

Green Bylaws Toolkit

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Green Bylaws Toolkit

- A Resource for Improving Sustainable Land Use Policies

- Prepared by Environmental Law Clinic UVIC
- Deborah Curran & Company
- For the Wetland Stewardship Partnership

What is the Green Bylaws Toolkit?

- **A document** that provides local government and the public with practical information for protecting sensitive ecosystems and green infrastructure
- **Includes** bylaw language that local governments are using to protect ESA's
- **Explains** the various legal approaches to protection, their benefits and drawbacks
- **Builds on** and complements Stewardship Bylaws: A Guide to Local Governments (1997)



Toolkit is a Comprehensive Resource

- Pick and choose tools that are relevant
- Not all approaches are relevant to each community
- Each community has different priorities, resources, technical capacity and political support for environmental protection



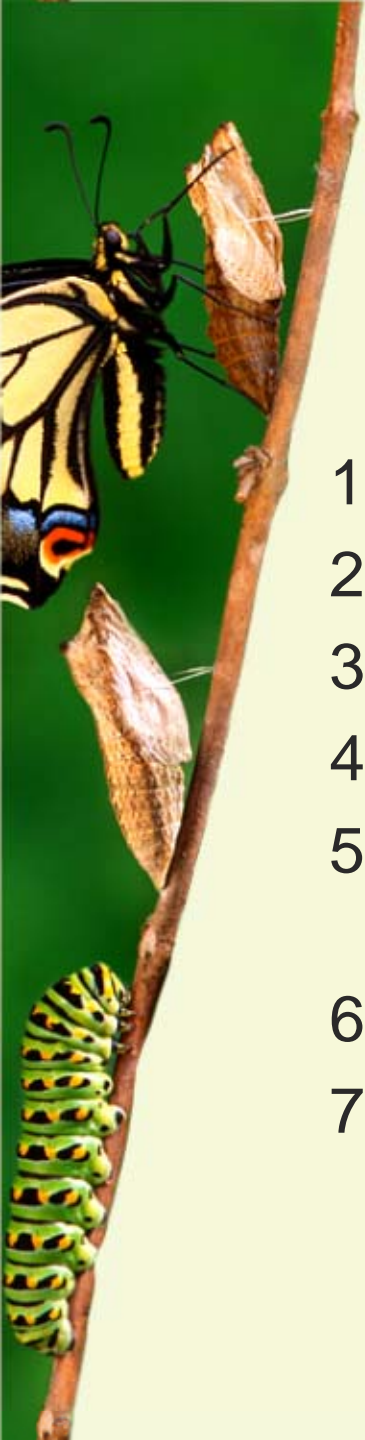
Why Is the Toolkit Important?

- Local governments have a major influence over land use policies
 - Private land
 - Delegated conservation responsibility by province
 - Some have capacity issues
- Traditional conservation practices of stewardship and land securement may not be enough
 - Land prices
 - Rate of change of the Okanagan landscape



Policy Objectives for Protecting ESA's and Green Infrastructure

1. Contain urban development areas
2. Maintain ESA's
3. Prevent degradation/fragmentation of ESA's
4. Prevent development on or near ESA's
5. Maintain the integrity/connectivity of ecological systems
6. Restore degraded ecosystems
7. Adequate assessments of impacts of developments/implement mitigation measures



Implementation Priorities

1. Identify the ESA's/Green Infrastructure
2. Contain Urban Areas
3. Create Compact Communities
4. Protect Sensitive Ecosystems
5. Create Incentives for Good Development
6. Manage Stormwater/Rainwater to Protect Aquatic Ecosystems



Examples of the Tools

- Regional Growth Strategies
- Regional Conservation Strategies
- Official Community Plans
- Zoning
- Regulatory Bylaws
- Environmental Development Permit Areas
- Impact Assessment
- Enforcement



Example - Environmental Development Permit Areas

Information provided on the Tool

1. Overview or purpose
2. Jurisdiction for municipalities and regional districts
3. Strengths and weaknesses
4. How to designate (EDPA's)
5. Guidelines
6. Application experience
7. Case studies



Example - Environmental Development Permit Areas (EDPA)

1. Purpose of EDPA

- Allow site specific protection of ESA's
- Prohibits site disturbance before development
- Can specify conditions and standards that a developer must meet
- Often complement other tools such as zoning and impact assessments



Example - Environmental Development Permit Areas

2. Jurisdiction

- For both municipalities and regional districts



Example - Environmental Development Permit Areas

3. Strengths and weaknesses

– Strengths include:

- Site specific control on development
- Guidelines can shape development
- May require an environmental assessment

– Weaknesses include:

- Requires additional staff time
- Requires good mapping
- May be politically unpopular



Example - Environmental Development Permit Areas

4. Designation

- EDPA's can be designated by maps as an appendix or schedule to the OCP
- As a written description of the ecosystem type “e.g. all wetlands”
- Different approaches are discussed



Example - Environmental Development Permit Areas

5. Guidelines for designating ecosystem types

- BC's sensitive ecosystem inventory classification (SEI mapping)
- Adapt to specific unique ecosystems (e.g. wetlands, riparian areas, grasslands)
- Unique local ecosystems
- Can specify management guidelines



Example - Environmental Development Permit Areas

6. Experience applying ESDPA's

- Experience shows works well for protecting ESA's on individual properties (i.e. site specific)
- Challenges include
 - Difficult to enforce (e.g. does not authorize penalties)
 - Staff time involved assessing impacts
 - Monitoring compliance



Example - Environmental Development Permit Areas

7. Case Studies

- Case studies provide practical, detailed information on how tools have been implemented (for DPA's case studies include Nanaimo and CORD)
- Opportunity to learn from the experiences of other communities in BC
- Very useful information – sharing experiences can be very helpful



Who Will Benefit from the Use of the Toolkit?

- Local governments -planning staff and elected officials
- Community groups engaged in land use planning
- Developers
- Land development consultants



Roll-Out of the Toolkit

- Availability
 - Stewardship Centre for BC has a link to www.greenbylaws.ca/
 - Hard copies and CD's hawesra@shaw.ca
- Resources
 - Provide technical resources for workshops (Deborah Curran and others)
 - Engagement with partners (e.g. SOSCP)
- Feed back
 - Local experience and case studies





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