

- c. Reconstruction, renovation or repair of a legal permanent structure if the structure remains on its existing foundation in accordance with provisions of the relevant section of the Local Government Act.

Shelter Bay Hazardous Lands Development Permit Area 2

Designation

4.4.38 The Shelter Bay Hazardous Lands Development Permit Area 2 (SBHLDP2) is designated under Section 919.1(1)(b) of the Local Government Act and applicable provisions of the Community Charter for the protection of development from hazardous conditions.

Area

4.4.39 The Shelter Bay Hazardous Lands Development Permit Area 2 pertains to all areas with slopes in excess of 30% within the Shelter Bay area as shown on Figure 4.3.

Justification

4.4.40 The goal of the SBHLDP2 is to protect development from hazardous conditions where steep slopes may pose a potential landslide risk. The purpose of the SBHLDP2 is to:

- a. Protect against the loss of life;
- b. Minimize property damage, injury and trauma associated with landslide events;
- c. Ensure development in steep slope areas is designed and engineered to provide for a high level of protection from ground instability and/or slope failure.

Guidelines

4.4.41 To protect against the loss of life and to minimize property damage associated with ground instability and/or slope failure, the CSRD discourages development in steep slope areas. Where steep slope areas are required for development, development permits addressing steep slopes shall be in accordance with the following:

For Subdivision, either 1 or 2:

1. Submission of a report by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering.
 - a. The report, which the Regional District will use to determine the conditions and requirements of the development permit, must certify that the land may be used safely for the use intended.
 - b. The report must explicitly confirm all work was undertaken in accordance with the APEGBC Legislated Landslide Assessment Guidelines.
 - c. The report should include the following types of analysis and information:

- site map showing area of investigation, including existing and proposed: buildings, structures, septic tank & field locations, drinking water sources and natural features, including watercourses;
 - strength and structure of rock material, bedding sequences, slope gradient, landform shape, soil depth, soil strength and clay mineralogy;
 - surface & subsurface water flows & drainage;
 - vegetation: plant rooting, clear-cutting, vegetation conversion, etc.
 - recommended setbacks from the toe and top of the slope;
 - recommended mitigation measures; and
 - recommended 'no-build' areas.
- d. Development in steep slopes should avoid:
- cutting into a slope without providing adequate mechanical support;
 - adding water to a slope that would cause decreased stability;
 - adding weight to the top of a slope, including fill or waste;
 - removing vegetation from a slope;
 - creating steeper slopes; and
 - siting Type 1, 2 and 3 septic systems and fields within steep slopes. All sewage practices must abide by the recommendations of the Sewerage System Standard Practices Manual.
- e. A Covenant may be registered on title identifying the hazard and remedial requirements as specified in the geotechnical or engineering reports for the benefit and safe use of future owners.
2. Registration of a Covenant on title identifying hazards and restricting construction, habitation or other structures or uses on slopes of 30% and greater.

For construction of, addition to or alteration of a building or other structure:

- a. Compliance with and submission of the relevant geotechnical sections of Schedule B of the BC Building Code by an Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) registered professional with experience in geotechnical engineering. A Covenant may be registered on title identifying hazards and/or restricting construction, habitation or other structures or uses on slopes of 30% or greater.

Shelter Bay Form and Character Development Permit Area 3

Designation

4.4.42 The Shelter Bay Form and Character Development Permit Area (SBFCDP3) is designated under Section 919.1(1)(e) and (f) of the Local Government Act and applicable provisions of the Community Charter for the establishment of objectives for the form and character for intensive residential development and commercial, industrial or multi-family residential development.