



Gambier Island Local Trust Committee

Regular Meeting Agenda

Date: October 13, 2016
Time: 10:45 am
Location: Gleneagles Community Centre
6262 Marine Drive, West Vancouver, BC

Pages

1. CALL TO ORDER 10:45 AM - 11:00 AM
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."
2. APPROVAL OF AGENDA
3. TOWN HALL AND QUESTIONS
4. COMMUNITY INFORMATION MEETING
Riparian Areas Regulation Bylaw Nos. 129 to 133 for Keats, Anvil, Bowyer and S. Thormanby Islands.
5. PUBLIC HEARINGS - to begin at 11:00 am
 - 5.1 Recess for Public Hearings
 - 5.2 Proposed Bylaw Nos. 129 and 130
 - 5.3 Proposed Bylaw Nos. 131, 132 and 133
 - 5.4 Recall to Order
6. MINUTES
 - 6.1 Local Trust Committee Meeting dated September 20, 2016 for adoption 4 - 15
 - 6.2 Section 26 Resolutions-Without-Meeting Report dated October 4, 2016 16 - 16
 - 6.3 Advisory Planning Commission Minutes - none
7. BUSINESS ARISING FROM MINUTES
 - 7.1 Follow-up Action List dated October 4, 2016 17 - 19
 - 7.2 Fixed Link Study - Public Consultation - discussion
8. DELEGATIONS

9. CORRESPONDENCE

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

10. APPLICATIONS AND REFERRALS

- 10.1 GM-DVP-2016.3 Akehurst and Payne (Gambier Acres)
 - 10.1.1 [Staff Report](#) 20 - 52
- 10.2 GM-RZ-2004.1 (District Lot 696)
 - 10.2.1 [Staff Report](#) 53 - 208

11. LOCAL TRUST COMMITTEE PROJECTS

- 11.1 Riparian Areas Regulation Bylaw Nos. 129, 130, 131, 132 and 133
 - 11.1.1 [Staff Report](#) 209 - 295
- 11.2 Gambier Official Community Plan Review - Update
 - 11.2.1 [Staff Report](#) 296 - 299

12. REPORTS

- 12.1 Work Program Reports
 - 12.1.1 [Top Priorities Report dated October 4, 2016](#) 300 - 300
 - 12.1.2 [Projects List Report dated October 4, 2016](#) 301 - 302
- 12.2 Applications Report dated October 4, 2016 303 - 305
- 12.3 Trustee and Local Expense Report dated August, 2016 306 - 306
- 12.4 Adopted Policies and Standing Resolutions 307 - 307
- 12.5 Local Trust Committee Webpage
- 12.6 Chair's Report
- 12.7 Trustee Reports
- 12.8 Electoral Area Director's Report
- 12.9 Trust Fund Board Report, September, 2016 308 - 309

13. NEW BUSINESS

- 13.1 Preparation for Howe Sound Community Forum - discussion
- 13.2 2017 Local Trust Committee Meeting Schedule - Staff Report 310 - 311
- 13.3 Supporting Improvement Districts - for discussion
- 13.4 Telecommunication Facilities - Process Overview - for discussion

14. UPCOMING MEETINGS

- 14.1** Next Regular Meeting Scheduled for Thursday, November 17, 2016 at 10:45 am at John Braithwaite Community Centre (Meeting Room #2), 145 West 1st Street, North Vancouver, BC

15. TOWN HALL

16. CLOSED MEETING

16.1 Motion to Close Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, S.90(1)(d) Adoption of In-Camera meeting minutes dated September 8, 2016 and (f) Bylaw Enforcement and that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT



Gambier Island Local Trust Committee Minutes of Regular Meeting

Date: August 25, 2016
Location: Gambier Island Community Centre
 Andy's Bay Road, Gambier Island, BC

Members Present Susan Morrison, Chair
 Dan Rogers, Local Trustee
 Kate-Louise Stamford, Local Trustee

Staff Present Aleksandra Brzozowski, Island Planner
 Diane Corbett, Recorder

Also Present 5 members of the public

1. CALL TO ORDER

Chair Morrison called the meeting to order at 9:50 a.m. She acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

Chair Morrison introduced trustees and staff, and acknowledge the presence in the audience of former Local Trustee Joyce Clegg.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Add to 12.3: Trustee and Local Expense Report dated July 2016
- Add 16.0: Closed meeting

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

There were no comments or questions from the public.

4. MINUTES

4.1 Local Trust Committee Meeting dated July 28, 2016 for adoption

The following amendments to the minutes were presented for consideration:

- page 5, item 10.1.1, third full paragraph, second word: replace “Supine” with “Lepin”;
- page 10, item 13.7, line 2, after “report.”: insert “the preparatory work to re-install”;
- page 10, item 13.8, last bullet, after “processes”: insert “for the BURNCO application”.

By general consent the Local Trust Committee meeting minutes of July 28, 2016 were adopted as amended.

4.2 Section 26 Resolutions-Without-Meeting Report dated August 16, 2016

Received for information.

There was discussion of the August 15, 2016 Resolution-Without-Meeting, regarding a Local Trust Committee draft letter of support for the Squamish Nation tenure of the New Brighton Dock, that was rescinded in light of the need for a review by Islands Trust technical staff. The dock divestiture and the regulatory processes pertaining to the water tenure application by the Squamish Nation Marine Group were discussed.

4.3 Advisory Planning Commission Minutes – None

5. BUSINESS ARISING FROM MINUTES

5.1 Follow-up Action List dated August 16, 2016

The Island Planner reviewed the Follow-up Action List dated August 16, 2016.

5.2 Letter dated July 26, 2016 regarding Green Shores Local Government Working Group

Staff and trustees considered the invitation from the Stewardship Centre for BC to participate in the Green Shores Local Government Working Group, at a cost of \$5,000 per year and minimum commitment of two years. The program would provide members with training and webinars, community engagement activities, technical support for demonstration projects, research, coordination, resource sharing, and other benefits. A regional approach in Howe Sound, as proposed in the correspondence, was discussed.

GM-2016-058

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee make a request to Bowen Island as to whether they are interested in splitting a 2-year membership in the Green Shores for Homes BC Pilot Project to cover both Bowen Island and the Gambier Island Local Trust Area.

CARRIED

6. DELEGATIONS – None

7. CORRESPONDENCE

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

7.1 Letter dated August 3, 2016 from Derek Holmes, BURNCO Rock Products, regarding Public Comment Period for the McNab Valley Proposal

The letter from BURNCO Rock Products regarding the public comment period for the McNab Valley sand and gravel extraction and processing proposal was received for information.

Chair Morrison noted she had brought this item to the Executive Committee, where the Policy Analyst emphasized that any advocacy for the BURNCO proposal should come from the Executive Committee.

Island Planner Brzozowski explained that marine transport and anything to do with waters is under advocacy by the Executive Committee, while issues related to light and noise would be more of a neighbouring referral in the Gambier Island Local Trust Area.

Points of ensuing discussion included:

- Technical nature of the application documentation
- Timeframe for comment
- Previous related correspondence
- Doing a Resolution-Without-Meeting
- Role of trustee on working committee
- BURNCO analysis of noise level
- Noise, light, and air pollution
- Applicant open house sessions in September

GM-2016-059

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Chair write to the BC Environmental Assessment Office to request that the timeframe be extended for the BURNCO application process to allow meaningful input from the public and affected agencies.

CARRIED

At 10:37 a.m., Chair Morrison moved agenda item “12. Reports” forward for discussion.

Chair Morrison recessed the meeting at 10:59 a.m. and reconvened the meeting at 11:08 a.m.

8. COMMUNITY INFORMATION MEETING

Island Planner Brzozowski presented a slideshow with an overview of proposed Bylaw Nos. 140 and 141 regarding implementation of the Riparian Areas Regulation (RAR) on Gambier Island. The presentation included the following topics:

- Background on what happened to date, including mapping of Gambier Island watersheds and developments in the bylaw process;
- Proposed bylaws to subject all mapped and unmapped streams on Gambier Island to Development Permit Area No. 3;
- How the RAR works;
- Activities requiring a Development Permit and exemptions; and
- Applying for a Development Permit.

The Island Planner asked if there were any questions.

Regarding whether the presentation slides on the RAR would be posted to the internet, staff responded that a lot of information had been posted to the website in June, and that the RAR slides from this meeting also could be posted.

Members of the public commented on issues as follows:

- Impacts of road contractors/workers shovelling or dumping soil and other road debris into ditches and creeks around the island;
- Potential impact from twice-a-year road spraying solution mixed with water flowing down Andy's Bay Road.

9. PUBLIC HEARING

9.1 Recess for Public Hearing

By general consent the meeting was recessed at 11:35 a.m. to conduct a Public Hearing on Bylaw Nos. 140 and 141.

9.2 Recall to Order

By general consent the meeting was recalled to order at 11:52 a.m.

10. APPLICATIONS AND REFERRALS – None

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Riparian Areas Regulation

11.1.1 Memorandum dated August 16, 2016

The Island Planner outlined the memorandum dated August 16, 2016 regarding Riparian Areas Regulation – Post-Public Hearing procedures.

The Local Trust Committee considered the comments submitted by the Ministry of Forests, Lands and Natural Resource Operations (FLNRO) on proposed Bylaw Nos. 140 and 141.

GM-2016-060

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee amend proposed Bylaw Nos. 140 and 141 as per the recommendations by letter dated August 22, 2016, written by Andrew Appleton from the Ministry of Forests, Lands and Natural Resource Operations.

CARRIED

Trustee Stamford explained she supported moving ahead with the bylaws as RAR is already in effect, legislated by the Province; the LTC has publicized the process in newsletters, brochures and through opportunities for public engagement.

GM-2016-061

It was MOVED and SECONDED

that Gambier Island Local Trust Committee Bylaw No. 140, cited as “Gambier Island Official Community Plan, 2001, Amendment No. 1, 2016”, be read a second time, as amended.

CARRIED

GM-2016-062

It was MOVED and SECONDED

that Gambier Island Local Trust Committee Bylaw No. 141, cited as “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2016”, be read a second time, as amended.

CARRIED

GM-2016-063

It was MOVED and SECONDED

that Gambier Island Local Trust Committee Bylaw No. 140, cited as “Gambier Island Official Community Plan, 2001, Amendment No. 1, 2016”, be read a third time.

CARRIED

GM-2016-064

It was MOVED and SECONDED

that Gambier Island Local Trust Committee Bylaw No. 141, cited as “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2016”, be read a third time.

CARRIED

GM-2016-065

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw Nos. 140 and 141, cited as “Gambier Island Official Community Plan, 2001, Amendment No. 1, 2016” and “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2016” are not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GM-2016-066

It was MOVED and SECONDED

that Gambier Island Local Trust Committee Bylaw Nos. 140 and 141, cited as “Gambier Island Official Community Plan, 2001, Amendment No. 1, 2016” and “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2016”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

Chair Morrison recessed the meeting at 12:13 p.m. and reconvened the meeting at 12:32 pm.

11.2 Gambier Island Official Community Plan Review

11.2.1 Staff Report dated August 12, 2016 (Community Survey Results)

The staff report of August 12, 2016 had been updated, with paper submissions included in the data analysis, and was distributed.

Island Planner Brzozowski reviewed the August 25, 2016 staff report on the Gambier Island Official Community Plan (OCP) Review – Community Survey Results. The report was received for information.

Trustees commented on the survey responses. Thanks were extended to islanders for participating in the survey.

It was noted there are some misconceptions about what Islands Trust does or does not do. Trustee Stamford planned to provide an online summary of survey highlights and indicate where people could go for further information, with the help of staff and trustees, as well as to thank respondents for participating.

Trustee Stamford expressed interest in the request from Sea Ranch for a meeting there, where there are sixty residents, and mentioned wanting to have a more relaxed and informal dialogue with residents.

The public was invited to comment on the survey responses.

- Regarding hunting, it was noted that kill is not permitted on the ferry, so hunters would have to have their own boat to transfer it off the island.
- It was suggested that the LTC respond to respondents, thanking them for participation, clarifying misunderstandings, and outlining the role of Islands Trust and what they do.
- Trustee Stamford was requested to provide clarification about what she is doing in her trustee role, in order to enhance public awareness and engagement in the OCP process.
- There was concern about: liveability and affordability; Stormaway costs; young people cannot afford a place to live; expensive properties make it difficult for people to afford to move to Gambier; cost of living and lack of supports needed to live here can result in elders having to leave the island.

- Five-acre lower limit for subdivision on Gambier impacts costs, as does parking in Langdale or Horseshoe Bay.

Discussion ensued around revitalization of New Brighton, aging in place, commercial zoning, economic development, and social and other services on Gambier Island.

GM-2016-067

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee remove “Revitalization of New Brighton” from “In Scope” and replace it with “Policies to promote liveability and services for island residents”.

CARRIED

Further consideration of public engagement for the Gambier Island Official Community Plan review resumed from 1:45 to 2:08 p.m.
Community profile information was discussed.

GM-2016-068

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee arrange for café style meetings at Brigade Bay and Sea Ranch as a next step in the Gambier Island Official Community Plan consultation process.

CARRIED

The Island Planner will work with Trustee Stamford on questions for these meetings.

11.2.2 Squamish Nation Dialogue with Gambier Island Residents – Deferred

Island Planner Brzozowski noted there had been an inquiry from the Squamish Nation as to whether this dialogue could be postponed until September.

(Item 12. was discussed in full before item 8.)

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated August 16, 2016

Received.

Island Planner Brzozowski had contacted the Sechelt Nation regarding the referral on the RAR bylaw for the Thormanby Islands. Sechelt Nation indicated they would likely send a response in mid-September.

12.1.2 Projects List Report dated August 16, 2016

Received.

12.2 Applications Report dated August 16, 2016

Received.

Trustee Rogers commented that he had been receiving calls from constituents regarding the DL 696 rezoning application, and that the applicant had held two information sessions. Discussion ensued. There were questions about a community park that was in the original plan, and parking at Keats Landing.

The Island Planner explained that the agent had started compiling a summary of what was presented at the public sessions. Information will be posted to their Facebook page.

12.3 Trustee and Local Expense Report dated June, 2016 and July 2016

Received.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

Staff will post to the website the August 25, 2016 Community Information Meeting RAR slideshow presentation.

12.6 Chair's Report

Chair Morrison announced that Islands Trust is preparing for Trust Council in September. There will be a visioning session. Also on the agenda will be a 50 to 60 page transition report for comment. Chair Morrison had not attended any other meetings recently in light of the summer season.

12.7 Trustee Reports

Trustee Stamford reported on recent activities:

- Gambier Island Community Association AGM;
- Meeting with Sunshine Coast Regional District (SCRD) staff and Area F Director.

Trustee Rogers reported on recent activities:

- Gambier Island Community Fair; Keats Island fundraiser; Melody Point annual barbecue;
- Kinder Morgan federal government panel the previous week – made submissions on how the proposal affects this Trust Area and is working on a written report as requested by them;
- SCRD meeting, where discussion included District Lot 696 as well as usage of Coopers Green dock;
- Announcement of new executive for Eastbourne Community Association.

12.8 Electoral Area Director's Report – None

12.9 Trust Fund Board Report – None

Chair Morrison announced there was no Trust Fund Board meeting; however, there is a new appointee to Trust Fund Board, Hoops Harrison.

13. NEW BUSINESS

13.1 Public Input Regarding BC Hydro Report

13.1.1 Memorandum dated August 16, 2016

The memorandum dated August 16, 2016 regarding the letter from the BC Utilities Commission (BCUC) on the Residential Inclining Block Rate Report to the Government of British Columbia was received for information. A public comment period commenced July 15, 2016 for residents in areas without access to natural gas who were “being asked to provide comments about the impacts of conservation rates and awareness of mitigation options.”

Chair Morrison advised trustees that the Executive Committee had directed that, if trustees have input on this, to do it as members of the public.

Trustees were encouraged to get the information out to their communities for comment to the BCUC prior to the September 2, 2016 deadline.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Thursday, October 13, 2016, 10:45 am at Gleneagles Community Centre, 6262 Marine Drive, West Vancouver, BC

GM-2016-069

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee direct staff to schedule a Public Hearing for Bylaw Nos. 131, 132 and 133.

CARRIED

15. TOWN HALL

Members of the public thanked trustees for the work being done.

Mr. Wickham inquired about what was happening regarding the wooden wall at West Bay.

Trustee Stamford noted there were legal issues going on now. The LTC is making a request to the BC Land Title and Survey Authority regarding involvement in the Integrated Survey Program.

16. CLOSED MEETING

16.1 Motion to Close the Meeting

GM-2016-070

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee, that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a) Appointment of Advisory Planning Commission Members and (d) Adoption of In-Camera Meeting Minutes dated July 28, 2016, and that the recorder and staff attend the meeting.

CARRIED

By general consent, the meeting moved to in-camera at 1:30 p.m.

16.2 Recall to Order

The Local Trust Committee reconvened in open meeting at 1:39 p.m.

16.3 Rise and Report

Chair Morrison reported that the Local Trust Committee adopted the in-camera minutes of July 28, 2016 and appointed all of the people who applied for Advisory Planning Commission (APC) membership:

- Barney Taylor
- Boris Gorgitza
- Camilla Berry
- Peter Scholefield
- Ruth Simons

There was discussion of the Advisory Planning Commission and APC membership.

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:08 pm.

Susan Morrison, Chair

Certified Correct:

Diane Corbett, Recorder

Resolutions Without Meeting

Gambier Island

Resolution #	Action	Resolution Description	Resolution Date
2016-10	In Favour	"That the August 25, 2016 Regular Business Meeting of the Gambier Island Local Trust Committee begin at 9:45 am instead of 10:45 am."	22-Aug-2016
2016-11	In Favour	"That the Gambier Island Local Trust Committee request the Executive Committee to comment to the BC Environmental Assessment Office (EAO) by September 28, 2016 about the impact of the BURNCO Aggregate Mine Project in regards to its impact on the marine environment, air quality and its cumulative effect on the environmental health of Howe Sound."	01-Sep-2016
2016-12	In Favour	"That the Gambier Island Local Trust Committee send the attached letter, for the Chair's signature, to the BC Environmental Assessment Office urging rejection of the BURNCO Aggregate Mine Project proposal."	03-Oct-2016

Follow Up Action Report

Gambier Island

19-Nov-2015

Activity	Responsibility	Target Date	Status
Staff to review current Gambier Official Community Plan policies against technical information gathered in recent years, and to draft proposed policies to protect sensitive ecosystems for Local Trust Committee consideration.	Aleksandra Brzozowski	21-Jan-2016	On Going

28-Jul-2016

Activity	Responsibility	Target Date	Status
Check on when and where the Chair letter re: LNG was sent. Update: following up with West Vancouver.	Aleksandra Brzozowski Ann Kjerulf	12-Aug-2016	Done
Staff to draft thank you letter (for Chairs signature) to the Ministry of Parks, and cc. the Premier, MLA Jordan Sturdy and MLA Nicholas Simons, thanking them for the Halkett Bay Marine Park expansion and stating our continued support for the further protection of the glass sponges in Howe Sound.	Aleksandra Brzozowski Penny Hawley Susan Morrison	25-Aug-2016	Done
Staff compose a letter for the Chairs signature to the BC Land Title and Survey Authority looking for clarity on the Integrated Survey Area Plan for the West Bay area on Gambier Island.	Aleksandra Brzozowski Penny Hawley Susan Morrison	25-Aug-2016	Done
Add Coast Salish location names (if known) to agendas, notices, etc. Update: Tsleil-Waututh Nation does not have a policy on place names so it cannot participate in this project at this time. TWN requests that the phrase "traditional territory of the Tsleil-Waututh Nation" be used generally.	Becky McErlean Aleksandra Brzozowski Penny Hawley Wil Cottingham	31-Aug-2017	On Going

25-Aug-2016

Activity	Responsibility	Target Date	Status
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Follow Up Action Report

Send appointed APC members appointment letter and orientation package.	Aleksandra Brzozowski Penny Hawley	30-Sep-2016	Done
Amend Bylaws 140 and 141 as per the recommendations made by Andrew Appleton, FLNRO. Update: sent to Andrew to confirm amendments.	Aleksandra Brzozowski	30-Sep-2016	Done
2nd and 3rd Reading given to Bylaws 140 and 141 AS AMENDED. Send to EC for October 5 EC meeting.	Becky McErlean Aleksandra Brzozowski	30-Sep-2016	Done
Prepare a response to BURNCO EAO application in regards to noise and light impacts on Gambier LTA.	Aleksandra Brzozowski	28-Sep-2016	On Going
Make a request to Bowen Island as to whether they are interested in splitting a 2-year membership in the Green Shores for Homes BC Pilot project to cover both Bowen Island and the Gambier Local Trust Area. Update: Requested to send a letter to Mayor and Council for October 8 Council meeting.	Aleksandra Brzozowski	13-Oct-2016	Done
LTC Chair write to the BC Environmental Assessment Office to request that the timeframe be extended for the BURNCO application process to allow meaningful input from the public and affected agencies.	Aleksandra Brzozowski Susan Morrison Wil Cottingham	28-Sep-2016	Done
Post powerpoint presentation about RAR on the project webpage. Post results of the Community Survey as a standalone document.	Aleksandra Brzozowski Wil Cottingham	08-Sep-2016	Done
Trustee Stamford to provide a response (to be posted online) to the survey comments, including indicating where people could go for further information, with the help of staff and trustees, and to thank respondents for participating.	Aleksandra Brzozowski Kate-Louise Stamford	08-Sep-2016	On Going
On Gambier OCP Review Project Charter, replace Revitalization of New Brighton from In Scope with Policies to promote liveability and services for island residents.	Aleksandra Brzozowski	08-Sep-2016	Done
Arrange for cafe style meetings at Brigade Bay and Sea Ranch as the next step in Official Community Plan consultation process.	Aleksandra Brzozowski Kate-Louise Stamford	13-Oct-2016	On Going

Follow Up Action Report

Try to reschedule Squamish Nation community dialogue for September or October.	Aleksandra Brzozowski Kate-Louise Stamford	13-Oct-2016	On Going
Staff to schedule a Public Hearing for Bylaw Nos. 129, 130, 131, 132 and 133.	Becky McErlean Aleksandra Brzozowski	13-Oct-2016	Done
Ask Executive Committee to comment to the BC Environmental Assessment Office (EAO) by September 28, 2016 about the impact of the BURNCO Aggregate Mine Project in regards to its impact on the marine environment, air quality and its cumulative effect on the environmental health of Howe Sound. Update: EC passed the following on Sept 13: "That the Executive Committee request staff to draft a letter for the Chair commenting on proposed BURNCO Aggregate Project by September 28, 2016."	Aleksandra Brzozowski	13-Sep-2016	Done



STAFF REPORT

File No.: GM-DVP-2016.3 (Akehurst
& Payne (Gambier Acres))

DATE OF MEETING: October 13, 2016
TO: Gambier Island Local Trust Committee
FROM: Marnie Eggen, Planner 2
Northern Office
SUBJECT: Development Variance Permit Application
Applicant: Chris Akehurst & Allison Payne (Gambier Acres)
Location: PID: 010-440-992; Block C, District Lot 1654, Plan 10365, Gambier Island

RECOMMENDATION

1. That the Gambier Island Local Trust Committee defer its decision regarding GM-DVP-2016.3.

Note, a resolution to defer an application is not necessary. A deferral statement to review a given application can simply be summarized and noted in the meeting minutes.

REPORT SUMMARY

The Gambier Island Local Trust Committee (LTC) is asked to consider a proposed variance to reduce the required setback from the natural boundary of the sea from 15 metres to 3.5 metres to accommodate an existing deck, attached to an existing cabin, and allow the construction of a new addition to this existing cabin.

Staff is of the opinion that the proposal is not contrary to LTC policies. However, staff have been informed by the Sunshine Coast Regional District (SCRD) that a geotechnical report/landslide assessment would be required in conjunction with the SCRD building permit process. Staff recommend that, should it look favourably on the DVP proposal in principle, the LTC defer a decision on the variance until the applicants obtain a geotechnical report and/or landslide assessment as advised by the SCRD building department. This report may necessitate revisions to the proposed footprint and dimensions of the addition and, consequently, a change to the variance request.

The staff recommendation is intended to accommodate some discussion of the proposed variance while allowing the applicants an opportunity to revise their plans should that be a requirement of the SCRD as a result of the geotechnical and/or landslide assessment.

Staff is bringing this application to the LTC for consideration without this information because the LTC may also choose to deny the variance at this time without a need for further information. If the LTC is firmly of the opinion that no variance should be approved for the existing and proposed development, staff recommend that the application be denied (with reasons) so that the applicants can reassess how to proceed with development of their property.

BACKGROUND

The subject property is 23.35 ha in size and is owned as a recreational property by the shareholders of Gambier Acres Ltd. The DVP application is from one of the shareholders, whose shares give them the right to a building site. Site #4 is designated as their site (see Figure 1).

The applicants indicate that they are seeking a variance because the proposed addition of extra building space is restricted by the topography and proximity of the neighbouring sites (Please see Attachments for complete application, including the details of rationale provide by the applicant.)

[illegible]

Policy/Regulatory:

Islands Trust Policy Statement:

- 5.1.1 - Trust Council holds that the overall visual quality of the Trust Area and its scenic values should be protected from disturbance, particularly those areas that have distinctive features or are highly visible.
- 5.1.3 – Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.

Islands Trust

addition to the existing building would have to be built within the setback to the sea and require a variance, due to the topography of the site. Staff note that the proposed addition and existing deck have relatively low profiles, and the proposed addition appears to be located as far back from the natural boundary of the sea as the site allows. Staff is of the opinion that the proposal is not contrary to Islands Trust policies.

Gambier Island Official Community Plan (OCP) Bylaw No. 73, 2001:

The subject property is located in the Settlement Residential Land Use Designation. The following Residential Objective of the OCP is pertinent to this application:

- Objective 4.4 – to ensure that any new residential development accommodated in the Gambier Island Planning Area is undertaken in a manner which is respectful of the privacy of adjoining property owners.

After consulting with other shareholders who have rights to building sites nearby, the applicant has moved forward with the proposed location of the addition with approval from the Board of Directors of the Gambier Acres Ltd. The applicant has also consulted with the owners of the properties to the east and west of the subject property, and received letters from both who have no objections to the proposed addition. See Sections 8 and 10 of the DVP Application for consultation undertaken by applicant.

Gambier Island Land Use Bylaw (LUB) No. 86, 2004:

The subject property is located in the Settlement Residential Zone (SR). The SR zone allows for one dwelling per 2 hectares provided a restrictive covenant is registered on Title. Such a covenant is registered on this Title (see below for information on covenant).

The setback to the natural boundary of the sea of 15 metres (49.2 feet) in the General Regulations of the LUB is requested to be varied.

Covenant:

Covenant GC21011 is registered on Title and charged to the Province, represented by the Islands Trust. The covenant allows one dwelling per two hectares with a maximum of 11 family dwelling units on the 23.35 ha property. There are currently 10 shareholders and at present only 6 of the shareholders have dwellings on their sites. The current number of dwellings on the property is compliant with the covenant.

Sunshine Coast Regional District Requirements:

Schedule 'E' of the Gambier Island Official Community Plan Bylaw No. 73 doesn't identify the subject area as a hazardous area (slopes of 35% or more). However, during the review of the application, staff noted that the proposed building site is located on a rocky shoreline, between the toe of a cliff that is over 10 metres in height and the natural boundary of the sea. Staff have consulted with the SCRD building department on this matter and have been informed that the SCRD will require a geotechnical report and/or landslide assessment prior to construction in order to confirm a safe building site. There is a chance that the result of those reports may necessitate a change in footprint or dimensions of the addition.

Sensitive Ecosystems:

Mapping indicates a mix of herbaceous and young forest sensitive ecosystems may occur at the site. As a result of the existing residential use of the area and the relatively small footprint of the addition, staff **anticipate negligible** impacts to existing vegetation. Should the DVP be approved, information about sensitive ecosystems will be provided to the applicant to assist with mitigating any potential impacts to sensitive ecosystem vegetation that may occur on site.

Consultation:

No Community Information Meeting is required or recommended for this application. Notification of the proposed variance was distributed to neighbouring property owners in advance of the October 13, 2016 Gambier Island Local Trust Committee meeting, in accordance with statutory requirements (see Attachments for Notice). At the time of writing this report, staff had received no submissions from neighbouring property owners or tenants regarding the application.

Rationale for Recommendation:

Although some neighbouring properties have been granted setback variances and others may apply in the future, each request for a variance is evaluated on its individual merits. Staff is of the opinion that the proposal is not contrary to policies, and recommends approval. However, staff recommend should the LTC look favourably on issuing the DVP, that prior to approving the proposed DVP, the applicants obtain a geotechnical report and/or landslide assessment as advised by the SCRD which may inform the need for any revisions to the proposed footprint and dimensions of the addition.

Alternatives:

2. Deny the application.

The LTC may deny the application. If this alternative is selected, the LTC should state the reasons for denial.

Resolution: *“That the Gambier Island Local Trust Committee deny application GM-DVP-2016.3.”*

3. Consider approval of the existing deck only.

The LTC may choose to consider approving only the existing deck attached to the existing dwelling. If this alternative is selected, the LTC should request that staff bring back revised plans.

Resolution: *“That the Gambier Island Local Trust Committee request staff to bring back to a future LTC meeting an amended version of GM-DVP-2016.3 without the proposed addition.”*

Submitted By:	Marnie Eggen, MCIP RPP Planner 2	September 27, 2016
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager, Northern Office	October 5, 2016

ATTACHMENTS

1. DVP Application
2. Proposed Development Variance Permit
3. Notice



Islands Trust

www.islandstrust.bc.ca
Toll Free: 1-800-663-7887

Victoria Office
200 - 1627 Fort Street
Victoria, BC V8R 1H8
Ph: (250) 405-5151
Fax: (250) 405-5155
information@islandstrust.bc.ca

Salt Spring Office
1 - 500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Ph: (250) 537-9144
Fax: (250) 537-9116
ssiinfo@islandstrust.bc.ca

Northern Office
700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca

North Pender, South Pender,
Galiano, Mayne, Saturna

Salt Spring

Gambier, Lasqueti, Hornby,
Denman, Gabriola, Thetis,
Ballenas-Winchelsea

3190-25

Development Variance Permit Application Form

Fee Paid: \$572.00 OFFICE USE ONLY
Receipt No: 3243 File No: GM-DVP-2016-3

SECTION 1: DESCRIPTION OF PROPERTY (AS INDICATED ON STATE OF TITLE CERTIFICATE)

Lot/Parcel 1 Plan 10365 Block C District Lot/Section 1654
Range _____ Other Description "The Property", Gambier Acres Ltd
Street Address or General Location Richardson's Cove (Between Halkett and Hope Pt)
Jurisdiction and Folio Number 09 746 05116.00013 (From Property Assessment/Tax Notice)
Parcel Identifier (PID) 010 - 440 - 992 (From State of Title Certificate)

SECTION 2: OWNER INFORMATION (ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

(1) Gambier Acres Ltd
Name
(1) PO #22, 5760 Hampton Place
Street Address
Vancouver BC V6T 2G1
Town/Prov. Postal Code
604-229-0666
Telephone

(2) (Registered office)
Name
(2) PO Aydin Bird
Street Address
#530 North of the Tower Oakridge
Town/Prov. Postal Code
Vancouver V5Z 2M9
Telephone Fax
604 266 5928
Email

SECTION 3: APPLICANT INFORMATION (IF DIFFERENT FROM OWNER)

Chris Akchewat + Allison Payne
Name
V7T 1L7
Postal Code
[Redacted]
Street Address
W. Vancouver BC
Town/Prov.
[Redacted]
Telephone Fax Email

Freedom of Information and Protection of Privacy

Personal information contained on this form is collected under the Local Government Act for the purposes of responding to this application, or for purposes directly connected with this application. Information on your application form may be made available to the public upon request.

RECEIVED

JUL 21 2016

ISLAND TRUST
NORTHERN OFFICE

under freedom of information legislation. Please contact a Deputy Secretary at one of the above noted offices if you have any questions regarding the collection of personal information on this form.

The processing of your application will be delayed if it is incomplete. Please read the guide before you complete the application form.

Keep the guide for your reference during the application process. Contact a staff person for assistance.

Mail or deliver the completed application form, fee, plans and supporting material to the Islands Trust Office. The fee is payable to the Islands Trust. Contact Islands Trust staff for the current fee prior to submitting your application as fees may change annually.

SECTION 4: Provide one full-scale, and three (3) reduced (11 x 17) copies of a detailed site plan and other drawings that must include the following:

- ☒ existing and proposed uses on parcel
- ☒ existing bylaw requirements and proposed variance with accurate dimensions
- ☒ uses of existing and proposed buildings and structures
- ☒ dimensions and/or floor areas of existing and any proposed buildings and structures
- ☒ height of existing and proposed buildings/additions and structures
- ☒ setbacks for all existing and proposed buildings and structures to property lines, natural boundary of sea, watercourses and cliffs
- ☒ setback of existing and proposed septic field to natural boundary of the sea and watercourses (where applicable)
- ☒ parking areas including numbered parking stalls, aisle widths, stall dimensions (where applicable) *N/A*
- ☒ all wetlands, sewage disposal field(s), septic tanks, wells, drainage areas, ponds and topography
- ☐ landscaping showing existing and proposed landscaping. Also, include an estimate of the cost of landscaping, provided by a Landscape Architect or qualified professional. This estimate will be used to determine the amount of any security required. *N/A*
- ☒ elevation plan

SECTION 5: Describe the current uses of the land, buildings and structures on the property.

See attached notes

SECTION 6: Describe the proposed uses of the land, buildings and structures, and show on your site plans the location of any proposed buildings or structures. If required, submit an elevation plan showing side views of the proposal.

See Attached Notes

SECTION 7: Describe the proposed variances to the bylaw requirements that are needed for the proposed development of the property. On your site plan, show the existing bylaw requirement and your proposed variance with accurate dimensions.

See Attached Notes

SECTION 8: Describe the reasons for the proposed variance and why the current bylaw requirements cannot be met in the proposed development.

See Attached Notes

SECTION 9: Describe how the property and the surrounding lands may be affected by the proposed variance, show any of the affected features on your site plan, and describe how you propose to mitigate.

See Attached Notes

SECTION 10: Describe any consultation you have undertaken with your neighbours and strata corporation (if applicable).

See Attached Notes

SECTION 11: APPLICATION COMPLETION CHECKLIST

- ☒ I have completed all sections of this application form
- ☒ I have included detailed site plans and elevation drawings as required in Section 4 of this application form
- ☒ I have included recent State of Title Certificate (not more than 30 days old)
- ☒ I have included copies of all covenants registered against this title
- ☒ All owners listed on the title have signed the application
- ☒ I have included the correct fee (Contact Islands Trust staff for current fees)

IMPORTANT: Your application will not be considered complete unless it contains all of the information above.

A Note about Obtaining State of Title Certificate and Covenants: State of Title Certificate and covenants may be obtained from the Land Title Office or through your local government agent office for a fee.

SECTION 12: OWNER'S CONSENT AND AUTHORIZATION

(Signature of all registered owners is required. For additional owners, including Strata Corporations, attach a separate sheet)

In order to assist Islands Trust Planners in the review and evaluation of my application, by signing below, I authorize the Planners assigned to this application to enter onto the land at reasonable times, after making reasonable efforts to arrange to schedule a convenient time for such a visit, to inspect the land. I acknowledge a right, if a convenient time can be scheduled, to accompany the Planner on the site visit.

By signing below, I authorize the Applicant named in Section 3 of this application to represent this application:

First Consent and Authorization



President Gamber Acetal Ltd.
Signature

July 15 2016
Date

Second Consent and Authorization

Consent and Authorization Signature

Date

Contaminated Sites Regulation

Print Form

Please note that pursuant to Section 4(4) of the Contaminated Sites Regulation, B.C.Reg. 375/96, site profile is not required and will not be accepted by the Islands Trust. If you have any questions, please contact the Islands Trust office.

SECTION 9: Describe how the property and the surrounding lands may be affected by the proposed variance, show any of the affected features on your site plan, and describe how you propose to mitigate.

See Attached Notes

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First Consent and Authorization

Second Consent and Authorization

Consent and Authorization Signature

Consent and Authorization Signature

Date

Date

Contaminated Sites Regulation

Print Form

Please note that pursuant to Section 4(4) of the Contaminated Sites Regulation, B.C.Reg. 375/96, site profile is not required and will not be accepted by the Islands Trust. If you have any questions, please contact the Islands Trust office.

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See Attached Notes.

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Consent and Authorization Signature

(1) *July 20 2016*

Date

Consent and Authorization Signature

(2) *July 20, 2016*

Date

Contaminated Sites Regulation

Please note that pursuant to Section 4(4) of the Contaminated Sites Regulation, B.C.Reg. 375/96, a **site profile is not required and will not be accepted by the Islands Trust**. If you have any questions, please contact the Islands Trust office.

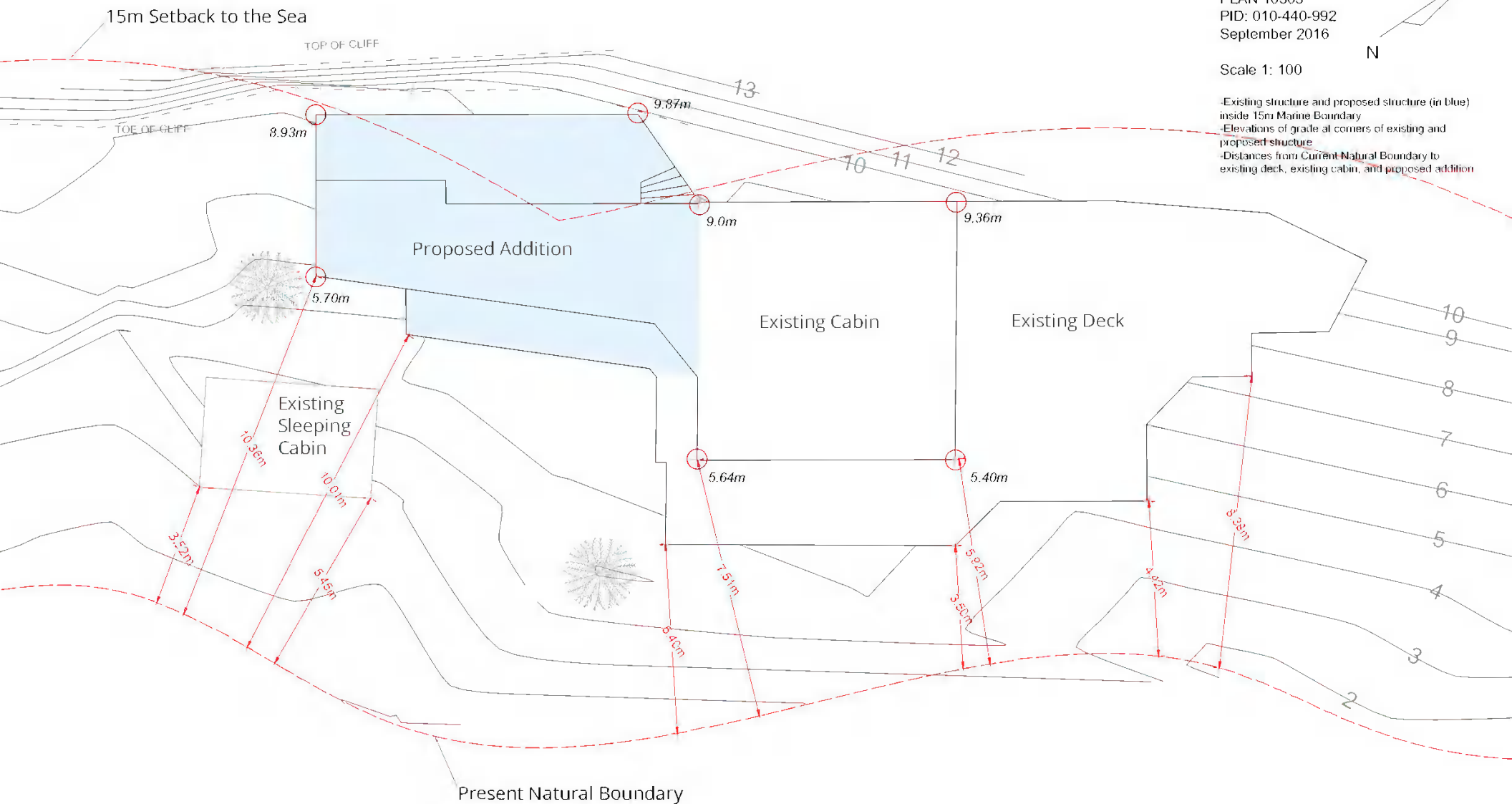
Section 4

Maps, Site Plans, etc

Gambier Acres Limited
 FAYNE / AKEHURST CABIN
 Site Plan
 PLAN 10365
 PID: 010-440-992
 September 2016

Scale 1: 100

- Existing structure and proposed structure (in blue) inside 15m Marine Boundary
- Elevations of grade at corners of existing and proposed structure
- Distances from Current Natural Boundary to existing deck, existing cabin, and proposed addition



Gambier Acres Limited
 PAYNE / AKEHURST CABIN
 Northwest Elevation
 PLAN 10365
 PID: 010-440-992
 September 2016

Scale 1: 75

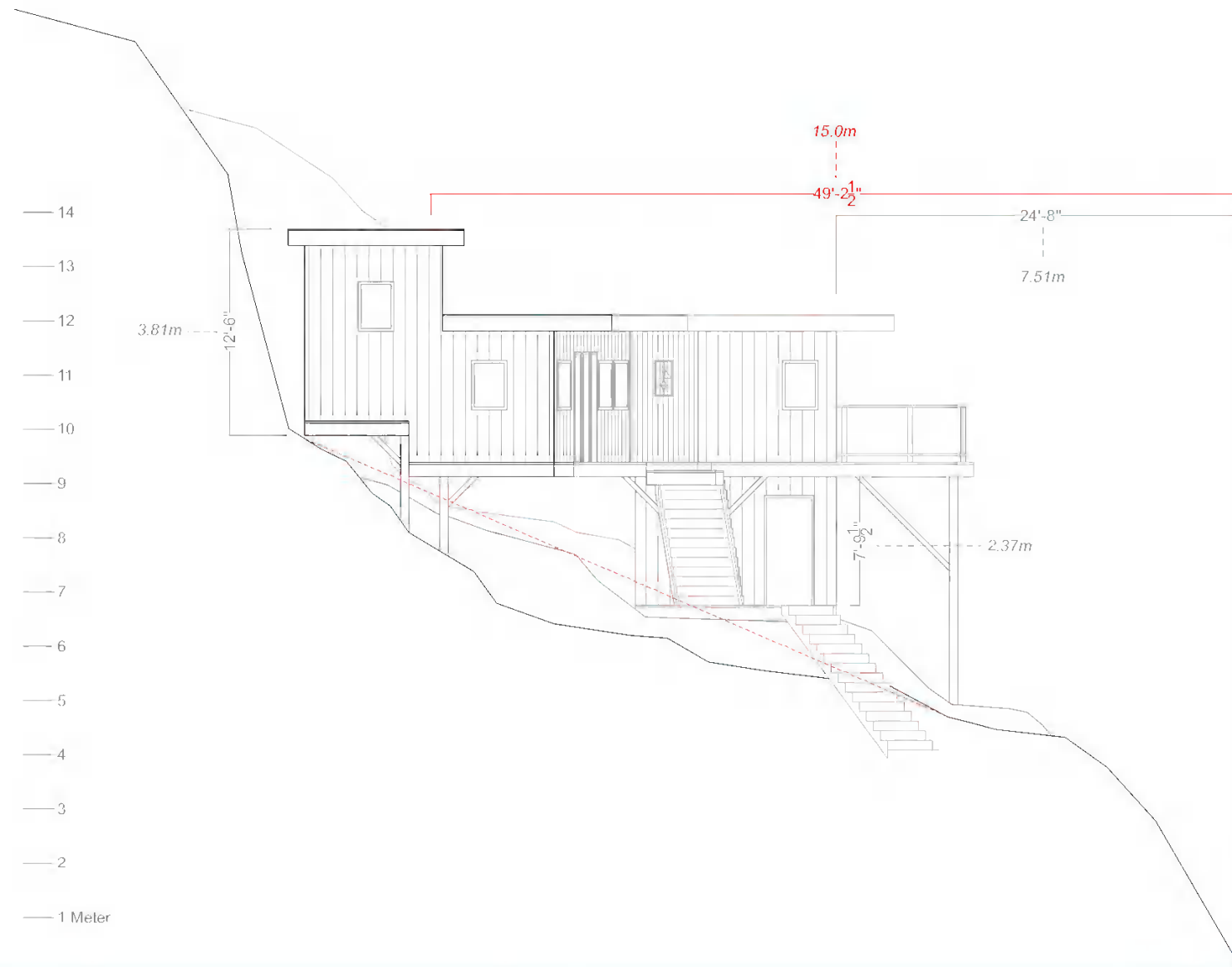
Identifying for Payne / Akehurst Cabin Vari-
 ance Application:
 -Height of existing dwelling
 -Height of proposed addition
 -Elevations according to Surveyor's data from
 Present Natural Boundary



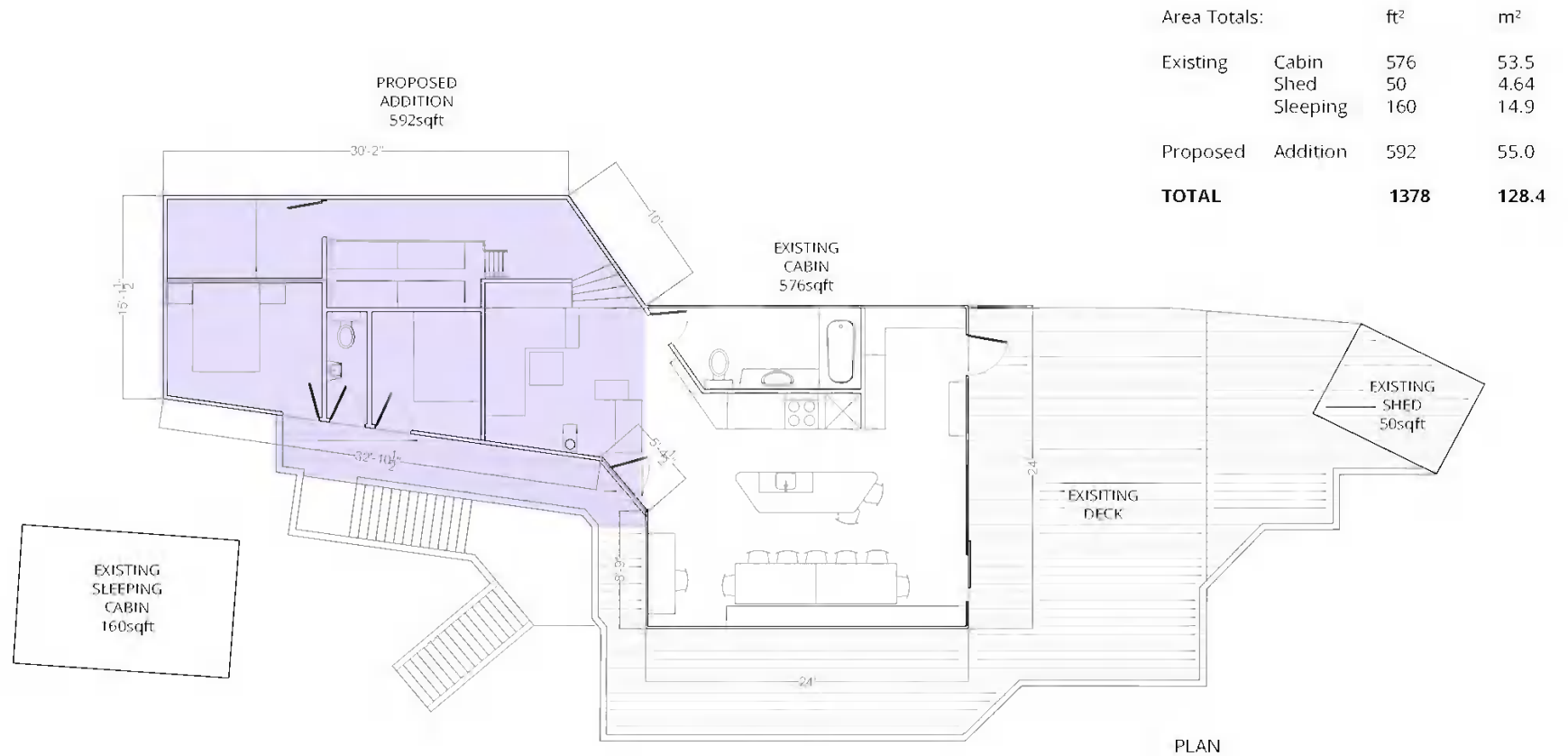
Gambier Acres Limited
PAYNE / AKEHURST CABIN
 Northeast Elevation
 PLAN 10365
 PID: 010-440-992
 September 2016

Scale 1: 75

Identifying for Payne / Akehurst Cabin Vari-
 ance Application:
 -Height of existing dwelling
 -Height of proposed addition
 -Elevations according to Surveyor's data from
 Present Natural Boundary



Present Natural Boundary



Payne/Akehurst Cabin Addition
January 2016
Gambier Acres Ltd, Gambier Island, BC

SCALE
1:100

Highlight = Addition
TOTAL TOILETS = 2
TOTAL SINKS = 3
TOTAL BATHS = 1

Section 5

Describe Current Uses of the land and buildings on the Property.

1. The Gambier Acres Ltd lot (see map for location) is owned as a recreational property by the shareholders of Gambier Acres Ltd. The lot is 57 acres in size and by a covenant (1989 Restrictive Covenant attached) filed with the Province is permitted to have 11 dwellings on the site (1 for every 5 acres). Currently there are 10 shareholders each with 4 shares that entitle them to a building site. At the present time only 6 of the shareholders have dwellings on their properties. The dwellings on the property were built as summer cabin/recreational properties built over the years beginning in 1959. (see attached history)
2. This application is from one of the shareholders, specifically Allison Payne and Christopher Akehurst, whose shares give them the rights to a building site. Gambier Acres Ltd has designated their site as Site 4. The dwellings on this site (Main cabin and sleeping cabin) were built by Allison Payne's father in the early 60's (see pictures). Deck was extended to east in 1976.
3. Until 2012 the Gambier Acres building sites were loosely defined with shareholders being allowed to build more or less what they wanted as long as the other shareholders agreed. In 2012 a more formal guidelines were introduced:
 - a. Max Site Size to be 100 X 100 (30.5 X 30.5m)
 - b. Water Frontage limited to 60ft (18.3 M)
 - c. Any additions, new buildings on site have to be approved by the Directors
 - d. Existing sites (footprints) were grandfathered. (The current waterfrontage of Site 4 of 113ft (34.4m) was grandfathered in 2012)
 - e. Living area, excluding decks, cannot be more than 1500 sf.
4. Since 1959 the dwellings on Site 4 have been used as recreational property by the family of Harold and Evelyn Payne. In 1989 the shares were transferred to their eldest daughter and her husband (Allison Payne and Christopher Akehurst). Every year since 1959 the family has been using the property for recreational purposes.

Outline of History of Payne/Akehurst Cabin on Gambier Island:

1. The Payne/ Akehurst Cabin is built as 1 of the dwellings in Gambier Acres Ltd property on Gambier Island. This property is registered at the Land Title Office in New Westminster as Block C, District Lot 1654, Plan 1654. (PID 010 440 992).
2. This Lot was bought by a Mr. Maynard Richardson in 1959.
3. Harold and Evelyn Payne bought a 25% share in the property from Mr. Richardson in 1959 that entitled them to a building site. The share was registered in the name of Evelyn Payne. (See Letter to Harold Payne from Maynard Richardson dated 20th February 1959 (Exhibit 1) and Deed of Land dated Sept 9th 1959 (Exhibit 2).
4. See receipts and invoices between Evelyn Payne and Maynard Richardson (Exhibit 3) relating to the purchase of this 25% share.
5. 2 other families each bought a 25% share in the property from Mr. Richardson in 1959. So there were 4 equal shareholders at that time...Maynard and Helen Richardson, Harold and Evelyn Payne, David and Della Payne, Roy and Patty Johnston. The wives were designated as the title-holders (tenants in common) of the 25% share in the property. (Exhibit 4)
6. All 4 families built cabins on their sites between 1959 and 1961.
7. Evelyn and Harold Payne erected a cabin on their site in 1959. That cabin, though it has been renovated and maintained over the years, is still standing in it's original location and form.
8. A separate sleeping was erected on the site in 1962.
9. In 1971 Gambier Acres Ltd was formed as a corporation to replace the original tenants in common share structure. Each family had 10 shares entitling them to a building site. There were 40 shares in total.
10. Evelyn and Harold's shares entitled them to site 4.
11. Enclosed as Exhibit 5 is a copy of a valuation of buildings on site 4 with a hand drawn scale drawing of the cabin and guest cabin and a photo. This is dated December 31st 1971.
12. The deck attached to the cabin on site 4 in it's current form was built on east side of cabin and deck and steps added to sleeping cabin sometime between 1975 and 1977. (I have been unable to ascertain the exact year in which these improvements were made. See photo of cabin (Exhibit #6)
13. Since the deck and stairs to the sleeping cabin were added there have not been any changes to the location and size of the improvements on site 4. Obviously there has been a lot of maintenance work on the decks and cabins, but the building footprint has remained the same.
14. In 1974, 2 of the original shareholders sold out (the Richardson's and the Johnson's). Subsequently, there was a reorganisation of the company into 10 shareholders. Each shareholder now held 4 shares which entitled them to a building site.
15. Since 1974 other shareholders have joined the company and 2 other sites have had cabins built upon them. So, today, in 2016, there are 10 shareholders each holding 4 shares and 6 of those shareholders have dwellings built on their sites.
16. There are not specific sites designated for the shareholders who do not have dwellings built yet. There are general areas that are identified for a couple of the sites, but until a shareholder puts a formal request to the Gambier Acres Board no official site exists.
17. In 1990 Evelyn Payne transferred her 4 shares, relating to site 4, to her daughter, Allison Payne and son-in-law, Christopher Akehurst as joint tenants.
18. Allison Payne and Christopher Akehurst remain the shareholders with the interest in site 4 to the present day
19. Allison Payne and Chris Akehurst are jointly seeking the variance to add an addition to the original cabin on site 4.

Payne/Akehurst Cabin on Site 4 of Gambier Acres Ltd

(Lot 1, Block C, District Lot 1654, PID 010 440 992)

Proof of Legal Non Conformity.

1. See the attached history of the Property
2. From Exhibit #5 on the History of the Property you will find an original valuation of the buildings on site. This is the original showing the building sizes, replacement cost etc. This original was drawn up for an insurance valuation.
3. This document proves that these structures were in existence on December 31 1971.
4. From my research I have located the following land use regulations that pertain to Gambier Island:
 - i. Sunshine Coast Regional District Bylaw No. 96 – Land Use Regulation for the Associated Islands in the SCRD (eg. North and South Thormanby) – 12 November 1976
 - ii. Sunshine Coast Regional District Subdivision Regulation Bylaw No. 103, 1975 – 12 November 1976
 - iii. Gambier Island Zoning Bylaw No. 12, 1979 – 25 October 1979
 - iv. Gambier Island Land Use Bylaw No. 86 - 15 September 2005
5. From this research there were no regulations before 1976 at the earliest and no specific Gambier Island Bylaws until 1979.
6. Exhibit 7 is a series of dated pictures showing the cabin and bay in 1962-1971.
7. Since the Payne Akehurst cabin on site 4 was built well before 1979 (and 1976) it was built before there were any bylaws. As such in it's current location and structure it is legally non conforming.
8. While we do not have proof that the original deck on the east side was built before SCRD bylaws of Nov 1976 we do know that it was built before the 1st Gambier Island bylaw of 1979. There is a possibility that it was built before the SCRD bylaws but I am just not sure.

Section 6

**Describe Proposed use of the land and buildings, show the location of any proposed buildings.
Elevation Plan showing side views required.**

1. Please refer to the attached drawings, plans and photos to see the locations of the existing buildings and the proposed addition. (See Maps, Site Plans in Section 4)
2. As stated in the answer to Section 5 the proposed use of the existing structures and the addition is for recreation. The owners need more space for a growing family. They have 3 children in their 30's, all with partners and 2 grandchildren with more on the way.
3. The purpose of the addition is to provide additional living space and to upgrade the existing structures.
4. This includes the construction of a new waste-water disposal system that meets current regulations. This will be designed and overseen by Dale Allenback, P. Eng., of Sunco Civil Consulting Ltd.
(See attached letter)

Section 7

Describe the proposed variances to the by-law requirements that are required for the proposed development. On your site plan show the existing by-law requirement and your proposed variance with accurate dimensions.

1. The Variance we are seeking is to build closer than the required 15 metres (horizontal distance) from the high tideline. (See Survey Map in section 4)
2. The current buildings on the site were erected in the 1960's (see documents proving legal non-conformance) before any bylaw requirements existed and are legally non conforming.
3. Please see attached legal survey of site 4 and the other sites and dwellings to see where we are applying for the variance.

Section 8

Describe the reasons for the proposed variance and why the current bylaw requirements cannot be met.

1. Allison Payne and her husband Chris Akehurst inherited the property in 1989. Now their 3 children are in their 30's with grandchildren, which make the current buildings insufficient to accommodate everyone. The existing cabin accommodation space is 500sqft (46.4sqm) for 8 adults plus grandchildren.
2. In exploring the potential for adding extra building space it quickly became obvious that all options are severely restricted by the topography of the site and the proximity of the neighbouring dwellings on the shared property.
3. Topography: (See attached photos)
 - a. The existing buildings on this site are built on a flat saddle of rock that rises about 15' (5m) from the mean high tide line.
 - b. Right behind the existing cabin there is a rock cliff that rises up vertically 10' (3m) on the North Eastern side of the site to 60' (18.6m) on the South Western side. The cabin is tucked into this rock wall as close as it could be without touching. (See Photos)
 - c. The area on the South West of the existing cabin is the best place we have been able to find to build the addition because:
 - i. The proposed site of the addition, up against the rock face on the South Western side, at least partially meets the required 15m high water line setback.
 - ii. Building on the North Eastern side of cabin is actually closer to the mean high tide line. Additionally, the shareholder on our North Eastern side vetoed any addition on this side as he felt it encroached on his privacy.
 - iii. To try to add another storey directly above the existing dwelling was also vetoed by the eastern shareholder for privacy concerns. Another storey would require a major upgrade to the existing foundations and deck structure, as well as essentially rebuilding the entire existing structure. Also, constructing a second storey would actually be closer to the mean high water line, as the front of the existing building is closer than what is proposed for this variance.
 - iv. Building directly behind the cabin is not feasible because of the extreme change in elevation. Any addition in that direction would require a second storey to attach the addition to the existing dwelling, again requiring substantial structural upgrade.
 - d. Please view the map and attached photos to verify the assertions made in point c above.

The owners of site 4 did explore the possibility of building directly behind their cabin, but informal discussions among the directors of Gambier Acres have indicated that any plan to build directly up and behind site 4 would not be supported for the following reasons:

1. The shareholder who owns the cabin on site 3 to the northeast of site 4 has already vetoed anything higher on the rock which would look down on his property
2. The shareholders who own the cabin on site 6 to the west of site 4 has also stated that they would have concerns about any building on the rock above cabin 4 as it would impact on their 100x100 site.
3. There are 4 shareholders who have not yet built. Of these unbuilt sites the location of one of them impacts this application. This unbuilt site is directly behind site 4 (NW of cabin) on a flat saddle above the rock behind site 4. This creates a further impediment to putting any addition on the rock immediately behind the cabin. Any building on the rock could impinge on the 100x100 footprint of the unbuilt upon site as well blocking any waterfront view from that site.

Section 9

Describe how the property and surrounding lands may be affected by the proposed variance, show any of the affected features on the site plan, and describe how you propose to mitigate.

1. We don't see that this proposal would have any negative affect on the surrounding land, other than a visual change from the water. The site is entirely rock, so there would be very little change in topography or landscaping.
2. The footprint of the proposed addition is intended to be built with concrete piers and stilt construction, which would provide a minimal impact to the site.
3. The proposal would enhance the property by updating and strengthening the original structure.
4. The septic field addition would greatly improve the current system of waste-water disposal.

Section 10

Describe any consultation with your neighbours and/or Strata Corporation (if applicable).

1. We put the proposal before the board of directors of Gambier Acres Ltd. on the 13th February 2016 date, where it was unanimously approved by all. (See attached motion).
2. We have sought the Sought the approval of the Neighbouring properties to the north east and south west of the Gambier Acres Ltd Lot.
 - a. The property on the North East side is Strata VR652. They do not have any objections. (See letter from Colin Cooper of VR652)
 - b. The property on the South West side is a cabin belonging to Brian and Janis McGladrey. They do not have any objections. (See email from Janis McGladrey)
 - c. All the Gambier Acres Directors (and Shareholders) have given their approval of the proposed addition. (See letter from Bruce Kanik, Gambier Acres Ltd President).

Gambier Acres Ltd
c/o 4734 Eastridge Rd
North Vancouver, BC
V7G 1K4
July 18th 2016

Island Planner
Northern Office, Islands Trust
700 North Road
Gabriola, BC
VOR 1X3

Re: Payne/Akehurst Variance Application

To Whom It May Concern,

I am writing this letter to confirm the following information re the Payne/Akehurst application for a variance on the proposed addition to their cabin on Gambier Island.

1. Allison Payne and Christopher Akehurst jointly own 4 shares of Gambier Acres Ltd. which entitle them to a building site (Site 4) on the property. The Gambier Acres Ltd lot is on the south coast of Gambier Island between Hope Point and Halkett Bay.
2. The cabin currently existing on site 4 was built in 1959 by Allison Payne's parents, Harold and Evelyn Payne.
3. Allison Payne and Christopher Akehurst submitted their plans for an addition to their cabin to the Directors of Gambier Acres Ltd in January 2016.
4. The variance application by Allison Payne and Christopher Akehurst is for their cabin on site 4 only. (It does not apply to any of the other sites on the property)
5. The Directors of Gambier Acres unanimously approved the Payne/Akehurst plans at a director's meeting on February 13th 2016. (Motion attached)
6. The Director's approval was subject to consultation on the exact location of the proposed septic field. This consultation took place on July 9th 2016 and the location of the septic field was approved. (See attached map)

In conclusion I would like to reiterate that none of the shareholders of Gambier Acres Ltd have any objection to the proposed addition to the Payne/Akehurst cabin.

Yours truly,

Bruce Kanik,

President, Gambier Acres Ltd.



GAMBIER ACRES LTD.
DIRECTORS MEETING
SATURDAY, FEBRUARY 13, 2016

An on-line vote was taken to consider the following motion by Chris Akehurst:

That the board of Directors of Gambier Acres Ltd. approve the plans submitted for an addition to the Payne/Akehurst cabin subject to the following conditions:

1. The actual location of the Septic Field and the waste water pipe will be determined on site with feedback from all the shareholders.
2. The Payne/Akehurst cabin will fix the path in front of their cabin that goes to the Little Island.
3. The Payne/Akehurst cabin is responsible for ensuring the local building codes and Islands Trust regulations will be followed for this addition.
4. The attached plans are followed and any variations will be resubmitted to the Directors to review.

The Motion was unanimously approved by all seven Directors.



Douglas Payne

Secretary

June 24, 2016

Strata VR652
c/o Rick Cooper
#806 1128 Quebec St.
Vancouver BC, V6A 4E1

Islands Trust
c/o Chris Akehurst
480 Keith Road
West Vancouver, BC, V7T 1L7

RE: Akehurst / Payne cabin renovations, Gambier Acres

To whom it may concern:

The Strata Council of VR652 has reviewed the plans submitted to us by Chris Akehurst (2016 Jan 18 Payne-Akehurst Renovation Cabin Addition Plans.pdf) for the proposed renovation of the Akehurst / Payne cabin located on the adjacent property to us in Gambier Acres, Gambier Island.

We have no concerns with this project going forward as outlined in the plans, and believe it will be an asset to our neighbourhood.

Please contact me, Colin Cooper, at 604-812-2043 or gambiercolin@gmail.com for any followup.

Thank you,



Colin Cooper
per: Strata Council, VR652
Gambier Island

cc: Strata Council VR653



Lys Hermanski <lhermanski@gmail.com>

Fwd: Gambier

1 message

Chris Akehurst <chris@agreforestation.ca>
To: Lys Hermanski <lhermanski@gmail.com>

Sun, Jul 17, 2016 at 2:04 PM

McCladrey approval.

Chris

----- Forwarded message -----

From: JANIS MCGLADREY <j.logs@shaw.ca>
Date: Sat, Jul 2, 2016 at 6:41 AM
Subject: Fwd: Gambier
To: Chris Akehurst <chris@agreforestation.ca>

Hi Chris

Bryan forwarded this to me as I hold the legal title to our property. I have no objections to the proposed addition to your cabin.

Best regards,
Janis McGladrey

Sent from my iPad

Begin forwarded message:

From: Bryan McGladrey <bryan.mcgladrey@gmail.com>
Date: July 1, 2016 at 11:37:14 AM PDT
To: Home <j.logs@shaw.ca>
Subject: Fwd: Gambier

Sent from my iPhone

Begin forwarded message:

From: Chris Akehurst <chris@agreforestation.ca>
Date: June 21, 2016 at 17:03:36 PDT
To: bryan.mcgladrey@gmail.com
Subject: Gambier

Bryan,

Thanks for returning my call this afternoon. As I told you on the phone we want to build an addition on our cabin. We are part of the Gambier Acres group on the property north east of yours. Ours is the small grey cabin down by the water closest to your property.

Because our current cabin and our proposed addition will contravene the existing bylaws (too close to the water), we have to apply for a variance from the Islands Trust. Part of that variance application includes a letter from our neighbours stating that you do not have any objection to our plans. You are our closest neighbours in that direction.

So, would you be able to give us a short note just stating that you do not have objections to our addition.

7/20/2016

Gmail - Fwd: Gambier

I am attaching a plan of what we are proposing to this email so you can see what the addition will look like.

If you have any queries or questions please do not hesitate to get back to me.

Cheers,

Chris Akehurst and Allison Payne
604 619 8239

—
Chris Akehurst
Akehurst&Galvani Reforestation Ltd
480 Keith Road
West Vancouver, BC
chris@agreforestation.ca
604 619 8239

 **2016 Jan 18 Payne-Akehurst Cabin Addition Plans (2).pdf**
54K

PROPOSED



Islands Trust

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
GM-DVP-2016.3**

TO: GAMBIER ACRES LIMITED

1. This Development Variance Permit applies to the land described below:

PID 010-440-992
BLOCK C DISTRICT LOT 1654 PLAN 10365

2. Pursuant to Section 498 of the *Local Government Act*, the Gambier Island Land Use Bylaw No. 86 is varied as follows:

- a) Section **3.3 Siting and Setback Regulations** "(1)" is varied to reduce the setback from the natural boundary of the sea from 15 metres to 3.5 metres in accordance with Schedules "A1" through "A3" to allow the construction of a new addition to the existing cabin and the location of an existing deck that is attached to the existing cabin.

3. All buildings and structures shall be consistent with Schedules "A1" through "A3" which is attached to and forms part of this permit. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of the Gambier Island Land Use Bylaw No. 86, including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

4. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Gambier Island Land Use Bylaw No. 86, 2004 and to obtain other appropriate approvals necessary for completion of the proposed development.

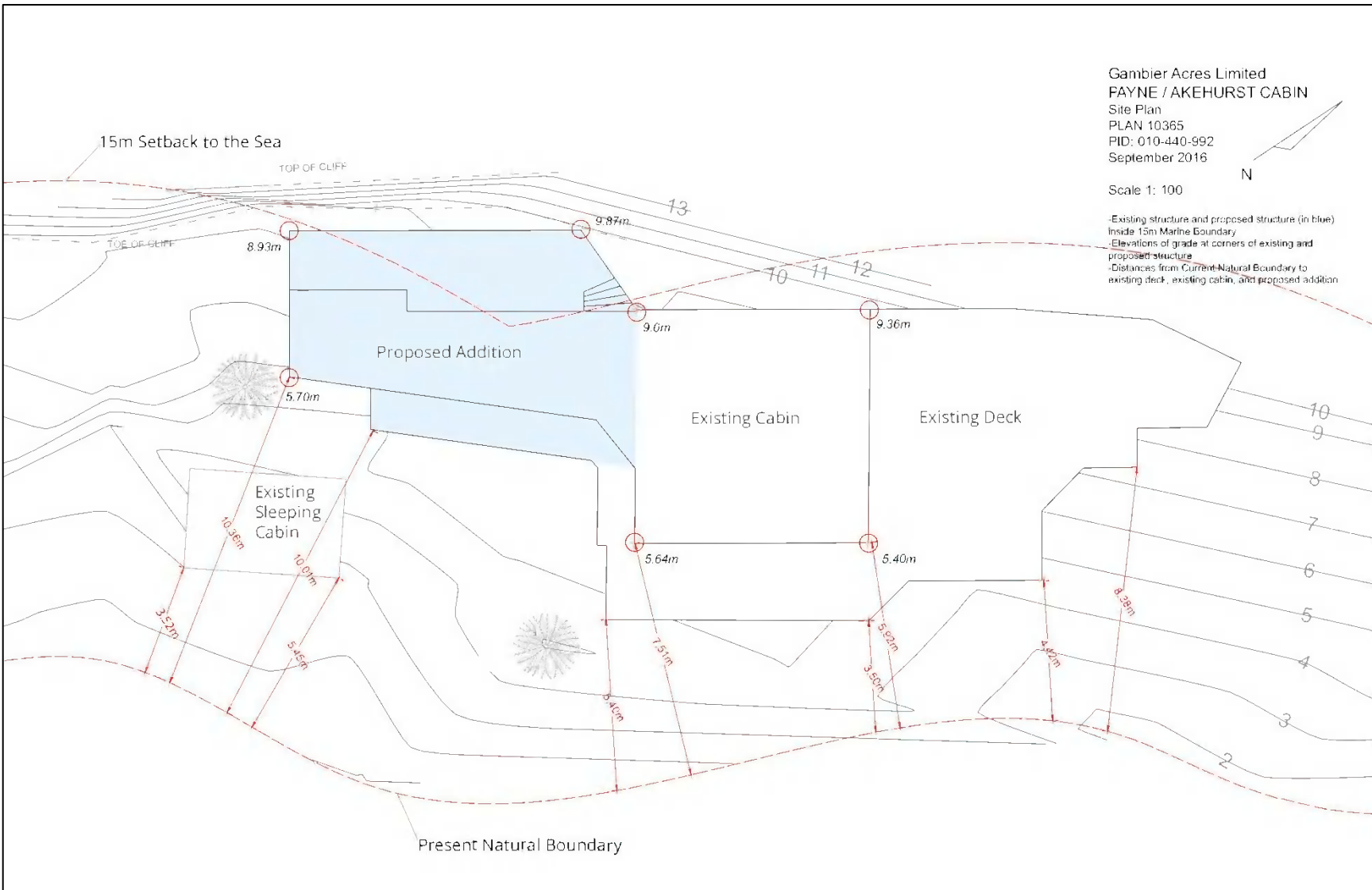
AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF ____, 2016.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF 2018, THIS PERMIT AUTOMATICALLY LAPSES.

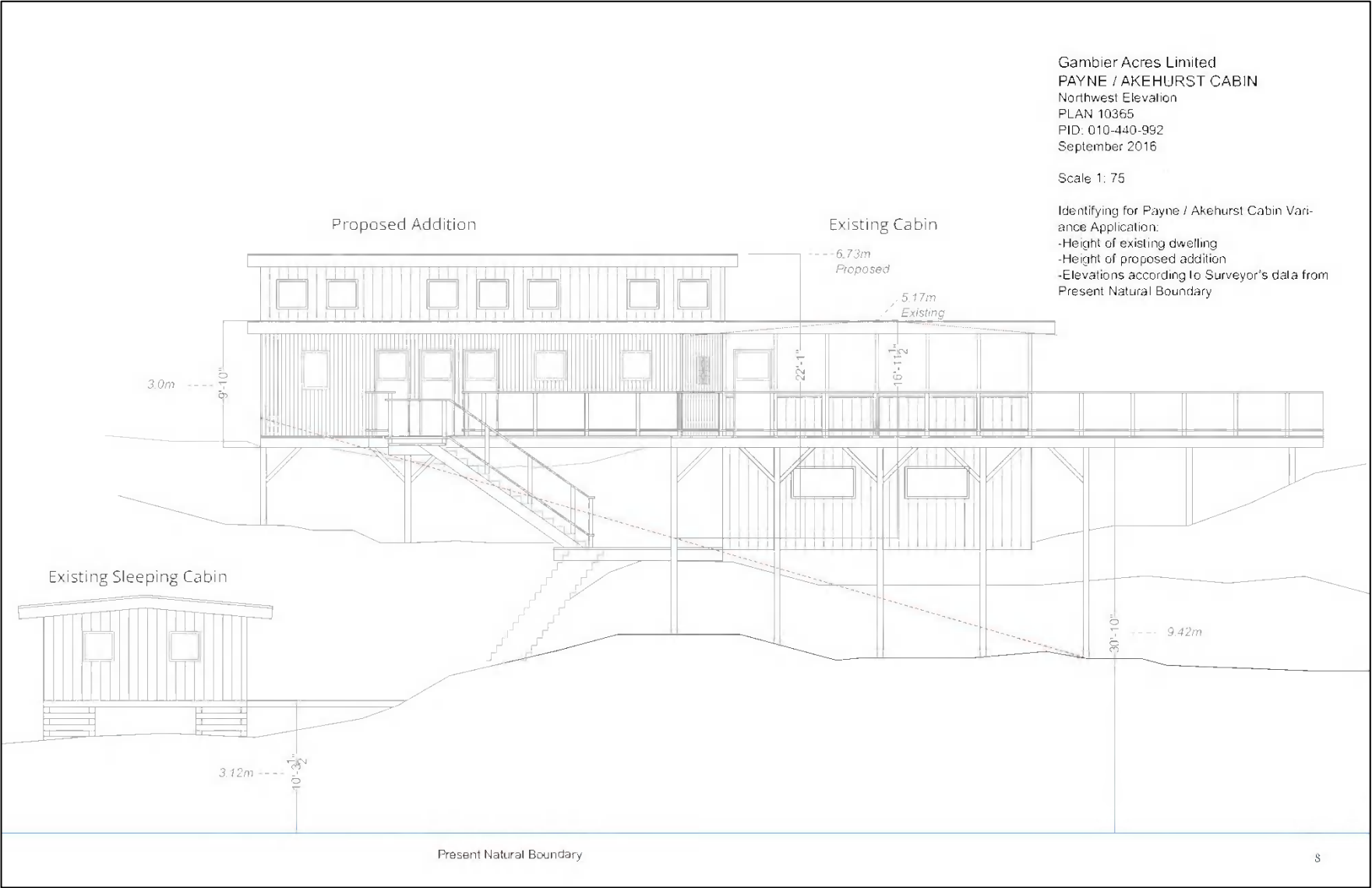
GAMBIER ISLAND LOCAL TRUST COMMITTEE
GM-DVP-2016.3 (Gambier Acres)
Schedule "A1"



Gambier Acres Limited
PAYNE / AKEHURST CABIN
Northwest Elevation
PLAN 10365
PID: 010-440-992
September 2016

Scale 1: 75

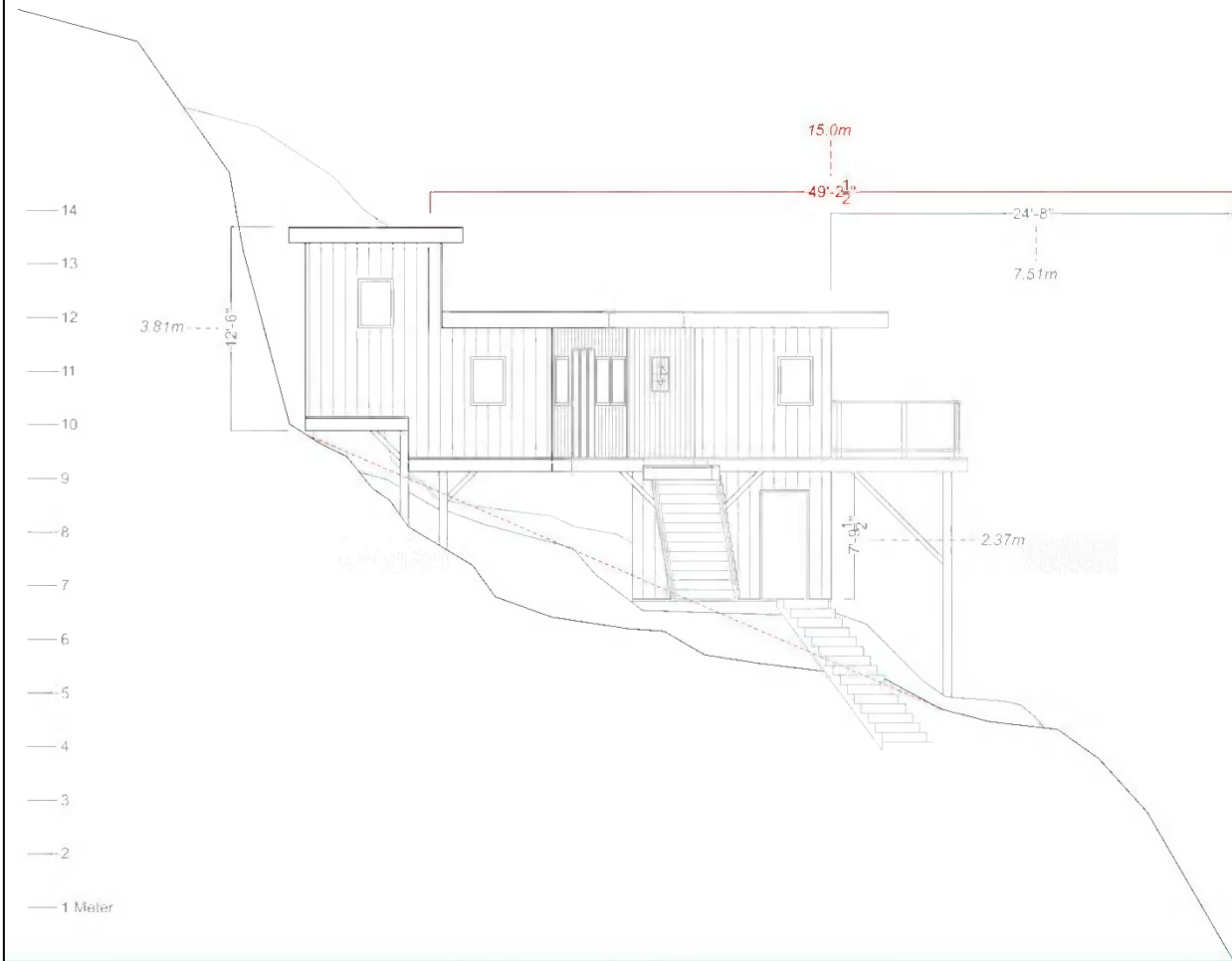
Identifying for Payne / Akehurst Cabin Vari-
ance Application:
-Height of existing dwelling
-Height of proposed addition
-Elevations according to Surveyor's data from
Present Natural Boundary



Gambier Acres Limited
 PAYNE / AKEHURST CABIN
 Northeast Elevation
 PLAN 10365
 PID: 010-440-992
 September 2016

Scale 1: 75

Identifying for Payne / Akehurst Cabin Vari-
 ance Application:
 -Height of existing dwelling
 -Height of proposed addition
 -Elevations according to Surveyor's data from
 Present Natural Boundary



Present Natural Boundary



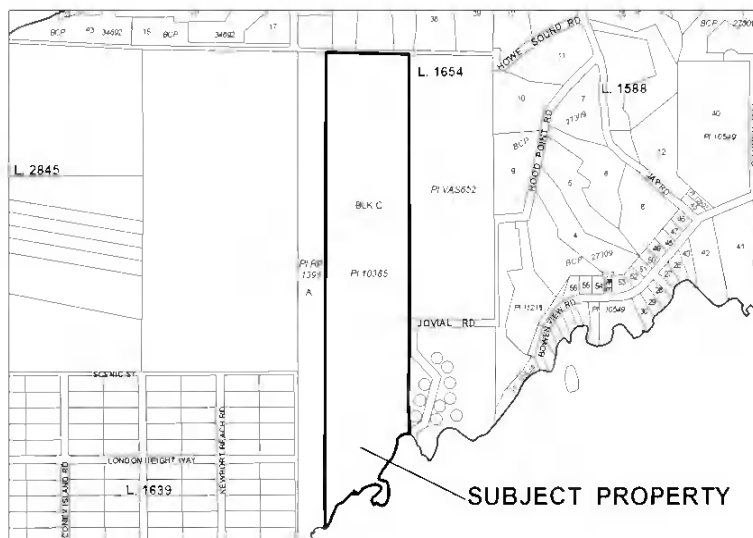
NOTICE
GM-DVP-2016.3 (Gambier Acres Limited)
GAMBIER ISLAND LOCAL TRUST COMMITTEE

NOTICE is hereby given that the Gambier Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 498 of the *Local Government Act*, varying the Gambier Island Land Use Bylaw No. 86, 2004, in general terms, the purpose of the Permit is as follows:

To reduce the setback from the natural boundary of the sea from 15 metres to 3.5 metres to allow the construction of a new addition to the existing cabin and the location of an existing deck that is attached to the existing cabin.

The property is legally described as: PID 010-440-992 Block C District Lot 1654 Plan 10365

The general location of the subject area is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3, between the hours of 8:30 am and 4:00 pm, Monday to Friday inclusive, excluding Statutory Holidays, commencing **October 3, 2016** and continuing up to and including **October 12, 2016**. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed Permit, please contact Marnie Eggen, Island Planner, at 250-247-2210; for Toll Free Access, request a transfer via Enquiry BC: in Vancouver 604-660-2421 and elsewhere in BC at 1-800-663-7867.

Written submissions should be sent to: **Mail:** Islands Trust, 700 North Road, Gabriola Island, BC V0R 1X3
Fax: 250-247-7514 **Email:** meggen@islandstrust.bc.ca

Following the end of the notice period, the Gambier Island Local Trust Committee may consider issuance of the proposed Permit at its Regular Business Meeting to be held at 10:45 am, Thursday, October 13, 2016, at the **Gleneagles Community Centre (Livingroom), 6262 Marine Drive, West Vancouver**

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Becky McErlean
Deputy Secretary

File No.: [GM-RZ-2004.1
District Lot 696]

DATE OF MEETING: October 13, 2016

TO: Gambier Island Local Trust Committee

FROM: Aleksandra Brzozowski, Island Planner
Northern Office

SUBJECT: Anticipated bylaw amendments for District Lot 696 rezoning

Applicant: Creus Engineering for Convention of Baptist Churches of BC

Location: District Lot 696, Keats Island

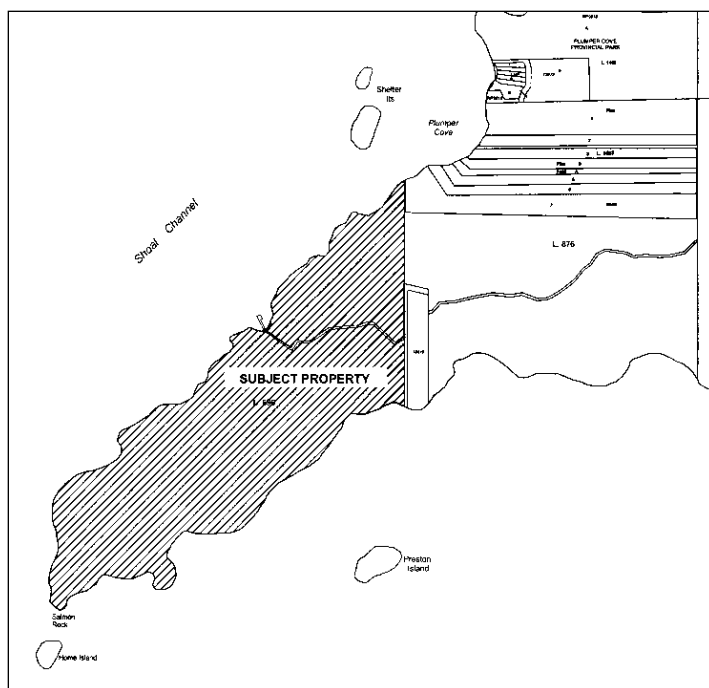
RECOMMENDATION

1. That the Gambier Island Local Trust Committee provide to staff any comments on the anticipated bylaw amendments and process for rezoning application GM-RZ-2004.1 (DL 696).

REPORT SUMMARY

This report outlines the draft bylaw language for amendments to the District Lot 696 Land Use Contract (Bylaw No. 4, 1978) and to the Keats Island Land Use Bylaw (No. 78, 2002) which are required to permit a proposed 110-lot subdivision on the subject property, shown in Figure 1.

Figure 1: Subject Property



BACKGROUND

On November 21, 1978, the Convention of Baptist Churches of British Columbia (CBCBC) entered into a Land Use Contract (LUC) with the Gambier Island Local Trust Committee (LTC) respecting development on District Lot 696. None of the LUC requirements were met by the Convention, and the subdivision did not proceed.

The CBCBC applied to subdivide in 2004, triggering a rezoning application to amend both the Land Use Contract (LUC) and the Keats Island Land Use Bylaw (LUB) to allow the 110-lot subdivision to proceed. The bylaws were never adopted.

In 2013, a new subdivision application was submitted to the Ministry of Transportation and Infrastructure (MoTI). Circumstances changed for the applicant in early 2014, however, and the 2013 application also did not proceed any further.

In 2014, the applicant worked with Planning Staff and MoTI staff to explore the possibility of fulfilling the LUC exactly as written, thus rendering Proposed Bylaw 101 moot. This was ultimately determined to not be possible, and all parties agreed that amendments to both the LUC and the LUB would be needed prior to subdivision.

A preliminary staff report was presented to the Local Trust Committee on July 28, 2016 following receipt of an updated application.

On September 9, 2016, the applicant submitted a revised subdivision application for DL696 to MoTI, which is subsequently to be referred to the Islands Trust for comment. The applicant has provided Planning Staff with the subdivision plan as well as supporting documents, which are attached to this staff report for information.

Staff reports and other information related to application GB-RZ-2004.1 are available on the Islands Trust website at www.islandstrust.bc.ca/islands/local-trust-areas/gambier/current-applications.

ANALYSIS

Policy/Regulatory:

Please refer to the staff report presented at the November 29, 2013 LTC meeting for detailed information on relevant policies and zoning designations.

Anticipated Bylaw Amendments:

Using the subdivision application information provided to date, as well as language crafted during previous consideration of this rezoning application, Staff has prepared draft language for the anticipated amendments to Keats Island Land Use Bylaw No. 78 and the District Lot 696 Land Use Contract Bylaw No. 4.

Summaries and rationale for the amendments are noted in Tables 1 and 2 on pages 3 and 4 of the staff report. Note, there are some information gaps that must be completed or confirmed before the draft bylaws can be given readings by the LTC.

TABLE 1: Anticipated Amendments to Land Use Contract

Land Use Contract Reference	Anticipated Amendment	Rationale
Paragraph 3	Amend wording to clarify location of residences or seasonal dwellings.	The location of the 110 lots will be updated.
Paragraph 4	Amend reference to a specific SCRD plumbing bylaw.	Outdated reference.
Paragraph 8	Amend 'public park' to 'nature reserve' and 'natural area' to 'covenanted conservation area'.	To reflect the proposed status of these lands.
Paragraph 11	Amend the text regarding the timing of dedicating road, registering trail and creating nature reserve.	To require that these dedications/transfers take place at the time of subdivision.
Schedule B	Amend wording to clarify which lots are to be residential lots.	Additional non-residential lots being added, so need to clarify residential versus non-residential and to add identified area for BC Hydro facility.
Schedule C	Amend wording to clarify 110 residential lots and additional lots in Area C, E, F and the Remainder lot.	The breakdown of allotments to Areas A, B, and C is unnecessary. And need to clarify additional non-residential lots.
Plan Accompanying Schedule C	Replace	To reflect the lot layout in the subdivision proposal.
Schedule D	Amend to clarify road location, standard and dedication. Trail ROW details to be amended upon agreement between applicant and MOTI.	To reflect the requirements of MOTI, and to confirm agreements on road standards.
Schedule E	Amend to clarify that a nature reserve is being created and will be transferred to Island Trust Fund.	To facilitate the creation of Sandy Beach Nature Reserve and require that it be transferred to Islands Trust Fund.

TABLE 2: Anticipated Amendments to Keats Island Land Use Bylaw

Land Use Bylaw Section	Anticipated Amendment	Rationale
1.5 – Definitions	Revise definition of “Public Service Utility”	Existing definition is limited to government agencies.
4.2 – CR2 Zone:		
Lot Coverage	Add a site specific lot coverage regulation. TO BE DETERMINED.	To permit existing lot coverage on certain strata lots
4.6 – PI1 Zone:		
Permitted Uses	Delete reference to the PI1(a) zone	There are no lands zoned PI1(a)
Permitted Buildings and Structures	- Add community water system facilities - Delete reference to the PI1(a) zone	To recognize water system facilities are located in the PI1 zoned area (Keats Camp)
Density	Delete “per lot” and replace with “in the PI1 Zone”	The Camp is proposed to be located on the remainder lot. Density, Floor Area, and Lot Coverage regulations are intended to relate to the entire Camp area.
Floor Area		
Lot Coverage		
Special Use and Density	Add a new regulation to limit use, buildings and structures at Campfire Rock.	Campfire Rock is proposed to be a site-specific PI1(a) lot and no building is to be permitted.
4.8 – PC Zone:		
Special Use and Density	Add a new regulation to limit use, buildings and structures at Salmon Rock covenanted area.	Regulation will reiterate the building restrictions set out in the LUC.
4.11 – P1 Zone:		
Special Use and Density	Add a new regulation to limit use, buildings and structures for Sandy Beach Nature Reserve.	Sandy Beach is proposed to be a site-specific P1(a) lot and no buildings are to be permitted.
7 – Subdivision		
7.2 – Exemptions from Minimum and Average Lot Sizes	Add an exemption for nature reserves.	To clarify that proposed Sandy Beach Nature Reserve does not have to meet the minimum lot area requirement.
7.4 – Lot Configuration	Add an exemption for DL696.	The <i>Local Government Act</i> permits local governments to exempt sites from lot configuration requirements.
7.9 – Lots Divided by a Zone Boundary	Add an exemption for DL696.	To allow for split zoned lots (PI1 and PC).
7.10 – Split Lots	Add an exemption for lots zoned PI1, CR2 and CS2 within DL696.	To allow the creation of lots “hooked” across a road.
Schedule B – Zoning Map	Amendments to zones.	To facilitate the subdivision application.

Non-compliant structures 0-7.5 metres upland of the natural boundary of the sea:

At their July 28, 2016 meeting, the LTC discussed required approach for addressing the non-compliant shoreline structures within the setback from the sea. The LTC passed the following resolution:

“It was MOVED and SECONDED that the Gambier Island Local Trust Committee requires a restrictive covenant requiring non-compliant structures be brought into compliance prior to final subdivision approval.”

The applicant has since considered contracting a qualified environmental professional to conduct a shoreline structure assessment within the next few months. Should an assessment be submitted early enough in the bylaw amendment process, Staff will incorporate the information into the LUB amendment rather than require the restrictive covenant.

Subdivision Review Referral & comments on parkland dedication:

Subdivisions are received as referrals from the Ministry of Transportation and Infrastructure (MoTI); MoTI employs an Approving Officer who is the approving authority for such applications in the Islands Trust area. Statutory restrictions on the subdivision of land are set out in the *Land Title Act* and the *Strata Property Act*. Local governments also may regulate subdivision through land use bylaws. In the Islands Trust area, land use bylaw regulations become recommended conditions of preliminary layout approval (PLA) in referral responses to MoTI. Once PLA is issued, the applicant works to satisfy the conditions of subdivision that are required by the Islands Trust and MoTI (as well as other agencies).

Large subdivision applications trigger the need for park land dedication under Section 510 of the *Local Government Act*.

At the time of writing this report, Staff had not yet received the Subdivision Review Referral from MoTI. This referral is the first step for relevant agencies to review a subdivision application. (This referral will also be sent to the Sunshine Coast Regional District (SCRD) and Coastal Health.) Once received, Staff will respond to the referral noting all inconsistencies with zoning and subdivision regulations (with an advisement that the rezoning is currently underway) and will also relay comments noted in the Keats Island Official Community Plan regarding subdivision and parkland.

The Keats Island Official Community Plan states the following in relation to parkland; please note that use of the terms “shall” and “will” are to be correctly understood today as “should”.

- P 3.9 Existing provincial and community park types and uses such as Plumper Cove Provincial Marine Park and natural area community parks are identified as Park on Schedule B. At the time of subdivision, trails should be created as linear parks to link Plumper Cove Provincial Park, Hard-to-come-by Cove, Pebble Beach, Highest Peak, Bridgman’s Bluff, Cotton Point and Andy’s (Silver Beach) in a manner that limits traffic, noise and litter and other effects on neighbouring properties.*
- P 3.10 Public overnight camping shall only be permitted in the Plumper Cove Provincial Marine Park campground.*
- P 3.12 Applicants for subdivision will be required to dedicate parkland in accordance with the requirements of the Local Government Act. Lands dedicated at the time of subdivision as parkland shall be maintained by land use regulation as natural area parks, or greenway corridors unless rezoned for community recreation purposes. A natural area park or greenway corridor use may be located in any land use designation without requiring a land use regulation amendment.*

P 3.13 Development of recreation parks shall be permitted only when authorized by land use regulation amendment following extensive community consultation and a public hearing.

P 3.14 The Local Trust Committee supports the Letter of Understanding, dated October 2, 1996, between the Gambier Island Local Trust Committee and the Regional District of Sunshine Coast Board regarding the identification of land suitable for park and the acquisition, development, operation and maintenance of parkland.

Once the Subdivision Referral is sent out by MoTI, Planning Staff will coordinate a meeting with staff from MoTI and SCRD to review the proposed subdivision application and the anticipated bylaw amendments. First Nations staff will also be invited to this meeting.

Consultation:

The agent for the application held two public meetings in August; attached to this report are the comment forms from these meetings. Written comments received to date from members of the public are also attached to this staff report. Members of the public have also submitted comments to the LTC regarding the park land dedication. Planning staff will forward these comments on to staff at the SCRD.

Planning Staff is also scheduled to have an annual Staff-to-Staff meeting with SCRD planning staff on October 12, 2016. Items on the agenda include discussion of this application and the 1996 SCRD/Islands Trust Letter of Understanding as it applies to park planning.

Rationale for Recommendation:

Staff has drafted anticipated amendments and solicits comment from the LTC.

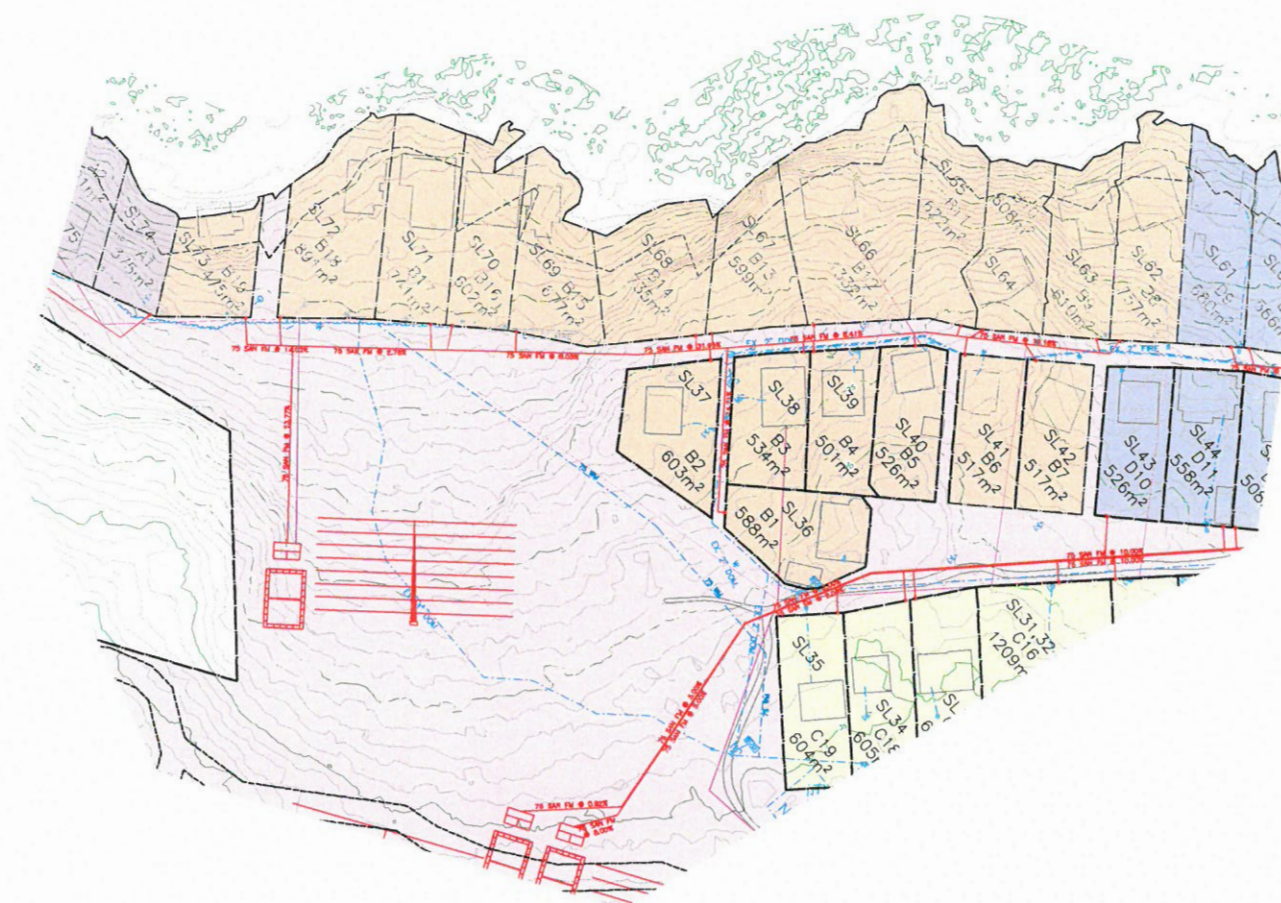
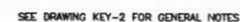
NEXT STEPS

Planning staff will discuss potential bylaw amendments with MoTI and SCRD. Planning Staff will copy the Sunshine Coast Regional District (SCRD) on the Subdivision referral response to inform SCRD Staff preparing staff reports in November.

Submitted By:	Aleksandra Brzozowski, MCIP, RPP Island Planner	September 30, 2016
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	October 5, 2016

ATTACHMENTS

1. Proposed Subdivision Plan, Creus Engineering, September 2016
2. Preliminary Layout Application supplemental report, Creus Engineering, July 2016
3. Summary of Public Meetings held August 16 & 17, 2016
4. Public Comments submitted to the LTC regarding RZ-2004.1
5. Drawings comparing proposed lot locations against existing LUC Schedule C plan
6. Archaeology Report
7. Geotechnical report
8. Wildlife and Vegetation Assessment for North Parcel of DL 696
9. Wildlife and Vegetation Assessment for South Parcel of DL 696
10. Wildlife and Vegetation Assessment for Sandy Beach Land Donation



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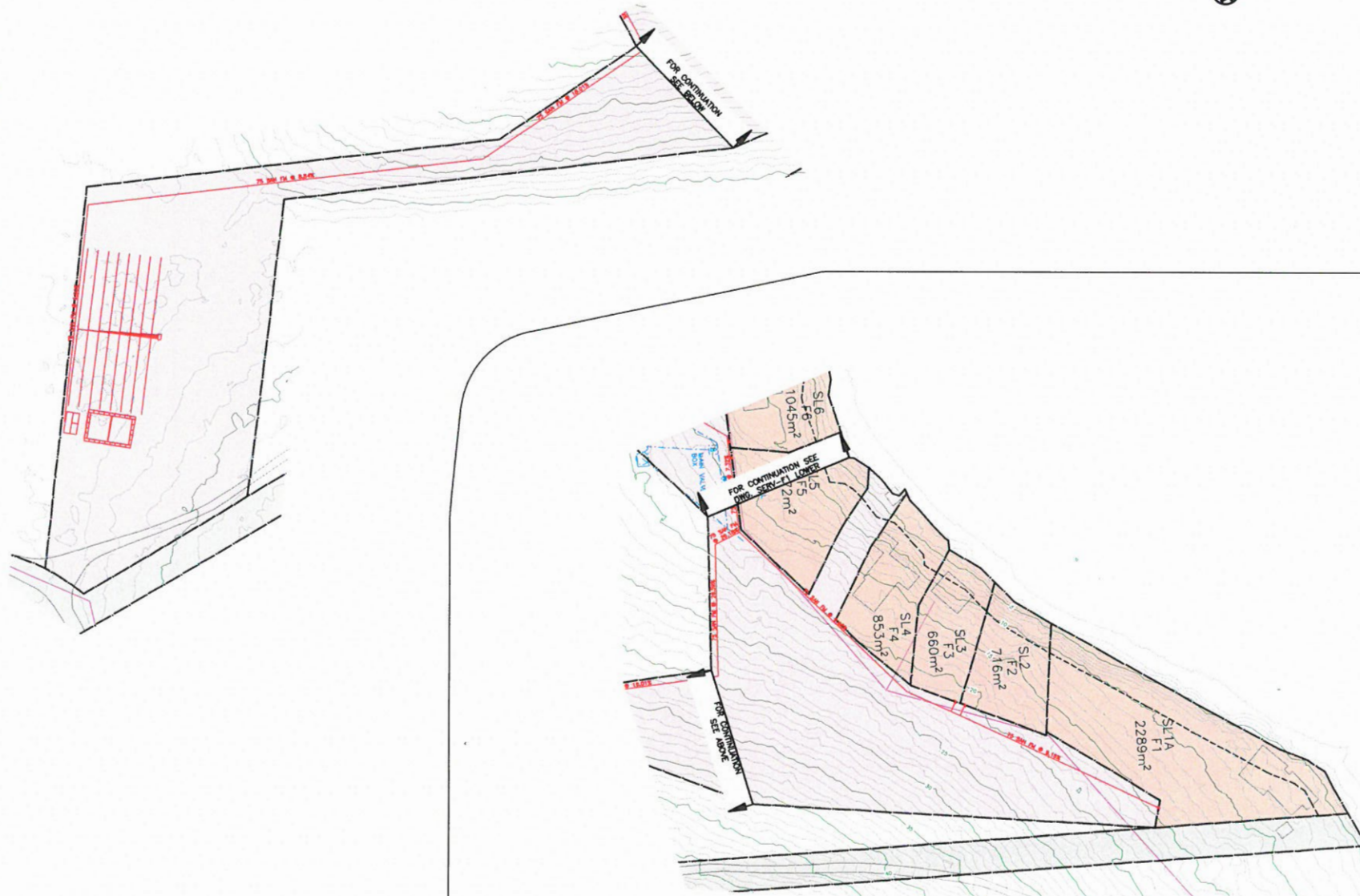
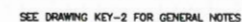




SEE DRAWING KEY-2 FOR GENERAL NOTES



3	SEP/2016	STRATA UPDATE	ACG						CONVENTION OF BAPTIST CHURCHES OF B.C.	CREUS Engineering Ltd	CONVENTION OF BAPTIST CHURCHES OF B.C.	Approved by	K.B.M.	Scale	As per	1:1000	Sheet	3
2	AUG/15/16	STRATA F UPDATE	ACG						DL696, KEATS ISLAND, B.C.	Civil Engineers	Checked by	A.G.C.					13121	
1	JUL/16/16	REVISED FOR PLA	ACG								Drawn by	K.B.M.					SERV-E1	3
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CONVENTION OF BAPTIST CHURCHES OF BC

DL 696 Keats Island

File No. 13120
Report Date July 2016

CREUS Engineering Ltd

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TABLE OF CONTENTS

1.	BACKGROUND	1
2.	PREVIOUS SUBMITTALS	2
3.	EXISTING CONDITIONS	2
3.1.	EXISTING ZONING	2
3.2.	AGRICULTURAL LAND RESERVE AND OTHER RESTRICTIONS	4
3.3.	LEGAL ENCUMBRANCES	4
4.	PROPOSED SUBDIVISION	5
5.	SUBDIVISION CONSIDERATIONS	8
5.1.	APPROVING OFFICER	8
5.2.	ACCESS	8
5.3.	ACCESS TO LANDS BEYOND	9
5.4.	ACCESS TO WATER	9
5.5.	FLOOD HAZARD	10
5.6.	GEOHAZARDS	10
5.7.	ARCHEOLOGICAL	11
5.8.	ENVIRONMENTAL	11
5.9.	REGIONAL DISTRICT	11
5.10.	ISLANDS TRUST	11
5.11.	WATER	12
5.12.	SANITARY	12
5.13.	STORMWATER	13
5.14.	BC HYDRO	13
5.15.	PARK USE	13
6.	CONCLUSION	14
7.	APPENDICES	15
7.1.	LETTER OF AUTHORIZATION	15
7.2.	PRELIMINARY LAYOUT APPLICATION	15
7.3.	CERTIFICATE OF TITLE INCLUDING COPIES OF COVENANTS AND EASEMENTS	15
7.4.	SITE PROFILE (A BLAINE GOOD)	15
7.5.	BC ASSESSMENT AUTHORITY TAX NOTICE	15
7.6.	TAX CLEARANCE CERTIFICATE	15

7.7.	EXISTING LEGAL PLAN	15
7.8.	THE PRELIMINARY SUBDIVISION APPLICATION FEE.....	15
7.9.	AREA MAP	15
7.10.	ADOPTED BYLAW 4 LAND USE CONTRACT 1978	15
7.11.	ISLAND TRUST BYLAW 77, KEATS ISLAND OCP	15
7.12.	PROPOSED BYLAW 89, 2 ND READING A BYLAW TO AMEND KEATS ISLAND LAND USE BYLAW, 2002	15
7.13.	PROPOSED BYLAW 90 AMENDMENT TO LAND USE BYLAW THIRD READING	15
7.14.	ADOPTED BYLAW 99 AMENDMENT TO LAND USE CONTRACT;	15
7.15.	PROPOSED BYLAW 100 AMENDMENT TO LAND USE CONTRACT; THIRD READING	15
7.16.	PROPOSED BYLAW 101 AMENDMENT TO LAND USE CONTRACT; FOURTH READING	15
7.17.	WATER OPERATING PERMIT	15
7.18.	LETTER FROM VCH IN FAVOUR OF PLA AND SUBDIVISION	15
7.19.	ARCHEOLOGICAL STUDY (IN PROCESS OF BEING UPDATED)	15
7.20.	ENVIRONMENTAL STUDY (SARTORI AND ASSOCIATES)	15
7.21.	GEOTECHNICAL STUDY (A BLAINE GOOD)	15
7.22.	DRAFT SUBDIVISION PLAN	15
7.23.	DRAFT ROW AND EASEMENT PLANS	15
7.24.	DRAFT RECIPROCAL ACCESS ROW (TO BE PART OF SUBDIVISION APPLICATION).....	15
7.25.	DRAFT WATER SERVICE ROW (TO BE PART OF SUBDIVISION APPLICATION).....	15
7.26.	DRAFT SEWER SERVICE ROW (TO BE PART OF SUBDIVISION APPLICATION).....	15
7.27.	DRAFT NATURE RESERVE COVENANT	15
7.28.	DRAFT NATURE AREA COVENANT.....	15
7.29.	DRAFT SERVICE EASEMENT (TO BE PART OF SUBDIVISION APPLICATION).....	15
7.30.	DRAFT STRATA BYLAW (TO BE PART OF SUBDIVISION APPLICATION)	15

1. BACKGROUND

Keats Island is a medium-sized island in Howe Sound BC; it sits within the Gambier Island Local Trust Area of the Islands Trust and within the Sunshine Coast Regional District. DL696, which occupies the western quarter of Keats, is currently owned by the Convention of Baptist Churches of British Columbia (the "Convention"). The residential community on DL696 is comprised of Keats Camps (a Baptist camp for youth), plus 84 cottages many of which date back to the 1920s with approximately 85% being built before the LUC in 1978. The subdivision proposed in this document is simply formalizing the existing operation on DL696 and does not change the current land use, general footprint, operations or user group.

The community on DL 696 was founded in 1926, when several families from Convention churches around Vancouver formed a holding company – Keats Island Summer Homes Ltd. – and purchased DL696 on Keats Island. These families bought DL696 for the purpose of creating a community comprised of summer cottages for their families and a Christian camp for youth. A creative two-part financing scheme was developed whereby: (a) one could buy shares in Keats Island Summer Homes Ltd., which funds were used to pay for the purchase of DL696, and then (b) each shareholder could also purchase from the company the right (a "lease") to build a cottage on DL696, with those funds being used to pay for the construction of Keats Camp; the Camp was then operated by the Convention. In this way, the founders of the community were able to raise enough money to buy DL696, build their family summer cottages, and pay for construction of a Youth Camp.

In 1956, after Keats Camp was built and the property fully paid for, the cottagers who owned DL696, via Keats Island Summer Homes Ltd., dissolved the holding company and transferred ownership of DL696 to the Convention with the understanding that the original concept of the community would remain the same; residents of DL696 are part of a cooperative community consisting of both cottager families and a youth camp. The DL696 community continues to cooperatively share a water system and use of the lands not occupied by camp or cottagers, for example.

When Islands Trust was formed in the 1970s, a Land Use Contract (the "LUC") was agreed between Islands Trust and the Convention in order to capture features of the DL696 community which pre-date the creation of Islands Trust. The signed Land Use Contract, dated Nov 22, 1978 which was implemented by Bylaw 4, states "Owner has. presented to the Trust Committee a scheme of use and development of the within described lands and premises that would be in contravention of the Zoning By-law of the Trust Committee" It shows the non confirming lot sizes on the schedule attached to the bylaw basically requiring the lots to be subdivided largely per that plan. For example, the LUC, recognizes 110 cottager lots on the 230 acres which comprise DL696 and sets aside space for a Nature Reserve at Sandy Beach and a Natural Conservation Area near Salmon Rock on the western end of the Island. Original discussions around the LUC also contemplated subdivision of DL696 into areas occupied by cottagers (the "Leaseholders"), and "the remainder" which includes both the area occupied by Keats Camp and the natural spaces covering the rest of DL696. Amendments to the LUC, designed in part to facilitate subdivision, have been adopted and/or proposed in recent years by Islands Trust and are attached in the appendices to this document.

The cottagers of DL696 and the Convention have been looking towards subdivision for some time. John Envoldson Engineering was retained in 2009 to develop a community water and

sanitary servicing plan that could meet subdivision standards. This plan has been updated a number of times since its creation in order to adjust lines, set maximum sizes, adjust servicing, etc. The plan contemplates using the current upgraded drinking-water well and reservoir storage system. The plan also contemplates 6 separate communal septic fields, to service the cottages, which would currently fall under the jurisdiction of Vancouver Coastal Health. This plan has received support from Vancouver Coastal Health as evidenced by the letter from Health to MOTI, dated February 2, 2012, which is included in Appendix 7.18 below. Creus Engineering has further reviewed the site, done additional soil investigations and detailed the communal septic field design.

Creus Engineering was retained in March 2013 to review the proposed conceptual water/sewer servicing plan, to prepare detailed servicing plans and discuss such detailed plans with various companies and agencies who may be involved in implementation, and to prepare a PLA application to support the subdivision. The PLA application is attached. Some key issues in regards to the PLA application are discussed below.

The PLA application has been modified to include only 108 residential strata lots, one existing BC Hydro Lease lot, the Sandy Beach Dedication, Salmon Rock Nature Covenant, Trail ROW, road dedication, communal sewer and water system and continuation of the Keats Camp on the remainder.

2. PREVIOUS SUBMITTALS

DL 696 has been subject of two PLA applications. Both applications were for 110 residential lots with communal septic systems. They also included Dedication of Nature Preserve (Sandy Beach), Nature

3. EXISTING CONDITIONS

As noted above, the property is occupied by 84 built cottages on 110 leased lots. Keats Camps also operates on the property with a number of existing buildings and operations on the land. A gravel road has been built, which leads from the boat launching ramp, next to the SCRd dock at Keats Landing, to the district lot which forms the eastern border of DL696 and then to lands beyond. BC Hydro occupies an existing lease lot. An existing Highway Gazette is registered on site however an existing gravel road to the Keats Landing Dock does not reside in that gazette.

3.1. EXISTING ZONING

The Zoning regulations for the lands are administered by the Gambier Island Local Trust Area of the Islands Trust. As noted above, original zoning was governed by the "Gambier Island Trust Committee Land Use Contract Authorization By-law No.4, 1978 (Convention of Baptist Churches of British Columbia)" (LUC). Additionally "LAND USE BYLAW NO. 78, 2002" was implemented by the Islands Trust. Further an "OFFICIAL COMMUNITY PLAN BYLAW NO. 77, 2002" was implemented by the Gambier Island LTA.

The LUC details the requirements to achieve the subdivision of the lands. The key elements are as follows:

1. Land Use ("Schedule B")

“The use of the Land including buildings and structures erected thereon shall, subject to the provisions of Schedule "E", be restricted to:

- a) Residence
- b) Seasonal Cottage
- c) Home occupation
- d) Agriculture
- e) Place of assembly
- f) Institutional camp
- g) Public Park

h) Public Service use.....” The proposed works are consistent with the above with minor variance on the boundaries of the lands. The change in boundaries is a subject of the rezoning process with IT.

2. Land Use Residential (Schedule C)

“Within District Lot 696, lots for residence and seasonal cottages may be subdivided, or created by other means subject to the number of lots being restricted to a maximum of 110The location of the 110 lots shall, subject to minor variation upon survey, be as shown approximately in the inset on the plan accompanying this Schedule.” The proposed PLA is for 108 lots largely matching the original lot lines. There has been a minor variance in lots as some were not buildable as originally conceived. This has resulted in reallocation of 3 lots into the landing site. The change in boundaries is a subject of the rezoning process with IT.

3. Public Road (Land Use Contract, article 7 and Schedule “D” (a))

The Land Use Contract stipulates that a “public road right-of-way” from the “Federal Dock” (now a Sunshine Coast Regional District wharf referred to as the “Keats Landing Wharf”) to the eastern boundary of the campus be dedicated, and that it shall be “constructed on an alignment and to the standards required by the Ministry of Highways”. This is discussed in more detail in Appendix 5.2 access with the proposed 20 m ROW having been reviewed in general with MOTI as meeting the requirements.

4. Public trail (Land Use Contract s. 7; Schedule D (c))

The Land Use Contract also calls for the dedication of a public trail from the public road in the vicinity of the Keats Landing Wharf to the public park site referred to in Schedule “E” of the Land Use Contract.

It is proposed that a statutory right of way (“ROW”) be dedicated roughly on the alignment shown on the attached sketch. This is discussed in more detail in Appendix 5.3 Access to Lands beyond below. In review with MOTI, IT and SCRD it is proposed that the trail tenure be achieved via a 6.0 m Unopened Road Dedication.

5. Public Park (Land Use Contract s. 8; Schedule “E”)

The Land Use Contract calls for the creation of a “public park” by subdivision, to be held by the “Crown Provincial”. The Convention’s current subdivision application contemplates the creation and dedication of a Nature Preserve to be held by the Islands Trust Fund (ITF) in lieu of a “park”. The Trust Committee has endorsed this approach, and the local ITF has provided approval for accepting these lands. A covenant limiting the lands consistent with the LUC requirements has been prepared with the ITF and Sunshine Coast Conservation authority who have approved the document. A copy has been submitted to the IT for review and approval. A copy of the covenant is included in Appendix 15 Draft Nature Reserve Covenant

6. Natural Area (Land Use Contract s. 8; Schedule “E”)

The Land Use Contract calls for the preservation of a natural area in the area designated as “Area D” on Schedule “E”. The Land Use Contract prescribes that a restrictive covenant shall be registered on title that restricts Area D to no more than 3 buildings (one then-existing and a maximum of two additional buildings) totaling not more than 4,000 square feet in addition to the area of the then-existing building. It is proposed that this be achieved by use of either: (a) a conservation covenant held by the Islands Trust Fund; or (b) a restrictive covenant held by the Trust Committee limiting uses in this fashion in “Area D” as denoted in the Land Use Contract.

Appendix 15 Draft Nature Area Covenant

As part of previous PLA/Rezoning applications, The Islands Trust prepared bylaws to amend the LUC/Bylaw 4 and the Land Use Bylaw/Bylaw 77 to reflect the layout at those submissions. They prepared these changes via Bylaws 89, 90, 99, 100 and 101, which were initiated in 2002 and most reached third reading in 2007. Final reading was temporarily put on hold until such time as the exact layout and location of septic fields and a viable means to achieve build out of the systems. As part of the septic redesign, some minor changes to lot lines have occurred but there is no material change to the number (reduction by 2) or location of cottage lots and land use remains largely compliant with the bylaws. The rezoning history to date has included:

- Bylaw 89, to amend Land Use Bylaw got first and second Reading Mar to May 2005 to amend bylaw 78. List variances on lots. This bylaw is now rescinded.
- Bylaw 90 received first and second reading March to May 2005 to amend Land Use contract. Lots largely similar to now. This bylaw is now rescinded
- Bylaw 99 to Amend Land Use Contract received third reading and was approved by the executive committee from June 7 to October 9, 2007 showing lot boundaries largely identical to current but was largely intended to document camp used. This was never ratified.
- Bylaw 100 to amend Land Use Bylaw received third reading and approved by executive committee between June 7 to October 9, 2007 and was very similar list as bylaw 89. This bylaw was rescinded.
- Bylaw 101 to amend Land Use Contract received first to fourth reading Jun 7 to Aug 30, 2007. This largely follows the existing. This Bylaw was rescinded.

Island Trust has been approached to restart the rezoning process. A meeting is to be held on July 28 where the request for rezoning will be brought forward. It is understood that achieving final rezoning will be a condition of PLA. The Rezoning application has been initiated.

3.2. AGRICULTURAL LAND RESERVE AND OTHER RESTRICTIONS

The land is not charged with any mining, forestry or agricultural use restrictions and is not part of the Agricultural Land Reserve.

3.3. LEGAL ENCUMBRANCES

The property is encumbered by the following legal encumbrances.

1. The B.C. Tel Co., That part of Right-of-Way 213575M D.L. 696 included in reference plan 4421
2. B.C. Electric Co. Ltd., Right-of-Way over that part included in Exp. Plan 6583 with subordinate rights over the balance of the said District lots.

3. B.C. Electric Co. Ltd. All Right-of-Way, 326792M Registered under fJ325036M.
4. Montreal Trust Company Mortgage of Right-of-Way 213575M That part of D.L. 696, .542446M. Included in Reference Plan 4421. In trust, see -63236M and 542446M, Supplemental to 63236M inter alia
5. Montreal Trust Company Mortgage of Right-of-Way 213575M That part of D.L. 696, MD9422 Included in Reference Plan 4421. In trust see 63236M and D9422. Supplemental to 63236M
6. Existing Gazetted Road under reference plan 2618 (no road is constructed in this area, nor is one required or desired)

4. PROPOSED SUBDIVISION

The original DL 696 encompasses 230 acres, or 93 hectares. The Convention would subdivide out 6 Strata lots; each Strata lot would contain 15-19 Cottage lots and an area of Common Property.

Lot 7 would be Proposed Nature Reserve (Sandy Beach) 3.406 ha which is larger than the lot size of approximately 3.3 indicated in Bylaw 4 Schedule C

A Unopened Road dedication would be transferred to MOTI of .98 ha to access Lot 7 above and Salmon Rock

A Road Dedication from Keats Landing Dock to the East boundary of DL696 would be dedicated totaling 2.55 ha

The rest of DL696 would constitute an undivided Remainder.

The resulting subdivision would create the following Strata, with locations shown on the accompanying plans:

1. Strata A (Sandy Beach Strata)
 - a. There is no change in use as part of this subdivision.
 - b. This would contain 19 Cottage lots
 - c. This would contain Common Property of this strata
 - d. A reciprocal access agreement over the common property in favour of Strata Lot B, C, D, E, F and Remainder of DL696
 - e. A servicing ROW in favour of the Convention of Baptist Churches of BC for operation, maintenance, repair and replacement of water system in common property. (this is no change in use only documenting current operation)
 - f. This strata and all of its lots have waterfront access including part of the common lot. This strata and all its lots will have access to the Public Highway dedication via the Reciprocal access agreement in item d above.
 - g. An emergency access agreement in favour of MOTI for emergency services
2. Strata B (West Landing Strata)
 - a. There is no change in use as part of this subdivision.
 - b. This would contain 19 Cottage lots
 - c. This would contain Common Property of this strata
 - d. A reciprocal access agreement over the common property in favour of Strata A, C, D, E, F and Remainder of DL696
 - e. A servicing ROW in favour of the Convention of Baptist Churches of BC for operation, maintenance, repair and replacement of water system in common property. (this is no change in use only documenting current operation)

- f. A servicing ROW in favour of the Strata C and D for operation, maintenance, repair and replacement of sewer system components in Common Property.
 - g. An emergency access agreement in favour of MOTI for emergency services
 - h. This strata and all of its lots access to the Public Highway dedication via the Reciprocal access agreement in item d above. The Strata common property and 14 of the individual lots have waterfront access with the remaining lots having water access via the common property.
- 3. Strata C (Mid Landing Strata)
 - a. There is no change in use as part of this subdivision.
 - b. This would contain 19 Cottage lots
 - c. This would contain Common Property of this strata.
 - d. A reciprocal access agreement over the common property in favour of Strata Lot A, B, D, E, F and Remainder of DL696
 - e. A servicing ROW in favour of the Convention of Baptist Churches of BC for operation, maintenance, repair and replacement of water system in common property. (this is no change in use only documenting current operation)
 - f. A servicing ROW in favour of the Strata B and D for operation, maintenance, repair and replacement of sewer system components in Common Property.
 - g. An emergency access agreement in favour of MoTI for emergency services
 - h. This lot has Common property frontage on the publicly dedicated road. There are 9 of the lots that have direct waterfront access with the remaining lots having water access via the common property.
- 4. Strata D (East Landing Strata)
 - a. There is no change in use as part of this subdivision.
 - b. This would contain 19 Cottage lots
 - c. This would contain Common Property of this strata.
 - d. A reciprocal access agreement over the common property in favour of Strata Lot 1, 2, 3, 5, 6 and Remainder of DL696
 - e. A servicing ROW in favour of the Convention of Baptist Churches of BC for operation, maintenance, repair and replacement of water system in common property. (this is no change in use only documenting current operation)
 - f. A servicing ROW in favour of the Strata 1, 2 & 3 for operation, maintenance, repair and replacement of sewer system components in Common Property.
 - g. An emergency access agreement in favour of MOTI for emergency services
 - h. This Strata common property has frontage on publicly dedicated road in 3 locations. All lots have waterfront access via the common property.
 - i.
- 5. Strata E (Campfire Rock Strata)
 - a. There is no change in use as part of this subdivision.
 - b. This would contain 15 Cottage lots
 - c. This would contain Common Property of this strata.
 - d. A reciprocal access agreement over the common property in favour of Strata Lot A, B, C, D, F and Remainder of DL696
 - e. A servicing ROW in favour of the Convention of Baptist Churches of BC for operation, maintenance, repair and replacement of water system in common property. (this is no change in use only documenting current operation)
 - f. An emergency access agreement in favour of MOTI for emergency services
 - g. An Easement over Remainder for access

- h. This strata has 10 lots with direct waterfront access and all have access via an easement over "Campfire Rock" portion of DL 696. This lot has access to MOTI road via easement indicated above. The strata also has frontage on the road dedication along the east side of DL 696
- 6. Strata F (Plumper Cove Strata)
 - a. There is no change in use as part of this subdivision.
 - b. This would contain 17 Cottage lots
 - c. This strata would have common property fronting the MOTI road dedicated as part of this subdivision as well as the future road ROW to be dedicated as part of this subdivision.
 - d. This would contain Common Property of this strata.
 - e. A reciprocal access agreement over the common property in favour of Strata Lot A, B, C, D, E and Remainder of DL696
 - f. A servicing ROW in favour of the Convention of Baptist Churches of BC for operation, maintenance, repair and replacement of water system in common property. (this is no change in use only documenting current operation)
 - g. An emergency access agreement in favour of MOTI for emergency services
 - h. This strata has all lots with direct waterfront access and all have access via common property. This lot has access to MOTI road via common property in two locations. The strata also has frontage on the road dedication along the east side of DL 696
- 7. Lot 7 (Sandy Beach)
 - a. It is proposed that a Nature Preserve be created by subdivision, and title transferred to the Islands Trust Fund.
 - b. This lot will have waterfront access
 - c. This lot will have frontage along Unopened Road Dedication along its southern boundary
 - d. A covenant restricting uses to nature Area per the terms of Land Use Agreement has been negotiated with ITF and Sunshine Coast Conservation
 - e. A Statutory ROW in favour of the public for trail access over a portion of the lot
 - f. This lot has no services and has not requirements for same.
 - g. This lot has 371m of waterfront access and access to the MOTI ROW to be dedicated as part of this subdivision via the Trail ROW
- 8. Remainder of DL 696
 - a. An MOTI ROW in favour of the province for road dedication from the existing water lot at the public dock to the east of the property at DL 876 including existing parking facilities.
 - b. An unopened 6.0 m road dedication for trail access to Lot 7 and Salmon Rock Nature Area covenant
 - c. A servicing ROW in favour of the Convention of Baptist Churches of BC for operation, maintenance, repair and replacement of water system in common property per the limits of the area indicated on Detail on L8. (this is no change in use only documenting current operation)
 - d. This lot has 982m of its property having frontage on the MOTI road to be dedicated as part of this subdivision and 3061 m of water access frontage.
 - e. An easement in favour of Strata E for access from Road dedication to Campfire rock
 - f. An easement in favour of Strata A, B, C, D, E , F over the "Campfire Rock" portion of Remainder

- g. A SROW in favour of the province for protection of Archeological sites per details identified in L8.

5. SUBDIVISION CONSIDERATIONS

5.1. APPROVING OFFICER

MOTI is the approving officer for this project. As part of this subdivision a ROW to accommodate an existing road built for and maintained by MOTI would be accomplished as well as unopened Road dedication for trail us and along east side of property.

5.2. ACCESS

DL 696 is on Keats Island and forms the west third of the island. There is currently a public landing in the area of Strata C and D. There is a gravel road that provides access from the dock to the lands to the east; however, there is no legal tenure to the road. The road general layout and construction was to the satisfaction of MOTI and they have performed maintenance on the surface from time to time. There is a road gazette that is registered, however there is no road built in the gazette area and the gazette alignment is not favourable to the construction of a road. The existing cottages gain access from the gravel road and walking on narrow foot paths that meander between the lots. Some cottage owners also have water access. There is no legal tenure currently to protect the access to the existing cottages. The Camp has internal trails and roads on its own property that access the existing gravel road that is proposed to be dedicated as part of this subdivision.

There are no formal emergency services on Keats. They currently have a volunteer fire committee and have fire hoses stored at standpipes within the community. There is no fire truck that would respond to the lands. The footpaths would be improved as part of the work with greater access for ATV but not formal vehicles access. The distances between the Cottage lot lines do not allow for construction of roads.

The community and Islands Trust are not looking to increase vehicular traffic on the island, and have in fact expressed (through public OCP planning sessions) a desire to limit vehicular traffic.

The Camp would continue to have gravel roads accessing their buildings and areas. They also have access to a helipad off of the gravel roads.

The cottages currently have no legal tenure for access. The proposed subdivision would give legal tenure to all six strata to provide access to the MOTI row to be dedicated as part of this subdivision. All six strata would have legal tenure to waterfront access via a reciprocal Access ROW over the common property. Five of the strata have common property fronting on waterfront access, with Strata C having frontage on MOTI dedicated road that immediately fronts on waterfront. As well 68 of the individual strata lots have their own waterfront access. Only 15 lots do not have either direct access or access via direct common property to both Waterfront and Road. These 15 in Stata E have access to road via dedicated Road ROW on east side of property as well as an easement over Remainder of DL 696. All lots have access to both Waterfront and Road access via reciprocal access agreement.

DL696, Islands Trust and MOTI had extensive discussion during the public and private review of the original PLA and zoning. At that time concerns about parking, sustainability of MOTI road

standards and environmental impact of potential future road widening were brought forward. At that time there were commitments to restricting road width to its current standards, using ditches and planting to limit parking in the ROW and a commitment to maintaining road generally in its current form. The community supports maintaining this standard.

A widening of the Road Dedication has been included at the existing gravel parking area. This will be left as a gravel parking area. It has capacity for approximately 20 parking stalls. No upgrades in the surfacing of road or parking are contemplated as part of this dedication.

5.3. ACCESS TO LANDS BEYOND

The land in question is surrounded by water on 3 sides. On the East, is adjoining lands. As part of the subdivision the existing gravel road will have a Road Dedication granting it tenure. This will provide access from the existing public landing at Keats Landing to lands beyond in an MOTI Road Dedication

An opened Road Dedication will provide access to the newly subdivided lot 7 (Sandy Beach) as part of this subdivision. This lot will also have direct waterfront access.

The unopened Road Dedication would also provide public access to Salmon Rock. Salmon Rock will remain part of DL 696 but the unopened road will provide public access for the first time to this area. The area will be subject to a natural preservation covenant. A draft of the covenant is included in Appendix 7.28 Draft Nature Area Covenant

5.4. ACCESS TO WATER

When a property that is proposed for subdivision is contiguous with a body of water, highway access to the water is required under Section 75(1) (c) and (d) of the Land Title Act. This is generally at 400 metre intervals in rural areas and 200 m intervals where lots are subdivided into less than 0.5 ha. This is generally to allow upland property owners and/or the general public access to bodies of water at regular intervals. This is generally for reasons of access for emergency rescue, emergency clean up, public inspector access for testing water quality, access for fire protection

There is currently no tenured public or upland user access to the waterfront within DL696. Access to the water was a key element of the public approval process and is reflected in the proposed plans and the zoning documentation from the Islands Trust.

As part of the subdivision process there will be 3 locations where public road dedication will provide access to the water. These total approximately 50.52 m. There is also a public trail access via an unopened Road Dedication Island Trust lands (lot 7/Sandy Beach) which has water access along its length totaling 371 metres. The bylaw amendments from Island Trust protect public access and recreation on these lands with restrictions as deemed by Island Trust. The covenant area also has a public trail ROW to Salmon Rock. This opens up the foreshore of this area which totals 1,491 metres.

The subdivision also proposes that there would be a right of way for emergency access along the common property which would further address any emergency rescue, inspection clean up requirements along the developed portion of the site.

The remaining foreshore is steep with cliffs and does not allow for reasonable or safe access to the water.

The provided access is in excess of the required length of access for the site. Based on a total length of 5,578 m of foreshore with most fronting the remainder lot which is greater than 0.5 ha, the access requirements would be approximately 350 metres. The proposed subdivision provides public access to waterfront of 420 metres with a further 1,491 metres of covenant protected access. There is a further 246 m of common property access for DL 696 lot access and emergency access to the waterfront.

5.5. FLOOD HAZARD

There are no defined water courses on the lands. In A.B. GOOD Geotechnical Services report of July 17, 2013 he has reviewed the subdivided lots and concluded that each of the lots has a building lots has building envelope that is not subject to flooding. This report is included in appendix 7.21.

5.6. GEOHAZARDS

Many of the existing cottages have been in existence since the 1920's. No significant geotechnical hazards have been experienced during that time. The Islands Trust did not note any areas of geotechnical concerns as part of the OCP, LUC or amended studies for the lands over the last 50 years.

Blaine Good, P.Eng. has evaluating the lands and reviewed the current uses and proposed subdivision to determine the need for any geotechnical covenants and to determine if the lands are suitable for their intended purpose. Mr. Good's report is included as Appendix 7.21 below.

Per the Islands trust OCP of 2002, "Keats is a rural residential and recreational island with no car ferry, no paved roads, relatively few automobiles, and limited year-round moorage potential for private boats. The island is served by BC Hydro electric power, and Telus telephone land-line service. In 2002, there were no stores or commercial visitor accommodation facilities on Keats Island.

From the COMMUNITY PROFILE, Keats Island Official Community Plan Review 2000-2001 Prepared by: Eleanor N.M. Kneffel, Hornby Island, B.C. states "Non-Native settlement began on Keats Island in about 1888 with a couple, John Hooper and Lehannah Konderoy, coming to homestead near Keats Landing*22,23 and another individual, Harry White, about a year or two later settling on the east side of the island at what is now Eastbourne24. In 1894 J.W. Taylor raised sheep on the north part of the island which became the Corkum Farm in the 1930's and in 1986 the Barnabas Family Ministries. Several more homesteaders came to settle on Keats Island in various locations making their living by farming and logging." The report further documents "BC Hydro electric power service runs via a submarine cable from the town of Gibsons to the south west shore of the Keats camp property, just south of the lease lots. The cable was originally installed in 1962101 and was upgraded in 1994. Its voltage was increased from 7200 to 14400 by installing a larger cable and changing to higher voltage transformers."

The site has no identified experience of industrial uses. There is no documentation, either physical or anecdotal, of diesel or fuel oil furnaces or generators in use on the property since the Convention assumed ownership in the 1950s. Prior to electrical services being available on

the Island, the cottages and Camp largely relied on wood stoves and/or propane for heating and cooking and coal oil lamps and candles for light. To this day, the properties are primarily used during the summer months and are rarely used during winter.

DL 696 has a community water supply from a well source that is tested on a regular basis. No issues with chemical contamination have been noted. The camp operation is off of electrical heat, lights and cooking with some wood burning stoves. The camp has a series of septic field systems for waste. The cottage owners are fed from the communal water system. The cottages have various forms of ground based septic disposal. We are not aware of any diesel fueled or stove fuel heating systems in the cottage area nor are we aware of any deliveries of same. A Blain Good P.Eng. is reviewing the site history and will be submitting a Site Profile for the property. A copy of a disclosure statement from the owners will be included in Appendix 7.4 below.

Blain Good, P.Eng. has reviewed the site history and has submitted a Site Profile for the property. A copy of a disclosure statement from the owners is included in Appendix 7.4 below.

5.7. ARCHEOLOGICAL

As part of the Hydro design exercise detailed Archeological studies have been prepared for the area of the Hydro works. This study has identified areas of first nations use. The study presents proposed SROW areas for protection of these areas.

This will be expanded upon to include all the used areas.

5.8. ENVIRONMENTAL

The intended uses and footprints for buildings and infrastructure is largely within existing disturbed footprints. The exception is the Septic Field Clearing which is in second growth forest. The Keats island OCP has mapping showing know Environmentally Sensitive areas. There are no designations within the areas requiring works to complete this subdivision. The drawing is part of OCP Bylaw

Sartori and Associates have prepared a report documenting Sandy Beach and other significant resources. This report is included as Appendix 7.20 Environmental Study (Sartori and Associates).

5.9. REGIONAL DISTRICT

The Lands are within the Sunshine Coast Regional District (SCRD). The SCRDR will not operate the roads, trails; sewer or water services and the planning responsibilities are largely managed by the Local Trust Committee of Islands trust.

As part of the consultation with Islands trust and SCRDR, a request for transfer of approximately 1.1 ha of land (Lot 8) will be required as part of subdivision. This will transferred in fee simple to the SCRDR with a corresponding covenant consistent with wording of to restrict use per the Island Trust Bylaw.

5.10. ISLANDS TRUST

The Islands Trust is a unique form of government, created by the province in 1974 to control unbridled development and to 'preserve and protect' the islands. Since then, the province has amended the Islands Trust Act many times to make it more effective. Local Trust Committees are responsible for land use planning and regulation for their respective area of jurisdiction. Their responsibilities include preparation and adoption of Official Community Plans, Land Use Bylaws, zoning and subdivision bylaws, regulation of soil removal and deposit, and authorization of permits under Part 26 of the Local Government Act. Two local trustees are elected for each group of islands designated as a local trust area or island municipality.

Keats Community lease lots were created in the 1920's and the vast majority of the cottages built well before 1974. As such the Islands trust created Bylaw 4 in 1978, which is included in Appendix 7.10, to document the current Land Use. Island Trust was approached in regards to the subdivision over the last several decades. A more concentrated rezoning process was started in 2000. As part of this process, a Public Meeting was held and negotiations were undertaken to create tenure for trail work, nature reserve and transfer of land to SCRD and Islands Trust. The islands trust is updating the Land Use Contract to reflect these changes via Bylaws 89, 90, 99, 100 and 101 that were started in 2002 and most reached third reading in 2007. The rezoning was in support of the subdivision. Some minor changes in lot lines have occurred since, and works are underway with Island Trust to complete the rezoning.

There is no change in use, and the use is in compliance with the bylaws that are in the process of being finalized.

5.11. WATER

There is a communal water system that services the units on DL696 which includes the Keats Camp and the members of the association. There was an original construction permit and a current operating permit for the system. A copy of the permit is included in Appendix 7.17 below. The system has been operating effectively. The subdivision will replace the existing distribution lines so that they meet VCH requirements, replace existing firefighting standpipes with standpipes that have integral backflow preventers to VCH approval. The operation and layout will remain largely unchanged and no change in permit is intended.

The system has an operating well and a backup well. The system has stainless steel reservoirs that provide storage for rural fire protection and peak demands.

As Part of the subdivision, the operation, maintenance and well head protection will be provided with legal tenure and protection VIA a water ROW agreement. The current water system infrastructure does not have legal tenure.

The Operation and Maintenance Manual and Emergency Preparedness Plan will be updated as part of the subdivision process. A formal well head protection plan with covenant around wells would likely be triggered by the subdivision application process.

5.12. SANITARY

The existing lots on Keats DL 696 have a variety of effluent disposal systems. This ranges from an engineering treatment and effluent field at the Keats Camp to individual tank and field systems. Largely the units have individual septic field of variable quality and reliability. There are few that would meet current permit and reporting requirements. The size of lots, distance to

break out points, proximity to foreshore/marine habitat and soil characteristics restricts the ability for most of the lots to be viable for on lot septic systems. There are some units that have shared fields. Various agencies have been on record to indicate they do not support subdivision of DL 696 reliant on on-lot septic.

In 2009, John Envoldson Engineering was retained to prepare conceptual communal septic systems that could receive Health support. He has prepared a conceptual design for six individual communal septic systems, each with its own tanks, primary fields, reserve fields, and collection systems. The systems are sized to keep them consistent with VCH Subdivision Guideline (2007). John Envoldson had also done a detailed evaluation of the existing septic systems in 2009. He determined that there were 28 vacant lots, 35 systems operating effectively and 50 units that needed upgrades.

Creus reviewed this design. Further site investigation were done to locate fields more closely with the individual strata for ease of operation and maintenance. A detailed design was done on these system by Creus. Creus also did a reevaluation of the existing septic systems. The conclusion were that 28 lots were vacant, 30 lots had effective and approvable septic systems and 50 required replacement. It was proposed to VCH that as part of subdivision the backbone pipe network for the communal system would be installed. All occupied lots would either have an acceptable onsite treatment system or be connected to type 2 fields. There would be 50 lots hooked up to communal septic in the first phase. All lots would have a connection to the lot line of the collection system. The design of the fields is done based on all 108 lots being connected. The fields would be built out in phases. The subdivision would have all occupied lots have a viable septic system. The subdivision would have an approved septic system solution for all lots but only built units would have operating system. As part of the subdivision, a Capital Completion fund would be in place at time of subdivision to accommodate field expansion for an additional 25 units. The fund would be added to on a yearly basis such that within 10 years all funds necessary to complete construction to service all 108 lots on communal system would be place.

A covenant would be in place to restrict building permit unless engineering review and approval were provided that confirmed there was adequate capacity in the communal system for that unit. The details of the covenant will be finalized in the coming month.

5.13. STORMWATER

The sanitary and water works described above will create some additional hard surface areas and increased runoff. The Creus Engineering drawings address this with detention and infiltration features such that the post-infrastructure works runoff will be the same as the pre-subdivision runoff. The actual infrastructure works are largely in areas previously disturbed by infrastructure installation. The exception is the septic fields. The design will provide that there will be no net increase in runoff.

5.14. BC HYDRO

BC hydro currently has a loop from Bowen Island to Gibsons. The main feed has adequate capacity to service the community. Additional poles and pole mount transformers will be required as cottages are added to the system. This will be a cost to the individual owners at time of power connection request.

5.15. PARK USE

The Land Use Agreement was signed in 1978 and stipulated the Park and Public Benefit obligation of the DL 696 owners in significant detail. It predates current statutes.

As part of subdivision the land owner is dedicating Lot 7 and restricting Salmon Rock area for Park/Nature reserve use. There is also a dedication of lands as unopened Road Dedication to facilitate the trail from Keats Landing to Salmon rock. These parcels total 3.406, 10.99 and 0.979 ha for a total of 15.3756 ha of protected property. This is largely high value waterfront lands and some of the most accessible beach on the island. The subdivided Strata lands total just over 19 ha. The Nature and public areas are almost 80% of the subdivided lands. The road dedication is not for the benefit or request of DL 696. This is a further dedication of 2.55 ha of land for Public Benefit. The total public dedication exceeds 18% of the original DL696

6. CONCLUSION

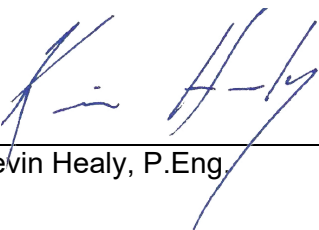
This subdivision is formalizing the existing operation on DL 696 and does not change the current land use, footprint, operation or user group. The subdivision transitions the camp and 110 lease lots that currently have a communal water system, individual (largely non-permitted) on-lot sewer systems and no access tenure, into 6 Strata lots (within which are a total of 108 cottage Strata lots) and creates Nature Reserve Lot dedicated to Islands Trust Fund. The subdivision also creates tenure for the MOTI Road from the public docks to lands to the east. The subdivision creates tenure for the public trail to the natural area at Salmon Rock. The subdivision provides a Nature Preserve area at Salmon Rock. The subdivision also provides tenure for the water system. The subdivision creates environmentally sustainable permitted septic treatment systems with a legal structure sufficient to ensure ongoing efficient operation and maintenance. The subdivision improves access and emergency services tenure over the lands.

The subdivision does not create any additional uses or users on the lands. It technically reduces the number of residents. The subdivision does not affect Ministry of Forests. The subdivision will not result in any negative impact on any wetland, riparian or sensitive environmental area.

If you have any questions in this regard, please do not hesitate to contact me.

Respectfully yours,

CREUS Engineering Ltd



Kevin Healy, P.Eng

7. APPENDICES

- 7.1. Letter of Authorization
- 7.2. Preliminary Layout Application
- 7.3. Certificate of title including copies of Covenants and Easements
- 7.4. Site profile (A Blaine Good)
- 7.5. BC Assessment Authority Tax Notice
- 7.6. Tax Clearance Certificate
- 7.7. Existing legal Plan
- 7.8. The Preliminary Subdivision Application fee.
- 7.9. Area Map
- 7.10. Adopted Bylaw 4 Land use contract 1978
- 7.11. Island Trust Bylaw 77, Keats Island OCP
- 7.12. Proposed Bylaw 89, 2nd reading A BYLAW TO AMEND KEATS ISLAND LAND USE BYLAW, 2002
- 7.13. PROPOSED bylaw 90 amendment to land use bylaw third reading
- 7.14. Adopted bylaw 99 amendment to land use contract;
- 7.15. Proposed bylaw 100 amendment to land use contract; third reading
- 7.16. Proposed bylaw 101 amendment to land use contract; fourth reading
- 7.17. Water operating Permit
- 7.18. Letter from VCH in favour of PLA and subdivision
- 7.19. Archeological Study (In process of being updated)
- 7.20. Environmental Study (Sartori and Associates)
- 7.21. Geotechnical Study (A Blaine Good)
- 7.22. Draft Subdivision Plan
- 7.23. Draft ROW and Easement Plans
- 7.24. Draft Reciprocal Access ROW (To be Part of Subdivision Application)
- 7.25. Draft Water Service ROW (To be Part of Subdivision Application)
- 7.26. Draft Sewer Service ROW (To be Part of Subdivision Application)
- 7.27. Draft Nature Reserve Covenant
- 7.28. Draft Nature Area Covenant
- 7.29. Draft Service Easement (To be Part of Subdivision Application)
- 7.30. Draft Strata Bylaw (To be Part of Subdivision Application)

Community Information Meeting Comments

Project:

Land Use Bylaw No. 78, 2002, and to Bylaw No. 4, DL 696 Keats Island Land Use Contract

File:

13121

Date:

Tuesday August 16, 2016, 4-6

Location:

Keats Camp , Keats Landing

Representatives

David Connop

Josh Lepin

Kevin Healy

Convention of Baptist Churches of BC

Project Coordinator Convention Subdivision Committee

Creus Engineering Ltd. Authorized Representative for DL696

Summary:

This community information meeting is to update interested parties on rezoning of DL696 as it relates to updates to the Keats Island Land Use Bylaw 78 and Bylaw 4 Land Use Contract as they relate to DL 696. The meeting is in relation to these rezoning works and not subdivision or septic treatment issues directly.

Use Multiple Rows if required for your comments

The intended use of the lands is 108 residential cottages, 6 communal septic system, Sandy Beach Park, Salmon Rock Nature Conservaiton Area, MOTI dedication for trail to Salmon Rock, MOTI dedication of existing road and ROW at east boundary of property as well as Keats Camp continuing operation on the remainder lands. See <https://www.facebook.com/KeatsDL696/> for more details and ongoing updates

If you have specific question about the Island Trust Process or status you can contact Aleksandra Brzozowski <abrzozowski@islandstrust.bc.ca>

Please provide your phone number and email contact information with any comments, questions or concerns. This will be forwarded to the Island Trust representative.

	Name	Address	Phone/Email	Nature of your connection to Keats Island. (IE cottager DL696, owner elsewhere on Keats, visitor etc)	1. Do you have any comments, concerns or questions with regard to the proposed rezoning ?	2. Do you have any comment, concerns or questions with regard to the proposed lot layout plan?	3. Do you have any additional comments regarding this project?
1	ANDREW ? JANET NABER	299 FOREVER RD	604-959-4119 604-959-5262	OWNER/Full time resident to acre parcels			
2	John & Joy Richardson	695 Homond St. Coquitlam BC	728-844-4400 johnjoy@telus.net	Cottager			
3	RED DOUGLAS	8073 HARTMAN MARKHAM, ONT.	250-203-2075 AND DOUGLAS CLAYMAN ONT.	COUPLER/CR.			

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10	Maxine Davies	1849 Harbour Dr. Coq.	gmaxdavis@gmail.com	Cottager	No concerns		
11	PAUL BINGHAM	19103 SANDCOVER NORTH SARNICH.	paullbingham@shaw.ca	Cottager	No		
12	MARCEL & REBECCA BITTEL	55 ESPANAD EAST BURNABY	marcelandrebecca@gmail.com	Owner Eastburn			- POSITIVE RE SALMON ROCK / SANDY BEACH RESERVES & ACCESS - WILL KITIMAVIK TRAIL ACCESS BE PUBLIC BE ALLOWED ? - THIS IS VERY VALUABLE & ALLOWED IN THE PAST & WE'D LIKE TO SEE IT CONTINUED - WE SUPPORT TRIANGLE PARK.
13	Kim Benson Don + Evelyn BENSON	Po Box 1300 Gibsons BC V4V 1G8	604-908-3565 kbenson@islandwise.ca 604-886-2319 donbenson@telus.net	Neighbour DL876A DL876, DL1829	Will send written comments		Support TRIANGLE for future community use.
14	David Bingham	11674 Pretty R. Lake Country BC	250-766-2938 ldbingham@shaw.ca	Cottager for many years Worked at KIBC	I fully support what you are presenting.		
15	DAVID CONDOR	5129 FRANKSON CORNER WILLOW AVE	604-985-1011 Dana Condor @NewsNet	Twice a Cottage	Good Meeting; Very Positive Comment No Concerns		

V4V1G8

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22	Colleen Henderside	1902 Ogden Vancouver	colleen@plecspeaks.com 604-736-4804	Cottager	Will submit online.		
23	Pat Bantinhelmer	3764 202nd Langley	pbantinhelmer@msn.com	Cottager	Will submit later		
24	Wendy Lee	510-14 Berbie St N.W. V3L4C4	604-669-7887 wendydorothylee@gmail.com	cottager -	Support proposal		
25	Mr. Stephen N. Christopher Phillip	2865 City View St, Engine OR 97465-1478, USA	541-683-8320 541-346-4714 ncp@darkwing.net (no MS Word files)	Family of owner in Plumper Cove.	Mostly: Will submit later. Question: Under this proposal, what are the limits on the size that Keats Camp can expand to?	What are the limits on the size? How many under current zoning.	
26	Susan Lepin	6329 Douglas St W. Vancouver	778-558-8961 susanlepin@gmail.com	Cottager	No		
27	Josh Lepin	6329 Douglas St West. Van.	604-351-6210 joshlepin@gmail.com	LEASEHOLDER	Looks Good.		

Community Information Meeting Comments

Project:

Land Use Bylaw No. 78, 2002, and to Bylaw No. 4, DL 696 Keats Island Land Use Contract

File:

13121

Date:

Wednesday August 17, 2016 6-8

Location:

Keats Camp office, 100-657 Marine Dr, West
Vancouver, BC V7T 1A4

Representatives

David Connop

Josh Lepin

Kevin Healy

Convention of Baptist Churches of BC

Project Coordinator Convention Subdivision Committee

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1	PAUL JOHNSON	628 GIBSONS WAY	604.842.2767	KEATS CAMPS BOARD OF MGMT.	IMPLICATIONS FOR CAMP TO BE REVEALED - WE REMAIN HOPEFUL.	LAYOUT OK ALTHOUGH CAMP LOTS DO CUT THROUGH ONE BUILDING.	LET'S KEEP GOING TO SUCCESSFUL COMPLETION!
2	CURT SHEPHERD	530 DUCKERS TRAIL W.V.	604 626-7444	Elsewhere on Keats	Septic well explained.	Looks Good	Looking forward to seeing it finished.
3	DAVID CONNOR	5129 FRANKS COTTAGE W. VAN	604.880.5462	CO-OWNER / INVESTOR			

The intended use of the lands is 108 residential cottages, 6 communal septic system, Sandy Beach Park, Salmon Rock Nature Conservaiton Area, MOTI dedication for trail to Salmon Rock, MOTI dedication of existing road and ROW at east boundary of property as well as Keats Camp continuing operation on the remainder lands. See <https://www.facebook.com/KeatsDL696/> for more details and ongoing updates

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4	JOSH LEPIN	6325 DOWNS ST. WEST VAN.	604-351-6210 JOSHLEPIN@GMAIL.COM.	LEASEHOLDER	NO - GET IT DONE.	NO	NO.
5	SCOTT BENSON	GIBSONS	604-740-7561	NEIGHBOUR			
6	ISABELLE MILLEY	5308 RANGER AVE NORTH VAN.	604-612-4036	COTTAGER DL696	I approve the plan & appreciate the thought & care that has gone into it.		
7	PAUL MILLEY	5308 Ranger Ave North Van.	778-241-2018	Cottager DL696	Like the plan. Well thought out. Look forward to getting it done soon.		
8	Bill Finlay	1015 Kennedy Ave North Vancouver	604-551-5129	Cottager/Leaseholder	Plans are well done and thought out. Time to approve and move forward.		
9	Jay Connop	5129 HANCOCK CT. North Vancouver	604 985-1011	Cottager/leaseholder	Plans look good. Fully approve.		

From: R Bittel [REDACTED]
Sent: Sunday, September 11, 2016 5:03 PM
To: Aleksandra Brzozowski; [REDACTED]
Subject: Keats Camp Subdivision - Public Comment

Hello. We are writing to provide input regarding the Keats Camp subdivision application. We are the owners of a cabin in the Eastbourne area of Keats and we regularly frequent the trails in the Salmon Rock area. We are pleased to see that the subdivision application proposes to protect the Salmon Rock area (via covenant) and Sandy Beach (via community park dedication). We also support the maintenance and protection of the access to Salmon Rock by unopened road allowance managed by the Ministry of Transportation.

There is, however, another significant walking trail in this area called "Katimavik" which is not protected in any way. The Katimavik trail provides the option of doing a loop around Salmon Rock by taking the Katimavik trail in one direction and the main Salmon Rock trail in the other. Katimavik is a very pleasant, scenic trail through beautiful forest with a wide variety of mosses, salal, Arbutus trees and other fauna. To preserve public access to this beautiful natural area, the Katimavik trail should also be protected as part of this subdivision. There is a significant lack of protected public nature trails on Keats and this opportunity to protect an existing walking trail should not be missed.

We understand that at one time there was also contemplation of preserving what is referred to as "Triangle Park", one of the only flat areas in this area. We also support protection of this area as public space.²⁸

Thank you.

Rebecca and Marcel Bittel

[REDACTED]

Keats Island

To: Islands Trust c/o Dan Rogers danrogers@islandstrust.ca

Josh Lepin: [REDACTED], [REDACTED], [REDACTED]

September 12, 2016

Re: Proposal for Block 696

To whom it may concern,

The Keats Island Conservancy Group has reviewed and discussed the proposal on Block 696. We reviewed the Convention of Baptist Church document as well as a subdivision map of Block 696. We found the document/maps to be very informative and thorough and would like to thank the developers for having such an easy, clear reading package. After our review and the discussion which followed, we find ourselves wanting some answers to questions. First of the Keats Island Conservation Group (KICG) was born out of a desire to preserve the special places of Keats Island, maintain the natural native environment and enhance access to the experiences that are here. We are a group that is interested in conservation issues, thus the questions that follow have their roots in what our group's core values and objectives are. The questions we have are listed below:

- 1.) **Salmon Rock:** We see that the proposal has been to designate this area as a "private conservation area." We are thrilled that this area has been set aside for protection and that the Block 696 group recognizes the ecological and cultural value of this area. Our understanding for a "private" conservation area is that further development would be limited and maintained by the legal owners of the land. So our question is: are there any assurances that can be stated or built in to say that there will never be development of this area? That is will this area remain as is, pristine and park like. The bigger question, will this area and access to it be open to the islanders? The islanders have enjoyed this beautiful area for years, as a spot to hike to, a place to sit and meditate and contemplate the gentle or not so gentle rolls of the sea. For our islanders and the public we need to clarify the accessibility to this "private conservation area" as we would not wish to lose accessibility to this magnificent piece of meandering forest and rocky point. (see point 3 re: Right of Way/Trails)
- 2.) **Sandy Beach:** the proposal for this area is a Nature reserve and we understand that Islands Trust has accepted and recognized this. What a great area to set aside and keep as a Nature reserve. We again are happy about seeing this on the document. Our question is will this be accessible to the public/islanders use, as a path or right of way does not seem to be in the drawing? Or will accessibility only be by water, or if the proposal for 6 strata goes through will the private landowners of this group be required to develop an easement or right of way path to access this area.
- 3.) **Right of Way:** a.) On a number of areas of the map there are some roads/ paths slated as "right of Way", one such path is to Salmon Rock and to the Government Dock. Will this Right of Way be in the title registry of the property and grant the public access to both these two areas? Will the owner ever deem closure or adjustment to this right of way? And if so for what purposes. We would like clarity of the term Right of way, is and will this always be open to the islanders. B.) Currently Katimivic trail is an absolutely beautiful trail through the Salmon Rock area that provides an alternate and more 'untouched' natural route to Salmon rock. Many of the islanders use this to access Salmon Rock. This trail does not appear to be on the map and our goal would be to have the Katimavic trail protected for public access. It is one of very few natural hiking trails on the island and provides an alternate trail to Salmon Rock. It passes many large trees, arbutus stands & fern gardens. C.) Lastly, re: Right of way is a concern we have for the newly assigned Stratas; rights of ways to their properties do not appear to exist. A couple of stratas will actually border the remainder of Block 696 and there is no right of way path set aside for them, so essentially there is no land access for them. In the future, how will the owners of these area

access their properties by land? We feel that this needs clarification for the land holders. Is it to be assumed that easement discussions among the new strata areas be their new responsibilities. (see last line/question in point number 2)

- 4.) **3 acre Park:** It appears that a 3 acre parcel of land, commonly called Triangle park was removed from the document. We were very disappointed with this and are asking that the Block 696 proposal reinstate this park. It is a diverse and beautiful stretch of forest. Other than Pumper Cove Marine park there is little designated parks on that side of Keats Island. Also, in time it would be a great area for community members, the newly formed Strata groups to assemble.
- 5.) **The rest of the property:** After the 6 strata lots are developed the property in and around the camp belongs to the Convention of Baptist Churches of BC. This land encompasses a large area, it borders the water in and around camper's cove on one side, through tall standing groves of trees, many a forest floor of green fern, to the panoramic views of Gibsons on the other side. The camp has many buildings scattered throughout the property. As a conservancy group we encourage and request that no further subdivision be created in this area. We feel the camp has reached its maximum densification of the area and would ask that there be limits on the title of this land. Those limits may be following a public process for any more camp style development ie: new outbuildings etc. We assume that Bylaw 78 (Land Use Plan 7.6.1) already describes conditions under which a covenant be registered to prohibit further subdivision and that the plan appears to meet those conditions and our desire as a group.
- 6.) **Invasive Species:** While this last point is not in the document as such we wish to bring it to the attention of the Block 696 planners. Keats Island Conservancy Group over the years has been active in educating and promoting the removal of invasive species on the island. We have had a number of work parties in the "Horseshoe Park" and we have also been asked to assist groups of cottagers on the island with invasive species removal in their area. It is this last activity that we have recently learned that Knotweed is present on the island. By formally protecting and preserving public access to Triangle Park, Salmon Rock, Sandy Beach, and the Katimivic Trail, it will enable access for this type of conservancy activity in the future. Allowing access gives a larger number of people to be keepers of the land with regards to invasive species.

We thank you in advance for accepting this letter and we look forward to the opportunity to discuss these questions and considerations with you. Contact can be made to either Richard Beard: [REDACTED] or Peggy Tooley : [REDACTED]

Sincerely

Keats Island Conservancy Group



LUC LOT AREAS		
NAME	AREA	UNITS
AREA A (STRATA A-D)	37395.58m ²	66
STRATA A	9017.33m ²	20
STRATA B	9826.46m ²	13
STRATA C	6412.67m ²	13
STRATA D	12139.13m ²	22
AREA B (STRATA F)	19372.42m ²	19
AREA C (STRATA E)	10811.39m ²	19
TOTAL	67579.39m ²	100

NEW LOT AREAS		
NAME	AREA	UNITS
ORIGINAL DL696	961769.36m ²	
NATURE RESERVE LOT 7 (SANDY BEACH)	34062.12m ²	
NATURE AREA COVENANT (SALMON ROCK)	109808.66m ²	
SALMON ROCK TRAIL (ROW)	9798.12m ²	
HIGHWAY ROAD DEDICATION	25516.40m ²	
STRATA SECTION A (SANDY BEACH)	11476.84m ²	19
STRATA SECTION B (MID BEACH)	12635.32m ²	19
STRATA SECTION C (UPPER)	13695.72m ²	19
STRATA SECTION D (LANDING)	11914.82m ²	19
STRATA SECTION E (CAMPFIRE)	13190.60m ²	15
STRATA SECTION F (CLAMPERS)	21651.59m ²	19
STRATA COMMON PROPERTY	106335.35m ²	
REM_696	570401.91m ²	
TOTAL	940477.45m ²	108

				drawn by	CONVENTION OF BAPTIST CHURCHES OF B.C.		date				
				project	KEATS ISLAND, B.C.						
1	SEP, 2016	COMPARISON SUBMISSION	ADC								
REV	DATE	REVISION	DATE	REVISION			DATE				

www.creus.ca		CREUS Engineering Ltd		Civil Engineers	
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checked by	K.S.K.	date	APR 18, 16
designed by	K.B.H.	date	
drawn by	A.S.C.	date	

scale	1:1000	unit	-
sheet	13121		
drawing no.	COMP-2	rev.	1

LUC COMPARISON			
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**2008-0115: ARCHAEOLOGICAL IMPACT ASSESSMENT
OF DISTRICT LOT 696 LOCATED AT THE SOUTH END
OF KEATS ISLAND WITHIN THE TERRITORY OF THE
Skwú'mish Úxwumixw (Squamish Nation), Tsawwassen
Nation, and Tsleil-Waututh Nation (Burrard Indian Band)**

**2008-0115: ARCHAEOLOGICAL IMPACT ASSESSMENT
OF DISTRICT LOT 696 LOCATED AT THE SOUTH END
OF KEATS ISLAND WITHIN THE TERRITORY OF THE
Skwú'mish Úxwumixw (Squamish Nation), Tsawwassen Nation,
and Tsleil-Waututh Nation (Burrard Indian Band)**

PREPARED FOR:

LAND PLAN GROUP INC.

388 Wellington Drive,
North Vancouver B.C.
V7N-1P6

Contact: Bill Sieviewright

PREPARED BY:



PETER MERCHANT

Grant of License

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Executed this 8 day of May, 2008 by



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Peter Merchant Consulting

Affiliation

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--

May 2008

ACKNOWLEDGEMENTS

I would like to thank the Land Plan Group (Bill Sieviewright) for retaining me to conduct the study. I would also like to thank Mr. Dustin Rivers (Squamish Nation) for his assistance during the fieldwork component of this study and Ms. Jane Warner (Project Officer – Archaeologist) of the Ministry of Tourism, Culture and the Arts – Archaeology Branch for overseeing the Government of British Columbia's permitting requirements.

MANAGEMENT SUMMARY

This report presents the results and recommendations of the archaeological impact assessment (AIA) of District Lot 696 (the subject) located near the entrance to Howe Sound at the south end of Keats Island within the territory of the Skwúmish Úxwumixw (Squamish Nation), Tsawwassen Nation, and Tsleil-Waututh Nation (Burrard Indian Band). The AIA was conducted under the authority of British Columbia Heritage Inspection Permit 2008-0115 issued on April 14, 2008.

Proposed development activities may include: **(1)** clearing and leveling, **(2)** excavation to facilitate the installation of septic system, water lines and foundations, **(3)** access road construction and **(4)** housing, cabin and campground development.

The main objectives of the archaeological impact assessment were to:

- (1) identify and record any previously unidentified archaeological sites that may be located within the subject
- (2) determine the precise boundaries of archaeological sites DiRu-20 and DiRu-63
- (3) determine what impacts might result from proposed development activities and how these impacts might affect identified portions of archaeological sites (if any), and
- (4) provide recommendations to manage, protect, and/or mitigate existing and/or future identified archaeological/heritage resources if any.

A total of fourteen (n=14) unrecorded archaeological sites and additional archaeological material associated with previously recorded site DiRu-20 were identified during the course of this study. Detailed descriptions and locations of each site are presented below.

The following recommendations have been developed to ensure that the thirteen archaeological sites located within the subject are managed in an appropriate manner.

- 1) Sites DiRu-70, DiRu-71, DiRu-74, DiRu-75, DiRu-76, DiRu-79 and DiRu-80 are located within the intertidal zone and are in no danger of impacts resulting from land-altering activities. In the event that development should occur within their boundaries a Section 12 site alteration permit must be obtained from the Archaeology Branch of the Ministry of Tourism, Culture and the Arts. All land-altering activities within the site boundaries must be monitored by a trained archaeologist.
- 2) It is recommended that sites DiRu-72 (see Section 4.3), DiRu-73 (see Section 4.4), DiRu-77 (see Section 4.8), DiRu-78 (see Section 4.9), DiRu-83 (see Section 4.13), DiRu-84 (see Section 4.14) and DiRu-85 (see Section 4.15) be avoided by development. If land-altering activity must occur within the buffer that has been established for each site all land-altering activity must be preceded by a site specific archaeological impact assessment conducted under the authority of a Section 14 Heritage Inspection Permit.
- 3) It is recommended that no land-altering activity occur within the boundaries of site DiRu-20. If land-altering activity must occur within the site boundary detailed mitigative excavation should occur under the authority of a Section 14 permit obtained from the Archaeology Branch of the Ministry of Tourism, Sports and the Arts. The permit application should have provision for the collection of at least two carbon dates from the site as well as detailed faunal and floral analyses.
- 4) All future archaeological work should be conducted with the full consultation of the concerned First Nations.

It should be noted that even the most thorough archaeological study may inadvertently fail to identify archaeological sites located within a particular study area. It should be understood, however, that all archaeological sites within the Province of British Columbia are protected from disturbance whether intentional or inadvertent by the *Heritage Conservation Act* (1996). Should archaeological remains be encountered during the proposed development scheduled for the subject property, it is recommended that work in the area cease and all concerned First Nations and the Ministry of Tourism, Sport and the Arts – Archaeology Branch be informed of the discovery.

TABLE OF CONTENTS

Acknowledgements	i
Management Summary	ii
Table of Contents	iii
1.0 INTRODUCTION	1
1.1 First Nations Consultation	1
2.0 SUBJECT LOCATION AND DESCRIPTION	2
2.1 Subject Property Location and Description	2
2.2 Previously Recorded Archaeological Sites	3
2.2.1 DiRu-20	3
2.2.2 DiRu-63	3
3.0 PROPOSED DEVELOPMENT TYPE, FACILITIES AND SCHEDULE	4
3.1 Type of Program and Methodology	4
3.2 Field Methodology	6
3.2.1 Archaeological Site Potential Assessment	7
3.2.2 Field Methodology	8
3.3 Heritage Resource Significance Evaluation Methodology	9
3.4 Impact Identification and Assessment	9
4.0 IMPACT ASSESSMENT RESULTS	11
4.1 Site DiRu-70	13
4.2 Site DiRu-71	14
4.3 Site DiRu-72	15
4.4 Site DiRu-73	16
4.5 Site DiRu-74	17
4.6 Site DiRu-75	18
4.7 Site DiRu-76	19
4.8 Site DiRu-77	20
4.9 Site DiRu-78	21
4.10 Site DiRu-79	22
4.11 DiRu-80	23
4.12 Site DiRu-20	24
4.13 Site DiRu-83	28
4.14 Site DiRu-84	28
4.15 Site DiRu-85	29
5.0 HERITAGE RESOURCE SIGNIFICANCE	32
5.1 Sites DiRu-70, DiRu-71, DiRu-72, DiRu-73, DiRu-74, DiRu-75, DiRu-76, DiRu-77, DiRu-78, DiRu-79, DiRu-80, DiRu-83, DiRu-84 and DiRu-85	32
5.2 Site DiRu-20	32
6.0 IMPACT IDENTIFICATION AND ASSESSMENT	33
6.1 Sites DiRu-70, DiRu-71, DiRu-72, DiRu-73, DiRu-74, DiRu-75, DiRu-76, DiRu-77, DiRu-78, DiRu-79, DiRu-80	33
6.2 Site DiRu-20	33
6.3 Sites DiRu-83, DiRu-84 and DiRu-85	33
7.0 DISCUSSION	33
8.0 RECOMMENDATIONS	35
9.0 REFERENCES CITED	36

Appendix A.	DiRu-20 shovel test log	37
Appendix B.	DiRu-72 shovel test log	38
Appendix C.	DiRu-73 shovel test log	38
Appendix D.	DiRu-83 shovel test log	38
Appendix E.	DiRu-84 shovel test log	41
Appendix F.	DiRu-20 artifact table	42
Appendix G.	DiRu-70 artifact table.....	42
Appendix H.	DiRu-71 artifact table.....	42
Appendix I.	DiRu-72 artifact table	42
Appendix J.	DiRu-73 artifact table	42
Appendix K.	DiRu-80 artifact table.....	42
Appendix L.	DiRu-83 artifact table	42
Appendix M.	DiRu-84 artifact table	42
Appendix N.	DiRu-85 artifact table.....	43

1.0 INTRODUCTION

This report presents the results and recommendations of the archaeological impact assessment (AIA) of District Lot 696 (the subject) located near the entrance to Howe Sound at the south end of Keats Island within the territory of the Skwúmish Úxwumixw (Squamish Nation), Tsawwassen Nation, and Tsleil-Waututh Nation (Burrard Indian Band) (Figure 1). The AIA was conducted the authority of British Columbia Heritage Inspection Permit 2008-0115 issued on April 14, 2008.



Figure 1. Location of Keats Island and subject at entrance to Howe Sound, southwestern B.C.

1.1 First Nations Consultation

A Squamish Nation heritage investigation permit was applied for and a copy of the Provincial Heritage Investigation permit application was forwarded by the Archaeology Branch of the Ministry of Tourism, Culture and the Arts to all affected First Nations. Dustin Rivers of the Squamish Nation was retained as a field assistant for the duration of the fieldwork component of the study. A copy of this report, field notes and photographs have been forwarded to the concerned First Nations.

2.0 SUBJECT LOCATION AND DESCRIPTION

2.1 Subject Location and Description

The subject (legal: District Lot 696 [PID: 014-385-694]) is located near the entrance to Howe Sound east of the town of Gibsons at the south end of Keats Island (Figure 1).

The subject is approximately 230 hectares in size, forested and largely undeveloped except for the presence of Keats Camp (which is owned and operated by the Convention of Baptist Churches of B.C. which is the owner of the subject). The majority of camp facilities which include at least 36 structures including storage sheds, residential dwellings, dining halls as well ancillary developments including service roads, water and septic services and outdoor recreational facilities including sports fields, basketball courts and climbing walls are located at the north end of the subject. In addition, leased residential lots are located along the northwest and northeast shoreline of the subject from the subjects northern boundary south to the subjects mid-point. Furthermore, the subject has been logged and both a farm and orchard were formerly operated at the location of Keats Camp.

Physiographically the subject ranges in elevation from sea level to approximately 80 meters above sea level, its highest points located in the north and south. The shoreline is steep particularly along the east side which is composed of exposed bedrock cliffs and rock intersected by coarse gravel beaches. The west side of the subject is less steep and provides better access to the islands interior than does the east shoreline but access is still limited.

Prior to Euro-Canadian settlement of the subject the best access to the subject would have been at the current location of Keats Landing, Sandy Beach, Salmon Rock and the north and south side of Beachcomber Point.

The interior of the subject is composed of a low lying rocky spine composed of exposed igneous bedrock and shattered boulders. The spine runs in a north-south direction rising from a point 175 meters north of Salmon Rock continuing for approximately 700 meters to the southern boundary of a distinctive saddle in which the Keats Camp is located. The saddle measures approximately 300 meters north-south and is approximately 400 meters east-west traversing the entire width of the subject. Rising sharply from the north end of the saddle the spine continues north through into the neighbouring property. Surrounding the spine particularly in the southwestern portion of the subject is a relatively flat terrace which overlooks Shoal Channel to the west and to a lesser extent Barfleur Passage to the east. The terrace on the west side of the spine has been impacted by a logging skid trail and previous access road construction.

Specifically, the subject is located within the Coastal Western Hemlock (CWH) biogeoclimatic zone. The CWH is characterized by cool summers with occasional hot dry spells and mild winters. Mean annual temperatures average 8°C and range from .2 to 10.5°C (Ministry of Forests 1991). Annual precipitation for the zone ranges between 1000 to 4400 mm with a mean annual precipitation for the zone being 2228 mm (Ministry of Forests 1991).

Forest cover is dominated by western hemlock, while red cedar is also common in the zone south of 56° north latitude, and Douglas-fir is common in environments of extreme

wet and dry, while grand fir, western white pine, and big leaf maple occur in warmer drier, southern parts of the zone. Sitka Spruce is also a widespread species, but is largely restricted to habitats such as floodplains in the south (Ministry of Forests 1991).

Common large mammals include black-tailed deer, black bear, grizzly bear, and gray wolf. Common small mammals include Columbian mouse, deer mouse, Douglas squirrel, northwestern chipmunk, and the bushy-tailed woodrat (Ministry of Forests 1991). Some of the more common birds include great horned owl, blue grouse, Stellars jay, common raven and the hairy woodpecker (Ministry of Forests 1991).

2.2 Previously Recorded Archaeological Sites

Two previously recorded archaeological sites are located within the subject, these include DiRu-20 and DiRu-63, descriptions of each are presented below.

2.2.1 DiRu-20

DiRu-20 is located at the southern tip of Keats Island (Figures 2 and 3). It was identified in 1975 by Patricia Winram and Brenda Baker. Identified cultural remains consisted of crushed shell, charcoal and fire-cracked rock. Site dimensions were not provided, however, the site was assessed as being in 'good' condition (Winram 1975).

2.2.2 DiRu-63

DiRu-63 is located near the west-central portion of Keats Island (Figures 2 and 3) within the intertidal zone. The site was identified in 2002 by Gail Wada, identified cultural remains consisted of surface and subsurface lithics. Site dimensions measured 74m x 11m and the site was considered to be 80% intact.

3.0 PROPOSED DEVELOPMENT TYPE, FACILITIES AND SCHEDULE

Development plans for the subject have not been finalized and are partially dependent upon the results of this study. The proponent wishes to determine the presence or absence of archaeological sites within the subject and develop recommendations to best manage any identified (if any) prior to the finalization of development plans. The project has been overseen on behalf of the proponent by the Land Plan Group Inc. (contact: Bill Sievwright [388 Wellington Drive North Vancouver B.C. V7N-1P6]).

Proposed development activities may include: **(1)** clearing and leveling, **(2)** excavation to facilitate the installation of septic system, water lines and foundations, **(3)** access road construction and **(4)** housing, cabin and campground development.

3.1 Type of Program and Methodology

The main objectives of the archaeological impact assessment were to:

1. identify and record any previously unidentified archaeological sites that may be located within the subject
2. determine the precise boundaries of archaeological sites DiRu-20 and 63
3. determine what impacts might result from proposed development activities and how these impacts might affect identified portions of archaeological sites (if any), and
4. provide recommendations to manage, protect, and/or mitigate existing and/or future identified archaeological/heritage resources if any.

In the permit application (Merchant 2007) it was indicated that the study may include the following procedures:

- (a) Documentary background research involving the review of archaeological, ethnographical and historical literature, as well as interviews with those knowledgeable (e.g. elders, historians and archivists) of the project area.
- (b) A systematic foot traverse the subject property will be conducted by a crew of two to three spaced at roughly 25-50 meter intervals. The foot traverse will include a systematic, detailed inspection of the entire ground surface within the subject property. Crew members will search for material evidence of past cultural activity (e.g., shell midden deposits, culturally modified trees, cultural depressions, scatters of lithic tools or lithic waste, fire-altered rock, osteological remains, human remains, food waste, historic refuse and/or structural remains). Any mature stands of trees will also be examined for evidence of cultural modification. All aboriginal and/or historic artifacts will be collected. The location of these artifacts will be noted on respective site maps.
- (c) Systematic subsurface shovel testing and subsurface probing will be conducted within those portions of the subject property which appear to be appropriate places for human activity but lack evidence on the ground surface (i.e. beach terraces, extinct terraces, raised and sheltered knolls, proximity to lakes and streams etc.). Once cultural deposits are identified shovel tests/subsurface probing will be conducted to establish the boundaries of the cultural deposits.

Tests will be placed every ten meters in a grid pattern extending outwards from the identified deposits. Once two negative test results have occurred along a transect testing will begin back along the transect starting at the first negative test. These tests will be placed at no greater than 2 metre intervals until the edge of the cultural deposits are identified. All matrix removed will be passed through a 3 mm screen in order to ensure the discovery of most cultural material. All cultural materials recovered during shovel testing will be collected and recorded according to site, test number, and depth below the ground surface. The precise number of shovel tests/probe tests which will be excavated will be determined in the field, however it is expected that at least 50 shovel tests will be required.

- (d) Evaluative testing (Archaeology Branch 1996-12-13) may be conducted if it is considered necessary to obtain more data to properly assess the depth, extent and/or integrity of any identified archaeological deposits. Evaluative tests will consist of 100 cm by 100 cm excavation units dug in arbitrary 10 cm levels. Units will be excavated by trowel and square nosed shovel (spade). All matrix removed will be passed through a 3 mm screen in order to ensure the discovery of most cultural material. All cultural materials recovered during evaluative testing will be collected and recorded according to site, test number, stratigraphic layer, and depth below the ground surface. Each test will be excavated until clearly culturally sterile sediments are encountered. Detailed excavation notes and drawings of significant and/or important features (i.e., post holes, fire hearths, storage pits, etc.) will be kept for all levels and any recovered cultural material will be stored in plastic or paper level bags (depending on the type of material) along with completed excavation cards. Information placed on the excavation cards will include site number, test number, stratigraphic layer, and depth below the ground surface. Following the excavation of each unit detailed profile drawings will be completed for the north wall of each unit or of the wall or walls that can provide the most information regarding the stratigraphy of the unit.
- (e) All mature stands of trees will be examined for evidence of modification, aboriginal or otherwise. Methodology for sampling of CMT sites will follow those procedures outlined by Muir and Moon (2000). All stands of CMT's will be 100% recorded. All identified culturally modified trees (CMT's) will be subjected to detailed Level 2 recording (see Stryd 1997: 81-88). Increment cores will be taken of identified culturally modified trees to determine tree and scar age. If increment cores cannot adequately provide modification dates wedge or disc samples will be taken. Following analyses all dendochronological samples will be stored at the Royal British Columbia Museum where they will be kept for a fixed period of one year after the expiry of this permit before being discarded.
- (f) If human remains should be found in a clear archaeological context during procedures **b** through **e** (see above) the following procedure will be followed. All work shall cease at once and the appropriate parties contacted (i.e., Archaeology Branch, the Squamish, Burrard and Tswassen First Nations and the proponent). Consultation with these groups will determine whether work shall continue and how it should be carried out.

If archaeological context is not assured the Archaeology Branch of the Ministry of Tourism, Sport and the Arts (MTSA) procedure policy for found human remains will be followed (Archaeology 1999). This will allow for initial involvement of the coroners office.

- (g) Any identified cultural remains will be marked in the field with flagging tape, photographed and presented in the final report. A site form consistent with the requirements of Site Inventory Section of the Archaeology Branch of the MTSA will be completed for any sites identified during the field inspection of the subject property.
- (h) The significance of any identified archaeological resources will be determined according to the criteria set out in the guidelines established by the Archaeology Branch (1996) as well as through discussion with the Squamish, Burrard and Tswassen First Nations.
- (i) The nature, degree, magnitude, and intensity of past and future potential impacts to any identified archaeological sites (if any) will be assessed using the criteria established by the Archaeology Branch (1996).
- (j) Analysis of any collected artifacts and/or faunal remain will focus primarily on recording basic qualitative and quantitative data. All significant artifacts will be categorized according to the typology used by Burley (1988) as well as others who have worked in the study area. Faunal materials will be described and quantified using the methodology developed by Muir (Arcas 1993) for the Harbour House Site (DfRu 3) on Saltspring Island.
- (k) Preparation of a detailed comprehensive “archaeological impact assessment report” will be completed after the completion of the fieldwork component of the study (Archaeology Branch 1996:23-25). This report will present all findings, as well as any management recommendations that there might be regarding archaeological resources (if any) identified within subject property.

The report will also include maps showing the locations of survey transects and shovel tests and shall report the number of shovel tests at each tested location, a complete description, in terms of the criteria used to assess archaeological potential, for each assessed area, and the extent of the associated landforms and/or areas of archaeological potential shall be explicitly considered in the permit report when defining sites containing discontinuous, buried archaeological deposits.

In the opinion of the author procedures **a**, **b**, **c**, **e**, **g**, **h**, **i**, **j** and **k** were completed. Procedures **d** and **f** were not considered necessary.

3.2 Project Methodology

3.2.1 Archaeological Site Potential Assessment

Prior to the initiation of fieldwork an archaeological site potential assessment was conducted of the subject. This included a review of various data sets including the Provincial Remote Access to Archaeological Data site (RAAD) to determine if any previously recorded archaeological sites were located within the subject, a review of archaeological studies previously conducted within the region along with a review of orthographic photos, maps and development plans.

A result of the above review was that significant portions of the subject were assessed as having a **high, medium** or **low** archaeological site potential rating. Descriptions of zones with these ratings and the factors justifying these ratings are provided below:

High Potential Zones

Zones of high archaeological site potential include the east-west oriented saddle and Keats Landing located in the northern portion of the subject, Sandy Beach and Salmon Rock located along the subjects western shoreline and the north and south side of Beachcomber Point located along the subjects eastern shoreline (Figure 2). This assessment was based on the presence of sand and gravel beaches which provide relatively easy access to the islands interior which were and continue to be heavily utilized by First Nations, the presence of relatively flat landforms suitable for human utilization and occupation and proximity to the oceanside.

Medium Potential Zones

The zones of medium archaeological site potential include the north-south oriented terrace that is located on both sides of the north-south oriented “spine” that runs through the centre of the subject (Figure 2). This assessment was based upon the terraces relatively flat topography its facilitation of travel in a north-south direction through the centre of the island and the views provided of both Shoal Channel to the west and Barfleur Passage to the east. The terrace on the west side of the “spine” has been severely impacted by a logging skid trail and previous access road construction. All beaches other than Sandy Beach and Beachcomber Point that could provide access from the ocean to the immediate foreshore were also considered to have medium-site potential and where possible were inspected.

Low Potential Zones

The central portion of the subject which is composed of a low lying rocky “spine” composed of exposed igneous bedrock and shattered boulders is considered to have low archaeological site potential due to its often steep and uneven terrain. The west and east slopes of the subject from the previously described terrace to the foreshore on both sides of the subject are also considered to have low archaeological site potential due their generally steep grade. In addition, the subject was considered to have low potential to contain forest utilization sites due to the previous timber harvesting activities that had previously been conducted throughout the subject.

The archaeological site potential ratings provided above should only be considered as a rough guideline to the identification of archaeological resources due to the general inaccuracies of predictive modeling in the identification of all archaeological sites. In recognition of the limitations of predictive modeling and the reality that the entirety of the subject from the oceanside to the height of land was and continues to be utilized by First Nations an attempt was made to survey the entirety of the subject. Only those areas where access was either impossible or survey was considered to be dangerous were not surveyed, in general these areas were confined to the subject's eastern shoreline and had been assessed as having low archaeological site potential.

3.2.2 Field Methodology

A systematic foot traverse of the subject was conducted by Peter Merchant and Dustin Rivers over a four day period. Crew members were spaced at 25-50 meter intervals, in areas where terrain was extremely rough or considered to be steep and/or uneven transects extended to 50-100 meter intervals. Crew members searched for material evidence of past cultural activity (e.g., shell midden deposits, culturally modified trees, cultural depressions, scatters of lithic tools or lithic waste, fire-altered rock, osteological remains, food waste, historic refuse and/or structural remains). The majority of the subject was surveyed intensively and systematically (see Figure 2). The areas located along the subject's east shore which mostly consisted of vertical exposed bedrock were not surveyed due to excessive steepness. Those portions of the subject located in the northeast and northwest portion of the subject and are occupied by residential dwellings and ancillary developments (i.e. septic fields, water lines, drive ways etc.) were also not subject to survey as they were excessively disturbed and likely contained no intact deposits (Figure 2).

Following completion of the foot traverse systematic subsurface shovel testing was conducted in areas deemed to have medium to high archaeological site potential (Section 3.2.1). In addition, shovel testing was conducted adjacent to site DiRu-20 to accurately define the site boundary. In the permit application (Merchant 2008) it was indicated that shovel testing would be conducted around DiRu-63 to accurately define the site's boundary. However, this was not conducted due to severe surface disturbance, presence of a road and a residential structure (Figure 2).

A total of eighty-one (n=81) shovel tests were excavated in five locations (Figure 2). All matrix removed during shovel testing was passed through a 3 mm screen or if matrix was considered to be excessively damp it was hand sorted by strata to ensure the discovery of most cultural material.

The shovel testing program described in the permit application (Merchant 2007) and presented above was modified during fieldwork. This consisted of the limiting of shovel tests around sites due to a lack of excavatable deposits and geographic constraints imposed by slope, exposed bedrock outcrops and/or cliff faces (see details for each specific site in Sections 4.1 through 4.15).

All cultural material identified in shovel tests were placed in plastic sample bags and identified by Borden or temporary site number, shovel test number and depth below ground surface. Sites were then mapped using compass and sixty metre measuring tape then photographed and all shovel tests backfilled (see Appendices A through E).

All archaeological remains identified in shovel tests were collected while only a representative sample of debitage was collected from surface finds. As per the permit application (Merchant 2008) the boundaries of all archaeological sites including all archaeological remains identified at each site were marked in the field with orange flagging tape. Flagging tape delineating each site boundary was labeled with the appropriate temporary site number or Borden number. However, following the completion of fieldwork all flagging tape was removed to ensure that minimal attention would be drawn to each site. This was deemed necessary to prevent intentional disturbance to the sites by the increased numbers of tourists and residents who are utilizing the area.

3.3 Heritage Resource Significance Evaluation Methodology

The objective of the heritage resource significance evaluation is to provide an assessment of a site or sites identified during an heritage inspection as outlined in the *British Columbia Archaeological Impact Assessment Guidelines*. Five types of significance outlined in the *Guidelines* include scientific, public, ethnic, historic, and economic. These categories are designed to be flexible to allow for the uniqueness of each particular site and the concerns of individuals, groups or organizations with valid interest in a site.

Scientific significance is based upon the ability of a site to provide further data which could significantly improve our understanding of the culture history of a region. *Ethnic* significance refers to the traditional, social or religious importance of a site to a particular community. *Historic* significance is based upon whether or not a site is somehow connected with an event or person in history considered important in British Columbia's past. *Public* significance assesses whether or not the site is accessible to the general public and whether or not it contains visible features that could be appreciated by the public. *Economic* significance refers to the ability of a site to somehow create revenue (e.g., a heritage park with visitation fees).

3.4 Impact Identification and Assessment

The impact identification and assessment section of this report (Section 6.0) identifies any possible impacts that may occur to identified archaeological resources resulting from the proposed development. Impacts are described and assessed and the magnitude of each impact is addressed for the identified archaeological site according to their magnitude, severity, duration, range, frequency, diversity, cumulative effect, and rate of change (Archaeology Branch 1996).

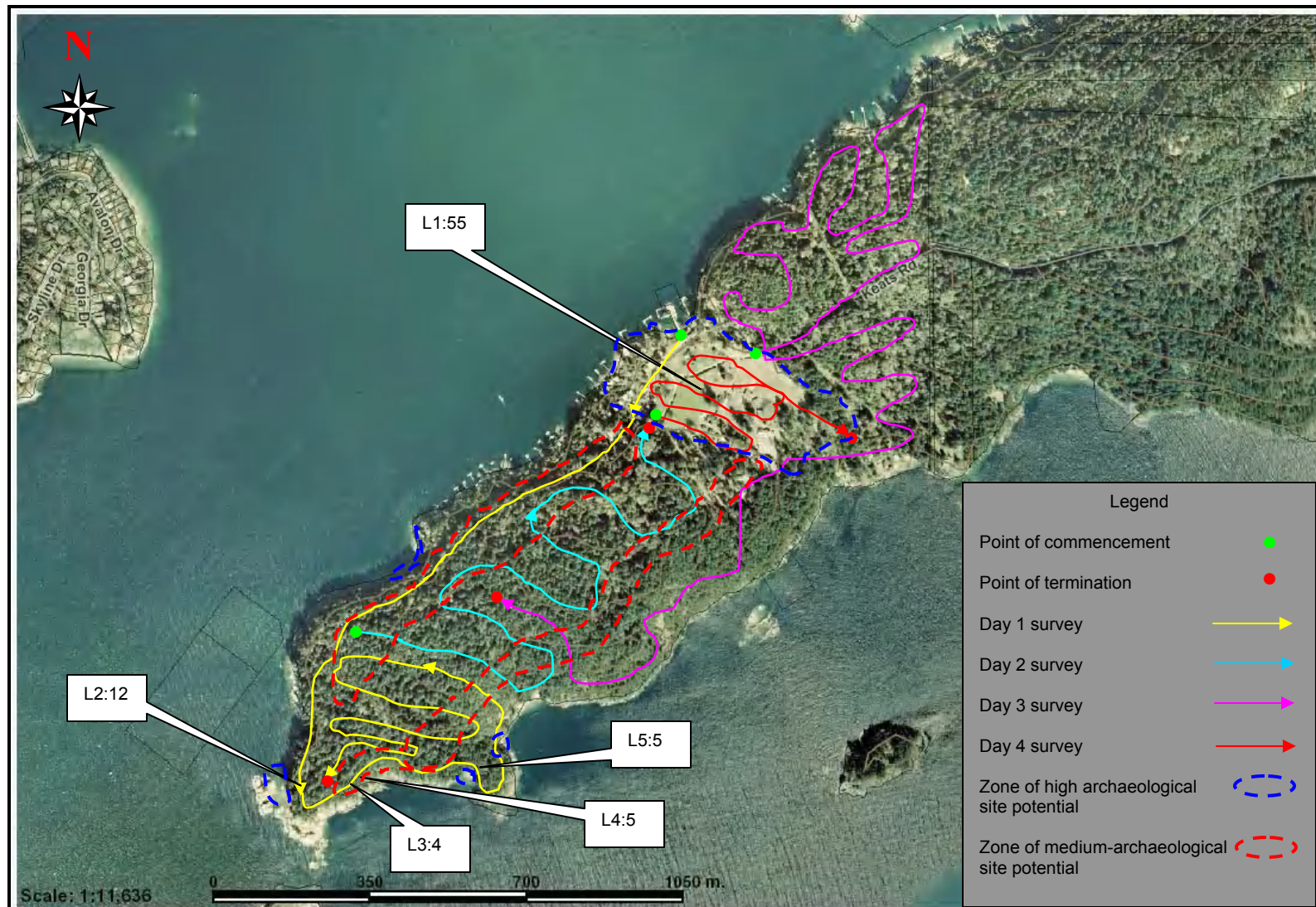


Figure 2. Orthographic photo of subject indicating approximate route of survey transects by day, shovel test locations 1 through 5 and number of shovel tests at each location and approximate extent of zones of medium and high archaeological site potential.

4.0 IMPACT ASSESSMENT RESULTS

As indicated in Section 2.1 the subject is largely undeveloped but has been impacted by developments outlined in Section 2.1. Those portions of the subject considered to have medium-high to high archaeological site potential (see Section 3.2.1) were subject to intensive survey and systematic shovel testing. While areas considered to have low archaeological site potential were only subject to systematic survey.

Zones of high archaeological site potential include the east-west oriented saddle and Keats Landing located in the northern portion of the subject, Sandy Beach and Salmon Rock located along the subjects western shoreline and the north and south side of Beachcomber Point located along the subjects eastern shoreline (Figure 2).

Zones of medium archaeological site potential include the north-south oriented terrace that is located on both sides of the north-south oriented “spine” that runs through the centre of the subject (Figure 2).

The central portion of the subject which is composed of a low lying rocky spine composed of exposed igneous bedrock and shattered boulders is considered to have low archaeological site potential due to its often steep and uneven terrain. The west and east slopes of the subject from the edge of the previously described terrace to the foreshore were also considered to have low archaeological site potential due their generally steep grade. In addition, the subject was considered to have low potential to contain forest utilization sites due to the previous timber harvesting activities that had previously been conducted throughout the subject.

A total of fourteen (n=15) unrecorded archaeological sites and additional archaeological material associated with previously recorded site DiRu-20 were identified during the course of this study (Figure 4). Detailed descriptions and locations of each site are presented below.



Figure 3. View of site DiRu-70 looking north. Rocky shoreline is typical of east side of subject while coarse-gravel beach is typical of majority of beaches surrounding subject.

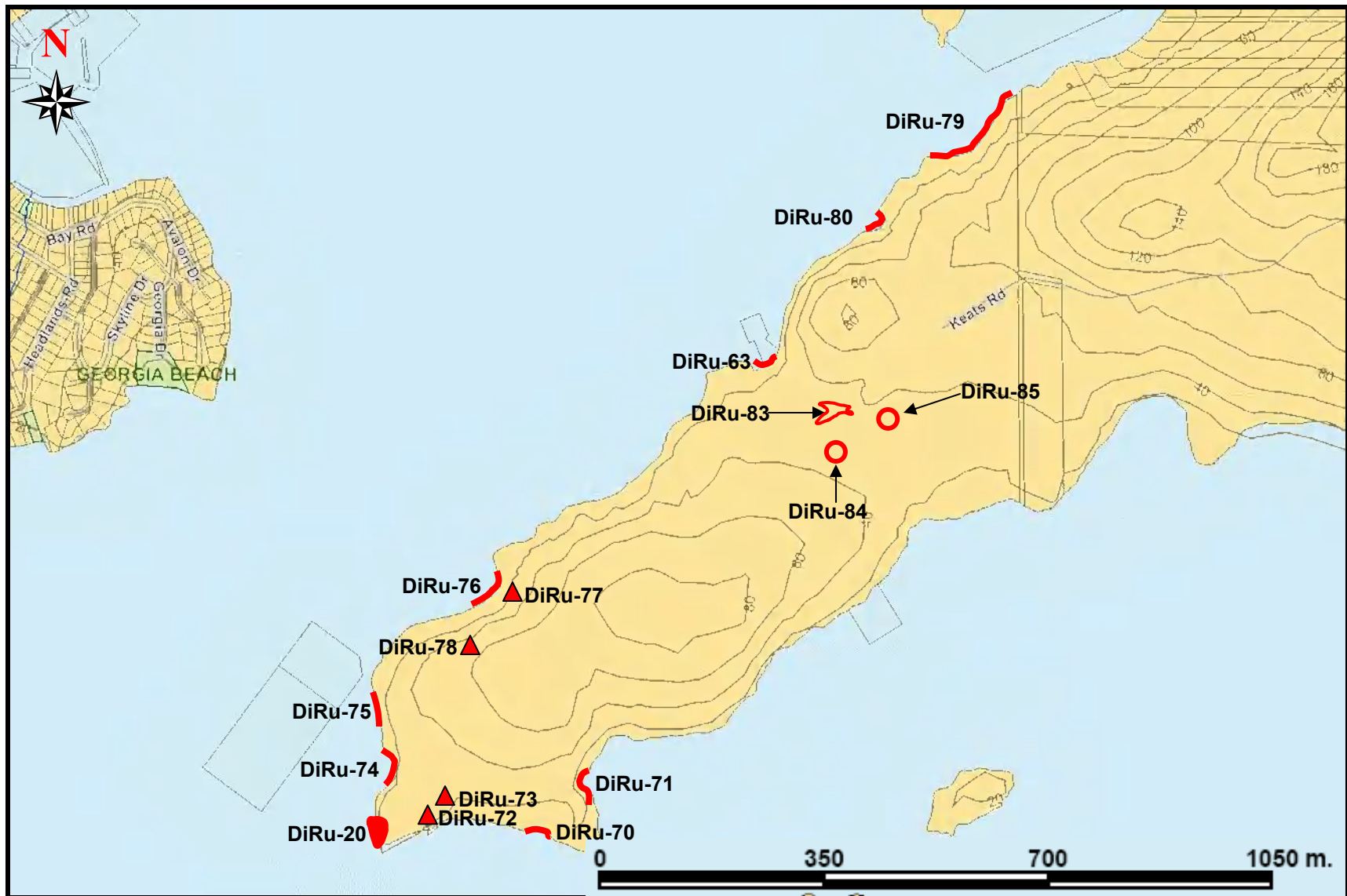


Figure 4. Location of previously recorded archaeological sites (DiRu-20 and DiRu-63) and distribution of sites identified during this study (DiRu-70, DiRu-71, DiRu-72, DiRu-73, DiRu-74, DiRu-75, DiRu-76, DiRu-77, DiRu-78, DiRu-79, DiRu-80, DiRu-83, DiRu-84 and DiRu-85). Red lines and polygons represent approximate site boundaries while triangles represent isolated finds.

4.1 Site DiRu-70

DiRu-70 is a small (28m N-S x 8m E-W) surface lithic scatter located near the southeast corner of the subject in a small bay on the south side of Beachcomber Point (Figures 4 and 5). Identified cultural remains consist of two core shatter fragments manufactured from black fine-grained basalt. All cultural material was identified at the mid-point of the intertidal zone at the interface of coarse and fine-grained cobbles.

The two beaches located on either side of Beachcomber Point are connected by a marine terrace that measures approximately 65 metres north-south by 30 metres east-west. Both the north and south extent of the terrace consist of steep rises in excess of (45%) which makes access to the terrace difficult thereby reducing its potential to contain archaeological resource from what would normally considered moderate to high to moderate. Five shovel tests were excavated in a north-south linear pattern through the centre of the terrace no archaeological material was identified.

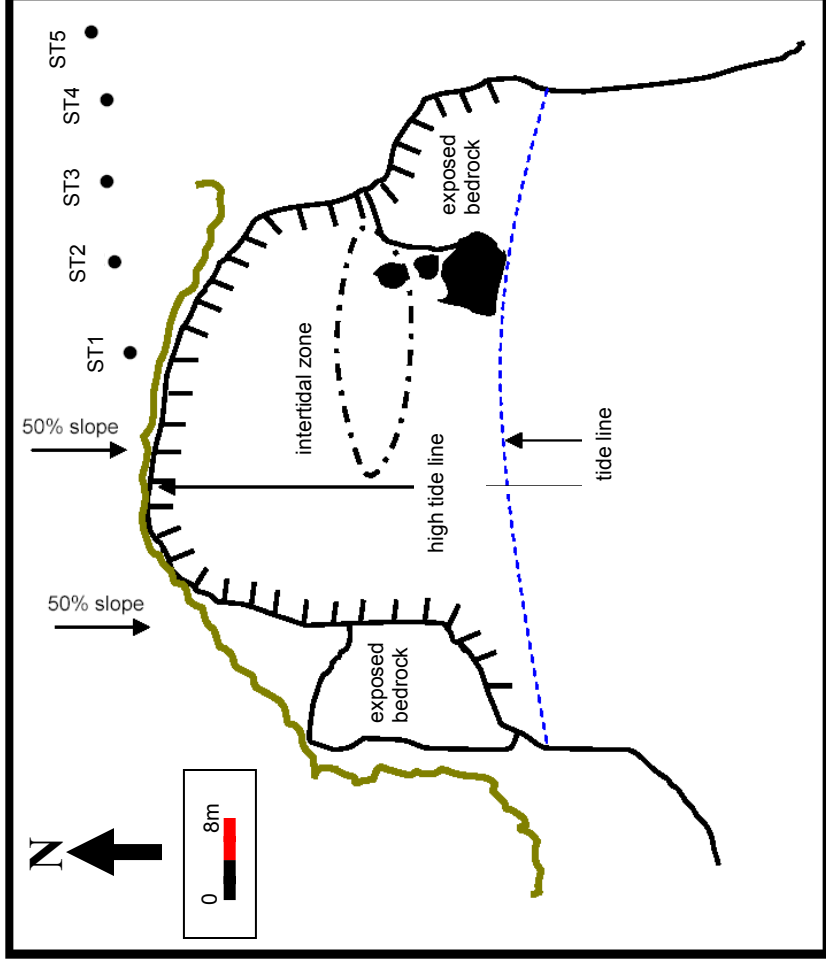


Figure 5. Map of site DiRu-70 indicating site boundary and shovel tests.

4.2 Site DiRu-71

DiRu-71 is a small (14m N-S x 7m E-W) surface lithic scatter located near the southeast corner of the subject in a small bay on the north side of Beachcomber Point (Figure 4 and 6). Identified cultural remains consist of at least 100 pieces of large fracture, heavily water worn debitage manufactured from black fine-grained basalt of which four pieces were collected (Appendix G). All cultural material was identified at the mid-point of the intertidal zone at the interface of medium and large sized cobbles.

The upland area southwest of the site (intertidal zone) rises steeply (45%) to an extinct marine terrace which connects the two beaches (DiRu-70) located on either side of Beachcomber Point. Due to the steep slope and limited area available for shovel testing only five shovel tests could be excavated in the area. These were excavated in an east-west oriented linear pattern (see Figure 5). No archaeological material was identified in these tests.

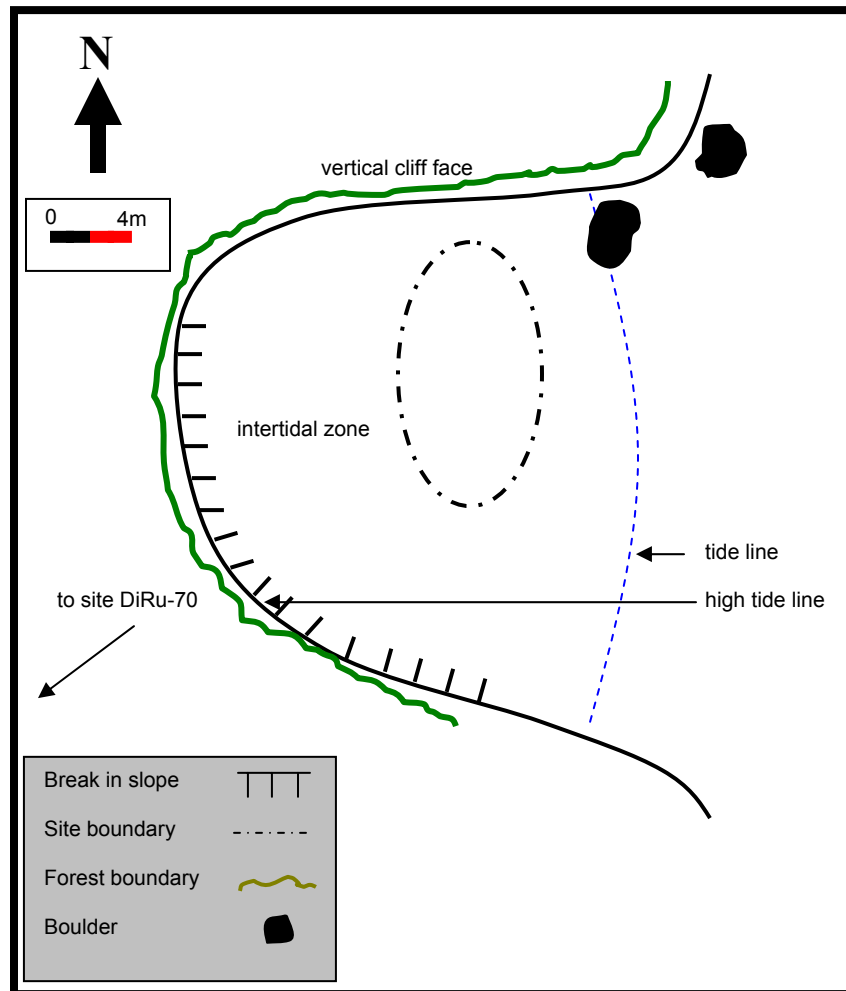


Figure 6. Map of site DiRu-71 indicating site boundary.

4.3 Site DiRu-72

DiRu-72 is an isolated find (5m N-S x 5m E-W) located near the southeast corner of the subject on a well worn trail on a gently sloping east facing slope west of an east facing bedrock exposure (Figures 4 and 7). Identified cultural remains consist of a single piece of debitage manufactured from coarse-grained basalt.

Due to the excellent surface exposure and limited area available for shovel testing due to the bedrock exposure only four shovel tests (Appendix B) were excavated in a grid pattern adjacent to the identified cultural material no additional cultural material was identified.

As the boundaries of site DiRu-72 have not been determined due to a high degree of certainty it is recommended that a buffer be extended beyond the current site boundary. No land-altering activity may occur within this buffer prior to the completion of additional archaeological work in the form of a site specific archaeological impact assessment (conducted under a HCA Section 14 permit). On the east side of the site the buffer should extend to the exposed bedrock outcrop while on the north, west and south sides the buffer should extend to twenty-five metres. In the absence of landforms that could be considered natural site boundaries a twenty-five metre buffer should be considered an adequate distance to protect any unidentified archaeological deposits.

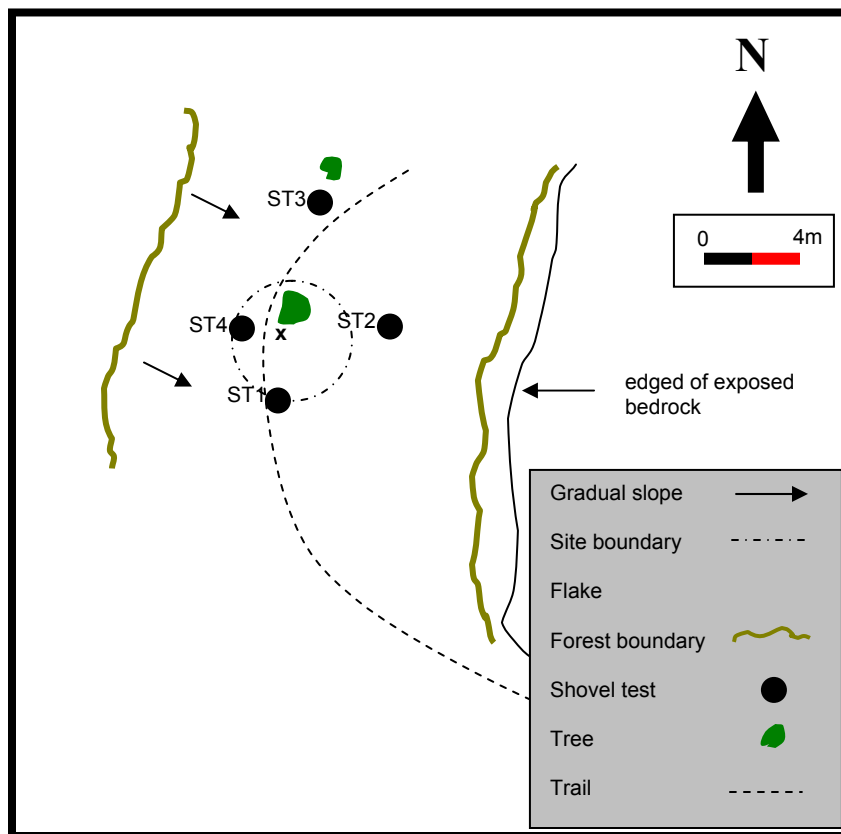


Figure 7. Map of site DiRu-72 indicating location of identified cultural remains and shovel tests.

4.4 Site DiRu-73

DiRu-73 is an isolated find (5m N-S x 5m E-W) located near the southeast corner of the subject approximately 50 meters north of site DiRu-72 (Figures 4 and 8). Identified cultural remains consist of one piece of debitage manufactured from coarse-grained basalt which was identified at the base of a very shallow rock over hang. The overhang has an eastern aspect and affords little if no protection from the elements.

Due to the absence of excavatable deposits in the immediate area of the site shovel tests had to be excavated approximately eight metres east of the eastern site boundary. As with sites DiRu-70 through DiRu-72 the limited area available for shovel testing was restricted due to geography and the availability of excavatable deposits. Consequently, only five shovel tests were excavated, these were excavated in a linear north-south pattern. No additional cultural material was identified (see Appendix C).

As the boundaries of site DiRu-73 have not been determined to a high degree of certainty it is recommended that a buffer be extended beyond the current site boundary. No land-altering activity may occur within this buffer prior to the completion of additional archaeological work in the form of a site specific archaeological impact assessment (conducted under a HCA Section 14 permit). On the east side of the site the buffer should extend to the exposed bedrock outcrop while on the north and south sides of the site the buffer should extend to twenty-five metres in the absence of landforms. No buffer can be provided to the west of the site due to the presence of the rock overhang. This buffer should be considered suitable to protect any unidentified archaeological deposits from impact.

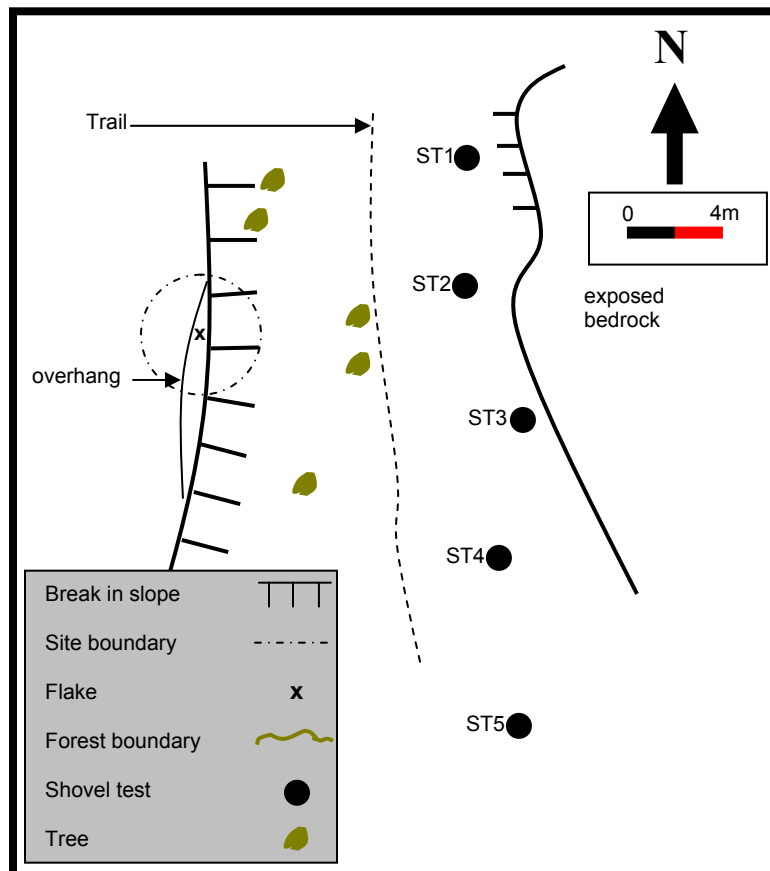


Figure 8. Map of site DiRu-73 indicating location of identified cultural remains and shovel tests.

4.5 Site DiRu-74

DiRu-74 is a medium-sized (33m N-S x 5m E-W) surface lithic scatter located near the southwest corner of the subject within the intertidal zone of a small rocky bay located approximately 250 meters north of the Keats Islands most southern point (Salmon Rock) (Figures 4 and 9). The topography to the east located above the high water line is steep (approximately 50%) and provides very poor access to the islands interior. Therefore, no shovel testing was conducted in the upland area adjacent (east) to the site.

Identified cultural material consisted of at least fifty (n=50) pieces of large fracture debitage manufactured from black fine-grained basalt. All cultural material was identified at the mid-point of the intertidal zone and is extremely water worn. None was collected.

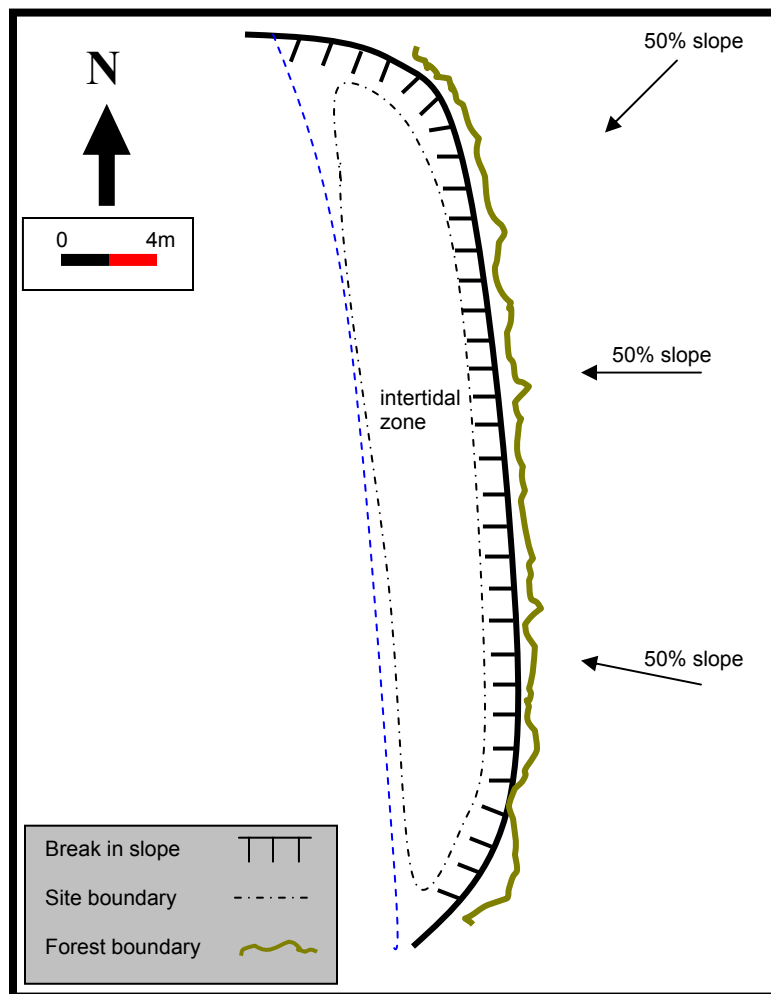


Figure 9. Map of site DiRu-74 indicating site boundary.

4.6 Site DiRu-75

DiRu-75 is a small to medium-sized (32m N-S x 5m E-W) surface lithic scatter located near the southwest corner of the subject within the intertidal zone of a small rocky bay located north of site DiRu-74 and 260 meters north of Keats Islands southern tip (Salmon Rock) (Figures 4 and 10). The topography to the east located above the high water line is steep (approximately 50%) and provides very poor access to the islands interior. Therefore, no shovel testing was conducted in the upland area adjacent (east) to the site.

Identified cultural material consisted of at least twenty-five (n=25) pieces of large fracture debitage manufactured from black fine-grained basalt. All cultural material was identified at the mid-point of the intertidal zone and is extremely water worn. No artifacts were collected

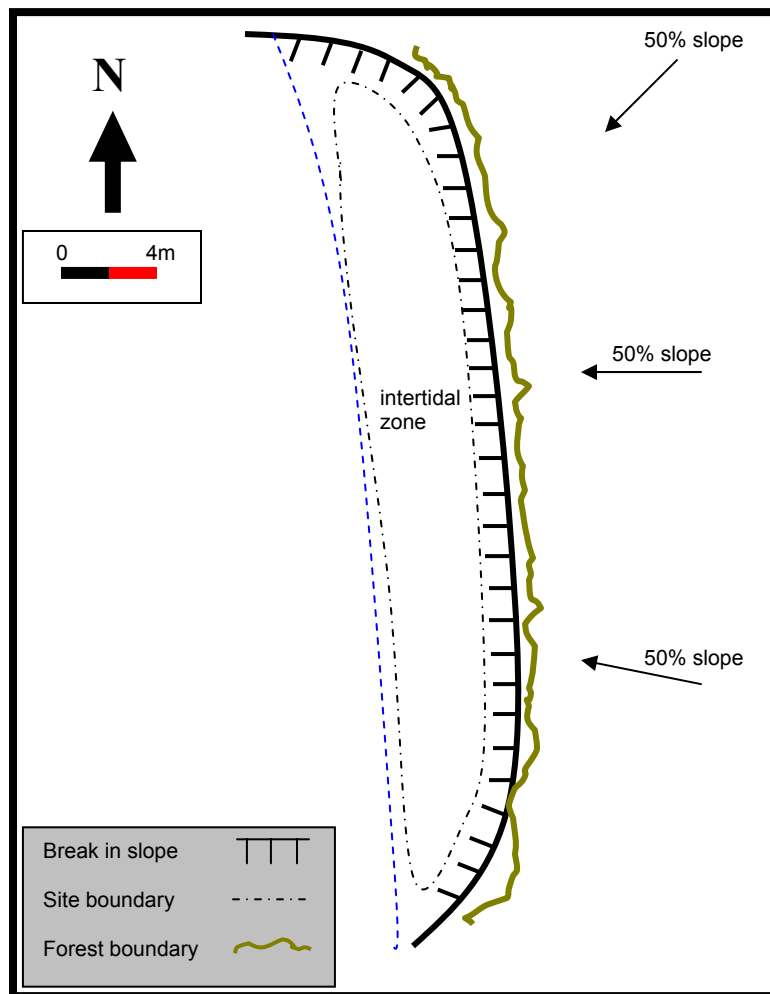


Figure 10. Map of site DiRu-75 indicating site boundary.

4.7 Site DiRu-76

DiRu-76 is a medium-sized (33m N-S x 5m E-W) surface lithic scatter located in the west central portion of the subject north of site DiRu-75 on 'Sandy Beach' within the intertidal zone (Figures 4 and 11). The topography to the east located above the high water line consists of moderate to steep slope (approximately 10-50%), is extremely disturbed with excellent surface exposure, therefore, no shovel testing was conducted in the upland area adjacent (northeast) to the site.

Identified cultural material consisted of approximately twenty-five (n=25) pieces of large and small fracture debitage manufactured from a black fine-grained basalt like material. All cultural material was identified at the mid-point of the intertidal zone and is moderate to severely water worn, no artifacts were collected.

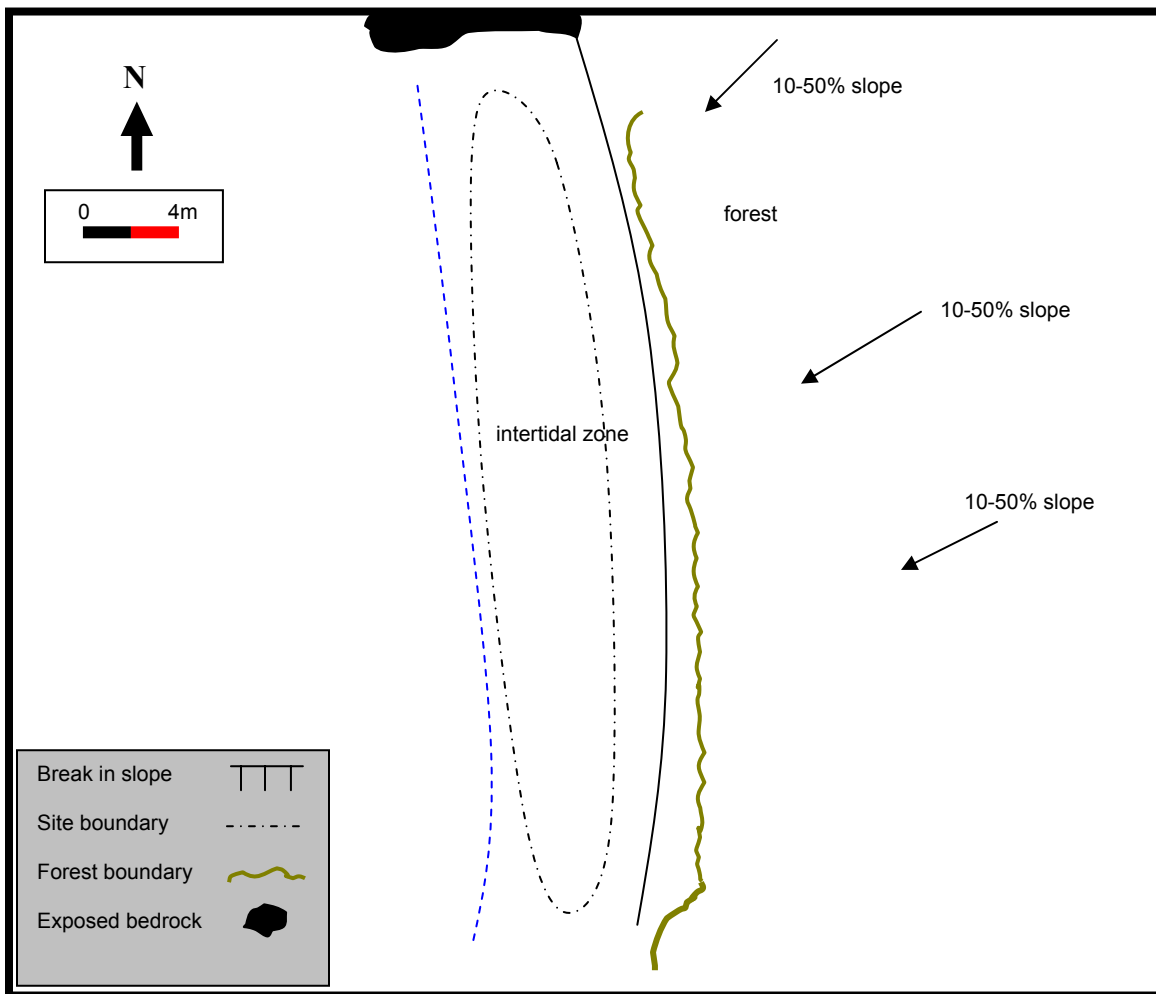


Figure 11. Map of site DiRu-76 indicating site boundary.

4.8 Site DiRu-77

DiRu-77 is an isolated find (5m N-S x 5m E-W) located in the west central portion of the subject approximately 75 meters east of site DiRu-76 on a 30% slope on the north side of the trail which connects the interior of the island to Sandy Beach which is the location of site DiRu-76 (Figures 4 and 12). Identified cultural material consisted of one (n=1) piece of large fracture debitage manufactured from a black fine-grained basalt like material which was collected.

Due to the steepness of the terrain, excellent surface visibility and the severe surface disturbance resulting from previous timber harvesting activities no shovel testing was conducted at this location.

As the boundaries of site DiRu-77 have not been determined to a high degree of certainty it is recommended that a buffer be extended beyond the current site boundary. No land-altering activity may occur within this buffer prior to the completion of additional archaeological work in the form of a site specific archaeological impact assessment (conducted under a HCA Section 14 permit). Due to the absence of landforms that could be considered natural site boundaries and the likely hood that this isolated find may have originated from upslope (east) a twenty-five metre buffer should be considered an adequate distance to protect any unidentified archaeological deposits.

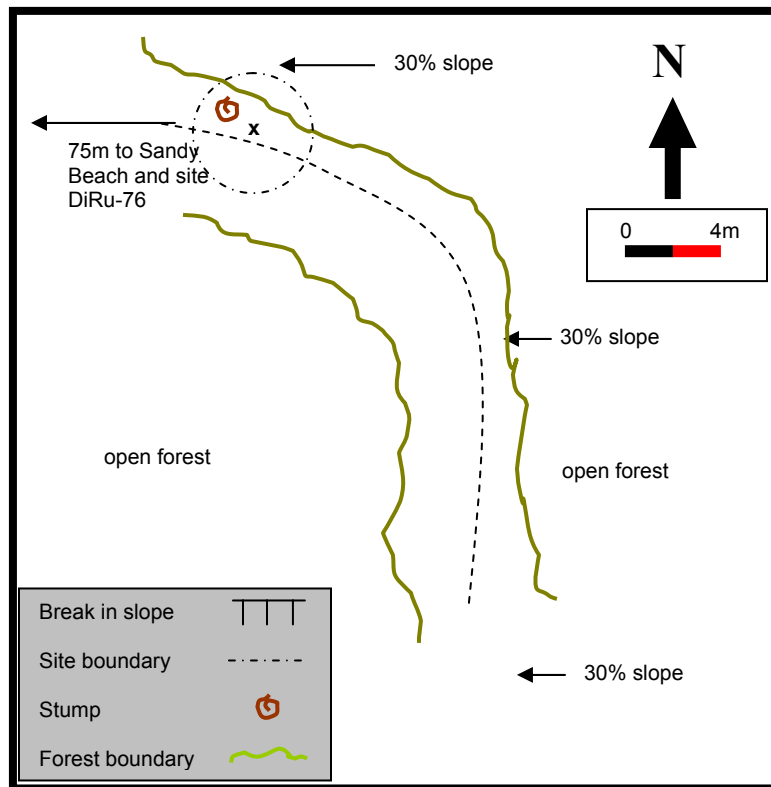


Figure 12. Map of site DiRu-77 indicating location of identified archaeological remains.

4.9 Site DiRu-78

DiRu-78 is an isolated find (5m N-S x 5m E-W) located in the west central portion of the subject approximately 200 meters southwest of site DiRu-77 on the west side of the trail/road which runs along the edge of the break in slope of the terrace overlooking Shoal Channel (Figures 4 and 13). Identified cultural material consisted of one piece (n=1) of large fracture debitage manufactured from a black fine-grained basalt like material which was collected.

Due to the severe surface disturbance resulting from previous timber harvesting and road construction, excellent surface visibility and the absence of excavatable natural deposits no shovel testing was conducted at this site.

As the boundaries of site DiRu-78 have not been determined to a high degree of certainty it is recommended that a buffer be extended beyond the current site boundary. No land-altering activity may occur within this buffer prior to the completion of additional archaeological work in the form of a site specific archaeological impact assessment (conducted under a HCA Section 14 permit). On both the west and east sides of the site the buffer should be extended to the break in slope. Due to the absence of landforms to the north and south of the site the buffer should be extended to a distance of twenty-five metres. This should be considered an adequate distance to protect any unidentified archaeological deposits that may be located here.

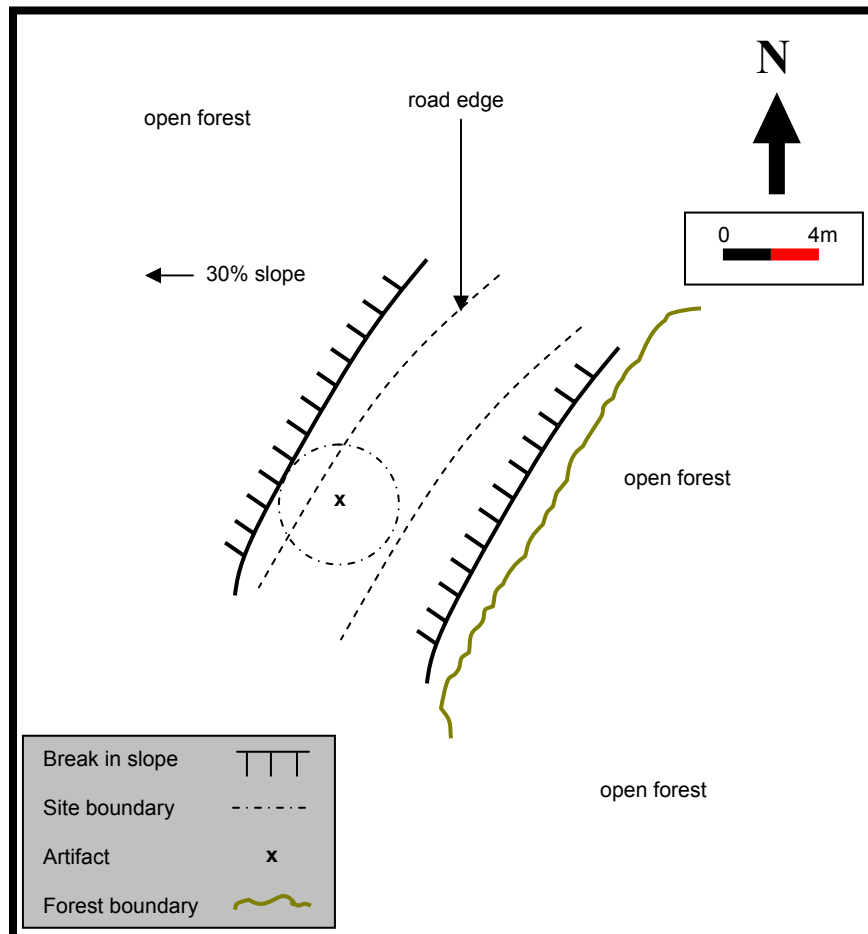


Figure 13. Map of site DiRu-78 indicating location of identified archaeological remains

4.10 Site DiRu-79

DiRu-79 is a large (300m N-S x 22m E-W) surface lithic scatter located near the northwest corner of the subject in a long north-south oriented bay (Figures 4 and 14). Terrain to the east of the site (inland) is sloping with grades of up to 30-40%. The area immediately above the foreshore (southeast) is occupied by cottages and impacts have been severe therefore no shovel testing was conducted in this area. The numerous exposures in the cut bank were examined for evidence of cultural material particularly shell midden deposits none were identified. Beach deposits are composed of coarse and rounded cobbles and boulders. Approximately 200 pieces of severely water worn debitage were identified within the intertidal zone from the northern subject boundary south to a small point of exposed bedrock. No archaeological material was collected.

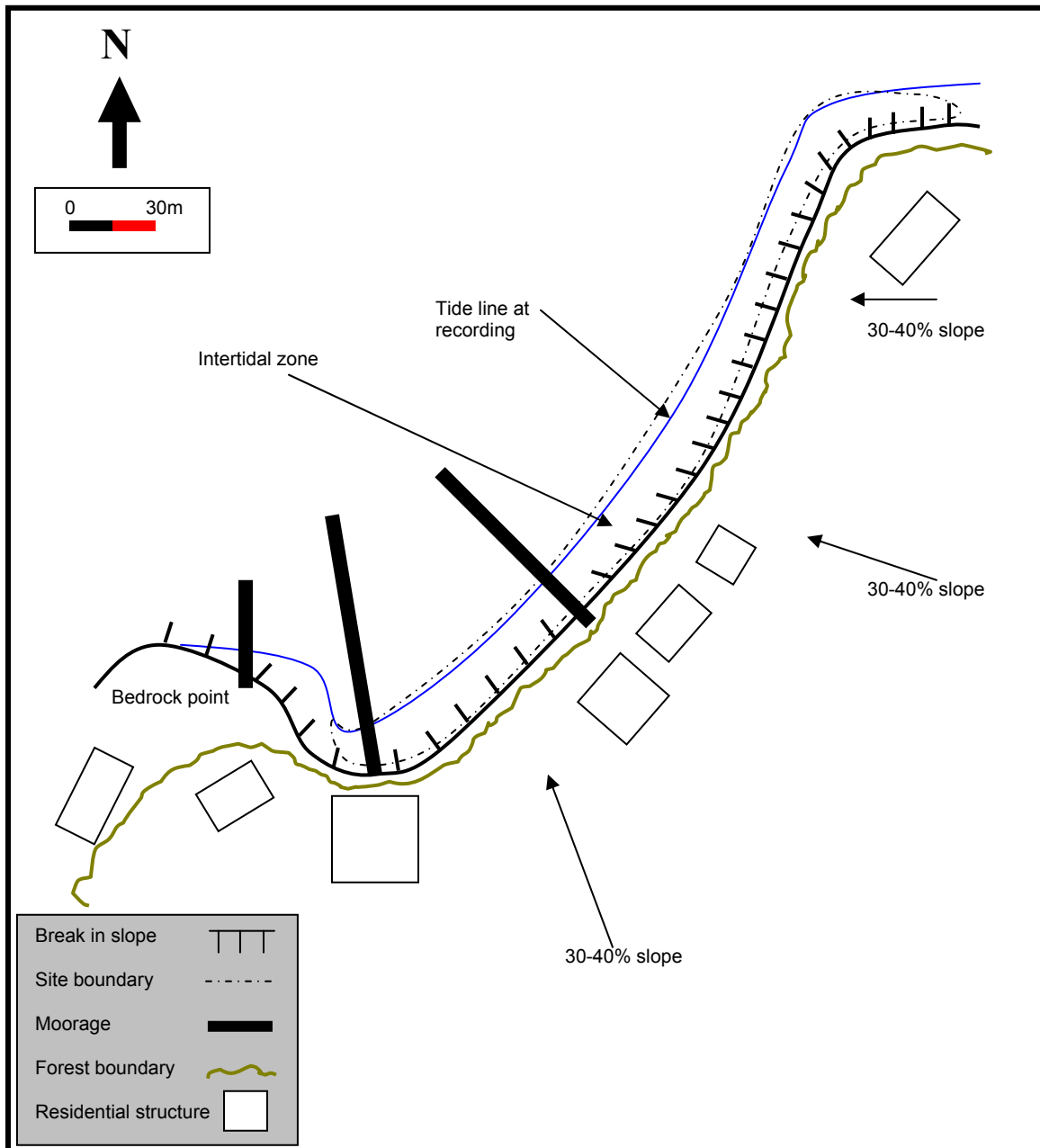


Figure 14. Map of site DiRu-79 indicating site boundaries and existing developments.

4.11 Site DiRu-80

DiRu-80 is a small (33m N-S x 5m E-W) surface lithic scatter located near the northwest corner of the subject and south of site DiRu-79 in a small north-south oriented bay which is bordered to both the north and south by exposed bedrock points (Figures 4 and 15). Terrain to the east of the site (inland) is sloping with grades of between 30% to 40%. The area immediately above the foreshore is occupied by cottages and impacts have been moderate. Due to the steepness of the terrain the presence of exposed bedrock and the moderate disturbance no shovel testing was conducted in the adjacent upland zone. The numerous exposures in the cut bank were examined for evidence of cultural material particularly shell midden deposits none were identified. Beach deposits are composed of coarse and rounded cobbles and boulders. Approximately 50 pieces of severely water worn debitage were identified within the intertidal zone. No archaeological material was collected.

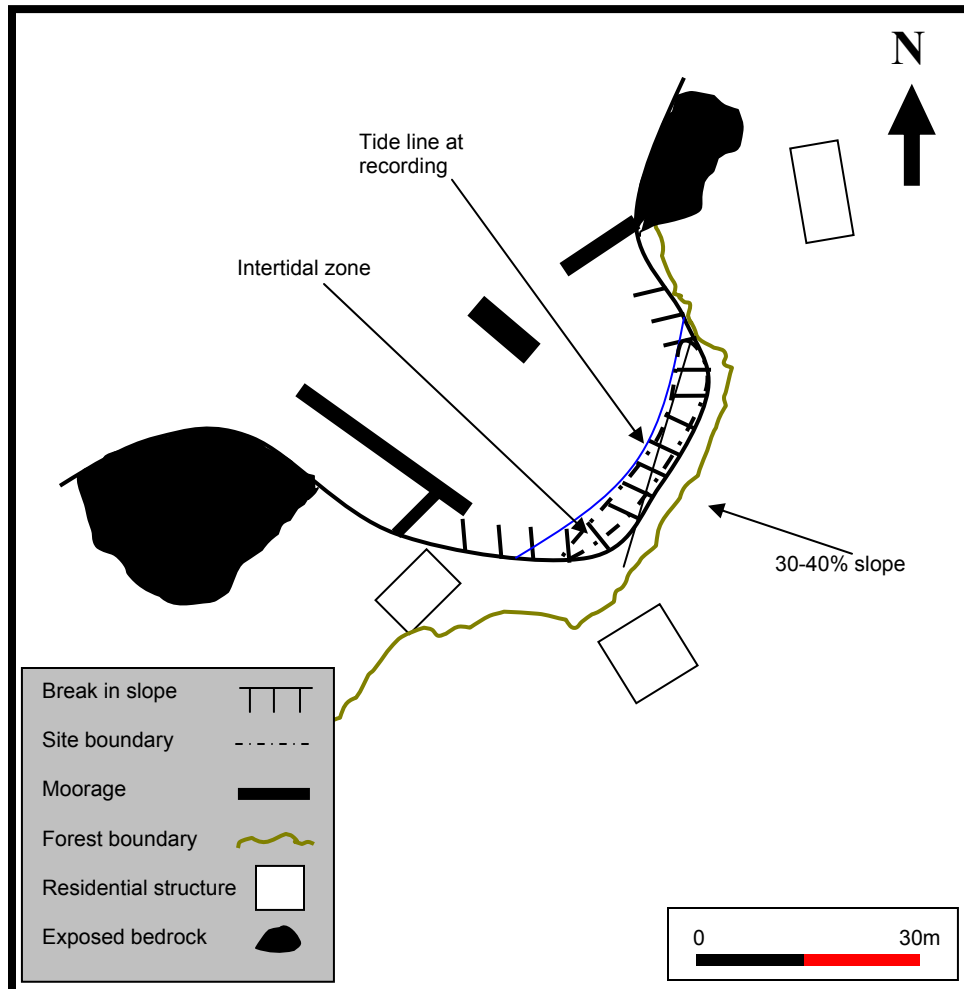


Figure 15. Map of site DiRu-80 indicating site boundary.

4.12 Site DiRu-20

DiRu-20 is a large (116m E-W x 80m N-S) site consisting of small to medium-sized shell midden deposits first identified by Winram and Baker in 1975 and surface and subsurface lithics and the remains of a stone fish trap identified during this study. The site is located at the southern tip of Keats Island adjacent to Salmon Rock within and above the intertidal zone (Figures 4, 16, 17, 18 and 19).

In 1975 identified archaeological remains consisted of crushed shell, charcoal and fire-cracked rock. Site dimensions were not provided, however, at the time the site was assessed as being in 'good' condition (Winram 1975).

The site was revisited during this study at which time the site boundary was redefined and expanded east. Twelve shovel tests were excavated in the eastern portion of the site and survey was conducted within the intertidal zone at low tide. This revealed the presence of additional cultural material not recorded in 1975, including the remains of the previously mentioned stone fish trap and extensive lithics within the intertidal zone (Figures 16, 17, 18 and 19) as well as subsurface lithics consisting of two pieces of core shatter located within two shovel tests (ST's 3 and 7) east of the original 1975 site boundary. Cultural material identified within shovel tests 3 and 7 were collected (see Appendices A and F). However, the shell midden deposits originally recorded by Winram (1975) were not re-identified during this study and there is no immediately obvious reason for their absence other than erosion due to wave action which was identified by Winram (1975) as a potentially destructive force or through impacts resulting from increased pedestrian traffic.

The subsurface lithics identified within shovel tests 3 and 7 are located on an extinct marine terrace at an elevation of between 1 to 3 meters above sea level. The terrace is approximately 96 metres wide (E-W) extending from the high tide line to the bedrock outcrop (Figure 19) and approximately 50 metres long (N-S). However, the north south dimensions are difficult to determine due to forest cover, ground cover and the slope of the terrain.

The archaeological deposits that comprise the site have been partially impacted by homesteading activities which includes the construction of a small house, of which only remnants of the stone chimney and house foundation remain. Shovel testing in the eastern portion of the site was limited due to the presence of an exposed bedrock outcrop along the sites eastern boundary and disturbance due to previous timber harvesting.

The remnants of the fish trap are located within the intertidal zone at the southern end of a small u-shaped back eddy which is formed by a natural bedrock exposure. The remnants of the fish trap consist of a linear formation of medium-sized boulders oriented in a northeast to southwest direction across the northern entrance to the back eddy (Figures 16 through 19).

Though there are no known trout or salmon spawning streams on Keats Island the trap could have been utilized to harvest locally available residential fish and runs of sea trout and salmon which migrate to their spawning grounds further up Howe Sound.



Figure 16. View of site DiRu-20 looking north. Remnants of fish trap are located at center of photograph, lithics are scattered on beach at right and midden in forest at rear.



Figure 17. View of site DiRu-20 looking south. Fish trap is located at back right, extensive quantities of lithics are located on gravel beach at left.



Figure 18. View of site DiRu-20 looking east. Fish trap is located at center front within white dashed line.

As the boundaries of site DiRu-20 have not been determined to a high degree of certainty on three sides it is recommended that a buffer be extended beyond the current site boundary. No land-altering activity may occur within this buffer prior to the completion of a systematic data recovery program (conducted under a HCA Section 14 permit). It is recommended that the buffer be extended east to the exposed bedrock outcrop located to the east of the site. Due to the absence of significant land forms to the north and south of the site the buffer should be extended to twenty-five metres. No buffer is considered necessary to the west of the site due to the presence of a natural land form composed of exposed bedrock.

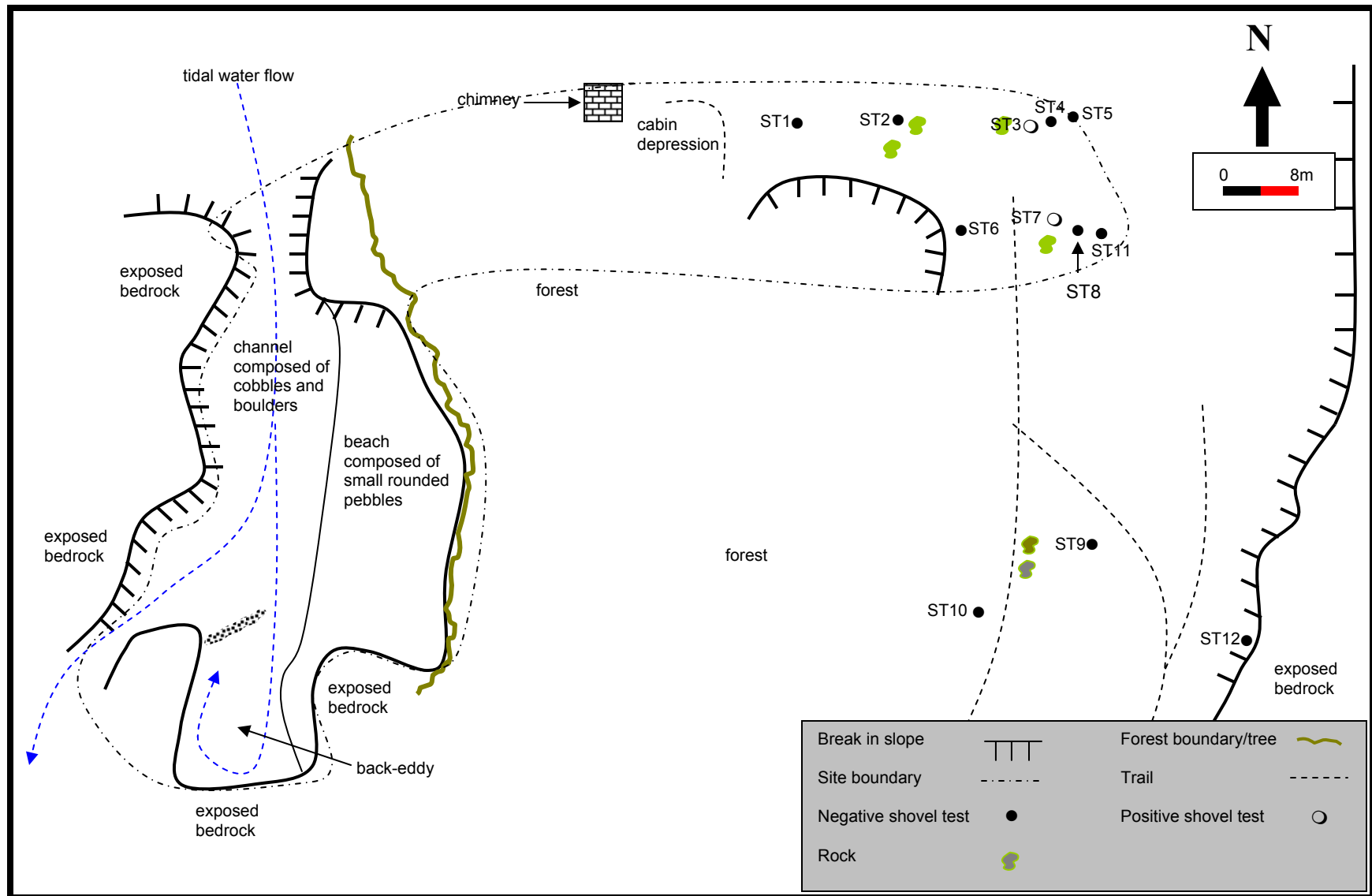


Figure 19. Map of site DiRu-20 indicating location of shovel tests and identified cultural material.

4.13 Site DiRu-83

DiRu-83 is a medium-sized (80m E-W x 60m N-S), irregular shaped subsurface lithic scatter site located at the break in slope of the east-west oriented saddle described in Section 2.3 and at the western margin of the central area of the Keats Camp (Figures 20 and 21). The entirety of the saddle was subject to an intensive surface inspection and systematic shovel testing program. Fifty one (n=51) shovel tests were excavated within and immediately adjacent to DiRu-83 (Figure 21 and Appendix D). Of these fifty one shovel tests eleven proved positive (ST's 1, 4, 5, 8, 10, 14, 16, 18, 19, 28 and 38) producing low frequencies of lithics consisting of unmodified debitage and core shatter (Appendix L). Matrix consisted mostly of dark black organic soil overlying orange/brown sand mixed with rounded pebbles and hard packed grey clay (Appendix D).

The area within and adjacent to the site has been severely disturbed by development activities associated with the construction and operation of the Keats Camp and the prior occupation of the area by a farm. Excavation of shovel tests at the periphery of the site was limited due to the presence of roads and buildings associated with Keats Camp and the absence of excavatable deposits along the sites eastern boundary (Figure 21).

As the boundaries of site DiRu-83 have not been determined to a high degree of accuracy it is recommended that a buffer be extended beyond the current site boundary. No land-altering activity may occur within this buffer prior to the completion of additional archaeological work in the form of a site specific archaeological impact assessment (conducted under a HCA Section 14 permit). Due to the absence of significant landforms it is recommended that a buffer of twenty-five metres be extended in all directions beyond the site boundary. This should be considered an adequate distance to protect any unidentified archaeological deposits that may be located here.

4.14 Site DiRu-84

DiRu-84 is a small (5m N-S x 5m E-W), low density surface lithic scatter located near the southern extent of the east-west oriented saddle described in Section 2.3 and near the southern margin of the central area of the Keats Camp (Figures 20 and 21). Identified archaeological material consisted of two pieces (n=2) (Appendix M) of debitage identified within a highly disturbed area with excellent surface visibility. Due to the severe disturbance and excellent surface visibility no further shovel testing occurred in the immediate area.

As the boundaries of site DiRu-84 have not been determined to a high degree of accuracy it is recommended that a buffer be extended beyond the current site boundary. No land-altering activity may occur within this buffer prior to the completion of additional archaeological work in the form of a site specific archaeological impact assessment (conducted under a HCA Section 14 permit). Due to the absence of significant landforms it is recommended that a buffer of twenty-five metres be extended in all directions beyond the site boundary. This should be considered an adequate distance to protect any unidentified archaeological deposits that may be located here.

4.15 DiRu-85

DiRu-85 is a small (15m N-S x 15m E-W) subsurface lithic scatter located near the northern extent of the east-west oriented saddle described in Section 2.3 and adjacent to the north side of a large septic field located on the northern margin of the Keats Camp (Figures 20 and 21). Identified archaeological material consisted of two (n=2) pieces of debitage recovered from shovel tests 50 and 51 (see Appendix E and N). Due to the extreme surface disturbance from the construction of the septic field and from timber harvesting, the redepositing of fill from the septic field to the north side of the site and road construction combined with excellent surface visibility shovel testing within and adjacent to the site was limited to four shovel tests (49, 50, 51 and 52).

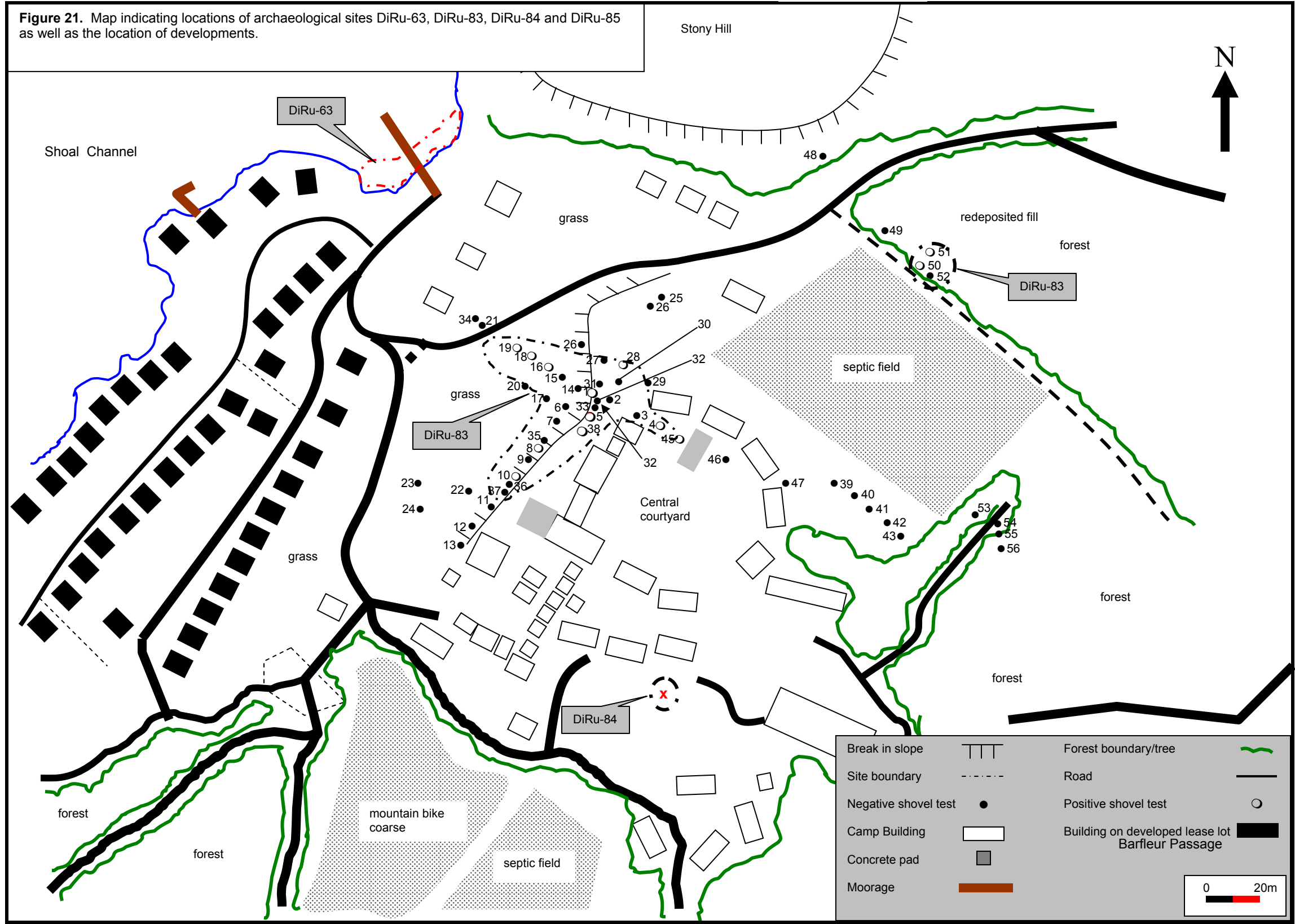
As the boundaries of site DiRu-85 have not been determined to a high degree of accuracy it is recommended that a buffer be extended beyond the current site boundary. No land-altering activity may occur within this buffer prior to the completion of additional archaeological work in the form of a site specific archaeological impact assessment (conducted under a HCA Section 14 permit). Due to the absence of significant landforms it is recommended that a buffer of twenty-five metres be extended in all directions beyond the site boundary. This should be considered an adequate distance to protect any unidentified archaeological deposits that may be located here.

It is highly probable that sites DiRu-83, DiRu-84 and DiRu-85 were originally part of the same site as they are located within relatively close proximity to each other and are situated on the same distinct land form. However, under the direction of the Archaeology Branch they have been recorded as three separate sites.



Figure 20. Orthographic photo of Keats Island Camp. Archaeological deposits identified by Golder Associates in 2002 and recorded as DiRu-63 are located at upper left while approximate boundary of sites DiRu-83, DiRu-84 and DiRu-85 identified during this assessment are located at center and upper right.

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5.0 HERITAGE RESOURCE SIGNIFICANCE EVALUATION

Methodology for assessing the various significance criteria of the archaeological sites identified during this assessment are presented in Section 3.3 of this report and in Section 3.5.2.2 of the Archaeological Impact Assessment Guidelines (Archaeology Branch 1996). Detailed heritage resource significance evaluations for each identified site are presented below.

5.1 Sites DiRu-70, DiRu-71, DiRu-72, DiRu-73, DiRu-74, DiRu-75, DiRu-76, DiRu-77, DiRu-78, DiRu-79, DiRu-80, DiRu-83, DiRu-84 and DiRu-85

The *scientific significance* value of sites **DiRu-70, DiRu-71, DiRu-72, DiRu-73, DiRu-74, DiRu-75, DiRu-76, DiRu-77, DiRu-78, DiRu-79 and DiRu-80, DiRu-83, DiRu-84 and DiRu-85** are considered to be **low**, as they contain low frequencies of artifacts, no formed tools, no internal stratification, the identified artifacts are likely not insitu and all have been disturbed. It is highly unlikely that any of these sites contain significant quantities of information that could increase our knowledge of the regions history.

The *public significance* of the sites are considered to be *low*, five of them are located on private property and the remainder are located in difficult to access locations and there is limited remains for the general public to see.

The *economic significance* of the sites are considered to be *low*, as they do not offer any substantial opportunity for employment or monetary benefits.

These sites are assessed as having high ethnic significance due their importance in illustrating pre-contact land use and occupancy by the concerned First Nations (Skwúmish Úxwumixw [Squamish Nation], Tsawwassen Nation, and Tsleil-Waututh Nation [Burrard Indian Band]) prior to contact with Europeans.

5.2 Site DiRu-20

The *scientific significance* value of site DiRu-20 is considered to be **high** as it contains partially intact archaeological remains consisting of a fish trap. Fish traps either manufactured from wood or stone or a combination of both are the archaeological remnants of an economic system in which the salmon fishery is considered to have played a major role. Detailed analysis of these traps particularly those located in areas not known to have salmon runs (i.e. Keats Island) can provide valuable knowledge regarding the importance of alternative species of fish other than salmon in the local and regional pre-contact economy. Consequently, the importance of these traps in increasing our understanding of the entirety of the pre-contact economy of the region in general and Howe Sound in particular is invaluable.

The *public significance* of the site is considered to be *medium*, as it is located on both public and private land and is accessible to the general public. However, there is little for the general public to see.

The *economic significance* of the site is considered to be *low*, as it does not offer any substantial opportunity for employment or monetary benefits.

This site is assessed as having high ethnic significance due its importance in illustrating pre-contact land use and occupancy by the concerned First Nations (Skwúmish

Úxwumixw [Squamish Nation], Tsawwassen Nation, and Tsleil-Waututh Nation [Burrard Indian Band]) prior to contact with Europeans.

6.0 IMPACT IDENTIFICATION AND ASSESSMENT

6.1 Sites DiRu-70, DiRu-71, DiRu-72, DiRu-73, DiRu-74, DiRu-75, DiRu-76, DiRu-77, DiRu-78, DiRu-79 and DiRu-80

Presently, archaeological sites **DiRu-70, DiRu-71, DiRu-72, DiRu-73, DiRu-74, DiRu-75, DiRu-76, DiRu-77, DiRu-78, DiRu-79** and **DiRu-80** are in no danger of being adversely impacted from land-altering activities other than pedestrian traffic and in the case of DiRu-70, DiRu-71, DiRu-74, DiRu-75, DiRu-76, DiRu-79 and DiRu-80 from tidal erosion.

6.2 Site DiRu-20

Site DiRu-20 is presently in no danger of adverse impacts resulting from land-altering activities. However, minimal impacts are occurring from tidal erosion and pedestrian traffic.

6.3 Sites DiRu-83, DiRu-84 and DiRu-85

Sites DiRu-83, DiRu-84 and DiRu-85 are presently in danger of minor adverse impacts resulting from land-altering activities associated with ongoing maintenance and of operation of the Keats Camp. Additional impacts could occur if future developments to the camp proceed.

7.0 DISCUSSION

Interpretation of this studies findings can only be considered preliminary. Though eleven additional sites were identified within the subject in addition to those already recorded the archaeological remains identified at each site is limited to unformed debitage. No obvious tools or faunal remains were recovered.

Though the debitage identified at all thirteen sites is not indicative of a particular culture type or time period debitage recovered from shovel tests at DiRu-20, DiRu-83 and DiRu-85 at approximately 50cm below surface (BS) corresponds with debitage recovered at a similar depth by Arcas from the north end of Keats Island at site DiRu-19 Plumper Cove. Carbon dates obtained by Arcas from these deposits place them at 2050 before present (Arcas 1992).

Identification of the fish trap at DiRu-20 indicates that intensive fishing was taking place on Keats Island, however species which were harvested at the trap is unclear. Findings by Arcas (Arcas 1992) from their excavations at DiRu-19 indicate that spiny dogfish, salmon, trout, Pacific hake, Pacific cod and lingcod were all harvested in some quantity around Keats Island. Therefore, it is likely that similar species most likely runs of salmon and sea trout were harvested at DiRu-20.

The extensive quantities of debitage/lithics identified within the intertidal zone (DiRu-70, DiRu-71, DiRu-74, DiRu-75, DiRu-76, DiRu-79 and DiRu-80) are most likely manufactured from Ring Creek basalt which is not native to Keats Island (Figure 22).

Importing large quantities of this raw material to Keats Island for use or tool manufacture indicates that significant and/or important resources were being harvested. The beaches around Keats are heavily populated with mussels, mussel remains have been recovered from DiRu-19 (Arcas 1992) indicating that they may have been the target resource.



Figure 22. Piece of debitage manufactured from what appears to be Ring Creek basalt. This is typical of all debitage identified at sites within intertidal zone.

The archaeological remains recovered from inland sites (DiRu-72, DiRu-73, DiRu-77, DiRu-78 and DiRu-83, DiRu-84 and DiRu-85) are minimal therefore not even a preliminary interpretation of these deposits can be attempted.

8.0 RECOMMENDATIONS

The following recommendations have been developed to ensure that the thirteen archaeological sites located within the subject are managed in an appropriate manner.

- 1) Sites DiRu-70, DiRu-71, DiRu-74, DiRu-75, DiRu-76, DiRu-79 and DiRu-80 are located within the intertidal zone and are in no danger of impacts resulting from land-altering activities. In the event that development should occur within their boundaries a Section 12 site alteration permit must be obtained from the Archaeology Branch of the Ministry of Tourism, Culture and the Arts. All land-altering activities within the site boundaries must be monitored by a trained archaeologist.
- 2) It is recommended that sites DiRu-72 (see Section 4.3), DiRu-73 (see Section 4.4), DiRu-77 (see Section 4.8), DiRu-78 (see Section 4.9), DiRu-83 (see Section 4.13), DiRu-84 (see Section 4.14) and DiRu-85 (see Section 4.15) be avoided by development. If land-altering activity must occur within the buffer that has been established for each site all land-altering activity must be preceded by a site specific archaeological impact assessment conducted under the authority of a Section 14 Heritage Inspection Permit.
- 3) It is recommended that no land-altering activity occur within the boundaries of site DiRu-20. If land-altering activity must occur within the site boundary detailed mitigative excavation should occur under the authority of a Section 14 permit obtained from the Archaeology Branch of the Ministry of Tourism, Sports and the Arts. The permit application should have provision for the collection of at least two carbon dates from the site as well as detailed faunal and floral analyses.
- 4) All future archaeological work should be conducted with the full consultation of the concerned First Nations.

It should be noted that even the most thorough archaeological study may inadvertently fail to identify archaeological sites located within a particular study area. It should be understood, however, that all archaeological sites within the Province of British Columbia are protected from disturbance whether intentional or inadvertent by the *Heritage Conservation Act* (1996). Should archaeological remains be encountered during the proposed development scheduled for the subject property, it is recommended that work in the area cease and all concerned First Nations and the Ministry of Tourism, Sport and the Arts – Archaeology Branch be informed of the discovery.

9.0 REFERENCES CITED

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1976 DiRu-20 archaeological site inventory form. On file with the Ministry of Tourism, Sports and the Arts-Archaeology Branch.

Appendix A. DiRu-20 shovel test log

Site No.	ST	Depth (cm)	Matrix	Cultural Remains
DiRu-20	1	0-65	0-20cm: dark black organic soil 20-65cm: orange coarse-grained sand mixed with rounded pebbles	sterile
	2	0-50	0-10cm: black organic soil 10-50cm: brown sand mixed with rounded pebbles	sterile
	3	0-50	0-10cm: black organic soil 10-50cm: brown sand mixed with rounded pebbles	yes
	4	0-50	0-10cm: black organic soil 10-50cm: brown sand mixed with rounded pebbles	sterile
	5	0-50	0-10cm: black organic soil 10-50cm: brown sand mixed with rounded pebbles	sterile
	6	0-60	0-15cm: dark black organic soil 15-60cm: coarse brown soil mixed with rounded pebbles	sterile
	7	0-60	0-15cm: dark black organic soil 15-60cm: coarse brown soil mixed with rounded pebbles	yes
	8	0-65	0-5cm: black organic soil 5-65cm: brown/black soil mixed with coarse grained orange sand mixed with rounded pebbles	sterile
	9	0-65	0-5cm: black organic soil 5-65cm: brown/black soil mixed with coarse grained orange sand mixed with rounded pebbles	sterile
	10	0-65	0-5cm: black organic soil 5-65cm: brown/black soil mixed with coarse grained orange sand mixed with rounded pebbles	sterile
	11	0-65	0-5cm: black organic soil 5-65cm: brown/black soil mixed with coarse grained orange sand mixed with rounded pebbles	sterile
	12	0-50	0-5cm: black organic soil 5-50cm: brown/black soil mixed with coarse grained orange sand mixed with rounded pebbles	sterile

Appendix B. DiRu-72 shovel test log

Site No.	ST	Depth (cm)	Matrix	Cultural Remains
DiRu-72	1	0-5	0-2cm: dark black organic soil mixed with rounded cobbles 2-5cm: crushed and shattered rock and clay	sterile
	2	0-5	0-2cm: dark black organic soil mixed with rounded cobbles 2-5cm: crushed and shattered rock and clay	sterile
	3	0-5	0-2cm: dark black organic soil mixed with rounded cobbles 2-5cm: crushed and shattered rock and clay	sterile
	4	0-5	0-2cm: dark black organic soil mixed with rounded cobbles 2-5cm: crushed and shattered rock and clay	sterile

Appendix C. DiRu-73 shovel test log

Site No.	ST	Depth (cm)	Matrix	Cultural Remains
DiRu-73	1	0-15	0-2cm: dark black organic soil 2-15cm: orange till mixed with angular and rounded cobbles	sterile
	2	0-15	0-2cm: dark black organic soil 2-15cm: orange till mixed with angular and rounded cobbles	sterile
	3	0-15	0-2cm: dark black organic soil 2-15cm: orange till mixed with angular and rounded cobbles	sterile
	4	0-15	0-2cm: dark black organic soil 2-15cm: orange till mixed with angular and rounded cobbles	sterile
	5	0-15	0-2cm: dark black organic soil 2-15cm: orange till mixed with angular and rounded cobbles	sterile

Appendix D. DiRu-83 shovel test log

Site No.	ST	Depth (cm)	Matrix	Cultural Remains
DiRu-63	1	0-50	0-50cm: dark black organic soil	yes
	2	0-40	0-30cm: dark black organic soil 30-40cm: gray clay	sterile
	3	0-10	0-10cm: thin layer of grass overlying light brown soil mixed with clay and rounded pebbles. Highly disturbed.	sterile
	4	0-10	0-10cm: 0-10cm: thin layer of grass overlying light brown soil mixed with clay and rounded pebbles with occasional fragment of bottle glass. Highly disturbed.	yes
	5	0-53	0-15cm: dark/black brown organic soil with occasional rounded pebbles 15-53cm: brown sand mixed with rounded pebbles and occasional cobble	yes
	6	0-55	0-15cm: dark black/brown organic soil mixed with fine-grained sand and rounded pebbles 15-55cm: orange/brown sand mixed with rounded pebbles and the occasional cobble	sterile
	7	0-48	0-15cm: dark black/brown organic soil mixed with fine-grained sand and rounded pebbles 15-48cm: orange/brown sand mixed with rounded pebbles	sterile
	8	0-48	0-15cm: dark black/brown organic soil mixed with fine-grained sand and rounded pebbles 15-48cm: orange/brown sand mixed with	yes

			rounded pebbles	
	9	0-25	0-8cm: dark black/brown organic soil mixed with fine-grained sand and rounded pebbles 8-25cm: orange/brown sand mixed with rounded pebbles, highly disturbed	sterile
	10	0-45	0-15cm: dark black/brown organic soil mixed with rounded pebbles and cobbles 15-45cm: orange/brown till with hydro-electric cable at bottom. Highly disturbed	yes
	11	0-40	0-15cm: dark black/brown organic soil mixed with rounded pebbles and cobbles 15-45cm: orange/brown till with hydro-electric cable at bottom. Highly disturbed	sterile
	12	0-50	0-25cm: dark black/brown organic soil mixed with rounded pebbles and cobbles. Highly disturbed 25-50cm: orange/brown coarse-grained sand mixed with rounded pebbles and cobbles	sterile
	13	0-32	0-32cm: disturbed orange/brown coarse-grained sand mixed with rounded pebbles and cobbles	sterile
	14	0-25	0-20cm: disturbed dark/brown organic soil mixed with rounded pebbles and cobbles 20-25cm: orange/brown coarse-grained sand mixed with rounded pebbles and cobbles	yes
	15	0-29	0-23cm: disturbed dark brown/black organic soil mixed with rounded pebbles and cobbles 23-29cm: orange/brown coarse-grained sand mixed with rounded pebbles and cobbles	sterile
	16	0-31	0-17cm: disturbed dark brown/black organic soil mixed with rounded pebbles and cobbles 17-31cm: orange/brown coarse-grained sand mixed with rounded pebbles and cobbles	yes
	17	0-15	0-12cm: disturbed dark black soil mixed with angular pebbles and cobbles 12-15cm: disturbed orange/brown coarse-grained till	sterile
	18	0-35	0-17cm: disturbed dark brown/black organic soil mixed with rounded pebbles and cobbles 17-35cm: orange/brown coarse-grained sand mixed with rounded pebbles and cobbles	yes
	19	0-34	0-34cm: mixture of disturbed black organic soil and orange/brown coarse-grained till mixed with cobbles and pebbles	yes
	20	0-21	0-12cm: disturbed mixture of black organic soil overlying red/orange till mixed with rounded pebbles	sterile
	21	0-18	0-18cm: disturbed mixture of black organic soil overlying red/orange till mixed with rounded pebbles	sterile
	22	0-20	0-20cm: disturbed mixture of black organic soil overlying red/orange till mixed with rounded pebbles	sterile
	23	0-20	0-20cm: disturbed mixture of black organic soil overlying red/orange till mixed with rounded pebbles	sterile
	24	0-30	0-24cm: disturbed mixture of black organic soil overlying red/orange till mixed with rounded pebbles and large fragments of terra cotta pipe	sterile
	25	0-24	0-20cm: disturbed dark black/gray soil mixed with rounded pebbles, angular gravels and tan coarse-grained sandy soil	sterile

	26	0-30	0-30cm: disturbed dark black/gray soil mixed with rounded pebbles, angular gravels and tan coarse-grained sandy soil	sterile
	27	0-17	0-15cm: disturbed brown organic soil mixed rounded pebbles overlying red/orange coarse-grained sand	sterile
	28	0-70	0-70cm: disturbed brown organic soil mixed with rounded pebbles overlying red/orange coarse-grained sand	yes
	29	0-33	0-22cm: dark black organic soil mixed with rounded pebbles 22-33cm: coarse orange sand mixed with rounded pebbles	sterile
	30	0-35	0-15cm: dark brown organic soil mixed with rounded pebbles and cobbles and the occasional boulder 15-35cm: coarse orange sand mixed with pebbles and cobbles, boulders identified at bottom of test	sterile
	31	0-36	0-19cm: dark black organic soil mixed with rounded pebbles and cobbles 19-36cm: coarse orange sand mixed with rounded pebbles	sterile
	32	0-36	0-19cm: black organic soil mixed with pebbles and cobbles 19-36cm: coarse orange sand mixed with boulders and pebbles. Heavy root content	sterile
	33	0-34	0-20cm: brown organic soil mixed with pebbles 20-34cm: coarse orange sand	sterile
	34	0-38	0-30cm: densely packed dark brown soil mixed with pebbles 30-38cm: coarse orange sand	sterile
	35	0-27	0-20cm: dark brown organic soil mixed with rounded pebbles 20-27cm: coarse orange sand	sterile
	36	0-30	0-7cm: dark brown organic soil 7-19cm: coarse orange sand mixed with rounded pebbles 19-30cm: dark brown organic soil mixed with boulders. Ceramic pipe at 30cm BS	sterile
	37	0-22	0-16cm: dark brown organic soil mixed with rounded pebbles 16-22cm: coarse orange sand	sterile
	38	0-61	0-22cm: dark brown organic soil mixed with rounded pebbles and gravel 22-61cm: red/brown/orange coarse grained sand mixed with charcoal	yes
	39	0-50	0-15cm: disturbed black/brown organic soil mixed with sand and rounded pea gravel 15-50cm: red/orange coarse grained sand mixed with rounded pebbles and cobbles 50cm+ clay	sterile
	40	0-32	0-18cm: black organic soil 18-32cm: orange coarse-grained sand	sterile
	41	0-40	0-20cm: black organic soil 20-40cm; coarse orange sand	sterile
	42	0-32	0-16cm: dark brown organic soil mixed with rounded pebbles 16-32cm: coarse orange sand mixed with charcoal	sterile
	43	0-34	0-25c m: brown organic soil mixed with rounded	sterile

			pebbles 25-34cm: coarse orange sand	
	44	0-24	0-19cm: dark brown organic soil mixed with rounded cobbles 19-24cm: coarse orange sand	sterile
	45	0-20	0-20cm: gray disturbed clay mixed with rounded pea gravels	sterile
	46	0-20	0-20cm: gray disturbed clay mixed with rounded pea gravels	sterile
	47	0-20	0-20cm: gray disturbed clay mixed with rounded pea gravels	sterile
	53	0-40	0-40cm: disturbed red/brown coarse grained sand mixed with rounded pebbles and pea gravel	sterile
	54	0-35	0-5cm: disturbed dark black organic soil 5-35cm: red brown till mixed with rounded pebbles	sterile
	55	0-30	0-5cm: disturbed dark black organic soil 5-30cm: red brown till mixed with rounded pebbles	sterile
	56	0-25	0-5cm: disturbed dark black organic soil 5-25cm: red brown till mixed with rounded pebbles	sterile

Appendix E. DiRu-85 shovel test log

	48	0-25	0-25cm: dark black organic soil mixed with angular pebbles and cobbles	sterile
	49	0-20	0-2cm: littermat 2-20cm: crushed and fractured granite	sterile
	50	0-25	0-25cm: dark black organic soil mixed with reddish/orange till and rounded pebbles and pea gravel with occasional angular cobbles and pebbles	sterile
	51	0-30	0-30cm: dark black organic soil mixed with reddish/orange till and rounded pebbles and pea gravel with occasional angular cobbles and pebbles	sterile
	52	0-30	0-30cm: dark black organic soil mixed with reddish/orange till and rounded pebbles and pea gravel with occasional angular cobbles and pebbles	sterile

Appendix F. DiRu-20 artifact table

Provenience (ST)	Depth B.S. (cm)	Raw Material	Description
ST-3	0-15	Basalt	core shatter fragment
ST-7	0-15	basalt	core shatter fragment

Appendix G. DiRu-70 artifact table

Provenience	Depth B.S. (cm)	Raw Material	Description
surface/intertidal	n/a	basalt	2 large pieces of heavily water worn debitage

Appendix H. DiRu-71 artifact table

Provenience	Depth B.S. (cm)	Raw Material	Description
surface/intertidal	n/a	basalt	4 pieces of heavily water worn cores hatter

Appendix I. DiRu-72 artifact table

Provenience	Depth B.S. (cm)	Raw Material	Description
surface	n/a	coarse-grained basalt	1 small piece of debitage

Appendix J. DiRu-73 artifact table

Provenience	Depth B.S. (cm)	Raw Material	Description
surface	n/a	coarse-grained basalt	1 small piece of debitage

Appendix K. DiRu-80 artifact table

Provenience	Depth B.S. (cm)	Raw Material	Description
surface/intertidal	n/a	basalt	4 medium-sized pieces of debitage
surface/intertidal	n/a	fine-grained, brown/black banded indeterminate raw material	small piece of debitage

Appendix L. DiRu-83 artifact table

Provenience	Depth B.S. (cm)	Raw Material	Description
ST-1	0-45	coarse-grained basalt	rectangular shaped flake
ST-4	unknown	fine-grained basalt	medium-sized flake
ST-5	0-53	unknown	small irregular shaped flake
ST-8	0-48	coarse-grained basalt	1 small and 1 medium-sized tabular shaped flakes
ST-10	0-45	coarse-grained basalt	2 small tabular shaped flakes
ST-14	0-20	coarse-grained basalt	1 piece of debitage
ST-16	unknown	coarse-grained basalt	small irregular-shaped flake
ST-18	0-35	coarse-grained basalt	small irregular shaped flake
ST-19	0-34	fine grained basalt	tabular core shatter
ST-28	0-17	Fine-grained basalt	1 piece of core shatter, 2 medium-sized and 1 large flake
ST-38	unknown	coarse-grained basalt	core remnant

Appendix M. DiRu-84 artifact table

surface	surface	fine-grained basalt	1 small and 1 medium-sized flake
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Appendix N. DiRu-85 artifact table

ST-50	0-25	coarse-grained basalt	1 piece of debitage
ST-51	0-25	coarse-grained basalt	1 piece of debitage

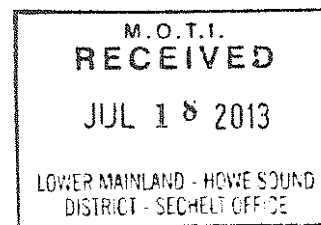


DRAFT

Reference No: 131316

July 17, 2013

Keats Island Association
C/O Mr. Glen Donaldson
4350 Quinton Place
NORTH VANCOUVER, B.C.



Re: Geotechnical Assessment
Proposed Strata Developments
Convention of Baptist Churches of B.C. Property
KEATS ISLAND, B.C.

Introduction

This letter is provided at your request of June 24, 2013 and is based on a site review completed on June 25, 2013 and plans provided by email and on site. This review is intended to provide an assessment of the residential lots existing on site including any geological hazards. The following sections summarize the site review, the topography and geotechnical environment of the property; the interpreted soils conditions and provides assessment and recommendations based on these conditions.

This assessment is intended to provide guidance for the development of 6 strata properties which are proposed to contain the leased lots on the property owned by the Baptist Churches. It is understood that the main concerns to be assessed are geological and natural hazards for the building lots within these proposed strata properties and that these hazards normally include avalanche, flooding, erosion. Landslip, wildfire, rockfall and debris torrent. These will be discussed based on the assessment completed.

Site Review

The site was reviewed on June 25, 2013. Surficial review consisted of several traverses of the property, including review of the shoreline from the water and walking the existing access roads which cross the property at several locations. Notes on the soil conditions were made at Observation Points (OP's) at a number of locations. These notes are provided in the attached Table of Observation Points. Locations of these OP's were approximately as shown in the site sketch in Figure 2.

Site Description

The property, District Lot 696, was located on the west end of Keats Island. The property measured about 2000 m long in a northeast – southwest direction and was about 500 to 600 metres wide through much of this length. The review has been restricted to the leased lots along part of the north shore line and at the east end of the south shoreline of the subject property. The proposal being reviewed consists of subdividing the leasehold lots into 6 Strata lots with separate servicing systems. The portion of the strata lots reviewed are as shown on Figure 1. Most of these lots have already been developed with summer cabins and homes. This report is strictly intended to assess the dwelling lots within each of the strata properties. Service areas have been assessed by others for purposes of septic fields.

Review of topographic plans of the west end of the island indicate that much of the area is up to about 35 metres elevation except for two hills, one in the south central portion of the property which was up to about 65 metres elevation and a second on the northeast area which was as much as 90 metres high. The remainder of the area was relatively gently sloping with average slopes of less than about 20 degrees.

The property had been logged at one time and was forested with second growth timber consisting mostly of conifers with trunk diameters typically less than about 0.7 metre.

Soils and Groundwater Conditions

Based on geological maps of the area, the property is underlain by intrusive quartz diorite bedrock of late Jurassic age. This formation is exposed in frequent outcrops throughout this portion of the island and along the coast line where the strata lots are located.

The lots reviewed were underlain by a thin mantle of soil which typically consisted of less than a 1 m thickness of sands and gravelly sands and locally till like silty sands. Based on the review of test pits completed by others for the septic system design, these soils are thicker in the interior of the island and are in excess of the 1.2 metres excavated depth of those testpits. These soils were underlain by the very strong fresh jointed to slightly weathered massive quartz diorite bedrock. Where exposed jointing in the rock consisted of three general orientations as follows:

1. near vertical joints striking approximately northeast - southwest (sub parallel to the general coast line)
2. a second set of joints striking at about 160 degrees and dipping about 30 degrees to the west and
3. a third orientation striking at about 200 degrees and dipping about 60 degrees to the east.

The coast line of the island in the area of the properties was predominantly undisturbed sound bedrock extending to below the low water line. In some areas this formed near vertical faces up to about 10 metres in height but the majority of the lots sat on local slopes of less than 30 degrees ground slope. There were local areas, particularly to the southwest of Strata Area 4 where a sand beach had developed over the shallow bedrock and in portions of Strata area 5 where there were local sand, gravel and cobble beaches along the water front of the

rock slopes on the lots.

Discussion of Hazards

Avalanche

At the low elevations encountered for this property there very little potential of snow build up and no risk of avalanches in the area of the residential properties.

Flooding

The most significant concern related to flooding is for properties which are at very low elevation adjacent to the water front. A preliminary review of potential wave action indicates that any dwelling with a lower floor level more than 3 metres above the highwater mark will likely to be above such wave action. There appear to be a few dwellings which are close to this level but review of the lot elevations indicates that there area areas of the lots where a structure could be constructed at a sufficient elevation if any additions were planned.

Erosion

Local surface scour of the sands exposed is possible but there are no creeks or drainages where there will be the risk of serious mass erosion of the lot areas which will be a threat to any dwellings or residential lot areas. In addition all lots were in areas of shallow bedrock and existing structures are founded on rock which is not prone to erosion. Erosion of the lot areas is not considered a risk.

Landslip

Because of very limited soil cover and gentle slopes, soils failures are very unlikely and will not impinge of any of the lots. The bedrock itself, due to its massive and very strong nature as well as the favourable jointing pattern, is very stable and not prone to wedge or other failures. Review indicated no sign of any such concern.

Wildfire

Many of the lots have been developed for many years and vegetation including relatively mature trees are in close proximity to the dwellings. Also there is relatively mature forest immediately upslope of the lot areas. The forest is healthy with very few dead trees. Hence fire hazard is no higher than any other remote forested area in B.C. The fact that most of the lots are on or near the ocean indicates that there is a plentiful source of (salt) water for fire fighting close by if required.

Rock Fall

The only lots steep enough to have a rock fall hazard are the lots at the very north east end of Strata area 1. Review of the area upslope of these lots indicated no sign of any potentially loose rock. The remainder of the lots are not steep enough to have any such risk . It is judged that there is no risk of rock fall for any of the residential lots.

Debris flow

Development of debris flows require a drainage, creek or similar feature which is steep enough and has a source of material that can be saturated to a point of instability. There are no such features in the area of the subject residential lots. It is judged that there is no risk of debris flows which will effect the residential lots.

Other Concerns

There has been no industry or other such source of contaminants on the island other than the original logging of the area. It is not expected that there will be any major contaminated sites in the area of the strata lots.

Keats island in located in a relative severe seismic area. Liquefaction and other seismically induced stability concerns are not considered to be a risk. Any new development or redevelopment should be completed subject to normally accepted engineering review and practice.

Conclusions

Based on the assessment completed the property was judged to be stable and safe for the use intended. The lots were considered stable and free of geotechnical hazards. These areas can be developed or redeveloped using normal engineering and construction practices.

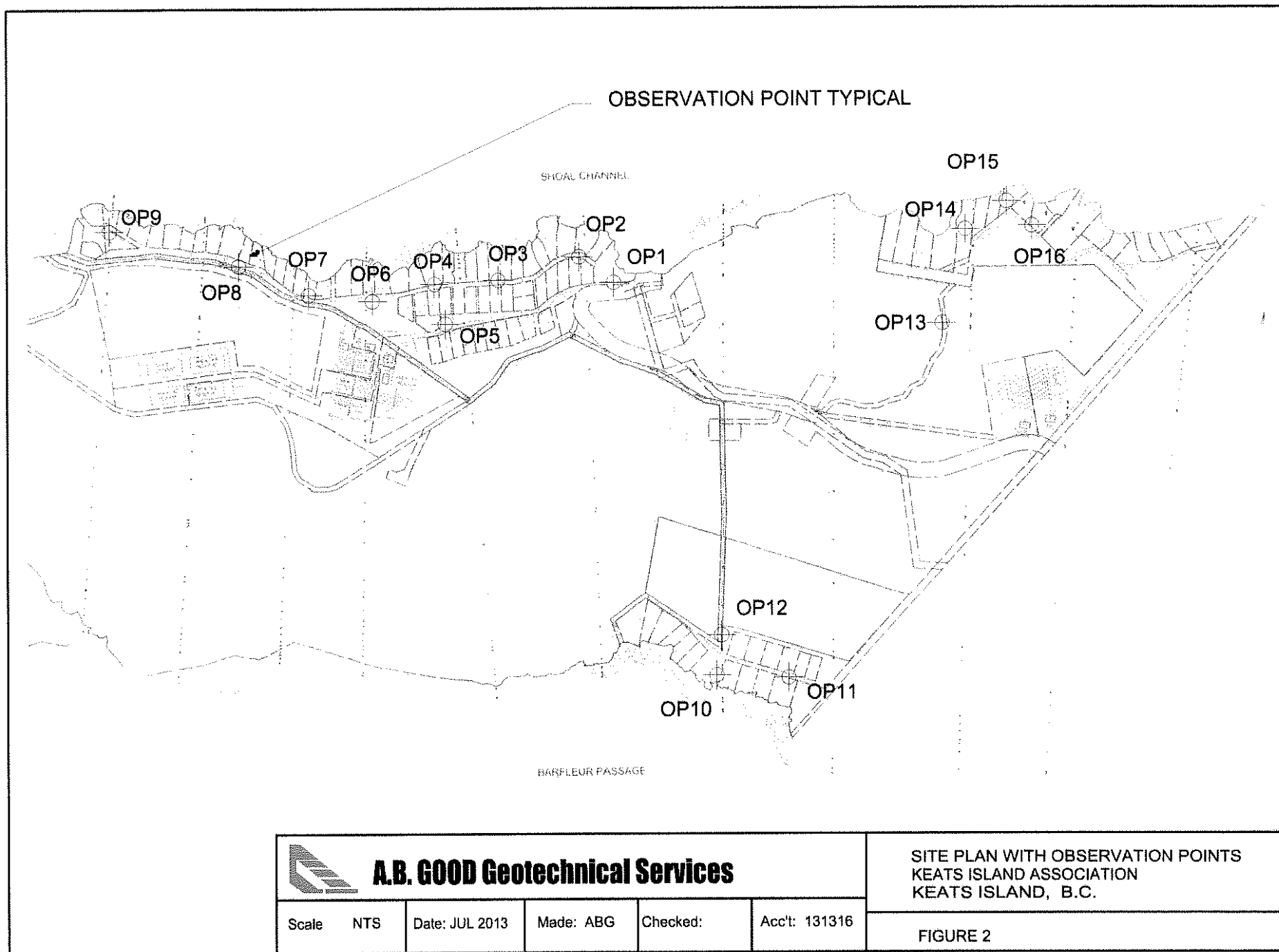
Please call if you require any further details about the review of the geological hazards for the proposed strata residential lots on property at the west end of Keats Island, B.C.

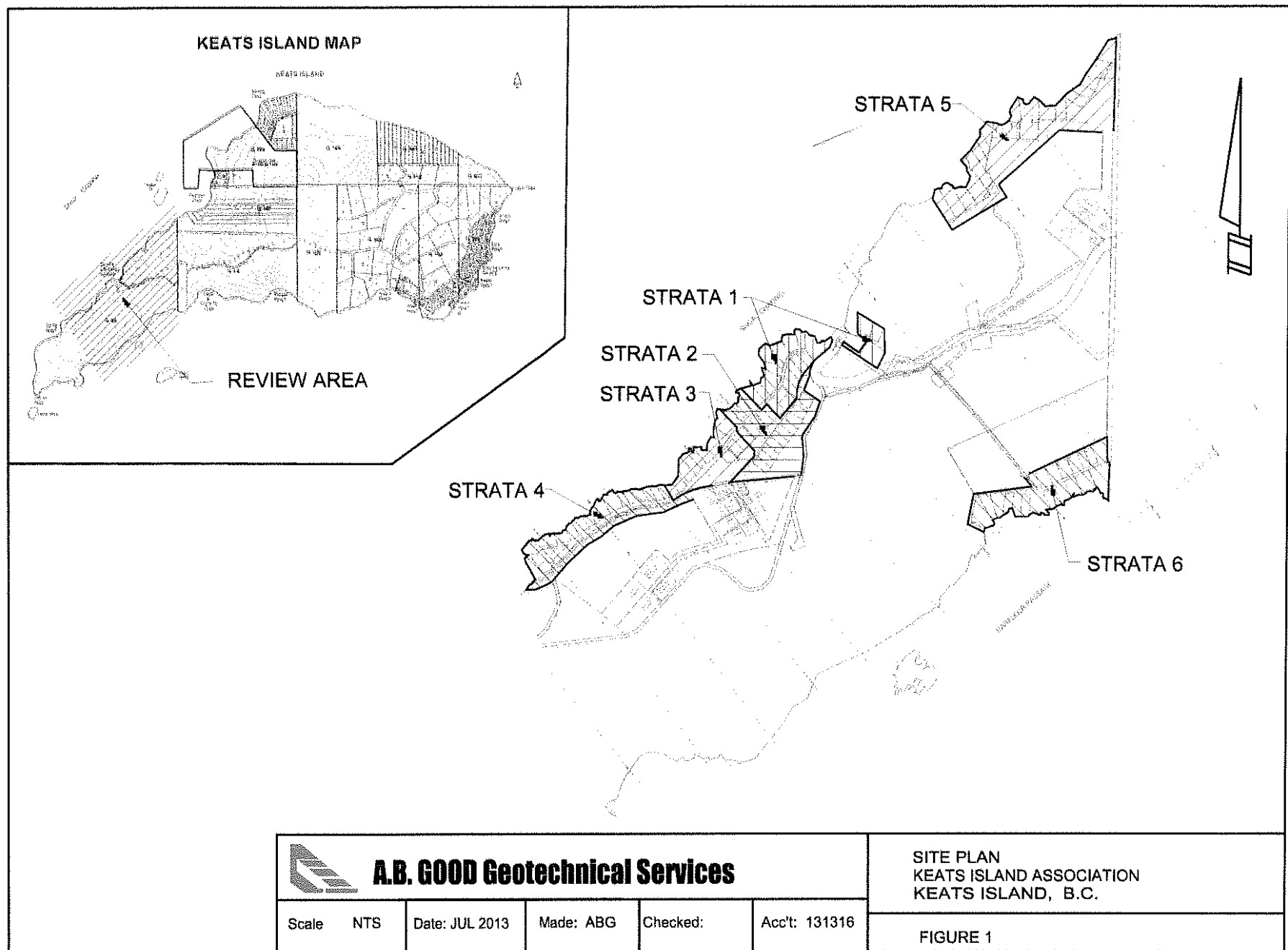
A.B. GOOD Geotechnical services

per:

A.B. (Blain) Good, P.Eng / P.Geo.

abg / letter /131316 keats Island geo letter 1







July 4, 2016

Kevin Healey
Creus Engineering Ltd.
Suite 200 - 901 West 16th Street
North Vancouver, British Columbia
V7P 1R2

Dear Mr. Healey,

Re: Wildlife and Vegetation Assessment of Keats Road North Parcel, Keats Island, BC

1.0 BACKGROUND

Bianchini Biological Services (BBS) was retained by Sartori Environmental Services Limited (SESL) to conduct a terrestrial environmental assessment of an approximately 1.2 hectare (ha) proposed park situated northeast of the intersection of Keats Road and a BC Hydro (BCH) right-of-way (ROW), Keats Island, BC (**Attachments 1 and 2**).

BBS undertook the field work for this assessment on April 15, 2016. The site was assessed for occurrences of species listed under the federal *Species at Risk Act* (SARA), provincially Red and Blue-listed species and for general wildlife and vegetation species as well as raptor/heron nests and current wildlife use.

The study area fell within the Georgia Depression Ecoprovince, Lower Mainland Ecoregion, Georgia Lowland Ecoregion. The study area was situated in the Eastern Very Dry Maritime Coastal Western Hemlock Biogeoclimatic subzone (CWHxm1).

2.0 METHODS

Prior to the field assessment, a literature search was conducted covering the western Keats Island area, including British Columbia Conservation Data Centre (BCCDC) searches, BC Geographic Warehouse online iMap, South Coast Conservation Program (SCCP) and local knowledge. The BCCDC website was searched for all species listed under the SARA, Committee on the Status of Endangered Wildlife in Canada (COSEWIC), Provincial Identified Wildlife and the Provincial Wildlife Act that are suspected to occur within habitats identified within 2.0 km of the study area. In addition, species listed as Red and Blue-listed by the BCCDC but not specifically covered under legislation were also included.

Random transects were surveyed through the study area during the site assessment. Vegetation species within the site was identified and recorded. In addition, the presence of coarse woody debris (CWD), wildlife trees, dens, burrows and other habitat features were also recorded.

Potential raptor/heron nest trees were scanned visually with binoculars. All wildlife and wildlife sign encountered was recorded.

3.0 FEDERALLY AND PROVINCIALLY LISTED SPECIES OF CONCERN

Six federally and/or provincially listed species whose geographic ranges overlap the subject property and preferred habitats may occur within the Keats Island study area. These species are listed in Table 1.

Table 1: Federally and/or provincially listed species that occur or may occur within the study area based on BCCDC records and local knowledge (SARA 2016 and BCCDC 2016). Likelihood of occurrence within the study area based on the field assessment results is also indicated.

Species	Federal/ Provincial Status		Legislation			Site Occurrence
Common/Scientific Name	COSEWIC/SARA Status*	BCCDC Status**	SARA *	Provincial Identified Wildlife	Provincial Wildlife Act	Expected Onsite Habitat Use
Vertebrates: Birds						
Great Blue Heron (<i>Ardea herodias fannini</i>)	SC (Mar 2008)	Blue	SC (Feb 2010)	Yes (May 2004)	X	Suitable – Mature trees within the study area provided potential nesting sites.
Northern Goshawk, (<i>Accipiter gentilis laingi</i>)	T (Apr 2013)	Red	T (Jun 2003)	Yes (May 2004)	X	Potential - Mature trees within the study area provided limited potential nesting sites.
Band-tailed Pigeon (<i>Patagioenas fasciata</i>)	SC (Nov 2008)	Blue	SC (Feb 2011)		X	Suitable - Breeding habitat may occur within the within the study area and adjacent conifer-dominated forests.
Western Screech-Owl (<i>Megascops kennicottii kennicottii</i>)	T (May 2012)	Blue	SC (Jan 2005)		X	Potential - Breeding habitat may occur within the within the study area and adjacent conifer-dominated forests.
Olive-sided Flycatcher (<i>Contopus cooperi</i>)	T (Nov 2007)	Blue	T (Feb 2010)		X	Suitable – Have been recorded on Keats Island. Potential breeding habitat may occur along habitat edges.
Vertebrates: Mammals						
Little Brown Myotis (<i>Myotis lucifugus</i>)	E (Nov 2013)	Yellow	-	-	X	Suitable - Have been recorded on Keats Island. Potential roosting habitat may occur within the mature trees of the study area.

*SC=Special Concern

T=Threatened

E=Endangered

NAR=Not at Risk

**Red= Extirpated, Endangered or Threatened

Blue= Special Concern

Yellow=Not at Risk

4.0 RESULTS

4.1 Vegetation Overview

The Conifer Forest Vegetation Type (CFVT) was identified within the study area. Representative photographs of the CFVT can be found in Attachment 3. A list of observed vegetation is included in Attachment 4.

The CFVT was upland forest dominated by mature second-growth Douglas-fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*) and western hemlock (*Tsuga heterophylla*) with lesser components of bigleaf maple (*Acer macrophyllum*), red alder (*Alnus rubra*) and grand fir (*Abies grandis*). The dense tree canopy (>50%) in most areas resulted in sparse shrub cover (<5%) with salmonberry (*Rubus spectabilis*) and red huckleberry (*Vaccinium parvifolium*). The herbaceous understorey in these areas were dominated by sword fern (*Polystichum munitum*). The edges and openings within this vegetation type were very shrubby and included species such as salal (*Gaultheria shallon*), thimbleberry (*Rubus parviflorus*) and dull Oregon-grape (*Mahonia nervosa*) (**Attachment 3; Photographs 1 and 2**). Invasive species such as English holly (*Ilex aquifolium*) and Himalayan blackberry (*Rubus armeniacus*) were also detected. Moderate (10%) CWD cover and occasional wildlife trees were observed within this vegetation type (**Attachment 3; Photograph 3**). Recreation trails were observed within the CFVT (**Attachment 3; Photograph 4**). No watercourses or wetted areas were observed within the study area.

4.2 Potential Vegetation Species and Ecological Communities with Special Federal/Provincial Status that May Occur in the Study Area

4.2.1 Vegetation Species

A comprehensive search of the BCCDC database for Red-listed, Blue-listed or SARA-listed vegetation species was conducted. No BCCDC or SARA listed vegetation species were detected or are known to occur within the study area.

4.2.2 Ecological Communities

The forested portions within the study area were second growth stands. Of the 15 forested ecological communities identified within the CWHxm1, 14 have been identified as either Red or Blue-listed by the BCCDC. The study area was classified as the Red-listed Western Hemlock - Douglas-fir / Oregon-beaked Moss (Site Series 01) ecological community.

4.2.3 Sensitive Ecosystem Inventory (SEI) Mapping

Keats Island was mapped as part of the Bowen/Gambier Trust Areas SEI Project. One polygon (H1872A) encompassed the study area and was mapped as Second-growth:mixed (SG:mx) (Attachment 5).

4.3 Wildlife Habitat Assessment

Habitats were assessed for the six wildlife species listed in Table 1. The following are the results of the habitat assessment for each of the six species.

4.3.1 Great Blue Heron

Great Blue Herons occur on Keats Island. Although breeding has not been reported on Keats Island, the mature forested stands of the study area provided potential breeding habitat.

4.3.2 Band-tailed Pigeon

No Band-tailed Pigeons were detected during the field program. The varied canopy structure of the stands within the study area provided potential breeding habitat for this species.

4.3.3 Northern Goshawk

Northern Goshawks were not observed during the site assessment. The second-growth stands of the study area provided limited breeding habitat for this species. Goshawks may occasionally occur within the study area during the breeding, migratory or wintering seasons.

4.3.4 Western Screech-Owl

No Western Screech-owls have been detected during the field assessment. Although Western Screech-owl have not been reported on Keats Island, the mature forest of the study area provided potential breeding and roosting habitat for this owl species.

4.3.5 Olive-sided Flycatcher

Although not detected during the site assessment, Olive-sided Flycatcher have been reported on Keats Island (Beard 2012). No breeding records for this species occur within the islands in Howe Sound. The Olive-sided Flycatcher is an edge-associated species and potential nesting habitat would occur along the edges of the study area.

4.3.6 Little Brown Myotis

This bat species has been reported on Keats Island (Beard 2012). The mature trees of the study area provide potential roosting habitat for this species.

4.3.7 General Wildlife Observations

Wildlife sign and activity was recorded throughout the study area during the field assessment. Songbirds were observed flying and feeding and individuals were detected singing in vegetation throughout the site. Extensive Pileated Woodpecker (*Dryocopus pileatus*) foraging sign was observed on several wildlife trees (**Attachment 3; Photograph 3**). Sign of coastal black-tailed deer (*Odocoileus hemionus columbianus*), raccoon (*Procyon lotor*) and Douglas' squirrel (*Tamiasciurus douglasii*) were observed within the subject property during the site assessment. All wildlife species detected are listed in **Attachment 6**.

4.3.8 Wildlife Corridors

Wildlife corridors were observed along recreation trails within the study area.

5.0 CONCLUSIONS AND DISCUSSION

5.1 Vegetation, Ecological Communities and SEI Mapping

No SARA listed vegetation species were detected during the field program. Most of the study area was classified as the Red-listed Western Hemlock - Douglas-fir / Oregon-beaked Moss (Site Series 01) ecological community. The study area was also identified as a sensitive ecosystem under the Bowen/Gambier SEI Project which classified the site as mainly mixed second-growth habitat.

5.2 Wildlife

Potential breeding habitat for the SARA and provincially listed Band-tailed Pigeon was identified within the study area. In addition, the mature trees may provide breeding habitat for Great Blue Heron, Northern Goshawk, Western Screech-owl and Little Brown Myotis. Edge habitats and open areas may provide breeding habitat for Olive-sided Flycatcher. Sign of deer, raccoon, squirrel, passerines and woodpeckers were also detected within the study area.

5.3 Wildlife Corridors

Wildlife corridors were observed within the study area, particularly along the recreation trails. These corridors provided mammals access to foraging sites and secure areas from potential predators and human disturbance.

5.4 Legislation

Under the provincial *Wildlife Act* all native wildlife species listed in the Act are protected. Under the SARA all listed wildlife and plants are protected. In addition, defined critical habitats on federal lands are also protected. Although the SARA does not protect habitats on private lands *The Canada-BC Agreement on Species at Risk* (2005) gives the province and local governments, the first opportunity to prevent the up-listing of any species listed in the Act. If local governments do not prevent the up-listing of a species then the Minister of Environment may order that the provisions of Sections 32 and 33 of SARA apply to the species of concern. To date no critical habitats have been defined for the above mentioned species and as such management options are suggested in the most recent BMPs available for each species.

6.0 RECOMMENDATIONS

The following recommendations should be implemented by a Qualified Environmental Professional (QEP).

6.1 Vegetation and Ecological Communities

The following recommendations should be implemented to protect habitat for sensitive vegetation species and ecosystems:

- Prevent the spread of invasive species through public education and consider removing, where possible, all invasive plant species such as English holly and Himalayan blackberry. If replanting of vegetation is required then use only native plant species. These measures will protect the values of the Red-listed Western Hemlock - Douglas-fir / Oregon-beaked Moss (Site Series 01) ecological community.

6.2 Terrestrial Wildlife

The following recommendations should be implemented to protect and improve habitat for the above mentioned species as well as all other terrestrial wildlife species:

- Avoid vehicle and bicycle access into the area to limit disturbance to wildlife.
- Protect the skunk cabbage wetland complex from disturbance to protect habitat for amphibians and other wildlife.

- Post signage to describe the environmental values if the area is to be considered for any type of development.

I trust that this wildlife and vegetation assessment is sufficient for your purposes at this time. If you have any questions or concerns, please contact Claudio Bianchini at (604) 219-9699 or Alex Sartori at (604) 987-5588.

Sincerely,

A handwritten signature in blue ink, appearing to read 'J. Alex Sartori', with a stylized flourish at the end.

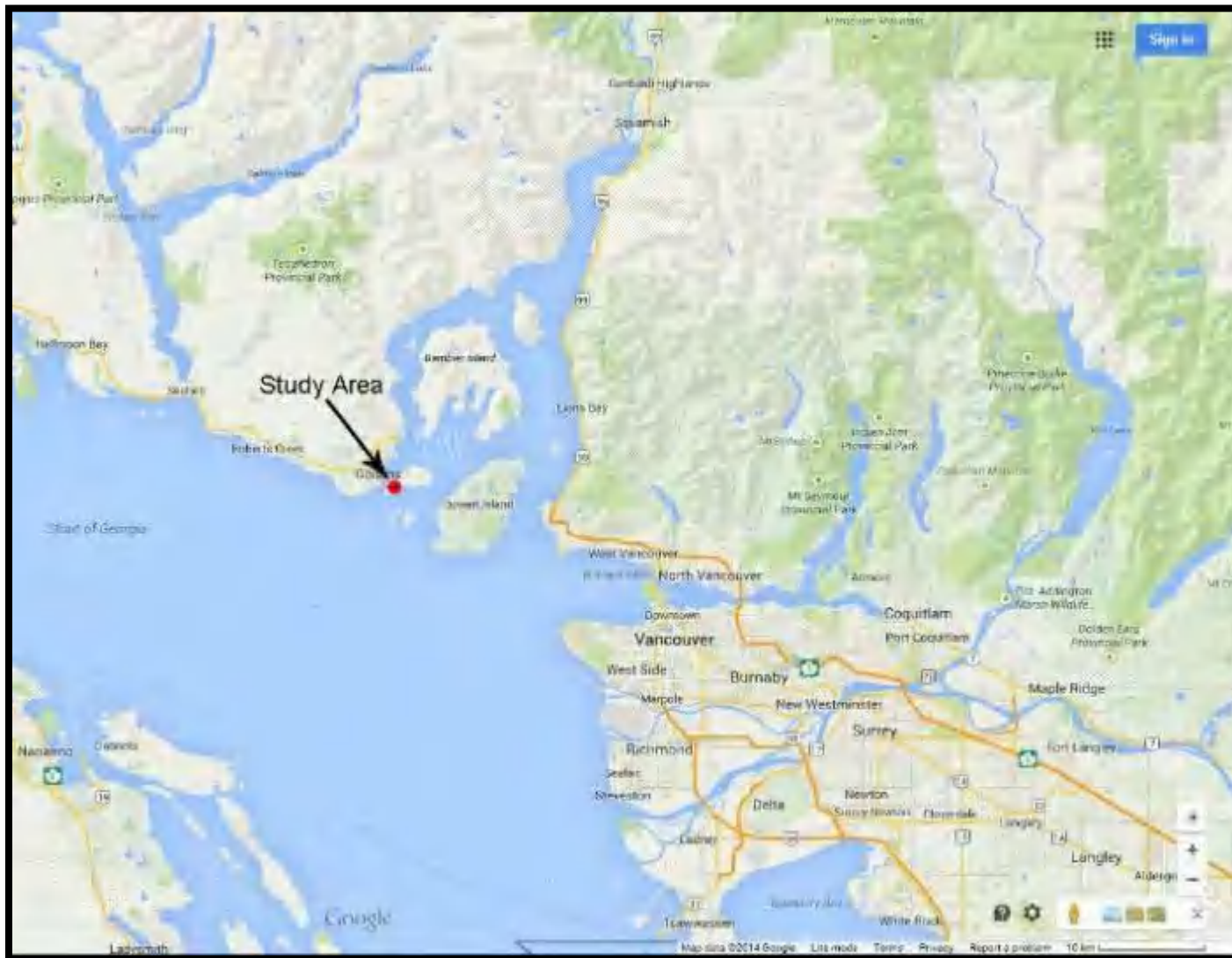
J. Alex Sartori, RP Bio.

7.0 REFERENCES

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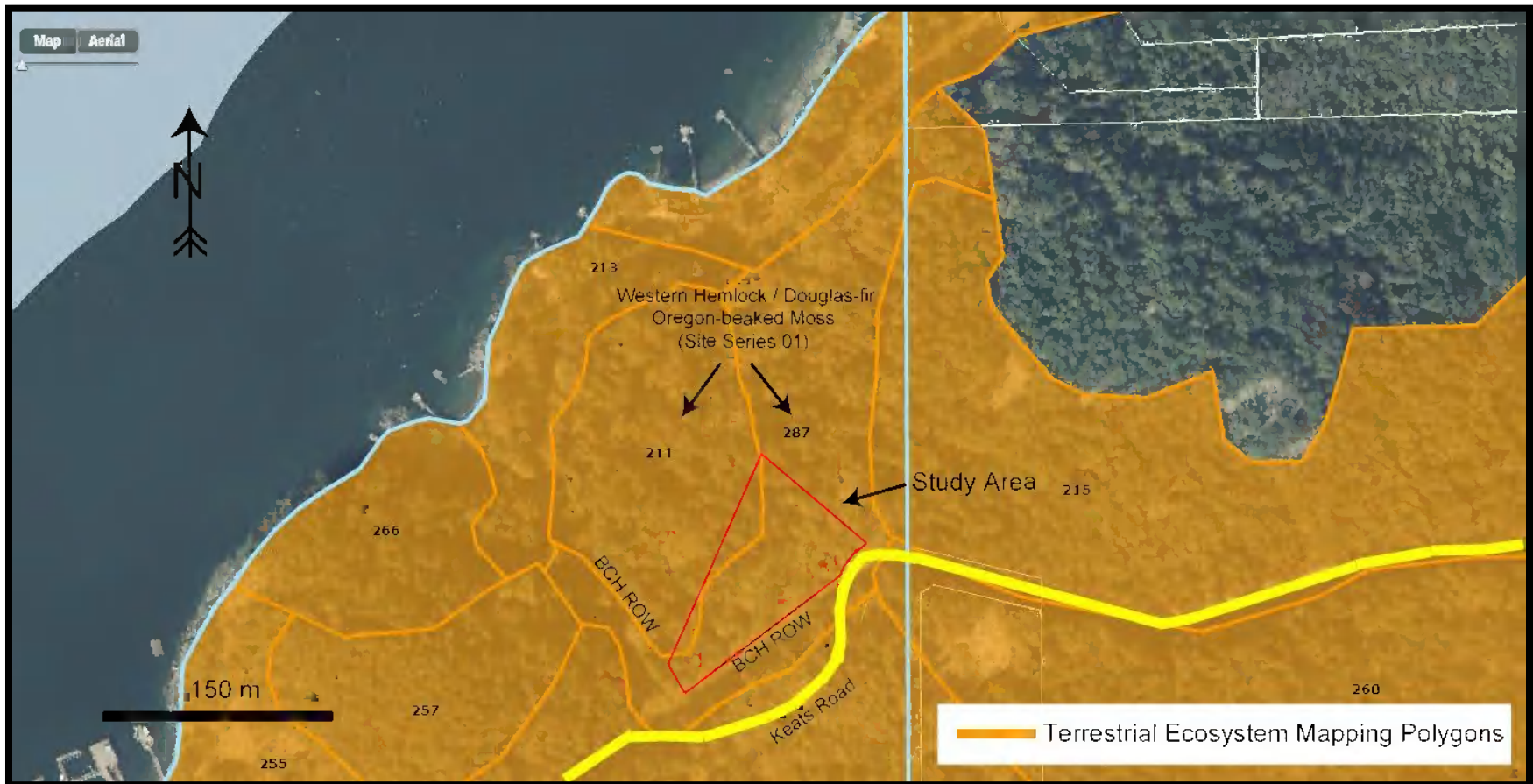
ATTACHMENTS

Attachment 1: General Location



General location of the study area in relation to the Lower Mainland and Sunshine Coast (Google Maps 2014).

Attachment 2: Terrestrial Ecosystem Mapping



Modified graphic showing Terrestrial Ecosystem Mapping polygons (211 and 287) that overlaps the study area (Islands Trust 2016).

Attachment 3: Photographs



Photograph 1. CFVT within the study area (April 15, 2016).



Photograph 2. Typical understorey of the CFVT within the study area (April 15, 2016).

Attachment 3 (concluded)



Photograph 3. Wildlife trees with woodpecker forage sign observed within the CFVT (April 15, 2016).



Photograph 4. Recreation trail observed within the study area (April 15, 2016).

Attachment 4: Vegetation Species Detected

Vegetation species detected within the study area during the spring field assessment (April 15, 2016).

Species	Scientific Name*
Tree Layer¹:	
Bigleaf Maple	<i>Acer macrophyllum</i>
Douglas-fir	<i>Pseudotsuga menziesii</i>
Grand Fir	<i>Abies grandis</i>
Red Alder	<i>Alnus rubra</i>
Western Hemlock	<i>Tsuga heterophylla</i>
Western Redcedar	<i>Thuja plicata</i>
Shrub Layer²:	
Douglas-fir	<i>Pseudotsuga menziesii</i>
English Holly**	<i>Ilex aquifolium</i>
Grand Fir	<i>Abies grandis</i>
Himalayan Blackberry**	<i>Rubus armeniacus</i>
Oceanspray	<i>Holodiscus discolor</i>
Red Elderberry	<i>Sambucus racemosa</i>
Red Huckleberry	<i>Vaccinium parvifolium</i>
Salal	<i>Gaultheria shallon</i>
Salmonberry	<i>Rubus spectabilis</i>
Western Redcedar	<i>Thuja plicata</i>
Herb Layer:	
Bunchberry	<i>Cornus canadensis</i>
Common Foxglove	<i>Digitalis purpurea</i>
Common Horsetail	<i>Equisetum arvense</i>
Dull Oregon-grape	<i>Mahonia nervosa</i>
Grasses	<i>Gramnoids spp.</i>
Lady Fern	<i>Athyrium filix-femina</i>
Rush	<i>Scirpus sp.</i>
Sedge	<i>Carex Sp.</i>
Skunk Cabbage	<i>Lysichiton americanus</i>
Spiny Wood Fern	<i>Dryopteris expansa</i>
Sweet-scented Bedstraw	<i>Galium triflorum</i>
Sword Fern	<i>Polystichum munitum</i>

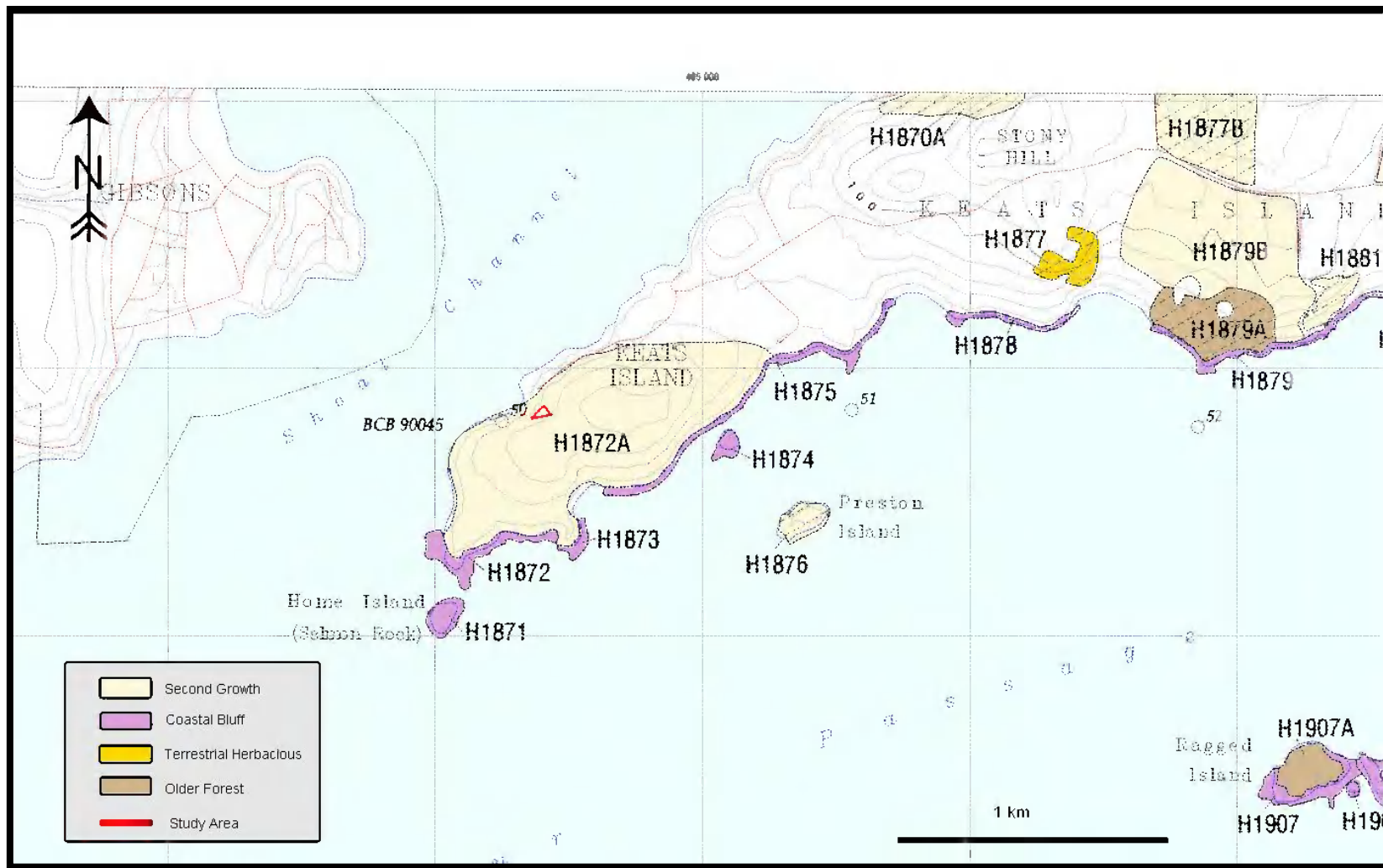
¹ Tree Layer: Woody plants >2m in height

² Shrub Layer: Woody plants 0-2m in height

* Scientific and common names from Klinkenberg 2006 (E-Flora BC)

**Introduced/Invasive Species

Attachment 5: SEI Mapping



SEI Mapping for the Bowen/Gambier Trust Areas. Polygon H1872A was mapped as Second-growth:mixed (SG:mx) (BCCDC 1998).

Attachment 6: Wildlife Species Detected

Wildlife species detected within the study area (April 15, 2016).

Species	Scientific Name
Birds:	
American Robin ^{1,2}	<i>Turdus migratorius</i>
Black-throated Gray Warbler ²	<i>Setophaga nigrescens</i>
Brown Creeper ²	<i>Certhia Americana</i>
Chestnut-backed Chickadee ^{1,2}	<i>Poecile rufescens</i>
Common Raven ^{2,3}	<i>Corvus corax</i>
Golden-crowned Kinglet ²	<i>Regulus satrapa</i>
Pacific Wren ²	<i>Troglodytes pacifica</i>
Pileated Woodpecker ^{2,4}	<i>Dryocopus pileatus</i>
Red-breasted Sapsucker ⁴	<i>Sphyrapicus ruber</i>
Rufous Hummingbird ^{1,2}	<i>Selasphorus rufus</i>
Spotted Towhee ^{1,2}	<i>Pipilo maculatus</i>
Steller's Jay ²	<i>Cyanocitta stelleri</i>
Yellow-rumped Warbler ²	<i>Dendroica coronata</i>
Mammals:	
Coastal Black-tailed Deer ^{4,5,6}	<i>Odocoileus hemionus columbianus</i>
Raccoon ⁵	<i>Procyon lotor</i>
Douglas' Squirrel ^{1,2}	<i>Tamiasciurus douglasii</i>
Invertebrates:	
Banana Slug ¹	<i>Ariolimax columbianus</i>

¹Heard

²Seen

³Overflight

⁴Foraging Sign

⁵Tracks

⁶Scats/Pellets



July 2, 2016

Kevin Healey
Creus Engineering Ltd.
Suite 200 - 901 West 16th Street
North Vancouver, British Columbia
V7P 1R2

Dear Mr. Healey,

Re: Wildlife and Vegetation Assessment of Keats Road South Parcel, Keats Island, BC

1.0 BACKGROUND

Sartori Environmental Services (SESL) along with Bianchini Biological Services (BBS) conducted a terrestrial environmental assessment of an approximately 1.6 hectare (ha) proposed park situated southeast of the intersection of Keats Road and a BC Hydro (BCH) right-of-way (ROW), Keats Island, BC (Attachments 1 and 2).

Field work was undertaken for this assessment on April 15, 2016. The site was assessed for occurrences of species listed under the federal *Species at Risk Act* (SARA), provincially Red and Blue-listed species and for general wildlife and vegetation species as well as raptor/heron nests and current wildlife use.

The study area fell within the Georgia Depression Ecoprovince, Lower Mainland Ecoregion, Georgia Lowland Ecoregion. The study area was situated in the Eastern Very Dry Maritime Coastal Western Hemlock Biogeoclimatic subzone (CWHxm1).

2.0 METHODS

Prior to the field assessment, a literature search was conducted covering the western Keats Island area, including British Columbia Conservation Data Centre (BCCDC) searches, BC Geographic Warehouse online iMap, South Coast Conservation Program (SCCP) and local knowledge. The BCCDC website was searched for all species listed under the SARA, Committee on the Status of Endangered Wildlife in Canada (COSEWIC), Provincial Identified Wildlife and the Provincial Wildlife Act that are suspected to occur within habitats identified within 2.0 km of the study area. In addition, species listed as Red and Blue-listed by the BCCDC but not specifically covered under legislation were also included.

Random transects were surveyed through the study area during the site assessment. Vegetation species within the site was identified and recorded. In addition, the presence of coarse woody debris (CWD), wildlife trees, dens, burrows and other habitat features were also recorded.

Potential raptor/heron nest trees were scanned visually with binoculars. All wildlife and wildlife sign encountered was recorded.

3.0 FEDERALLY AND PROVINCIALLY LISTED SPECIES OF CONCERN

Six federally and/or provincially listed species whose geographic ranges overlap the subject property and preferred habitats may occur within the Keats Island study area. These species are listed in Table 1.

Table 1: Federally and/or provincially listed species that occur or may occur within the study area based on BCCDC records and local knowledge (SARA 2016 and BCCDC 2016). Likelihood of occurrence within the study area based on the field assessment results is also indicated.

Species	Federal/ Provincial Status		Legislation			Site Occurrence
Common/Scientific Name	COSEWIC/SARA Status*	BCCDC Status**	SARA*	Provincial Identified Wildlife	Provincial Wildlife Act	Expected Onsite Habitat Use
Vertebrates: Birds						
Great Blue Heron (<i>Ardea herodias fannini</i>)	SC (Mar 2008)	Blue	SC (Feb 2010)	Yes (May 2004)	X	Suitable – Mature trees within the study area provided potential nesting sites.
Northern Goshawk, (<i>Accipiter gentilis laingi</i>)	T (Apr 2013)	Red	T (Jun 2003)	Yes (May 2004)	X	Potential - Mature trees within the study area provided limited potential nesting sites.
Band-tailed Pigeon (<i>Patagioenas fasciata</i>)	SC (Nov 2008)	Blue	SC (Feb 2011)		X	Suitable - Breeding habitat may occur within the within the study area and adjacent conifer- dominated forests.
Western Screech- Owl (<i>Megascops kennicottii kennicottii</i>)	T (May 2012)	Blue	SC (Jan 2005)		X	Potential - Breeding habitat may occur within the within the study area and adjacent conifer- dominated forests.
Olive-sided Flycatcher (<i>Contopus cooperi</i>)	T (Nov 2007)	Blue	T (Feb 2010)		X	Suitable – Have been recorded on Keats Island. Potential breeding habitat may occur along habitat edges.
Vertebrates: Mammals						
Little Brown Myotis (<i>Myotis lucifugus</i>)	E (Nov 2013)	Yellow	-	-	X	Suitable - Have been recorded on Keats Island. Potential roosting

						habitat may occur within the mature trees of the study area.
*SC=Special Concern	T=Threatened		E=Endangered			NAR=Not at Risk
**Red= Extirpated, Endangered or Threatened			Blue= Special Concern			Yellow=Not at Risk

4.0 RESULTS

4.1 Vegetation Overview

The Conifer Forest Vegetation Type (CFVT) was identified within the study area. Representative photographs of the CFVT can be found in Attachment 3. A list of observed vegetation is included in Attachment 4.

The CFVT was upland forest dominated by mature second-growth Douglas-fir (*Pseudotsuga menziesii*), western redcedar (*Thuja plicata*) and western hemlock (*Tsuga heterophylla*) with lesser components of bigleaf maple (*Acer macrophyllum*), red alder (*Alnus rubra*) and grand fir (*Abies grandis*). The dense tree canopy (>50%) in most areas resulted in sparse shrub cover (<5%) with salmonberry (*Rubus spectabilis*) and red huckleberry (*Vaccinium parvifolium*). The herbaceous understorey in these areas were dominated by sword fern (*Polystichum munitum*). The edges and openings within this vegetation type were very shrubby and included species such as salal (*Gaultheria shallon*), thimbleberry (*Rubus parviflorus*) and dull Oregon-grape (*Mahonia nervosa*) (Attachment 3; Photographs 1 and 2). Invasive species such as English holly (*Ilex aquifolium*) and Himalayan blackberry (*Rubus armeniacus*) were also detected. Moderate (10%) CWD cover and occasional wildlife trees were observed within this vegetation type (Attachment 3; Photograph 3).

Within the CFVT a skunk cabbage (*Lysichiton americanus*) wetland complex was observed near the west end of the study area (Attachment 2; Attachment 3; Photograph 4) this linear wetland originated near the centre of the study area and extended for approximately 180 m west where it ended at Keats Road.

4.2 Potential Vegetation Species and Ecological Communities with Special Federal/Provincial Status that May Occur in the Study Area

4.2.1 Vegetation Species

A comprehensive search of the BCCDC database for Red-listed, Blue-listed or SARA-listed vegetation species was conducted. No BCCDC or SARA listed vegetation species were detected or are known to occur within the study area.

4.2.2 Ecological Communities

The forested portions within the study area were second growth stands. Of the 15 forested ecological communities identified within the CWHxm1, 14 have been identified as either Red or Blue-listed by the BCCDC. The study area was classified as the Blue-listed Western Redcedar / Sword Fern (Site Series 05) ecological community.

4.2.3 Sensitive Ecosystem Inventory (SEI) Mapping

Keats Island was mapped as part of the Bowen/Gambier Trust Areas SEI Project. One polygon (H1872A) encompassed the study area and was mapped as Second-growth:mixed (SG:mx) (Attachment 5).

4.2.4 General Wildlife Observations

Wildlife sign and activity was recorded throughout the study area during the field assessment. Songbirds were observed flying and feeding and individuals were detected singing in vegetation throughout the site. Extensive Pileated Woodpecker (*Dryocopus pileatus*) foraging sign was observed on several wildlife trees (Attachment 3; Photograph 3). One Coastal Black-tailed Deer (*Odocoileus hemionus columbianus*) was observed within the subject property during the site assessment. Deer sign observed at the site included beds, browse and pellets (Attachment 3; Photograph 5). All wildlife species detected are listed in Attachment 6.

4.3 Wildlife Habitat Assessment

Habitats were assessed for the six wildlife species listed in Table 1. The following are the results of the habitat assessment for each of the six species.

4.3.1 Great Blue Heron

Great Blue Heron's occur on Keats Island. Although breeding has not been reported on Keats Island, the mature forested stands of the study area provided potential breeding habitat.

4.3.2 Band-tailed Pigeon

No Band-tailed Pigeons were detected during the field program. The varied canopy structure of the stands within the study area provided potential breeding habitat for this species.

4.3.3 Northern Goshawk

Northern Goshawks were not observed during the site assessment. The second-growth stands of the study area provided limited breeding habitat for this species. Goshawks may occasionally occur within the study area during the breeding, migratory or wintering seasons.

4.3.4 Western Screech-Owl

No Western Screech-owls have been detected during the field assessment. Although Western Screech-owl have not been reported on Keats Island, the mature forest of the study area provided potential breeding and roosting habitat for this owl species.

4.3.5 Olive-sided Flycatcher

Although not detected during the site assessment, Olive-sided Flycatcher have been reported on Keats Island (Beard 2012). No breeding records for this species occur within the islands in Howe Sound. The Olive-sided Flycatcher is an edge-associated species and potential nesting habitat would occur along the edges of the study area.

4.3.6 Little Brown Myotis

This bat species has been reported on Keats Island (Beard 2012). The mature trees of the study area provide potential roosting habitat for this species.

4.4 Wildlife Corridors

Wildlife corridors were observed along the skunk cabbage wetland complex within the study area.

5.0 CONCLUSIONS AND DISCUSSION

5.1 Vegetation, Ecological Communities and SEI Mapping

No SARA listed vegetation species were detected during the field program. Most of the study area was classified as the Blue-listed Western Redcedar / Sword Fern (Site series 05) ecological community. The study area was also identified as a sensitive ecosystem under the Bowen/Gambier SEI Project which classified the site as mainly mixed second-growth habitat.

5.2 Wildlife

Potential breeding habitat for the SARA and provincially listed Band-tailed Pigeon was identified within the study area. In addition, the mature trees may provide breeding habitat for Great Blue Heron, Northern Goshawk, Western Screech-owl and Little Brown Myotis. Edge habitats and open areas may provide breeding habitat for Olive-sided Flycatcher. Sign of passerines and woodpeckers were also detected within the study area.

In addition, the skunk cabbage wetland complex provide suitable rearing habitat for amphibians such as Pacific chorus frog (*Pseudacris regilla*) and ensatina salamander (*Ensatina eschscholtzii*). Both species have been recorded on Keats Island (Beard 2012).

5.3 Wildlife Corridors

Wildlife corridors were observed within the study area, particularly along the skunk cabbage wetland complex. These corridors provided mammals access to foraging sites and secure areas from potential predators and human disturbance.

5.4 Legislation

Under the provincial *Wildlife Act* all native wildlife species listed in the Act are protected. Under the SARA all listed wildlife and plants are protected. In addition, defined critical habitats on federal lands are also protected. Although the SARA does not protect habitats on private lands *The Canada-BC Agreement on Species at Risk* (2005) gives the province and local governments, the first opportunity to prevent the up-listing of any species listed in the Act. If local governments do not prevent the up-listing of a species then the Minister of Environment may order that the provisions of Sections 32 and 33 of SARA apply to the species of concern. To date no critical habitats have been defined for the above mentioned species and as such management options are suggested in the most recent BMPs available for each species.

6.0 RECOMMENDATIONS

The following recommendations should be implemented by a Qualified Environmental Professional (QEP).

6.1 Vegetation and Ecological Communities

The following recommendations should be implemented to protect habitat for sensitive vegetation species and ecosystems:

- Prevent the spread of invasive species through public education and consider removing, where possible, all invasive plant species such as English holly and Himalayan blackberry. If replanting of vegetation is required then use only native plant species. These measures

will protect the values of the Blue-listed Western Redcedar / Sword Fern ecological community.

6.2 Terrestrial Wildlife

The following recommendations should be implemented to protect and improve habitat for the above mentioned species as well as all other terrestrial wildlife species:

- Avoid vehicle and bicycle access into the area to limit disturbance to wildlife.
- Protect the skunk cabbage wetland complex from disturbance to protect habitat for amphibians and other wildlife.
- Post signage to describe the environmental values if the area is to be considered for any type of development.

I trust that this wildlife and vegetation assessment is sufficient for your purposes at this time. If you have any questions or concerns, please contact Claudio Bianchini at (604) 219-9699 or Alex Sartori at (604) 987-5588.

Sincerely,



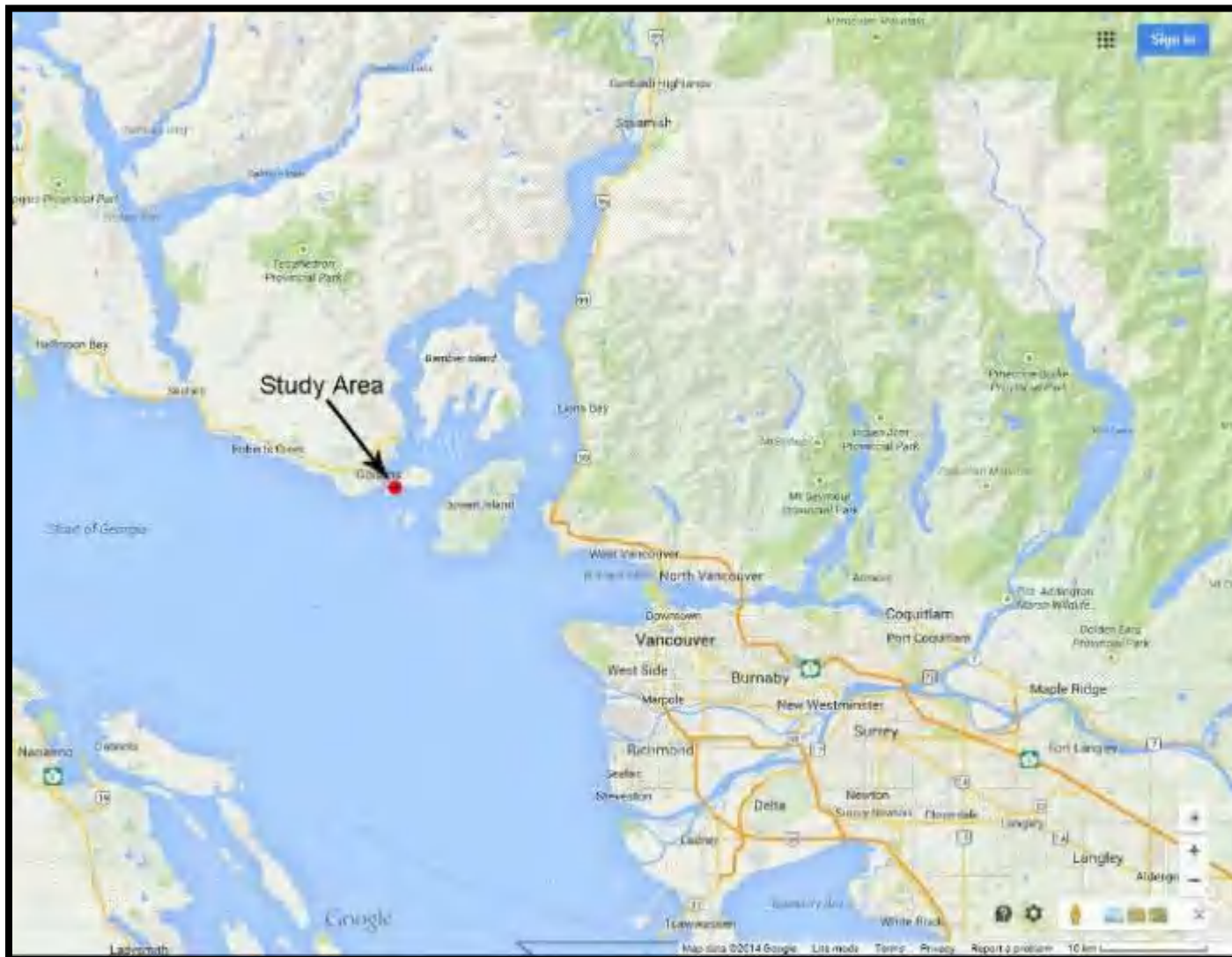
J. Alex Sartori, RP Bio.

7.0 REFERENCES

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- Klinkenberg, Brian. (Editor) 2006. E-Flora BC: Electronic Atlas of the Plants of British Columbia [www.eflora.bc.ca]. Lab for Advanced Spatial Analysis, Department of Geography, University of British Columbia, Vancouver.
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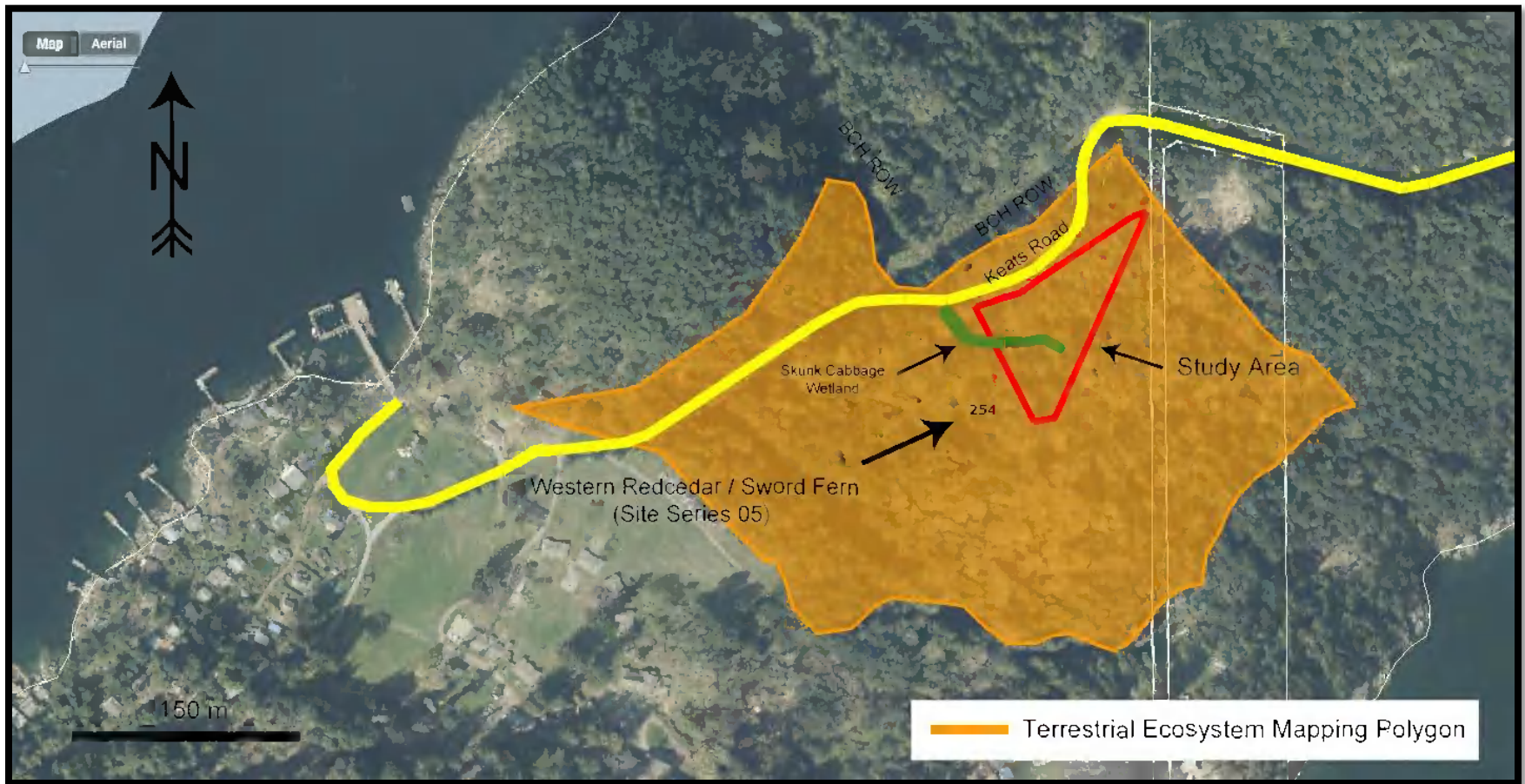
ATTACHMENTS

Attachment 1: General Location



General location of the study area in relation to the Lower Mainland and Sunshine Coast (Google Maps 2014).

Attachment 2: Terrestrial Ecosystem Mapping



Modified graphic showing Terrestrial Ecosystem Mapping Polygon (254) that overlaps the study area (Islands Trust 2016).

Attachment 3: Photographs



Photograph 1. CFVT within the study area (April 15, 2016).



Photograph 2. Typical understorey of the CFVT within the study area (April 15, 2016).

Attachment 3 (continued)



Photograph 3. Wildlife trees with Pileated Woodpecker forage sign observed within the CFVT (April 15, 2016).



Photograph 4. Skunk cabbage wetland complex observed within the study area (April 15, 2016).

Attachment 3 (concluded)



Photograph 5. Coastal Black-tailed deer bed observed within the study area (April 15, 2016).

Attachment 4: Vegetation Species Detected

Vegetation species detected within the study area during the spring field assessment (April 15, 2016).

Species	Scientific Name*
Tree Layer¹:	
Bigleaf Maple	<i>Acer macrophyllum</i>
Douglas-fir	<i>Pseudotsuga menziesii</i>
Grand Fir	<i>Abies grandis</i>
Red Alder	<i>Alnus rubra</i>
Western Hemlock	<i>Tsuga heterophylla</i>
Western Redcedar	<i>Thuja plicata</i>
Shrub Layer²:	
Douglas-fir	<i>Pseudotsuga menziesii</i>
English Holly**	<i>Ilex aquifolium</i>
Grand Fir	<i>Abies grandis</i>
Himalayan Blackberry**	<i>Rubus armeniacus</i>
Oceanspray	<i>Holodiscus discolor</i>
Red Elderberry	<i>Sambucus racemosa</i>
Red Huckleberry	<i>Vaccinium parvifolium</i>
Salal	<i>Gaultheria shallon</i>
Salmonberry	<i>Rubus spectabilis</i>
Western Redcedar	<i>Thuja plicata</i>
Herb Layer:	
Bunchberry	<i>Cornus canadensis</i>
Common Foxglove	<i>Digitalis purpurea</i>
Common Horsetail	<i>Equisetum arvense</i>
Dull Oregon-grape	<i>Mahonia nervosa</i>
Grasses	<i>Gramnoids spp.</i>
Lady Fern	<i>Athyrium filix-femina</i>
Rush	<i>Scirpus sp.</i>
Sedge	<i>Carex Sp.</i>
Skunk Cabbage	<i>Lysichiton americanus</i>
Spiny Wood Fern	<i>Dryopteris expansa</i>
Sweet-scented Bedstraw	<i>Galium triflorum</i>
Sword Fern	<i>Polystichum munitum</i>

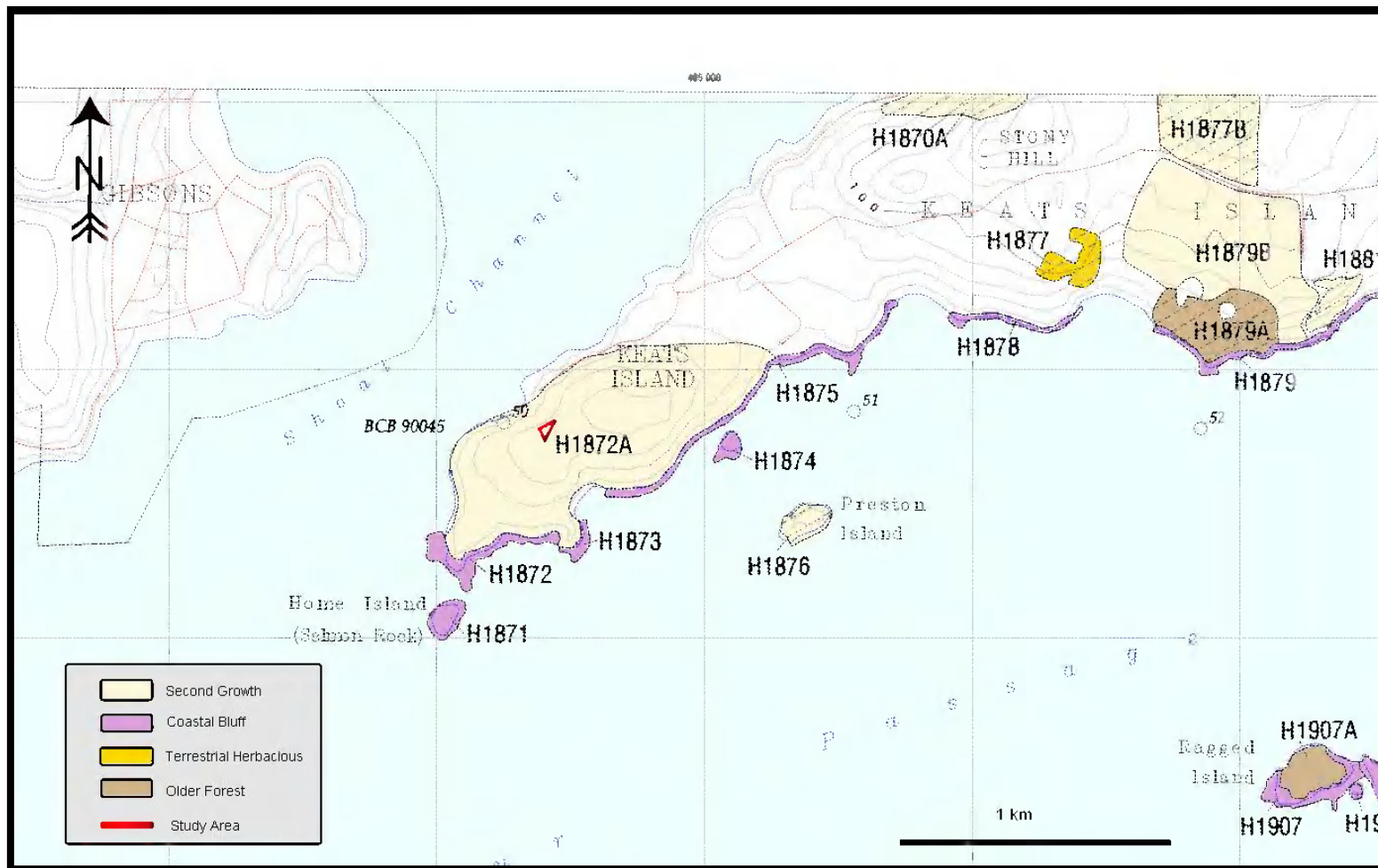
¹ Tree Layer: Woody plants >2m in height

² Shrub Layer: Woody plants 0-2m in height

* Scientific and common names from Klinkenberg 2006 (E-Flora BC)

**Introduced/Invasive Species

Attachment 5: SEI Mapping



SEI Mapping for the Bowen/Gambier Trust Areas (BCCDC 1998).

Attachment 6: Wildlife Species Detected

Wildlife species detected within the study area (April 15, 2016).

Species	Scientific Name
Birds:	
American Robin ^{1,2}	<i>Turdus migratorius</i>
Black-throated Gray Warbler ²	<i>Setophaga nigrescens</i>
Brown Creeper ²	<i>Certhia Americana</i>
Chestnut-backed Chickadee ^{1,2}	<i>Poecile rufescens</i>
Common Raven ^{2,3}	<i>Corvus corax</i>
Golden-crowned Kinglet ²	<i>Regulus satrapa</i>
Pacific Wren ²	<i>Troglodytes pacifica</i>
Pileated Woodpecker ^{2,4}	<i>Dryocopus pileatus</i>
Red-breasted Sapsucker ⁴	<i>Sphyrapicus ruber</i>
Rufous Hummingbird ^{1,2}	<i>Selasphorus rufus</i>
Spotted Towhee ^{1,2}	<i>Pipilo maculatus</i>
Steller's Jay ²	<i>Cyanocitta stelleri</i>
Yellow-rumped Warbler ²	<i>Dendroica coronata</i>
Mammals:	
Coastal Black-tailed Deer ^{4,5,6}	<i>Odocoileus hemionus columbianus</i>
Douglas' Squirrel ^{1,2}	<i>Tamiasciurus douglasii</i>
Invertebrates:	
Banana Slug ¹	<i>Ariolimax columbianus</i>

¹Heard

²Seen

³Overflight

⁴ Foraging Sign

⁵ Tracks

⁶ Scats/Pellets



Bianchini Biological Services

11879 83 Avenue, Delta, British Columbia, Canada V4C 2H6 Phone: (604) 219-9699
Email: BBS@Bianchini.ca

Alex Sartori,
Sartori Environmental Services
Suite 106-185 Forester St.
North Vancouver, BC
V7H 0A6

June 19, 2014

**Re: Wildlife and Vegetation Assessment for the Convention of Baptist Churches of BC,
Keats Camps, Keats Island Land Donation – Sandy Beach**

1.0 BACKGROUND

Bianchini Biological Services (BBS) was retained by Sartori Environmental Services Limited (SESL) to conduct a terrestrial environmental assessment of an approximately 3.32 hectare (ha) site situated near the northwest portion of Keats Island, BC (Attachments 1 and 2). The study area is operated as Keats Camps by the Convention of Baptist Churches of BC.

The Convention of Baptist Churches of BC is purposing to donate a portion of these lands to the Islands Nature Trust as a Nature Reserve. The purpose of the land donation of the Nature Reserve is to provide protection of the ecosystems of the shoreline and the uplands for future generations of Keats Islanders and others who visit the Island every year.

BBS undertook the field work for this assessment on May 20, 2014. The site was assessed for occurrences of species listed under the Federal *Species at Risk Act* (SARA), Provincially Red and Blue-listed species and for general wildlife and vegetation species as well as raptor/heron nests and current wildlife use.

2.0 STUDY AREA

The study encompassed a 3.32 ha portion of the northwest corner of District Lot 696, Keats Island as well as a right-of way to provide public foot access from Keats Landing Road.

The study area fell within the Georgia Depression Ecoprovince, Lower Mainland Ecoregion, Georgia Lowland Ecosection. The study area was situated in the Eastern Very Dry Maritime Coastal Western Hemlock Biogeoclimatic subzone (CWHxm1).

On the mainland the CWHxm1 extends up the south side of the Fraser River as far as Chilliwack, and along the Sunshine Coast as far as Desolation Sound. Elevational limits range from sea level to approximately 700 m. Near the wetter parts of its distribution, the upper limit is lower (e.g., 150 m on Gambier and Bowen islands, and in the Fraser Valley).

The CWHxm has warm, dry summers and moist, mild winters with relatively little snowfall. Growing seasons are long, and feature water deficits on zonal sites.

Forests on zonal sites are dominated by Douglas-fir (*Pseudotsuga menziesii*), accompanied by western hemlock (*Tsuga heterophylla*) and minor amounts of western redcedar (*Thuja plicata*). Major understorey species include salal (*Gaultheria shallon*), dull Oregon-grape (*Mahonia nervosa*), red huckleberry (*Vaccinium parvifolium*), step moss (*Hylocomium splendens*), and Oregon beaked-moss (*Kindbergia oregano*). Less common species include vanilla-leaf (*Achlys triphylla*), sword fern (*Polystichum munitum*), twinflower (*Linnaea borealis*), and bracken (*Pteridium aquilinum*) (Green and Klinka 1994).

3.0 METHODS

Prior to the field assessment, a literature search was conducted covering the western Keats Island area, including British Columbia Conservation Data Centre (BCCDC) searches, BC Geographic Warehouse online iMap, South Coast Conservation Program (SCCP) and local knowledge. The BCCDC website was searched for all species listed under the SARA, Committee on the Status of Endangered Wildlife in Canada (COSEWIC), Provincial Identified Wildlife and the Provincial Wildlife Act that are suspected to occur within habitats identified within 2.0 km of the study area. In addition, species listed as Red and Blue-listed by the BCCDC but not specifically covered under legislation were also included.

Random transects were surveyed through all habitats identified during the site assessment. Vegetation species within each site were identified and recorded. In addition, the presence of coarse woody debris (CWD), wildlife trees, dens, burrows and other habitat features were also recorded.

All wildlife trees were classified according to methodologies identified by Backhouse (1993) and Fenger et al. (2006). Potential raptor/heron nest trees were scanned visually with binoculars. All wildlife and wildlife sign encountered was recorded.

4.0 FEDERALLY AND PROVINCIALLY LISTED SPECIES OF CONCERN

Nine Federally and/or Provincially listed species whose geographic range overlap the subject property and preferred habitats may occur within the Keats Island study area. These species are listed in Table 1.

Table 1: Federally and/or Provincially listed species that occur or may occur in the study area based on BCCDC records and local knowledge (SARA 2014 and BCCDC 2014). Likelihood of occurrence within the study area based on the field assessment results is also indicated.

Species	Federal/Provincial Status		Legislation			Site Occurrence
Common/Scientific Name	COSEWIC/SARA Status*	BCCDC Status**	SARA*	Provincial Identified Wildlife	Provincial Wildlife Act	Expected Onsite Habitat Use
Vertebrates: Birds						
Great Blue Heron, <i>fannini</i> subspecies (<i>Ardea herodias fannini</i>)	SC (Mar 2008)	Blue	SC (Feb 2010)	Yes (May 2004)	X	Suitable – Mature trees within the study area provided potential nesting sites. Observed feeding along foreshore.
Double-crested Cormorant (<i>Phalacrocorax auritus</i>)	NAR (May 1978)	Blue			X	Potential – Suitable roosting sites within the study area and suitable foraging sites offshore.
Northern Goshawk, <i>laingi</i> subspecies (<i>Accipiter gentilis laingi</i>)	T (Apr 2013)	Red	T (Jun 2003)	Yes (May 2004)	X	Potential - Mature trees within the study area provided limited potential nesting sites.
Band-tailed Pigeon (<i>Patagioenas fasciata</i>)	SC (Nov 2008)	Blue	SC (Feb 2011)		X	Suitable - Breeding habitat may occur within the conifer-dominated stand within the study area and adjacent forests.
Western Screech-Owl, <i>kennicottii</i> subspecies (<i>Megascops kennicottii kennicottii</i>)	T (May 2012)	Blue	SC (Jan 2005)		X	Potential - Breeding habitat may occur within the conifer-dominated stand within the study area and adjacent forests.

Table 1 (continued): Federally and/or Provincially listed species that occur or may occur in the study area based on BCCDC records and local knowledge (SARA 2014 and BCCDC 2014). Likelihood of occurrence within the study area based on the field assessment results is also indicated.

Species		Federal/Provincial Status		Legislation			Site Occurrence
Common/Scientific Name	COSEWIC/SARA Status*	BCCDC Status**	SARA*	Provincial Identified Wildlife	Provincial Wildlife Act	Expected Onsite Habitat Use	
Vertebrates: Birds (concluded)							
Common Nighthawk (<i>Chordeiles minor</i>)	T (Apr 2007)	Yellow	T (Feb 2010)		X	Suitable – Reported as a potential breeder on Keats Island. Nesting occurs on the ground on a bare site in an open area including sand dunes, beaches, logged areas, forest clearings, rocky outcrops and flat gravel roofs of buildings. Limited breeding habitat identified within the study area.	
Olive-sided Flycatcher (<i>Contopus cooperi</i>)	T (Nov 2007)	Blue	T (Feb 2010)		X	Suitable – Have been recorded on Keats Island. Potential breeding habitat may occur along habitat edges.	
Vertebrates: Mammals							
Little Brown Myotis (<i>Myotis lucifugus</i>)	E (Nov 2013)	Yellow			X	Suitable - Have been recorded on Keats Island. Potential roosting habitat may occur within the mature trees of the study area.	
Invertebrates: Butterflies							
Silver-spotted Skipper (<i>Epargyreus clarus californicus</i>) subspecies		Red				Potential – historical records for this species (attributed to migrants) do occur for islands within Howe Sound.	

*SC=Special Concern

T=Threatened

E=Endangered

NAR=Not at Risk

**Red= Extirpated, Endangered or Threatened

Blue= Special Concern

Yellow=Not at Risk

In addition to the nine species assessed in Table 1, thirteen additional provincially listed and/or SARA listed species were also evaluated but no suitable habitat for these species was observed within the study area. A table listing all 22 species evaluated and potential for occurrence within the study area can be found in Attachment 3.

5.0 RESULTS

5.1 Vegetation Overview

Two vegetation types were identified within the study area:

1. Conifer Forest Vegetation Type
2. Coastal Bluff Vegetation Type

The location of each of these vegetation types is shown on the aerial photograph in Attachment 2. Representative photographs of each of the vegetation types are in Attachment 4. A list of observed vegetation within the vegetation types is included in Attachment 5. The two vegetation types located within the subject area are described below.

5.1.1 Conifer Forest Vegetation Type

The Conifer Forest Vegetation Type (CFVT) was the dominant vegetation type observed within the study area. This upland forest was dominated by mature second-growth Douglas-fir and western redcedar and western hemlock with lesser components of bigleaf maple (*Acer macrophyllum*) and red alder (*Alnus rubra*) (Attachment 2; Attachment 4; Photograph 1). The dense tree canopy (>50%) in most areas resulted in sparse shrub cover (<5%) with salmonberry (*Rubus spectabilis*) and red huckleberry (*Vaccinium parvifolium*). The understorey in these areas was dominated by sword fern (Attachment 4; Photograph 2). The edges and openings within this vegetation type were very shrubby and included species such as salal, thimbleberry (*Rubus parviflorus*) and dull Oregon-grape (Attachment 4; Photograph 3). Limited CWD or wildlife trees were observed within this vegetation type.

5.1.2 Coastal Bluff Vegetation Type

The Coastal Bluff Vegetation Type (CBVT) occurred along the northern edge of the study area. This vegetated rocky shoreline was dominated by a sand-gravel beach with abundant driftwood below the high water mark and rock bluffs with ocean spray influenced vegetation occurring above the high water mark (Attachment 4; Photographs 4 and 5).

5.2 Wildlife Trees

A wildlife tree is any standing dead or living tree with special features that provides present or future critical habitats for the maintenance or enhancement of wildlife. There are nine classifications of coniferous and six classes of deciduous wildlife trees in various successions from live and healthy with no decay, to stumps and debris (Fenger et al. 2006). All of these wildlife tree stages provide important habitat, and are known to support more than 90 animal species in British Columbia, including cavity nesting birds and mammals (Backhouse 1993). Some of the uses

include nesting, feeding, territoriality (i.e. bear mark trees, bird singing sites, etc.), roosting, shelter, and overwintering (Backhouse 1993).

Most of the trees observed in the study area were identified as Class 1 wildlife trees. Class 1 wildlife trees are described as live healthy trees with no decay. Decayed deciduous trees were also observed and were identified as Class 3, 4 and 5 wildlife trees. Class 3 wildlife trees are dead trees with hard heartwood; needles and twigs present and stable roots. Class 4 wildlife trees are dead trees with hard heartwood; no needles/twigs; 50% of branches lost; loose bark; top usually broken and stable roots. Class 5 wildlife trees show considerable height loss; branches mostly gone.

No active nests were observed within the study area during the field program. No recent nest cavities were detected within any of the wildlife trees observed. Woodpecker foraging sign and old, potential nest cavities were observed in the wildlife trees detected including old cavities in a Class 5 wildlife tree (Attachment 4; Photograph 6). These trees also provided habitat for many bird and mammal species including songbirds, squirrels and bats.

5.3 Coarse Woody Debris

CWD is typically described as woody debris greater than 0.3 m in diameter. CWD provides critical foraging, nesting, and cover components in the forested ecosystem for small mammals (Anonymous 1991). Many insectivorous small mammals, birds, and black bears feed on insects found in decomposing woody material. CWD provides a safe, moist environment in which species such as salamanders and shrews can forage and seek shelter.

Limited CWD cover was recorded within the CFVT and abundant CWD, in the form of driftwood, was observed within the CBVT.

5.4 Potential Vegetation Species and Ecological Communities with Special Federal/Provincial Status that May Occur in the Study Area

5.4.1 Vegetation Species

A comprehensive search of the BCCDC database for Red-listed, Blue-listed or SARA-listed vegetation species was conducted. No BCCDC or SARA listed vegetation species are known to occur within the study area.

5.4.2 Ecological Communities

The BCCDC currently defines ecological communities as those that are the most common in B.C. based on the Vegetation Classification component of the Ministry of Forests and Range Biogeoclimatic Ecosystem Classification (BEC), which focuses on the terrestrial plant associations of B.C.'s native plants. Additional ecological communities are documented from inventory projects, theses, and other reports. Future work will incorporate levels of aquatic and marine ecological communities as well as various other levels of ecosystems. These sites are generally ecosystems that have some chance of perpetuating (J. Stacey pers. comm.). These ecosystems are often the remnants of the natural ecosystems that once occupied a much larger area.

Typically, mature and old growth upland ecological communities are of concern to the BCCDC. In addition, all listed riparian, wetland and estuarine communities at any growth stage are also of concern to the BCCDC (J. Stacey pers. comm.). The listed ecological communities are classified using methodologies and nomenclature developed by Green and Klinka (1994).

The forested portions within the study area were second growth stands. Of the 15 forested ecological communities identified within the CWHxm1, 14 have been identified as either Red or Blue-listed by the BCCDC. Most of the study area was classified as the Red-listed Douglas-fir / Sword fern (Site series 04) ecological community.

5.4.3 Sensitive Ecosystem Inventory (SEI) Mapping

Keats Island was mapped as part of the Bowen/Gambier Trust Areas SEI Project. One polygon (H1872A) encompassed the study area and was mapped as Second-growth:mixed (SG:mx) (Attachment 6).

5.4.4 General Wildlife Observations

Wildlife sign and activity was recorded throughout the study area during the field assessment. Songbirds were observed flying and feeding and individuals were detected singing in vegetation throughout the site. Mammal species such as Raccoon (*Procyon lotor pacificus*) and River Otter (*Lontra canadensis*) were observed utilizing the foreshore habitat. Two SARA and Provincially listed species were detected during the field program. All wildlife species detected are listed in Attachment 7.

5.5 Wildlife Habitat Assessment

Habitats were assessed for the nine wildlife species listed in Table 1. The following are the results of the habitat assessment for each of the nine species.

5.5.1 Great Blue Heron

In addition to being listed on Schedule 1 (Special Concern) of SARA the Great Blue Heron *fannini* subspecies is also listed on the Provincial Blue List (BCCDC 2014). In British Columbia Great Blue Heron populations have been decreasing, resulting in the listing of this species (MELP 1998). Population decreases are believed to be the result of human disturbance (EC 2013¹). Great Blue Herons nest in a wide variety of tree species. Foraging habitat does not appear to be a limiting factor for this subspecies as not all available habitat is used by herons each year (Campbell et al. 1990). Critical nesting habitat includes both an established colony and a suite of alternative sites to retreat to should disturbance occur.

One Great Blue Heron was observed foraging along the foreshore during the field survey. Although breeding has not been reported on Keats Island, the mature forested stands of the study area provided potential breeding habitat.

5.5.2 Double-crested Cormorant

Double-crested Cormorants are the most widespread cormorant in North America, and the one most frequently seen in freshwater. In British Columbia, this species has been Blue-listed due to

population declines related to nesting success. They breed on the coast as well as on large inland lakes. They form colonies of stick nests built high in trees on islands or in patches of flooded timber (Zevit 2010).

No Double-crested Cormorant nest or roosting sites were observed within the study area. One Double Crested Cormorant was observed foraging offshore of the CBVT.

5.5.3 Band-tailed Pigeon

The SARA and provincially Blue-listed Band-tailed Pigeon occurs throughout the Fraser Valley. It frequents both natural and man-made habitats such as edges, openings in mature coniferous, mixed, and deciduous forests, city yards, parks, wooded groves, open bushland, and golf courses (Campbell et al. 1990). It is usually associated with conifer dominated stands with diverse structure and ages (Keppie and Braun 2000).

No Band-tailed Pigeons were detected during the field program. The varied canopy structure of the stands within the study area provided potential breeding habitat for this species.

5.5.4 Northern Goshawk

The *laingi* subspecies of the Northern Goshawk occurs along the coast of British Columbia and their range overlaps the study area and has been Red-listed by the BCCDC and listed as Threatened under the SARA. Northern Goshawks will nest in old-growth forests and can occur widely and irregularly during the non-breeding season.

Northern Goshawks were not observed during the site assessment. The second-growth stands of the study area provided limited breeding habitat for this species. Goshawks may occasionally occur within the study area during the breeding, migratory or wintering seasons.

5.5.5 Western Screech-Owl

The range of the *kennicottii* subspecies of the Western Screech-owl includes the study area and have been reported on Vancouver Island, the Gulf Islands, the Sunshine Coast as well as along the mainland coast. This subspecies has been recently up-listed from Special Concern to Threatened (2012) by COSEWIC and is Blue-listed by the BCCDC. Along the coast, the Western Screech-owl seems to be mostly found in either coniferous or mixed (deciduous or coniferous) forests, particularly near riparian areas below 600 m elevation. This owl prefers open forest for foraging and requires cavities in old, large trees for nesting and roosting. During the daytime it roosts in either coniferous or deciduous trees (COSEWIC 2002).

No Western Screech-owls have been detected during the field assessment. Although Western Screech-owl have not been reported on Keats Island, the mature forest of the study area provided potential breeding and roosting habitat for this owl species.

5.5.6 Common Nighthawk

The Common Nighthawk is listed as Threatened under the SARA. This species nests in a wide range of open, vegetation-free habitats, including dunes, beaches, recently harvested forests, burnt-

over areas, logged areas, rocky outcrops, rocky barrens, grasslands, pastures, peat bogs, marshes, lakeshores, and riverbanks. This species also inhabits mixed and coniferous forests. The appearance of gravel roofs contributed to the expansion of the Common Nighthawk's habitat in North America (EC 2014²).

No Common Nighthawks were detected during the site assessment. This species is suspected to breed on Keats Island (Beard 2012). Limited breeding habitat was identified within the study area.

5.5.7 Olive-sided Flycatcher

The Olive-sided Flycatcher is listed as Threatened (2010) under the SARA and is Blue-listed by the BCCDC. This flycatcher is most often associated with open areas containing tall live trees or snags for perching. These vantage points are required for foraging. This species generally forages from a high, prominent perch from which it sallies forth to intercept flying insects and then returns to the same perch. Open areas may be forest clearings, forest edges located near natural openings (such as rivers or swamps) or human-made openings (such as logged areas), burned forest or openings within old-growth forest stands; these forests are characterized by mature trees and large numbers of dead trees. There is evidence that the breeding success of birds nesting in harvested habitats is lower than the breeding success of birds nesting in natural openings. Generally, forest habitat is either coniferous or mixed wood. In the boreal forest, suitable habitat is more likely to be in or near wetland areas. Although the amount of old-growth forest obviously decreased during the 20th century, the amount of habitat attractive to Olive-sided Flycatchers may have remained more or less constant, since logging operations continue to create openings favoured by these birds. However, recent studies indicate that these sites are less suitable for breeding.

Although not detected during the site assessment, Olive-sided Flycatcher have been reported on Keats Island (Beard 2012). No breeding records for this species occur within the islands in Howe Sound. The Olive-sided Flycatcher is an edge-associated species and potential nesting habitat would occur along the edges of the study area.

5.5.8 Little Brown Myotis

The Little Brown Myotis is listed as Endangered (2012) COSEWIC and is Yellow-listed by the BCCDC. This medium-sized bat species is widespread and inhabits most of North America as far north as the tree line. In British Columbia it is found throughout the entire mainland and on several islands, including Vancouver Island and the Queen Charlotte Islands. This bat exploits a wide range of habitats, from arid grassland and Ponderosa Pine forest to humid coastal forest and northern boreal forest.

The Little Brown Myotis hibernates in caves and abandoned mines; it does not appear to hibernate in buildings. Hibernation records in British Columbia are limited to several old mines in the interior, each containing a few individuals. The whereabouts of most of the British Columbian populations in winter is unknown. Banding studies indicate that this bat will migrate 50 to 200 kilometres between hibernacula and summer roosts and if undisturbed, it occupies the same sites year after year.

Summer roosts are in buildings and other man-made structures, tree cavities, rock crevices, caves and under the bark of trees. In summer the sexes live separately. Females congregate in nursery colonies that may contain hundreds or even thousands of individuals. Nursery colonies are in sites with hot (30-55°C), stable temperatures. Nursing females seem to prefer attics, but they will roost in almost any natural site that offers the environmental conditions that will promote the rapid growth of young.

Males rarely occupy nursery colonies. In summer they can be found roosting alone or in small colonies usually in sites that are cooler than the nurseries (Nagorsen and Brigham 1993).

This bat species has been reported on Keats Island (Beard 2012). The mature trees of the study area provide potential roosting habitat for this species.

5.5.9 Silver-spotted Skipper

The *californicus* subspecies of the Silver-spotted Skipper has been Red-listed by the BCCDC. The *californicus* subspecies has been recorded from the Gulf Islands, the Lower Mainland, and the southern Kootenays. The Gulf Island and Lower Mainland records are historical and this species may be extirpated from these areas (Guppy and Shepard 2001; BCCDC 2014). The larval food plant of this skipper subspecies are woody plants of the pea family (Fabaceae).

Although this species is unlikely to occur within the study area, potential habitat may occur on other areas of Keats Island.

5.6 Wildlife Corridors

Wildlife corridors were observed along foot trails, old roads and shoreline within the study area.

6.0 CONCLUSIONS AND DISCUSSION

6.1 Vegetation, Ecological Communities and SEI Mapping

No SARA listed vegetation species were detected during the field program. Most of the study areas was classified as the Red-listed Douglas-fir / Sword fern (Site series 04) ecological community. The study area was also identified as a sensitive ecosystem under the Bowen/Gambier SEI Project which classified the site as mainly mixed second-growth habitat.

6.2 Wildlife Trees

Most wildlife trees in the study area were identified as Class 1 wildlife trees. A well-used Class 5 wildlife tree was observed within the CFVT of the study area. No recent wildlife activity was observed on any of the wildlife trees. Old woodpecker foraging sign was noted and old, potential nest cavities were also observed. Wildlife trees provide important habitat for cavity nesting birds and roosting bats. Currently, no Best Management Practices (BMP) exists for wildlife trees.

6.3 Coarse Woody Debris

Limited CWD cover was recorded within the CFVT and abundant CWD, in the form of driftwood, was observed along the beach of the CBVT. CWD is critical for many small mammals, amphibians,

reptiles and invertebrates. Currently, no BMPs exist for wildlife CWD. The addition of CWD at strategic sites should be considered.

6.4 Wildlife

Potential breeding habitat for the SARA and provincially listed Band-tailed Pigeon was identified within the study area. In addition, the mature trees may provide breeding habitat for Great Blue Heron and Western Screech-owl as well as roosting sites for Double-crested Cormorants. Edge habitats and open areas may provide breeding habitat for Olive-sided Flycatcher and Common Nighthawk.

Sign of passerines were also detected within the study area. The study area provided potential breeding/roosting habitat for passerines, woodpeckers and a number of bat species including Little Brown Myotis.

6.5 Wildlife Corridors

Wildlife corridors were observed along foot trails, old roads and shoreline within the study area during the field survey. These corridors provided mammals access to foraging sites and secure areas from potential predators and human disturbance.

6.6 Legislation

Under the provincial *Wildlife Act* all native wildlife species listed in the Act are protected. Under the SARA all listed wildlife and plants are protected. In addition, defined critical habitats on federal lands are also protected. Although the SARA does not protect habitats on private lands *The Canada-BC Agreement on Species at Risk* (2005) gives the province and local governments, the first opportunity to prevent the up-listing of any species listed in the Act. If local governments do not prevent the up-listing of a species then the Minister of Environment may order that the provisions of Sections 32 and 33 of SARA apply to the species of concern. To date no critical habitats have been defined for the above mentioned species and as such management options are suggested in the most recent BMPs available for each species.

7.0 RECOMMENDATIONS

The following recommendations should be implemented by a Qualified Environmental Professional (QEP).

7.1 Vegetation and Ecological Communities

The following recommendations should be implemented to protect habitat for sensitive vegetation species and ecosystems:

- Prevent the spread of invasive species through public education and consider removing, where possible, all invasive plant species such as English holly and other ornamental plant species. If replanting of vegetation is required then use only native plant species.

7.2 Terrestrial Wildlife

The following recommendations should be implemented to protect and improve habitat for the above mentioned species as well as all other terrestrial wildlife species:

- Add CWD to improve habitat for many wildlife species.
- Post signage to describe the environmental values of the proposed Nature Reserve area.

7.3 Birds and Bats

Within the subject area the following recommendations should be implemented to protect and improve habitat for the above mentioned species as well as other bird species:

- Consider installing bird and bat boxes, where necessary, to improve habitat for cavity nesting birds and roosting bats.

I trust that this wildlife and vegetation assessment is sufficient for your purposes at this time. If you have any questions or concerns, please contact Claudio Bianchini at (604) 219-9699.

Sincerely,

A handwritten signature in dark ink, appearing to read 'C. Bianchini', with a stylized, flowing script.

Claudio Bianchini, R.P. Bio.

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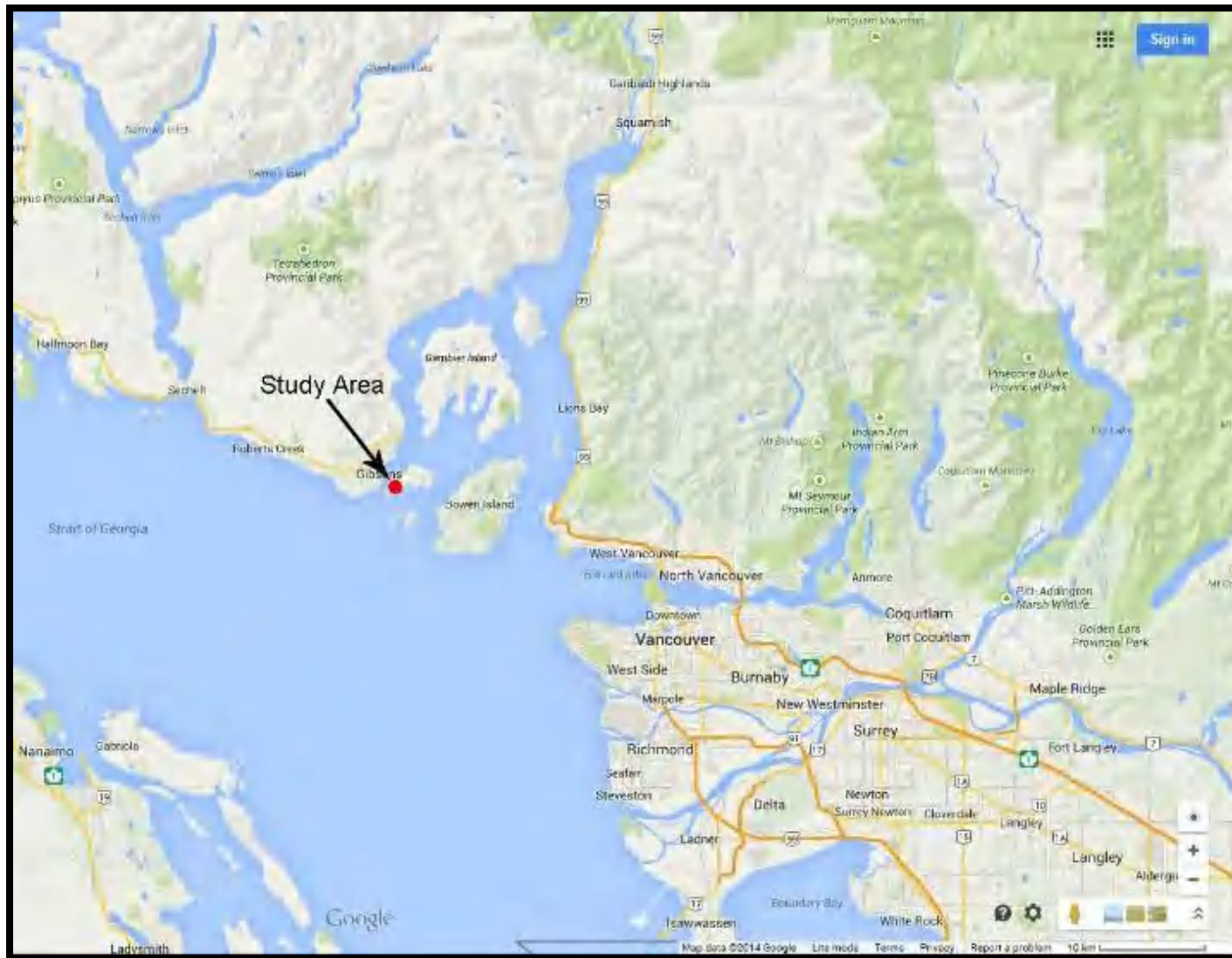
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ATTACHMENTS

Attachment 1: General Location



General location of the study area in relation to the Lower Mainland and Sunshine Coast (Google Maps 2014).

Attachment 2: Vegetation Types



Modified graphic showing Vegetation Types (VT) within the study area (Google Earth 2014).

Attachment 3: Potential Occurrence of Listed Species within the Study Area

Species	Federal/Provincial Status		Legislation			Site Occurrence
Common/Scientific Name	COSEWIC/SARA Status*	BCCDC Status**	SARA*	Provincial Identified Wildlife	Provincial Wildlife Act	Expected Onsite Habitat Use
Vertebrates: Birds						
Great Blue Heron, <i>fannini</i> subspecies (<i>Ardea herodias fannini</i>)	SC (Mar 2008)	Blue	SC (Feb 2010)	Yes (May 2004)		Suitable – Reported as a potential breeder on Keats Island. Nesting occurs on the ground on a bare site in an open area including sand dunes, beaches, logged areas, forest clearings, rocky outcrops and flat gravel roofs of buildings.
Double-crested Cormorant (<i>Phalacrocorax auritus</i>)	NAR (May 1978)	Blue				Potential – Suitable roosting sites within the study area and suitable foraging sites offshore.
Northern Goshawk, <i>laingi</i> subspecies (<i>Accipiter gentilis laingi</i>)	T (Apr 2013)	Red	T (Jun 2003)	Yes (May 2004)		Potential - Mature trees within the study area provided limited potential nesting sites.
Marbled Murrelet (<i>Brachyramphus marmoratus</i>)	T (May 2012)	Blue	T (Jun 2003)	Yes (May 2004)		Unlikely – No trees with suitable preferred nest branch structure observed within the study area.
Band-tailed Pigeon (<i>Patagioenas fasciata</i>)	SC (Nov 2008)	Blue	SC (Feb 2011)			Suitable - Breeding habitat may occur within the conifer-dominated stand within the study area and adjacent forests.
Western Screech-Owl, <i>kennicottii</i> subspecies (<i>Megascops kennicottii kennicottii</i>)	T (May 2012)	Blue	SC (Jan 2005)			Potential - Breeding habitat may occur within the conifer-dominated stand within the study area and adjacent forests.
Common Nighthawk (<i>Chordeiles minor</i>)	T (Apr 2007)	Yellow	T (Feb 2010)			Suitable – Reported as a potential breeder on Keats Island. Nesting occurs on the ground on a bare site in an open area including sand dunes, beaches, logged areas, forest clearings, rocky outcrops and flat gravel roofs of buildings.
Peregrine Falcon, <i>anatum</i> subspecies (<i>Falco peregrinus anatum</i>)	SC (Apr 2007)	Red	SC (Jun 2012)			Unlikely – no suitable preferred nest sites (cliffs/isolated rock bluffs) observed within the study area.
Olive-sided Flycatcher (<i>Contopus cooperi</i>)	T (Nov 2007)	Blue	T (Feb 2010)			Suitable – Has been recorded on Keats Island. Potential breeding habitat may occur along habitat edges.

Attachment 3 (continued)

Potential Occurrence of Listed Species within the Study Area.

Species	Federal/Provincial Status		Legislation			Site Occurrence
Common/Scientific Name	COSEWIC/SARA Status*	BCCDC Status**	SARA *	Provincial Identified Wildlife	Provincial Wildlife Act	Expected Onsite Habitat Use
Vertebrates: Birds						
Barn Swallow (<i>Hirundo rustica</i>)	T (May 2011)	Blue				Unlikely – Does not occur in forested habitats.
Purple Martin (<i>Progne subis</i>)		Blue				Unlikely – Does not occur in forested habitats.
Vertebrates: Mammals						
Townsend's Big-eared Bat (<i>Corynorhinus townsendii</i>)		Blue				Unlikely – No suitable hibernacula. Limited roosting habitat in mature conifers.
Keen's Myotis (<i>Myotis keenii</i>)	DD (Nov 2003)	Blue		Yes (May 2004)		Unlikely – No suitable hibernacula. Limited roosting habitat in mature conifers
Little Brown Myotis (<i>Myotis lucifugus</i>)	E (Nov 2013)	Yellow				Suitable - Have been recorded on Keats Island. Potential roosting habitat may occur within the mature trees of the study area.
Invertebrates: Dragonflies/Damselflies						
Western Pondhawk (<i>Erythemis collocata</i>)		Blue				Unlikely – No suitable habitat (ponds/wetlands) occur within the study area.
Blue Dasher (<i>Pachydiplax longipennis</i>)		Blue				Unlikely – No suitable habitat (ponds/wetlands) occur within the study area.
Autumn Meadowhawk (<i>Sympetrum vicinum</i>)		Blue				Unlikely – No suitable habitat (ponds/wetlands) occur within the study area.
Invertebrates: Butterflies						
Silver-spotted Skipper (<i>Epargyreus clarus californicus</i>) subspecies		Red				Potential – Historical records for this species (attributed to migrants) do occur for islands within how sound.
Invertebrates: Terrestrial Mollusks						
Threaded Vertigo (<i>Nearctula</i>)sp. 1	SC (Apr 2010)	Red	SC (Jul 2012)			Unlikely – Not recorded on the Gulf Islands or islands of Howe Sound.
Pacific Sideband (<i>Monadenia fidelis</i>)		Blue				Unlikely – Although potential habitat occurs not reported on any on the islands of Howe Sound or along the Sunshine Coast.

Attachment 3 (concluded)

Potential Occurrence of Listed Species within the Study Area.

Species	Federal/Provincial Status		Legislation			Site Occurrence
Common/Scientific Name	COSEWIC/SARA Status*	BCCDC Status**	SARA *	Provincial Identified Wildlife	Provincial Wildlife Act	Expected Onsite Habitat Use
Plants						
Field Dodder (<i>Cuscuta campestris</i>)	SC (Mar 2008)	Blue	SC (Feb 2010)	Yes (May 2004)		Unlikely – Parasitic plant on legumes. Not recorded on the Gulf Islands or islands of Howe Sound.

*SC=Special Concern

T=Threatened

E=Endangered

DD=Data Deficient

NAR=Not at Risk

**Red= Extirpated, Endangered or Threatened **Blue= Special Concern

Attachment 4: Photographs



Photograph 1. CFVT within the study area (May 20, 2014).



Photograph 2. Typical understorey of the CFVT within the study area (May 20, 2014).

Attachment 4 (continued)



Photograph 3. Shrub dominated vegetation of edges and openings within the CFVT (May 20, 2014).



Photograph 4. Typical habitat composition below the high water mark of the SFVT within the study area (May 20, 2014).

Attachment 4 (concluded)



Photograph 5. Typical vegetation composition of the CBVT above the high water mark (May 20, 2014).



Photograph 6. A Class 5 deciduous wildlife tree with old foraging and nest cavities observed within the CFVT (May 20, 2014).

Attachment 5: Vegetation Species Detected

Vegetation species detected within the study area during the spring field assessment (May 20, 2014).

Species	Scientific Name*	Conifer Forest	Coastal Bluff
Tree Layer¹:			
Arbutus	<i>Arbutus menziesii</i>		X
Bigleaf Maple	<i>Acer macrophyllum</i>	X	
Douglas-fir	<i>Pseudotsuga menziesii</i>	X	X
Pin Cherry	<i>Prunus</i> spp.	X	
Red Alder	<i>Alnus rubra</i>	X	
Western Hemlock	<i>Tsuga heterophylla</i>	X	X
Western Redcedar	<i>Thuja plicata</i>	X	X
Dull Oregon-grape	<i>Mahonia nervosa</i>	X	
Shrub Layer²:			
English Holly**	<i>Ilex aquifolium</i>	X	
Hairy Manzanita	<i>Arctostaphylos columbiana</i>		X
Shore Pine	<i>Pinus contorta</i>		X
Nootka Rose	<i>Rosa nutkana</i>	X	
Oceanspray	<i>Holodiscus discolor</i>	X	X
Orange Honeysuckle	<i>Lonicera ciliosa</i>		X
Red Alder	<i>Alnus rubra</i>	X	
Red Huckleberry	<i>Vaccinium parvifolium</i>	X	X
Salal	<i>Gaultheria shallon</i>	X	X
Salmonberry	<i>Rubus spectabilis</i>	X	X
Saskatoon	<i>Amelanchier alnifolia</i>	X	
Thimbleberry	<i>Rubus parviflorus</i>	X	
Trailing Blackberry	<i>Rubus ursinus</i>	X	
Western Redcedar	<i>Thuja plicata</i>	X	X

Attachment 5 (concluded)

Vegetation species detected within the study area (May 20, 2014).

Species	Scientific Name*	Conifer Forest	Coastal Bluff
Herb Layer:			
Bracken	<i>Pteridium aquilinum</i>	X	
Creeping Buttercup	<i>Ranunculus repens</i>	X	
Common Dandelion	<i>Taraxacum officinale</i>	X	
Common Foxglove	<i>Digitalis purpurea</i>	X	
Grasses	<i>Gramnoids</i> spp.	X	
Lady Fern	<i>Athyrium filix-femina</i>	X	
Mountain Sweet-cicely	<i>Osmorhiza berteroi</i>	X	
Northern Bedstraw	<i>Galium boreale</i>	X	
Sword Fern	<i>Polystichum munitum</i>	X	
Timothy	<i>Phleum pratense</i>	X	
Wall Lettuce	<i>Mycelis muralis</i>	X	
Western Starflower	<i>Trientalis latifolia</i>	X	

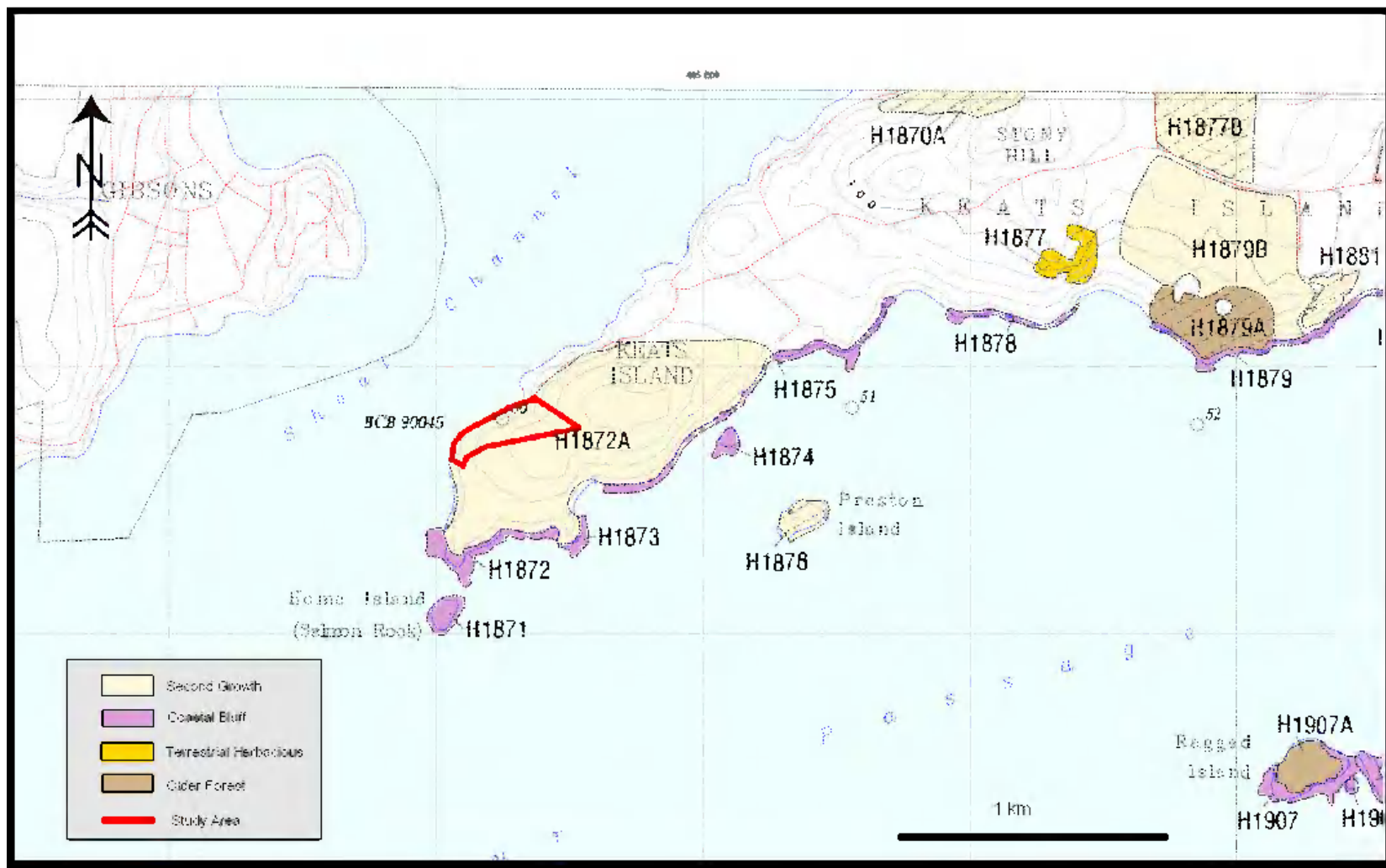
¹ Tree Layer: Woody plants >2m in height

² Shrub Layer: Woody plants 0-2m in height

* Scientific and common names from Klinkenberg 2006 (E-Flora BC)

** Introduced Species

Attachment 6: SEI Mapping



SEI Mapping for the Bowen/Gambier Trust Areas (BCCDC 1999).

Attachment 7: Wildlife Species Detected

Wildlife species detected within the study area (May 20, 2014).

Species	Scientific Name	Conifer Forest	Coastal Bluff
Birds:			
American Robin ^{1,2}	<i>Turdus migratorius</i>	X	
Bald Eagle ^{1,2,3}	<i>Haliaeetus leucocephalus</i>		X
Brown Creeper ²	<i>Certhia Americana</i>	X	
Canada Goose ^{1,2}	<i>Branta canadensis</i>		X
Common Merganser ¹	<i>Mergus merganser</i>		X
Common Raven ^{1,2}	<i>Corvus corax</i>	X	
Dark-eyed Junco ²	<i>Junco hyemalis</i>	X	
Double-crested Cormorant	<i>Phalacrocorax auritus</i>		X
Glaucous-winged Gull ^{1,3}	<i>Larus glaucescens</i>		X
Golden-crowned Kinglet ²	<i>Regulus satrapa</i>	X	
Great Blue Heron ¹	<i>Ardea Herodias</i>		X
Northwestern Crow ^{1,2}	<i>Corvus caurinus</i>	X	X
Orange-crowned Warbler ²	<i>Vernivora celata</i>	X	
Pacific Wren ²	<i>Troglodytes pacifica</i>	X	
Pacific-slope Flycatcher ²	<i>Empidonax difficilis</i>	X	
Pileated Woodpecker ^{1,2,4}	<i>Dryocopus pileatus</i>	X	
Red-breasted Sapsucker ⁴	<i>Sphyrapicus ruber</i>	X	
Rufous Hummingbird ^{1,2}	<i>Selasphorus rufus</i>	X	
Song Sparrow ^{1,2}	<i>Melospiza melodia</i>	X	
Spotted Towhee ^{1,2}	<i>Pipilo maculatus</i>	X	
Steller's Jay ²	<i>Cyanocitta stelleri</i>	X	
Townsend's Warbler ²	<i>Dendroica Townsendi</i>	X	
Turkey Vulture ^{1,3}	<i>Cathartes aura</i>		X
Warbling Vireo ²	<i>Vireo gilvus</i>	X	
Western Tanager ²	<i>Piranga ludoviciana</i>	X	
White-crowned Sparrow ^{1,2}	<i>Zonotrichia leucophrys</i>	X	
Wilson's Warbler ²	<i>Wilsonia pusilla</i>	X	
Yellow-rumped Warbler ²	<i>Dendroica coronata</i>	X	

Attachment 7 (concluded)

Wildlife species detected within the study area (May 20, 2014).

Species	Scientific Name	Conifer Forest	Coastal Bluff
Mammals:			
Coastal Black-tailed Deer ⁴	<i>Odocoileus hemionus columbianus</i>	X	
Douglas' Squirrel ²	<i>Tamiasciurus douglasii</i>	X	
Raccoon ⁵	<i>Procyon lotor pacificus</i>		X
River Otter ^{1,6}	<i>Lontra canadensis</i>		X

¹Heard

²Seen

³Overflight

⁴ Foraging Sign

⁵ Tracks

⁶ Scats/Pellets

File No.: GM-6500-20
Riparian Areas Regulation

DATE OF MEETING: October 5, 2016

TO: Gambier Island Local Trust Committee

FROM: Aleksandra Brzozowski, Island Planner
Northern Office

SUBJECT: Riparian Areas Regulation – Keats, Anvil, Bowyer, South Thormanby

Applicant: LTC-initiated project

Location: Keats, Anvil, Bowyer, South Thormanby Islands

RECOMMENDATION

Recommended resolutions for the Gambier Island Local Trust Committee (LTC) are found on pages 5 through 7 of the staff report.

REPORT SUMMARY

This staff report summarizes the referral responses and public comments regarding the Proposed Bylaws 129 through 133, intended to implement the provincial *Riparian Area Regulation* on Keats, Anvil, Bowyer, and South Thormanby Islands. The proposed bylaws under consideration include:

- Bylaw No. 129 – “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”
- Bylaw No. 130 – “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”
- Bylaw No. 131 – “Gambier Associated Islands Official Community Plan, 2010, Amendment No. 1, 2015”
- Bylaw No. 132 – “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2015”
- Bylaw No. 133 – “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2015”

Staff recommend that the LTC amend proposed Bylaw Nos. 129, 130, 131, 132, and 133 as per the recommendations of the Ministry of Forests, Lands, and Natural Resource Operations, the agency overseeing implementation of the Riparian Areas Regulation, and subsequently give these bylaws second and third readings. As per Islands Trust policy, the LTC is asked to confirm that it has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that the proposed Bylaws 129, 130, 131, 132, and 133 (as amended) are not contrary to or at variance with the Islands Trust Policy Statement. Lastly, the LTC is asked to forward the bylaws to the Secretary of the Islands Trust for approval by the Executive Committee. To note, Bylaw Nos. 129 and 131, bylaws to amend Official Community Plans, must also be approved by the Minister of Community, Sport and Cultural Development prior to their adoption.

BACKGROUND

The RAR was enacted under Section 12 of the Fish Protection Act in July 2004 and took effect on March 31, 2006. The objectives of the Act are to:

- (1) Ensure sufficient water for fish;
- (2) Protect and restore fish habitat;
- (3) Improve riparian protection and enhancement; and
- (4) Provide stronger local government powers in environmental planning.

Please refer to the April 5, 2012 Staff Report for background information regarding the RAR and general options for the Islands Trust local trust areas.

In late February 2015, Qualified Environmental Professionals (QEPs) from Madrone Environmental Services conducted mapping on Gambier, Keats, Bowyer, and Anvil Islands. The deliverables of the contract were to conduct an on-site assessment of watersheds identified as having the potential to be RAR applicable, and to map the streams in RAR applicable watersheds. A final report, including discussion on methodology and landowner contact, mapping results, and recommendations, was presented at the June 18, 2015 LTC meeting. QEPs from Madrone Environmental Services conducted mapping on the Thormanby Islands on January 11 and 12, 2016.

The Gambier Island Local Trust Committee (LTC) requested that Staff proceed with drafting amendment bylaws for Anvil, Bowyer, South Thormanby, and Keats Islands to designate all lands within 30 metres of watercourses in RAR-identified watersheds on those islands, as well as the Silver Creek watershed on Keats Island, as Development Permit Areas (DPAs).

Attached to this report is a listing of all formal resolutions passed in relation to Proposed Bylaw Nos. 129, 130, 131, 132, and 133, including referrals to relevant agencies, and direction to Staff to schedule Public Hearings.

ANALYSIS

Policy/Regulatory:

Please refer to the May 26, 2015 Staff Report for background information summarizing the LTC's discussions and decisions since 2012 regarding RAR mapping and implementation options.

Agency Consultation:

The proposed bylaws were referred to agencies and the following comments were subsequently received:

- Bowen Island Municipality:
 - Interests unaffected.
- Sunshine Coast Regional District:
 - No concerns - interests unaffected.
- Fisheries and Oceans Canada:
 - DFO does not have regulatory role because it does not directly propose work, undertakings or activities that may result in serious harm to fish.
- Islands Trust Fund:
 - Interests unaffected.

- Agricultural Land Commission:
 - With the exception of Gambier and Bowen, none of the islands in Howe Sound are affected by the ALC Act, and therefore, the Agricultural Land Commission has no objection to the referrals as its interests are unaffected.
- Ministry of Transportation and Infrastructure:
 - Interests unaffected.
- Squamish First Nation:
 - Planning Staff met with Squamish Nation staff on July 11, 2016 to present all Proposed RAR Bylaws for the Local Trust Area (Bylaws 129-133 and 140-141). Squamish Nation did not formally reply.
- *shíshálh* Nation:
 - Other than the serious concern about protection of cultural and heritage sites, *shíshálh* will have no further comments at this time about the proposed RAR bylaws No 131 and 132. However, further engagement may be necessary in the future.
- Tsleil-Waututh First Nation:
 - No response.
- Ministry of Forests, Lands, and Natural Resource Operations:
 - Andrew Appleton, Riparian Areas Biologist, responded that his comments mirrored those made for Proposed Bylaw Nos. 140 and 141 (Gambier Island). These comments are attached and are summarized as follows:

Recommended OCP Amendments

- Use the new title of Riparian Areas Protection Act.
- It may be useful to include specific language clarifying indicating that the DPA applies to all streams as defined in the RAR (i.e.: that the included description of watercourses is intended to encompass all streams).
- Clarify that an assessment report as defined in the RAR must be submitted by a Qualified Environmental Professional as defined in RAR.

Recommended Land Use Bylaw Amendments

- Specifically indicate that an *assessment report* to the standard outlined in the RAR is required as part of DP guidelines and/or reference the Development Approval Information section of OCPs.
- It would clarify the requirement by referring only to Qualified Environmental Professionals as defined in the RAR.
- No distinction should be made between native and non-native vegetation.
- Confirms that the Exemptions Subsections e, n, and o can be commensurate with the anticipated SPEAs set out in the Madrone report (10 metres for the creeks on Keats, Anvil, Bowyer, and South Thormanby).

Public Consultation:

The bylaws have been open for public comment and the following comments have been received (to October 5, 2016) and are attached to this staff report. Comments received between October 5, 2016 and October 12, 2016 will be presented to the LTC in advance of the Public Hearing on October 13, 2016.

- Proposed Bylaw Nos. 129 and 130 (Keats)
 - Correspondence has been received from Curt Shepard and from Tom Watson, R.P.Bio. A response from Andrew Appleton (FLNRO) to Tom Watson's letter is included in the agency responses.
- Proposed Bylaw Nos. 131 and 133 (Bowyer)
 - Two pieces of correspondence from the Board of Kildare Estates were received.
- Proposed Bylaw Nos. 131 and 132 (Anvil)
 - None received.
- Proposed Bylaw Nos. 131 and 132 (Thormanby)
 - None received.

Post Public Hearing Procedures:

A public hearing is a quasi-judicial process within and following which specific procedures must be followed. Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC.

Following the public hearing, the LTC may choose one of four options:

1. Give further readings to the bylaws;
2. Give further readings to the bylaws as amended;
3. Request staff to alter the bylaws and present changes at a future LTC meeting; or
4. Postpone consideration until the November 17, 2016 LTC meeting. (Note that the LTC cannot receive further comment or information post public hearing.)

The procedural steps following the close of the hearing will be:

1. Consideration of Second Reading (which may occur pending amendments to alter the bylaws).
2. Consideration of Third Reading.
3. Confirmation that the Proposed Bylaws are in accordance with the Islands Trust Policy Statement.
4. Forwarding of the bylaw to Executive Committee for approval.
5. Forwarding of the bylaw to the Minister's office for approval (OCP amendment bylaws only).

RECOMMENDATION

Bylaw 129 – “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”

1. That the Gambier Island Local Trust Committee amend Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015” as per the following recommendations and comments from staff at the Ministry of Forests, Lands, and Natural Resource Operations:
 - a. Replace all references to “*Fish Protection Act*” with “*Riparian Areas Protection Act*”.
 - b. Remove all references to “or another professional”.
2. THAT Gambier Island Local Trust Committee Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”, be read a second time.
3. THAT Gambier Island Local Trust Committee Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”, be read a third time.
4. THAT the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015” is not contrary to or at variance with the Islands Trust Policy Statement.
5. THAT Gambier Island Local Trust Committee Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
6. THAT the Gambier Island Local Trust Committee forward Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015” to the Minister of Community, Sport and Cultural Development for approval.

Bylaw 130 – “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”

7. That the Gambier Island Local Trust Committee amend Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015” as per the following recommendations and comments from staff at the Ministry of Forests, Lands, and Natural Resource Operations:
 - a. Replace the distance in Subsections 9.1.3 e), n), and o) from 15 metres to 10 metres.
 - b. Remove the word “native” from Subsection 9.1.3 m) ii.
 - c. Remove all references to “or another professional”.
 - d. Reference throughout Section 4 the requirement for a RAR assessment report to the standard outlined in the RAR.
8. THAT Gambier Island Local Trust Committee Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”, be read a second time.
9. THAT Gambier Island Local Trust Committee Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”, be read a third time.
10. THAT the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015” is not contrary to or at variance with the Islands Trust Policy Statement.

11. THAT Gambier Island Local Trust Committee Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

Bylaw 131 – “Gambier Associated Islands Official Community Plan, 2010, Amendment No. 1, 2015”

12. That the Gambier Island Local Trust Committee amend Bylaw No. 131, cited as “Gambier Associated Islands Official Community Plan, 2010, Amendment No. 1, 2015” as per the following recommendations and comments from staff at the Ministry of Forests, Lands, and Natural Resource Operations:
 - a. Replace all references to “*Fish Protection Act*” with “*Riparian Areas Protection Act*”.
 - b. Remove all references to “or another professional”.
13. THAT Gambier Island Local Trust Committee Bylaw No. 131, cited as “Gambier Associated Islands Official Community Plan, 2010, Amendment No. 1, 2015”, be read a second time.
14. THAT Gambier Island Local Trust Committee Bylaw No. 131, cited as “Gambier Associated Islands Official Community Plan, 2010, Amendment No. 1, 2015”, be read a third time.
15. THAT the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 131, cited as “Gambier Associated Islands Official Community Plan, 2010, Amendment No. 1, 2015” is not contrary to or at variance with the Islands Trust Policy Statement.
16. THAT Gambier Island Local Trust Committee Bylaw No. 131, cited as “Gambier Associated Islands Official Community Plan, 2010, Amendment No. 1, 2015” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.
17. THAT the Gambier Island Local Trust Committee forward Bylaw No. 131, cited as “Gambier Associated Islands Official Community Plan, 2010, Amendment No. 1, 2015” to the Minister of Community, Sport and Cultural Development for approval.

Bylaw 132 – “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2015”

18. That the Gambier Island Local Trust Committee amend Bylaw No. 132, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2015” as per the following recommendations and comments from staff at the Ministry of Forests, Lands, and Natural Resource Operations:
 - a. Replace the distance in Subsections 9.1(3) (e), (n), and (o) from 15 metres to 10 metres.
 - b. Remove the word “native” from Subsection 9.1(3) (m) ii.
 - c. Remove all references to “or another professional”.
 - d. Reference throughout Section 4 the requirement for a RAR assessment report to the standard outlined in the RAR.
19. THAT Gambier Island Local Trust Committee Bylaw No. 132, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2015”, be read a second time.
20. THAT Gambier Island Local Trust Committee Bylaw No. 132, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2015”, be read a third time.
21. THAT the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 132, cited as “Gambier Associated Islands

Land Use Bylaw, 2013, Amendment No. 1, 2015” is not contrary to or at variance with the Islands Trust Policy Statement.

22. THAT Gambier Island Local Trust Committee Bylaw No. 132, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2015” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

Bylaw 133 – “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2015”

23. That the Gambier Island Local Trust Committee amend Bylaw No. 133, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2015” as per the following recommendations and comments from staff at the Ministry of Forests, Lands, and Natural Resource Operations:
- Replace the distance in Subsections 9.1(3) (e), (n), and (o) from 15 metres to 10 metres.
 - Remove the word “native” from Subsection 9.1(3) (m) ii.
 - Remove all references to “or another professional”.
 - Reference throughout Section 4 the requirement for a RAR assessment report to the standard outlined in the RAR.
24. THAT Gambier Island Local Trust Committee Bylaw No. 133, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2015”, be read a second time.
25. THAT Gambier Island Local Trust Committee Bylaw No. 133, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2015”, be read a third time.
26. THAT the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 133, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2015” is not contrary to or at variance with the Islands Trust Policy Statement.
27. THAT Gambier Island Local Trust Committee Bylaw No. 133, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2015” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

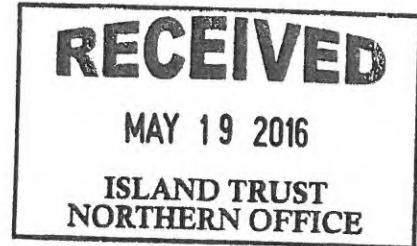
Submitted By:	Aleksandra Brzozowski, MCIP, RPP Island Planner	October 5, 2016
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	October 6, 2016

ATTACHMENTS

- Public Responses to Proposed Bylaw Nos. 129 – 133
- Referral Responses to Proposed Bylaw Nos. 129 – 133
- Proposed Bylaw Nos. 129 – 133
- Islands Trust Policy Statement Directive Policies Checklists
- Resolutions related to Proposed Bylaw Nos. 129 – 133

May 18, 2016

Gambier Island Local Trust Committee
Gambier Island Community Centre
Andy's Bay Road
Gambier Island, BC



Attention: Gambier Island Trust Committee

Re: Letter and Presentation for Consideration at the May 19, 2016 Regular Meeting:
Riparian Ares Regulation (RAR)

Dear Chair:

Please accept this letter and its contents for discussion at the May 19, 2016 meeting of the Gambier Island Trust Committee (GITC). The purpose of the letter is to provide information and perspectives to the GITC as it relates to implementation of the RAR (Province of BC, 2004) on Keats Island and other areas as it might be applied. I have been retained by two property owners on Keats Island and I have visited and assessed two streams which were previously assessed by Madrone (2015) on behalf of the Islands Trust.

For background, I am a Qualified Environmental Professional (QEP) in British Columbia and am a Registered Professional Biologist in BC and Alberta (R.P.Bio., P.Biol.) respectively. I hold a Ph.D. in Fisheries Biology and toxicology from the University of Guelph in Ontario and I have been practicing biology in BC for 38 years. I have also conducted RAR assessments in four different municipalities and have assessed dozens of streams, watercourses and other bodies of water over my career.

The purpose in writing this letter is to provide some practical perspectives on the RAR as it might be implemented in the Islands Trust. The purpose of the regulation is to protect the features, functions and conditions that contribute to the maintenance of stream health and productivity. Furthermore, "*Stream*" has been defined as any of the following that provides fish habitat:

- (a) a watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook;
- (c) a ditch, spring or wetland that
is connected by surface flow to something
referred to in paragraph (a) or (b)

It is the responsibility of the QEP conducting a RAR to correctly identify and justify why the selected watercourse is subject to or not applicable to the RAR. The stream definition broadly encompasses bodies of water that may not have the typical characteristics of a confined stream and the key to the definition is the provision of fish habitat. This in itself creates some uncertainty because most streams under the definition would provide some form of fish habitat even if fish are not present. Consequently, the first task is to examine the stream and collect available information on its features and the status of fish presence. The RAR provides a description of assessment methods in a schedule available from the Province's web site:

(http://www2.gov.bc.ca/assets/gov/environment/plants-animals-and-ecosystems/fish-fish-habitat/riparian-areas-regulations/rar_assessment_methods.pdf)

As a QEP I have found it is not always evident as to a stream's importance as fish habitat and the critical role of the QEP is to determine and certify the Stream Enhancement and Protection Areas (SPEA) as per the RAR (FLNRO, 2015). Local governments do not have the ability to reject or modify a QEP's report and they rely upon the opinions of the QEP and the Ministry (FLNRO) for direction and interpretation from the Ministry. All RAR assessment reports are reviewed by the Ministry for completeness reflective of the RAR and its assessment methods.

As an example of the difficulties encountered by QEPs I had the opportunity to review the Madrone (2015) report on its findings for Keats Island. I largely shared Madrone's opinion on the two streams I assessed but I found it curious that some streams meeting the RAR definition for "*stream*" were considered not applicable to RAR. Many streams in the absence of fish still provide food and nutrient value to downstream habitat where fish reside and it is a challenging position to take that streams would be assessed as not applicable to RAR. This underscores the role of the QEP and the need for consistency among QEPs as well as the local governments implementing the regulation. The writer and Mr. Curt Shepard visited RAR Ministry officials in Victoria where we explored with them some of the particulars of the RAR. In that meeting the officials acknowledged that most "streams" will be applicable under the RAR and the bar is set very high in this regard meaning it would be difficult to exclude a stream from the RAR.

The review of local government implementation of the RAR (FLNRO, 2015) found that a number of local governments are unclear as to their responsibilities under RAR with respect to the responsibilities of the QEP, the Ministry and other agencies such as the Department of Fisheries and Oceans (DFO). This has resulted in an inconsistent use of the RAR Notification System (RANS). Under RAR local governments have the ability to provide a level of protection that is "*comparable to or exceeds*" the RAR and if they choose this option they must demonstrate how their process meets the standard. Some municipalities indicated they did not have adequate resources or RAR processes in place to interpret and apply the RAR (FLNRO, 2015). That review also found that most municipalities have opted to integrate the RAR standards into the Development Permit Areas (DPA) process rather than create stand-alone bylaws.

In the case of the GIRC process it too is using the DPA process as its tool to comply with RAR. In reading the agenda material it is clear the DPA process goes beyond the RAR and includes other "layered" conditions on top of the RAR. For example, a designated riparian area is a 30 m strip on both sides of the stream measured from the top of bank or 30 m beyond the top of bank

in the case of a ravine. For a stream located within a ravine that is 60 m wide or greater the designated area is 10 m beyond the top of the ravine bank. A lake or other wetland would have a 30 m set back from the high water mark.

These designated areas are more conservative than the RAR because the RAR methods may well show that a small stream (<2 m) wide may only require a 10 m setback. This raises the question why do the designated areas under the DPA require broader setbacks than those required under the RAR? It is the writer's view that adoption of the RAR by a simplified statement in the local governments' DPA process or bylaws would provide adequate direction and assurance that the RAR is being complied with. Furthermore, if implementation of the RAR achieves compliance what is the rationale for going further with respect to setback widths? In this regard, the Ministry officials we spoke with also indicated that some municipalities have implemented RAR in its entirety through a simple statement and this has been adequate for compliance purposes.

Under RAR a stream may be assessed by the "Simple" or "Detailed" methods. The simple method establishes default setbacks whereas the detailed methods include a more in-depth assessment of a stream's features to determine the extent of a required SPEA. In the case of a stream <2 m wide without the fish the RAR SPEA would be 10 m not the 30 m proposed under the DPA process. This has significance to the property owner who may have a large proportion of his/her property excluded from development or use. In the case of the two streams assessed on Keats I found the RAR setback would be 10 m based on the width and other features of the streams as assessed under the detailed methodology.

Notwithstanding the uncertainties surrounding RAR and its implementation adopting it in its entirety has a number of advantages including:

- Provides certainty and direction for the assessment methods that may be used (simple or detailed);
- Landowners would have the opportunity to retain QEPs to conduct either a simple or detailed assessment at their cost;
- The RAR assessment would be verified and reviewed by the Ministry for compliance reducing a local government's need for internal resources to manage the assessment;
- The results of the RAR could be written into any Development Permit or process a local government may choose to implement; and,
- Compliance would be achieved as required under RAR.

Closure

As a practitioner and consultant I have encountered uncertainty by landowners and local governments in the implementation of the RAR. I have found, however, that if the RAR is implemented as written it provides clear direction to all parties and the need for going beyond the RAR is questionable. The regulatory provisions of the RAR are clear and I believe landowners should be able to follow the RAR as its written leaving them the choice of how many streams on their property would be assessed. I also understand local governments' requirement to ensure compliance with RAR and this can be achieved as described above by adopting the RAR in its

entirety. In some ways it also reduces the need by local government to survey the "designated areas" under its proposed bylaw because the streams would have been assessed by a QEP and reviewed by the Ministry for compliance.

It is hoped the information in this letter provides some perspectives on RAR implementation and that it helps landowners as well as local government in establishing compliance with the RAR. Should you require any further information I can be contacted via E-mail at twatson@soleil-consulting.ca and (604) 240 - 0990.

Sincerely

Soleil Environmental Consultants Ltd.



Tom A. Watson, Ph.D., R.P.Bio. (BC), P. Biol. (AB)
Senior Environmental Scientist
President

cc: Mr. Curt Shepard, Landowner-Keats Island

References

British Columbia. 2004. Riparian Areas Regulation. Enacted under Section 12 of the Fish Protection Act by Order in Council No. 837.

British Columbia Ministry of Forests, Lands and Natural Resource Operations (FLNRO). 2015. Review of Local Government Implementation of the Riparian Areas Regulation. September 14, 2015.

Madrone Environmental Services Ltd. 2015. Riparian Area Regulation Stream Identification. Gambier, Keats, Anvil and Bowyer Islands. Prepared for Islands Trust, Northern Office, Gabriola Island.

From: Curt Shepard [REDACTED]
Sent: Tuesday, July 26, 2016 12:49 PM
To: Dan Rogers
Cc: Tom Watson
Subject: Keats Streamside Protection

Dan

Changes we would like considered.

Curt
[REDACTED]

<http://www.islandstrust.bc.ca/media/340580/10-gm-ltc-agd-pkg-2016-07-28.pdf>

Keats Island Streamside Protection pages 65-87

Changing 15 meters to 10 meters under .3 **Exemptions** e) page 81

Adding point f) under .4 **Guidelines** pages 83 & 86

f) If a report by a qualified professional is required under (e) the report would include a description and quantification of the impact (either positive or negative). If the impact is considered adverse the professional's report would provide recommended mitigation strategies to offset adverse impacts with an objective of improving habitat conditions existing prior to implementation. Any such activities would be consistent with RAR.

--

Curt Shepard
Absolute 3-D Digitizing Center
590 Duchess Ave.
West Vancouver, B.C.
V7T 1G4
[REDACTED]

Office: 604-925-4300
Fax: 604-922-6560

From: **Kildare Estates Board** <kildare.board@gmail.com>
Date: Tue, Sep 27, 2016 at 9:54 PM
Subject: Fwd: Kildare: Documents re the changes to OCP, LUB
To: northinfo@islandstrust.bc.ca

Dear Aleksandra:

I write on behalf of the Kildare Estates Ltd Board of Directors in relation to your Sept 19, 2016 letter regarding the proposed RAR bylaw.

We received your correspondence through a community member and shareholder - Eoin Finn - who kindly forwarded it to us on September 22, 2016. To our knowledge we have not received any previous correspondence from you in regards to this matter.

Please update your records to reflect that our correct contact email is kildare.board@gmail.com.

We are analyzing the materials you sent, and do not feel that the period until Oct 13th is adequate for us to properly understand the proposed bylaws implications and provide useful feedback to your consultation process. We respectfully request an extension for our input.

Please advise at your earliest convenience.

Kind regards,
Jessica Bratty
Secretary, Board of Directors

----- Forwarded message -----

From: **EOIN FINN** [REDACTED]
Date: Thu, Sep 22, 2016 at 4:20 PM
Subject: Kildare: Documents re the changes to OCP, LUB
To: Jessica Bratty [REDACTED]

Jessica: Jackie and I did talk with IT Planner Brzozowski briefly this afternoon about these proposed bylaw changes. Several documents are attached, including:

- excerpts from our OCP showing that document gave Islands Trust the authority to do this;
- a map of the proposed Riparian Area / Development Permit Area designation around Orchid Creek (shows some tributary streams also);
- the bylaws to amend the OCP (for the Gambier Associated Islands - Bylaw 131) and LUB (for Passage and Bowyer -Bylaw 133);
- a guide to the DPA application process (in case we ever need to use it)
- the letter mailed to Kildare (address used was from our Land Titles registry) notifying of this.

The specific restrictions around the streamway areas are on the first 3 pages of Bylaw 133.

Distribute these as you see fit.

Aleksandra Brzozowski, MCIP, RPP
Island Planner, Local Planning Services
Islands Trust
700 North Road, Gabriola Island, BC
V0R 1X3

October 6, 2016

Re: Development Permit Area Proposal for Orchid Creek, Bowyer Island, Kildare Estates.

Hi Alexandra: I am a member of Kildare Estates. Our President, Ardath Paxton-Mann has asked me to look into the Development Permit Area proposal for Bowyer Island (Orchid Creek). I have reviewed the package you sent as well as the report conducted by Madrone Environmental Services (Madrone).

While I appreciate the intent of the by-law and the Riparian Areas Regulation, I do not feel that Orchid Creek meets the criteria. Specifically, it does not contain fish nor does it provide water, food and nutrients to streams that do. I state this as a Registered Professional Biologist (RPBio) with a fisheries background and prior to my retirement from the provincial government I was co-Chair of the Federal-Provincial Steering Committee for Implementation of the Riparian Areas Regulation (RAR).

Based on our conversation of October 3, 2016, I understand that you are relying on the assessment carried out by Madrone and the endorsement of that report by the Ministry of Forests, Lands and Natural Resources. I also appreciate that you would prefer that apparent differences of opinion between RPBios be dealt with through FLNRO. I have since spoken with Andrew Appleton of FLNRO who correctly stated that they rely on the College of Applied Biology to ensure scientific studies and processes are carried out in a professional manner. I do not believe such steps are necessary at this time though I will be speaking to Madrone directly regarding their report and inconsistencies with my findings as stated below.

For now, please be advised that Kildare Estates is opposed to the Development Permit Area for Bowyer Island due to errors in the Madrone report and an overly zealous use of the precautionary principle. It is Kildare's position that there are no fish in Orchid Creek and it does not provide any water, food or nutrients to a stream that does contain fish. As such, the RAR does not apply.

I conducted a stream survey on October 1, 2016. The entire creek and its tributaries were measured and photographed and that information is available on request. For now I am focusing on the accessibility of Orchid Creek for fish and the available habitat within it. My findings differ from the Madrone Report which states:

1. The creek is not a barrier to anadromous fish at extreme high tides
2. There is 60 meters of habitat from the beach upstream to an impassable culvert

3. The potential for fish to occur is low, though there is potential for some salmonid species (i.e. pink salmon) to enter during high tides.
4. Riparian vegetation has been subject to anthropogenic disturbances

Addressing these one at a time:

Is the creek a barrier to anadromous fish at extreme high tides?

The following photos show the foreshore and the outlet of Orchid Creek. Note there is no channel in the intertidal foreshore. There is possibly one high tide during the year when the marine waters reach up to the bedrock forming the lip of the outlet (note the terrestrial vegetation around the mouth of the creek). This would occur in late June, not a period of salmon spawning. Furthermore, there have not been any sightings of fish in Orchid Creek since at least 1955 when Kildare Estates was established.

My conclusion: It is highly unlikely that anadromous species can access the creek.



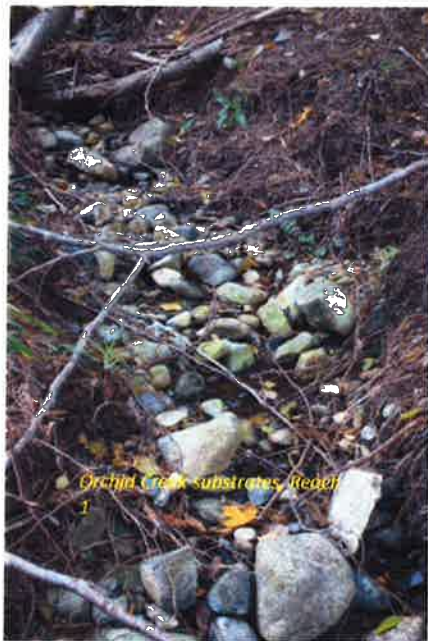


Are there 60 meters of habitat from the beach up to an impassable culvert?

The next set of photos show the habitat of Reach 1. While the Madrone report stated there were 60 meters of habitat prior to a road crossing, the Reach is only 15 meters long. Madrone apparently missed the first roadway which has a 3 meter drop down to Reach 1 through a culvert. In fact, Madrone incorrectly states that the second crossing is 60 meters upstream while correctly showing it as 40 meters on their Figure 9. Either way, the assessment of available habitat is significantly overstated.

Of the 15 meters of available habitat in Reach 1 (average wetted width = 0.85 meters) the substrate is predominantly mid to large size cobble, much larger than that preferred by pink salmon and it has a higher gradient as well. (Madrone's estimate of 15% is similar to my estimate).

My conclusion: While it is highly unlikely that Reach 1 is accessible to fish, the absolute maximum accessible length would be 15 meters (12.75 square meters) of very marginal habitat that is incapable of supporting a fish population.





Orchid Creek substrates looking
downstream, Reach 1.16-10-01



Culvert at top of Reach 1, Orchid
Creek. Note 3 m drop through
woody debris and lack of flow.
16-10-01

Is there low potential for fish to occur? Is there potential for some salmonid species (i.e. pink salmon) to enter during high tides?

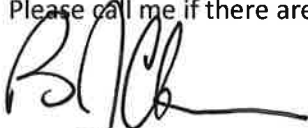
Nothing is absolute and I appreciate the precautionary principle, but the bylaw should be based on a reasonable likelihood of fish use. Given the very marginal habitat (as reported by Madrone) and the fact that there have not been any sightings of fish in Orchid Creek since at least 1955, I suggest that there is no potential for fish use in Orchid Creek and RAR does not apply.

Has riparian vegetation been subject to anthropogenic disturbances?

With the exception of roadways, there has not been any human alteration of riparian vegetation. The Madrone report incorrectly identifies extreme deer browsing as human clearing of the underbrush.

Thank you for the opportunity to comment. Please accept this as Kildare's response to the Designated Permit Area proposal for Orchid Creek on Bowyer Island. As stated above, the lack of fish presence, the inaccessibility of the channel and the lack of suitable habitat all suggest that the Riparian Areas Regulation does not apply.

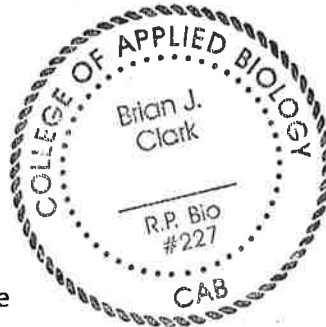
Please call me if there are any questions. We will attend the public meeting on October 13, 2016.



Brian Clark, R.P.Bio

604-767-6810

Brianclark305@gmail.com



Cc: Kate-Louise Stamford, Trustee
Dan Rogers, Trustee
Ardath Paxton-Mann, President, Kildare Estates
Justin Lange, R.P.Bio, Madrone Environmental Services

From: Appleton, Andrew FLNR:EX [<mailto:Andrew.Appleton@gov.bc.ca>]

Sent: Wednesday, October 05, 2016 4:11 PM

To: Aleksandra Brzozowski

Subject: Reference to exemptions outside maximum expected SPEA widths - Proposed Bylaws 129,130,131,132,133

Hi Aleksandra:

Following up on our phone conversation today regarding exemption provisions in proposed bylaws 129-133 for Gambier associated islands and Keats, some clarification for you:

For land use bylaws 130, 132 & 133: In reference to Exemptions sections 3, subsections (e), (n) and (o), of both bylaws, exemptions are currently proposed for cutting of vegetation, disturbance of soils and construction of accessory buildings taking place outside of **15 metres** from the high water mark / top of bank.

As per the April 2015 report by Madrone Environmental Services *RAR Stream Identification Report for Gambier, Keats, Anvil and Bowyer Islands* and the January 2016 report *RAR Stream Identification Report for North and South Thormanby Islands*, it is our understanding that the maximum SPEA determined by the QEPs for the areas included in bylaws 130/132/133 is **10 metres**. It would then be reasonable to revise the relevant exemptions in bylaws 130/132/133 to activities outside 10 metres, rather than the 15 metres included in the current draft. This reflects the expectation that by remaining outside of the 10 metre setback in these areas, activities will be outside the maximum SPEA expected in the area subject to the bylaw.

We trust this information is useful; please don't hesitate to be in touch with any questions or for clarification.

All the best,
Andrew

Andrew Appleton

Riparian Areas Regulation Resource Specialist

Ministry of Forests, Lands and Natural Resource Operations

Resource Management Objectives Branch

P: (250) 387.7918

From: Appleton, Andrew FLNR:EX [mailto:Andrew.Appleton@gov.bc.ca]
Sent: Friday, September 30, 2016 3:09 PM
To: Aleksandra Brzozowski
Subject: RE: Bylaws 129 through 133 (RAR for rest of Gambier Area)

Hi Aleksandra:

Thanks for the note and apologies for the delay. I got my mind trained on the Gambier review and I believe these fell off my radar.

By my review in comparison to Gambier bylaws 140/141 (and your phone message)- these bylaws appear to contain identical language. We are then more than happy to re-use the comments from 140/141. What works best for you to make this happen? Is this conformation enough or should I copy/paste to the response forms?

Thanks again,
Andrew

From: Aleksandra Brzozowski [mailto:abrzozowski@islandstrust.bc.ca]
Sent: Monday, September 26, 2016 11:21 AM
To: Appleton, Andrew FLNR:EX
Subject: Bylaws 129 through 133 (RAR for rest of Gambier Area)

Hi Andrew,

Hope you're well. We haven't received a formal response from you or Kristina on the proposed RAR bylaws for Keats, Anvil, Bowyer, and the Thormanby Islands. Would you like to just re-use the comments made for Bylaws 140 and 141?

Attached is the email sent to you and Kristina way back when. **Please note that Bylaws 129 and 130 (Keats) were amended since, so I removed those from the email msg. and have attached the newer versions.**

The Public Hearing is set for October 13, and I would very much appreciate a response a week earlier than that.

Aleksandra Brzozowski, MCIP, RPP
Island Planner
Northern Office, Islands Trust
700 North Road
Gabriola BC V0R 1X3
250-247-2207
Enquiry BC Toll-free call 1-800-663-7867
or from the Lower Mainland 604-660-2421

Website: www.islandstrust.bc.ca
Preserving Island communities, culture and environment since 1974

Gambier Island Local Trust Area referral comments, bylaw 140 (OCP amendment) and bylaw 141 (LUB amendment)

Review and comments by Andrew Appleton, RAR Resource Specialist, Ministry of Forests, Lands and Natural Resource Operations (FLNRO), Victoria

The ministry of Forests, Lands and Natural Resource Operations (FLNRO) recommends approval of the proposed bylaws, with the condition that the following edits be considered:

Bylaw 140 (OCP Amendment)

The bylaw language makes reference to the former provincial *Fish Protection Act*. This Act was retitled *Riparian Areas Protection Act* in February 2016 with the bringing into force of consequential amendments to the BC *Water Sustainability Act*. The new title should be used.

In reference to section 12.3.1, the description of *Designated Areas* mirrors the definition of *stream* found in the RAR, and subsequently uses the term *stream* when describing the dimensions of the development permit area. This language is consistent with the RAR; it may however be useful to include specific language clarifying indicating that the DPA applies to all *streams* as defined in the RAR (i.e.: that the included description of watercourses is intended to encompass all *streams*).

In reference to section 12.3.3 (b), the report required to meet RAR standards is of a specific format described by the RAR assessment methods (described in section 7 of the RAR). In addition, the definition of *Qualified Environmental Professional* (QEP) in the RAR is specific to certain qualified persons. The proposed bylaw language “... (QEP) or other professional” could then be misleading. This subsection would be clarified by indicating that an *assessment report* as defined in the RAR must be submitted by a *Qualified Environmental Professional* as defined in RAR.

Bylaw 141 (Land Use)

In reference to Exemptions section 3, subsections (e), (n) and (o), exemptions are provided for cutting of vegetation, disturbance of soils and construction of accessory buildings taking place outside of 15 metres from the high water mark / top of bank. All these activities are included in the definition of *development* in the RAR and similarly included in the Applicability section of bylaw 141. In practice, where a Streamside Protection and Enhancement Area (SPEA) determined by a RAR assessment exceeds 15 metres, these exemptions may exclude RAR subject development from RAR standards.

It is recognized that language similar to subsections 3(e), (n) and (o) has been employed in other local trust areas, presumably with the expectation that the majority of RAR SPEAs in those areas were expected to be less than 15 metres. As per the April 2015 report by Madrone Environmental Services *RAR Stream Identification Report for Gambier, Keats, Anvil and Bowyer Islands*, some RAR streams on Gambier Island have been assessed as subject to 20 metre SPEAs, specifically in the Whispering Creek watershed.

Recommendation: revise 15 metre limit to 20 metres to reflect maximum SPEA expected on Keats Island.

In reference to Guidelines Section 4(a), this section describes information that may be required as part of permit conditions. As described above, to be compliant with the RAR an *assessment report* as defined in the RAR is required, as well as submission to the provincial RAR Notification System (RARNS). Submission of the report to the RARNS ensures that the local government receives notification of the receipt of the report by the province, as required by the RAR. Section 4(a) does not specifically reference the requirement for a RAR assessment as specified in section 12.3.3(b) of OCP amendment bylaw 140. It may be useful to clarify the link between the Guidelines section of bylaw 141 and the Development Approval Information section of bylaw 140.

Recommendation: Specifically indicate in section 4(a) that an *assessment report* to the standard outlined in the RAR is required as part of DP guidelines and/or reference the Development Approval Information section of bylaw 140. This is consistent with the following subsections 4(b), (c) and (e) that make reference to the SPEA determined by a RAR assessment.

In reference to Guidelines Section 4 (a) and (c), language is used referring to a “... (*QEP*) or other professional”. As described in our comments on bylaw 140, a QEP is specifically defined in the RAR and an *assessment report* may only be submitted by professionals meeting this standard. It would clarify the requirement by referring specifically to QEPs as defined in the RAR.

In reference to Exemptions section 3(m)(ii), no distinction in the RAR is made between native and non-native vegetation. If non-native trees are removed in a SPEA, this would fall under the definition of *development* in the RAR and be subject to RAR standards.

From: Kim Wilkinson [mailto:kwilkinson@sechelnation.net]

Sent: Thursday, September 29, 2016 2:57 PM

To: Aleksandra Brzozowski

Subject: SNR16148.01 RE: Bylaw Referral - Gambier Island Local Trust Committee Bylaw Nos. 131 and 132 (Riparian Areas Regulation) OOR

Importance: High

Dear Aleksandra,

I am writing regarding Gambier Island Local Trust Committee Bylaw Nos. 131 and 132 (Riparian Areas Regulation), our file SNR16148.01, as follows:

- **Proposed Bylaw No.131** will, if adopted, amend the Gambier Associated Islands Official Community Plan Bylaw No. 109, 2009 to include language which authorizes the protection of watercourses pursuant to the Riparian Areas Regulation, including one watershed on South Thormanby Island.
- **Proposed Bylaw No.132** will, if adopted, amend the Gambier Associated Islands Land Use Bylaw No. 120, 2013 to include language which identifies the applicability, exemptions and guidelines to be employed for the approval of development permits dealing with watercourses subject to the Riparian Areas Regulation

We have reviewed the above bylaws which we note would apply to Thormanby Island and other islands within *shíshálh* Nation Territory. It is essential for the Islands Trust as well residents of Islands within *shíshálh* Nation Territory to appreciate the significance of these islands to the *shíshálh*. The islands have been extensively utilized by *shíshálh* ancestors and descendants and subsequently most have some form of archaeological belongings (ranging from burials, villages, extraction sites, pictographs and more). The proposed by-laws primarily affect watersheds and courses, and these are also the areas that tend to be of heightened archaeological sensitivity on islands. We ask the Directors and Staff of the Islands Trust to consider the deep antiquity of human presence on coastal islands and to understand that many archaeological sites on these islands have not yet been discovered or formally recorded by archaeologists. Due to the archaeological sensitivity of islands we would like to suggest working together to improve the way development permits and building permit reviews may be conducted in a manner that respects the archaeological record, the heritage of the landscapes affected, and *shíshálh* Title and Rights. We recommend that during your review process for those projects involving ground-disturbing work (excavation) that you forward the development plans to our offices for a review of any archaeological issues. This will help prevent the destruction of archaeological resources as well as help property owners and developers avoid expensive fines or lengthy delays during development projects.

Please respond in writing that you understand this concern, and define what steps you propose to address the problem to protect cultural, heritage, and archeological resources within *shíshálh* Nation territory.

Other than the serious concern about protection of cultural and heritage sites, *shíshálh* will have no further comments at this time about the proposed RAR bylaws No 131 and 132. However, further engagement may be necessary in the future.

I am cc'ing my Department Director as this email will serve as the only official response at this time. Please keep a copy of this response for your records.

Kind regards, and *lilx-mit-tsut* (take care),

Kim



Kim M. Wilkinson, M.E.M.
Researcher, *shíshálh* Nation Rights and Title Department
kwilkinson@secheltnation.net

website: <http://www.shishalh.com/rights-and-title/>

This electronic communication (email) is intended for the use the of addressee(s) and may contain information which is privileged and confidential. If you are not the intended recipient, you are hereby notified any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the Sechelt Nation at 1-866-885-2275. Thank-you.

Becky McErlean

From: XPAC Referrals Pacific <ReferralsPacific@dfo-mpo.gc.ca>
Sent: Thursday, January 21, 2016 2:15 PM
To: Becky McErlean
Cc: Aleksandra Brzozowski
Subject: RE: Bylaw Referral - Gambier Island Local Trust Committee Bylaw Nos. 129, 130, 131, 132, and 133 (Riparian Areas Regulation)

Hello Ms. McErlean,

The role of the DFO's Fisheries Protection Program (FPP) is to protect and conserve fish and fish habitat in support of Canada's coastal and inland fisheries resources, and to make regulatory decisions under the fisheries protection provisions of the Fisheries Act. The FPP is specifically responsible for reviewing projects for which a s.35(2) Fisheries Act Authorization is required.

DFO does not have a regulatory role related to the below bylaw referral package because it does not directly propose works, undertakings or activities that may result in serious harm to fish.

DFO's Projects Near Water website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) includes information for proponents on how to comply with the *Fisheries Act*, request a DFO review of a project, and request a *Fisheries Act* authorization.

If you have any further questions about DFO's regulatory process or need general information, contact DFO's Fisheries Protection Program toll free: 1-866-845-6776 or email: EnquiriesPacific@dfo-mpo.gc.ca.

Thank-you,

Christina Gulbransen

*Fisheries and Oceans Canada/Ecosystem Management Branch
Fisheries Protection Program/Triage and Planning Unit
200-401 Burrard Street, Vancouver BC V6C 3S4*

From: Becky McErlean [<mailto:bmcerlean@islandstrust.bc.ca>]
Sent: 2016-January-20 1:03 PM
To: XPAC Referrals Pacific
Subject: Bylaw Referral - Gambier Island Local Trust Committee Bylaw Nos. 129, 130, 131, 132, and 133 (Riparian Areas Regulation)

Attention: Referrals

Attached is a bylaw referral package on behalf of the Gambier Island Local Trust Committee of the Islands Trust.

Proposed Bylaw No. 129 will, if adopted, amend the Keats Island Official Community Plan Bylaw No. 77, 2002 to include language which authorizes the protection of watercourses pursuant to the Riparian Areas Regulation.

Becky McErlean

From: XPAC Referrals Pacific <ReferralsPacific@dfo-mpo.gc.ca>
Sent: Wednesday, April 06, 2016 9:01 AM
To: Becky McErlean
Subject: RE: DFO Referrals Pacific May : Bylaw Referral - Gambier Island Local Trust Committee Bylaw Nos. 129, 130, 131, 132, and 133 (Riparian Areas Regulation)

The role of the DFO's Fisheries Protection Program (FPP) is to protect and conserve fish and fish habitat in support of Canada's coastal and inland fisheries resources, and to make regulatory decisions under the fisheries protection provisions of the Fisheries Act. The FPP is specifically responsible for reviewing projects for which a s.35(2) Fisheries Act Authorization is required.

DFO does not have a regulatory role related to the proposed by-law amendment because it does not directly propose works, undertakings or activities that may result in serious harm to fish.

DFO's Projects Near Water website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) includes information for proponents on how to comply with the *Fisheries Act*, request a DFO review of a project, and request a *Fisheries Act* authorization.

If you have any further questions about DFO's regulatory process or need general information, contact DFO's Fisheries Protection Program toll free: 1-866-845-6776 or email: EnquiriesPacific@dfo-mpo.gc.ca.

Christina Gulbransen

Fisheries Protection Biologist, Fisheries Protection Program
Fisheries and Oceans Canada/Government of Canada

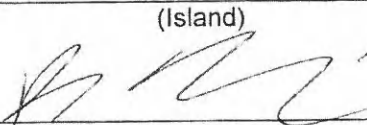
Biologiste de la protection des pêches, Programme de protection des pêches
Pêches et Océans Canada/Gouvernement du Canada

BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Gambier Island Local Trust Area – Keats Island

(Island)

 Daniel Martin

(Signature)

Feb 1 / 16

(Date)

Bylaw No. 129 (OCP) and Bylaw No. 130 (LUB)

(Bylaw Number)

Island Community Planner

(Title)

BIM

(Agency)

BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Gambier Island Local Trust Area –
Anvil and Bowyer Islands

(Island)

Don Miller
(Signature)

Feb 1/16
(Date)

Bylaw No. 131 (OCP)

(Bylaw Numbers)

Island Community Planner
(Title)

BIM

(Agency)

BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Gambier Island Local Trust Area –
Anvil Island

(Island)

Don't Mar
(Signature)

Feb 1 /16
(Date)

Bylaw No. 132 (LUB)

(Bylaw Numbers)

Island Community Planner
(Title)

DM

(Agency)

BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Gambier Island Local Trust Area
Bowyer Island
(Island)

Don Hwa
(Signature)

Feb 1 / 16
(Date)

Bylaw No. 133 (LUB)

(Bylaw Number)

Island Community Planner
(Title)

BIM

(Agency)

Becky McErlean

From: Jennifer Eliason
Sent: Tuesday, January 26, 2016 10:51 AM
To: Becky McErlean
Subject: RE: Bylaw Referral - Gambier Island Local Trust Committee Bylaw Nos. 129, 130, 131, 132, and 133 (Riparian Areas Regulation)

Thanks Becky.

As there are currently no TFB property interests on Keats, Bowyer or the other associated islands of the Gambier Island Local Trust Committee, our interests are unaffected by the proposed bylaws.

Regards,

Jennifer Eliason
Manager, Islands Trust Fund
tel: (250) 405-5191
www.islandstrustfund.bc.ca

From: Becky McErlean
Sent: Wednesday, January 20, 2016 12:28 PM
To: Jennifer Eliason
Subject: Bylaw Referral - Gambier Island Local Trust Committee Bylaw Nos. 129, 130, 131, 132, and 133 (Riparian Areas Regulation)

Attention: Jennifer Eliason, Manager, Islands Trust Fund

Attached is a bylaw referral package on behalf of the Gambier Island Local Trust Committee of the Islands Trust.

Proposed Bylaw No. 129 will, if adopted, amend the Keats Island Official Community Plan Bylaw No. 77, 2002 to include language which authorizes the protection of watercourses pursuant to the Riparian Areas Regulation.

Proposed Bylaw No. 130 will, if adopted, amend the Keats Island Land Use Bylaw No. 78, 2002 to include language which identifies the applicability, exemptions and guidelines to be employed for the approval of development permits dealing with watercourses subject to the Riparian Areas Regulation.

Proposed Bylaw No.131 will, if adopted, amend the Gambier Associated Islands Official Community Plan Bylaw No. 109, 2009 to include language which authorizes the protection of watercourses pursuant to the Riparian Areas Regulation.

Proposed Bylaw No.132 will, if adopted, amend the Gambier Associated Islands Land Use Bylaw No. 120, 2013 to include language which identifies the applicability, exemptions and guidelines to be employed for the approval of development permits dealing with watercourses subject to the Riparian Areas Regulation.

Proposed Bylaw No. 133 will, if adopted, amend the Bowyer and Passage Islands Land Use Bylaw No. 114, 2011 to include language which identifies the applicability, exemptions and guidelines to be employed for the approval of development permits dealing with watercourses subject to the Riparian Areas Regulation.

For background information please see webpage: <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/projects-initiatives/riparian-areas-protection/>

Please review the proposed regulations and indicate how your agency's interests in the proposed regulations are affected.

A referral response form is included for your convenience and we would appreciate your comments by **March 14, 2015**.

For more information or if you should have questions on the proposed bylaw, please contact Aleksandra Brzozowski, Island Planner, directly at abrzozowski@islandstrust.bc.ca or 250-247-2207.

Please contact the undersigned to acknowledge your receipt of this email.

Sincerely,

Becky McErlean
A/Legislative Clerk
Northern Office, Islands Trust
700 North Road
Gabriola, BC V0R 1X3
250-247-2206
Enquiry BC Toll-free call 1-800-663-7867
or from the lower mainland 604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca
Preserving Island communities, culture and environment since 1974

Sunshine Coast Regional District

1975 Field Road
Sechelt, British Columbia
Canada V0N 3A1

P 604.885.6800
F 604.885.7909
Toll free 1.800.687.5753

info@scrd.ca
www.scrd.ca



May 17, 2016

Islands Trust
700 North Road
Gabriola Island BC
V0R 1X3

SCRD File: 0420-20
VIA EMAIL: northinfo@islandstrust.bc.ca

Attention: Aleksandra Brzozowski, Island Planner

Dear Aleksandra:

RE: Islands Trust Referral Regarding Amendments to Introduce Riparian Area Regulation Development Permit Areas

At its regular meeting of April 28, 2016, the SCRD Board adopted the following resolution regarding the above noted Islands Trust referral:

168/16
Planning

Recommendation No. 2 Islands Trust Referral – Amendments to Introduce Riparian Area Regulation Development Permit Areas

THAT the staff report titled "Islands Trust Referral Regarding Amendments to Introduce Riparian Area Regulation Development Permit Areas (Areas B and F)" be received;

AND THAT the Gambier and Associated Islands Trust be informed that the SCRD Board has no concerns regarding the proposed amendments set out in Bylaw Nos. 129 (OCP – Keats Island), 130 (LUB – Keats Island), 131 (OCP – Anvil Island) and 132 (LUB – Anvil Island).

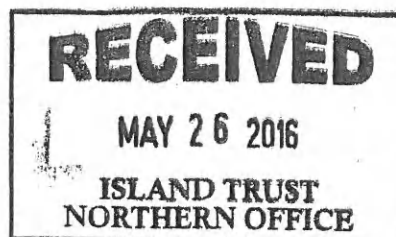
A copy of the staff report titled, "Islands Trust Referral Regarding Amendments to Introduce Riparian Area Regulation Development Permit Areas (Areas B and F)", is attached for reference.

Please contact me if you have any questions.

Yours truly,

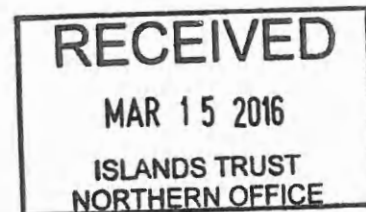
SUNSHINE COAST REGIONAL DISTRICT

David Rafael
Senior Planner
David.Rafael@scrd.ca
604-885-6804 ext. 4



BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below



Gambier Island Local Trust Area – Keats Island
(Island)

W. Brown
(Signature)

9 March 2016
(Date)

Bylaw No. 129 (OCP) and Bylaw No. 130 (LUB)
(Bylaw Number)

Senior District Development Technician
(Title)

Ministry of Transportation and Infrastructure
(Agency)

BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Gambier Island Local Trust Area –
Anvil and Bowyer Islands
(Island)

MA Brown
(Signature)

9 March 2016
(Date)

Bylaw No. 131 (OCP)

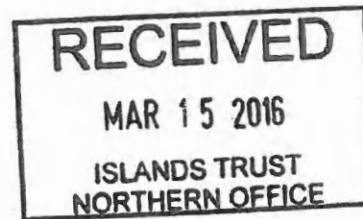
(Bylaw Numbers)

Senior District Development Technician
(Title)

Ministry of Transportation and Infrastructure
(Agency)

BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below



Gambier Island Local Trust Area –
Anvil Island
(Island)

Mug Brau
(Signature)

9 March 2016
(Date)

Bylaw No. 132 (LUB)

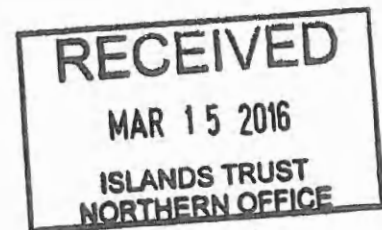
(Bylaw Numbers)

Senior District Development Technician
(Title)

Ministry of Transportation and Infrastructure
(Agency)

BYLAW REFERRAL FORM RESPONSE SUMMARY

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☒ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below



Gambier Island Local Trust Area
Bowyer Island
(Island)

AM Brown
(Signature)

9 March 2016
(Date)

Bylaw No. 133 (LUB)

(Bylaw Number)

Senior District Development Technician
(Title)

Ministry of Transportation and Infrastructure
(Agency)



Ref: 223206

JUL 05 2016

Aleksandra Brzozowski
Island Planner
Northern Office, Islands Trust
700 North Road
Gabriola BC V0R 1X3

Dear Aleksandra:

Thank you for your June 9, 2016 request for information via email and the letter provided by your office from Mr. Tom Watson dated May 19, 2016. This letter is to provide further information on the Islands Trust's approach to bylaw implementation of Riparian Areas Regulation (RAR) standards on Gambier Island and associated islands.

Your correspondence indicated that the trustees for the area sought clarification on a concern raised in the Watson letter. Upon review, it appears that the issue identified is likely due to misunderstanding of the implementation of the proposed bylaws.

Confusion between the *Riparian Assessment Area* (RAA) and *Streamside Protection and Enhancement Area* (SPEA): In the standard implementation of RAR, a 30 metre RAA is specified for *streams* as defined in the regulation. A local government subject to the RAR must not allow development to proceed in the RAA unless an assessment report is completed by a *Qualified Environmental Professional* (QEP). The assessment report establishes the width of the SPEA, which is determined by a standardized methodology. The necessary SPEA will vary depending on site conditions. Our understanding is the proposed Gambier Island bylaw will establish a Development Permit Area (DPA) in line with the 30 metre RAR RAA, and will require a RAR assessment should development be proposed in this area. In effect, the DPA is in line with the RAA. The permit would be issued based on the content of the assessment report and the determined SPEA. The misunderstanding appears to be that the 30 metre DPA is itself the setback, where in fact it is intended to define the area where the need for a RAR assessment is triggered. This is consistent with RAR standards. The RAR assessment may arrive at a range of SPEA widths depending on conditions, as Mr. Watson mentions in his letter.

Page 1 of 2

Ministry of Forests, Lands and
Natural Resource Operations

Resource Management
Objectives Branch

Mailing Address:
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It should be noted that some confusion around this point is also possible due to the different approach to RAR implementation proposed by the Gambier Local Trust Committee (LTC) as compared to other LTCs. In the majority of LTCs, the preference has been to use RAR methods to pre-establish SPEAs from designated *streams* in order to reduce the necessity for individual landowners to conduct a RAR assessment. In these cases, the RAA is not referenced. Both approaches meet the standard of the RAR, but as pre-designated setbacks are common elsewhere in the Islands Trust this may lead to some citizens misinterpreting the proposed (30 metre) Gambier LTC DPA as such a setback.

Based on our conversations and the information you have passed along from the trustees, it appears that the approach being proposed for the Gambier LTC is in line with RAR standards and that significant diligence is being applied to ensure the resulting bylaws are fully compliant with the regulation. As discussed, it appears that this issue is related to confusion on the terms used and does not indicate a non-compliant process.

We appreciate your efforts to develop comprehensive and clear RAR implementation bylaws and the commitment on behalf of the LTC to doing so. Ministry staff are available to provide further information and to support the Islands Trust in this process. If you have any questions please don't hesitate to contact me at 250-387-7918 or andrew.appleton@gov.bc.ca.

Sincerely,



Andrew Appleton
Riparian Areas Regulation Resource Specialist
Resource Management Objectives Branch

AA/rb

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 129

A BYLAW TO AMEND KEATS ISLAND

OFFICIAL COMMUNITY PLAN, 2002

The Gambier Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gambier Island Local Trust Area under *the Islands Trust Act*, enacts as follows:

Gambier Island Local Trust Committee Bylaw No. 77, cited as “Keats Island Official Community Plan, 2002,” is amended as follows

1. Bylaw No. 77, cited as “Keats Island Official Community Plan, 2002” is amended as shown on Schedule 1.
2. This bylaw may be cited for all purposes as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”.

READ A FIRST TIME THIS	19 TH	DAY OF	NOVEMBER	,2015
PUBLIC HEARING HELD THIS	TH	DAY OF		
READ A SECOND TIME THIS	TH	DAY OF		
READ A THIRD TIME THIS	TH	DAY OF		
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	TH	DAY OF		, 201
ADOPTED THIS	TH	DAY OF		, 201

SECRETARY

CHAIRPERSON

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 129

SCHEDULE 1

Gambier Island Local Trust Committee Bylaw No. 77, cited as “Keats Island Official Community Plan, 2002” is amended as follows:

2.1 PART A – ADMINISTRATION AND INTERPRETATION is amended as follows:

- a) A new Subsection is inserted after Section 4. AMENDING THE OFFICIAL COMMUNITY PLAN, Subsection Update and Revision, as follows:

“Development Approval Information – Circumstances and Special Conditions

- 4.7 Development approval information may be required to ensure that development may be accommodated in a manner that sustains natural resources, environmentally sensitive areas and the rural character of the Keats Planning Area. Development approval information may be required to help the Local Trust Committee determine appropriate uses, density and siting of future development.”

2.2 PART B – GOALS, OBJECTIVES AND POLICIES, Section 3. ECOSYSTEM PRESERVATION AND PROTECTION, is amended as follows:

- a) To Subsection **Freshwater and Wetland Ecosystems and Riparian Zones**, a new policy is added with the following text:

“P 3.19 The Province of British Columbia’s *Fish Protection Act* requires that local governments establish regulations to protect riparian areas. This designation 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.”

- b) To Subsection **Coastal and Marine Ecosystems**, policy P 3.19 is renumbered to be “P 3.20”.

2.3 SCHEDULE A – OFFICIAL COMMUNITY PLAN TEXT is amended by adding a new PART C, immediately following PART B – GOALS, OBJECTIVES AND POLICIES, as follows:

“PART C - DEVELOPMENT PERMIT AREAS

BACKGROUND

Pursuant to Section 919.1(1) 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 Keats Planning Area. These locations are also shown in map form in Schedule E.

1. DEVELOPMENT PERMIT AREA 1: RIPARIAN AREAS

This development permit area (DPA) is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

The Riparian Areas Development Permit Area (DPA-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) or another professional may be required.

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

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:

- a) a watercourse, whether it usually contains water or not;
- b) a pond, lake, river, creek or brook; or
- c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

For a stream that is not located in a ravine, the development permit area is a 30 metre (98.4 feet) strip on both sides of the stream measured from the high water mark;

For a stream located within a ravine that is less than 60 metres (197 feet) wide, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 30 metres (98.4 feet) beyond the top of the ravine bank;

For a stream located within a ravine that is 60 metres (197 feet) wide or greater, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 10 metres (32.8 feet) beyond the top of the ravine bank;

For a lake, wetland or other water body, the development permit area is 30 metres (98.4 feet) around the water body measured from the high water mark of the water body;

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

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 Keats Island.

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 *Fish 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:

- OBJ 1.1 TO PROTECT THE BIOLOGICAL DIVERSITY AND HABITAT VALUES OF RIPARIAN AND AQUATIC ECOSYSTEMS;
- OBJ 1.2 TO PROTECT THE NATURAL ENVIRONMENT NECESSARY TO CONSERVE PRODUCTIVE FISH HABITAT, INCLUDING BOTH STREAMS AND THE ADJACENT LAND AND VEGETATION; AND
- OBJ 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) or another professional 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 Keats Island Land Use Bylaw."

2. DEVELOPMENT PERMIT AREA 2: STREAMSIDE PROTECTION

This development permit area (DPA) is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

The Streamside Protection Development Permit Area (DPA-2) is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*.

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, ecosystems and biological diversity of Keats Island.

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:

- OBJ 2.1 TO PROTECT THE BIOLOGICAL DIVERSITY AND HABITAT VALUES OF STREAMSIDE AND AQUATIC ECOSYSTEMS; AND,
- OBJ 2.2 TO MINIMIZE ADVERSE IMPACTS OF LAND USE PRACTICES ON HABITATS FOUND IN STREAMSIDE 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 920.01 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.

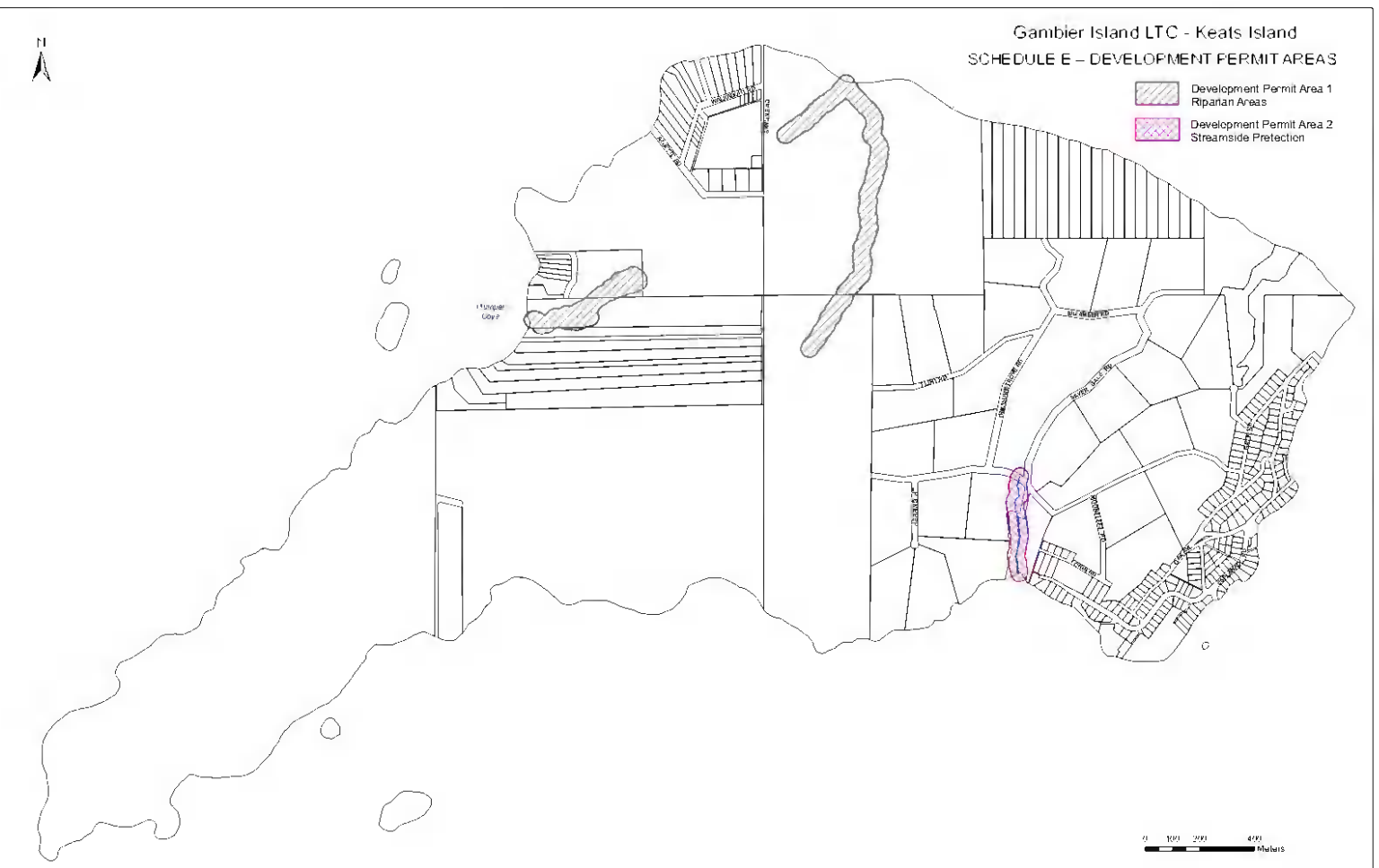
"Information Note: Development Permit Area Guidelines for DP-2 Streamside Protection are in the Keats Island Land Use Bylaw."

- 2.4 A new schedule is inserted titled "**SCHEDULE E – DEVELOPMENT PERMIT AREAS**", as shown in Plan 1, which is attached to and forming part of this bylaw.

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW No.129

PLAN NO. 1



PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 130

A BYLAW TO AMEND KEATS ISLAND LAND USE BYLAW, 2002

The Gambier Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gambier Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”.

2. Gambier Island Local Trust Committee Bylaw No. 78, cited as “Keats Island Land Use Bylaw, 2002,” is amended as follows:

2.1 PART 1 – ADMINISTRATION AND INTERPRETATION, Section 1.2
INTERPRETATION, Subsection 1.2.1 Referencing is amended by deleting the text of this section and replacing with the following:

“Referencing

.1 In the system used for referencing provisions, the first reference indicates parts of the bylaw, the second indicates sections, the third indicates subsections, the fourth indicates articles, and the fifth indicates clauses:

- Part 1
- Section 1.1
- Subsection .1
- Article a)
- Clause i.”

2.2 PART 1 – ADMINISTRATION AND INTERPRETATION, Section 1.5
DEFINITIONS, Subsection 1.5.1 is amended by inserting the following new definition in alphabetical order:

“landscaped area means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobblestones, pavers and decorative concrete.”

2.3 SCHEDULE A – LAND USE BYLAW TEXT is amended by adding a new PART 9, immediately following “PART 8 – PERMITS”, as follows:

“PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES

Information Note: Development Permit Areas are designated and described in Section 7 of the Keats Island Official Community Plan and their locations are shown on Schedule E of that Plan.

9.1 DP-1 RIPARIAN AREAS

Definitions

- .1 Terms used in Section 9.1 that are defined in the Provincial *Riparian Areas Regulation* have the same meaning as the definition given in the *Regulation*.

Applicability

- .2 The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.1.3:

- subdivision of land
- construction of, addition to, or alteration of a building or other structure
- removal, alteration or destruction of vegetation
- disturbance of soils
- creation of non-structural, impervious or semi-impervious surfaces
- application of artificial fertilizer, pesticides or herbicides
- any other development, as that term is defined under the Provincial *Riparian Areas Regulation*

Exemptions

- .3 The following activities are exempt from any requirement for a DP-1 development permit:
- a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
 - b) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
 - c) repair or replacement of a septic field in situ;
 - d) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;
 - e) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 15 metres (49.21 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
 - f) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;

- g) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
- h) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- i) ecological restoration or enhancement projects undertaken or authorized by a public body;
- j) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
- k) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
 - iv. creation of a fire break in accordance with the *Wildfire Act*.
- l) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (1.6 feet) on either side of the fence, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;
- m) The construction of a private trail if all of the following apply:
 - i. The trail is 1 metre (3.28 feet) wide or less;
 - ii. No native trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the high water mark of a stream.
- n) Disturbance of soils more than 15 metres (49.21 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
- o) The constructing of a small accessory building more than 15 metres (49.21 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres (32.8 feet) squared.

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Information Note: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

- .4 Prior to undertaking any applicable development activities within DP-1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:
 - a) In general, all development in this development permit area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the report.
 - b) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA.
 - c) Where a QEP or other professional's report describes an area within the DPA as suitable for development, that is, where the SPEA is less than the width of the DPA, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.
 - d) If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
 - e) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report."

9.2 DP-2 STREAMSIDE PROTECTION

Applicability

- .1 The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.2.2:
- construction of, addition to, or alteration of a building or other structure
 - removal, alteration or destruction of vegetation
 - disturbance of soils
 - creation of non-structural, impervious or semi-impervious surfaces
 - application of artificial fertilizer, pesticides or herbicides

Exemptions

- .2 The following activities are exempt from any requirement for a DP-2 development permit:
- a) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
 - b) repair or replacement of a septic field in situ;
 - c) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;
 - d) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 15 metres (49.21 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
 - e) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
 - f) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
 - g) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;

- h) ecological restoration or enhancement projects undertaken or authorized by a public body;
- i) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
- j) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
 - iv. creation of a fire break in accordance with the *Wildfire Act*.
- k) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (1.6 feet) on either side of the fence;
- l) The construction of a private trail if all of the following apply:
 - i. The trail is 1 metre (3.28 feet) wide or less;
 - ii. No native trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the high water mark of a stream.
- m) Disturbance of soils more than 15 metres (49.21 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
- n) The constructing of a small accessory building more than 15 metres (49.21 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres squared (107.6 square ft).

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Information Note: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

- .3 Prior to undertaking any applicable development activities within DP-2, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:
- a) In general, all development in this development permit area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems.
 - b) Native vegetation and trees are to be retained or replaced to control erosion, protect banks and protect fish and wildlife habitat.
 - c) Applicants are to provide a report, prepared by a qualified professional with experience in surface water management and the protection of habitat. The report should indicate the type of conditions that should be incorporated into the development permit to achieve the objectives and comply with the guidelines of this Development Permit Area.
 - d) Where this DPA includes unique native species dependent on streamside habitat identified by a qualified professional as worthy of particular protection, their habitat areas should be left undisturbed. The owner should be required to follow any measures identified by the professional for protecting the streamside habitat over the long term and these measures should be included as conditions of the development permit.
 - e) If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly."

READ A FIRST TIME THIS 19TH DAY OF NOVEMBER ,2015

PUBLIC HEARING HELD THIS _____ DAY OF _____ 20____

READ A SECOND TIME THIS _____ DAY OF _____ 20____

READ A THIRD TIME THIS _____ DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ 20____

ADOPTED THIS _____ DAY OF _____ 20____

Chair

Secretary

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 131

A BYLAW TO AMEND GAMBIER ASSOCIATED ISLANDS

OFFICIAL COMMUNITY PLAN, 2009

The Gambier Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gambier Island Local Trust Area under *the Islands Trust Act*, enacts as follows:

1. Bylaw No. 109, cited as “Gambier Associated Islands Official Community Plan, 2009” is amended as shown on Schedule 1.
2. This bylaw may be cited for all purposes as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2015”.

READ A FIRST TIME THIS	19 TH	DAY OF	NOVEMBER	, 2015
PUBLIC HEARING HELD THIS	TH	DAY OF		, 201
READ A SECOND TIME THIS	TH	DAY OF		, 201
READ A THIRD TIME THIS	TH	DAY OF		, 201
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	TH	DAY OF		, 201
ADOPTED THIS	TH	DAY OF		, 201

SECRETARY

CHAIRPERSON

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 131

SCHEDULE 1

Gambier Island Local Trust Committee Bylaw No. 109, cited as “Gambier Associated Islands Official Community Plan, 2009” is amended as follows:

2.1 SCHEDULE A – Policy Document, Part 3 OBJECTIVES AND POLICIES, Section 3.12 SENSITIVE ECOSYSTEM POLICIES, is amended as follows:

a) To replace the text of Policy 3.12.5 with the following text:

“3.12.5 The Province of British Columbia’s *Fish 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.”

2.2 SCHEDULE A – Policy Document, Part 6 DEVELOPMENT PERMIT AREAS, TEMPORARY USE PERMITS AND DEVELOPMENT APPROVAL INFORMATION, Section 6.1 *DEVELOPMENT PERMIT AREAS*, is amended as follows:

a) The following text is inserted prior to Section 6.2 TEMPORARY USE PERMITS:

“Background

Pursuant to Section 919.1(1) 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 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

The Riparian Areas DPA 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) or another professional may be required.

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

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:

- (a) watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook; or
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

For a stream that is not located in a ravine, the development permit area is a 30 metre (98.42 feet) strip on both sides of the stream measured from the high water mark;

For a stream located within a ravine that is less than 60 metres (196.8 feet) wide, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 30 metres (98.42 feet) beyond the top of the ravine bank;

For a stream located within a ravine that is 60 metres (196.8 feet) wide or greater, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 10 metres (32.8 feet) beyond the top of the ravine bank;

For a lake, wetland or other water body, the development permit area is 30 metres (98.42) around the water body measured from the high water mark of the water body;

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

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 *Fish 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) or another professional may be required due to the special conditions and objectives described above.

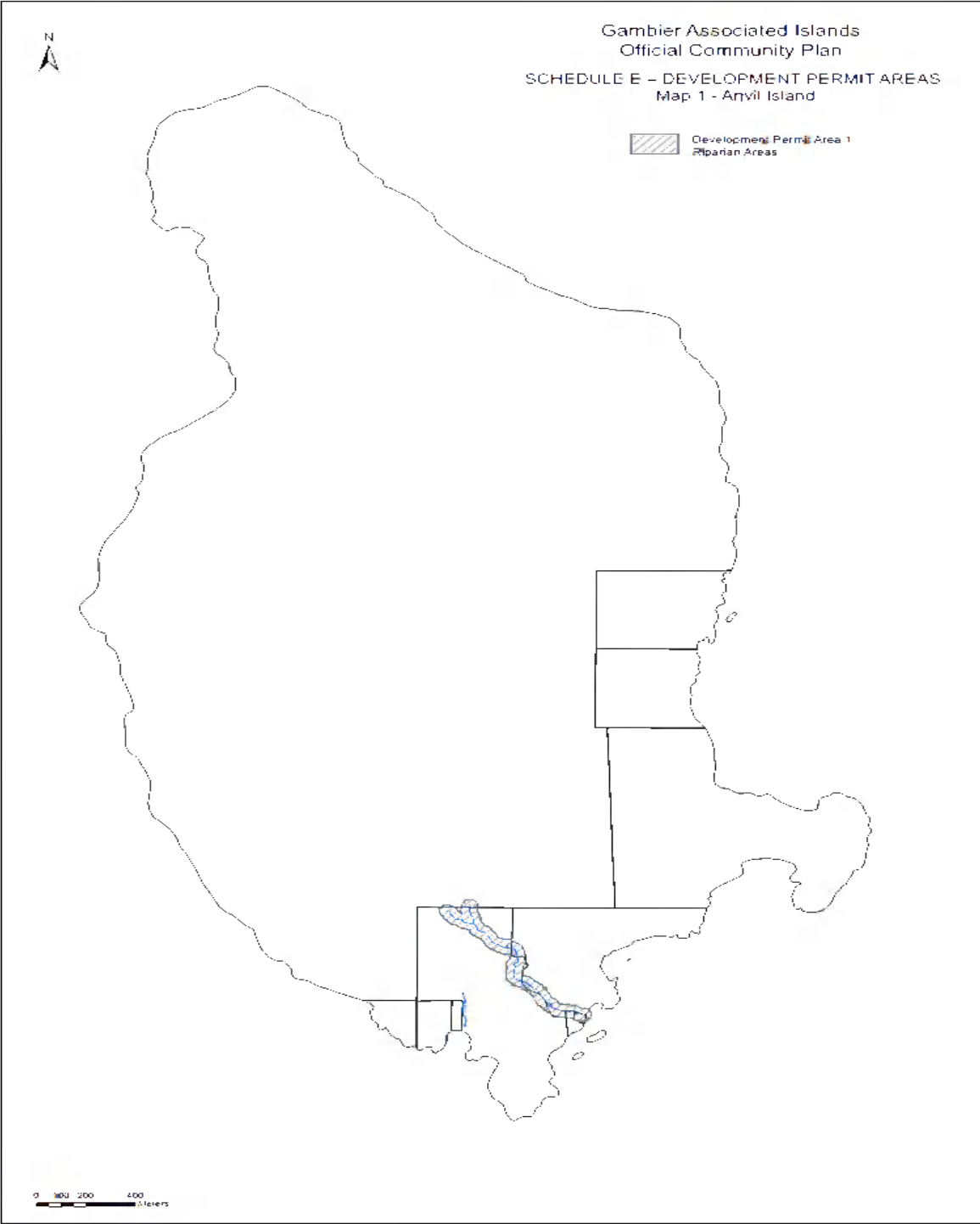
"Information Note: Development Permit Area Guidelines for DP-1 Riparian Areas are in the Gambier Associated Islands Land Use Bylaw and the Bowyer and Passage Islands Land Use Bylaw."

- 2.3 SCHEDULE E- DEVELOPMENT PERMIT AREAS is added as shown on Plans 1, 2, and 3, which are attached to and form part of this bylaw.

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW No.131

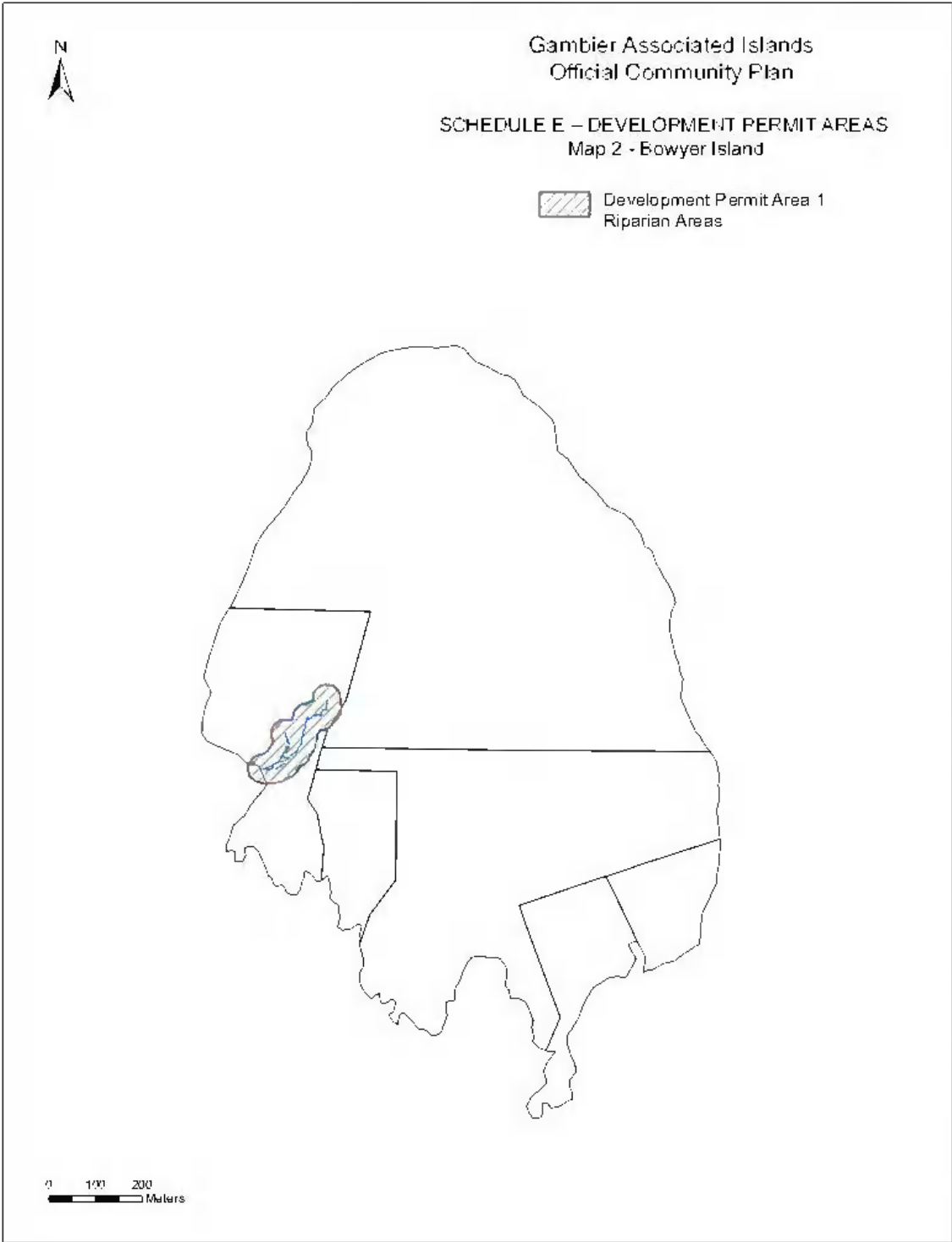
PLAN NO. 1



GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW No.131

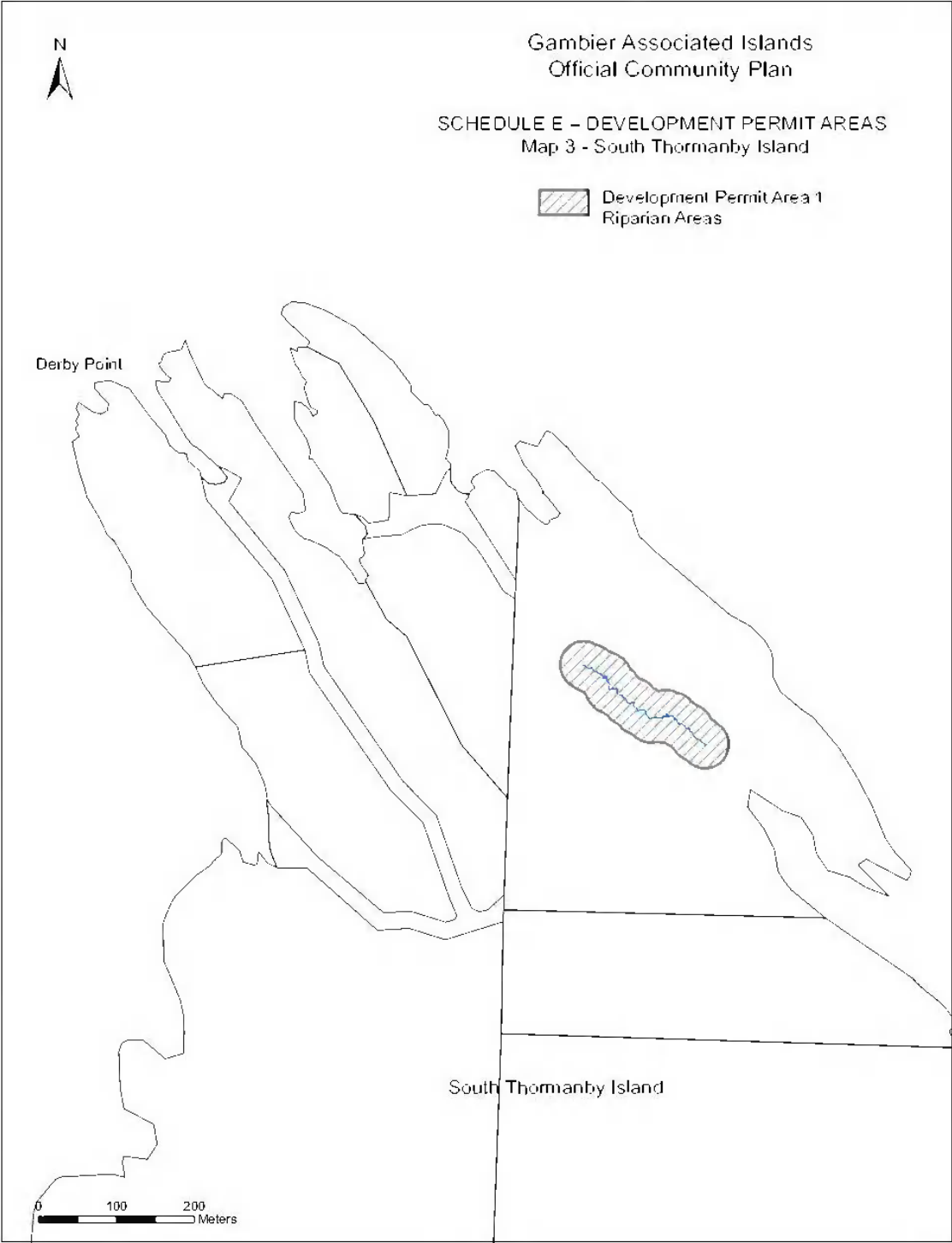
PLAN NO. 2



GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW No.131

PLAN NO. 3



PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 132

A BYLAW TO AMEND GAMBIER ASSOCIATED ISLANDS LAND USE BYLAW, 2013

The Gambier Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gambier Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2015”.

2. Gambier Island Local Trust Committee Bylaw No. 120, cited as “Gambier Associated Island Land Use Bylaw, 2013,” is amended as follows:

2.1 PART 1 – INTERPRETATION, Section 1.1 – Definitions, is amended by inserting the following new definition in alphabetical order:

“landscaped area means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobbles, pavers and decorative concrete.”

2.2 SCHEDULE A – LAND USE BYLAW TEXT is amended by adding a new PART 9, immediately following PART 8 SUBDIVISION REGULATIONS, as follows:

“PART 9 DEVELOPMENT PERMIT AREA GUIDELINES

Information Note: Development Permit Areas are designated and described in Section 6 of the Gambier Associated Islands Official Community Plan and their locations are shown on Schedule E of that Plan.

9.1 DP-1 RIPARIAN AREAS

Definitions

- (1) Terms used in Section 9.1 that are defined in the Provincial *Riparian Areas Regulation* have the same meaning as the definition given in the *Regulation*.

Applicability

- (2) The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 9.1(3):
- (a) subdivision of land
 - (b) construction of, addition to, or alteration of a building or other structure
 - (c) removal, alteration or destruction of vegetation
 - (d) disturbance of soils
 - (e) creation of non-structural, impervious or semi-impervious surfaces

- (f) application of artificial fertilizer, pesticides or herbicides
- (g) any other development, as that term is defined under the *Provincial Riparian Areas Regulation*

Exemptions

- (3) The following activities are exempt from any requirement for a DP-1 development permit:
 - (a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
 - (b) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
 - (c) repair or replacement of a septic field in situ;
 - (d) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;
 - (e) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 15 metres (49.32 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
 - (f) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
 - (g) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
 - (h) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
 - (i) ecological restoration or enhancement projects undertaken or authorized by a public body;
 - (j) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
 - (k) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and

- iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
 - iv. creation of a fire break in accordance with the *Wildfire Act*.
- (l) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (16.4 feet) on either side of the fence, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;
- (m) The construction of a private trail if all of the following apply;
 - i. The trail is 1 metre (1.6 feet) wide or less;
 - ii. No native trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres (16.4 feet) away from the high water mark of a stream.
- (n) Disturbance of soils more than 15 metres (49.32 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
- (o) The constructing of a small accessory building more than 15 metres (49.32 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres (32.8 feet) squared.

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Information Note: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

- (4) Prior to undertaking any applicable development activities within DP-1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:
 - (a) In general, all development in this Development Permit Area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the report.
 - (b) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA.
 - (c) Where a QEP or other professional's report describes an area within the DPA as suitable for development, that is, where the SPEA is less than the width of the DPA, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.
 - (d) If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
 - (e) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report."

READ A FIRST TIME THIS 19TH DAY OF NOVEMBER ,2015

PUBLIC HEARING HELD THIS TH DAY OF _____ 20____

READ A SECOND TIME THIS TH DAY OF _____ 20____

READ A THIRD TIME THIS TH DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

TH DAY OF _____ 20____

ADOPTED THIS TH DAY OF _____ 20____

Chair

Secretary

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 133

A BYLAW TO AMEND BOWYER AND PASSAGE ISLANDS LAND USE BYLAW, 2011

The Gambier Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gambier Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2015”.

2. Gambier Island Local Trust Committee Bylaw No. 114, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011” is amended as follows:

2.1 PART 1 INTERPRETATION, Section 1.1 Definitions, is amended by inserting the following new definition in alphabetical order:

“**landscaped area** means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobbles, pavers and decorative concrete.”

2.2 SCHEDULE A – LAND USE BYLAW TEXT is amended by adding a new PART 8, immediately following PART 7 SUBDIVISION REGULATIONS, as follows:

“PART 8 DEVELOPMENT PERMIT AREA GUIDELINES

Information Note: Development Permit Areas are designated and described in Section 6 of the Gambier Associated Islands Official Community Plan and their locations are shown on Schedule E of that Plan.

8.1 DP-1 RIPARIAN AREAS

Definitions

- (1) Terms used in Section 8.1 that are defined in the Provincial *Riparian Areas Regulation* have the same meaning as the definition given in the *Regulation*.

Applicability

- (2) The following activities shall require a development permit whenever they occur within the Development Permit Area (DPA), unless specifically exempted under Subsection 8.1(3):

- subdivision of land
- construction of, addition to, or alteration of a building or other structure
- removal, alteration or destruction of vegetation
- disturbance of soils
- creation of non-structural, impervious or semi-impervious surfaces
- application of artificial fertilizer, pesticides or herbicides
- any other development, as that term is defined under the *Provincial Riparian Areas Regulation*

Exemptions

- (3) The following activities are exempt from any requirement for a DP-1 development permit:
- (a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
 - (b) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
 - (c) repair or replacement of a septic field in situ;
 - (d) the removal of trees that have been examined by an arborist and certified in writing to pose an immediate threat to life or property;
 - (e) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 15 metres (49.32 feet) from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
 - (f) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
 - (g) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
 - (h) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
 - (i) ecological restoration or enhancement projects undertaken or authorized by a public body;
 - (j) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;

- (k) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
- (l) The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 metres (16.4 feet) on either side of the fence, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;
- (m) The construction of a private trail if all of the following apply:
 - iv. The trail is 1 metre (3.2 feet) wide or less;
 - v. No native trees are removed;
 - vi. The surface of the trail is pervious;
 - vii. The trail is designed to prevent soil erosion where slopes occur; and
 - viii. Where the trail parallels the stream, the trail is more than 5 metres away from the high water mark of a stream.
- (n) Disturbance of soils more than 15 metres (49.32 feet) from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres (16.4 feet) squared;
- (o) The constructing of a small accessory building more than 15 metres (49.32 feet) from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres (32.8 feet) squared.

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Information Note: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

- (4) Prior to undertaking any applicable development activities within DP-1, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

- (a) In general, all development in this Development Permit Area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the report.
- (b) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA.
- (c) Where a QEP or other professional's report describes an area within the DPA as suitable for development, that is, where the SPEA is less than the width of the DPA, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.
- (d) If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
- (e) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report."

READ A FIRST TIME THIS 19TH DAY OF NOVEMBER , 2015

PUBLIC HEARING HELD THIS TH DAY OF _____ 20

READ A SECOND TIME THIS TH DAY OF _____ 20____

READ A THIRD TIME THIS TH DAY OF _____ 20____

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

TH DAY OF _____ 20____

ADOPTED THIS TH DAY OF _____ 20____

Chair

Secretary



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: GM BL 129 & 130

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure 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, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
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	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: GM BL 131, 132, 133

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: Policies for the Stewardship of Resources

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure 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, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
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	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
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PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
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	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
✓	COMPLIANCE WITH TRUST POLICY
	NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:

RESOLUTIONS RELATED TO PROPOSED BYLAWS 129 – 133

JUNE 18, 2015

GM-2015-028

It was **MOVED** and **SECONDED**,
that the Gambier Island Local Trust Committee request that staff proceed with option A for Keats, Bowyer and Anvil Islands and work on a communications plan for the specific land owners affected and to the general population.

CARRIED

GM-2015-029

It was **MOVED** and **SECONDED**,
that the Gambier Island Local Trust Committee request staff to proceed with option B as a proposal to apply RAR to Gambier Island and work on a communications plan for specific land owners affected and to the general population.

CARRIED

GM-2015-030

It was **MOVED** and **SECONDED**,
that the Gambier Island Local Trust Committee staff be directed to prepare communications materials to solicit feedback from the public about the mapping and next steps for Keats, Bowyer, Anvil and Gambier Islands prior to First Reading.

CARRIED

GM-2015-031

It was **MOVED** and **SECONDED**,
that the Gambier Island Local Trust Committee endorse the draft Project Charter for the Riparian Areas Regulation Implementation as presented.

CARRIED

NOVEMBER 19, 2015

GM-2015-051

It was **MOVED** and **SECONDED**,
by the Gambier Island Local Trust Committee, that Draft Bylaw No. 130, section 9.1.3 d) be amended by removing the word “immediate”.

CARRIED

GM-2015-052

It was **MOVED** and **SECONDED**,
by the Gambier Island Local Trust Committee to amend draft Bylaw No. 130 to add to section 9.1.3 k):
“iv. creation of a fire break in accordance with the *Wildfire Act*.”

CARRIED

GM-2015-053

It was **MOVED** and **SECONDED**,
that the Gambier Island Local Trust Committee accept the letter summarizing the comments of the Qualified Environmental Professional.

CARRIED

GM-2015-054**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee give First Reading to Draft Bylaw No. 129 cited as “Keats Island Official Community Plan, Bylaw 77, 2002, Amendment No. 1, 2015” and Draft Bylaw No. 130 cited as “Keats Island Land Use Bylaw, Bylaw 78, 2002, Amendment No. 1, 2015”, as amended.

CARRIED

GM-2015-055**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee refer Proposed Bylaw Nos. 129 and 130 as amended, to the Islands Trust Fund, Islands Trust, Bylaw Enforcement, Ministry of Transportation and Infrastructure, Ministry of Forests, Lands and Natural Resource Operations, Ecosystems Branch, Agricultural Land Commission, Sunshine Coast Regional District, Bowen Island Municipality, Fisheries and Oceans Canada, Squamish Nation, and Tsleil-Waututh Nation, with a cover letter indicating that there may a pre-determined Streamside Protection Enhancement Area attached to the forthcoming bylaw.

CARRIED

GM-2015-056**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee amend the Draft Bylaw Nos. 131 and 132 in advance of First Reading as follows:

- Amend Plan No. 1 to Bylaw No. 131 to remove from the map the second smaller creek on the south west side of Anvil Island;
- Amend Bylaw No. 132, section 9.1.3 d) by removal of the word “immediate”;
- Amend Bylaw No. 132, section 9.1 3 k) by adding a section iv. to read: “creation of a fire break in accordance with the *Wildfire Act*.”

CARRIED

GM-2015-057**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee give First Reading to Draft Bylaw No. 131 cited as “Gambier Associated Islands Official Community Plan, Bylaw No. 109, 2010, Amendment No. 1, 2015”, Draft Bylaw No. 132 cited as “Gambier Associated Islands Land Use Bylaw, Bylaw No. 120, 2013, Amendment No. 1, 2015”, and Draft Bylaw No. 133 cited as “Bowyer and Passage Islands Land Use Bylaw, Bylaw No. 114, 2011, Amendment No. 1, 2015”, as amended.

CARRIED

GM-2015-058**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee refer Proposed Bylaws No. 131, No. 132, and No. 133 to the Islands Trust Fund, Islands Trust, Bylaw Enforcement, Ministry of Transportation and Infrastructure, Ministry of Forests, Lands, and Natural Resource Operations, Ecosystems Branch, Agricultural Land Commission, Sunshine Coast Regional District, Bowen Island Municipality, Fisheries and Oceans Canada, Squamish Nation, and Tsleil-Waututh Nation.

CARRIED

MARCH 17, 2016

GM-2016-011

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee Bylaw No. 131, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No.1, 2015”, be amended as follows:

i. Section 2.3 is deleted in its entirety and replaced with the following:

“2.3 SCHEDULE E – DEVELOPMENT PERMIT AREAS is added as shown on Plans 1, 2, and 3, which are attached to and form part of this bylaw.”

CARRIED

GM-2016-012

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee request staff to refer Bylaw No. 131, as amended, to the following agencies for comment: *Islands Trust Fund, Islands Trust – Bylaw Enforcement, Ministry of Transportation and Infrastructure, Ministry of Forests, Lands, and Natural Resource Operations – Ecosystems Branch, Agricultural Land Commission, Sunshine Coast Regional District, Bowen Island Municipality, Fisheries and Oceans Canada, Squamish Nation, and Tsleil-Waututh Nation.*

CARRIED

MAY 19, 2016

GM-2016-035

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee amend proposed Bylaws No. 129 and No. 130 to include protection for Silver Creek, which has been identified as a sensitive ecosystem in the Madrone Report.

CARRIED

GM-2016-046

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee amend Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”, as specified in Attachment 2 of the staff report presented July 28, 2016.

CARRIED

GM-2016-047

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee amend Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”, as specified in Attachment 3 of the staff report presented July 28, 2016.

CARRIED

GM-2016-048

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee advise affected property owners of the changes to Proposed Bylaw No. 129 and Proposed Bylaw No. 130.

CARRIED

GM-2016-049

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee request Staff to schedule a Public Hearing for Proposed Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”, and Proposed Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”.

CARRIED

AUGUST 25, 2016

GM-2016-069

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee direct staff to schedule a Public Hearing for Bylaw Nos. 131, 132 and 133.

CARRIED



File No.: GM-6500-20
(Gambier OCP Review)

DATE OF MEETING: September 28, 2016
TO: Gambier Island Local Trust Committee
FROM: Aleksandra Brzozowski, Island Planner
Northern Office
SUBJECT: Gambier Island Official Community Plan Review
Applicant: LTC-initiated Project
Location: Gambier Island

RECOMMENDATION

1. That the Gambier Island Local Trust Committee endorse the Terms of Reference for the Gambier Official Community Plan Review and Coastal Douglas-Fir Conservation Partnership.

REPORT SUMMARY

This report presents the draft Terms of Reference laid out by the Coastal Douglas-Fir Conservation Partnership (CDFCP) Steering Committee for the mapping project to be used for the Gambier OCP Review.

BACKGROUND

At its November 21, 2015 business meeting, the Gambier Island Local Trust Committee (LTC) reviewed the Coastal Douglas-fir Conservation Partnership (CDFCP) Conservation Strategy and passed the following resolution:

It was MOVED and SECONDED, that the Gambier Island Local Trust Committee write to the Coastal Douglas-fir Conservation Strategy Partnership volunteering the Gambier Island Official Community Plan review process to be part of the Coastal Douglas-fir Conservation Strategy Partnership test case.

The CDFCP accepted the invitation and advised the LTC that it was applying for funding through the Real Estate Foundation of BC to assist with mapping and OCP input for the LTC. The LTC committed \$1,000 to the project. In June 2016, the CDFCP (via an application through the Islands Trust Fund) received \$5,000 in funding, approximately \$1,500 of which can be directed to the Gambier Island OCP review work.

ANALYSIS

The \$2,500 funding is intended to cover the costs of a CDFCP project coordinator to draft OCP mapping products. The CDFCP Steering Committee is currently preparing a service contract for the project and requires agreement with the LTC on the Terms of Reference for the project. Planning Staff has reviewed the draft Terms of Reference and concurs with the deliverables and milestones.

The CDFCP proposes that the deliverables of the project will inform the following OCP topics under review:

- Permitted Uses in the Wilderness Conservation lands
- Park and Trail Prioritization
- Sensitive Ecosystem protection
- Updating OCP Schedules (maps)

Consultation:

The Project Coordinator will liaise with Planning Staff on the project.

Rationale for Recommendation:

The draft Terms of Reference outlined by the CDFCP outlines useful information for the LTC while also remaining reasonable for the CDFCP's budget and for the timeframe set for the Gambier Island OCP review.

ALTERNATIVES

1. Request changes to the draft Terms of Reference

The LTC may request changes to the Terms of Reference. If major changes are requested, the Terms of Reference may need to be renegotiated and the project may be delayed.

Resolution: *"THAT the Gambier Island Local Trust Committee request the following changes to the draft Terms of Reference with the Coastal Douglas-Fir Conservation Partnership: ..."*

NEXT STEPS

Once endorsed, the CDFCP will provide the Project Coordinator with the Terms of Reference.

Submitted By:	Aleksandra Brzozowski, MCIP, RPP, Island Planner	October 4, 2016
Concurrence:	Ann Kjerulf, MCIP, RPP, Regional Planning Manager	October 5, 2016

ATTACHMENTS

1. Draft Terms of Reference, Gambier Official Community Plan Review and Coastal Douglas-fir and Associated Ecosystems Conservation Partnership

Gambier Official Community Plan Review and Coastal Douglas-fir and Associated Ecosystems Conservation Partnership Terms of Reference

DRAFT October 4, 2016

Purpose:

To provide language and mapping to assist the Gambier Island Local Trust Committee (GM LTC) to adopt policies that advance the stewardship of sensitive and rare ecosystems and species on Gambier Island through revisions to the Gambier Island Official Community Plan (OCP).

Background:

The GM LTC reviewed the Coastal Douglas-fir Conservation Partnership (CDFCP) Conservation Strategy at its November 2015 meeting and, as a result, passed the following resolution:

It was MOVED and SECONDED, that the Gambier Island Local Trust Committee write to the Coastal Douglas-fir Conservation Strategy Partnership volunteering the Gambier Island Official Community Plan review process to be part of the Coastal Douglas-fir Conservation Strategy Partnership test case.

The CDFCP accepted the invitation and advised the GM LTC that it was applying for funding through the Real Estate Foundation of BC to assist with mapping and OCP input for the GM LTC. The GM LTC committed \$1,000 to the project. In June 2016, the CDFCP (via an application through the Islands Trust Fund) received \$5,000 in funding, approximately \$1,500 of which can be directed to the GM LTC OCP review work. The funding is intended to cover the costs of a CDFCP project coordinator to draft OCP mapping products.

Objectives:

In collaboration with the GM LTC, the CDFCP will:

- Use available ecosystem and species mapping and decision making tools to identify areas of ecological importance¹;
- Based on areas of ecological importance, recommend priority areas for conservation and stewardship efforts² and describe potential compatible land uses and land use policies for these areas;
- Based on areas of ecological importance and information provided by the Island Planner, recommend areas that would be suitable for major and minor trails; and,
- develop maps that:

¹ Note these areas will be assessed based on existing mapping and may require groundtruthing (field checking) to confirm their ecological value.

² Areas identified for conservation and stewardship efforts will be identified solely on the basis of ecological information. It is understood that there will be interests in forestry uses on the Crown lands on Gambier. These uses are outside of the scope of this project; however, if during the process the GM LTC or Island Planner, in consultation with the CDFCP, wish to consider these uses, the CDFCP and the GM LTC may revise the Terms of Reference to include these uses.

- identify lands of ecological importance, and
- Indicate candidate areas for trail and park development.

These maps will be peer reviewed by the CDFCP Steering Committee.

Deliverables & Timelines:

Activity	Responsible Party	Timeframe	Deliverable
Develop Terms of Reference with Gambier Island Planner to assist with Official Community Plan Review	CDFCP Working Group and Island Planner	September – early October, 2016	Terms of Reference
Terms of Reference provided to Gambier Island Local Trust Committee (GM LTC)	Island Planner	October 13, 2016	N/A
Meet to discuss mapping objectives and mapping products that would most benefit the Gambier Island OCP	Island Planner & Project Coordinator	October – November, 2016	Clear objectives for mapping purposes
Work with GM LTC and Gambier Island Planner to draft language and mapping for Gambier OCP	Island Planner & Project Coordinator	December – January 2016	Draft OCP language and map products described above
Solicit feedback from the GM LTC regarding OCP language and map(s)	Island Planner	January 2017	GM LTC feedback
Redraft OCP language and map products as needed	Project Coordinator & Island Planner	February 2017	Revised OCP language and map products
Submit final draft OCP language and map products to the GM LTC	Island Planner	March 2017	Final draft OCP and map products ³
Draft a case study summarizing results, lessons learned, and future recommendations. Report final project budget	Project Coordinator	March 2017	Draft Gambier Island case study
Finalize case study and Partner Communications	Project Coordinator & CDFCP Steering Committee	April 2017	Final Case study posted on CDFCP website, provided to GM LTC and partner agencies

Budget: Up to \$2,500: \$1,000 from the GM LTC, up to \$1,500 from the CDFCP's REFBC grant.

References:

- March 7, 2016, letter from CDFCP to GM LTC, re: CDFCP and the Gambier Island Official Community Plan Process
- May 19, 2016, letter from GM LTC to the Real Estate Foundation of BC, re: support for "Towards Rare Ecosystem Conservation in a Private Landscape" Project
- July 28, 2016, Gambier OCP Review – Engagement Phase Project Charter

³ It is understood that the CDFCP is providing product for the GM LTC which will need to be reviewed in the context of other information. The CDFCP may be available for further consultation and review subject to available capacity.

Top Priorities

Gambier Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Riparian Areas Regulation	Implement RAR across Gambier Island Local Trust Area.	26-Oct-2011	Aleksandra Brzozow	31-Dec-2012
2	Gambier OCP comprehensive review.		12-Feb-2015	Aleksandra Brzozow	01-Aug-2017
3	Foreshore protection & stewardship	Investigate and recommend options for protection/stewardship within the local trust area through the use of existing land use planning tools [implementation of Development Approval Information Bylaw (DAI) or Development Permit Areas (DPAs)]	31-Jan-2012	Aleksandra Brzozow	27-Nov-2014
4	OCP advocacy policies - implementation & support	Work related to supporting the advocacy policies stated in the Gambier, Keats, and Associated Islands OCPs and in the IT Strategic Plan. Ex. Woodlots, industrial facilities, cross-jurisdictional management of Howe Sound	24-Oct-2013	Kate-Louise Stamford Dan Rogers	31-May-2015

**Projects****Gambier Island**

Description	Activity	R/Initiated
Keats Island OCP Map Amendment - add trail map used during public process developing OCP.		08-Mar-2007
Development Approval Information Bylaw	Develop and adopt a D.A.I bylaw for the Gambier Trust Area.	
Consultation with Squamish First Nation	Scope interim strategies pending completion of a possible protocol agreement to address protection of archaeological and heritage resources.	31-Jan-2012
Strategic Planning Review for Howe Sound		31-Jan-2012
Review Gambier LUB to address:	- definition of breakwater - trams (currently silent) - advocacy policies around pump out stations - review of title Wilderness Conservation - 2013: REVIEW KEATS AND GAMBIER LUBS FOR ACCOMMODATION of OCEAN LOOP GEO-EXCHANGE SYSTEMS - 2010: GHG Emissions (a more proactive approaches to plan for GHG reductions especially in relation to Policies 6.1 and 6.2 in consultation with SCRD.) Initiative arises from recommendation of SCRD in comments about bylaws 111 & 112.	22-May-2014
Staff to research the history of Site-Specific water zones on Gambier.		26-Sep-2013
Riparian Sensitive Ecosystem protection	Review Madrone stream mapping reports and consider addressing other sensitive ecosystems on the islands identified in reports.	17-Mar-2016
Review of Recreational Camp and Private Institutional regulations in all Local Trust Area land use bylaws.	Review to ensure that regulations properly balance ecological protection with current realities re: rentals as income source for rec camps.	28-Jul-2016



Projects

Gambier Island

Description	Activity	R/Initiated
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Islands Trust

Print Date: October 4, 2016

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2002.1	Land Plan Group Inc.	24-Jan-2002	PID: 014-385-694 Keats Island - Keats Camp cottage lots - siting variances DL 696

Planner: Aleksandra Brzozowski

Planning Status

Status Date: 10-Apr-2008

still on hold pending rezoning

Status Date: 13-Aug-2007

on hold pending rezoning application

Status Date: 16-May-2006

Met with applicant. Outstanding items forwarded for attention. May be add'l fees.

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2011.2	Corin and Larouche, Elena and France	22-Mar-2011	PID: 024-212-041 1250 Taki-Te-Si Road, Gambier Island vary the setback to the natural boundary of the sea for retaining wall

Planner: Marnie Eggen

Planning Status

Status Date: 11-Jul-2016

Staff sent letter requesting information to complete the DVP application. Property owner given 90 days to respond to request.

Status Date: 09-Jun-2015

no change

Status Date: 02-Feb-2015

no change

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2016.3	Gambier Acres Ltd.	21-Jul-2016	PID: 010-440-992 Civic address: Richardson's Cove (Between Halkett and Hope Point). Recreational use, provide additional living space and upgrade existing structures.

Applications

Planner: Marnie Eggen

Planning Status

Status Date:

Rezoning

File Number	Applicant Name	Date Received	Purpose
GM-RZ-2004.1	LandPlan Group Inc.	16-Jun-2004	PID: 014-385-694 Keats Island - Keats Camp rezoning application DL 696

Planner: Aleksandra Brzozowski

Planning Status

Status Date: 12-Jul-2016

New Subdivision application submitted to MOTI, SCRD, and Islands Trust. Planner reviewing application to prepare draft bylaws.

Status Date: 12-Jul-2016

Cost Recovery account updated.

Status Date: 10-May-2016

Confirmed that the applicant will require a rezoning. Staff to send an update to the CBCBC on required budget for Cost Recovery account.

Subdivision

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2013.1	Creus Engineering	09-Dec-2013	PID: 014-385-694 The Convention of Baptist Churches of BC Keats Island 9 Lot Subdivision

Planner: Aleksandra Brzozowski

Planning Status

Status Date: 28-Mar-2014

Under review by planner

Applications

Islands Trust
LTC EXP SUMMARY REPORT F2017
Invoices posted to Month ending August 2016

630 Gambier	Invoices posted to Month ending August 2016	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-630	LTC "Trustee Expenses"	3,000.00	526.72	2,473.28
LTC Local				
65200-630	LTC - Local Exp - LTC Meeting Expenses	4,750.00	1,309.86	3,440.14
65210-630	LTC - Local Exp - APC Meeting Expenses	500.00	0.00	500.00
65220-630	LTC - Local Exp - Communications	1,000.00	0.00	1,000.00
65230-630	LTC - Local Exp - Special Projects	500.00	0.00	500.00
TOTAL LTC Local Expense		<u>6,750.00</u>	<u>1,309.86</u>	<u>5,440.14</u>
Projects				
73001-630-2016	Gambier OCP/LUB	5,000.00	0.00	5,000.00
73001-630-3003	Gambier RAR	2,500.00	512.86	1,987.14
73001-630-4052	Gambier Howe Sound Community Forum	1,000.00	1,550.00	-550.00
73001-630-4066	Gambier First Nations Relations	1,500.00	0.00	1,500.00
TOTAL Project Expenses		<u>10,000.00</u>	<u>2,062.86</u>	<u>7,937.14</u>

Gambier Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: March 26, 2015

No	Meeting Date	Resolution No.	Issue	Policy
1.	October 6, 2010	GM-082-2010	Guidelines for the appointment of members to the advisory planning commission	It was MOVED and SECONDED that the Gambier Island Local Trust Committee endorses the following guidelines for the appointment of members to the advisory planning commission and requests that such guidelines be posted on the Islands Trust website and are used in any posting to solicit expressions of interest from candidates for advisory planning commission membership: “The Gambier Island Local Trust Committee shall make all reasonable efforts, in the consideration of appointments to the advisory planning commission that members are: - representative of a broad cross section of the geographical areas of the Gambier Island Local Trust Committee area; - representative of a range of backgrounds and expertise that is supportive to each other in the consideration of matters referred to the advisory planning commission - where feasible and practical of a balanced representation of gender and age groups. Consideration shall be given to the following criteria in any appointment: ▪ Previous experience as a member of a Board of Variance ▪ Experience on a local government council, board, local trust committee, commission or other body ▪ Experience with other volunteer boards, commissions or committees ▪ Experience and credential in a planning, design or related profession ▪ Experience and credentials in a building or design trade ▪ Educational background ▪ Length of residency in the local trust area Availability, and willingness to travel between local trust areas.”
2.	March 26, 2015	GM-2015-018		It was MOVED and SECONDED, that the Gambier Island Local Trust Committee amend the APC appointment guidelines to allow for representation of members to be weighted to a geographic area subject to a current top priority project.



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality September 2016

New Trust Fund Board Member – Richard Hoops Harrison

The Trust Fund Board (TFB) is happy to welcome Hoops Harrison, recently appointed as a member of the Board by the Minister of Community, Sport and Cultural Development. Hoops has a home on Saturna Island and is actively interested in Islands Trust issues. He is a lawyer specializing in civil litigation and serves as a member of the Patient Care Quality Review Boards for the Fraser Health Authority, Provincial Health Services, and Vancouver Coastal Health Authority. One vacancy remains on the Trust Fund Board; we are awaiting news of another appointment.

2016 Monitoring Reports

The TFB has accepted reports from monitoring contractors on the status of the 26 nature reserves, 24 NAPTEP covenants and 48 conservation covenants held by the Board that are not part of the NAPTEP program. The contractors report no significant issues were identified. The report includes an assessment of whether management objectives are being achieved and public safety issues are being addressed. The monitoring is also valuable for identifying other management issues that need attention.

Thetis Island

The TFB has directed staff to proceed with acquisition of a property on Thetis Island which will become a nature reserve. This is being made possible through a generous donation, an Ecological Gift and a grant from Environment Canada's Habitat Stewardship Program for Species at Risk—a great example of the kind of partnerships required to achieve land conservation on the Islands in the Salish Sea. Full details of the acquisition will be provided once the acquisition is complete.

Meanwhile, the Islands Trust Fund is continuing to support the final year of the Fairyslipper Forest campaign through social media outreach, planning and grant applications. The campaign deadline is June 2017.

Salt Spring Island

The TFB has accepted two conservation proposals to hold covenants on properties on Salt Spring Island with special natural values. Both covenants will be co-held with the Salt Spring Island Conservancy.

The Board has considered possible roles in protecting Owl Island. TFB land protection projects are usually initiated by a proposal from, or on behalf of, a landowner. The TFB is not in a position to be actively involved at this time but will continue to monitor the situation.

Property management activities

A draft revised management plan for the Cyril Cunningham Nature Reserve has been provided to partners for comment.

Hornby Island

A small celebration was held with partners to mark registration of the TFB's second conservation covenant on Hornby Island protecting Garry Oak meadow and mature forest. As often happens, unexpected challenges arose but the TFB is grateful for the landowner's vision and determination to see this protection completed.

Bowen Island

Property management activities

The feasibility of building a viewing platform at Fairy Fen Nature Reserve is being explored. The management plan for Singing Woods Nature Reserve is scheduled for revision.

Denman Island

Property management activities

Discussions are taking place with BC Parks and Denman Conservancy Association about trail relocation at the Morrison March Nature Reserve.

The TFB is negotiating a covenant for the Settlement Lands with the Denman Conservancy Association and has been working with them on the ecological baseline for the properties.

Gabriola Island

Property management activities

Vandalism and trail maintenance are on-going issues at the Elder Cedar Nature Reserve. Staff are seeking design and cost estimates for creating a boardwalk around the large western red cedar tree. A draft management plan for the Burren's Acres Nature Reserve has been circulated to partners.

Lasqueti Island

Property management activities

There is continuing monitoring of the restoration work at the Mount Trematon Nature Reserve following damage caused by trespass activities last year (no repeat problems this year). The management plan for the Kwell Nature Reserve will be revised next year.

North Pender Island

Property management activities

Three beautiful and informative interpretive panels have been installed in a kiosk at the Medicine Beach Nature Sanctuary, with thanks to our partner the Pender Island Conservancy Association for coordinating, and thanks to Tsartlip elder and language teacher John Elliott and forage fish expert Ramona de Graff for sharing their knowledge and time.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca



File No.: 3030-02 (LTC General)

DATE OF REPORT: October 6, 2016

TO: Denman Island Local Trust Committee
Executive Committing Acting as a Local Trust Committee (**Ballenas-Winchelsea Islands**)
Gabriola Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Thetis Island Local Trust Committee

FROM: Ann Kjerulf, Regional Planning Manager
Northern Office

SUBJECT: 2017 Local Trust Committee Meeting Schedule

RECOMMENDATION

1. **That the** *[insert name of Local Trust Committee]* **schedule its regular business meetings on the following dates:** *[insert meeting dates as noted and/or amended]*.

REPORT SUMMARY

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular business meeting schedule for 2017. Tentative dates have been identified in relation to anticipated project commitments, application volumes, trustee availability, ferry schedules, statutory holidays, conferences, Trust Council, Trust Council Committees, Trust Fund Board, and available staff and financial resources. Tentative meeting dates are identified in Attachment 1.

If alternative dates are proposed, LTCs should avoid scheduling meetings on dates which may conflict with other planned meetings or events. Key dates are noted for reference in Attachment 1. Note, LTCs do not need to identify the planned start times or locations for meetings. Meeting details will be advertised in accordance with legislated notification requirements.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	October 6, 2016
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ATTACHMENT

1. Tentative 2017 Northern Local Trust Committee Meeting Schedule

ATTACHMENT 1 – TENTATIVE 2017 NORTHERN LOCAL TRUST COMMITTEE MEETING SCHEDULE

LTC	Denman	Gabriola	Gambier	Hornby	Lasqueti	Thetis	Ballenas-Winchelsea
	January 31*	January 12 February 9	January 26 (Alt. Feb. 2) March 23	February 3	February 27	February 21	April 19
	March 7	March 9	April 27	March 31*	April 24	April 18	July 19 (Alt. July 12)
	May 2	May 11	May 25	May 5	June 26	June 27*	
	June 6	June 8	July 27	July 7	September 18*	August 29*	
	August 1	July 13	August 31*	September 8*	October 23	October 17	October 11 (Alt. Oct. 4)
	October 3	September 7*	October 26	November 3	November 27	December 12*	
	November 14*	October 12 December 14	November 30*				
Total	7	9	8	6	6	6	3

Day	1 st Tuesday	2 nd Thursday	4 th Thursday	1 st Friday	4 th Monday	3 rd Tuesday	Wednesday
Time	10:30 am	10:15 am	10:30 am	11:30 am	11:00 am	9:15 am	10:30 am
Location	Denman Seniors Hall	Gabriola Arts Council	TBD	Room to Grow	Judith Fisher Centre/The Arts Centre	Thetis Community Centre (Forbes Hall)	Northern Office (Gabriola)

*Meeting moved from designated day due to scheduling conflict

Key Dates

Stat Holidays	Jan. 2; Feb.13; Apr 14,17; May 22; July 3; Aug.7; Sept.4; Oct.9; Nov.13; Dec.25,26
LGLA Conference	Feb.1-3
SD 46 (Sunshine Coast) Spring Break	Mar.13-24
SD 68 (Nanaimo) Spring Break	Mar. 20-31
SD 69 (Qualicum) Spring Break	Mar 13-24
SD 71,79 (Comox /Cowichan) Spring Break	Mar. 20-24
AVICC Conference	April 7-9
LGMA Conference	May 16-18
PIBC Conference	May 30-June 2
CIP Conference	June 17-20
UBCM Conference	Sept. 25-29
Trust Council (TC)	March 14-16; June 20-22; Sept 12-14; Dec. 5-7
Executive Committee(EC)	Jan. 18; Feb. 8; Mar. 1, 14; Apr. 5, 26; May 17; June 7, 20; July 12; Aug. 2, 30; Sept. 12; Oct. 4, 25; Nov. 8, 22; Dec. 5
Trust Programs Committee (TPC)	Feb. 20; May 29; Aug. 21; Nov. 6
Local Planning Committee (LPC)	Feb. 16; May 24; Aug. 17; Nov. 16
Financial Planning Committee (FPC)	Jan. 17; Feb. 28; May 31, Aug. 23; Oct. 18; Nov. 15
Trust Fund Board (TFB)	Feb. 7; Apr. 4; May 30; July 18; Sept. 26; Nov. 21