings* or *structures*, and the *alteration*, reconstruction, demolition, removal, relocation or *occupancy* or change of use or *occupancy* of *existing buildings* and *structures*.
- 3.3 This bylaw does not apply to
- (a) except as set out in Part 11 [*Retaining Walls*] of this bylaw, a fence;
  - (b) an accessory *building* with a floor area of less than 10 square metres;
  - (c) a trellis, an arbour, a wall supporting soil that is less than 1.22 metres in height, or other similar landscape *structures* on a parcel zoned for single-family *residential occupancy* uses under the Town's zoning bylaw;
  - (d) a *building* or *structure* commonly known as "Canadian Standards Association Z240 MH series, Z241 series or A277 series", except as regulated by the Building Code.

#### **Limited Application to Existing Buildings**

- 3.4 Except as provided in the *building code* or to the extent an *existing building* is under *construction* or does not have an *occupancy permit*, when an *existing building* has been *constructed* before the enactment of this bylaw, the enactment of this bylaw is not to be

interpreted as requiring that the *building* must be *reconstructed* and *altered*, unless it is expressly so provided by this or another bylaw, regulation or statute.

- 3.5 This bylaw applies if the whole or any part of an *existing building* is moved either within or into the Town, including relocation relative to parcel lines created by subdivision or consolidation. Part 12 applies to *building* moves.
- 3.6 If an *alteration* is made to an *existing building* the *alteration* must comply with this bylaw and the *building code* and the entire building must be made to comply with this bylaw and the *building code*, but only to the extent necessary to addresses any new infractions introduced in the remainder of the building as a result of the *alteration*.
- 3.7 If an *alteration* creates an *addition* to an *existing building*, the *alteration* or *addition* must comply with this bylaw and the *building code* and the entire building must be made to comply with this bylaw and the *building code*, but only to the extent necessary to address any new infractions introduced in the remainder of the building as a result of the *alteration* or *addition*.

#### **PART 4: PROHIBITIONS**

- 4.1 A person must not commence or continue any *construction, alteration, excavation, reconstruction, demolition, removal, relocation* or change the use or *occupancy* of any *building* or *structure*, including other work related to construction
- (a) except in conformity with the requirements of the *building code* and this bylaw; and
  - (b) unless a *building official* has issued a valid and subsisting *permit* for the work under this bylaw.
- 4.2 A person must not *occupy* or permit the *occupancy* of any *building* or *structure* or part of any *building* or *structure*
- (a) unless a subsisting *final inspection notice* has been issued by a *building official* for the *building* or *structure* or the part of the *building* or *structure*; or
  - (b) contrary to the terms of any *permit* issued or any notice given by a *building official*.
- 4.3 A person must not knowingly submit false or misleading information to a *building official* in relation to any *permit* application or construction undertaken pursuant to this bylaw.
- 4.4 Except in accordance with this bylaw, including acceptance of revised plans or supporting documents, a person must not erase, alter or modify plans and supporting documents after the same have been reviewed by the *building official*, or plans and supporting documents which have been filed for reference with the *building official* after a *permit* has been issued.

- 4.5 A person must not, unless authorized in writing by a *building official*, reverse, alter, deface, cover, remove or in any way tamper with any notice, *permit* or certificate posted or affixed to a *building* or *structure* pursuant to this bylaw.
- 4.6 A person must not do any work that is substantially at variance with the *accepted* design or plans of a *building*, *structure* or other works for which a *permit* has been issued, unless that variance has been authorized in writing by a *building official*.
- 4.7 A person must not interfere with or obstruct the entry of a *building official* or other authorized official of the Town on property in the administration of this bylaw.
- 4.8 A person must not *construct* on a *parcel* unless the civic address is conspicuously posted on the front of the premises or on a sign post so it may be easily read from the public highway from which it takes its address.
- 4.9 A person must not contravene an administrative requirement of a *building official* made under section 6.6 or any other provision of this bylaw.
- 4.10 A person must not change the use, *occupancy* or both of a *building* or *structure* or a part of a *building* or *structure* without first applying for and obtaining a *building permit* under this bylaw.

#### **PART 5: PERMIT CONDITIONS**

- 5.1 A *permit* is required if work regulated under this bylaw is to be undertaken.
- 5.2 Neither the issuance of a *permit* under this bylaw, nor the acceptance or review of plans, drawings, specifications or supporting documents, nor any inspections made by or on behalf of the Town will in any way
- (a) relieve the *owner* (and if the *owner* is acting through an *agent*, the *agent* of the *owner*) from full and sole responsibility to perform the work in respect of which the *permit* was issued in strict compliance with this bylaw, the *building code*, and all other applicable codes, standards and enactments;
  - (b) constitute a representation, warranty, assurance or statement that the *building code*, this bylaw or any other applicable enactments respecting safety, protection, land use and zoning have been complied with; or
  - (c) constitute a representation or warranty that the *building* or *structure* meets any standard of materials or workmanship.
- 5.3 No person shall rely on any *permit* as establishing compliance with this bylaw or assume or conclude that this bylaw has been administered or enforced according to its terms.
- 5.4 Without limiting section 5.2(a), it is the full and sole responsibility of the *owner* (and if the *owner* is acting through a representative, the representative of the *owner*) to carry out

the work in respect of which the *permit* was issued in compliance with the *building code*, this bylaw and all other applicable codes, standards and enactments.

## **PART 6: POWERS OF A BUILDING OFFICIAL**

### **Administration**

- 6.1 Words defining the authority of a *building official* are to be construed as internal administrative powers and not as creating a duty.
- 6.2 A *building official* may
- (a) administer this bylaw, but owes no public duty to enforce or administer this bylaw;
  - (b) keep records of applications received, *permits*, notices and orders issued, inspections and tests made, and may retain copies of all papers and documents connected with the administration of this bylaw;
  - (c) establish or require an *owner* to establish whether a method or type of construction or material used in the construction of a *building* or *structure* complies with the requirements and provisions of this bylaw and the *building code*; and
  - (d) direct that tests of materials, equipment, devices, construction methods, structural assemblies or *foundations* be carried out, or that sufficient evidence or proof be submitted by the *owner*, at the *owner's* sole expense, where such evidence or proof is necessary to determine whether the material, equipment, device, construction or *foundation* condition complies with this bylaw and the *building code*.

### **Refusal and Revocation of Permits**

- 6.3 A *building official* may refuse to issue a *permit* if the proposed work will contravene the requirements of the *building code* or the provisions of this or any other bylaw of the Town, and must state the reason in writing.
- 6.4 A *building official* may revoke a *permit* if, in their opinion, the results of tests on materials, devices, construction methods, structural assemblies or *foundation* conditions contravene the *building code* or the provisions of this bylaw, or both, or if all *permits* required under this bylaw have not been obtained.

### **Right of Entry**

- 6.5 Subject to section 16 of the *Community Charter*, a *building official* may enter on property at any time to ascertain whether the requirements of this bylaw are being met.

### **Powers**

- 6.6 Subject to applicable enactments, a *building official* may by notice in writing require

- (a) a person who contravenes any provision of this bylaw to comply with that provision within the time ordered;
  - (b) an *owner* to stop work on a *building or structure*, or any part of a *building or structure*, if the work is proceeding in contravention of this bylaw, the *building code*, or any other enactment of the Town or other applicable enactments, or if there is deemed to be an *unsafe condition*, and may enter on property to affix or post a stop work order in the form prescribed by the *building official*;
  - (c) an *owner* to remove or prevent any unauthorized encroachment on a public parcel, a statutory right of way or easement, or a setback or yard required under an enactment;
  - (d) an *owner* to remove any *building or structure*, or any part of a *building or structure*, *constructed* in contravention of a provision of this bylaw;
  - (e) an *owner* to have work inspected by a *building official* prior to covering;
  - (f) an *owner* to uncover any work that has been covered without inspection contrary to this bylaw or an order issued by a *building official*;
  - (g) a person to cease any *occupancy* in contravention of a provision of this bylaw;
  - (h) a person to cease any *occupancy* if any *unsafe condition* exists because of work being undertaken but not complete and where the *building official* has not issued a final inspection notice for the work;
  - (i) an *owner* to correct any *unsafe condition*; and
  - (j) an *owner* to correct any work that contravenes this bylaw, the *building code*, or any other enactment.
- 6.7 Every reference to “*owner*” in section 6.6 includes a reference to the *owner’s agent* or *constructor*.
- 6.8 Every person served with a notice under this Part must comply with that notice
- (i) within the time ordered, or
  - (ii) if no time is ordered, immediately.

## **PART 7: OWNER’S RESPONSIBILITIES**

### **Permit Requirements**

- 7.1 Subject to Part 10 of this bylaw, every *owner* must apply for and obtain a *permit*, prior to



- (a) *constructing*, repairing or *altering* a *building* or *structure*, including a *pool* or *retaining wall*;
  - (b) moving a *building* or *structure* into or within the Town;
  - (c) demolishing a *building* or *structure*;
  - (d) *occupying* a new *building* or *structure*;
  - (e) *constructing* a masonry fireplace or installing a wood-burning appliance or chimney, whether attached to, part of or detached from a *building*.
  - (f) changing the use or *occupancy* of a *building*,
- unless the works are the subject of another valid and subsisting *building permit*.

7.2 Every *owner* must ensure that plans submitted with a *permit* application bear the name, phone number, address and email address of the *designer* of the *building* or *structure*.

#### **Owner's Obligations**

7.3 Every *owner* must

- (a) comply with the *building code*, the requirements of this bylaw and the conditions of a *permit*, and must not omit any work required by the *building code*, this bylaw or the conditions of a *permit*;
- (b) ensure that all *permits*, all plans and specifications and supporting documents on which a *permit* was based, all municipal inspection certificates, and all professional *field reviews* are available at the site of the work for inspection during working hours by the *building official*, and that all *permits* are posted conspicuously on the site during the entire execution of the work; and
- (c) prior to the issuance of a *building permit*, execute and submit to the Town an *owner's* undertaking in the form attached as Appendix B, where required by the *building official*.

7.4 Every *owner* and every *owner's agent* must carry out *construction* or have the *construction* carried out in accordance with the requirements of the *building code*, this bylaw and other bylaws of the Town and none of the issuance of a *permit* under this bylaw, the review of plans and supporting documents, or inspections made by a *building official* or a *registered professional* shall relieve the *owner*, or his or her *agent*, from full and sole responsibility to perform the work in strict accordance with this bylaw, the *building code* and all other applicable codes, standards and enactments.

7.5 Every *owner* must allow a *building official* to enter any *building* or premises at any reasonable time to administer and enforce this bylaw. Every *owner* to whom a *permit* is issued must, during construction,

- (a) post the civic address on the property so that it may be easily read from the public highway from which the property takes its address; and
- (b) post the *permit* on the property so that it may be easily read from the public highway from which the property takes its address.

#### **Damage to Municipal Works**

- 7.6 Every *owner* to whom a *permit* is issued is responsible for the cost to repair any damage to municipal works or land that occurs during and arises directly or indirectly from the work authorized by the *permit*.
- 7.7 In addition to payment of a security deposit under sections 10.8 to 10.12, every *owner* must pay to the Town, within 30 days of receiving an invoice for same from the Town, the cost to repair any damage to public property or works located on public property arising directly or indirectly from work for which a *permit* was issued.

#### **Demolition**

- 7.8 Prior to obtaining a *permit* to demolish a *building* or *structure*, the *owner* must
  - (a) provide to the Town a vacancy date;
  - (b) pay disconnection, capping, inspection chamber installation, and other applicable fees as set out in the Town's bylaws governing waterworks and sewer; and
  - (c) ensure that all municipal services and other services are capped and terminated at the property line in a Town standard inspection chamber and valve arrangement.
- 7.9 Every *owner* must ensure that, on completion of all demolition procedures, all debris and fill are cleared and the *site* is levelled or graded, or made safe if levelling and grading are not possible.
- 7.10 Every *owner* must call for an inspection upon completion and clean-up of all works.

#### **Notice**

- 7.11 Every *owner* must, at least 48 hours prior to commencing work at a *building site*, give written or online notice to a *building official* of the date on which the *owner* intends to begin such work.
- 7.12 Every *owner* must give written or online notice to a *building official* of any change in or termination of engagement of a *registered professional*, including a *coordinating registered professional*, during construction, within 24 hours of when the change or termination occurs.
- 7.13 If an *owner* or a *registered professional* terminates the engagement of a *registered professional*, including a *coordinating registered professional*, the *owner* must terminate all work under a *permit* until the *owner* has engaged a new *registered professional*,

including a *coordinating registered professional*, and has delivered to a *building official* new letters of assurance.

- 7.14 Without limiting sections 10.29 to 10.44, every *owner* must give at least 48 hours' online or written notice to a *building official*
- (a) of intent to do work that is required or ordered to be corrected during *construction*;
  - (b) of intent to cover work that is required under this bylaw to be, or has been ordered to be, inspected prior to covering; and
  - (c) when work has been completed so that a final inspection can be made.
- 7.15 Every *owner* must give notice in writing to a *building official* and pay the non-refundable fee set out in the *rates, fees and charges bylaw* immediately upon any change in ownership or change in the address of the *owner* which occurs prior to the issuance of an *occupancy permit*.
- 7.16 Every *owner* must give such other notice to a *building official* as may be required by the *building official* or by a provision of this bylaw.

#### **Fire Sprinklers**

- 7.17 A Sprinkler System shall be installed throughout the following buildings in the Town:
- (a) all new buildings containing
    - (i) more than two dwelling units;
    - (ii) an assembly use or occupancy;
    - (iii) a commercial use, except home occupations; and
    - (iv) an industrial use;
  - (b) all buildings which are converted into a building listed in 7.17 but only where the conversion involves an addition to the building and results in a floor area increase of 50%;
  - (c) existing or converted buildings where additions to the building result in a floor area increase of more than 50% of the previous floor area of the buildings listed in 7.17;
  - (d) all existing buildings listed in 7.17 which are added to incrementally when such additions result in a floor area increase of 50% or more of the existing floor area over the size of the existing building as it was on November 19, 1996 at the time of the first addition;
  - (e) in all buildings where the *building official* in consultation with the Fire Chief deems fire fighting access difficult or other special site conditions exist;

- 7.18 The size, type and location of all Fire Department connections at the exterior or within buildings shall require the approval of the Fire Department.
- 7.19 The following buildings are exempt from the requirement to install fire sprinklers:
- (a) single family dwellings, duplexes, and accessory buildings unless they are over three stories in height or fire access is difficult as determined per 8.17 (e);
  - (b) detached service station canopies;
  - (c) detached unheated open-sided buildings or similar structures where, excluding doors, they are a minimum of 30% open-sided and they meet the spatial separation requirements of the building code

#### **PART 8: OBLIGATIONS OF OWNER'S CONSTRUCTOR**

- 8.1 Every *constructor* must ensure that all *construction* is done in compliance with all requirements of the *building code*, this bylaw and all other applicable, codes, standards and enactments.
- 8.2 Every *constructor* must ensure that no *excavation* or other work is undertaken on public property, and that no public property is disturbed, no *building* or *structure* erected, and no materials stored thereon, in whole or in part, without first having obtained approval in writing from the appropriate authority over such public property.
- 8.3 For the purposes of the administration and enforcement of this bylaw, every *constructor* is responsible jointly and severally with the *owner* for all work undertaken.

#### **PART 9: REGISTERED PROFESSIONAL'S RESPONSIBILITIES**

##### **Professional Design and Field Review**

- 9.1 The provision by the *owner* to the Town of letters of assurance in accordance with the requirements of the *building code* shall occur prior to
- (a) the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
  - (b) a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the Town with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*.

- 9.2 If a *registered professional* provides letters of assurance in accordance with the *building code*, they must also provide proof of professional liability insurance to the *building official* in the form and amount set by Appendix C to this bylaw.

**Requirement for a Registered Professional**

- 9.3 The *owner* must retain a *registered professional* to provide a *professional design* and plan certification and letters of assurance in the form of Schedules A, B, C-A and C-B referred to in subsection 2.2.7, Division C, of the *building code*, in respect of a *permit* application
- (a) prior to the pre-occupancy site review coordinated by the *coordinating registered professional* or other *registered professional* for a *complex building*, or
  - (b) prior to a final inspection for a *simple building* in circumstances where letters of assurance have been required in accordance with the requirements of the *building code*, in which case the *owner* must provide the Town with letters of assurance in the form of Schedules C-A or C-B, as appropriate, referred to in subsection 2.2.7, Division C, of the *building code*;
  - (c) except for garages, carports and garden structures, *foundation* and *excavation* components of new *simple buildings* and *additions* greater than 55 square metres to *simple buildings* in accordance with the *building code*;
  - (d) a *building* that is designed with common egress systems for the occupants and requires the use of *firewalls* in accordance with the *building code*;
  - (e) prior to *alterations* to a *building*, or to a structural component of a *building* described in paragraph (b);
  - (f) for a *building* in respect of which the *building official* determines that site conditions, size or complexity so warrant in the interests of safety of persons or protection of property under the *building code*;
  - (g) if the *building* envelope components of the *building* fall under Division B Part 3 of the *building code*, the *building* contains more than two dwellings, or if the *building* envelopes do not comply with the prescriptive requirements of Division B Part 9 of the *building code*; and
  - (h) for a parcel of land on which a *building* or *structure* is proposed if the *building official* believes the parcel is or is likely to be subject to flooding, mud flows, debris flows, debris torrents, erosion, land slip, rock falls, subsidence or avalanche, and the requirement for a *professional design* is in addition to a requirement under Division 8 of Part 3 of the *Community Charter*
    - (i) for a report certified by a professional engineer with experience in geotechnical engineering that the parcel may be used safely for the use intended, and

- (ii) that the plans submitted with the application comply with the relevant provisions of the *building code* and applicable bylaws of the Town.

9.4 The *building official* may require any *registered professional* carrying out the *professional design* and *field review* required under section 9.3 to provide evidence that they have experience and expertise in respect of the *professional design* and *field review* of the context and scope required.

#### **Professional Plan Certification**

9.5 The letters of assurance in the form of Schedules A and B as referred to in subsection 2.2.7, Division C, of the *building code* referred to in sections 9.1 and 9.3 are relied upon by the Town and *its building officials* as certification that the design and plans to which the letters of assurance refer comply with the *building code*, this bylaw and other applicable enactment.

9.6 Letters of assurance must be in the form of Schedules A and B referred to in subsection 2.2.7, Division C, of the *building code*.

9.7 For a *building permit* issued for the construction of a *complex building*, the *building official* shall provide the *owner* with a notice that the *building permit* is issued in reliance on the certification of the *registered professional* that the *professional design* and plans submitted in support of the application for the *building permit* comply with the *building code* and other applicable enactments. Any failure on the part of the *building official* to provide the *owner* with the notice will not diminish or invalidate the reliance by the Town or its *building officials* on the *registered professionals*.

9.8 If a *building permit* is issued for a construction of a *complex building*, the *permit* fee is reduced by 5% of the fees payable under the *rates, fees and charges bylaw*, up to a maximum reduction of \$500.00 (five hundred dollars).

### **PART 10: BUILDING APPLICATION REQUIREMENTS**

#### **Requirements Before Applying for a Building Permit**

- 10.1 Prior to issuance of a *building permit*, the *owner* must satisfy the following requirements or conditions:
- (a) the *owner* must apply for and obtain a development permit if the *building* or *structure* is in an area designated by the Town's Official Community Plan as a development permit area;
  - (b) the *owner* must ensure that the proposed *building* or *structure* complies with all bylaws of the Town, except to the extent a variance of a bylaw is authorized by a development permit, development variance permit or order of the Board of Variance;

- (c) an approving officer must have approved the subdivision plan that, once registered, would create the parcel on which the proposed *building* or *structure* will be *constructed*, and the subdivision plan must have been registered in the Land Title Office;
- (d) the *owner* must provide evidence to the *building official* showing that the person applying for the *building permit* is either the *owner* of the parcel that is the subject of the proposed *building permit*, or is the *agent* of the *owner*, in which case, the *agent* must provide the name and contact information of the *owner*;

### **Building Permit Applications for Complex Buildings**

10.2 An application for a *building permit* with respect to a *complex building* must

- (a) be made in the form accepted by the Town and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (b) be accompanied by the *owner's* acknowledgement of responsibility and undertaking made in the form attached as Appendix B to this bylaw and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
- (d) include a *building code* compliance summary including the applicable edition of the *building code*, such as without limitation whether the building is designed under Part 3 or Part 9 of the building code, *major occupancy* classification(s) of the *building*, *building area* and *building height*, number of streets the *building* faces, and *accessible* entrances, work areas, washrooms, firewalls and facilities;
- (e) include a copy of a survey plan prepared by a British Columbia land surveyor;
- (f) include a site plan prepared by a *registered professional* showing
  - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
  - (ii) the legal description and civic address of the parcel;
  - (iii) the location and dimensions of *existing* and proposed statutory rights of way, covenants, easements and setback requirements, adjacent street and lane names;
  - (iv) the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
  - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse;

- (vi) north arrow;
- (vii) if applicable, location of an approved *existing* or proposed private or other alternative sewage disposal system, water supply system or storm water drainage system;
- (viii) zoning compliance summary;
- (ix) the location, dimensions and gradient of parking and parking access;
- (x) proposed and *existing* setbacks to property lines;
- (xi) natural and finished grade at *building* corners and significant breaks in the building plan and proposed grade around the *building* faces in order to ascertain *foundation* height;
- (xii) *first storey* floor elevation;
- (xiii) location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
- (xiv) line of upper floors;
- (xv) location and elevation of curbs, sidewalks, manholes, and service poles;
- (xvi) location of *existing* and proposed service connections;
- (xvii) location and species of all protected trees per Tree Preservation Bylaw No. 1282, 2020 as amended or replaced from time to time;
- (xviii) location of top bank and water courses;
- (xix) access routes for firefighting;
- (xx) *accessible* paths of travel from the street to the *building*;
- (xxi) geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Town's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation,

except that the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building* or *structure*;

- (g) include floor plans showing the dimensions and uses and *occupancy* classification of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor,



wall, and ceiling finishes; fire separations; plumbing fixtures; structural elements; and stair dimensions;

- (h) include a cross-section through the *building* or *structure* in sufficient detail and locations to illustrate *foundations*, drainage, ceiling heights and constructions systems;
  - (i) include elevations of all sides of the *building* or *structure* showing finish details, roof slopes, windows, doors, natural and finished *grade*, spatial separations and ridge height to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the Town zoning bylaw and development permit;
  - (j) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* conforms to the *building code*;
  - (k) include all other requirements of sections 2.2.1, 2.2.3, 2.2.4, 2.2.5, 2.2.6 and 2.2.9, Division C of the *building code*;
  - (l) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approvals;
  - (m) include a letter of assurance in the form of Schedule A referred to in subsection 2.2.7 Division C, of the *building code*, signed by the *owner*, or a signing officer if the *owner* is a corporation, and the *coordinating registered professional*;
  - (n) include letters of assurance in the form of Schedule B referred to in subsection 2.2.7 Division C, of the *building code*, each signed by such *registered professionals* as the *building official* or *building code* may require to prepare the design for and conduct *field reviews* of the construction of the *building*;
  - (o) include two sets of drawings at a suitable scale of the design prepared by each *registered professional* containing the information set out in (g) to (k) of this section; and
  - (p) include illustration of any slopes on the subject parcel that exceed 30%.
- 10.3 In addition to the requirements of section 10.2 of this bylaw, a *building official* may require the following to be submitted with a *permit* application for the construction of a *complex building* if the complexity of the proposed *building* or *structure* or siting circumstances warrant
- (a) site servicing drawings, including sufficient detail of off-site services to indicate locations at the property line, prepared and sealed by a *registered professional*, in accordance with the Town's subdivision and development servicing bylaw;
  - (b) a section through the site showing grades, *buildings*, *structures*, parking areas and driveways; and

- (c) any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.

except that the *building official* may accept plans with fewer details for an application to undertake minor repairs or alterations to a *complex building*.

### **Building Permit Applications for Simple Buildings**

10.4 An application for a *building permit* with respect to a *simple building* must

- (a) be made in the form prescribed by the *building official* and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (b) be accompanied by the *owner's* acknowledgment of responsibility and undertaking made in the form attached as Appendix B and signed by the *owner*, or a signing officer if the *owner* is a corporation;
- (c) include a copy of a title search for the relevant property made within 30 days of the date of the *permit* application;
- (d) include a copy of a survey plan prepared by a British Columbia land surveyor except that the *building official* may waive the requirement for a survey plan, in whole or in part, where conditions warrant;
- (e) include a site plan showing
  - (i) the bearing and dimensions of the parcel taken from the registered subdivision plan;
  - (ii) the legal description and civic address of the parcel;
  - (iii) the location and dimensions of *existing* and proposed statutory rights of way, easements, covenants, and setback requirements, adjacent street and lane names;
  - (iv) the location and dimensions of *existing* and proposed *buildings* or *structures* on the parcel;
  - (v) setbacks to the natural boundary of any lake, swamp, pond or watercourse;
  - (vi) north arrow;
  - (vii) if applicable, location of an approved *existing* or proposed alternative private or other sewage disposal system, water supply system or storm water drainage system;
  - (viii) the location, dimensions and gradient of parking and parking access;

- (ix) proposed and *existing* setbacks to property lines;
- (x) natural and finished grade at *building* corners and datum determination points;
- (xi) *first storey* floor elevation;
- (xii) location, setbacks and elevations of all *retaining walls*, steps, stairs and decks;
- (xiii) line of upper floors;
- (xiv) location and elevation of curbs, sidewalks, manholes and service poles;
- (xv) location of *existing* and proposed service connections;
- (xvi) location and species of all protected trees per Tree Preservation Bylaw No. 1282, 2020 as amended or replaced from time to time;
- (xvii) location of top bank and water courses;
- (xviii) access routes for firefighting;
- (xix) *accessible* paths of travel from the street to the *building*;
- (xx) zoning compliance summary; and
- (xxi) the geodetic elevation of the underside of a wood floor system or the top of a finished concrete slab of a *building* or *structure* where the Town's land use regulations or provincial flood mapping regulations establish siting requirements related to minimum floor elevation,

except that for a *simple building* the *building official* may waive, in whole or in part, the requirements for a site plan, if the *permit* is sought for the repair or *alteration* of an *existing building*;

- (f) include floor plans showing the dimensions and uses of all areas, including: the dimensions and height of crawl and roof spaces; the location, size and swing of doors; the location, size and opening of windows; floor, wall, and ceiling finishes; plumbing fixtures; structural elements; and stair dimensions;
- (g) include a cross-section through the *building* illustrating *foundations*, drainage, ceiling heights and construction systems;
- (h) include elevations of all sides of the *building* showing finish details, roof slopes, windows, doors, the *grade*, the maximum *building height* line, ridge height, spatial separations and natural and finished *grade* to comply with the *building code* and to illustrate that the *building* or *structure* conforms with the Town zoning and any development permit requirements;

- (i) include cross-sectional details drawn at an appropriate scale and at sufficient locations to illustrate that the *building* or *structure* substantially conforms to the *building code*;
- (j) include copies of approvals required under any enactment relating to health or safety, including, without limitation, sewage disposal permits, highway access permits and Ministry of Health approvals;
- (k) except for garages, carports and garden structures located on land, include a *foundation* and *excavation* design prepared by a *registered professional* in accordance with the *building code*;
- (l) include geotechnical letters of assurance, in addition to a required geotechnical report, if the *building official* determines that the site conditions so warrant;
- (m) include two sets of drawings at a suitable scale of design including the information set out in (f) to (i) of this section; and
- (n) include a *building code* compliance summary including the applicable edition of the *building code*, such as, without limitation, whether the *building* is designed under Part 3 or Part 9 and compliance with article 2.2.2.1(2), Division C of the *building code*.

10.5 In addition to the requirements of section 10.4 of this Part, if a *project* involves

- (a) two or more *buildings*, the gross floor areas of which in the aggregate total more than 1000 square metres;
- (b) two or more *buildings* that will contain four or more dwelling units; or
- (c) otherwise if the complexity of the proposed *building* or *structure* or siting circumstances warrant, a *building official* may require the following be submitted with a *permit* application for the construction of each *simple building* in the *project*:
  - i. a section through the site showing grades, *buildings*, *structures*, parking areas and driveways;
  - ii. a roof plan and roof height calculations;
  - iii. structural, electrical, plumbing, mechanical or fire suppression drawings prepared and sealed by a *registered professional*;
  - iv. letters of assurance in the form of Schedule B referred to in Division C of the *building code*, signed by a *registered professional*; and
  - v. any other information required by the *building official* or the *building code* to establish substantial compliance with this bylaw, the *building code* and other bylaws and enactments relating to the *building* or *structure*.

- 10.6 An application for building permit must include plans incorporating the applicable climactic information for design of buildings and structures set out in Appendix D.

#### **Site and Location Information**

- 10.7 Without limiting sections 10.2(f) or 10.4(d) of this Part, the *building official* may in writing require an *owner* to submit an up-to-date plan or survey prepared by a registered British Columbia land surveyor which contains sufficient information respecting the site and location of any *building* to

- (a) establish, before *construction* begins, that all the provisions of this bylaw in relation to this information will be complied with;
- (b) verify, on completion of the *construction*, that all provisions of this and other applicable bylaw have been complied with;
- (c) in relation to an *existing building*, substantiate its location, size, including appurtenances whether above, at or below ground level, relative to the site or its relationship to neighbouring grades; and
- (d) in relation to *construction* of a new *building*, or *addition* to an *existing building*, prior to and after the placement of concrete for *foundations* and footings, show the *elevation* at proposed top of concrete on all *building* elevations and at all significant changes of elevation to substantiate its size, location and elevation,

and every person served with a written requirement under this section must comply with the requirement.

#### **Building Permit Fee**

- 10.8 Before receiving a *building permit* for a *building* or *structure*, the *owner* must first pay to the Town
- (a) the *building permit* fee prescribed in the *rates, fees and charges bylaw*; and
  - (b) any fees, charges, levies or taxes imposed by the Town and payable under an enactment at the time of issuance of the *building permit*.

#### **Security Deposit with Building Permit Application**

- 10.9 An applicant for a *building permit* must pay to the Town, at the time of the application, applicable security deposits in the amounts set out in the *rates, fees and charges bylaw*:
- (a) for a single family dwelling *addition, alteration, renovation, demolition* \$1000;
  - (b) for a new single family dwelling or *simple building* \$1000;
  - (c) for a *complex building* as determined by the *building official* up to \$5000;

- (d) for a temporary building or temporary structure \$2000;
- (e) for swimming pools \$2000; and
- (f) for demolitions \$1000.

10.10 The security deposit sums set out in section 10.8 of this Part:

- (a) cover the cost borne by the Town to maintain, restore or replace any public works or public lands which are destroyed, damaged or otherwise impaired in the carrying out of the work referred to in any *building permit* held by the applicant;
- (b) cover the cost borne by the Town to make the site safe if the *permit* holder abandons or fails to complete the work as designated on the *permit*;
- (c) serve as the security deposit for provisional *occupancy* when the final inspection notice makes provision for a security deposit; or
- (d) serve as a security deposit to effect compliance with any condition under which the *permit* was issued.

10.11 The security deposit or applicable portion shall be returned to the applicant

- (a) when the *building official* is satisfied that no further damage to public works or public lands will occur;
- (b) when the inspections required by this bylaw are complete and acceptable to the *building official*; and
- (c) when the conditions or provisions of a provisional certificate of *occupancy* are completed to the satisfaction of the *building official*;

only if the applicant has requested the return of the security.

10.12 Any credit greater than the amount of the security deposit used by the Town for the purposes described in sections 10.8 to 10.10 of this Part will be returned to the *permit* holder unless otherwise so directed by the *permit* holder. Any amount in excess of the security deposit required by the Town to complete corrective work to public lands, public works, or the site is recoverable as a debt due to the Town from the *permit* holder, the *constructor* or the *owner* of the property and is payable within 14 days' receipt of an invoice.

10.13 If the proposed work includes *excavation* or construction on lands within 10 metres of works or services owned by the Town, the *owner* must deliver to the *building official* a signed agreement in a form prescribed by the Town's Public Works Superintendent under which the *owner* acknowledges and agrees that any damage to municipal works or services arising from the construction associated with the *building permit* will be repaired by the *owner* at its expense and to the satisfaction of the Public Works

Superintendent, and the *owner* must deposit with the Town security in accordance with sections 10.8 to 10.11 of this Part.

#### **Permit Fee Refunds**

- 10.14 No fee or part of a fee paid to the Town may be refunded if construction of the *building* has started.
- 10.15 A *building permit* or other *permit* fee may be partially refunded as set out in *rates, fees and charges bylaw*, only if
- (a) the *owner* has submitted a written request for a refund;
  - (b) the *building official* has certified a start has not been made on the construction of the *building* or *structure*; and
  - (c) the *permit* has not expired.
- 10.16 A *building permit* or other *permit* fee is not refundable after the *permit* has been extended under section 10.46 of this Part.

#### **Design Modification**

- 10.17 If an issued *building permit* or other *permit* is active and the *owner* proposes modification to the *building* design whereby the *value of the work* does not increase or the *value of the work* decreases, the *owner* must pay to the Town a *building permit* fee based on the plan review hourly rate set out in the *rates, fees and charges bylaw*.

#### **Construction Before Permit Issued**

- 10.18 The *building permit* or other *permit* fee is doubled for every *permit* application if construction commenced before the *building official* issued a *permit*, to a maximum of \$10,000.00.

#### **Expiration of Application for a Permit**

- 10.19 A *building permit* or other *permit* application expires six (6) months from the date a complete application is received under this Part if the *building permit* or other *permit* is not issued by the application expiration date, unless the *permit* is not issued only due to delays caused by the Town.

#### **Issuance of a Building Permit**

- 10.20 If
- (a) a completed application in compliance with sections 10.2 and 10.3 or sections 10.4 and 10.5 of this Part, including all required supporting documentation, has been submitted;

- (b) the *owner* has paid all applicable fees set out in this bylaw;
- (c) the *owner* or his or her representative has paid all charges and met all requirements imposed by any other statute or bylaw;
- (d) the *owner* has retained a professional engineer or geoscientist if required under this bylaw;
- (e) the *owner* has retained an architect if required under this bylaw; and
- (f) no covenant, agreement, resolution or regulation of the Town requires or authorizes the *permit* to be withheld,

the *building official* must issue the *permit*, in the form prescribed by the *building official*, for which the application is made, and the date of issuance is deemed to be the date the Town gives written notice to the *owner* that the *permit* is ready to be picked up by the *owner*.

- 10.21 Despite section 10.19, the *building official* may refuse to issue a *permit* when the *owner* has been notified of a violation of this bylaw about the construction of another *building* or *structure* by the *owner*.

#### **Compliance with the *Homeowner Protection Act***

- 10.22 If the application is in respect of a *building* that includes, or will include, a *residential occupancy* governed by the *Homeowner Protection Act*, the *building permit* must not be issued unless the *owner* provides evidence under section 30(1) of the *Homeowner Protection Act*, that the proposed *building*

- (a) is covered by home warranty insurance; and
- (b) the *constructor* is a licensed “residential builder” as defined in that Act.

- 10.23 Section 10.21 of this Part does not apply if the *owner* is not required to be licensed and to obtain home warranty insurance in accordance with sections 20(1) or 30(1) of the *Homeowner Protection Act*.

- 10.24 Every *permit* is issued subject to the *owner* and *constructor* maintaining compliance with the *Homeowner Protection Act* and regulations under it during the term of the *permit*.

#### **Partial Construction**

- 10.25 If a site has been *excavated* under a *building permit* for *excavation* issued under this bylaw and a *building permit* is not subsequently issued or a subsisting *building permit* has expired under section 10.45, but without the construction of the *building* or *structure* for which the *building permit* was issued having commenced, the *owner* must fill in the *excavation* to restore the original gradients of the site within 60 days of being served notice by the Town to do so.



- 10.26 If a *building permit* has expired and partial construction has progressed, with no extension requested of the *building official* under section 10.46, permanent type fencing with privacy screen complying with the Town's Zoning Bylaw, must be erected around the *building* site for protection to the public.

#### **Conditions of a Building Permit**

- 10.27 A *building permit* or an application for a *building permit* that is in process may not be transferred or assigned until the *owner* has notified the *building official* in writing, the *building official* has authorized the transfer or assignment in writing and the *owner* has paid the non-refundable fee required under the *rates, fees and charges bylaw*. The transfer or assignment of a *building permit* is not an extension of a *building permit*.
- 10.28 The review of plans and supporting documents and issuance of a *building permit* do not prevent the *building official* from subsequently requiring the correction of errors in the plans and supporting documents, or from prohibiting *building* construction or *occupancy* being carried on when in violation of this or another bylaw.

#### **Inspections**

- 10.29 If a *registered professional* provides letters of assurance in accordance with this Part, the Town will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw and the *building code* as assurance that the construction substantially conforms to the design, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.
- 10.30 Despite section 10.28 of this Part, a *building official* may attend the site from time to time during the course of construction to ascertain that the *field reviews* are taking place and to monitor the *field reviews* undertaken by the *registered professionals*.
- 10.31 A *building official* may attend periodically at the site of the construction of *simple buildings* or *structures* to ascertain whether the work is being carried out in substantial conformance with the *building code*, this bylaw and any other applicable enactments concerning safety.
- 10.32 For all work in respect of *simple buildings* the *owner* must give at least 48 hours' notice to the Town when requesting an inspection and must obtain an inspection and receive a *building official's* written acceptance of the following aspects of the work prior to concealing them
- (a) after demolition, the grading of and removal of debris from the site;
  - (b) *excavation*, within 24 hours of the start of *excavation*;
  - (c) *foundation* and footing forms, before concrete is poured;

- (d) prior to inspection under section 10.31(e), plumbing located below the finished slab level;
  - (e) the preparation of ground, including ground cover when required, perimeter insulation on inside of concrete *foundation* walls and reinforcing steel;
  - (f) after inspection under section 10.31(e) hydronic heating pipes and below slab insulation;
  - (g) installation of rough-in plumbing before it is covered;
  - (h) installation of *building* services before being covered;
  - (i) rough in of factory built chimneys and fireplaces and solid fuel burning appliances;
  - (j) framing, sheathing, fire stopping (including drywall in fire separations), bracing, chimney and ductwork, rough wiring, rough plumbing, rough heating, gas venting, exterior doors and windows, but prior to the installation of insulation, interior finishes, sheathing paper or exterior finishes which would conceal such work;
  - (k) insulation and vapour barrier;
  - (l) *construction* of an exterior deck if the deck serves as a roof;
  - (m) on-site *constructed* tubs or showers and tub or shower trap tests;
  - (n) the installation of wall sheathing membrane, externally applied vapour or air barrier, stucco wire or lath, and flashings, but prior to the installation of exterior finishes which could conceal such work; and
  - (o) the *health and safety aspects of the work* and the conservation, *GHG* emission reduction and accessibility aspects of the work when the *building* or *structure* is substantially complete, ready for *occupancy* but prior to *occupancy*.
- 10.33 A *building official* will only carry out an inspection under section 10.31 if the *owner* or the *owner's agent* has requested the inspection online or in writing in accordance with this bylaw.
- 10.34 Despite the requirement for the *building official's* acceptance of the work outlined in section 10.31, if a *registered professional* provides letters of assurance, the Town will rely solely on *field reviews* undertaken by the *registered professional* and the letters of assurance submitted pursuant to this bylaw as assurance that the aspects of the construction referenced by those letters of assurance substantially conform to the *design*, plans and specifications and that the construction complies with the *building code*, this bylaw and other applicable enactments respecting safety.
- 10.35 No person may conceal any aspect of the work referred to in section 10.31 of this bylaw until a *building official* has *accepted* it in writing.

10.36 For work in respect of *complex buildings*, the *owner* must

- (a) give at least 48 hours' online or written notice to the Town when requesting a preconstruction meeting with the *building official* prior to the start of construction, and the *owner* or his or her representative must ensure that the *coordinating registered professional*, the *constructor*, as well as representatives of major trades, are in attendance;
- (b) give at least 48 hours' online or written notice to the Town when requesting a pre-occupancy coordinated by the *coordinating registered professional* or other *registered professional* to have the *owner*, the *constructor* and the *registered professionals* demonstrate to the *building official* and Fire Services the compliance with *the health and safety aspects of the work*, the coordination and integration of the fire and life safety system, applicable Town requirements and other enactments respecting safety and the conservation, *GHG* emission and accessibility aspects of the work; and
- (c) cause the *coordinating registered professional*, at least 48 hours prior to the pre-occupancy coordinated site review coordinated by the *coordinating registered professional*, to deliver to the *building official* the Confirmation of Required Documentation described in Appendix E, complete with all documentation in a hard covered three ring binder and in digital pdf format.

#### **Stop Work Order**

- 10.37 The *building official* may direct the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice on the premises whenever it is found that the work is not being performed in accordance with the requirements of the *building code*, any applicable bylaw of the Town or the applicable provisions of the *Homeowner Protection Act*.
- 10.38 The *coordinating registered professional* may request, in writing, that the *building official* order the immediate suspension or correction of all or a portion of the construction on a *building* or *structure* by attaching a stop work order notice on the premises. The *building official* must consider such a request and, if not acted upon, must respond, in writing, to the *coordinating registered professional* and give reasons.
- 10.39 If a *registered professional's* services are terminated, the *owner* must immediately stop any work that is subject to his or her *design* or *field review* and the *building official* is deemed to have issued a stop work order under section 10.36.
- 10.40 The *owner* must immediately, after the posting of a notice under section 10.36, secure the construction and the lands and premises surrounding the construction in compliance with the safety requirements of every statute, regulation or order of the Province or of a provincial agency and of every applicable bylaw of the Town.

10.41 Subject to section 10.36, no work other than the required remedial measures may be carried out on the parcel affected by the notice referred to in section 10.36 until the stop work order notice has been removed by the *building official*.

10.42 The notice referred to in section 10.36 must remain posted on the premises until that which is contrary to the enactments has been remedied.

#### **Do Not Occupy Notice**

10.43 If a person occupies a *building* or *structure* or part of a *building* or *structure* in contravention of this bylaw, a *building official* may post a Do Not Occupy Notice in the form prescribed by the *building official* on the affected part of the *building* or *structure*.

10.44 If a notice is posted under section 10.42, the *owner* of a parcel on which a Do Not Occupy Notice has been posted, and every other person, must cease *occupancy* of the *building* or *structure* immediately and refrain from further *occupancy* until all applicable provisions of the *building code* and this bylaw have been substantially complied with and the Do Not Occupy Notice has been rescinded in writing by a *building official*.

#### **Inspection and Other Fees**

10.45 In addition to the fees required under other provisions of this bylaw, the *owner* must pay the non-refundable fee set out in the *rates, fees and charges bylaw* for

- (a) a second and each subsequent re-inspection where it has been determined by the *building official* that due to non-compliance with the provisions of this bylaw or due to non-complying work, more than one site visit is required for any required inspection;
- (b) a special inspection during the Town's normal business hours to establish the condition of a *building*, or if an inspection requires special arrangements because of time, location or construction techniques; and
- (c) inspection required under this bylaw which cannot be carried out during the Town's normal business hours.

#### **Permit Expiration**

10.46 Every *permit* is issued on the condition that the *permit* expires and the rights of the *owner* under the *permit* terminate if

- (a) the work authorized by the *permit* is not commenced within six (6) months from the date of issuance of the *permit*;
- (b) work is discontinued for a period of six (6) months; or
- (c) the work is not completed within two years of the date of issuance of the *permit*.

#### **Permit Extension**

- 10.47 A *building official* may extend the period set out under section 10.45 for only one period, not to exceed twelve months, if construction has not been commenced or has been discontinued due to adverse weather, strikes, material or labour shortages, other similar hardship beyond the *owner's* control, or if the size and complexity of the construction warrants, if
- (a) application for the extension is made at least 30 days prior to the date of *permit* expiration; and
  - (b) the non-refundable fee set out in the *rates, fees and charges bylaw* has been paid.

#### **Permit Revocation**

- 10.48 The *building official* may revoke a *permit* if there is a violation of
- (a) a condition under which the *permit* was issued; or
  - (b) a requirement of the *building code* or of this or another bylaw of the Town,
- such *permit* revocation must be in writing and sent to the *permit* holder by signature mail to, or personal service on, the *permit* holder.

#### **Permit Cancellation**

- 10.49 A *permit*, or a *permit* application, may be cancelled by the *owner*, or his or her *agent*, on delivery of written notification of the cancellation to the *building official*.
- 10.50 On receipt of the written cancellation notice, the *building official* must mark on the application, and a *permit* if applicable, the date of cancellation and the word "cancelled".
- 10.51 If the *owner*, or his or her *agent*, submits changes to an application after a *permit* has been issued and the changes, in the opinion of the *building official*, substantially alter the scope of the work, design or intent of the application in respect of which the *permit* was issued, the *building official* may cancel or amend the *permit* and mark on the *permit* the date of cancellation or amendment and the word "cancelled" or "amended".
- 10.52 If a *permit* application or *permit* is cancelled, and work has not commenced under the *permit*, the *building official* must return to the *owner* any fees deposited under the *rates, fees and charges bylaw*, less
- (a) any non-refundable portion of the fee; and
  - (b) 15% of the refundable portion of the fee.

#### **Occupancy**

- 10.53 No person may occupy a *building* or *structure* or part of a *building* or *structure* until a final inspection notice has been issued by a *building official*.

10.54 A final inspection notice will not be issued unless

- (a) all letters of assurance have been submitted when required in accordance with this bylaw;
- (b) all aspects of the work requiring inspection and acceptance pursuant to sections 10.29 to 10.36 of this bylaw have both been inspected and *accepted* or the inspections and acceptance are not required in accordance with this bylaw;
- (c) the *owner* has delivered to the Town as-built plans of works and *services* in digital format as required by the Town;
- (d) the *owner* has provided to the Town a *building* survey prepared by a British Columbia Land Surveyor showing the *building* height, size, location and elevation determined in accordance with the Town's land use regulations;
- (e) all other documentation required under applicable enactments has been delivered to the Town; and
- (f) the *owner* has delivered to the Town as-built drawings of the *building* or *structure* in digital format as required by the Town.

10.55 When a *registered professional* provides letters of assurance in accordance with this bylaw, the Town will rely solely on the letters of assurance when issuing a final report authorizing *occupancy* as assurance that the items identified on the letters of assurance substantially comply with the *design*, the *building code*, this bylaw and other applicable enactments respecting safety.

10.56 A *building official* may issue a final inspection notice for partial *occupancy* of a portion of a *building* or *structure* under construction when

- (a) that portion of the *building* or *structure* is self-contained and provided with essential services respecting *health and safety aspects* of the work, and if applicable, accessibility, *GHG* emissions and conservation; and
- (b) the requirements set out in section 10.53 have been met with respect to it.

10.57 A final inspection notice may not be issued unless

- (a) all letters of assurance and the Confirmation of Required Documentation described in Appendix E have been submitted when required in accordance with the requirements of this bylaw;
- (b) all aspects of the work requiring inspection and review pursuant to Part 9 and sections 10.28 through 10.35 of this bylaw have both been inspected and *accepted*;
- (c) the *owner* has executed and delivered to the Town every agreement, instrument or form required by the Town in relation to the work or the site; and

- (d) all required offsite works respecting safety have been completed.

### **Temporary Buildings**

10.58 Subject to the bylaws of the Town and orders of Council, the *building official* may issue a *building permit* for the erection or placement of a *temporary building* or *structure* for *occupancy* if

- (a) the *permit* is for a period not exceeding six months; and
- (b) the *building* or *structure* is located in compliance with the Town's zoning bylaw, built in compliance with the *building code* and this bylaw, and connected, as required by enactments, to Town utility services.

10.59 An application for a *building permit* for the erection or placement of a *temporary building* or *structure* must be made in the form of a temporary *permit* application in the form prescribed by the *building official*, signed by the *owner* or *agent*, and must include

- (a) plans and supporting documents showing the location and *building height* of the *building* or *structure* on the parcel;
- (b) plans and supporting documents showing construction details of the *building* or *structure*;
- (c) a statement by the *owner* indicating the intended use and duration of the use;
- (d) plans and supporting documents showing the proposed parking and loading space;
- (e) a written description of the *project* explaining why the *building* is temporary;
- (f) a copy of an issued development permit, if required;
- (g) in the case of a manufactured *building*, a CSA label in respect of manufacture and, without limitation, a Quonset or other steel *building* must be certified in accordance with CSA Standard A660;
- (h) a report or drawing by an engineer, architect or designer confirming compliance with the *building code*, this bylaw, the Town's zoning bylaw and other applicable bylaws;
- (i) security in the form of cash or a letter of credit for 10% of the value of the *temporary building*, which security
  - (i) may be used by the Town to remove the *building* after one year of the date of the final inspection required under this bylaw; or
  - (ii) must be returned to the *owner* if the *owner* removes the *temporary building* within one year of the date of the final inspection of the *temporary building* required under this bylaw; and

- (j) in the case of a *temporary building*, information to comply with article 1.1.1.1(2)(f), Division C of the *Building Code*.

10.60 Before receiving a *building permit* for a *temporary building* or *structure* for *occupancy*, the *owner* must pay to the Town the applicable *building permit* fee set out in the *rates, fees and charges bylaw*.

10.61 A *permit* fee for a *temporary building* or *structure* is not refundable.

#### **Sanitary Facilities**

10.62 During the time a *building permit* has been issued and remains valid under this bylaw, the *owner* must provide on the parcel of land in respect of which the *permit* has been issued, sanitary facilities for the disposal of human waste from individual persons who enter on the parcel in relation to the work referred to in the *permit*, which facilities must be accessible and unlocked when not occupied while work is being carried out on the parcel under this bylaw, and every sanitary facility that is not connected to a

(a) sanitary sewer; or

(b) septic disposal system approved under the *Public Health Act*,

by plumbing that complies with the *building code* and this bylaw, must be provided, at all times the facility is required under this bylaw, with toilet paper, hand sanitizer, a locking door for privacy, and ventilation, and must be kept in sanitary condition without leaking beyond the facility and without overflowing within the facility. Such facilities must be located so as not to create a nuisance to neighbouring parcels or highways.

### **PART 11: RETAINING WALLS AND GRADES**

11.1 No person may construct, or structurally repair, a *retaining wall* without a *building permit*.

11.2 Except as certified by a professional engineer with expertise in geotechnical engineering registered in the province of British Columbia, fill material placed on a parcel, unless restrained by permitted *retaining walls*, must not have a surface slope exceeding a ratio of one linear unit vertically to two linear units horizontally.

11.3 Without limiting section 11.2, no person may occupy a *building* unless the finished *grade* complies with all applicable enactments.

### **PART 12: BUILDING MOVE**

12.1 No person may move a *building* or *structure* into or within the Town



- (a) except where certified by a *registered professional* that the *building*, including its *foundation*, will substantially comply with the current version of the *building code*;
- (b) every application for a permit to move a building or structure shall designate the site of the building or structure to be moved and the site to which the building or structure is to be moved. Permission to use the public streets shall be obtained from the proper authorities and a route map shall be provided;
- (c) An applicant for such a permit shall pay the disconnection fees for water and sewer services prior to the issuance of the permit; and
- (d) a *building permit* has been issued for the *building* or *structure*.

### **PART 13: NUMBERING OF BUILDINGS**

- 13.1 Immediately upon issuance of a *building permit* governing the *construction*, *alteration* or repair of a *building*, or prior to and during the *occupancy* of a *building*, the *owner* or occupant must display the address number assigned to it by the Sunshine Coast Regional District
  - (a) on or over the entrance to the *building* or where landscaping or *structures* obscure the visibility of a *building* entrance from the adjacent highway, on the *building* property within sight of the adjacent highway; and
  - (b) until such time as the *building* is removed from the site or has been demolished.
- 13.2 Without limiting sections 13.1, the *building official* must, on the issuance of a *building permit*, designate a house number or set of house numbers related to the *building* authorized by the *permit*. The *owner* or occupier must post the number or numbers on the site immediately after obtaining the *building permit* and keep the numbers posted in a conspicuous location at all times during construction.
- 13.3 Without limiting sections 13.1 through 13.2, on issuance of an *occupancy permit*, the *owner* or occupier of the parcel must affix the numbers permanently in a conspicuous place on the *building* such that the number is visible from an adjacent highway that is not a lane, unless the lane is the only access.

### **PART 14: POOLS**

#### **Swimming Pool Permit and Fencing**

- 14.1 A registered professional shall undertake the design and conduct field reviews of the construction of any reinforced concrete Swimming Pool. Letters of assurance in the form of Schedules B and C-B referred to in Part 2 of Division C of the Building Code must be submitted.

- 14.2 Without limiting section 5.1 of this bylaw, a person must not construct, or structurally repair, a swimming *pool* without a valid *building permit*.
- 14.3 A swimming *pool*, including a spa or hot tub must be enclosed within a fence constructed without footholds or grips that children may use to climb into the enclosed area, having a minimum height of 1.22 metres and no openings greater than 100 mm at their greatest dimension.

#### **Pool Gate**

- 14.4 Access through a fence enclosing a swimming *pool*, spa or hot tub must be only through a self-closing and self-latching gate designed and constructed or installed so as to cause the gate to return to a closed position when not in use and secured by a latch located on the swimming *pool*, spa or hot tub side of the gate.

#### **Pool, Spa or Hot Tub Lid**

- 14.5 In lieu of a fence, a pool, spa or hot tub may be covered with a locking cover, which would prevent unauthorized access to the water.

#### **Maintenance**

- 14.6 A person may not use or *occupy* a swimming *pool*, including a spa or hot tub unless the *owner* or *occupier* of property on or in which a *pool*, spa or hot tub is located maintains every fence or cover required under sections 14.2 to 14.5 in good order and without limitation maintains and repairs in good order at all times all sagging gates, loose parts, torn mesh, missing materials, worn latches, locks or broken or binding members.

#### **Leaks or Other Failures**

- 14.7 A person may not obtain a valid and subsisting *building permit* for or use or *occupy* a swimming *pool* without first delivering to the *building official* at the time of the *building permit* application an opinion of a *registered professional* that the *design* of the *pool* will not cause or result in leaks or other failures of the *pool*.

### **PART 15: ENERGY CONSERVATION AND GHG EMISSION REDUCTION**

- 15.1 In relation to the conservation of energy and the reduction of greenhouse gas emissions, the Town incorporates by reference the British Columbia Energy Step Code in accordance with sections 15.2 through 15.4.
- 15.2 A *building* regulated by Part 3 of the *building code* must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the Energy Step Code.

- 15.3 A *building* regulated by Part 9 of the *building code* must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the Energy Step Code.
- 15.4 Any *building* regulated by Part 3 or Part 9 of the *building code* that is located on property that is rezoned must be designed and constructed to meet the minimum performance requirements specified in Step 1 of the Energy Step Code.

#### **PART 16: ACCESS ROUTE FOR FIRE VEHICLE**

- 16.1 Prior to the issuance of a *building permit* for a *building* under Part 9 of the *building code*, the *owner* must satisfy the *building official* that the *building* or *structure* for which the *permit* is issued will be served by a fire access route that satisfies the following:
- (a) the width of an access route must be not less than 6 metres;
  - (b) the centerline radius of an access route must be not less than 12 metre radius to the outside of the turn;
  - (c) the overhead clearance of an access route must be not less than 5 metres;
  - (d) the gradient of the access route must not change more than 1 in 12.5 over a minimum distance of 15 metres;
  - (e) the access route must comply with the bearing load and surface material standards of the Town's *Subdivision and Development Servicing and Stormwater Management Bylaw No. 1175*, as amended or replaced from time to time; and
  - (f) The length above which a dead-end portion of an access route requires turnaround facilities is 90 m.

#### **PART 17: OFFENCES**

##### **Violations**

- 17.1 Without limiting Part 4 of this bylaw, every person who
- (a) violates a provision of this bylaw;
  - (b) permits, suffers or allows any act to be done in violation of any provision of this bylaw; and
  - (c) neglects to do anything required to be done under any provision of this bylaw,
- commits an offence and on summary conviction by a court of competent jurisdiction, the person is subject to a fine of not more than \$10,000.00, or a term of imprisonment not

exceeding three months, or both, in addition to the costs of prosecution. Each day during which a violation, contravention or breach of this bylaw continues is deemed to be a separate offence.

- 17.2 Every person who fails to comply with any administrative requirement issued by a *building official*, or who allows a violation of this bylaw to continue, contravenes this bylaw.
- 17.3 Every person who commences work requiring a *permit* without first obtaining such a *permit* must, if a Stop Work notice is issued and remains outstanding for 30 days, pay an additional charge as outlined in the *rates, fees and charges bylaw*.

#### **Deemed Offence**

- 17.4 An *owner* is deemed to have knowledge of and be liable under this bylaw in respect of any construction on the parcel the *owner* owns and any change in the use, *occupancy* or both of a *building* or *structure* or part of a *building* or *structure* on that parcel.
- 17.5 No person is deemed liable under section 17.4 who establishes, on a balance of probabilities, that the construction or change of use or *occupancy* occurred before he or she became the *owner* of the parcel.
- 17.6 Nothing in section 17.5 affects
- (a) the Town's right to require and the *owner's* obligation to obtain a *permit*; and
  - (b) the obligation of the *owner* to comply with this bylaw.

#### **Ticketing**

- 17.7 A person who is guilty of an offense under the Bylaw is liable:
- (a) To pay a fine of up to \$10,000 if proceedings are brought under the *Offence Act* and the costs of prosecution; and
  - (b) To pay compensation for damage or loss sustained by the Town or another person resulting from the offence; or
  - (c) To pay a fine up to \$1,000 if the Bylaw is enforced by means of a municipal ticket information system under Part 8, Division 3 of the *Community Charter*.
- 17.8 The offences in the Bylaw Notice Enforcement Bylaw, No. 1125, 2010 are designated for enforcement under s. 264 of the *Community Charter*.
- 17.9 The following persons are designated as bylaw enforcement officers under section 264(1) (b) of the *Community Charter* for enforcing the offences in the Bylaw Notice Enforcement Bylaw, No. 1125, 2010: *building officials*, fire inspectors and persons designated by Council as bylaw enforcement officers.

## PART 18: INTERPRETATION

### Definitions

#### 18.1 In this bylaw

*accepted* means reviewed by the *building official* under the applicable provisions of the *building code* and this bylaw;

*addition* means an *alteration* to any building which will increase the total aggregate floor area or the *building height* (in storeys), and includes the provision of two or more separate *buildings* with openings between each other for intercommunication;

*agent* includes a firm, corporation or other person representing the *owner*, by written designation or contract, and includes a hired tradesperson or *constructor* who may be granted a *permit* for work within the limitations of his or her licence;

*alternative solution* means an alternative solution authorized under the *building code*;

*alteration* means a change, repair or modification of the *construction* or arrangement of or use of any *building* or *structure*, or to an *occupancy* regulated by this bylaw;

*Architects Act* means the *Architects Act* RSBC 1996, c. 17;

*building code* means the *British Columbia Building Code* as adopted by the Minister responsible under provincial legislation, as amended or re-enacted from time to time;

*building official* means the person designated in or appointed to that position by the Town, and includes a building inspector, plan checker, plumbing inspector gas inspector, or electrical inspector designated or appointed by the Town, and for certainty the *building official* is the “building inspector” referred to in the *Community Charter* and *Local Government Act*,

*complex building* means:

(a) a *building* used for a *major occupancy* classified as:

- (i) *assembly occupancy*;
- (ii) *care occupancy*;
- (iii) *detention occupancy*;
- (iv) *high hazard industrial occupancy*;
- (v) *treatment occupancy*; or
- (vi) *post-disaster building*;

(b) a *building* exceeding 600 square metres in *building area* or exceeding three storeys in *building height* used for a *major occupancy* classified as:

- (i) *residential occupancy*;
- (ii) *business and personal services occupancy*;
- (iii) *mercantile occupancy*; or
- (iv) *medium and low hazard industrial occupancy*;

*coordinating registered professional* means a *registered professional* retained pursuant to the *building code* to coordinate all design work and field reviews of the *registered professionals* required for a development;

*construct* includes build, erect, install, repair, alter, add, enlarge, move, locate, relocate, reconstruct, demolish, remove, *excavate* or shore;

*constructor* means a person who *constructs*;

*Engineers and Geoscientists Act* means the *Engineers and Geoscientists Act* RSBC 1996, c. 116;

*existing*, in respect of a *building*, means that portion of a *building constructed* prior to the submission of a *permit* application required under this bylaw;

*foundation* means a system or arrangement of *foundation* units through which the loads from a *building* are transferred directly to supporting soil or rock and includes any portion of the exterior walls of a building that lie below the finished grade immediately adjacent to the building;

*GHG* means greenhouse gas;

*health and safety aspects of the work* means design and construction regulated by Parts 3, 4, 5, 6, 7, 8, 9 and 10, Division B, of the *building code*; and subject to Parts 1 and 2 in relation to Parts 3 through 10, Division B;

*owner* means the registered *owner* in fee simple, or an *agent* duly authorized by the *owner* in writing in the form attached as Appendix A;

*permit* means permission or authorization in writing by the *building official* to perform work regulated by this bylaw and, in the case of a final inspection notice, to occupy a *building* or part of a *building*;

*pool* means a *structure* or *constructed* depression used or intended to be used for swimming, bathing, wading or diving which is designed to contain water and has a depth, at any point, exceeding 0.6 m, including an in-ground *pool* and hot tub;

*professional design* means the plans and supporting documents bearing the date, seal or stamp, and signature of a *registered professional*;

*project* means any construction operation;

*rates, fees and charges bylaw* means the *Town of Gibsons Rates, Fees and Charges Bylaw No. 1196, 2014, as amended from time to time*;

*retaining wall* means a *structure* exceeding 1.2 metres in height that holds or retains *soil* or other material behind it;

*simple building* means a *building* of three storeys or less in *building height*, having a *building area* not exceeding 600 square metres and used for a *major occupancy* classified as

- (a) *residential occupancy*;
- (b) *business and personal services occupancy*;
- (c) *mercantile occupancy*;
- (d) *medium hazard industrial occupancy*; or
- (e) *low hazard industrial occupancy*;

*structure* means a *construction* or portion of *construction*, of any kind, whether fixed to, supported by or sunk into land or water, except landscaping, fences, paving and retaining *structures* less than 1.22 meters in height;

*temporary building* includes a sales office, construction office or a *structure* in which tools are stored during construction of a *building* or other *structure*;

*value of the work* means that amount that is calculated as follows:

- (a) for construction of a *building* containing a *residential occupancy* that is served by only one stove, or two stoves if permitted as an auxiliary and secondary *residential occupancy*, the greater of
  - (i) the declared *value of the work*; or
  - (ii) the value calculated using Town policy; or
- (b) for all other construction, the greater of
  - (i) the declared *value of the work*; or
  - (ii) the value calculated using a method stipulated in the "Marshall Valuation Service".

18.2 In this bylaw the following words and terms have the meanings

- (a) set out in section 1.4.1.2 of the *building code* as of the date of the adoption of this bylaw: *building, building area, building height, business and personal services occupancy, care occupancy, constructor, coordinating registered professional, designer, detention occupancy, excavation, field review, firewall, first storey, grade, high hazard industrial occupancy, industrial occupancy, low hazard industrial occupancy, major occupancy, medium hazard industrial occupancy, mercantile occupancy, occupancy, post-disaster building, private sewage disposal system, registered professional, residential occupancy, treatment occupancy or unsafe condition*;
  - (b) subject to this bylaw, set out in the Schedule to the *Community Charter*: *assessed value, highway, land, occupier, parcel, public authority, service and soil*; and
  - (c) subject to this bylaw, set out in section 29 of the *Interpretation Act*: *may, must, obligation, person, property, writing, written* and *year*.
- 18.3 Every reference to this bylaw in this or another bylaw of the Town is a reference to this bylaw as amended to the date of the reference.
- 18.4 Every reference to
- (a) the *building code* is a reference to the current edition as of the date of issuance of the *building permit*; and
  - (b) a section of the *building code* is a reference to the applicable successor sections, as the code or section may be amended or re-enacted from time to time.
- 18.5 Definitions of words and phrases used in this bylaw that are not included in the definitions in this Part have the meanings commonly assigned to them in the context in which they are used in this bylaw, considering the specialized use of terms with the various trades and professions to which the terminology applies.

#### **Appendices**

- 18.6 Appendices A through G are attached to and form part of this bylaw.

#### **Severability**

- 18.7 If a section, subsection, paragraph, subparagraph or phrase of this bylaw is for any reason declared invalid by a court of competent jurisdiction, the decision will not affect the validity of the remaining portions of this bylaw.

### **PART 19: REPEAL**

- 19.1 BUILDING AND PLUMBING BYLAW NO. 822, 1996, AS AMENDED, IS REPEALED.



**PART 20: IN FORCE**

20.1 This bylaw comes into force on **JANUARY 1, 2021**.

**READ A FIRST TIME THIS**                      ##### DAY OF MONTH,                      YEAR

**READ A SECOND TIME THIS**                      ##### DAY OF MONTH,                      YEAR

**READ A THIRD TIME THIS**                      ##### DAY OF MONTH,                      YEAR

**ADOPTED THIS**                      ##### DAY OF MONTH,                      YEAR

\_\_\_\_\_  
Mayor Bill Beamish

\_\_\_\_\_  
Corporate Officer Lindsey Grist

**Town of Gibsons**  
**BYLAW No. 1284, 2020**  
**Appendix A – Letter of Authorization**

To whom it may concern:

Property

Address: \_\_\_\_\_

Legal

Description: \_\_\_\_\_

I am the owner, as defined in the current "Building Bylaw", of the above referenced property and hereby authorize:

Representative/Contact:

\_\_\_\_\_

(PRINT)

Tel. No.: \_\_\_\_\_ Cell No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-

mail: \_\_\_\_\_

Please check where applicable.

To represent me in an application for:

- ☐ Building Permit Application
- ☐ (If Registered Professional is involved, use Appendix B, Owner's Undertaking)
- ☐ Demolition Permit Application
- ☐ Sub Trade Permit

To obtain copies of:

- ☐ Building Permit Plans (Archive Copies)

Owner's Information:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Cell No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

E-mail: \_\_\_\_\_

Date: \_\_\_\_\_ Signature: \_\_\_\_\_

*This form may be faxed, mailed, emailed, or delivered in person.*

**Town of Gibsons**  
**BYLAW No. 1284, 2020**  
**Appendix B – Owner's Undertaking**

Property Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

Building Permit #: \_\_\_\_\_

1. This undertaking is given by the undersigned, as the owner of the property described above, with the intention that it be binding on the owner and that the Town will rely on same.
2. I confirm that I have applied for a building permit pursuant to "Town of Gibsons Building BYLAW No. 1284, 2020" (the "Bylaw") and that I have carefully reviewed and fully understand all of the provisions of the Bylaw and in particular, understand, acknowledge and accept the provisions describing the purpose of the Bylaw, the conditions under which permits are issued, the disclaimer of warranty or representation and the limited extent of the scope of the Bylaw and inspections thereunder.
3. Without in any way limiting the foregoing, I acknowledge fully that it is my responsibility to ensure compliance with the Building Code and the Bylaw whether any work to be performed pursuant to the permit applied for is done by me, a contractor or a registered professional.
4. I am not in any way relying on the Town or its building officials, as defined under the Bylaw, to protect the owner or any other persons as set out in Part 3 of the Bylaw and I will not make any claim alleging any such responsibility or liability on the part of the Town or its building officials.
5. I hereby agree to indemnify and save harmless the Town and its employees from all claims, liability, judgments, costs and expenses of every kind which may result from negligence or from the failure to comply fully with all bylaws, statutes and regulations relating to any work or undertaking in respect of which this application is made.
6. I am authorized to give these representations, warranties, assurance and indemnities to the Town.

**Owner's Information:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. No.: \_\_\_\_\_ Cell No.: \_\_\_\_\_ Fax No.: \_\_\_\_\_

Email: \_\_\_\_\_

This undertaking is executed by the owner this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.  
(Day) (Month) (Year)

**1. Where owner is an individual:**

Signed, sealed and delivered in the presence of:

Owner's Signature

Witness's Signature

Owner's Name

Witness's Name

Witness's Address

**2. Where owner is a corporation:**

Signed, sealed and delivered in the presence of:

Witness's Signature

Name of Corporation

Witness's Name

Per:

Authorized Signatory

Witness's Address

Name

**3. Where owner is a partnership:**

Signed, sealed and delivered in the presence of:

Witness's Signature

Name of Partnership

_____	_____
_____	Witness's Name
Per:	_____
Authorized Signatory	
_____	Witness's Address
Name	_____
_____	
_____	

**Town of Gibsons**  
**BYLAW No. 1284, 2020**  
**Appendix C – Confirmation of Professional Liability Insurance**

1. *This Confirmation letter must be submitted along with each BC Building Code Schedule A and Schedule B before issuance of a building permit. A separate Confirmation Letter must be submitted for each registered professional.*
2. *This Confirmation Letter must be submitted with each BC Building Code Schedule C after completion of the building but before a final inspection is made by the building official. A separate Confirmation Letter must be submitted for each registered professional.*
3. *Only an original Confirmation Letter, printed by the Town or an unaltered photocopy of this document is to be completed and submitted.*

Attention: Manager, Inspections

Property Address: \_\_\_\_\_

Legal Description: \_\_\_\_\_

The undersigned hereby gives assurance that:

- a) I have fulfilled my obligation for insurance coverage as outlined in the Town Building BYLAW No. 1284, 2020;
- b) I am insured by a policy of insurance covering liability to third parties for errors and omissions in respect to the above project, in the amount of at least One Million Dollars (\$1,000,000.00);
- c) I have enclosed a copy of my certificate of insurance coverage indicating the particulars of such coverage;
- d) I am a registered professional; and
- e) I will notify the building official in writing immediately if the undersigned's insurance coverage is reduced or terminated at any time during construction. \_\_\_\_\_

\_\_\_\_\_  
Name (PRINT)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address (PRINT)

(Affix professional seal here)

\_\_\_\_\_  
Phone

(If the registered professional is a member of a firm, complete the following)

I am a member of this firm:

---

Name of Firm (PRINT)

---

Address (PRINT)

I sign this letter on behalf of myself and the firm.

*Note: This Confirmation letter must be signed by a registered professional. The BC Building Code defines a registered professional as a person who is registered or licensed to practice (a) as an architect under the Architects Act, or (b) as a professional engineer under the Engineers and Geoscientists Act*

**Town of Gibsons  
BYLAW No. 1284, 2020**

**Appendix D – Climactic data for design of buildings and structures**

Climatic data for the design of *buildings/structures* in the Town of Gibsons shall be:

Design Element	Design Value
January 2.5% design dry bulb temperature	-7° C
January 1% design dry bulb temperature	-10° C
July 2.5% design dry bulb temperature	25° C
July 2.5% design wet bulb temperature	19° C
Annual total degree days below 18° C	3100
Maximum fifteen-minute rainfall	6 mm
Maximum one day rainfall (50 years)	74 mm
Annual rainfall	1.400 mm
Annual total precipitation	1.500 mm
Moisture Index	1.51
Driving rain wind pressure 1/5 years	160 Pa
Ground snow load, snow component S <sub>s</sub> (30 years)	3.8 kPa
Ground snow load, rain component S <sub>r</sub> (30 years)	0.4 kPa
Ground snow load, snow component S <sub>s</sub> (50 years)	4.2 kPa
Ground snow load, rain component S <sub>r</sub> (50 years)	0.4 kPa
Hourly wind pressure 1/10 years	0.38 kPa
Hourly wind pressure 1/30 years	0.45 kPa
Hourly wind pressure 1/50 years	0.49 kPa
Hourly wind pressure 1/100 years	0.54 kPa

**NOTE:** The Town will consider site-specific building design data obtained from the Atmospheric Environment Service, Environment Canada, which will be the applicant's responsibility.

**Seismic Hazard Values**

Seismic Hazard values will be addressed on a site-specific basis using building design data obtained from Natural Resources Canada, which will be the applicant's responsibility. An online site specific seismic hazard calculator is available via:

<https://earthquakescanada.nrcan.gc.ca/hazard-alea/interpolat/calc-en.php>

**Ground Frost**

The depth of construction for ground frost shall provide a minimum earth cover or backfill of:

- (a) 460mm (18") for foundations and footings
- (b) 600mm (24") for water pipe



**Town of Gibsons**  
**BYLAW No. 1284, 2020**  
**Appendix E – Confirmation of Required Documentation**

Building Permit Number: \_\_\_\_\_

*Note:*

1. *The Confirmation of Required Documentation and all required documentation must be submitted to the Chief Building Inspector 48 hours prior to the Pre-Occupancy Coordinated Review.*
2. *The Confirmation of Required Documentation and all required documentation must be submitted in a tabbed ringed binder, with tab sections as per this Appendix.*

TAB 1	<div style="display: inline-block; transform: rotate(-90deg); transform-origin: left top; white-space: nowrap;">Provided</div> <input type="checkbox"/> <div style="display: inline-block; transform: rotate(-90deg); transform-origin: left top; white-space: nowrap;">N/A</div> <input type="checkbox"/>	CONFIRMATION OF REQUIRED DOCUMENTATION
TAB 2	<input type="checkbox"/> <input type="checkbox"/>	DIRECTORY OF PRINCIPALS (Role/Firm/Name/Telephone) <input type="checkbox"/> <input type="checkbox"/> Owner <input type="checkbox"/> <input type="checkbox"/> Co-ordinating Registered Professional <input type="checkbox"/> <input type="checkbox"/> Registered Professionals <input type="checkbox"/> <input type="checkbox"/> Warranty Provided <input type="checkbox"/> <input type="checkbox"/> Licensed Builder <input type="checkbox"/> <input type="checkbox"/> Sub-Contractors
TAB 3	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	LETTERS OF ASSURANCE (A, B, C-A, C-B) Co-ordinating Registered Professional Architectural Structural Mechanical Plumbing Electrical Geotechnical Temporary Geotechnical Permanent Fire Suppression _____ (other)
TAB 4	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	PROFESSIONAL REVIEW LETTERS Alternative Solution (Confirmation of Field Review – sealed) Site Services – Civil Engineer

- ☐ ☐ Building Envelope Specialist
- ☐ ☐ Roofing Consultant
- ☐ ☐ Generator Test Report / Certificate
- ☐ ☐ (Other - specify) \_\_\_\_\_
- ☐ ☐ (Other - specify) \_\_\_\_\_

TAB 5    ☐ ☐ FIRE ALARM  
☐ ☐ Fire Alarm Verification Certificate (include field work sheets)  
☐ ☐ Letter of Signed Contract from ULC Listed Monitoring Agency

TAB 6    ☐ ☐ SPRINKLER SYSTEMS  
☐ ☐ Material and Test Certificate – Above ground piping  
☐ ☐ Material and Test Certificate – Underground piping  
☐ ☐ Fire Pump Test Report

TAB 7    ☐ ☐ PROVINCIAL APPROVALS  
☐ ☐ Certificate to Operate Elevating Device (one per each device)  
☐ ☐ Health Approval (on-site sewage disposal)  
☐ ☐ Health Approval (food services)

TAB 8    ☐ ☐ TOWN APPROVALS  
☐ ☐ Sprinkler Permit – Pre-occupancy Co-ordinated Review  
☐ ☐ Fire Department Acceptance (Fire Safety Plan)  
☐ ☐ Final Inspection (Building Inspector– pre-occupancy review)  
☐ ☐ Developmental Engineering Final Inspection  
☐ ☐ Planning Technicians Final Inspection

TAB 9    ☐ ☐ DEFICIENCY LIST

Submitted by Coordinating Registered Professional

\_\_\_\_\_  
Name (PRINT)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Address (PRINT)

\_\_\_\_\_  
Phone

Town of Gibsons Building Bylaw No. 1284, 2020

ATTACHMENT B

**TOWN OF GIBSONS  
BYLAW NO. 1125-11, 2020**

A Bylaw to amend *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*

**WHEREAS** the Council for the Town of Gibsons has adopted *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*;

**AND WHEREAS** the Council for the Town of Gibsons deems it desirable to amend *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*.

**NOW THEREFORE** the Council for the Town of Gibsons, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “*Bylaw Notice Enforcement Amendment Bylaw No. 1125-11, 2020*”.
2. The *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010* is hereby amended by:
  - (a) Deleting penalties for Building & Plumbing Bylaw No. 822, 1996 and replacing them with new penalties for Building Bylaw No. 1284, 2020 violations on Schedule A, as listed on Appendix A, attached to and forming part of this bylaw;
  - (b) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering.

**READ** a first time the ##### day of MONTH, YEAR

**READ** a second time the ##### day of MONTH, YEAR

**READ** a third time the ##### day of MONTH, YEAR

**ADOPTED** the ##### day of MONTH, YEAR

William Beamish, Mayor

Lindsey Grist, Corporate Officer

**‘Appendix A’**

**TO TOWN OF GIBSONS  
BYLAW NOTICE ENFORCEMENT BYLAW NO. 1125, 2010**

BYLAW NO.	SECTION	DESCRIPTION	A1 PENALTY	A2 EARLY PAYMENT PENALTY	A3 LATE PAYMENT PENALTY	A4 COMPLIANCE AGREEMENT AVAILABLE
<b>BUILDING BYLAW NO. 1284, 2020</b>						
1284	4.7	Interference with building official's right of entry	\$400	\$350	\$500	No
1284	4.1, 4.10	Construction without building permit	\$400	\$350	\$500	Yes
1284	4.1	Demolition without building permit	\$400	\$350	\$500	Yes
1284	12.1	Moving building without building permit	\$400	\$350	\$500	Yes
1284	7.3	Failure to having permit and supporting documents on site	\$400	\$350	\$500	Yes
1284	6.6	Unsafe site	\$400	\$350	\$500	Yes
1284	7.5	Failure to post civic address	\$400	\$350	\$500	Yes
1284	7.4	Failure to comply with permit conditions	\$400	\$350	\$500	Yes
1284	7.13,9.1, 9.3 10.52	Failure to obtain final inspection notice	\$400	\$350	\$500	Yes
1284	6.6	Unsafe condition	\$400	\$350	\$500	Yes
1284	7.9	Failure to clear all debris and fill	\$400	\$350	\$500	Yes
1284	10.31	Failure to obtain building official's written acceptance prior to concealing work	\$400	\$350	\$500	Yes
1284	10.38	Failure to stop work after a registered professional's services are terminated	\$400	\$350	\$500	Yes
1284	10.39	Violation of Stop Work Order	\$400	\$350	\$500	Yes
1284	10.43	Violation of Do Not Occupy Notice	\$400	\$350	\$500	Yes

**TOWN OF GIBSONS**  
**BYLAW NO. 1125-11, 2020**

A Bylaw to amend *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*

**WHEREAS** the Council for the Town of Gibsons has adopted *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*;

**AND WHEREAS** the Council for the Town of Gibsons deems it desirable to amend *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010*.

**NOW THEREFORE** the Council for the Town of Gibsons, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as “*Bylaw Notice Enforcement Amendment Bylaw No. 1125-11, 2020*”.
2. The *Town of Gibsons Bylaw Notice Enforcement Bylaw No. 1125, 2010* is hereby amended by:
  - (a) Deleting penalties for Building & Plumbing Bylaw No. 822, 1996 and replacing them with new penalties for Building Bylaw No. 1284, 2020 violations on Schedule A, as listed on Appendix A, attached to and forming part of this bylaw;
  - (b) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering.

**READ** a first time the ##### day of MONTH, YEAR

**READ** a second time the ##### day of MONTH, YEAR

**READ** a third time the ##### day of MONTH, YEAR

**ADOPTED** the ##### day of MONTH, YEAR

William Beamish, Mayor

Lindsey Grist, Corporate Officer

**‘Appendix A’**

**TO TOWN OF GIBSONS  
BYLAW NOTICE ENFORCEMENT BYLAW NO. 1125, 2010**

<b>BYLAW NO.</b>	<b>SECTION</b>	<b>DESCRIPTION</b>	<b>A1 PENALTY</b>	<b>A2 EARLY PAYMENT PENALTY</b>	<b>A3 LATE PAYMENT PENALTY</b>	<b>A4 COMPLIANCE AGREEMENT AVAILABLE</b>
<b>BUILDING BYLAW NO. 1284, 2020</b>						
1284	4.7	Interference with building official's right of entry	\$400	\$350	\$500	No
1284	4.1, 4.10	Construction without building permit	\$400	\$350	\$500	Yes
1284	4.1	Demolition without building permit	\$400	\$350	\$500	Yes
1284	12.1	Moving building without building permit	\$400	\$350	\$500	Yes
1284	7.3	Failure to having permit and supporting documents on site	\$400	\$350	\$500	Yes
1284	6.6	Unsafe site	\$400	\$350	\$500	Yes
1284	7.5	Failure to post civic address	\$400	\$350	\$500	Yes
1284	7.4	Failure to comply with permit conditions	\$400	\$350	\$500	Yes
1284	7.13, 9.1, 9.3 10.52	Failure to obtain final inspection notice	\$400	\$350	\$500	Yes
1284	6.6	Unsafe condition	\$400	\$350	\$500	Yes
1284	7.9	Failure to clear all debris and fill	\$400	\$350	\$500	Yes
1284	10.31	Failure to obtain building official's written acceptance prior to concealing work	\$400	\$350	\$500	Yes
1284	10.38	Failure to stop work after a registered professional's services are terminated	\$400	\$350	\$500	Yes
1284	10.39	Violation of Stop Work Order	\$400	\$350	\$500	Yes
1284	10.43	Violation of Do Not Occupy Notice	\$400	\$350	\$500	Yes

**TOWN OF GIBSONS**

**BYLAW NO. 985-25**

A Bylaw to amend *Town of Gibsons Official Community Plan Bylaw No. 985, 2005*

**WHEREAS** the Council for the Town of Gibsons has adopted *Town of Gibsons Official Community Plan Bylaw No. 985, 2005*;

**AND WHEREAS** the Council deems it desirable to amend the Official Community Plan;

**NOW THEREFORE** the Council, in open meeting assembled, enacts as follows:

1. This Bylaw may be cited as "*Official Community Plan Amendment Bylaw No. 985-25, 2020*".
2. The *Official Community Plan Bylaw No. 985, 2005*, is amended by:
  - a) Altering the land use designation for that area on Schedule B to Bylaw No. 985, from the existing "Medium Density Residential" designation to the "Multi-Unit Residential Special Character" designation as shown on Appendix A attached to and forming part of this bylaw;
  - b) Altering the development permit area for that area on Schedule E to Bylaw No. 985, from the existing "Multi-family Residential Development Permit Area No. 4" to "Intensive Residential Development Permit Area No. 8", as shown on Appendix A attached to and forming part of this bylaw;
  - c) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering of subsequent provisions of the Bylaw.

**READ** a first time the 3<sup>RD</sup> day of MARCH, 2020

**PURSUANT** to Section 475 of the *Local Government Act* consultation requirements considered the 3<sup>RD</sup> day of MARCH, 2020

**CONSIDERED** in conjunction with the Town of Gibsons' Financial Plan and any applicable Waste Management Plans pursuant to the *Local Government Act* the 3<sup>RD</sup> day of MARCH, 2020

**READ** a second time, as amended the #### day of MONTH, YEAR

**PUBLIC HEARING** held the #### day of MONTH YEAR

Official Community Plan Amendment Bylaw No. 985-25, 2020

**READ** a third time the ##### day of MONTH, YEAR

**ADOPTED** the ##### day of MONTH, YEAR

William Beamish, Mayor

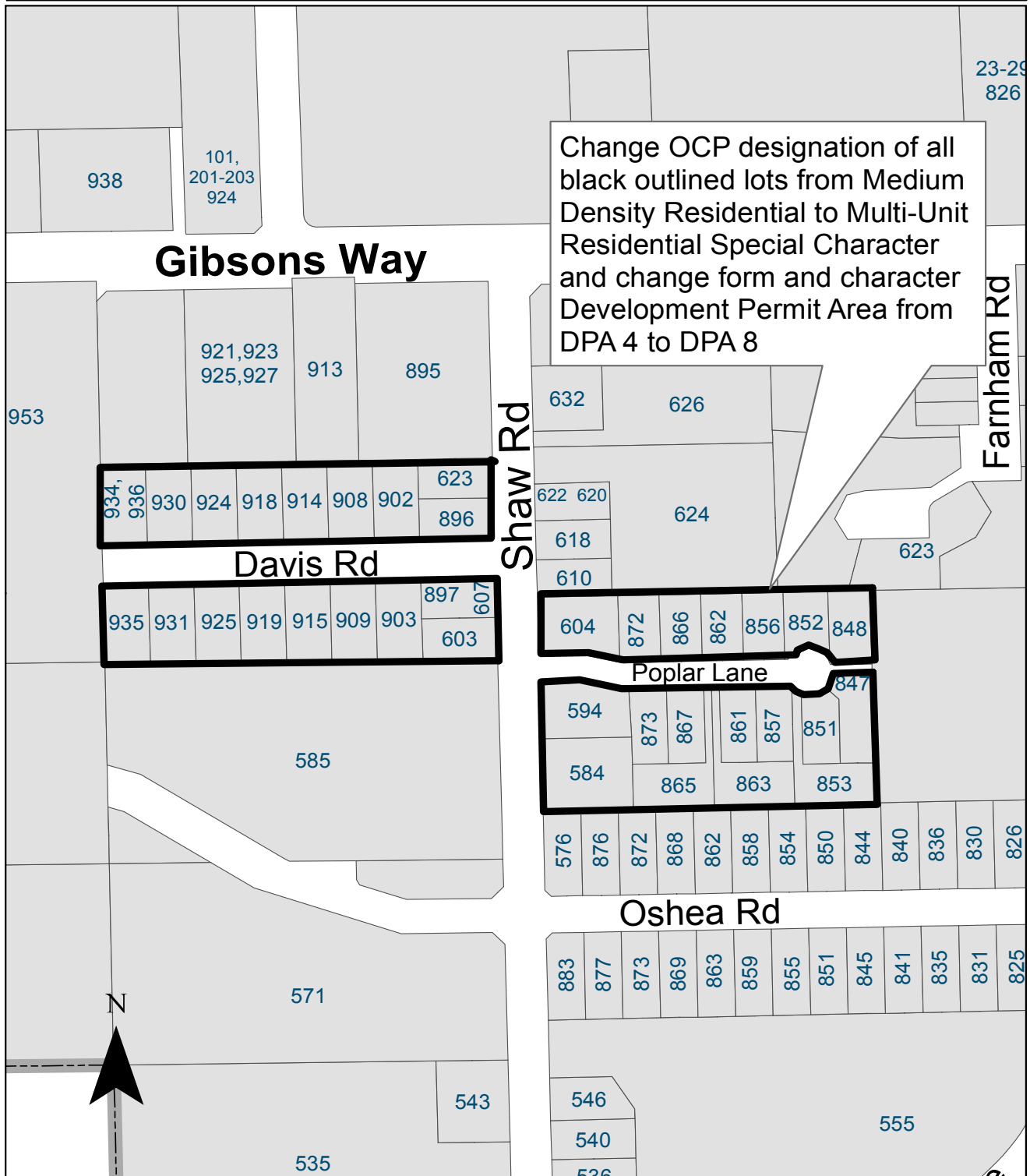
Lindsey Grist, Corporate Officer





## Appendix A

### OCP Amendment Bylaw No. 985-25, 2020





**TOWN OF GIBSONS**

**BYLAW NO. 1065-54, 2020**

A Bylaw to amend *Town of Gibsons Zoning Bylaw No. 1065, 2007*

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**WHEREAS** the Council for the Town of Gibsons has adopted *Town of Gibsons Zoning Bylaw No. 1065, 2007*;

**AND WHEREAS** the Council deems it desirable to amend the Zoning Bylaw to facilitate infill, ground-oriented housing options on existing single-family lots;

**NOW THEREFORE** the Council, in open meeting assembled, enacts as follows:

- 1) This Bylaw may be cited as the *Zoning Amendment Bylaw No. 1065-54, 2020*.
- 2) The *Town of Gibsons Zoning Bylaw No. 1065, 2007* is amended by:
  - a) Amending SCHEDULE "F" of Bylaw 1065 to revise its title and include the properties fronting Davis Road and Poplar Lane within the Garden Suite Areas, as shown in Appendix A attached to and forming part of this bylaw;
  - b) Altering the zoning designation for area on Schedule A to Bylaw No. 1065, from the existing Single-Family Residential Zone 2 (R-2) to Multi-family Residential Zone 7 (RM-7), as shown in Appendix B attached to and forming part of this bylaw.
  - c) Making such consequential alterations and annotations as are required to give effect to this amending bylaw, including renumbering of subsequent provisions of the Bylaw.

**READ** a first time the 3<sup>rd</sup> day of MARCH, 2020

**READ** a second time, as amended the ##### day of MONTH, YEAR

**PUBLIC HEARING** held the ##### day of MONTH, YEAR

**READ** a third time the ##### day of MONTH, YEAR

**APPROVED** pursuant to Section 52(3)(a) of the *Transportation Act* the ##### day of MONTH, YEAR

**ADOPTED** the ##### day of MONTH, YEAR

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William Beamish, Mayor

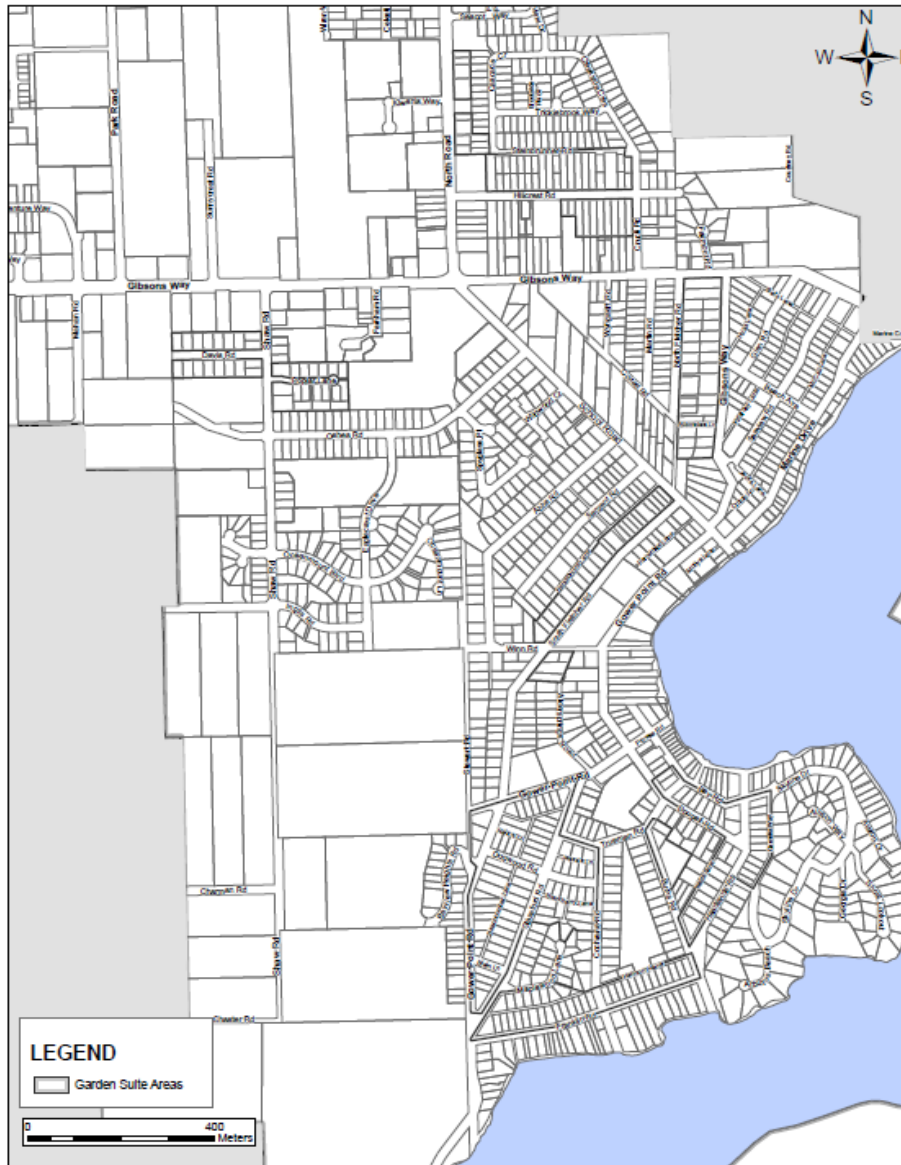
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Lindsey Grist, Corporate Officer



## APPENDIX A Garden Suite Areas Schedule F

06030004 Zoning/Garden Suite/F  
January 2020



Disclaimer:  
This information has been compiled by the Town of Gibsons using data derived from a number of sources with varying levels of accuracy. The Town disclaims all responsibility for the accuracy of this information.



## Appendix B

### Zoning Bylaw Amendment No. 1065-54, 2020

