

DPA7 | HAZARD LANDS

Development Permit Area 7 – Hazard Lands is designated under Section 488.(1)(b) of the Local Government Act to protect development from hazardous conditions on land designated as **Development Permit Area 7 (DPA 7)** on Official Community Plan Map 8 or land with a slope greater than 30%.

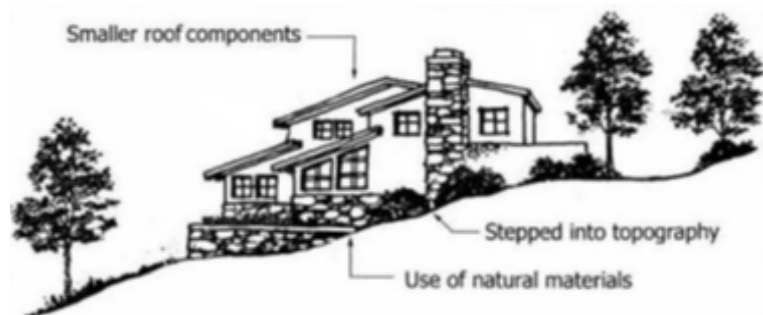
Prior to alteration of land or removal, alteration, disruption or destruction of vegetation; disturbance of soils; construction of buildings and structures; and prior to subdivision of land (as defined in section 455 of the Local Government Act) an owner of property within DPA 7 shall apply to the Town of Ladysmith for a development permit.

OBJECTIVES

The Town was developed on a hillside leading down to Oyster Harbour, with some sections of the Town situated on steeper slopes. Many areas in Town are subject to steep slope conditions. In some areas, such as the Chemainus Road area there are signs of stress fractures and slope instability.

The purpose of the DPA 7 guidelines are to:

- i. prevent land slippage and sloughing;
- ii. safeguard private property and infrastructure from damage resulting from development on steep slopes;
- iii. minimize disruption to slope stability, and;
- iv. prohibit development from occurring in areas where slope instability hazards exists.



GUIDELINES

- a. A developer of land within DPA 7 will provide a report certified by a geotechnical engineer registered as a Professional Engineer of British Columbia providing information regarding the safety of the proposed development and the technical requirements for mitigating measures required to enable the site to withstand the proposed development and the known hazard.

- b. Subdivisions and select building sites should be designed to minimize the need for significant excavation or filling (e.g. excavation or filling to accommodate buildings or structures or to alter existing slopes).



- c. The height restrictions in the Zoning Bylaw may be altered through the Development Permit process to minimize the need for excavation and filling and to allow for stepping and terracing of buildings on steeply sloping sites, provided that each individual “step” in the building meets the height restriction in the Zoning Bylaw.



- d. The front parcel line setback in the Zoning Bylaw may be reduced through the Development Permit process to minimize the need for excavation and filling and provided that at least one parking space can still be provided in the driveway.
- e. No building or structure shall be erected, constructed or placed in areas subject to bank instability or potential damage from bank instability.
- f. Avoid areas subject to unstable slopes, by siting buildings and

structures in accordance with building setbacks and other requirements as determined by a Professional Engineer.

- g. Provision shall be made for, and works undertaken to, provide for the disposal of surface run-off and storm water to prevent water from flowing down a slope or over the crest of the slope. Such works shall be required to divert drainage away from areas subject to sloughing and shall be designed by a qualified professional.
- h. Where practical, no disturbance to the steep slope shall be permitted.
- i. Retaining walls should be terraced, or stepped, to avoid expansive wall surfaces and reduce visual impacts. Plant material should be incorporated into the retaining wall design to soften the appearance and perceived wall height. Untreated large concrete and concrete block walls are not supported.
- j. Existing trees and vegetation shall be maintained in order to control erosion and protect banks.
- k. Where existing vegetation is removed either during construction or as a result of development, it shall be replaced with vegetation which stabilizes the slope and controls erosion.
- l. Adequate monetary security may be required to ensure that the required landscaping will be completed and established.
- m. Access improvements on or over the slope such as footpaths and stairways, shall be constructed so as not to disturb the slope or other natural slope drainage.
- n. The sequencing and timing of the development may be specified in the development permit to reduce impacts to the environment and surrounding properties.
- o. Adequate monetary security may be required where a qualified professional recommends mitigating measures to enable the site to withstand the proposed development and hazards.