



## TOWN OF GIBSONS

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### Frequently Asked Questions

#### Gospel Rock – Block 7

#### Stop Work Order

#### **When were Development Permits (DPs) issued for Gospel Rock – Block 7 and what type of DPs are they?**

Two DP's were issued for Gospel Rock – Block 7 on October 19, 2020. One is for environmental protection ([DP-2019-08](#)), and the other is for the geotechnical hazards ([DP-2019-06](#)). An environmental preservation covenant and geotechnical covenant have also been registered on Block 7.

#### **Why was a Stop Work Order issued at Gospel Rock?**

In December 2020, the Registered Professional Biologist (RPB) hired by the developer to monitor the tree removal process at the Gospel Rock development notified the Town that tree cutting was imminent. In response, and prior to the proposed tree removal, a site visit was scheduled for December 21, 2020 with Town staff, the RPB, and a Registered Professional Forester.

The purpose of the meeting was to ensure that the site's Environmentally Sensitive Areas (ESAs) and tree root protection zones would be protected during tree removal. The group also planned to select a windfirm edge (a forest edge that is firm enough to withstand strong wind) and complete a hazard tree assessment along the tree edge.

At that site meeting, staff noticed that two trees in the lot's designated Conservation Area had sustained minor damage during tree removal earlier in December.

It was also discovered that a buffer zone at the edge of the protected area had been mistakenly flagged at what appeared to be five metres, instead of the 10 metres stipulated in DP-2019-08.

As an Environmental Monitor was not present on-site to oversee the tree removal and trees in the root protection zones of the Environmentally Sensitive Areas may have been cut, a Stop Work Order was issued immediately.

#### **How long will the Stop Work Order remain in effect?**

The Stop Work Order will remain in place until the Town is confident that measures have been put in place to ensure that the development proceeds as proposed.

#### **Who will determine what these measures are?**

Town staff, together with qualified professionals, will determine these measures. The property owners are currently working to remedy the situation.

**Were the boundaries of the ESAs marked before the DPs were issued?**

No. Boundaries like these are not typically marked before a DP is issued, as the DP outlines the requirements for marking the boundary. Subsequent to issuing the DPs, the boundaries were marked but were not confirmed by a professional as being accurate before the tree-cutting began.

**Is the protection of the Conservation Area reliant on the covenant currently being negotiated for the management of the Conservation Area?**

No. On August 28, 2020, [an environmental preservation covenant](#) between the Town of Gibsons and the property owner was registered to the Title of the property to protect the Conservation Area and additional areas on the property with environmental value.

Staff understand that the property owner is currently negotiating with a third party to enter into a covenant agreement to manage the Conservation Area.

**If the conservation covenant referred to in the question above had been registered before the DPs were issued, would the outcome have been different?**

No. An environmental preservation covenant and DP-2019-08 clearly stated the requirements that needed to be met prior to any tree cutting. The registration of another conservation covenant would not have changed the outcome.

**What happens now?**

The Town is continuing to speak on a regular basis with the developer, who is working to complete the steps required to lift the Stop Work Order. Additionally, the Town has received a draft copy of a conservation covenant, which lays out the terms for management (by a third party) of the site's Conservation Area. At this time, we do not know how long it might take to finalize that covenant.

Updates will be shared with the community as they are available.

