

Islands Trust

GAMBIER ISLAND ASSOCIATED ISLANDS

OFFICIAL COMMUNITY PLAN

BYLAW NO. 109, 2009

Consolidated Version: November 3, 2022

AS AMENDED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAWS: 131, 145

This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

CONSOLIDATED BYLAW TEXT AMENDMENTS

This copy is consolidated for convenience only and includes the following **text amendments only**:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 131	Amendment No. 1, 2015	March 8, 2017
Bylaw No. 145	Amendment No. 1, 2017	October 31, 2022

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 109**

A BYLAW TO ADOPT AN OFFICIAL COMMUNITY PLAN FOR THE GAMBIER ASSOCIATED ISLANDS

WHEREAS Section 29 of the *Islands Trust Act* gives the Gambier Island Local Trust Committee the same power and authority of a Regional District under Part 26 except sections 932 to 937 and 939 of the *Local Government Act*;

AND WHEREAS the Gambier Island Local Trust Committee wishes to adopt an Official Community Plan;

AND WHEREAS the Gambier Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Gambier Island Local Trust Committee enacts as follows:

1. TITLE

This Bylaw may be cited for all purposes as the "Gambier Associated Islands Official Community Plan Bylaw, 2009".

2. APPLICATION

The Plan applies to the land, the water on the land and the surface of the sea adjacent to the land in the Gambier Associated Islands Area as shown on Schedule "B" of this Bylaw.

3. SCHEDULES

The following schedules attached to and forming part of this Bylaw, are adopted as "Gambier Associated Islands Official Community Plan Bylaw 2009":

- SCHEDULE "A" - Official Community Plan Policy Document
- SCHEDULE "B" - Bylaw Area Map
- SCHEDULE "C" - Land Use Designations
- SCHEDULE "D" - Lands Subdividable and Potentially Subject to Future Parkland Dedication
- SCHEDULE "E" - Development Permit Areas Map 1 Anvil Island
- SCHEDULE "E": - Development Permit Areas Map 2 South Thormanby Island
- SCHEDULE "E": - Development Permit Areas Map 3 Bowyer Island

READ A FIRST TIME this	1st	day of	February	, 2010
PUBLIC HEARING HELD this	19th	day of	April	, 2010
READ A SECOND TIME this	12th	day of	May	, 2010
READ A THIRD TIME this	12th	day of	May	, 2010
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this	26th	day of	May	, 2010
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT this	23rd	day of	November	, 2010
ADOPTED this	20th	day of	December	, 2010

SECRETARY

CHAIRPERSON

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SCHEDULE A – Policy Document

1. BACKGROUND

1.1 THE OBJECT OF THE ISLANDS TRUST

The Islands Trust has responsibility for conservation through land use planning and regulation and for leadership in stewardship – that is, voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area. The Islands Trust seeks to integrate ecosystem preservation and protection, sustainable communities and stewardship of resources.

The *Islands Trust Act* provides the following definition of the purpose of the Islands Trust, which is referred to in legislation as its “object”:

“The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of British Columbia.”

1.2 OFFICIAL COMMUNITY PLAN

The purpose of the Gambier Associated Islands Official Community Plan (hereafter referred to as the “Plan”) is to provide direction for governmental, non profit and individual decisions, regarding management of the Gambier Associated Islands Area. The Plan is a statement of objectives and policies to guide decisions on planning and land use management and should provide direction to resolve existing and possible future conflicts within the island communities.

The Plan is a document prepared and adopted, in accordance with the *Local Government Act* and the *Islands Trust Act*, by the Gambier Island Local Trust Committee (LTC) being the locally elected land use authority for the Gambier Associated Islands.

Once the Plan has been adopted, all bylaws enacted or works undertaken by the LTC must be consistent with it. The Plan can be amended on the initiative of the LTC or on application by an outside party subject to LTC approval. All amendments require consultation with persons, organizations and authorities that the LTC considers will be affected.

The Plan must include statements and map designations related to the following topics:

- The location, type and density of residential development;
- Restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development;
- Agricultural, recreational, commercial, industrial, institutional, and public utility uses;
- Affordable, special needs and rental housing;
- The location and phasing of roads, sewer and water systems;
- Targets for the reduction of greenhouse gas emissions and policies and actions of the local

government proposed with respect to achieving those targets;

- The location of public facilities, including schools, parks and waste treatment sites; and
- Sand and gravel deposits suitable for extraction.

The Plan may include policies related to social needs, social well being and social development, the maintenance and enhancement of farming and the regulation of the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

1.3 THE GAMBIER ASSOCIATED ISLANDS PLANNING AREA

The Gambier Associated Islands Planning Area encompasses over 30 islands and numerous groups of islets and rocks located in the waters adjacent to Welcome Passage, the north eastern portion of the Strait of Georgia and Howe Sound. This area was first settled by the Coastal Salish people. All of the islands are jurisdictionally part of the Gambier Island Local Trust Area of the Islands Trust. Additionally, islands including and between Turnagain and Trail Islands fall within Electoral Area B of the Sunshine Coast Regional District; and White Islets fall within Electoral Area D of the Sunshine Coast Regional District. All remaining islands in Howe Sound (except for Bowyer, Passage Islands and Grebe Islets) fall within Electoral Area F of the Sunshine Coast Regional District. Bowyer and Passage Islands and Grebe Islets form part of Electoral Area A of Greater Vancouver Regional District (Metro Vancouver) (formerly Greater Vancouver Regional District).

The area covered by the Plan is shown on “Schedule B -Bylaw Area Map”, and includes the following land and water areas:

- Anvil Island
- Bertha Island
- Bowyer Island
- Christie Islet
- Echo Island
- Franklin Island
- Grant Island
- Grebe Islets
- Hermit Island
- Jack Tolmie Island
- Little Popham Island
- Merry Island
- Mickey Island
- New Islet (Silver)
- Pasley Island
- Passage Island
- Popham Island
- Ragged Island
- Small Island

- Surrey Islands
- Thormanby Islands (North and South)
- Tiki Island
- Trail Islands
- Turnagain Island
- White Islets
- Woolridge Island
- Worlcombe Island

Where the terms “Gambier Associated Islands Planning Area” or “planning area” or “local trust area” are used in this Plan, these terms shall be interpreted to mean the area covered by this Plan. Where specific geographic references are made (e.g. Anvil Island), that reference shall be interpreted to mean the specific geographic area.

1.4 NATURAL FEATURES

The islands are part of the coastal western hemlock biogeoclimatic or ecological zone which is characterized by coniferous temperate rainforests and associated ecosystems. Western red cedars, western hemlock, Douglas fir, big leaf maple and arbutus trees are common throughout this region.

The islands within Welcome Passage, such as the Thormanby islands, straddle a major geologic boundary. These islands are comprised of unstable sediments and unconsolidated glacial deposits capping bedrock. The islands in the Howe Sound, such as Anvil and Bowyer Island, are geologically part of the Coast and Cascade mountain physiographic region and are characterized by rugged bedrock ridges, peaks and shallow soils.

The climate of this area is considered temperate with mild wet winters and warm dry summers.

1.5 ACCESS AND SERVICES

The majority of the islands are not served by power, water or telephone land-lines. There are no stores or commercial visitor accommodation facilities in the area, garbage pickup, or publicly-funded fire protection services on these islands. Groundwater is severely limited in the Plan area and most residents rely on rainwater collection.

Most landowners are required to provide water and sewage disposal on-site. Historically the islands have been largely seasonal and residential in their land use, however permanent residences have existed on several islands and continue to the present day. There are no ferries, no paved roads, relatively few automobiles, and limited year-round moorage. Access to the associated islands is by private boat, water taxi or float plane. The primary access points are Fishermans Cove, Horseshoe Bay, Sunset Marina, Bowen Island, Gibsons Marina, Sechelt and Halfmoon Bay. These access points typically correspond to the nearest community on the mainland for islanders to access provisions and related services.

1.6 POPULATION AND SETTLEMENT PATTERNS

Census population data from Statistics Canada are not adequate to determine the permanent populations as data have been aggregated with data from other locations. The population varies considerably on the islands at any given time, depending on the season with approximately 244 discrete title holders. Settlements exist on a number of the Associated Islands. Many of these settlements consist of share ownership land companies, with share agreements and community bylaws regulating development that were generally in place before the creation of the Islands Trust.

1.7 DEVELOPMENT POTENTIAL

The existing zoning and subdivision regulations establish a minimum lot size of 4 hectares (10 acres) on most islands. In 2007 the number of lots in the Gambier Associated Islands Planning Area was 229. Under the existing regulations if subdivisions were approved the number of potential additional lots could be 184, bringing the total number of lots to 413. Thus, the total number of existing dwellings and potential dwellings under this development potential is estimated at 748.

The majority of this future subdivision potential is situated on Bowyer, Pasley and South Thormanby Islands, with a number of other islands having the potential to create a small number of lots through subdivision.

2. PLAN GOALS

- 2.1 To preserve and protect the ecosystems, habitat, and natural resources of the Gambier Associated Islands Planning Area.
- 2.2 To ensure that human activities and the scale, rate and type of development contribute to the preservation of the community character of the Gambier Associated Islands Planning Area.
- 2.3 To work cooperatively with other local governments, the federal and provincial government and their agencies and First Nations to advance the mandate of the Islands Trust and the Goals and Objectives of this Plan.

3. OBJECTIVES AND POLICIES

3.1 LAND USE OBJECTIVES

- 3.1.1 To guide and regulate growth and development in a manner that protects sensitive ecosystems, encourages sustainability, and adapts to the potential effects of climate change.
- 3.1.2 To provide for the economic and social needs of residents and visitors while preserving ecosystem integrity and the character of the area.
- 3.1.3 To manage development in a manner that minimizes hazards.
- 3.1.4 To guide and regulate growth and development in a manner that builds on existing physical and social infrastructure where possible and minimizes adverse impacts on neighbouring communities.

3.2 RESIDENTIAL LAND USE POLICIES

- 3.2.1 The traditional land use in the plan area has been largely seasonal residential and LTC bylaw provisions should preserve the relatively low density residential character of the area.
- 3.2.2 The LTC should continue to permit single family residential uses as the principal use.
- 3.2.3 LTC bylaw provisions should ensure that uses customarily considered accessory to residential uses are permitted and regulated.
- 3.2.4 The LTC may introduce bylaw provisions establishing maximum floor areas for dwellings in higher density locations in order to minimize the impacts of development and preserve community character.
- 3.2.5 Commercial vacation rentals should not be permitted.
- 3.2.6 Density should be limited to the historic two dwellings per lot for lots larger than 4 hectares (10 acres), and one dwelling per lot for lots smaller than 4 hectares within the Sunshine Coast Regional district; and to one dwelling per 1.6 hectares (4 acres) within the Greater Vancouver Regional District (Metro Vancouver).
- 3.2.7 Despite policy 3.2.6, zoning should permit existing densities in established communities and cooperatives.
- 3.2.8 Subdivision regulations should establish a minimum average lot size of 4 hectares (10 acres), consistent with the historic 4 hectare (10 acre) minimum lot size, while allowing for the clustering of lots in future subdivisions.
- 3.2.9 The LTC should support applications to rezone to permit the development of dwellings without subdividing, where the proposal would result in clustered development that minimizes the ecological and visual impacts of development and directs development away from hazardous areas.
- 3.2.10 The LTC may consider applications to transfer residential density from one parcel to another provided new development results in the clustering of development, protection of sensitive, rare or threatened ecosystems and contributes to preservation of community character or heritage resources, and the proposed development area is an appropriate location for an increase in density.
- 3.2.11 The LTC should only consider applications for additional higher density for new development based on transfer of density from a donor parcel to a receiver parcel subject to the following:
 - (a) The application would result in the preservation and protection of a sensitive ecosystem, significant natural feature, or a heritage resource;
 - (b) the maximum permissible density for the receiver parcel would be:
 - I. the original permitted density of both the donor and receiver parcels prior to consideration of density transfer; plus

II. a number less than or equivalent to the original permitted density of the donor site prior to consideration of density transfer;

- (c) the additional density would be residential lots or dwellings;
- (d) the additional development would be sited away from sensitive ecosystems, would minimize visual impacts, would mitigate potential natural hazards, and would implement sustainable building practices; and
- (e) the additional development would not adversely impact adjacent properties.

3.2.12 The LTC may consider zoning for the provision of affordable, rental and special needs housing if a community need can be demonstrated.

Advocacy Policies

3.2.13 Regional districts and health authorities are encouraged to implement sustainable building standards initiatives as appropriate for the low density rural nature of development in the Plan area.

3.3 COMMERCIAL AND INDUSTRIAL LAND USE POLICIES

3.3.1 There are currently no locations in which commercial uses are a permitted principal use. The LTC may only establish zoning for future commercial uses where the proposed uses are necessary to provide for the daily needs of residents.

3.3.2 Home occupations should be permitted as a use accessory to residential use and should be regulated to minimize impacts.

3.3.3 Commercial visitor accommodation should be limited to temporary overnight accommodation that is accessory to residential use.

3.3.4 Industrial uses should be limited to home occupations that are accessory to residential use and long-standing marine booming water lease areas.

3.3.5 The LTC may consider temporary use permits for short-term commercial or industrial uses where appropriate.

3.4 PRIVATE INSTITUTIONAL CAMP POLICIES

3.4.1 The existing private institutional camp on Anvil Island should be zoned appropriately and use, density, and siting should be regulated to minimize impacts.

3.5 AGRICULTURAL POLICIES

3.5.1 Land identified as having agricultural potential or proposed for agricultural use should be zoned to permit farm uses while minimizing the impacts of non-farm uses and activities on farming.

- 3.5.2 The LTC should ensure that its bylaw provisions:
- (a) minimize any adverse affects on identified or potential agricultural land;
 - (b) encourage the design of any road systems and servicing corridors to avoid identified agricultural lands;
 - (c) support the economic viability of farming; and
 - (d) permit the use of Crown lands for agricultural leases where there is agricultural potential.
- 3.5.3 The LTC should consider favourably any applications to include land with farming potential into the Agricultural Land Reserve.

3.6 FOREST LAND USE POLICIES

- 3.6.1 The LTC should identify significant unfragmented forest ecosystems within the planning area and consider establishing zoning to limit inappropriate development in these areas and to cluster development elsewhere.
- 3.6.2 The LTC should designate and zone significant areas of Crown land that have been traditionally used for silviculture uses.

Advocacy Policies

- 3.6.3 The LTC encourages landowners to retain large land holdings and parcel sizes for sustainable forestry use.
- 3.6.4 The LTC encourages other agencies and levels of government to designate, acquire, or establish forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
- 3.6.5 The LTC encourages landowners to protect sensitive forest ecosystems through donation, conservation covenants or careful management.

3.7 COMMUNITY AND PUBLIC SERVICE USE POLICIES

- 3.7.1 The LTC may establish zoning within this designation, or within the residential designation, to permit and regulate local community services such as meeting halls, infrastructure, and emergency service facilities.
- 3.7.2 Zoning should recognize existing public uses, such as light stations and public wharves.
- 3.7.3 As it is Trust Council policy that islands in the Trust Area should be self-sufficient in regard to their water supply, no water line connections to the mainland should be permitted other than those in place at the time of this Plan.

- 3.7.4 Given the seasonal residential nature of the islands in the plan area there is currently minimal demand for school facilities. A need to designate land for school is not anticipated.

Advocacy Policies

- 3.7.5 Regional districts are encouraged to provide facilities for disposal of waste in appropriate locations.
- 3.7.6 The RCMP, Canadian Coast Guard, fire protection, regional districts and search and rescue organizations are requested to be responsive to the planning area needs and to assist residents in setting up adequate safety, protection and communication mechanisms for the public.
- 3.7.7 Water taxi services are encouraged to provide access for residents and visitors travelling to and from islands in the Plan area.
- 3.7.8 The LTC should work with municipalities, regional districts and other agencies to ensure that access is maintained to barge ramps on the mainland for use of the residents of the Associated Islands.

3.8 POLICIES FOR PARKS, RECREATION, AND CONSERVATION AREAS

- 3.8.1 The LTC should support the preservation of ecologically sensitive areas through land use regulation, conservation covenants, park land dedication, or conveyance to conservation agencies.
- 3.8.2 The LTC is encouraged to require dedication of land, rather than cash-in-lieu, where parkland dedication is required at the time of subdivision, as authorized by the *Local Government Act*.
- 3.8.3 The LTC may undertake or support initiatives to identify locations that are a priority for the creation of safe public access to beaches, areas of recreational significance, linear parks and trails, and public anchorages, in cooperation with other agencies and community groups.
- 3.8.4 The LTC should, in cooperation with community groups and other agencies, undertake planning for the establishment and maintenance of a network of protected areas.

Advocacy Policies

- 3.8.5 The LTC should encourage regional districts and provincial agencies to ensure that the location and type of recreational facilities would not result in the degradation of environmentally sensitive areas, including sensitive marine or coastal areas.
- 3.8.6 The LTC should encourage regional districts to identify and designate areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities in the planning area.

3.9 POLICIES FOR MARINE AND SHORELINE USES

- 3.9.1 The LTC should identify and give consideration to protecting ecologically sensitive marine areas.
- 3.9.2 The LTC may consider rezoning applications for leases for aquaculture, other than finfish farms.
- 3.9.3 The LTC should permit log booming uses within long-standing water leases.
- 3.9.4 The LTC should recognize and support the marine dependent nature of land uses in the associated islands area.
- 3.9.5 The LTC should permit and encourage the construction and use of common, community, or communal docks where feasible in order to limit the need for multiple private dock development along the shoreline.
- 3.9.6 The LTC should permit individual private docks accessory to residential uses where required for access. These docks may be regulated by zoning.
- 3.9.7 The LTC should not permit commercial marinas intended for use by non-residents.
- 3.9.8 The LTC should use bylaw provisions to protect public access to, from, and along the marine shoreline.
- 3.9.9 The LTC should use bylaw provisions to limit structures within the setback from the sea to those related to permitted marine use and those necessary for access to the foreshore or to permitted docks.
- 3.9.10 The LTC should, through zoning, the use of setbacks and, where there is supporting mapping, the use of development permit areas:
 - (a) protect the integrity of the foreshore, shoreline, and natural coastal and intertidal processes;
 - (b) discourage uses that disrupt natural features and processes;
 - (c) allow for natural erosion and accretion processes, without endangering structures;
 - (d) encourage owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas adjacent to the foreshore; and
 - (e) discourage filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing facilities.
- 3.9.11 The LTC should only give consideration to permitting structural modification of the shoreline, such as seawalls, where it can be demonstrated to be necessary to support or protect a permitted or existing use or structure. Preference should be given to shoreline structures that have a lesser impact or enhance ecological functions,

including vegetation enhancement, drainage control, beach enhancement, anchor trees, and gravel placement. Shoreline stabilization should not interrupt natural processes solely to reduce erosion of undeveloped land. Vegetation which helps stabilise banks, reduce erosion and provide habitat should be retained or enhanced.

3.9.12 The LTC should not support ocean disposal applications within the Plan area for the purposes of artificial reefs.

3.10 TRANSPORTATION POLICIES

3.10.1 In its bylaw provisions and decision-making, the LTC should recognize the challenges associated with accessing, living on and constructing on the islands in the plan area.

3.10.2 Zoning should permit and encourage the construction and use of common, community, or communal docks where feasible in order to limit the need for multiple private dock development along the shoreline; however, individual private docks accessory to residential uses should be permitted where required for access, but may be regulated by zoning.

3.10.3 Zoning may provide for facilities for float plane and emergency helicopter access in appropriate locations.

3.10.4 Zoning may provide for barge ramps in appropriate locations.

3.10.5 The LTC may require applicants of subdivision and rezoning applications to provide proof of adequate parking staging areas on the mainland as part of the application review process. The LTC should collaborate with Greater Vancouver Regional District (Metro Vancouver) and the Sunshine Coast Regional District on parking demand issues on the mainland when reviewing applications for a proposed increase in density in the Plan area by way of subdivision or rezoning.

3.10.6 Overland island access routes are important and should be identified, addressed and protected as development occurs.

Advocacy Policies

3.10.7 The LTC should support efforts by residents, local governments and agencies to ensure that reasonable access including safe passage and moorage is provided to the plan area from adjacent regional districts and municipalities.

3.10.8 Many smaller islands do not have dedicated highways; where highways have been dedicated as a result of earlier subdivision they are often undeveloped or are rough trails. The LTC encourages the Ministry of Transportation and Infrastructure to maintain and improve existing roads, trails and foreshore accesses and consult with community organizations on setting priorities for road and trail work programs.

3.10.9 Public beach access points should be identified that provide appropriate routes in times of accident, emergency or medical evacuation.

3.10.10 The LTC should support the efforts of residents and regional districts in achieving subsidized passenger ferry services that follows, rather than precedes, community needs in the Plan area.

3.10.11 The LTC should support residents and school districts in ensuring that adequate transportation is available for school aged children residing in the Plan area travelling to the mainland to attend school.

3.11 CULTURE AND HERITAGE POLICIES

3.11.1 The LTC should support initiatives to identify lands and structures of natural, historic, archaeological, cultural, aesthetic, educational or scientific heritage value or character.

3.11.2 The LTC may amend this plan to designate any real property as a heritage conservation area under Part 27 of Local Government Act.

3.11.3 All development applications will be reviewed by planning staff for the presence of known and recorded archaeological sites. Applicants will be notified if the site includes a known, protected archaeological site. Notification may include direction to engage a professional consulting archaeologist to determine if an archaeological impact assessment is necessary to manage development related impacts.

3.11.4 Applicants should modify or revise proposed development plans to avoid archaeological site impacts as the best means of preserving archaeological resources. Alteration of a protected archaeological site requires a Provincial Heritage Alteration Permit prior to land altering activities.

3.11.5 The LTC will cooperate with First Nations to identify significant archaeological or cultural sites in the planning area.

Advocacy Policies

3.11.6 The LTC may advocate for the designation and protection of eligible heritage sites under the Heritage Conservation Act.

3.11.7 Landowners are encouraged to contact and work with First Nations to protect archaeological and cultural sites.

3.12 SENSITIVE ECOSYSTEM POLICIES

3.12.1 The LTC should support and undertake initiatives to identify environmentally sensitive areas and significant natural sites, features and landforms in the planning area.

3.12.2 The LTC should support and undertake initiatives to plan, establish, and maintain a network of protected areas that preserves the representative ecosystems of the area and maintains its ecological integrity.

3.12.3 The LTC should protect environmentally sensitive areas, significant natural sites, features, views, scenic areas and landforms in the planning area through:

- (a) zoning regulations that encourage the siting and clustering of new development away from sensitive areas;
- (b) the implementation of development permit areas where accurate mapping identifying sensitive ecosystems at an appropriate scale is available and where the administration of development permit areas is feasible;
- (c) acquisition of land by the Trust Fund Board, other conservancies, regional districts, and government agencies;
- (d) park dedication at the time of subdivision;
- (e) encouragement of voluntary stewardship including the use of tools such as conservation covenants; and
- (f) the use of incentives such as the Natural Area Protection Tax Exemption Program, lot clustering, density transfer and amenity zoning.

3.12.4 The LTC should, in its bylaw provisions and in considering applications, consider the cumulative effects of existing and proposed development on sensitive ecosystems and groundwater supplies.

3.12.5 The Province of British Columbia's *Riparian Areas Protection Act* requires that local governments establish regulations to protect riparian areas. This regulation is intended, in part, to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

Areas where land use and related development may have to be restricted to protect riparian areas include lands falling within Development Permit Area 1: Riparian Areas.

3.13 GROUNDWATER POLICIES

3.13.1 Land use designations, zoning, subdivision regulations and other planning tools should be used to ensure that neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater.

3.13.2 The LTC, in its bylaw provisions and in considering applications, should ensure that water quality is maintained, that existing, anticipated and seasonal demands for water are considered and addressed, and that new uses do not affect water availability to the detriment of existing uses.

3.13.3 The precautionary principle should be applied with respect to the planning, utilization and protection of potable water supplies, so that property owners, developers and government agencies act with a conservative approach regarding the impacts of land use on island water supplies

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3.14 SOILS AND AGGREGATES POLICIES

3.14.1 The LTC should use zoning and other applicable planning tools to protect identified areas of productive soil.

3.14.2 There are no known deposits of aggregates suitable for extraction in the Plan area. Mineral or mining activity is regulated under provincial acts and statutes and is not affected by policies contained within the OCP.

3.15 NATURAL HAZARDS POLICIES

3.15.1 The LTC should undertake initiatives to identify areas that are hazardous to development, including areas subject to flooding, erosion or slope instability.

3.15.2 The LTC should use appropriate tools, including setbacks and development permit area designations, to restrict and manage development in areas known to be subject to hazardous conditions.

3.16 SERVICES AND INFRASTRUCTURE POLICIES

3.16.1 As islands in the plan area are mostly self sufficient with respect to power, water and septic disposal, the LTC shall recognize the challenges associated with providing services on the islands.

3.16.2 LTC bylaw provisions should support the provision of power through small-scale, passive means such as solar collectors and wind generation.

3.16.3 LTC bylaw provisions should permit small-scale geo-thermal heating for individual dwellings.

3.16.4 The use of alternative technology to the traditional septic field, and the safe recycling of grey water, is supported by the LTC if methods can provide effective non polluting and energy efficient means to treat and dispose of effluent and are in compliance with all other government regulations.

Advocacy Policies

3.16.5 Landowners undertaking new construction are encouraged to install rainwater catchment systems.

4. LOCAL ISLAND OBJECTIVES AND POLICIES

Objectives and policies in Part 4 are specific to individual islands and are in addition to the objectives and policies in Part 3 of the Plan.

4.1 OBJECTIVES AND POLICIES FOR PASSAGE ISLAND

Background:

Passage Island was charted by Spanish explorer Narvaez in 1791 and named by Captain Vancouver for its location in the centre of the passage. He also named Anvil Island at the same time and designated the two islands as aids to navigation so that sailors could line up Passage and Anvil Islands to clear the Sand Heads. Subdivision of the island was approved by the Ministry of Transportation prior to the establishment of the Islands Trust. In 1999 Bowen Island was incorporated to become the first island municipality within the Islands Trust and Passage and Bowyer Island which were formerly part of the Bowen Island Local Trust Area, became part of the Gambier Island Local Trust Area.

The island is characterized by a close and active community with a mix of single family dwellings on small lots approximately one-third acre in size. In 2008 approximately half of the 61 lots on Passage Island were developed. Some residents live full time on the island and commute to West Vancouver for work and school. There are no services to Passage Island or community dock. The primary access point on the mainland is Fishermans Cove in West Vancouver where mailboxes and a water taxi for Passage Island residents are located. Passage Island falls within Electoral Area A of the Greater Vancouver Regional District (Metro Vancouver) Regional District.

Objectives:

- 4.1.1 To preserve and protect the natural ecosystems and habitat of the island.
- 4.1.2 To maintain the residential character of the island.
- 4.1.3 To recognize the unique challenges associated with accessing, constructing and living on the island.

Policies:

- 4.1.4 The principal land use should be residential, in the form of single family dwellings.
- 4.1.5 Uses and structures customarily considered to be accessory to the residential use of the island should be permitted.
- 4.1.6 Density should be limited to one dwelling per lot, except that the LTC may consider applications for rezoning to permit a second small dwelling where lots are consolidated.
- 4.1.7 Overall residential density on Passage Island should be limited to a maximum of 61 lots.
- 4.1.8 Zoning may provide for residential uses, community services, conservation areas, and marine zones:
 - (a) Zoning of the existing lots should permit residential uses.
 - (b) Small scale community facilities and buildings such as a meeting hall, emergency facilities, or recreation areas may be permitted in specific locations.
 - (c) Conservation zoning may be considered to provide protection for any protected areas, sensitive ecosystems and habitat, significant natural features, areas of

extensive mature forest, lands hazardous to development, or land with no future development potential.

- (d) Marine zoning should permit a breakwater, community docks and accessory residential docks. Zoning should regulate the size and siting of accessory residential docks once a community dock is established.

- 4.1.9 Commercial uses should be limited to home businesses, including temporary overnight accommodation. Commercial vacation rentals should not be permitted.
- 4.1.10 No industrial uses should be permitted. Short term activities and processing may be considered by temporary use permit application.
- 4.1.11 Bylaw provisions should establish maximum building height, setbacks and lot coverage.
- 4.1.12 Bylaw provisions establishing a maximum floor area, or a floor area ratio, for dwellings may be considered.
- 4.1.13 Bylaw provisions should establish a setback of 7.6 metres (25 feet) from the natural boundary of the sea for all buildings and structures. Provisions may be made in the zoning regulations for existing buildings and for necessary accessory structures within the required setback. The LTC should consider variance applications for new construction within the required 7.6 metre setback where the topography limits building sites and the owner can demonstrate that no hazard exists, that there would be no impact on sensitive terrestrial or marine ecosystems or habitat, and that the proposed construction would not create an undue visual impact.
- 4.1.14 Water connections to the mainland should not be permitted. Other utility connections may be permitted.

Advocacy Policies

- 4.1.15 The LTC should request that Greater Vancouver Regional District (Metro Vancouver) consider amendments to its building bylaw to implement alternate, seasonal residential standards.
- 4.1.16 The LTC should request the District of West Vancouver to recognize the challenges associated with providing access to Passage Island, including supporting the provision of long-term parking, waste disposal and passenger ferry and water taxi services.
- 4.1.17 The LTC encourages Greater Vancouver Regional District (Metro Vancouver) to participate in the Natural Area Protection Tax Exemption Program.
- 4.1.18 The LTC requests that the Ministry of Transportation and Infrastructure provide for and maintain safe access to the foreshore on dedicated highways.
- 4.1.19 The LTC encourages Greater Vancouver Regional District (Metro Vancouver) to explore options to provide a ports function for residents of Passage Island.

- 4.1.20 The LTC encourages Greater Vancouver Regional District (Metro Vancouver) and adjacent local governments to solicit and respect the full participation of Passage Island residents in discussions and decisions impacting the island.

4.2 OBJECTIVES AND POLICIES FOR BOWYER ISLAND

Background:

Bowyer Island is located in Howe Sound and is approximately 125 hectares in size. The island was named in 1860 after Admiral Sir George Bowyer of the British Navy. Bowyer is a private residential and recreational island without services or roads. The south by southeast bay was first settled in 1920 by Herbert Bingham and is now known as B&A Estates. In the early 1950s a second community, Kildare Estates was established on the west bay. In the late 1950s a third community, Bowyer Island Estates, was established on the centre south bay and the fourth community, Lot C, was established in 1968, also on the south between Kildare and Bowyer Island Estates. Almost all of Bowyer's private communities have been governed by corporate homeowner share cooperative agreements that were in place before the creation of the Islands Trust. The island was extensively logged up until the early 1960s; however, some old-growth western red cedar and Douglas fir remain. Residences are primarily seasonal, and the island has a rich history of community spirit and family traditions that the residents wish to continue to promote in the years to come.

Objectives:

- 4.2.1 To preserve and protect the natural ecosystems, habitat and groundwater resources of the island.
- 4.2.2 To maintain the historic residential character of the island.
- 4.2.3 To recognize the unique challenges associated with accessing, constructing and living on the island.

Policies:

- 4.2.4 The principal land use should be residential, in the form of single family dwellings.
- 4.2.5 Uses and structures customarily considered to be accessory to the residential use of the island should be permitted.
- 4.2.6 Density for individual properties and locations on the island should be regulated on a site-specific basis.
- 4.2.7 Zoning may provide for residential, residential comprehensive, service, forest, conservation, and marine zones.
- 4.2.8 Residential zoning should encompass all existing developed areas, designated house sites, access routes, services and accessory areas.
- 4.2.9 Zoning may permit small scale community facilities and buildings such as meeting halls, water supply facilities, emergency facilities, or recreation areas in specific locations.

- 4.2.10 Conservation or Forest zoning may be used to zone areas with sensitive ecosystems and habitat, areas of groundwater recharge, significant natural features, areas of extensive mature forest, lands hazardous to development, and land with no future development potential.
- 4.2.11 Marine zoning should permit existing and future community docks. Bylaw provisions should limit the proliferation of additional individual or private docks.
- 4.2.12 Commercial uses should be limited to home businesses. Temporary overnight accommodation and commercial vacation rentals should not be permitted.
- 4.2.13 No industrial uses should be permitted. Short term activities and processing may be considered by temporary use permit application.
- 4.2.14 Bylaw provisions establishing a maximum floor area for dwellings may be implemented.
- 4.2.15 Bylaw provisions should establish a setback of 7.6 metres (25 ft.) from the natural boundary of the sea. Provisions should be made in the zoning regulations for existing buildings or sites. The LTC should consider variance applications for new construction closer than 7.6 metres (25 ft.) to the natural boundary where the applicant can demonstrate that no hazard exists, that there would be no impact on sensitive terrestrial or marine ecosystems or habitat, and that the proposed construction would not create an undue visual impact.
- 4.2.16 Water, sewer and power connections to the mainland should not be permitted.
- 4.2.17 District Lots 1339, and 1340 are designated on Schedule C - Land Use Map E as “Residential Comprehensive” and have a total area of 85.3 hectares (210.8 acres). Without increasing the current maximum dwelling density potential of 52 dwelling units within the Residential Comprehensive designated area, the zoning regulations may provide the following as a means of managing land use and development so as to minimize potential negative impacts, while encouraging stewardship of the ecological integrity and unique rural character of Bowyer Island over the longer term:
- (a) The approximate location, amount, type and density of present and potential residential development and areas to be kept free from development.
 - (b) The transfer of density from one district lot to another within the designation.
 - (c) The clustering of any new development as a means to:
 - I. maintain unique rural character and natural beauty;
 - II. minimize the need for road expansion;
 - III. minimize forest and ecosystem fragmentation;
 - IV. protect groundwater recharge areas;
 - V. ensure that any and all new land and foreshore development is located in areas which are suitable to support the intended use.

- (d) The approximate location and type of present and proposed or potential common use facilities and buildings such as: water supply, sewage disposal, fire protection, access, transportation and utility infrastructure; community meeting and recreation areas and facilities; emergency helicopter landing sites.
- (e) The approximate location and type of present and proposed or potential protected conservation areas, sensitive ecosystems and habitat, significant natural features, areas of extensive mature forest, lands hazardous to development, or land with no future development potential.
- (f) The approximate location of present and proposed sustainable forestry, and related foreshore uses.

Advocacy Policies

- 4.2.18 The LTC should request that the District of West Vancouver recognize the importance of public park lands currently occupied by Sunset Marina in providing access to Bowyer Island.
- 4.2.19 The LTC should support efforts to relieve growing pressure on parking and moorage at marinas traditionally used to access Bowyer Island.
- 4.2.20 The LTC should encourage Greater Vancouver Regional District (Metro Vancouver) to participate in the Natural Area Protection Tax Exemption Program.
- 4.2.21 The LTC should encourage Greater Vancouver Regional District (Metro Vancouver) and adjacent local governments to solicit and respect the full participation of Bowyer Island residents in discussions and decisions impacting the island.

4.3 OBJECTIVES AND POLICIES FOR NORTH AND SOUTH THORMANBY ISLANDS

Background:

North and South Thormanby Islands were named in 1860 by British Captain George Richards. In 1888 Captain James Williams became the first person to successfully pre-empt land on Thormanby Islands by applying for 195 acres on North Thormanby, including Vaucroft Beach. In 1890, Calvert Simson successfully pre-empted 167 acres on South Thormanby (Buccaneer Bay) and by 1912 his holdings covered over 1,467 acres. In 1983 over 1120 acres of South Thormanby were donated to the Province of British Columbia by the Simson family to create Simson Marine Park.

NORTH THORMANBY ISLAND VISION STATEMENT

The residents of North Thormanby Island recognize that they have been entrusted with the stewardship of a rare natural jewel. This legacy is the sum of thousands of years of natural processes, modified and moulded by the settlement and use of its residents, past and present. It is in this use that residents will strive to lighten their footprint on the land and adapt their lifestyles to honour the natural integrity and conditions rather than attempt to adapt them to our needs and wants. Residents will respect and conserve the natural environment to preserve the island's rich biodiversity and terrestrial and marine values, recognizing that in doing so; they will also maintain the high quality recreational opportunities that the island affords.

North Thormanby is a small island of independent, diverse and creative people who will continue to try to develop on-island solutions to the needs of the community. Residents recognize the need for maintaining access through existing dedicated road allowances while at the same time respecting and protecting the park and adjacent property owners. To meet the challenges of a rapidly changing world residents will be cooperative and respectful in their interactions and not lose sight of the common desire and goal to leave the next generation with an environment and with opportunities at least as secure as those that they have enjoyed.

South Thormanby Island:

In 1964, Buccaneer Bay Holdings Ltd. was formed as a private company in order to purchase land from the Simson family and carry on the tradition as a summer camping and recreational area on South Thormanby Island. Campers, some of whose forefathers first visited the island in 1897, worked together to purchase land and set up the structure in Buccaneer Bay as it exists today. The spirit of friendship, honouring tradition, respect and appreciation for the property, environment and neighbours and concern for future generations create the strong bond that has existed at Buccaneer Bay since the late 1800's.

Objectives:

- 4.3.1 To preserve and protect the natural ecosystems, habitat and groundwater resources of the islands.
- 4.3.2 To maintain the residential settlements of the islands.
- 4.3.3 To protect the integrity of the foreshore, shoreline and natural coastal and intertidal processes while discouraging uses that disrupt natural features and processes.

Policies:

- 4.3.4 The principal land use should be residential, in the form of single family dwellings.
- 4.3.5 Uses and structures customarily considered to be accessory to the residential use of the island should be permitted.
- 4.3.6 Density for individual properties and locations on the island should be regulated on a site-specific basis.
- 4.3.7 Zoning may provide for residential, service, forest, conservation, and marine zones.
- 4.3.8 Residential zoning should encompass all existing developed areas, designated house sites, access routes, services and accessory areas.
- 4.3.9 Provisions should be made in the zoning regulations for existing buildings and sites. The LTC should consider variance applications for siting new development on lots in the Vaucroft Improvement District impacted by historic erosion events where the applicant can demonstrate that no hazard exists, that there would be no impact on sensitive terrestrial or marine ecosystems or habitat, and that the proposed construction would not create an undue visual impact.
- 4.3.10 Zoning may permit small scale community facilities and buildings such as meeting halls, water supply facilities, emergency facilities, or recreation areas in specific locations.

- 4.3.11 Conservation or Forest zoning may be used to zone areas with sensitive ecosystems and habitat, areas of groundwater recharge, significant natural features, areas of extensive mature forest, lands hazardous to development, and land with no future development potential.
- 4.3.12 Marine zoning should permit existing and future community docks. Regulations should limit the proliferation of additional individual or private docks.
- 4.3.13 Commercial uses should be limited to home businesses.
- 4.3.14 No industrial uses should be permitted. Short term activities and processing may be considered by temporary use permit application.
- 4.3.15 Bylaw provisions establishing a maximum floor area for dwellings may be implemented.
- 4.3.16 Bylaw provisions should establish maximum building height, setbacks and lot coverage.
- 4.3.17 The lands immediately upland from the foreshore may be designated as a development permit area in order to protect development from hazardous conditions and to provide for protection of shoreline ecosystems from development.
- 4.3.18 Water, sewer and power connections to the mainland should not be permitted.
- 4.3.19 The LTC should undertake initiatives to identify sensitive ecosystems, significant features and natural hazards.
- 4.3.20 Zoning regulations should incorporate the provisions of the Buccaneer Bay Land Use Contract.

Advocacy Policies

- 4.3.21 The LTC encourages BC Parks to consult with community groups and other agencies to undertake planning for Buccaneer Bay Provincial Park to ensure that the location and type of facilities provided do not result in the degradation of environmentally sensitive areas.
- 4.3.22 Landowners are encouraged to contribute to the establishment of a network of protected areas by preserving sensitive ecosystems, habitat and significant natural features through the tools of conservation covenants, gifting of land to conservancies or public agencies, or dedication of land as conservation areas or park.
- 4.3.23 The RCMP is requested to be responsive to residents' concerns related to the use of Buccaneer Bay Marine Park and Simson Marine Park.

4.4 OBJECTIVES AND POLICIES FOR ANVIL ISLAND

Background:

Anvil is one of the largest of the associated island and is characterized by its extremely steep conical shape also known as “Hat Island”. There are nine property titles and the remaining portion of the island is Crown land. Two separate brick factories operated on Anvil Island in the early 1900’s. Today there are approximately 24 seasonal dwellings and a private summer camp that has been in operation since 1940. The seasonal homes are predominantly located in the southern bay formed by a prominent projecting peninsula.

Objectives:

- 4.4.1 To preserve and protect the natural ecosystems, habitat and groundwater resources of the island.
- 4.4.2 To maintain the existing residential and institutional settlements of the island.
- 4.4.3 To recognize the unique challenges associated with accessing, constructing and living on Anvil Island.

Policies:

- 4.4.4 The principal land use should be residential, in the form of single family dwellings.
- 4.4.5 Uses and structures customarily considered to be accessory to the residential use of the island should be permitted.
- 4.4.6 Density for individual properties and locations on the island should be regulated on a site-specific basis.
- 4.4.7 Zoning may provide for residential, service, forest, conservation, and marine zones.
- 4.4.8 Zoning may permit small scale community facilities and buildings such as meeting halls, water supply facilities, emergency facilities, or recreation areas in specific locations.
- 4.4.9 Conservation or Forest zoning may be used to zone areas with sensitive ecosystems and habitat, areas of groundwater recharge, significant natural features, areas of extensive mature forest, lands hazardous to development, and land with no future development potential.
- 4.4.10 Marine zoning should permit existing and future community breakwaters, community docks and barge ramps. Bylaw provisions should limit the proliferation of additional individual or private docks.
- 4.4.11 Commercial uses should be limited to home businesses. Commercial vacation rentals should not be permitted.
- 4.4.12 No industrial uses should be permitted. Short term activities and processing may be considered by temporary use permit application.
- 4.4.13 Institutional uses should be limited to the existing private camp and land use regulations should address the extent of use of land based facilities development.

Advocacy Policies

- 4.4.14 The LTC should undertake consultation with provincial agencies regarding the potential future disposition of Crown land on the island.
- 4.4.15 The LTC should support efforts to relieve growing pressure on parking and moorage at marinas traditionally used to access Anvil Island.
- 4.4.16 The LTC should work with municipalities, regional districts and other agencies to ensure that access is maintained to barge ramps on the mainland for use of the residents of Anvil Island.
- 4.4.17 The LTC should work with municipalities, regional districts and other agencies to ensure that Anvil Island residents are informed of and, where possible, participate in all discussions and decisions impacting the island.

4.5 OBJECTIVES AND POLICIES FOR MERRY AND FRANKLIN ISLANDS

Background:

Merry Island is approximately 42 acres in size and is almost entirely privately owned, with the exception of 2.7 acres on the south end of the island, which is owned by the Canadian government and is home to a staffed Merry Island light station. The Merry Island lighthouse was established in 1902 and the present tower was reconstructed in 1966. Neighbouring Franklin Island is 2.8 acres in size and is privately owned. At the time of preparation of the Associated Islands Official Community Plan, the private landowners were engaged in consideration of transferring densities, clustering development and protecting significant sensitive ecosystems on the two islands.

Objectives:

- 4.5.1 To preserve and protect the natural ecosystems and habitats of the islands.
- 4.5.2 To encourage that any new development on the privately owned land is clustered and sensitive to the environment.

Policies:

- 4.5.3 Zoning may provide for residential uses, conservation areas and marine zones. Marine zoning may permit a breakwater and community dock.
- 4.5.4 Bylaw provisions should establish maximum building height, setbacks and lot coverage.

Advocacy Policies

- 4.5.5 The LTC should encourage the incorporation of best practices for green building for new residential development on the island, including design, construction materials, provision of water and energy and wastewater treatment.

4.5.6 The LTC should encourage property owners to consider density transfer policies explicit in the Official Community Plan prior to making a decision about future residential development of privately owned lands.

4.6 OBJECTIVES AND POLICIES FOR TURNAGAIN, JACK TOLMIE, ECHO AND TIKI ISLANDS:

Background:

These four islands are located within Electoral Area 'B' of the Sunshine Coast Regional District and are accessible at low tide by land due to their close proximity to the shoreline of Secret Cove. As the communities surrounding the islands have developed over the past 50 years, residents of these islands, both permanent and seasonal have participated in the planned growth and utilize the amenities of the neighbouring mainland community, including established service corridors to the islands such as waterlines, power lines and utilities.

Jack Tolmie Island is 1.5 acres in size and is the southside of the navigational entrance to Secret Cove. It was subdivided along with Tiki Island by the Hoffer family in 1963. Subsequently the Hoffers sold Tiki Island as one parcel and Lot 11 (Jack Tolmie) and the remainder of DL2309 to Jack Tolmie. Jack was the grandson HBC Chief Factor W.F.Tolmie, and a nephew of Premier S.F.Tolmie. Western Eagle Enterprises, Inc. purchased Jack Tolmie Island and the remainder of DL2309 in 1997 from the Dr. Henderson Estate. Dr. Henderson had acquired the property from Jack Tolmie during 1970. Western Eagle is owned by Beth Drummond. Western Eagle's representative Barry Drummond, spent three years working with the Ministry of Transportation and Highways and the SCRD's Planning Department, designing, planning and negotiating a 84 acre new subdivision on the mainland called the Tideways. Jack Tolmie was encompassed with the development which included modern services.(underground power, water and sewer services). The existing services to Tiki Island's water and power services were connected to the new subdivision's infrastructure.

Turnagain Island is approximately 92 acres in size and comprised of three large lots, two of which are serviced by SCRD water and BC Hydro. There are two easements registered on title, one for utilities over lands on the mainland and for BC Hydro.

Echo Island is a 3 acre lot and has water and power services from the mainland to one single family dwelling. There are multiple easements registered on title over other lands for right-of-way for telephone, electrical, water and sewer lines.

Objectives:

- 4.6.1 To preserve and protect the natural ecosystems and habitats of the islands.
- 4.6.2 To maintain the residential character of the Secret Cove islands.
- 4.6.3 To encourage that any new development is clustered and sensitive to the environment.
- 4.6.4 To maintain the historic residential density of Jack Tolmie, Echo and Tiki Islands, and recognize the regional district intent of water, power, sewer and utility corridors to Jack Tolmie, Echo, Tiki and Turnagain Islands.

Policies:

- 4.6.5 Despite policy 3.2.6, zoning for LOT 11 (EXPLANATORY PLAN 7978) DISTRICT LOT 2309 GROUP 1 NEW WESTMINSTER DISTRICT (Jack Tolmie Island) and DISTRICT LOT 4553 GROUP 1 NEW WESTMINSTER DISTRICT (Echo Island) should permit a maximum density of two dwellings per lot providing that water and sewer infrastructure connections from the island to the mainland along established easements or rights-of-way are in place at the time of issuance of the building permit. If water and sewer lines are not connected the maximum permitted density shall be one dwelling per lot.
- 4.6.6 Uses and structures customarily considered to be accessory to the residential use of the islands should be permitted.

4.7 HISTORY AND OVERVIEW OF PASLEY ISLAND

History and Overview:

Pasley Island was used by First Nations as a whaling station and European settlers first utilized the island for the same purposes. The island was purchased by the Bell-Irving family from New York owners 100 years ago. At the conclusion of the Second World War, the Bell-Irving family proposed an extension of their ownership to families and friends in the Vancouver community.

In 1950, the Bell Irving family sold the island to Pasley Island Limited, which was incorporated with 30 shareholders. Each shareholder held the exclusive use to one of 30 sites on the island. These sites were developed as seasonal cottages with one caretaker living full time on the island. This remains the extent of the development on the island. There is one dirt road, two main docks in bays at the south and the north of the island. The only electricity utilized by members is solar powered. There are no other amenities or utilities. Essentially all of the land is held in common by the 30 shareholders. There is clustering of density towards the north and south ends of the island which house protective bays. As a result most of the island remains undeveloped.

The density and land use that has developed on the island is reflected in a covenant registered on title with the Gambier Island Local Trust Committee in 1992 and is supported in this Official Community Plan.

4.8 HISTORY AND OVERVIEW OF EAST TRAIL ISLAND

History and Overview:

East Trail Island is characterized by rocky outcrops with a scattering of second growth trees. The island has no old growth trees remaining as the island was completely logged. The remaining forest cover is a mix of Western red cedar, fir, spruce, arbutus with an understory of salal and Oregon grape. East Trail Island is not serviced by power, water, sewer or telephone land lines. Access is by boat across the Georgia Strait. There are no paved roads; some residents have ATV transportation for on-island use. The island's 26 lot subdivision was approved by the Ministry of Transportation prior to the creation of the Islands Trust. There is one small community park on the island. Multigenerational residents/owners of the island are full time and seasonal, are generally skilled and collaborate to solve common problems. Residents are self sufficient and have been early adopters of green technologies for energy, sanitation and water systems.

5. CLIMATE CHANGE ADAPTATION AND MITIGATION

Background:

Climate change is the result of increasing concentration of heat-trapping greenhouse gases (GHGs) in the atmosphere as the result of human activities— primarily the burning of fossil fuels and large-scale deforestation occurring with advances in technology and industrialization. The amount of GHGs in the atmosphere has increased in the last 200 years, and has caused a rise in average temperature of air and ocean water. Around the world, people interested in reducing GHG emissions are finding ways to reduce their carbon footprint and decrease or reverse the rate of temperature rise.

The Province of British Columbia, in response to public interest in reducing GHG emissions, adopted Bill 27, the Local Government (Green Communities) Statutes Amendment Act. The intent of the Act is to reduce GHGs, conserve energy, and create more sustainable communities. Most significantly, Bill 27 amended the Local Government Act, requiring that all local governments include GHG emission reduction targets—and policies and actions to achieve those targets— in their Official Community Plans.

The Associated Islands Plan Area is unique in that, given the challenges found in living and recreating on the Islands, residents typically attempt to live lightly on the landscape. For example, many homes and cottages were developed to minimize needed construction materials or to make use of locally milled wood to reduce transportation costs, while lowering GHG emissions associated with importing materials. Many residents already use solar or other alternative energy sources, and seasonal occupancy for many of the homes and cottages means no emissions are produced for significant portions of the year. Common dock facilities encourage trip-sharing, and in the interests of “designing with nature” many residents work with the natural landscape and limit the introduction of landscaped areas that require ongoing maintenance. Reducing GHG emissions in this Plan Area takes on a different meaning where the emissions are considerably lower than would be found in highly developed communities with readily accessible services.

The following target, objectives, policies and actions are the first step to ensuring that the reduction of GHG emissions specifically and the impact of climate change in general become part of the evaluation process for land use planning in the Associated Islands Plan Area.

5.1 TARGET

- 5.1.1 This plan commits to a reduction in greenhouse gas emissions by 20% by 2020 and 85% by 2050 from 2007 levels. Within the planning area, in cooperation with the remainder of the Gambier Island Local Trust area, this reduction will be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations.

5.2 OBJECTIVES

- 5.2.1 To consider the impacts of climate change as a central factor in land use decision-making.
- 5.2.2 To support actions to minimize greenhouse gas emissions.
- 5.2.3 To recognize the importance of forested lands in removing carbon dioxide from the atmosphere.

5.3 POLICIES

- 5.3.1 The LTC should, in its bylaw provisions and review of development applications, consider the potential impacts on global climate change and GHG reduction targets.
- 5.3.2 The LTC should investigate new methods of measuring GHG emissions that are relevant to the Associated Islands Plan Area.
- 5.3.3 The LTC should work with other government agencies, stakeholders and the residents of the Associated Islands to achieve energy conservation and emissions reduction goals.
- 5.3.4 The LTC should identify significant unfragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- 5.3.5 When considering transportation options by air, water or land, both residents and agencies with jurisdiction over services and infrastructure are encouraged to:
 - (a) Reduce fuel requirements
 - (b) Reduce the extent of infrastructure (for example, through the development of common docks or road/trail construction that minimizes the right of way); and
 - (c) Limit the impact on the natural environment.

5.4 ACTIONS

- 5.4.1 The LTC should develop improved methods of determining and assessing the energy efficiency and climate change impacts of proposed development when considering land use applications. Application checklists may be developed to encourage climate change mitigation and adaptation criteria, such as energy efficiency, energy security, renewable energy and carbon sequestration impacts.
- 5.4.2 The LTC should work with the regional district and other agencies to ensure that the Associated Islands receive annual refuse removal as committed to by the regional districts.
- 5.4.3 The LTC should work with the Trust Fund Board and other conservation organizations to promote the conservation of forested land as a cost effective and important climate change mitigation strategy.
- 5.4.4 Residents are encouraged to:

- (a) Incorporate high energy efficiency into building design and construction and use carbon-efficient materials in new construction;
- (b) Limit the use of fossil-fuel burning engines or generators and use alternative energy sources where possible; and
- (c) Limit the burning of refuse.

5.4.5 Government agencies, when considering changes to infrastructure on the Islands, are strongly encouraged to mitigate impacts on the natural environment for any proposals for park, trail, road, ferry, dock, or infrastructure development.

5.4.6 The importation of bulk water adds to GHG emissions through the transportation of water by boat or barge. The LTC encourages alternative methods of increasing water self-sufficiency on the Islands.

5.4.7 To encourage alternative energy use, the Islands Trust should investigate the feasibility of the bulk purchase of small scale residential solar or other alternative energy equipment for resale to Island residents.

5.4.8 Zoning regulations should support small scale residential solar and wind power generation on residential lots.

5.4.9 To reduce the need for travel and the production of GHG emissions, the LTC should continue with the investigation of new methods for electronic meetings and consider amending its meeting procedures bylaw to permit electronic virtual business meetings that would be available and open to the public.

5.4.10 The LTC should work with Trust Council to add a “carbon neutral calculator” to the Islands Trust Climate Wise Islands website to assist residents in calculating their personal and household GHG emissions. The calculation would be voluntary, and residents would be provided with a printout that compiles a list of suggested personal actions that could be taken to reduce emissions, tailored to the individual conditions entered into the calculator.

6. DEVELOPMENT PERMIT AREAS, TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION

6.1 DEVELOPMENT PERMIT AREAS

The designation of Development Permit Areas and establishment of objectives and guidelines for the issuance of development permits will be incorporated into the Official Community Plan when supportive mapping of the Plan Area is available.

BL131

BACKGROUND

BL145

Pursuant to Section 488 of the *Local Government Act*, a community plan may designate areas as development permit areas for the:

- (a) protection of the natural environment, its ecosystems and biological diversity;
- (b) protection of development from hazardous conditions;
- (c) protection of farming;
- (d) revitalization of an area in which commercial use is permitted;
- (e) establishment of objectives for the form and character of intensive residential development;
- (f) establishment of objectives for the form and character of commercial, industrial and multi-dwelling residential development;
- (g) establishment of objectives to promote energy conservation;
- (h) establishment of objectives to promote water conservation; and,
- (i) establishment of objectives to promote the reduction of greenhouse gas emissions.

For a property in a development permit area, no construction, structural alteration, or addition to a building or structure may take place prior to a development permit being obtained. In addition, a property in a development permit area may not be subdivided, nor the land altered, prior to a development permit being obtained.

As a condition of designating a development permit area in a community plan it is necessary to briefly describe the feature or site to be designated, state the objective to be achieved through designation and outline the guidelines to be complied within the development permit area. This format is used below to describe the development permit areas in the Gambier Associated Islands Planning Area. These locations are also shown in map form in Schedule E.

DEVELOPMENT PERMIT AREA 1: RIPARIAN AREAS

This Development Permit Area (DPA) is established, pursuant to Section 488(1) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity

BL131 The Riparian Areas DPA is designated as an area for which development approval information may
BL145 be required as authorized by Section 485(1) of the Local Government Act. Development approval
information in the form of a report from a Qualified Environmental Professional (QEP) may be
required.

Terms used in this section that are defined in the Riparian Areas Protection Regulation, BC Riparian Areas Protection Act (RAPR) are intended to be interpreted in accordance with the definition given in the Regulation.

BL145

LOCATION:

The Riparian Areas Development Permit Area, DP-1, includes all land designated on Schedule E of this plan, and any of the following that provides fish habitat, as defined as a stream in accordance with RAPR:

- (a) a watercourse or body of water, whether or not usually containing water; and
- (b) any of the following that is connected by surface flow to a watercourse or body of water referred to in (a):
 - (i) a ditch, whether or not usually containing water;
 - (ii) a spring, whether or not usually containing water;
 - (iii) wetland.

For a stream that is not located in a ravine, the development permit area is a 30 metre strip on each side of the stream, measured from the stream boundary.

For a stream located within a ravine less than 60 metres wide, the development permit area is a 30 metre strip on each side of the stream, measured from the stream boundary to a point that is 30 metres beyond the top of the ravine bank.

For a stream located within a ravine that is 60 or more metres wide, the development permit area is a 10 metre strip on each side of the stream, measured from the stream boundary to a point that is 10 metres beyond the top of the ravine bank.

The designation and delineation of Development Permit Area 1 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust. The actual location of the streams and water bodies and the actual extent of the Development Permit Area may need to be determined on a site-specific basis by a qualified environmental professional or a surveyor.

JUSTIFICATION

BL131

This development permit area contains streams, lakes and wetlands and their associated riparian areas, which have been identified as potential fish habitat. Riparian areas are necessary for stream and watershed health. Our job as stewards of the land is to ensure that these areas continue to function well into the future.

Riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and

flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of the Gambier Associated Islands.

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Furthermore, the Province of British Columbia's Riparian Areas Protection Act, requires that local governments establish regulations to protect riparian areas. This designation is intended to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

OBJECTIVES:

The objectives of this development permit area are as follows:

- 6.1.1 To protect the biological diversity and habitat values of riparian and aquatic ecosystems;
- 6.1.2 To protect the natural environment necessary to conserve productive fish habitat, including both streams and the adjacent land and vegetation; and
- 6.1.3 To minimize adverse impacts of land use practices on wildlife habitats and plant habitats in riparian areas.

DEVELOPMENT APPROVAL INFORMATION

Development Permit Area 1 is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a Qualified Environmental Professional (QEP) may be required due to the special conditions and objectives described above.

"Information Note: Development Permit Area Guidelines for DP-1 Riparian Areas are in the Gambier Associated Islands Land Use Bylaw, 2013 and the Bowyer and Passage Islands Land Use Bylaw, 2011."

BL145

DEVELOPMENT PERMIT AREA 2: STREAMSIDE PROTECTION

This Development Permit Area (DPA) is established, pursuant to Section 488(1) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

Location

The Streamside Protection Development Permit Area, DP-2, includes all land designated on Schedule E of this plan. The development permit area is 30 metres (98.4 feet) measured from the natural boundary of the stream.

Justification

Streamside areas support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support aquatic life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, its ecosystems and biological diversity.

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Objectives:

The objectives of this development permit area are as follows:

- 6.1.4 To protect biological diversity and habitat values of streamside and aquatic ecosystems;
- 6.1.5 To minimize adverse impacts of land use practices on wildlife habitats and plant habitats in riparian areas.

Development Approval Information

Development Permit Area 2 is designated as an area for which development approval information may be required as authorized by Section 485(1) of the *Local Government Act*. Development approval information in the form of a report from a Qualified Environmental Professional (QEP) or another professional may be required due to the special conditions and objectives described above.

“Information Note: Development Permit Area Guidelines for DP-2 Streamside Protection is in the Gambier Associated Islands Land Use Bylaw, 2013.”

6.2 TEMPORARY USE PERMITS

An Official Community Plan may designate areas where temporary commercial or industrial uses may be allowed. A temporary use permit may, notwithstanding a zoning bylaw, allow a commercial or industrial use, permit the construction or use of buildings or structures to accommodate persons who work at the commercial or industrial enterprise in respect of which the permit is issued and specify conditions under which a temporary commercial or industrial use may be carried on. A permit may be

issued for a period of up to two years and may be renewed only once. The issuance of a temporary use permit should be conditional on compliance with the following guidelines:

- 6.2.1 Temporary Commercial or Industrial Use Permits may be issued for any area covered by this plan, except for areas designated Park or Conservation on Schedule C.
- 6.2.2 Temporary Commercial and Industrial Use Permits should only be issued for activities that are of short and fixed duration.
- 6.2.3 An application for a Temporary Commercial or Industrial Use Permit should only be considered if the proposal can be demonstrated to have minimal negative impact on the environment of the Associated Islands Area.
- 6.2.4 In issuing a Temporary Commercial or Industrial Use permit, the LTC should specify conditions under which the use may be carried on that would mitigate any impacts of the use, including restoration of land upon completion of the permit.

6.3 DEVELOPMENT APPROVAL INFORMATION

- 6.3.1 The area subject to this bylaw is designated as an area under which development approval information may be required for the purpose of obtaining consistent and comprehensive information on the impacts of proposed development.
- 6.3.2 Trust Council may consider adoption of a development approval information bylaw pursuant to s. 485(1) of the Local Government Act.

7. ADMINISTRATION AND INTERPRETATION

7.1 PURPOSE

The purpose of this official community plan bylaw is to further the object of the *Islands Trust Act* through long-range land use policy for the portion of the Gambier Island Local Trust Area subject to this bylaw. This bylaw provides a statement of local government goals, objectives and policies. It is intended to provide policy guidance for the Gambier Island Local Trust Committee, government agencies, organizations and the public regarding the existing and proposed land use and development in the portion of Local Trust Area subject to this bylaw.

7.2 ISLANDS TRUST AUTHORITY

The *Islands Trust Act* gives the Islands Trust, through its Local Trust Committees, has the same land use planning authority as a regional district board under the *Local Government Act*. Bylaws must be approved by the Islands Trust Executive Committee and, in the case of Official Community Plans, also by the Minister of Community and Rural Development before adoption by the Local Trust Committee.

The Gambier Island Local Trust Committee is the Local Trust Committee with responsibility for land use planning and regulations within the Gambier Island Local Trust Area. This committee has three

members: two locally elected trustees and a member of the Executive Committee appointed by the chairperson of the Islands Trust Council.

The purpose of the Trust Council, Executive Committee, and Local Trust Committees is to carry out the object of the Islands Trust, which is:

To preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of the Province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of the province.

The legislated object defines the purpose of providing authority to the Islands Trust for land use regulation. Local trust committees employ the available planning powers of the *Local Government Act* to preserve, protect, and effectively maintain the rural nature, health, natural environment and vitality of the Trust Area.

7.3 AREA OF JURISDICTION

The provisions of this Bylaw apply to that portion of the Gambier Island Local Trust Area shown on Schedule "B", which forms part of this bylaw. The provisions of this bylaw are not applicable to other portions of the Gambier Island Local Trust Area.

7.4 ADVOCACY POLICIES

Community goals and objectives included in this bylaw that address matters that are outside the jurisdiction of the Gambier Island Local Trust Committee are considered "advocacy policies". These advocacy policies encourage others to take actions that the local trust committee believes would contribute to the goals and objectives of the plan. This bylaw cannot and does not represent a commitment from other agencies or persons to act according to community goals, objectives or policies.

7.5 PUBLIC FACILITIES

Any designation or policy for proposed public facilities on private lands including but not restricted to roads, parks, trails, parking facilities, and public and community facilities that are not available for acquisition through dedication, grants, or as an amenity through a zoning regulation and that are not subject to committed funds either through a capital expenditure plan or other budgeting process of the public agency responsible for the proposed facility, shall be deemed to be a community goal of this bylaw.

7.6 IMPLEMENTATION

Section 884 of the Local Government Act specifies that:

"An official community plan does not commit or authorize a municipality, regional district (includes a local trust committee pursuant to Section 27 of the Islands Trust Act) or improvement district to proceed with any project that is specified in the plan."

and

"All bylaws enacted or works undertaken by a council, board or greater board (includes a local trust committee pursuant to Section 27 of the Islands Trust Act), or by the trustees of an improvement district, after the adoption of an official community plan must be consistent with the relevant plan."

7.7 INTERPRETATION

7.7.1 In the system used for referencing provisions, the single digit number indicates parts, the two digit number sections, the three digit numbers policies and the lower case letters articles:

Part:	1
Section:	1.1
Policy:	1.1.1
Subsection:	(a)

7.7.2 The final interpretation as to the precise location of boundaries on any map schedule shall be defined by:

- (a) Where boundaries coincide with lot lines, the boundaries are the lot lines.
- (b) Where a boundary is shown as following any highway, right-of-way or stream, the centre line of such highway, right-of-way, or stream the centreline of that feature is the boundary.
- (c) Where land based and water based boundaries coincide, the common boundary shall be the surveyed lot line as shown on a plan registered in the Land Title Office, and where there is no such plan the natural boundary of the sea is the common boundary.
- (d) Where a boundary does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by scaling from the map schedule and in that case the boundary is the midpoint of the line delineating the boundary on the schedule.

7.7.3 In interpreting the objectives and policies of the Plan, the term "shall" or "will" denotes that the indicated measure must be taken or applied. The term "should" or "may" indicates that the suggestion is intended as a guideline.

7.7.4 Throughout this Plan, the words listed below shall be defined as follows:

Conservation – actions, legislation or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or area of human heritage value or character.

Ecosystem – a complete system of living organisms interacting with the soil, land, water, and nutrients that make up their environment. An ecosystem is the home of

living things, including humans. An ecosystem can be any size—a log, pond, field, forest, or the earth’s biosphere—but it always functions as a whole unit. Ecosystems are commonly described according to the major type of vegetation—for example, old-growth forest or grassland ecosystem.

Environmentally Sensitive Area - places that have special environmental attributes worthy of retention or special care. These areas are critical to the maintenance of productive and diverse plant and wildlife populations. Examples include rare ecosystems, habitats for species at risk and areas that are easily disturbed by human activities. Some of these environmentally sensitive areas are home to species which are nationally or provincially significant, others are important in a more local context. They range in size from small patches to extensive landscape features, and can include rare and common habitats, plants and animals.

Foreshore - the area between the high and low water mark of tidal water.

Local Trust Committee (LTC) - The Gambier Island Local Trust Committee.

Official Community Plan - A community plan adopted pursuant to Part 26, Division (2), Section 876 of the *Local Government Act*.

Park - Park land acquired through dedication of land at time of subdivision, donation or by purchase through a community parks function of a regional district unless otherwise specified in this Bylaw.

Plan - An Official Community Plan adopted by the Gambier Island Local Trust Committee.

Precautionary Principle – the recognition that when an activity raises threats of harm to the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically.

Preserve – to maintain a given condition. Preservation often requires maintaining the processes that generate the desired condition.

Protect – to maintain over the long-term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.

Sensitive Ecosystem – ecosystems which are fragile and/or rare, or those ecosystems which are ecologically important because of the diversity of species they support.

Stewardship – voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area.

Sustainable – capable of meeting the environmental, economic and social needs of current generations without compromising the ability of future generations to meet their needs.

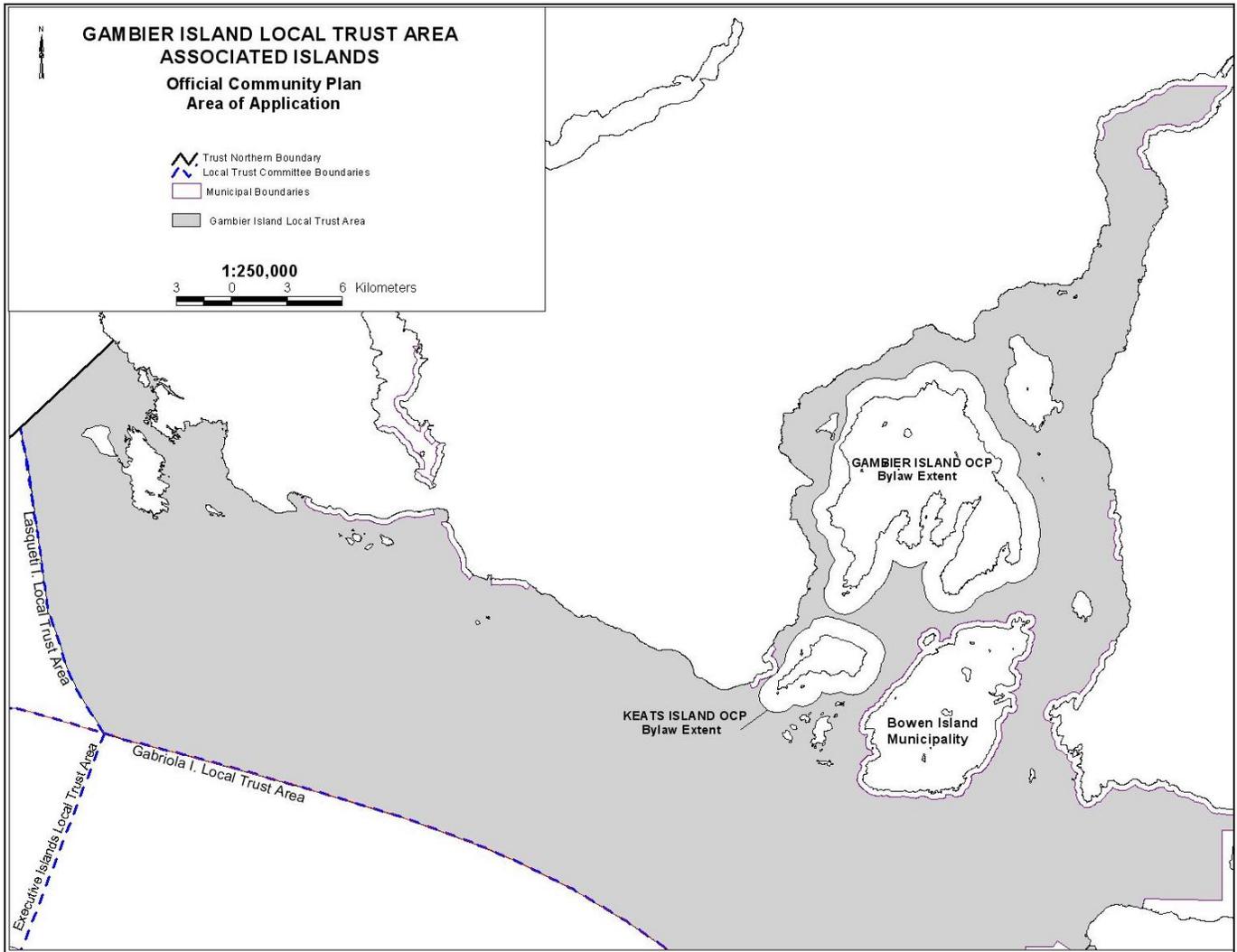
7.8 AMENDMENT PROCEDURE

This Bylaw may be amended by the Gambier Island Local Trust Committee, at its initiative or in response to an application. Individuals seeking amendment shall submit applications in the form provided for in the bylaws of the Local Trust Committee that address fees and procedures.

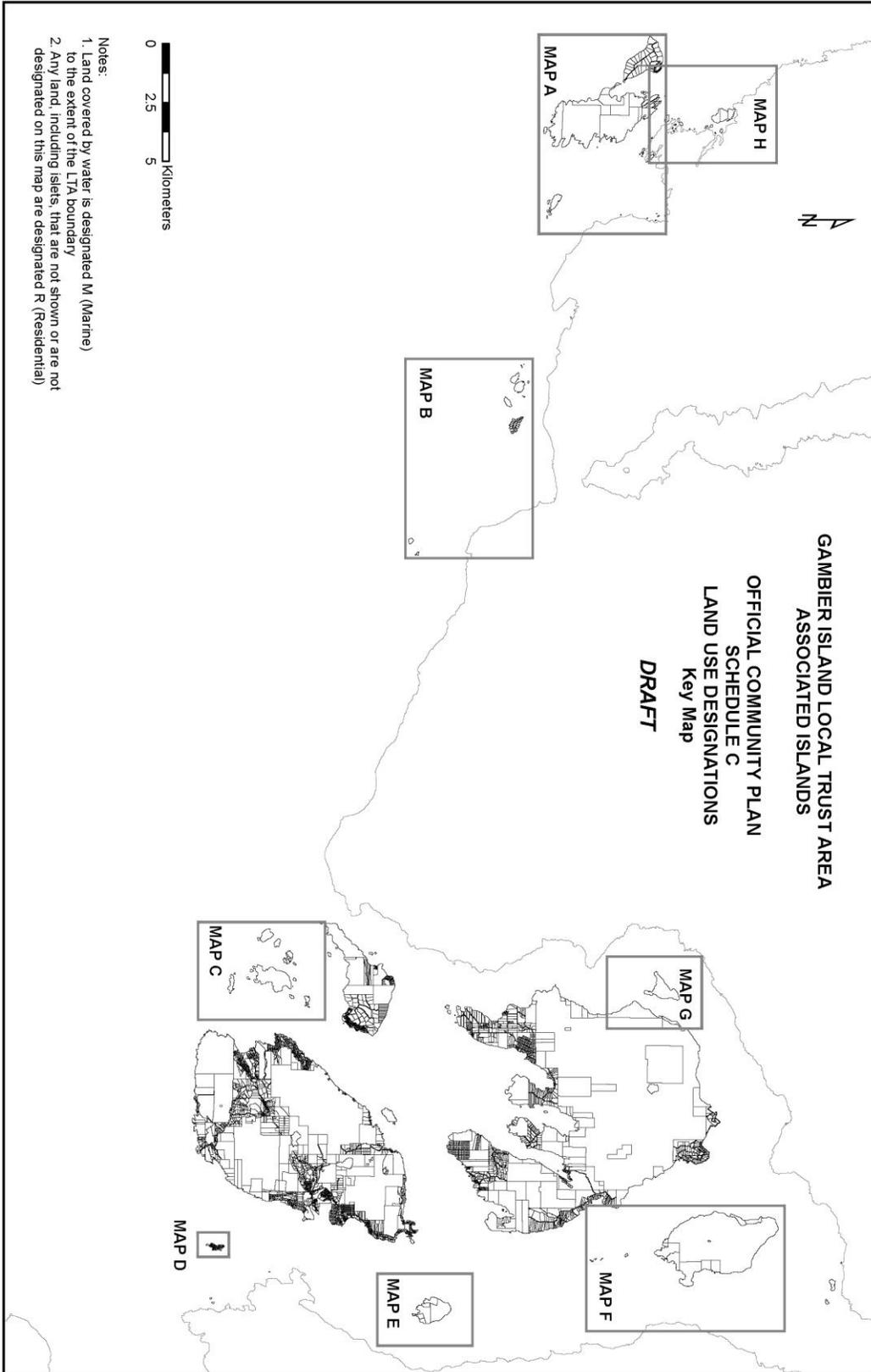
7.9 SEVERABILITY

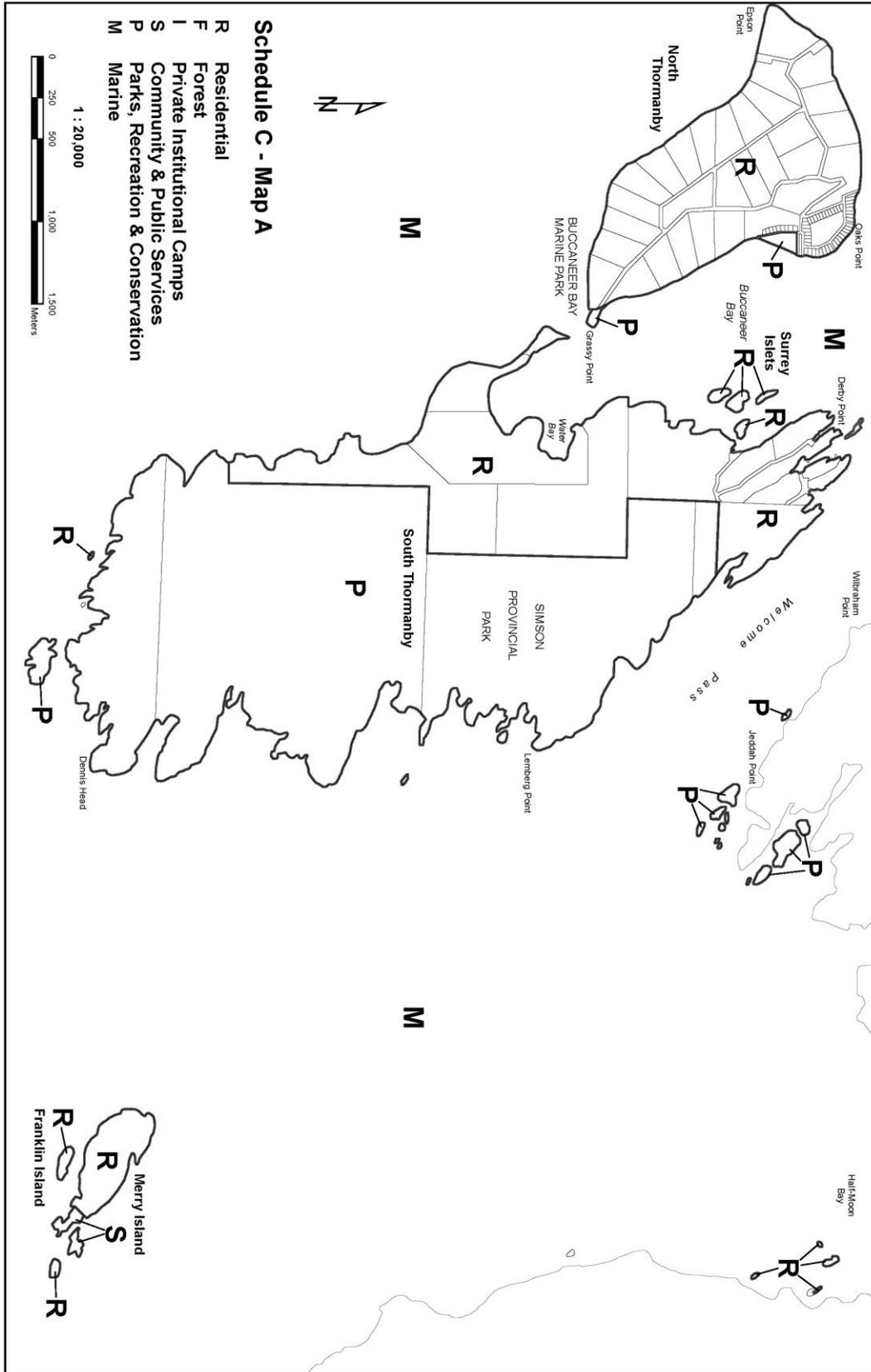
If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

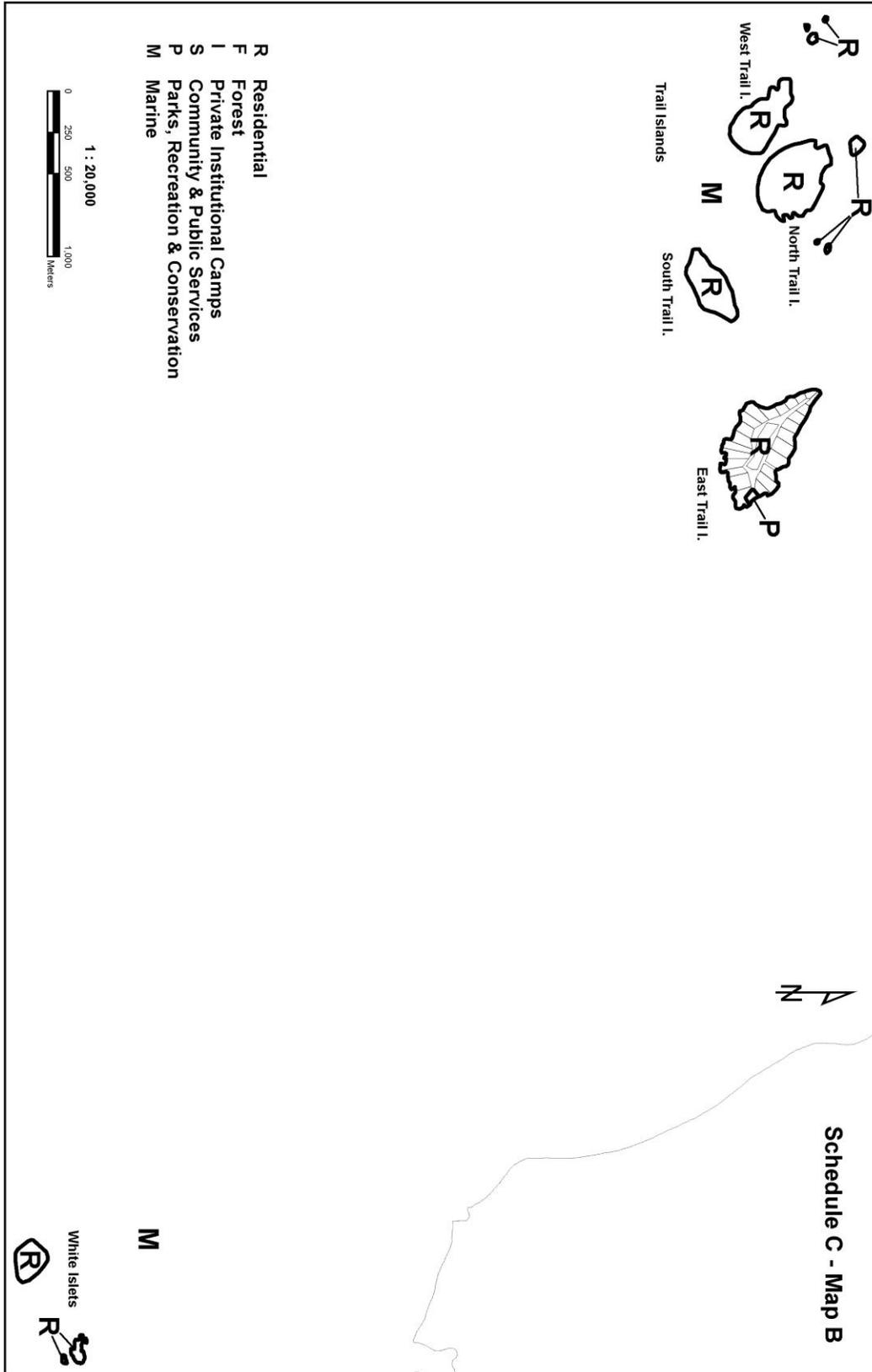
SCHEDULE B - Bylaw area map

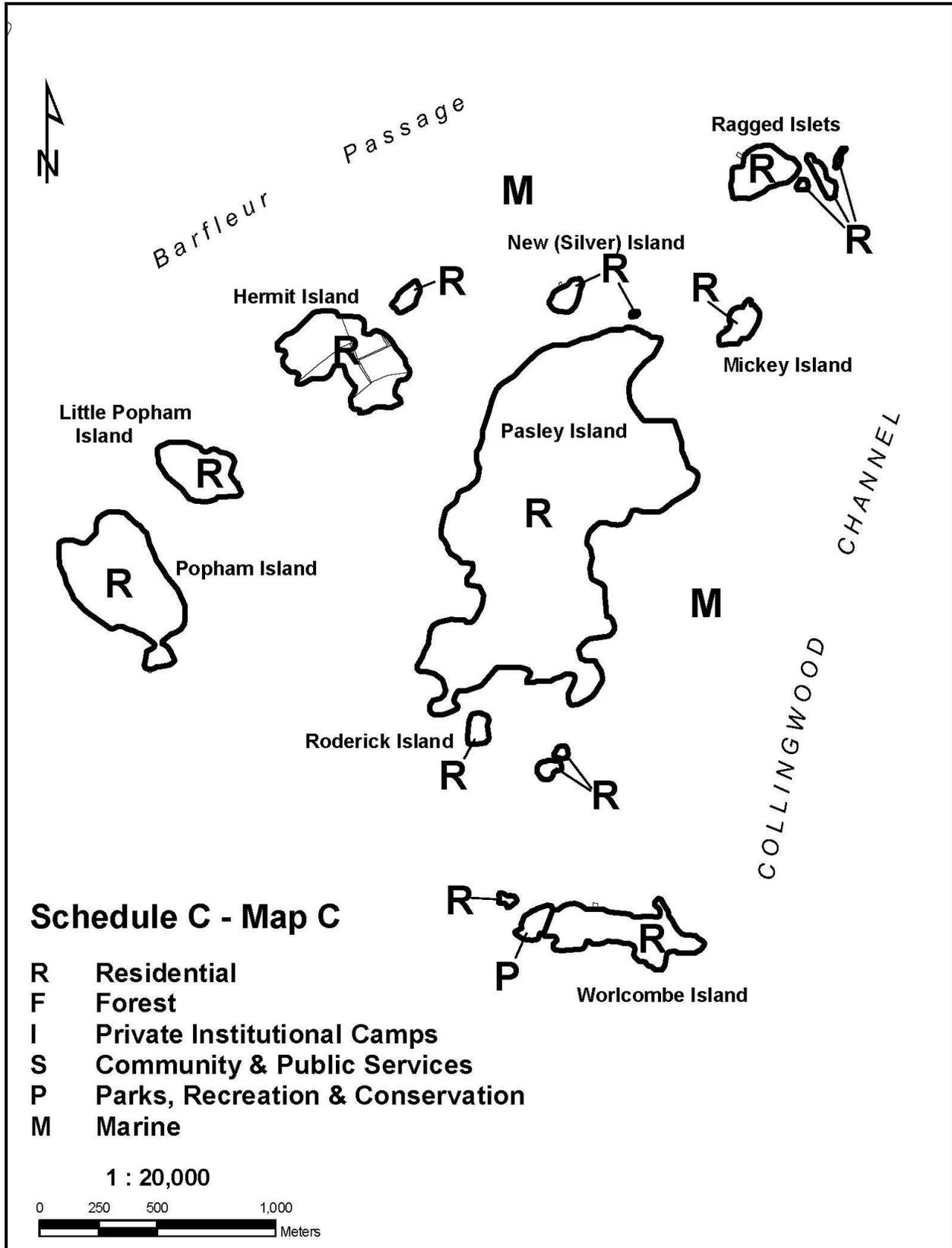


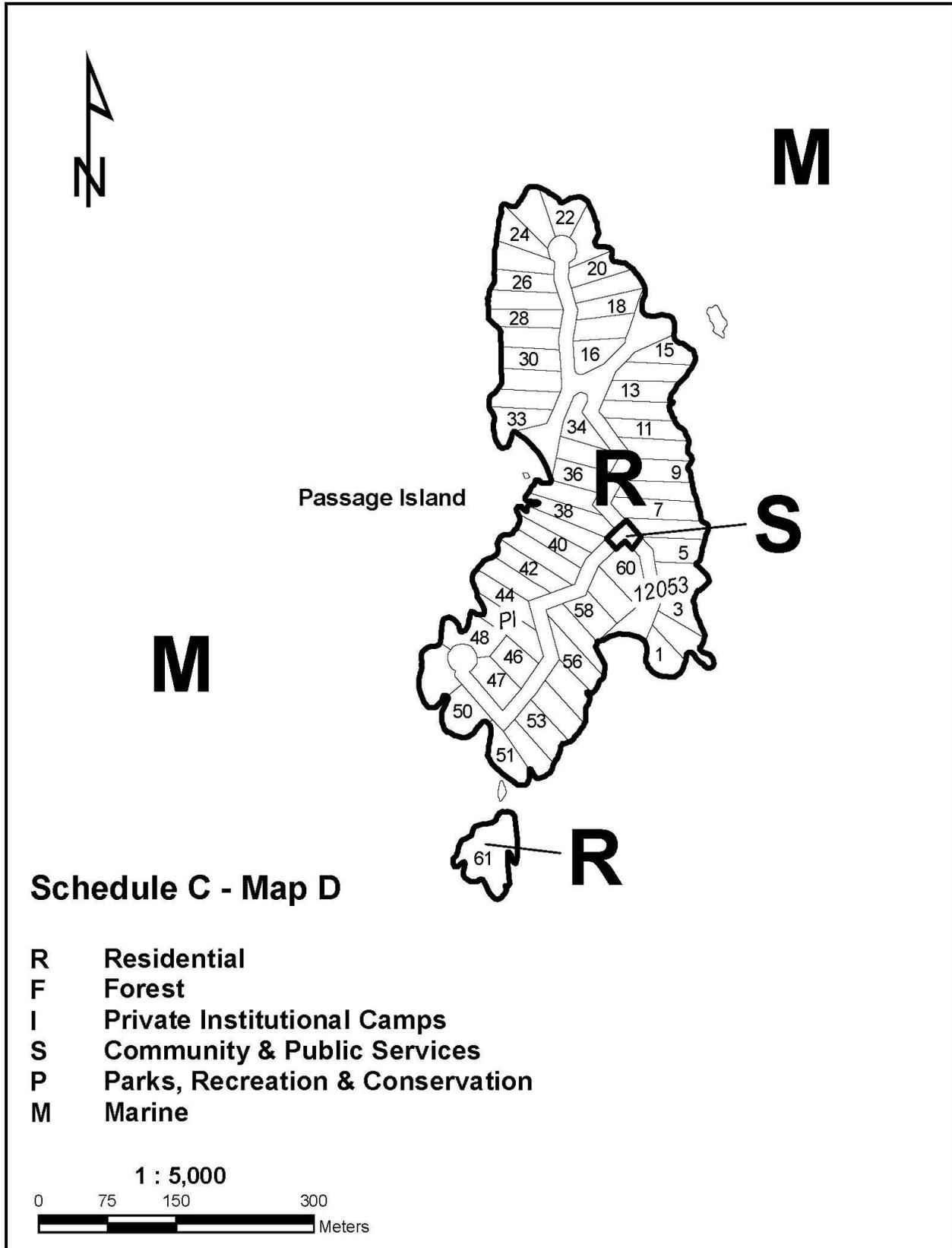
SCHEDULE C - Land Use Designation Key

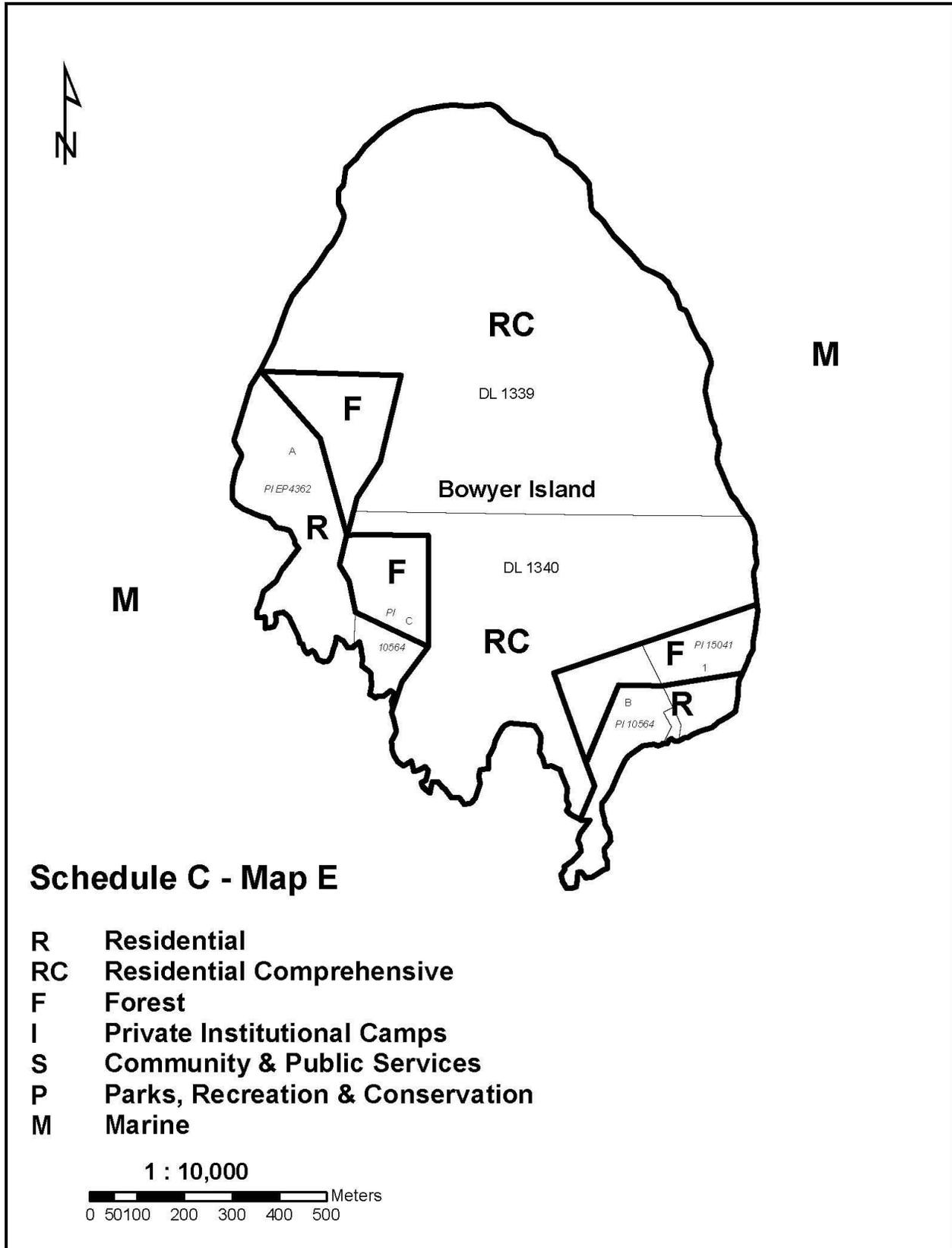


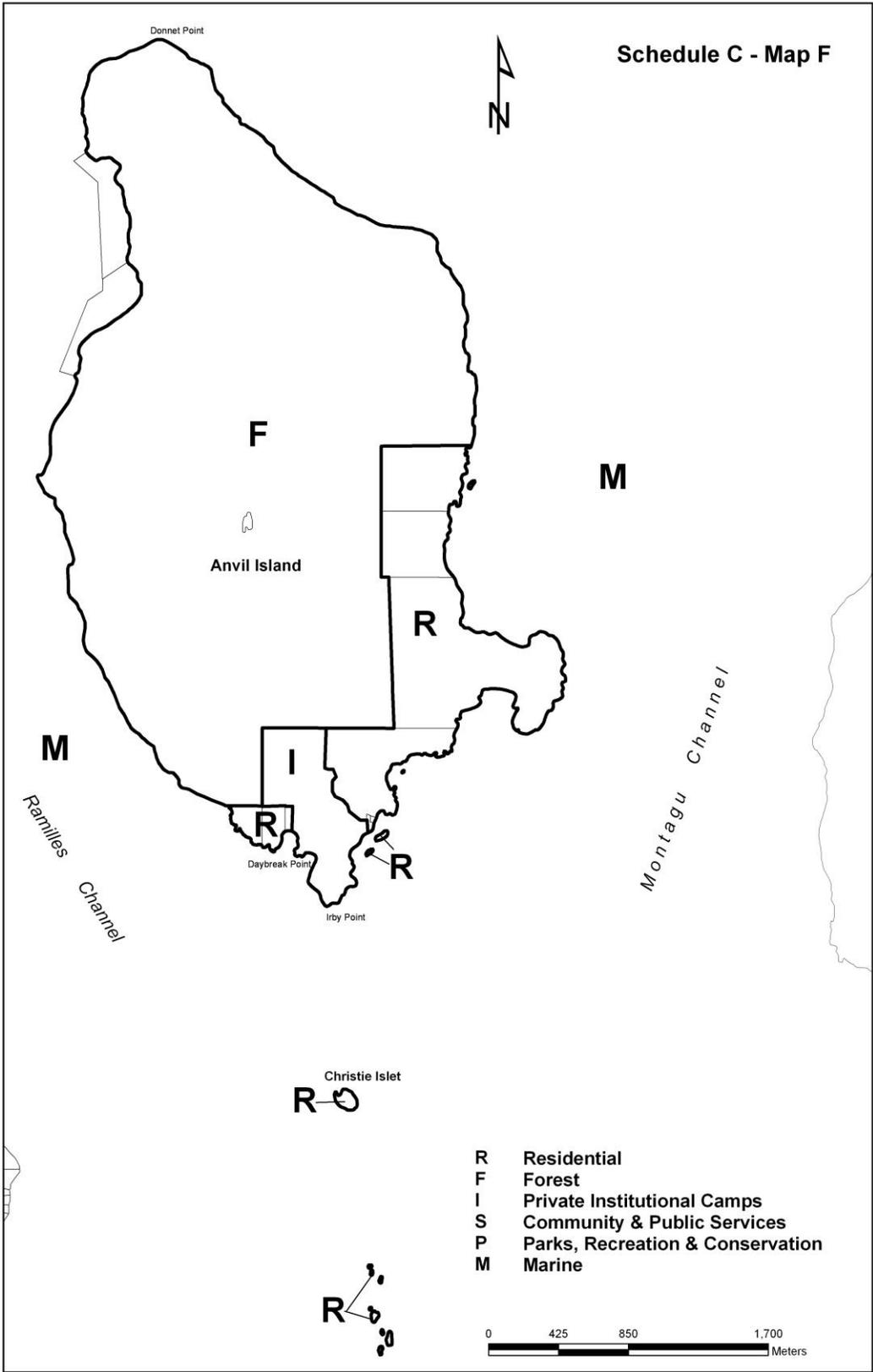


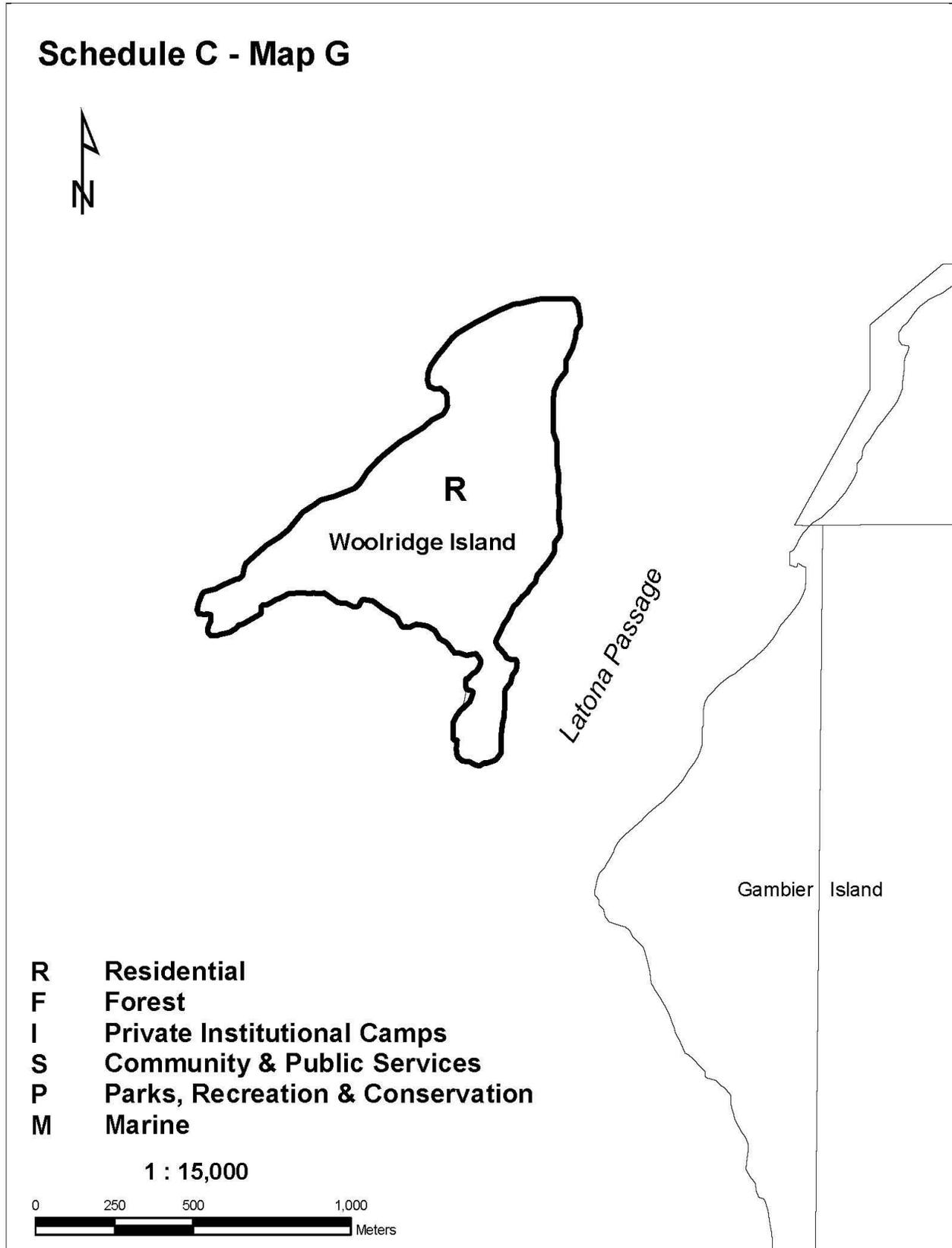


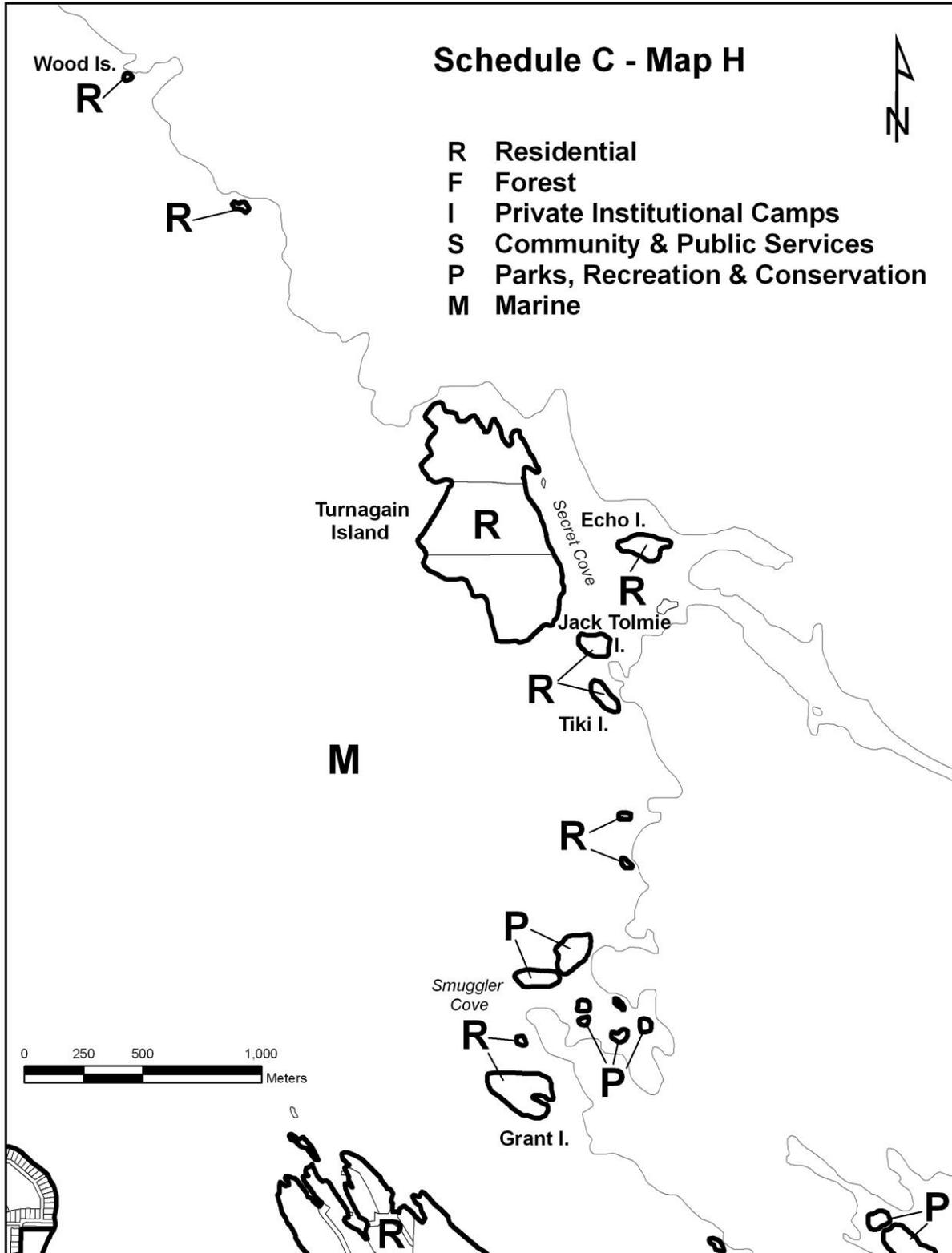




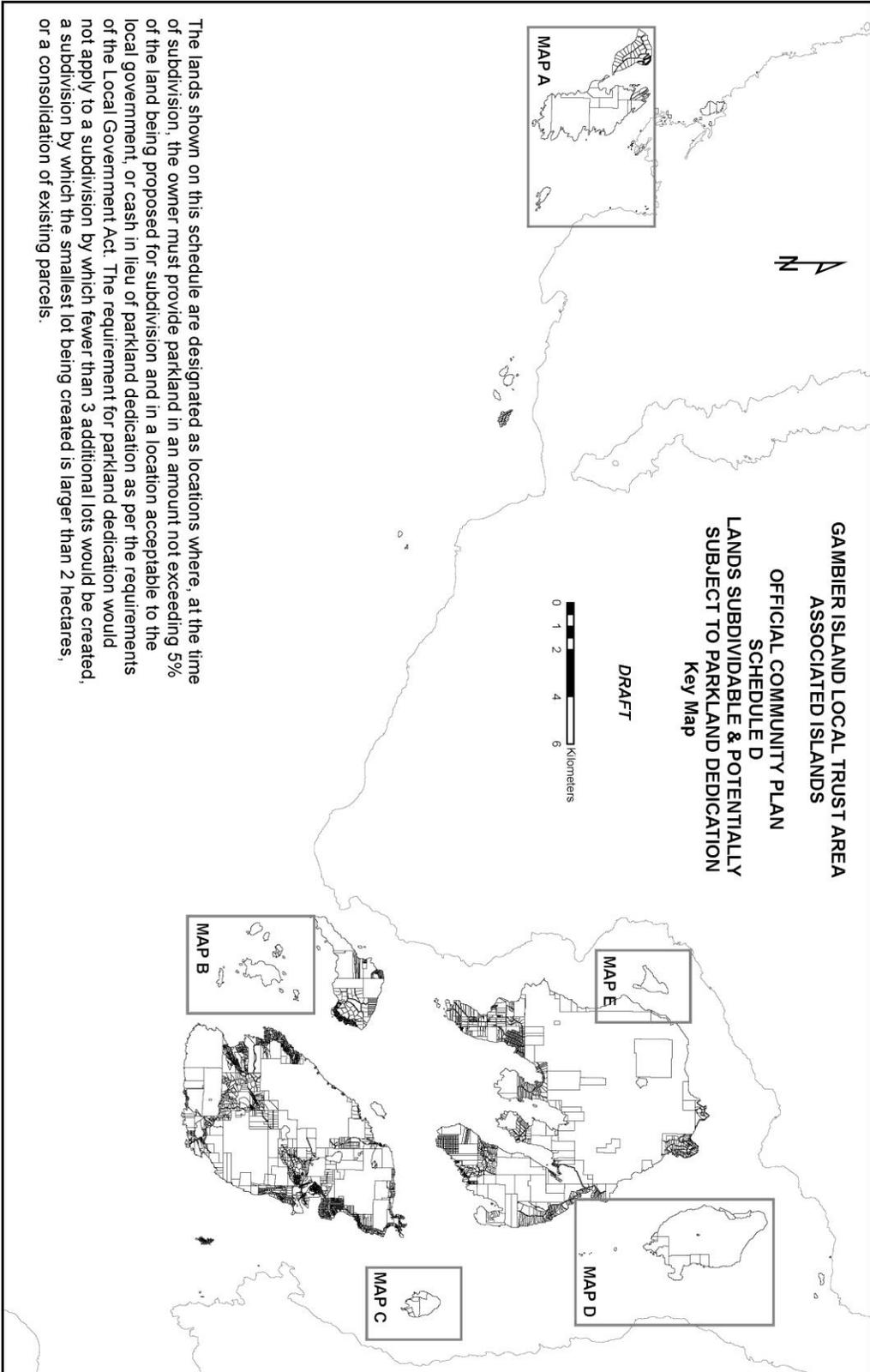




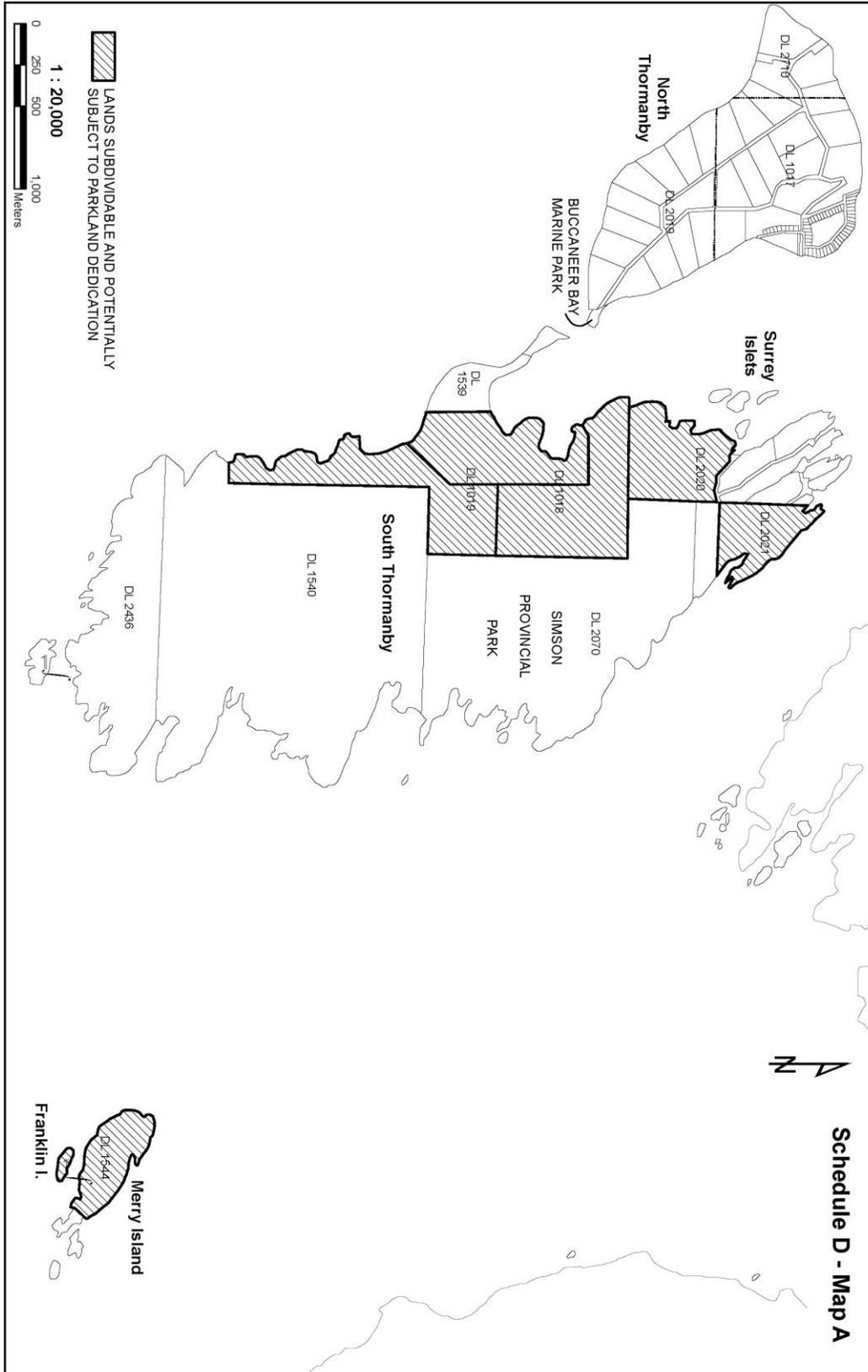




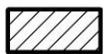
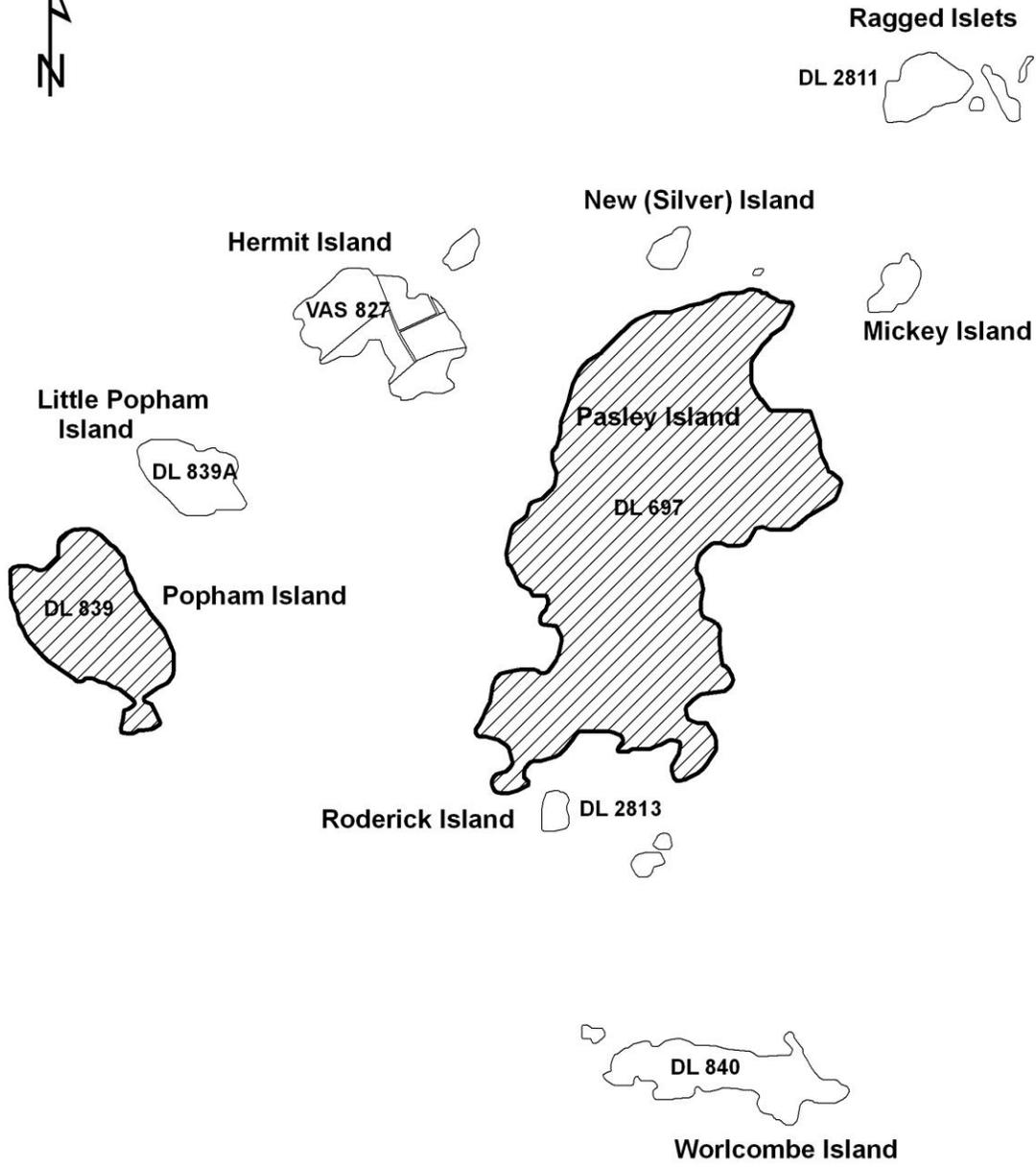
SCHEDULE D –Lands Subdividable and Potentially Subject to Parkland Dedication



The lands shown on this schedule are designated as locations where, at the time of subdivision, the owner must provide parkland in an amount not exceeding 5% of the land being proposed for subdivision and in a location acceptable to the local government, or cash in lieu of parkland dedication as per the requirements of the Local Government Act. The requirement for parkland dedication would not apply to a subdivision by which fewer than 3 additional lots would be created, a subdivision by which the smallest lot being created is larger than 2 hectares, or a consolidation of existing parcels.



Schedule D - Map B



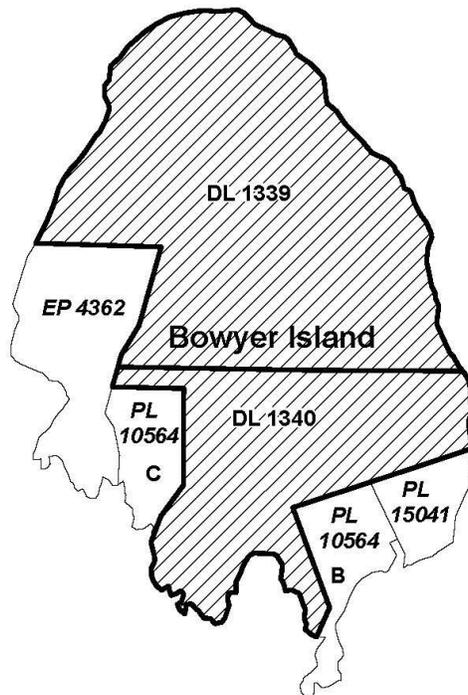
LANDS SUBDIVIDABLE AND POTENTIALLY SUBJECT TO PARKLAND DEDICATION



Schedule D - Map C



Howe Sound



LANDS SUBDIVIDABLE AND POTENTIALLY
SUBJECT TO PARKLAND DEDICATION

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