



Gambier Island Local Trust Committee

Regular Meeting Agenda

Date: October 26, 2017
Time: 10:45 am
Location: John Braithwaite Community Centre
145 West 1st Street
North Vancouver, BC

	Pages
1. CALL TO ORDER	10:45 AM - 10:45 AM
<i>"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."</i>	
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	10:45 AM - 10:55 AM
4. COMMUNITY INFORMATION MEETING - None	
5. PUBLIC HEARING - None	
6. MINUTES	10:55 AM - 11:00 AM
6.1 Local Trust Committee Meeting dated August 31, 2017 for adoption	4 - 12
6.2 Local Trust Committee Special Meeting dated September 20, 2017 for adoption	13 - 20
6.3 Section 26 Resolutions-Without-Meeting Report - None	
6.4 Advisory Planning Commission Minutes - None	
7. BUSINESS ARISING FROM MINUTES	11:00 AM - 11:10 AM
7.1 Follow-up Action List dated October 19, 2017	21 - 23
8. DELEGATIONS	11:10 AM - 11:20 AM
8.1 Gambier Island Sea Ranch	24 - 25
9. CORRESPONDENCE - None	
<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	

10.	APPLICATIONS AND REFERRALS	11:20 AM - 11:35 AM	
10.1	Referral from Sunshine Coast Regional District Regarding Langdale Ferry Rezoning Application - Staff Report		26 - 47
11.	LOCAL TRUST COMMITTEE PROJECTS	11:35 AM - 12:55 PM	
11.1	Riparian Areas Regulation Implementation Project - Staff Report		48 - 65
11.2	Gambier Island Bylaw Nos. 146 and 147 (Bowyer and Anvil Streamside Protection) - Staff Report		66 - 82
11.3	Gambier OCP and Shared Narrative of Place - for discussion		
11.4	Keats Shoreline Protection - for discussion		
	<i>--BREAK-- 12:55 - 1:10</i>		
12.	REPORTS	1:10 PM - 1:40 PM	
12.1	Work Program Reports		
12.1.1	<u>Top Priorities Report dated October 19, 2017</u>		83 - 83
12.1.2	<u>Projects List Report dated October 19, 2017</u>		84 - 84
12.2	Applications Report dated October 19, 2017		85 - 86
12.3	Trustee and Local Expense Report dated August, 2017		87 - 87
12.4	Adopted Policies and Standing Resolutions		88 - 89
12.5	Local Trust Committee Webpage		
12.6	Chair's Report		
12.7	Trustee Reports		
12.8	Electoral Area Director's Report - None		
12.9	Trust Fund Board Report dated October, 2017		90 - 91
13.	NEW BUSINESS	1:40 PM - 2:10 PM	
13.1	Regional Conservation Plan - Briefing		92 - 93
13.2	Islands Trust Fund Five Year Plan - Briefing		94 - 95
13.3	Gambier/Metro Vancouver Meeting		
13.4	Recommendations from the Howe Sound Community Forum October 13, 2017		
13.4.1	<u>Letter of Local Government Support for the Expansion of Glass Sponge Protection in Howe Sound</u>		
13.4.2	<u>Request to Provide Financial Support for the Development of the Howe Sound Marine Reference Guide</u>		

14. UPCOMING MEETINGS

- 14.1** Next Regular Meeting Scheduled for Thursday, November 30, 2017 at 10:45 am at John Braithwaite Community Centre, Meeting Room 2, 145 West 1st Street, North Vancouver, BC

15. TOWN HALL 2:10 PM - 2:20 PM

16. CLOSED MEETING 2:20 PM - 2:35 PM

16.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(d) and (i) for the adoption of in camera minutes dated April 27, 2017; and to receive legal advice subject to solicitor-client privilege and that the recorder and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT 2:35 PM - 2:35 PM



Gambier Island Local Trust Committee Minutes of Regular Meeting

Date: August 31, 2017
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 Ann Kjerulf, Regional Planning Manager
 Madeleine Koch, Planner 2
 Diane Corbett, Recorder

Others Present Ian Winn, Director, Area F (West Howe Sound)
 Members of the Public – 1

1. CALL TO ORDER

Chair Morrison called the meeting to order at 10:45 a.m. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, and noted that introductions were conducted prior to the meeting. The presence of West Howe Sound Regional Director Ian Winn was also acknowledged.

2. APPROVAL OF AGENDA

"The order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

The following additions to the agenda were presented for consideration:

- 13.1 Meeting schedule
- 13.2 Derelict vessels off Keats Island

By general consent the agenda was approved as amended.

- 3. TOWN HALL AND QUESTIONS – None
- 4. COMMUNITY INFORMATION MEETING – None
- 5. PUBLIC HEARING – None
- 6. MINUTES

6.1 Local Trust Committee Meeting dated July 27, 2017

Trustee Rogers enquired about the “Frequently Asked Questions” (FAQ) document and hydrogeological report that pertained to the District Lot 696 rezoning application. Staff responded that a draft FAQ document and a staff report on the hydrogeological report would be available prior to the September 20 community information meeting.

Trustees requested that the rescinded motion GM-2016-044, mentioned in resolution GM-2017-033, be written in full in the minutes of the current meeting, as follows:

GM-2016-044

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, either by way of a Development Variance Permit (DVP), a LTC-initiated shoreline Development Permit Area (DPA), or removal.

CARRIED

By general consent, the Local Trust Committee meeting minutes of July 27, 2017 were adopted as presented.

6.2 Section 26 Resolutions-Without-Meeting Report – None

6.3 Advisory Planning Commission Minutes – None

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated August 23, 2017

The follow up action list dated August 23, 2017 was reviewed by the Regional Planning Manager.

7.2 Howe Sound Community Forum

7.2.1 Draft Principles for Cooperation (with track changes and without track changes)

Trustee Rogers remarked that this was the second time the Local Trust Committee (LTC) had seen this document. He was continuing to gather comments from local governments on the draft. He enquired if the Local Trustees had any comments, in response to which he received expressions of support for the draft.

He further noted the final version of the document would have to be approved by all the local governments. It would be presented at Howe Sound Community Forum held at Camp Elphinstone near Langdale on October 13.

8. DELEGATIONS – None

9. CORRESPONDENCE – None

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

10. APPLICATIONS AND REFERRALS – None

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Riparian Areas Regulation Implementation Project

The Planner reviewed the staff report dated August 31, 2017 regarding Gambier Island Development Permit Area 3 – Minor Amendments.

The Planner responded to requests for clarification from trustees. Topics of discussion included:

- Area of RAR applicability and determining RAR applicability
- Guidelines and regulatory processes for RAR and non-RAR applications, and the differences between these processes
- Challenges in RAR implementation, including landowner awareness of regulations
- SCRDP Building Permit application process and opportunity for a RAR-declaration by landowner as part of the building permit process
- Intent of the DPA to protect all watercourses on Gambier Island, regardless of whether or not they may provide fish habitat
- Proposed amendments to Gambier Island Land Use Bylaw and the Project Charter

GM-2017-043

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee add “Public education” into the Project Charter for the *Riparian Areas Regulation* Implementation below “Legislative bylaw amendment process”, with a date to be determined by staff.

CARRIED

GM-2017-044

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee endorse the amended Project Charter for the Riparian Areas Regulation Implementation Project.

CARRIED

GM-2017-045

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to draft amendments to Section 9.3 of the Gambier Island Land Use Bylaw to:

- a) Specify a “designated area” of applicability in accordance with the Riparian Areas Regulation “Riparian Assessment Area”;
- b) Include an exemption for development taking place outside the “designated area”;
- c) Specify how Riparian Areas Regulation applicability is to be determined; and
- d) Include guidelines for watercourses not subject to the Riparian Areas Regulation, which are consistent with the guidelines for the Keats Island Streamside Protection Development Permit Area.

CARRIED

GM-2017-046

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff notify the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, and all First Nations with interests in Gambier Island as noted in the Provincial Consultative Areas Database, of the intent to amend the Gambier Island Land Use Bylaw for the purpose of making minor revisions to Development Permit Area No. 3.

CARRIED

GM-2017-047

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to explore options for developing a “Riparian Declaration” to accompany building permit applications.

CARRIED

GM-2017-048

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request that \$2,000 be allocated from the Gambier Island Official Community Plan project budget to offset expenses related to the legislative process of amending bylaws as part of the Riparian Areas Regulation Implementation Project.

CARRIED

11.2 Gambier Island Official Community Plan Review

The Planner reviewed the staff report on the work on the Gambier Island Official Community Plan Review (OCP) to date and proposed amendments to the Project Charter.

In terms of the timeline, Trustee Stamford advocated that community engagement related to docks should happen sooner than later. There is community interest and a need for information on what is happening with the New Brighton dock and the status of community docks.

Staff remarked that, with dock infrastructure planning and implementation, there is a shared interest between Islands Trust and the Sunshine Coast Regional District (SCRD). However, the LTC is limited in its planning authority. The importance of community docks on the islands and their preferred location could be stated in the OCP; beyond that, implementation and management of dock infrastructure is the responsibility of the SCRD and others.

Trustee Stamford noted there would be information coming from a number of areas prior to the timeline that would feed conversations related to the OCP review. In addition, the dock would speak to the First Nations component.

There was discussion of the relationship between the Advisory Planning Commission (APC) and the LTC, and the APC process.

Concern about the timeline for this project going into the next LTC term was flagged.

There was support for comments in the APC draft minutes of March 13, 2017 (included in the staff report) regarding inclusion of cluster housing and co-ops. A trustee advocated solar power over hydroelectric.

GM-2017-049

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee endorse the revised Project Charter for the Gambier Island Official Community Plan review project. And refer the revised project charter to the APC for comment.

CARRIED

BREAK 11:45 am to 12:00 pm

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated August 23, 2017

Received.

12.1.2 Projects List Report dated August 23, 2017

Received.

GM-2017-050

It was MOVED and SECONDED

that "Keats Island Trail Map" be removed from the Projects List.

CARRIED

GM-2017-051

It was MOVED and SECONDED

that the following items be removed from the Projects List:

- Howe Sound Strategic Planning Review
- Riparian Sensitive Ecosystem protection.

CARRIED

12.2 Applications Report dated August 23, 2017

Received.

GM-2017-052

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request an enforcement update from Bylaw staff regarding GM-DVP-2011.2.

CARRIED

12.3 Trustee and Local Expense Report dated June, 2017

Received.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 Local Trust Committee Webpage

There were no updates regarding the webpage.

12.6 Chair's Report

Chair Morrison reported that:

- Capital Regional District had approached Islands Trust CAO regarding its intention to seek funds related to derelict vessels. It had been decided that Trust Council table should be involved in this issue. Clare Frater will send out information regarding derelict vessels. A list of derelict vessels will be compiled.
- Sheila Malcolmson will present at Trust Council, coming up on Denman Island.
- At Union of BC Municipalities (UBCM), Islands Trust Trustees will be seeking audience with four ministers.

- Trust Council received a report on geoduck culture impacts in the area, and are looking at getting a more thorough review on this. Are looking at doing two stewardship awards on Denman Island. Trust Council is working on the Policy Statement.

12.7 Trustee Reports

Trustee reports were sent out by email prior to the meeting.

Trustee Rogers highlighted the following:

- Visit to Pasley Island and its development policy and corporate structure.
- Community meeting with Member of Parliament August 12, regarding proposed feasibility study of a national park on Gambier Island.
- Attendance at summer celebrations in various communities in the region.
- Brigade Bay development and organizational structure.

Trustee Stamford commented on:

- Well water workshop in August.
- Meeting with Member of Parliament.
- SCRD Trail Network Task Force meetings and “walk and talk” over the summer.
- July 11 Ocean Watch Task Force meeting.
- Contact with Squamish Marine Group about some maintenance issues with New Brighton dock; need for conversations on future of the docks.
- Annual garbage clean-up on Gambier.
- August 15 event on local governance challenges of Howe Sound at Camp Suzuki.

12.8 Electoral Area Director's Report

Director Winn apologized that he doesn't get to Local Trust meetings in light of SCRD standing committee meetings always held on a Thursday. He thanked Kate-Louise Stamford as his alternate.

Director Winn commented on the following topics:

- Howe Sound Community Forum (HSCF) on October 13, hosted by SCRD with Director Winn as host; value of the Forum; Principles of Cooperation.
- Abandoned and derelict vessels.
- Constituent concerns regarding Christy Cove referral (will be on September SCRD Planning and Community Development Committee agenda).
- BURNCO.
- Community meetings in July.
- SCRD Development Permit Areas.
- Gambier Island OCP review.
- Public docks maintenance and challenges.
- Ports Monitoring Committee.

- SCRD support for national park feasibility study.

12.9 Trust Fund Board Report – None

Trustee Morrison commented on a proposal from Galiano Island requesting Islands Trust to take over a lot with a nature reserve in the middle of a meditation retreat.

13. NEW BUSINESS

13.1 Meeting Schedule

The Regional Planning Manager noted that Senior Planning staff may not be available for the November meeting. Discussion ensued.

Trustees determined that no change to the meeting schedule was needed at this time.

Staff requested trustees send staff information as to their availability next year to aid in the development of the 2018 LTC meeting schedule. A draft schedule will be presented at the October meeting.

13.2 Derelict Vessels

A trustee reported that an inventory of derelict vessels had been done for the Member of Parliament in this area three or four times. The trustee commented on the presence of two derelict boats off Keats Island at Plumper Cove Marine Park, on the seabed within the boundaries of the park, and related discussions with the local Member of the Legislative Assembly and an administrator for provincial parks with Ministry of Environment. Discussion ensued.

GM-2017-053

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee prepare correspondence to the Minister in charge of provincial parks to request that they remove the two derelict vessels within the boundaries of Plumper Cove Provincial Marine Park, under the signature of the Local Trust Committee Chair.

CARRIED

GM-2017-054

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee refer this issue of derelict vessels in Plumper Cove Provincial Marine Park to the Executive Committee for consideration of further advocacy, to copy to the Sunshine Coast Regional District and the Association of Vancouver Island and Coastal Communities.

CARRIED

Director Winn commented on the complexity of the issue of derelict vessels. Discussion ensued on the challenges in addressing this issue.

14. UPCOMING MEETINGS

14.1 Special Meeting regarding District Lot 696, Wednesday, September 20, 2017 at 7:00 pm at John Braithwaite Community Centre, Meeting Room 2, 145 West 1st Street, North Vancouver, BC

14.2 Next Regular Meeting Scheduled for Thursday, October 26, 2017 at 10:45 am at John Braithwaite Community Centre, Meeting Room 2, 145 West 1st Street, North Vancouver, BC

15. TOWN HALL

A member of the public remarked that he learned a lot by attending this meeting and that more people should attend.

16. ADJOURNMENT

By general consent the meeting was adjourned at 12:57 pm.

Susan Morrison, Chair

Certified Correct:

Diane Corbett, Recorder



Gambier Island Local Trust Committee Minutes of Special Meeting

Date: September 20, 2017
Location: John Braithwaite Community Centre
 145 West 1st Street
 North Vancouver, BC

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

Staff Present Sonja Zupanec, Island Planner
 Diane Corbett, Recorder
 David Marlor, Director of Planning Services
 William Shulba, Islands Trust Senior Freshwater Specialist (*by telephone 7:00 – 8:10 p.m.*)

Also Present Kevin Healy, CREUS Engineering Ltd., Applicant
 Matthew Munn, exp Services Inc., Senior Hydrologist
 Approximately 35 members of the public

1. CALL TO ORDER

Chair Morrison called the meeting to order at 7:00 pm and thanked the public for coming. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations. The Chair introduced trustees and staff in attendance.

Chair Morrison clarified that this was not a community information meeting. Members of the public were invited to contact or forward communications to trustees if they felt further information needed to be communicated.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. MINUTES

3.1 Local Trust Committee Special Meeting Minutes dated July 27, 2017

The Local Trust Committee Special Meeting Minutes dated July 27, 2017 were adopted as amended, as follows:

- page 1, item 1, bullet 1: insert “according to some researchers” before “a third to a half”;
- page 7, bullet 1, line 1: replace “taxes” with “annual rural tax, SCRD portion”;
- page 7, bullet 4, sentence 3: delete “no” before “referral” and insert “that did not exist” after “island manager”.

4. TOWN HALL

Deferred to end of meeting.

5. BUSINESS ITEMS

5.1 GM-RZ-2004.1 (District Lot 696, Keats Island)

5.1.1 Supplemental Memorandum Hydrogeological Study dated September 12, 2017

5.1.2 Supplemental Memorandum #2 Hydrogeological Study dated September 15, 2017

(All relevant background staff reports, memos and presentation slides are available on the LTC ‘Current Applications’ webpage at this time.)

The Island Planner reviewed the recommendations of the staff report on Amendments to Proposed Bylaw No. 143, for consideration of first reading as amended, and provided relevant updates. Proposed amendments reflected the new ‘Comprehensive Development Zone’ approach for District Lot (DL) 696, to enable a 110-lot strata subdivision, road, trail, Sunshine Coast Regional District (SCRD) park dedication and transfer of the Sandy Beach Nature Reserve to the Islands Trust Fund (ITF).

The consultant for the hydrogeological study was present to respond to questions.

The Island Planner remarked that staff reviewed the original memo, and the statement of opinion that was provided did not appear to be supported, and aspects of the terms of reference were not addressed. Addendums were supplied to staff in an effort to address those concerns. The structural format of the memo was not consistent with what was requested.

Trustee Rogers requested clarification regarding what was deficient about the hydrogeological report.

The Senior Freshwater Specialist outlined points in the terms of reference that were not addressed and noted there were several missing pieces of information

including lack of a cross section and diagram. Difficulties in assessing the methodology and some hydrogeological information were noted; there were a few mathematical errors. The Senior Freshwater Specialist described questions that had arisen related to the hydrogeological information provided.

Discussion ensued. The Island Planner noted the additional information provided by the applicant was not part of the staff analysis. Staff offered guidance to trustees regarding the decision-making process, available information, and points one would want to see in a comprehensive report.

Trustee Rogers noted the two issues were the sufficiency of the water to meet the needs, and the issue of the septic field in Area E by Campfire Rock; he had seen a fair amount of concern.

The Senior Freshwater Specialist remarked that the assessment should include changes in run-off and volumes, informed by a groundwater diagram. There would be an impact on the water recharge; whether that was major or minor was to be determined.

The Island Planner noted the Local Trust Committee should be satisfied the report addresses trustee concerns raised in February 2017 regarding impacts of sewage disposal fields on the aquifer.

Questions and comments from trustees included:

- Are there any alternatives to the septic field in Area E rather than up against the property line?
- There is some special engineering because of concerns.
- Would like to have seen a map that would demonstrate where the water would go.
- There is a lot in the report that seems to go one direction; then another detail comes in that throws the direction into question. Would like some more maps, things that would answer questions for a non-hydrogeological person. The public would be more comfortable in being able to see things. What does the flow look like from the sewer?
- Would like to see if there are any alternatives. What are other methods of water retention, water gathering? I'd like to see those things to know there are options for this high density of people.
- Had questions about flow of the effluent; would like to see mapping, and the new well especially.
- Given that some of the information came out late, staff has not had a chance to review properly. There are a series of issues that have been raised out of the terms of reference, that staff say haven't been fully answered yet.

Kevin Healy thanked trustees and staff for the time and effort put in on the application. Mr. Healy offered commentary on the process to date. Points included:

- When the hydrogeological report first came out there was an initial terms of reference; there were some issues because the terms were so general and open ended.
- Have to get zoning where there are existing uses. This zoning reduces the development on site. The camp is giving up developable land.
- Matthew Munn at exp Services Inc. talked to a senior person at the Ministry of Forests, Lands, and Natural Resource Operations about the game plan; they basically supported that process.
- There are some items not addressed. Information in a previous report was referenced rather than brought into the current report. Some of the other requested items were considered by the applicant to not be relevant at this time. The site has had a ground water source water for seventy years. Did not do a lot of seismic testing on the rock. Some of the other items not specifically listed in the report were covered in other reports and there has been commitment to putting in a second well.
- Regarding a question about paved roads, routing would follow existing roads. Would not be turning forests into access roads, not cutting trees. Those have been covered on the civil side more than the hydrogeological side. Regarding sea level rise, maybe that was an oversight.
- Drawings showing contours and shape of land were not in the report, for the sake of bulking.

Matthew Munn gave background information and discussed the hydrogeological study. Points included:

- Approach by the applicant to review the terms of reference and propose a work plan.
- Recognition that there is a lot of information available.
- Ministry of Environment provided feedback on the work plan, which preceded the final terms of reference; that went back to Islands Trust.
- After the report was issued, and there was a conference call, the Senior Freshwater Specialist identified a list of apparent deficiencies. There are anticipated gaps. exp prepared the concordance table to demonstrate where it saw the gaps, and to recognize that the terms of reference had or had not been met. There are some pieces of technical information that have no relevance on the outcome.
- What is in the report is a standard that looks forward. exp has considered what has happened with well number 2. It is still very productive. There are no reports of productivity issues, and no water quality issues other than the inherent arsenic issue, which is being treated. The hydrogeological data

assesses the productivity of the well. The operator is at or slightly higher than readings done in July 2004. During peak demand, it is at the 2004 state. That aquifer is showing signs it is not being depleted. The operator demonstrates diligence.

- When exp looked through the final terms of reference, and had started the project, some points were not relevant; some won't change the outcome; or information was submitted in previous reports.

Regarding a trustee inquiry about whether there had been considerations of moving the location of the septic field in Area E farther away from the various wells and having some kind of delivery system to those, Mr. Healy discussed previous test pit work done across the island by John Enevoldson. CREUS did a review of Mr. Enevoldson's test pits, data and design brief, and did not see a reason to redesign it. Subsequently there was some movement of fields in 2015. In 2016, feedback was received that the location beside Campfire Rock would be a good location for a septic field. Mr. Healy discussed details regarding ensuing septic field testing and design, and remarked that the consultant did not think DL696 water was being put at risk.

The Senior Freshwater Specialist left the meeting at 8:10 p.m.

The Island Planner discussed a potential change in the proposed bylaw related to reference to a caretaker, and a possible future amendment to the map at second reading.

A trustee noted there is a public parking lot in the CS2 zone. If the CS2 zone is eliminated, what happens to the reference to it in section 2.7? A correction will be required at a future reading.

GM-2016-055

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee amend Bylaw No. 143 cited as "Keats Island Land Use Bylaw, 2002, Amendment No. 2, 2016" as specified in Attachment 1 of the staff report dated September 20, 2017 as amended, by removing "caretaker" in section 2.4.7, bullet 2, and section 2.4.9, bullet 1.

CARRIED

GM-2016-056

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 143 cited as "Keats Island Land Use Bylaw, 2002, Amendment No. 2, 2016" be read a first time as amended.

CARRIED

GM-2016-057

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to undertake Bylaw No. 143 referral follow up with the Sunshine Coast Regional District regarding community park zoning and Skwxwú7meshulh Nation regarding marine and land zoning changes.

CARRIED

GM-2016-058

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee proceed no further with Bylaw No. 144 cited as "Gambier Island Trust Committee Land Use Contract Authorization Bylaw, 1978 (Convention of Baptist Churches of British Columbia), Amendment No. 1, 2016".

CARRIED

A trustee requested that information be included regarding the level of public engagement and whether access to locations is maintained or if a road would be there.

GM-2016-059

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee endorse the 'GM-RZ-2004.1 September 2017 Frequently Asked Questions' document (as amended by the Local Trust Committee), for mail out to all property owners and residents of Keats Island and posting to the Local Trust Committee 'Current Applications' webpage.

CARRIED

The Island Planner noted the proponent fully supported having a covenant; the intent is to have a covenant that enhances the zoning.

GM-2016-060

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee:

- a. Request staff to prepare a draft restrictive (conservation) covenant for the Salmon Rock 'Private Conservation (PC) Zone' portion of District Lot 696, Keats Island, consistent with Islands Trust Policy 5.3 'Best Practices for Local Trust Committees in Holding Conservation Covenants', which includes a

- provision for annual monitoring to be paid for by the owner, for Local Trust Committee consideration prior to a Public Hearing for Bylaw No. 143;
- b. Request the applicant for GM-RZ-2004.1 submit a baseline ecological report for the covenant area consistent with the Islands Trust Fund baseline report template, for Local Trust Committee consideration prior to a Public Hearing for Bylaw No. 143; and
 - c. Request the Islands Trust Fund Board assist with annual monitoring of the covenant area as the property is adjacent to the proposed Sandy Beach Nature Reserve.

CARRIED

GM-2016-061

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee has reviewed the template statutory right-of-way to be held by the Ministry of Transportation and Infrastructure for the 2 metre wide strip abutting each side of the public trail to Salmon Rock, District Lot 696, Keats Island and considers the template to be consistent with the conditions of Bylaw No. 144 cited as “Gambier Island Trust Committee Land Use Contract Authorization Bylaw, 1978 (Convention of Baptist Churches of British Columbia), Amendment No. 1, 2016 regarding the dedication of an “unopened road”.

CARRIED

The Island Planner noted there were some amendments staff would be bringing back. Trustees requested that outstanding issues be addressed between staff and the applicant regarding gaps in information and that a flowchart/diagram be provided.

Chair Morrison thanked previous Local Trustee Kim Benson for attending the meeting.

GM-2017-062

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to work with the proponent on GM-RZ-2004.1 to resolve any identified gaps in the hydrogeological report, including the provision of diagrams showing septic field flow, and report back to the Local Trust Committee as soon as possible.

CARRIED

6. TOWN HALL

A member of the public pointed out that the LTC took the word “caretaker” out; item 2.4, point 12 has “caretaker” in it, which also should be removed.

Scott Benson showed a map of Keats Island and explained that he was one of the neighbours; a lot of this has impact on two neighbouring properties. The hydrogeological study is happening because he requested it. He had said a long time ago he did not think there should be septic near the wells.

Mr. Benson discussed watersheds and the direction of surface water, noting the biggest watershed is where the best wells on Keats Island are. There is a lot of potential for water that needs to be explored. He advocated that more research be done on locations for wells, and not putting in septic fields where there could be more wells. He thought the amount in existing wells had been overstated, and use of water was understated. There are a lot of outhouses on the island which are not legal. Typically small cottages are being replaced by larger, more usable houses, and will use more water. Numbers at build-out noted in the report are off by about 40-50%. Flow rates mentioned in the hydrogeological report, based on a previous report and used for the study, were off by almost 50%.

Chair Morrison thanked members of the public for coming and hearing the deliberations.

7. ADJOURNMENT

By general consent the meeting was adjourned at 8:56 pm.

Susan Morrison, Chair

Certified Correct:

Diane Corbett, Recorder

Follow Up Action Report

Gambier Island

27-Apr-2017

Activity	Responsibility	Target Date	Status
Staff to prepare written communication materials for distribution to Gambier Island residents regarding the adoption of Bylaws 140 and 141. Update: pending DPA 3 minor amendments	Madeleine Koch	31-Aug-2017	On Going

27-Jul-2017

Activity	Responsibility	Target Date	Status
Staff to incorporate Squamish words and place names into local trust committee communications	Becky McErlean Sonja Zupanec Penny Hawley Ann Kjerulf Fiona MacRaid Madeleine Koch		On Going
Staff to prepare draft bylaws to amend the Bowyer and Passage Islands LUB and Gambier Associated Islands LUB to include DPA 2: Streamside Protection guidelines	Becky McErlean Ann Kjerulf	05-Oct-2017	On Going

31-Aug-2017

Activity	Responsibility	Target Date	Status
Add correspondence re: DL 696 to the September 20 meeting	Sonja Zupanec	12-Sep-2017	Done
Amend the RAR Implementation Project Charter to include public education and date TBD	Madeleine Koch		Done



Follow Up Action Report

Advise FPC that \$2000 has been allocated to the RAR Implementation Project (from the Gambier OCP Project)	Ann Kjerulf	Done
Bylaw Enforcement Staff to provide an update regarding GM-DVP-2011.2	Miles Drew	On Going
that the Gambier Island Local Trust Committee prepare correspondence to the Minister in charge of provincial parks to request that they remove the two derelict vessels within the boundaries of Plumper Cove Provincial Marine Park, under the signature of the Local Trust Committee Chair.		Done
That the matter of derelict vessels in Plumper Cove Provincial Marine Park be referred to the EC and copied to AVICC and SCRD.	David Marlor	On Going
Staff to prepare a draft bylaw to amend the Gambier Island LUB DPA 3 guidelines	Madeleine Koch	05-Oct-2017 On Going
That the August 31 staff report regarding the Gambier OCP Review Project and the amended project charter be referred to the Gambier APC for comment	Madeleine Koch	Done
Staff to notify the MFLNRORD and all First Nations with interests in Gambier Island as noted in the Provincial Consultative Areas Database, of the intent to amend the Gambier Island Land Use Bylaw for the purpose of making minor revisions to DPA 3	Madeleine Koch	On Going
Staff to explore options for developing a riparian declaration	Madeleine Koch	Done

20-Sep-2017

Activity	Responsibility	Target Date	Status
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Follow Up Action Report

GM-RZ-2004.1 (DL 696 Keats Island) - Bylaw 143 given first reading as amended - done BM - Follow up referrals to SCRD and Squamish FN - Proceed no further with Bylaw 144 - done BM - staff to prepare amendments for LTC consideration re: CS2 parking regs and MC zone boundary changes - staff to prepare a restrictive covenant as per staff report recommendations - staff to work with the applicant and resolve gaps in hydrogeological assessment	Becky McErlean Sonja Zupanec	26-Oct-2017	On Going
GM-RZ-2004.1 (DL 696 Keats Island) Staff to revise the FAQ document and proceed with mail out to residents and property owners of Keats Island.	Sonja Zupanec Wil Cottingham	29-Sep-2017	Done

[REDACTED]
North Vancouver, BC. V7G 2R7
[REDACTED]

2017 October 12

Islands Trustees for Gambier Island
by email to phawley@islandstrust.bc.ca

Dear Trustees

Re: subdivision of lots of the Gambier Island Sea Ranch

The Gambier Island Sea Ranch has made application to the Approving Officer to subdivide many of the existing lots on the Sea Ranch. We want each present lot, on which two houses are permitted, to be split into two smaller (half-size) lots with one dwelling on each. The concept is very simple, but the procedure is a little more complex.

History

In 1887, Arthur Robert Davies became Gambier Island's first real settler when he homesteaded on land that is now the Sea Ranch. He cleared land and planted orchards that still give us fruit today. In 1912 Robert McLennan turned the land into a dairy farm and planted many more fruit trees. It was farmed commercially until 1969.

In 1977 the area was redeveloped as the Sea Ranch, with the intent of having 66 dwellings on 330 acres (i.e. 5 acres per dwelling), but with the dwellings clustered round the end of Long Bay (Port Graves), and the remainder being a mixture of farm and wilderness.

Present Arrangement

For some reason, instead of having 66 small lots, one for each dwelling, the Sea Ranch has only 33 residential lots, but is permitted two dwellings per lot. Each owner has a house and an undivided half-interest in a lot. In other words, I own half of the land that my neighbour's house sits on, and he owns half of the land where my house is. This cumbersome arrangement has introduced a number of problems that we are seeking to rectify.

Problems

Undivided half-interests have recently led to all the following situations:

1. It is very difficult or impossible to get a mortgage. Lenders do not like the idea of a half-interest, as it is not easy to foreclose.
2. If one half-owner of a lot (A) does not pay his property taxes, the other half-owner (B) is jointly and severally liable to pay the taxes for the entire lot. If B refuses to pay for A's half of the taxes, B's credit rating is adversely affected. If B pays up, he/she is out of pocket.
3. Similarly, if A is behind on payments to the Sea Ranch Strata Corporation, the Sea Ranch must place a lien on A's property. However, as there is only one lot, there is automatically a lien on B's part of the lot, too. If B wants to sell while there is a lien on the property, it is difficult as buyers do not want to buy a lien, and the value of the lot is seriously depressed.

4. Voting for Trustees is difficult because both A and B must vote together, which requires agreement and travelling, so many pairs do not bother to vote.

The Solution

The obvious solution is to establish a property line between the two dwellings (the “dividing line”). That way I shall own all of my (smaller) lot, and my neighbour will own all of his. This is all we are asking for.

There are no changes to the buildings, no increase in land area, no changes to the communal water supply or sewage disposal; there is no change to easements, rights-of-way, common property, or any other aspect of Sea Ranch life. Nothing is added or subtracted from what is there now.

Unintended Consequence

A survey may show that some existing buildings would not meet setback requirements with respect to the new dividing line. However, this is an artificial notion because the houses that are already built will remain where they are, so in practice nothing physically changes.

Our Request

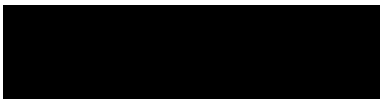
We are asking for the Islands Trust to help as much as possible to make this simple “non-invasive” subdivision a reality, as smoothly and (for your staff) as easily as possible.

We thank you for allowing us to meet with you.

Sea Ranch’s Contribution

We have inherited a very unsatisfactory situation, and we appreciate the efforts that the Islands Trust has already made to help us resolve it. For our part, we have fulfilled our obligations by providing rights-of-way for 3.8 hectares (10 acres) for a park, and for two trails on our property. We have reconstructed the two trails to the standards of SCRD, who have inspected and approved them, and we are proud to be stewards of the historic farm and wilderness.

Yours truly,



Peter G. Buckland, C.M.,
for Gambier Island Sea Ranch.



File No.: 3445-30
(SCRD Referral – Langdale
Terminal)

DATE OF MEETING: October 26, 2017

TO: Gambier Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Team

SUBJECT: Sunshine Coast Regional District Referral Bylaw 310
Applicant: BC Ferries, Langdale Ferry
Location: Water Parcel - District Lot 8007, Group 1 New Westminster District, Plan BCP6348

RECOMMENDATION

1. That the Gambier Island Local Trust Committee request staff to prepare a referral response to the Sunshine Coast Regional District Board to support the approval of SCRD Zoning Amendment Bylaw No. 310.173, 2017 (BC Ferries), and include a copy of the Islands Trust staff report dated October 26, 2017 and the following comments:
 - a) The subject marine area of Proposed Zoning Amendment Bylaw No. 310.173, 2017 is within the Gambier Island Local Trust Area of the Islands Trust and located outside the planning areas of the Gambier, Keats or Associated Islands Official Community Plans; and
 - b) Pursuant to Islands Trust Policy Manual 5.9ii ([Planning, Regulation and Advocacy Initiatives: Outer Boundary of Islands Trust Area](#)) the Gambier Island Local Trust Committee has reviewed the proposed zoning amendments and deems Bylaw No. 310.173, 2017 to be consistent with the [Islands Trust object and policy statement](#).

REPORT SUMMARY

The purpose of this report is to provide a recommended referral response to the Sunshine Coast Regional District Board (SCRD) regarding a zoning amendment bylaw referred to the Gambier Island Local Trust Committee (LTC). The subject property is the Langdale Ferry Terminal which includes a marine area that is within the Gambier Island Local Trust Area (LTA) and a critical mainland access point for islanders.

BACKGROUND

The SCRD received an application from BC Ferry Services Inc. (BC Ferries) to amend the zoning of part of the Langdale Ferry Terminal site to reflect current and proposed new uses. The existing SCRD zoning does not reflect current or proposed uses. The site contains four areas (the rezoning application covers 1 to 3 – see Figure 1) as follows:

1. Water Parcel - District Lot 8007, Group 1 New Westminster District, Plan BCP6348;
2. Upland Parcel - Lot 8, District Lot 1401, Plan 18562;
3. Upland Parcel - Lot 11, District Lot 1401, Plan 19990;

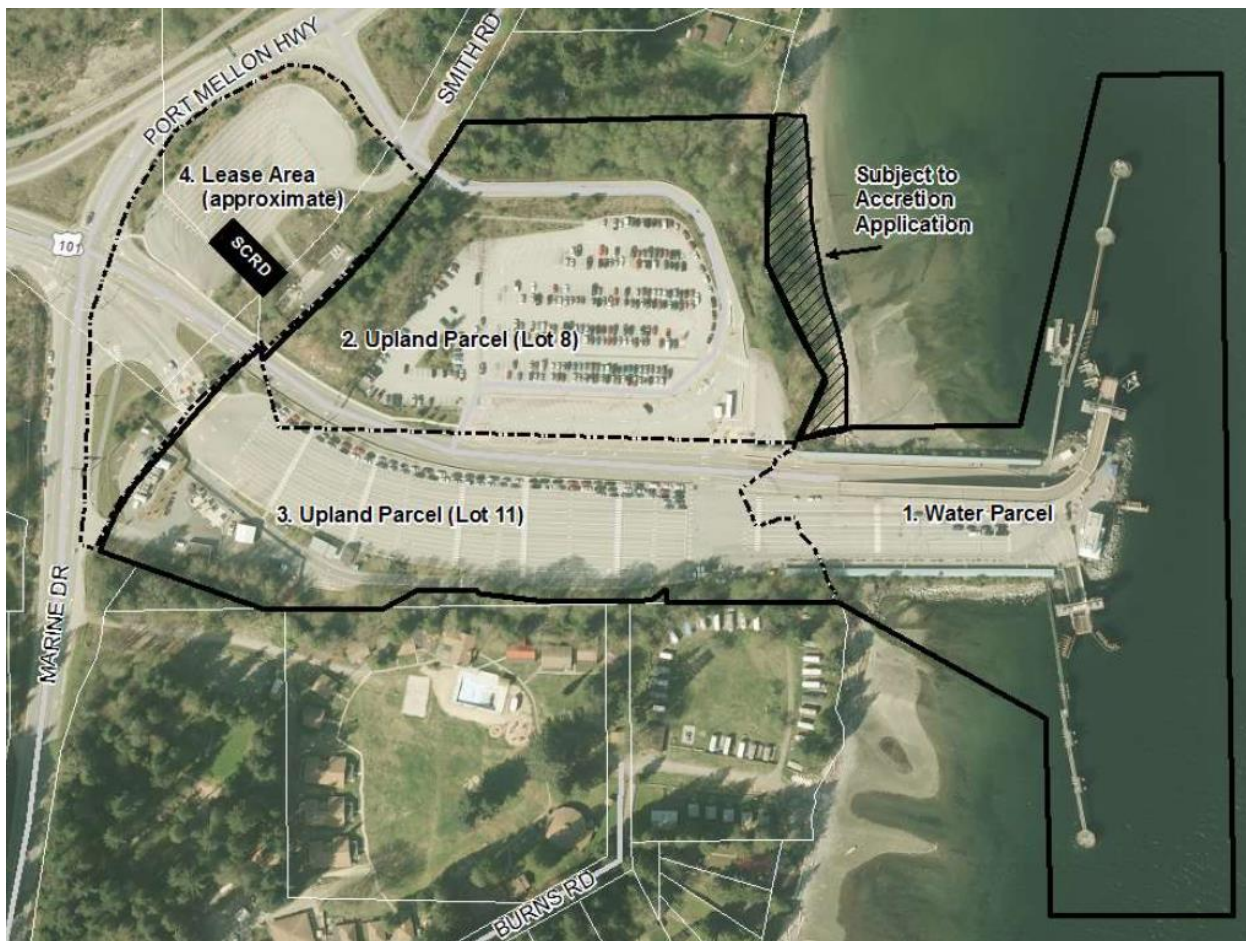


Figure 1. Parcel/Area Boundaries

The water parcel contains the main BC ferry loading docks (servicing Langdale to Horseshoe Bay) as well as the smaller dock for the water taxi (servicing Gambier and Keats) and private boat access for all other islands.

BC Ferries proposes the following uses:

- a) Marine transportation including the temporary storage of marine vessels (private and/or public);
- b) Transportation centre including foot passengers, bicyclists, transit, car share, commercial trailer drop, float plane and emergency helicopter services;
- c) Office;
- d) Retail Commercial limited to 20% of building area up to a maximum of 835 sq. m.;
- e) Food Services including mobile vendors;
- f) Caretaker suite and vessel personnel accommodations;
- g) Parking including, employee, short and long term public parking;
- h) Park.

The proposed height for new buildings and marine structures is 20 metres or 3 storeys, and for accessory structures is 25 metres. Site coverage is proposed to be 50% with a floor area ratio of 0.25. The current height limit in SCRD Bylaw No. 310 is 11 metres. A comprehensive background summary and report from the SCRD Planning Department is included as Attachment 1.

ANALYSIS

Policy/Regulatory

Pursuant to Islands Trust Policy Manual 5.9ii '*Planning, Regulation and Advocacy Initiatives: Outer Boundary of Islands Trust Area*', Policy 2.1, the LTC is to provide advocacy comments based on the object of the Trust, the Islands Trust Policy Statement and any relevant Official Community Plan.

Islands Trust Policy Statement:

The following Islands Trust Policy Statements are relevant to the consideration of the proposed bylaw amendments:

3.1.11 Trust Council encourages agents of the government of British Columbia or the Government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers to protect environmentally sensitive areas and significant natural sites, features and landforms through voluntary stewardship, acquisitions, conservation covenants and careful management.

The rezoning process is an opportunity for the SCRD and applicant to identify and protect eelgrass habitats and sensitive coastal ecosystems in the subject marine area.

3.3.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect freshwater bodies, watercourses, wetlands, riparian zones and aquatic wildlife habitats through voluntary donation, acquisition, conservation covenants and careful management.

The rezoning process is an opportunity for the SCRD and applicant to identify and protect freshwater habitats and sensitive ecosystems in the upland areas. The application is subject to five 'Development Permit Areas' within the West Howe Sound Official Community Plan (OCP).

4.5.3 It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.

4.5.4 It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.

5.6.1 Trust Council holds that the natural and human heritage of the Trust Area — that is the areas and property of natural, historic, cultural, aesthetic, educational or scientific heritage value²⁵ or character²⁶ — should be identified, preserved, protected and enhanced.

The rezoning process could address: potential loss of significant marine or coastal habitat or interference with natural coastal processes; maintaining public access to or along the marine shoreline and protection of known or potential archaeological resources.

The Policy Statement is fundamental to the operations of the Islands Trust. It is also used by external agencies such as the regional districts whose jurisdiction coincides with the Islands Trust Area to determine if their plans and policies are compatible with those of Islands Trust.

Official Community Plan:

The proposal is subject to the SCRD West Howe Sound OCP. The proposed marine area does not fall within the Gambier, Keats or Gambier Associated Islands OCP planning areas. However the following relevant Gambier and Keats OCP advocacy policies do apply to the subject property:

Gambier Island OCP

“Policy 6.8 xii) The Local Trust Committee encourages the continued use of the Langdale float by the public in order to maintain efficiencies in travel.”

Keats Island OCP***“Passenger Only Ferry Service***

P 5.75 Retaining the existing BC Ferries operated passenger-only ferry service to Keats Island is important to the community and should:

d) retain, improve, and upgrade access to the pickup/drop off float in Langdale for private boats and water taxis;

f) retain “cost recovery only” parking rates in Langdale;”

“Climate Change Adaptation and Mitigation

P 6.7 A number of Climate Change Adaptation and Mitigation Policies have been identified by the community that can only be achieved through initiatives resulting from individuals and the community, the actions of other levels of government, technological changes, and changes to land use policies and regulations. The following actions are encouraged to reduce greenhouse gas emissions:

viii) The Local Trust Committee encourages the continued use of the Langdale float by the public in order to maintain efficiencies in travel.”

Land Use Bylaw:

The proposed marine area is within an un-zoned portion of the Gambier Island Local Trust Area; however the SCRD currently has marine zoning for this area under Zoning Bylaw No. 310.

Protocols

The Gambier Island Local Trust Committee has a [protocol agreement](#) with the SCRD which sets out the principals for cooperation and communication.

Agencies

The proposed bylaw amendment is being referred to several agencies.

First Nations

The proposed bylaw amendment is being referred to the *Skwxwú7mesh (Squamish)* Nation.

Rationale for Recommendation

SCRD Zoning Amendment 310.173, 2017 proposes to reflect the current and proposed land and marine uses at the Langdale ferry terminal. Staff recommend support of the proposed bylaw amendments as indicated on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

2. Provide additional comments in support or not in support of the proposed bylaw

The LTC may provide additional comments to the SCRD Board either in support or non-support of the proposed bylaw.

NEXT STEPS

Staff will forward the LTC resolution to the SCRD Board.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	October 13, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	October 13, 2017

ATTACHMENTS

1. SCRD Staff Report – June 2017

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Planning and Community Development Committee – June 8, 2017

AUTHOR: David Rafael, Senior Planner

SUBJECT: SUNSHINE COAST REGIONAL DISTRICT ZONING AMENDMENT BYLAW No. 310.173, 2017 (BC FERRIES), ELECTORAL AREA F

RECOMMENDATIONS

THAT the report titled Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017 (BC Ferries), Electoral Area F be received;

AND THAT *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017* be forwarded to the Board for First Reading;

AND THAT Bylaw No. 310.173 be referred to:

- a) West Howe Sound Advisory Planning Commission
- b) *Sḵw̓xwú7mesh* Nation
- c) Ministry of Transportation and Infrastructure
- d) Islands Trust, Gambier Island Local Trust Area
- e) Town of Gibsons
- f) Gibsons and District Volunteer Fire Department

AND THAT a public information meeting be held;

AND FURTHER THAT once comments from referrals and the public information meeting have been received, *Zoning Amendment Bylaw No. 310.173, 2017* be brought back to the Planning and Community Development Committee for consideration of Second Reading.

BACKGROUND

The SCRD received an application from BC Ferry Services Inc. (BC Ferries) to amend the zoning of part of the Langdale Ferry Terminal site to reflect current and proposed uses. The site contains four areas (the rezoning application covers 1 to 3 – see Figure 1) as follows:

1. Water Parcel - District Lot 8007, Group 1 New Westminster District, Plan BCP6348;
2. Upland Parcel - Lot 8, District Lot 1401, Plan 18562;
3. Upland Parcel - Lot 11, District Lot 1401, Plan 19990;

4. Highway Dedication - Plan of Lease for the Langdale Ferry Terminal within road right of way. This area is mainly Crown land, overseen by the Ministry of Transportation and Infrastructure. The SCR D owns a parcel within the lease area that contains a well that serves as the area's water supply.

BC Ferries has also stated that it will merge parcels 1 through 3 into one parcel; this may require a subdivision or amalgamation process. The three parcels are owned by the BC Transportation Financing Authority. In addition, BC Transportation Financing Authority recently applied to acquire accreted land to the east of Lot 8. Preliminary approval was issued by the Land Title and Survey Authority of BC subject to approval of final survey plan. This area will be included in the rezoning proposal.

Figure 1 – Parcel/Area Boundaries

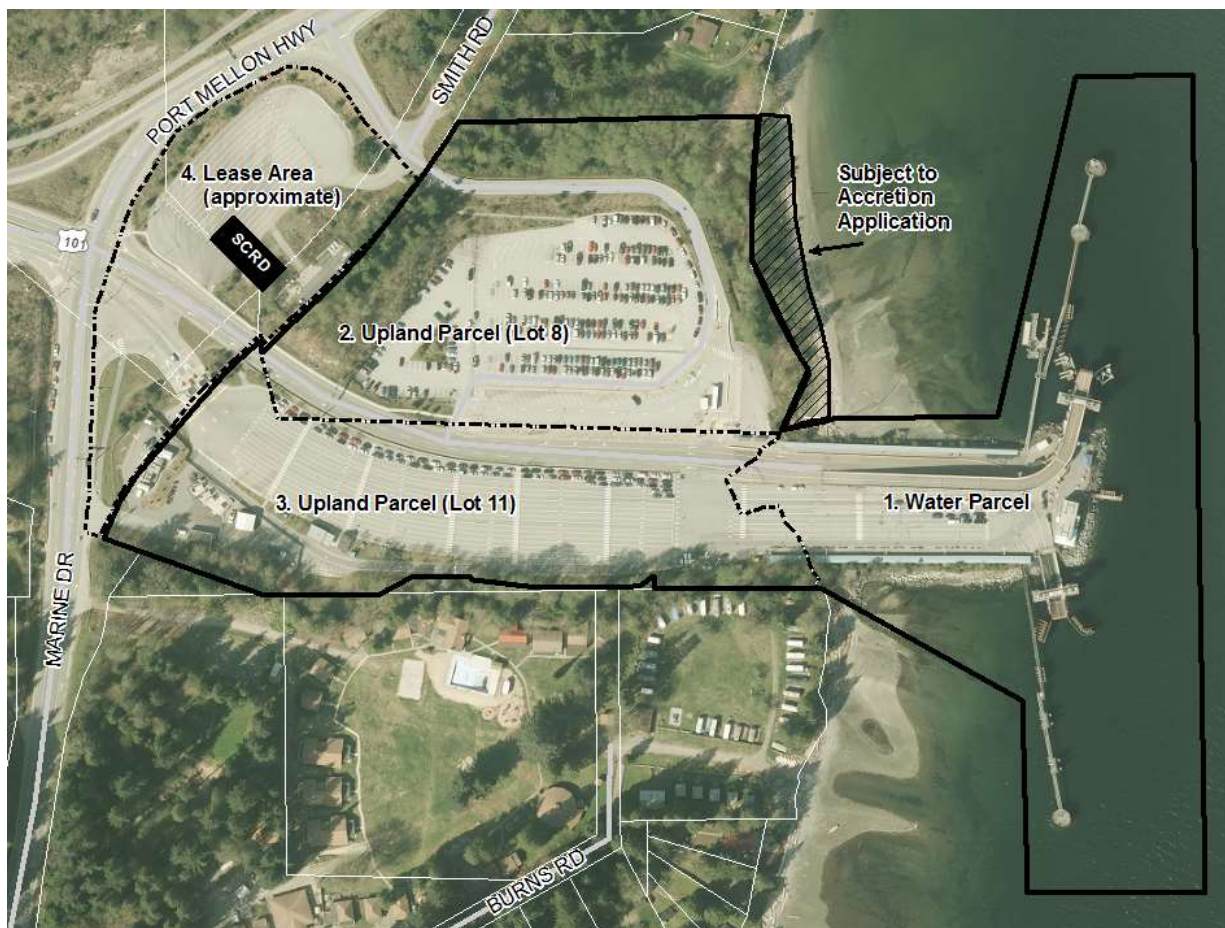


Table 1 - Application Summary

Owner / Applicant:	BC Transportation Financing Authority / BC Ferry Services Inc.	
Civic Address:	1376 Marine Drive	
Legal Description:	(Water Parcel) District Lot 8007, Group 1 New Westminster District, Plan BCP6348 Lot 8, District Lot 1401, Plan 18562 Lot 11, District Lot 1401, Plan 19990	
Electoral Area:	F (West Howe Sound)	
Parcel Area:	11.5 hectares (approx.)	
OCP Land Use:	Marine Transportation	
Land Use Zone:	Water One (W1) Residential One (R1)	Water Parcel Upland Parcels
Application Intent:	To reflect current and proposed uses for the Langdale ferry terminal and set the framework for future redevelopment	

BC Ferries recently announced a public engagement process regarding service levels, timetables and fares. In addition, the federal government announced funding to support ferry terminal upgrades, including a redevelopment of the Langdale terminal. The rezoning application is to set the framework to support the redevelopment. The specific redevelopment proposal, such as building design, is not the subject of the rezoning application.

The purpose of this report is to provide information on the application and obtain direction from the Planning and Community Development Committee on moving forward.

DISCUSSION

West Howe Sound Official Community Plan (OCP)

The majority of the Langdale terminal, including the water parcel and accretion area, is designated Marine Transportation. A small portion of the lease area is within the Gateway Corridor land use designation. This is shown in Figure 2 in Attachment A.

The OCP objectives for the Gateway neighbourhood include supporting the continued operation of the terminal. The relevant policy supports an upgrade, subject to a public consultation process, and allows for auxiliary commercial uses that maintain the quaint village market appeal and are available to the surrounding community.

The Gateway Corridor policy focuses on the provision of a tourist information centre near the junction of Stewart Road and the Bypass and encourages landscaping of the Bypass.

The Transportation section includes an objective to recognize the appropriate locations for commercial and recreational marine transportation opportunities within the OCP area. There is

policy support for the Langdale Ferry Terminal to continue to be the primary location for ferry service.

The Langdale terminal is within several development permit areas:

- DPA #1A (Coastal Flooding)
- DPA #2A (Creek/River Corridor)
- DPA #2B (Ravines)
- DPA #2D (Low Channel Confinement)
- DPA#4 (Stream Riparian Assessment Areas)
- DPA#5 (Aquifer Protection and Stormwater Management)

The hazard areas should be considered during the design stages. In particular DPA #1A (Coastal Flooding) will impact flood construction levels and could have an impact on the location and size of new buildings. Staff recommend that a geotechnical report needs to be provided before the bylaw is considered for Second Reading.

Bylaw 310 Zoning and Proposed Uses

The current zoning designation for most of the land area of the terminal is Residential One (R1); a small portion of the lease area is Rural Two (RU2). The marine portion and the area that is the subject of the accretion application is zoned Water One (W1).

The zoning permitted uses are small scale residential in nature with associated uses, such as limited storage in the RU2, and small docks in the W1 zones.

BC Ferries proposes the following uses:

- a) Marine transportation including the temporary storage of marine vessels (private and/or public)
- b) Transportation centre including foot passengers, bicyclists, transit, car share, commercial trailer drop, float plane and emergency helicopter services
- c) Office
- d) Retail Commercial limited to 20% of building area up to a maximum of 835 sq. m.
- e) Food Services including mobile vendors
- f) Caretaker suite and vessel personnel accommodations
- g) Parking including, employee, short and long term public parking
- h) Park

The applicant proposed height for buildings/marine structures is 20 metres or 3 storeys and for accessory structures is 25 metres. Site coverage is proposed to be 50% with a floor area ratio of 0.25. The current height limit in Bylaw 310 is 11 metres.

BC Ferries proposed the following setbacks:

- a) The minimum front yard is 7.5 metres;
- b) The minimum rear yard is 0.0 metres;
- c) The minimum interior side yard is 6.0 metres;
- d) The minimum exterior side yard is 7.5 metres;
- e) The minimum interior side yard is 1.5 metres on one side of the lot or portion of the lot above the high water mark.

The applicant states that parking requirements would match those set out in Bylaw 310 and bicycle parking will be provided.

Analysis

a) Proposal

The proposed uses are consistent with the OCP. They relate to the site's current use and support the OCP objective and policy for the Langdale terminal. The bylaw has been drafted to identify Marine Transportation and Transportation Centres as primary uses with the remaining uses being auxiliary uses. A new zone is proposed.

Height of Buildings and Structures

There is no direct link between the number of storeys and building/structure height. Staff consider that a height limit is sufficient and reference to "3 storeys" is not required. The proposed building/structure height is likely guided by the needs of the ferry service (such as to provide access to the ferry decks) and to establish a control tower to oversee the site and the approaching ferry traffic. The proposed height is substantially greater than that currently allowed and the applicant should provide additional information to justify the proposed 20/25 metre limit for buildings/structures. This information needs to be provided prior to a public information meeting. Staff consider that it is likely perimeter fencing, within the setback area, will be greater than the 2 metres that is currently permitted in Bylaw 310 in order to meet federal site security requirements. The bylaw is drafted with a 3 metre fence height limit and this will be considered during the review period.

Retail/Commercial Uses and Area

The current retail area consists of approximately 45 square metre building (coffee/bakery) and 600 square metre covered area (stalls for temporary vendors). Mobile vendors are currently part of the terminal operation within the row of stalls available adjacent to the vehicle loading area. Some of the vendors provide food services. The proposal sets a maximum of 835 square metres of retail floor area. Food services are proposed and this is altered to 'restaurant' in the draft bylaw.

The proposal could allow for mobile food trucks in addition to stalls. Staff consider that a separate limit on the area dedicated for mobile vendors could be established and this

could be considered in more detail during the engagement process. Alternatively, the mobile vendors' area could be included in the proposed area limit of 835 square metres.

Bylaw 310 does not include floor area ratios for commercial development. During the engagement period staff will consider whether this is required for the project or if the current practice of establishing site cover and building height limits is sufficient.

Setbacks and Siting

Bylaw No. 310.173 was drafted to clarify the proposal and match terminology used in Bylaw 310. There is no need to list a setback of zero metres from the rear parcel line, if no setback is listed in a zone then it is zero. However, there is a general siting provision of 7.5 metres from the natural boundary of the ocean.

Bylaw 310 does not specifically differentiate between interior and exterior side parcel lines. The key is whether the side parcel is adjacent to a highway or not. The setback to a highway needs to respect Ministry of Transportation and Infrastructure requirements for a 4.5 metre setback from a highway. For simplicity Bylaw No. 310.173 includes a 4.5 metre setback from a side parcel line. It is unclear what is meant by the proposal's 1.5 metre setback to one side of a lot or portion of lot above the high water mark, thus it is not included in Bylaw 310.173. This may change as more information is provided by the applicant as the rezoning process proceeds.

Accommodation

With regard to accommodation, staff support the inclusion of one dwelling for a caretaker/watchman. The applicant needs to provide additional information regarding vessel personnel accommodation and under what circumstances it would be used.

Parking

Bylaw 310 does not include a specific parking requirement for the ferry terminal. However, the Langdale terminal provides large areas for parking and exceeds requirements set out in Bylaw 310 for commercial uses. For clarity Bylaw No. 310.173 includes surface parking as an auxiliary permitted use.

Referral Agencies

The bylaw will be referred to the West Howe Sound APC and *Skwxwú7mesh* Nation. The proposal is likely to be of interest to the Islands Trust as services to Gambier and Keats Islands use the Langdale terminal. The Town of Gibsons and the Gibsons and District Volunteer Fire Department will be sent a referral.

b) Site Design

The OCP supports a quaint village market and access by the surrounding community. To achieve the design aspects, one option could be to establish general design guidelines as part of a covenant to achieve the quaint village market ambience. Another could be to introduce a form and character development permit area. Regarding

community access, this will need to be balanced with federal government requirement for marine security (MARSEC). The applicant is aware of the OCP requirement and noted that site design for the Langdale terminal redevelopment has not been finalized and that public consultation will take place as the project moves forward. Additional information should be provided at the public information meeting. At this point staff consider that a covenant establishing general design principles is the best option as this will allow for flexibility. The engagement process will provide feedback regarding this and a future staff report will review this approach.

c) Traffic Impact

The proposal does not significantly alter the current traffic levels and staff consider that a traffic impact study is not required. There may be modest increases in vehicle movements if the commercial component is accessible to the local community. The engagement process, especially input from the Ministry of Transportation and Infrastructure, will consider whether a traffic study is required.

d) Zoning for Area 4

As noted above, the application does not include part of the Langdale terminal facility that is located on road right of way and leased from the Province (Area 4). This includes the overflow parking area, the location of the vehicle toll booths and part of the sewage treatment site. According to information provided by the applicant the lease area is excluded due to reluctance of the Ministry of Transportation and Infrastructure to support rezoning the Crown land until the result of the fixed link study is known. There is no negative impact of the lease area being rezoned at a later date in terms of the Langdale terminal's operation.

Local governments have the authority to establish zoning of Crown land, including road rights of way, and the SCRD has done so in *Sunshine Coast Regional District Zoning Bylaw No. 310*. The SCRD can determine the appropriate area that the bylaw amendment can cover. There is an opportunity to make adjustments in response to the engagement period. SCRD staff suggest that the rezoning should incorporate this area to reflect the current and ongoing uses that support and are part of the Langdale terminal. The bylaw amendment would then cover the entire Langdale terminal site, reduce the need for a future rezoning application (thus reducing impact on staff resources) and would not preclude any future plans that may arise due to the fixed link study.

The Ministry of Transportation and Infrastructure (MoTI) will be consulted throughout the process. If concerns are raised then the SCRD Board can consider amending the rezoning boundary prior to consideration of second reading.

Staff consider that it is better to include the Area 4 at this point and reduce it later if MoTI objects. To start with a smaller area and then expand it to cover the lease area could trigger the need for additional engagement and increase the time taken and staff resources to process the application.

As noted above the SCRD owns a legal parcel in the lease area that supports the regional water system. Public utilities, such as water services established or regulated by a government are a permitted use in any zone. Thus the parcel can be included in the area to be rezoned. Unimpeded access must be provided.

The copy of Bylaw Amendment No. 310.173 in Attachment B includes the lease area. Terminology reflects that of Bylaw 310 instead of proposed text such as “front parcel line” rather than “front yard” for setbacks.

Options

Possible options to consider:

Option 1: Bylaw No. 310.173 Receives First Reading and Engagement Proceeds with the lease area included.

The proposal is supported within the West Howe Sound Official Community Plan and will set the framework for the future redevelopment of the Langdale terminal. The applicant, on advice from the Ministry of Transportation and Infrastructure, has excluded the lease. However staff consider that the rezoning boundary should include all land associated with the terminal. This is more efficient and is within the authority of the SCRD.

The bylaw, with the lease area included, could receive First Reading and the engagement and referral would commence.

The zoning boundary could be amended after the engagement process at second reading if there are sufficient reasons to do so. Reducing the area to be rezoned is less likely to raise concerns. If the engagement process pointed to increasing the rezoning area then additional engagement could be needed, such as a second information meeting. This would increase project time and staff resources.

Staff recommend this option.

Option 2: Bylaw No. 310.173 Receives First Reading and Engagement Proceeds without the lease area included.

The application specifically excluded the lease area on advice from the province. The bylaw could move forward as proposed. The lease area could be the subject of a separate rezoning application in the future. This would not negatively impact the use of the site. A second application would require staff resources and would likely revisit many of the same issues that would be considered under the current application.

Organization and Intergovernmental Implications

The Langdale terminal area includes a parcel of land that contains an SCRD water facility. This parcel will be included in the rezoning if Area 4 is included. When the redevelopment moves forward the SCRD will work with BC Ferries to ensure that access is maintained to the well site.

Timeline for next steps or estimated completion date

The engagement process will take place over the summer and will include a public information meeting. Once the process is completed staff will provide a report to the Planning and Community Development Committee.

Communications Strategy

Staff recommend that engagement proceed with:

- a) West Howe Sound Advisory Planning Commission
- b) *Skwxwú7mesh* Nation
- c) Ministry of Transportation and Infrastructure
- d) Islands Trust, Gambier Island Local Trust Area
- e) Town of Gibsons
- f) Gibsons and District Volunteer Fire Department

The public information meeting will be advertised in the local press and posted on the SCRD website. A notification sign will also be posted on site. There is likely to be overlap with BC Ferries recently announced consultation and community interest in details of the redevelopment that was recently given federal funds. Care will to be taken to ensure that the rezoning process does not get lost in other aspects of how the Langdale terminal will operate in the future.

Internal referrals will also take place with a focus on Infrastructure Services (water, solid waste and transit) and Building Inspection Services (relating to future redevelopment).

STRATEGIC PLAN AND RELATED POLICIES

The bylaw amendment process supports the Strategic Plan's values of Collaboration, Respect & Equity and Transparency.

CONCLUSION

BC Ferries submitted an application to rezone the majority of the Langdale terminal to a zone that reflects the current and proposed use of the site and set the framework for its redevelopment. The West Howe Sound OCP supports the proposal.

Staff recommend that the entire terminal area, including the lease area, be rezoned and drafted *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310.173, 2017* to include this area.

Staff recommend that the bylaw receive First Reading and that engagement, including a public information meeting, commence.

Attachments

Attachment A – OCP and Zoning maps

Attachment B – Draft *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310,173, 2017*

Reviewed by:			
Manager	X – A. Allen	Finance	
GM	X – I. Hall	Legislative	X – A. Legault
CAO	X – J. Loveys	Other	

Attachment A

Figure 2 - West Howe Sound Official Community Plan: Current Land Use Designations

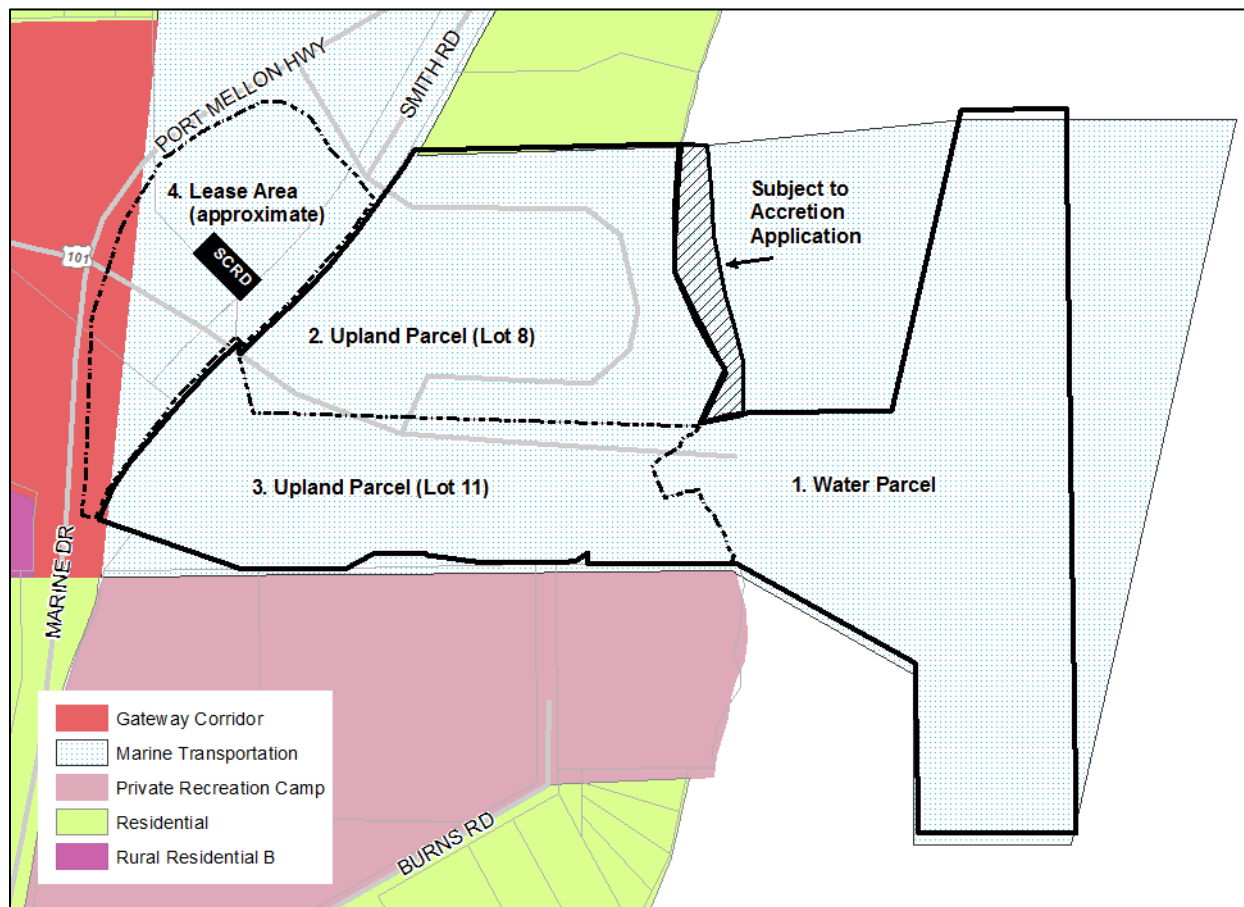
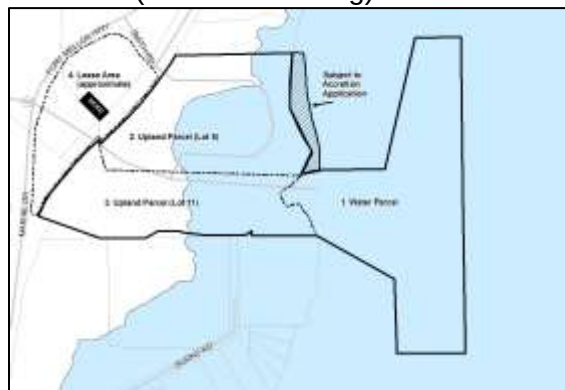


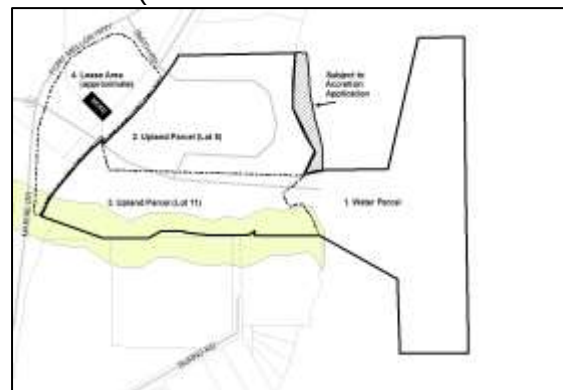
Figure 3 – Development Permit Areas

Note: due to overlapping boundaries each DPA is shown on separate maps.

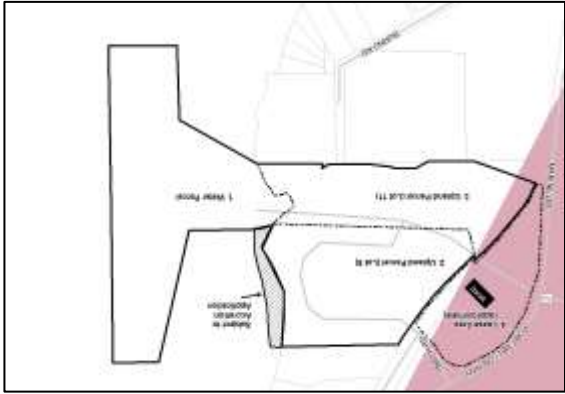
DPA #1A (Coastal Flooding)



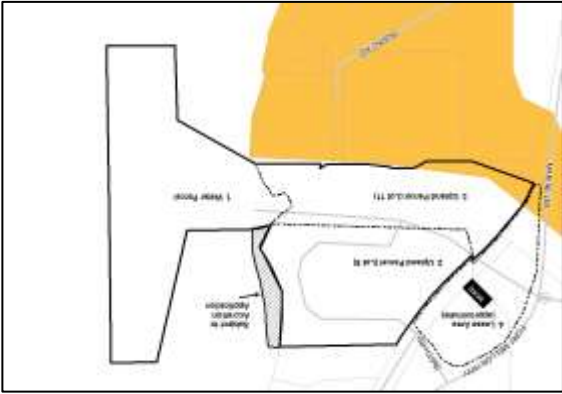
DPA #2A (Creek/River Corridor)



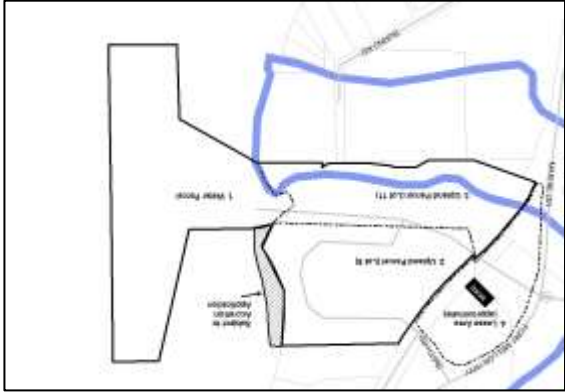
DPA #2B (Ravines)



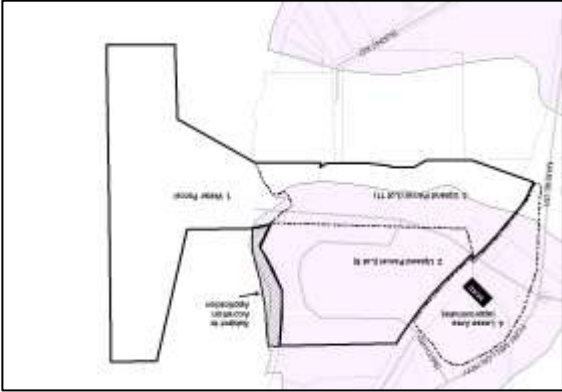
DPA #2D (Low Channel Confinement)



DPA#4 (Stream Riparian Assessment Areas)



DPA#5 (Aquifer Protection and Stormwater Management)



DPA #6 (Shoreline Protection and Management)

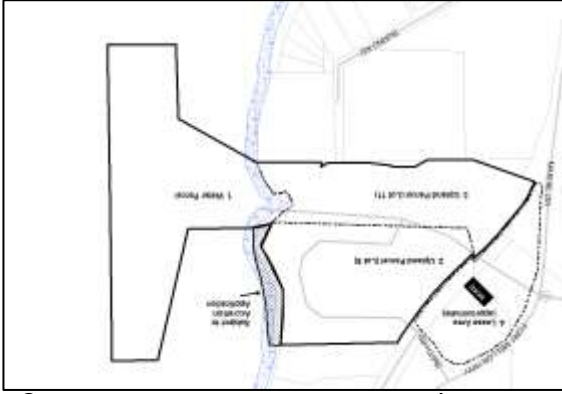
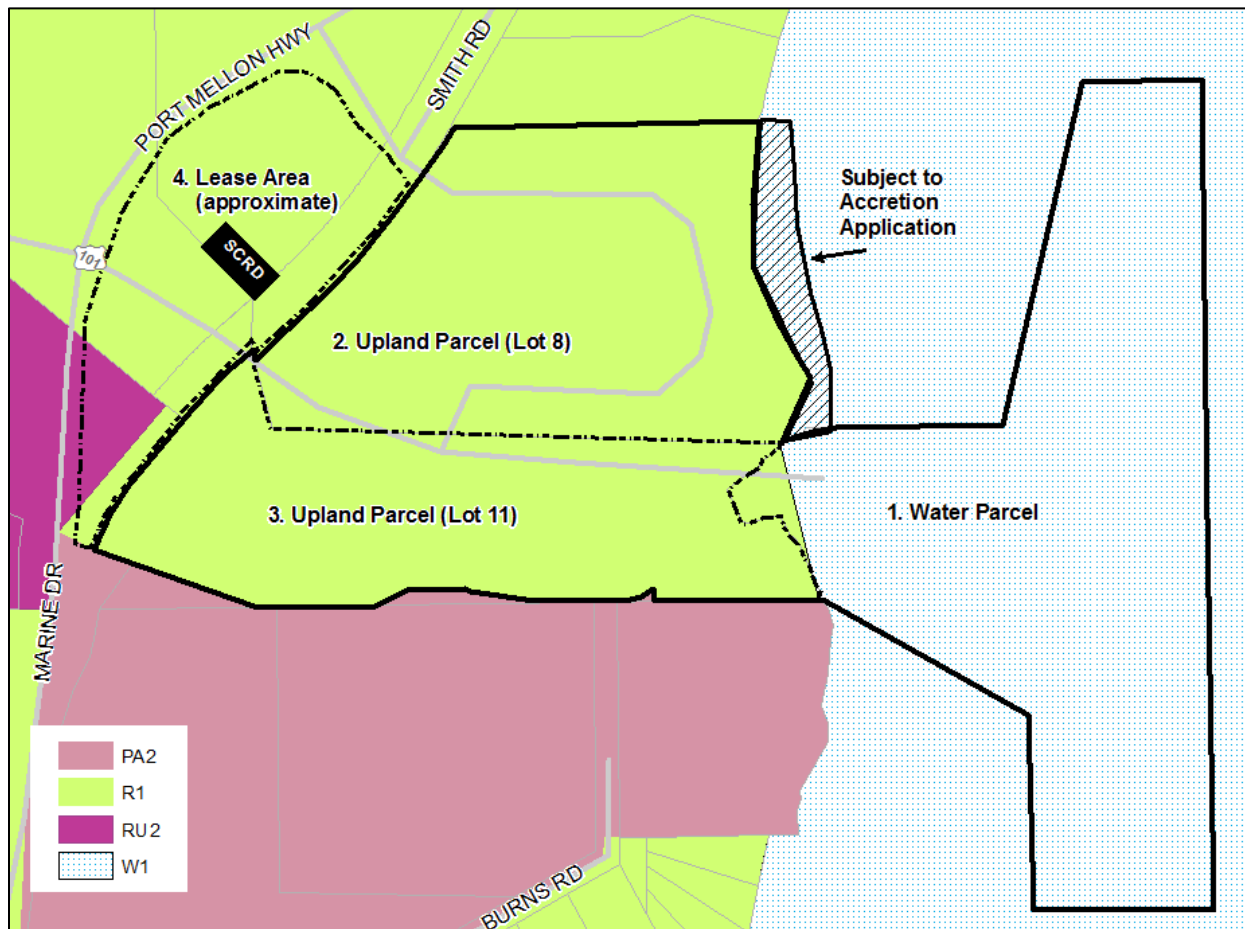


Figure 4 - Zoning Bylaw No. 310: Current Zoning Designations



ATTACHMENT B

SUNSHINE COAST REGIONAL DISTRICT BYLAW NO. 310.173

A bylaw to amend Sunshine Coast Regional District Zoning Bylaw No. 310, 1987.

The Board of Directors of the Sunshine Coast Regional District, in open meeting assembled, enacts as follows:

PART A – CITATION

This bylaw may be cited as the *Sunshine Coast Regional District Zoning Amendment Bylaw No. 310,173, 2017*.

PART B – AMENDMENT

Sunshine Coast Regional District Zoning Bylaw No. 310, 1987 is hereby amended as follows:

- a. In Section 301 (1) add “M1 Marine Transportation” following “C5 Commercial Five”;
- b. In Section 502 (14), Business Signs in Non-Commercial/Industrial Zones, add “, M1” in the list of zones after “C6”;
- c. In Section 502 (15), Business Signs in Commercial and Industrial Zones, add “, M1” in the list of zones after “C6”;
- d. Part VIII (Commercial Zones), is insert the following in numerical order as follows:

“851 M1 Zone (Marine Transportation)

851 On a parcel in an M1 Zone.

Permitted Uses

851.1 except as otherwise permitted in Part V of this bylaw the following and no other uses are permitted:

- (1) marine transportation including the temporary storage of marine vessels (private and/or public);

- (2) transportation centre including foot passengers, bicyclists, transit, car share, commercial trailer drop, float plane and emergency helicopter services;
- (3) auxiliary to (1) and (2):
 - (a) office;
 - (b) retail;
 - (c) restaurant;
 - (d) mobile vendors, including food trucks;
 - (e) one dwelling for the purpose of housing a caretaker or watchman;
 - (f) vessel personnel accommodation;
 - (g) surface parking for employee, short and long term public parking;
 - (h) park;

Conditions of Use

- 851.2 the combined floor area and site area for retail, restaurant and mobile vendor uses shall not exceed 20% of the total building floor area up to a maximum of 835 square metres;

Siting of Structures

- 851.3 no structure shall be located within:
- (a) 7.5 metres of the front parcel line;
 - (b) 4.5 metres of a side parcel setback;

Height of Buildings and Structures

- 851.4
- (a) buildings shall not exceed 20 metres;
 - (b) structures shall not exceed 25 metres;
 - (c) fences within the setback area may not exceed 3 metres;

Parcel Coverage

- 851.5 the maximum parcel coverage of all buildings and structures shall not exceed 50%;

Buildings Per Parcel

- 851.6 subject to compliance with all other provisions of this bylaw more than one building may be permitted."

e. Schedule A is hereby amended by rezoning:

- (1) District Lot 8007, Plan BCP6348;
- (2) Lot 8, District Lot 1401, Plan 18562;
- (3) Lot 11, District Lot 1401, Plan 19990;
- (4) Plan of Lease for the Langdale Ferry Terminal within Highway,
Being Part of Lot 1, Plan 8089; Part of Lot 10, Plan 18562;
and part of Port Mellon Highway Dedicated by the Deposit of the Explanatory
Plan 3633 and Plan 8089, 18562, 19990, and Plans LMP 6457, LMP 6503,
LMP 9502, and LMP 11956, all in D.L. 1401;
- (5) Lot, District Lot 1401, Plan VAP14295

from R1 (Residential One), RU2 (Rural Two) and W1 (Water One) to
M1 (Marine Transportation), as depicted on Appendix A to this Bylaw.

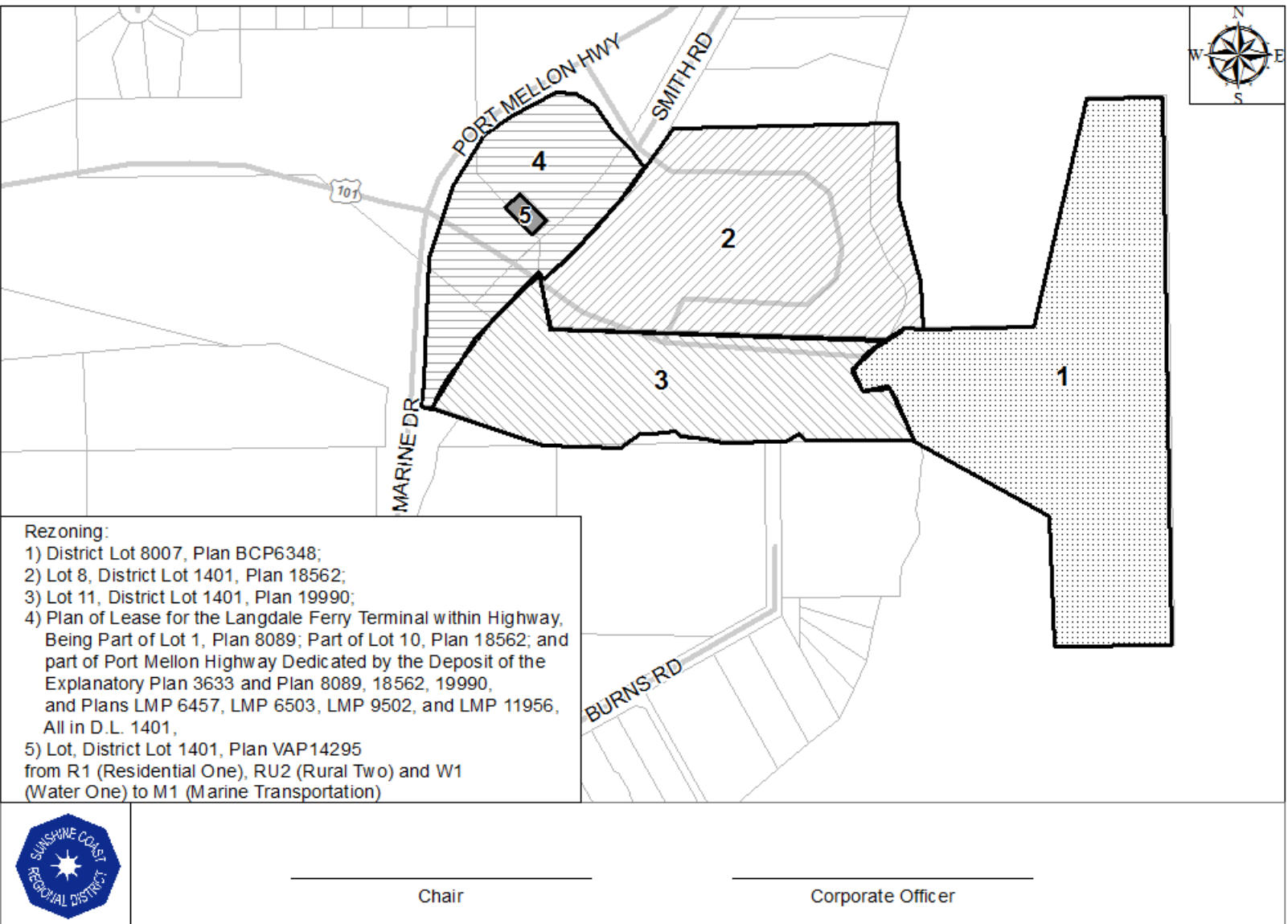
PART C – ADOPTION

READ A FIRST TIME this	#####	DAY OF MONTH ,	YEAR
READ A SECOND TIME this	#####	DAY OF MONTH ,	YEAR
PUBLIC HEARING HELD PURSUANT TO THE <i>LOCAL GOVERNMENT ACT</i> this	#####	DAY OF MONTH ,	YEAR
READ A THIRD TIME this	#####	DAY OF MONTH ,	YEAR
APPROVED PURSUANT TO SECTION 52 OF THE <i>TRANSPORTATION ACT</i> this	#####	DAY OF MONTH ,	YEAR
ADOPTED this	#####	DAY OF MONTH ,	YEAR

Corporate Officer

Chair

Appendix A to Zoning Amendment Bylaw No.310.173



DATE OF MEETING: October 26, 2017
TO: Gambier Island Local Trust Committee
FROM: Madeleine Koch, Planner 2
Northern Team
COPY: Ann Kjerulf, Regional Planning Manager
SUBJECT: Gambier RAR Implementation Update

RECOMMENDATIONS

1. That the Gambier Island Local Trust Committee adopt a Standing Resolution which directs staff to administer Development Permit Area (DPA) No. 3: Riparian Areas in the interim before formal amendments are made to the DPA, as follows:
 - a. The “Designated Area” provisions of Section 12.3.1 of Gambier Island Official Community Plan No. 73 should be used to determine whether or not a proposed development is subject to DPA No. 3: Riparian Areas;
 - b. When development is proposed within the “Designated Area”, applicants shall be required to have a Qualified Environmental Professional assess the water feature to determine whether or not it is subject to the *Riparian Areas Regulation*;
 - c. When development is proposed within the “Designated Area” of a water feature which is determined to be subject to the *Riparian Areas Regulation*, a DPA No. 3: Riparian Areas Development Permit shall be required;
 - d. When development is proposed within the “Designated Area” of a water feature which is determined *not* to be subject to the *Riparian Areas Regulation*, a DPA No. 3: Riparian Areas Development Permit shall *not* be required.
2. That the Gambier Island Local Trust Committee endorse the amended Project Charter.

REPORT SUMMARY

This report provides an update on the status of the Gambier *Riparian Areas Regulation* (RAR) Implementation Project. It outlines the recommendation for an Official Community Plan (OCP) amendment, proposes an amended project charter, summarizes progress on the development of a Riparian Declaration form, and recommends a standing resolution to assist staff with processing Development Permit Area (DPA) No. 3 applications in the interim before bylaw amendments have been adopted.

BACKGROUND

At the August 31, 2017 Gambier Island Local Trust Committee (LTC) meeting, the LTC passed resolutions requesting staff:

- Draft a bylaw to amend the guidelines within Gambier Island Land Use Bylaw No. 86 DPA No. 3: Riparian Areas, primarily to include guidelines to address protection of water features that are not subject to the Provincial RAR, but which still have significant environmental value;
- Amend the project charter to include a public engagement component; and
- Explore options for developing a “Riparian Declaration” to accompany building permit applications.

This report provides updates on these three tasks.

ANALYSIS

Official Community Plan Amendment Required

Upon beginning to draft Land Use Bylaw (LUB) amendments, staff concluded that the amendments would not be entirely consistent with the OCP. While the OCP explicitly justifies the DPA for the purpose of implementing the Provincial RAR, it does not explicitly indicate that the DPA should address the protection of non-RAR water features – which is part of the LTC’s objective for this DPA. This is problematic because Section 478(2) of the *Local Government Act* requires that all bylaws enacted or works undertaken following the adoption of an OCP must be consistent with the OCP. Because there would be inconsistency between the OCP and the proposed LUB amendments, OCP amendments are also required in order to amend DPA No. 3 to ensure it applies to both RAR and non-RAR water features on Gambier Island.

Draft Amended Project Charter

The added requirement to amend the OCP changes the project direction in two substantial ways: firstly, it will require that a public hearing be held (whereas with LUB amendments only, this would have been optional), and secondly, it will extend the timeline of the project. Note, there may be an opportunity to carry out the necessary OCP amendments in conjunction with OCP amendments for Phase One of the Gambier OCP Review project.

A draft amended project charter is attached to this report for the LTC’s consideration. It has been changed in the following ways:

- The timeline has been altered;
- It includes the requirement for a public hearing; and
- It includes a public education component (as previously requested by the LTC).

RAR Declaration Update

Staff have collaborated with staff from the Sunshine Coast Regulation District (SCRD) on the development of a “Riparian Areas Declaration” for applicants to complete at the time of building permit application. The next step is for SCRD and Islands Trust staff to share a draft declaration for their respective analyses.

Consultation

As mentioned above, because the inclusion of non-RAR guidelines requires both OCP and LUB amendments, a public hearing will be required.

The LTC indicated at their last meeting that the project should also include a public education component. Staff intend to post information about proposed DPA amendments on the LTC Project Webpage. It is expected that, following first reading, proposed bylaws would be referred to agencies and First Nations. The LTC may choose to include the Advisory Planning Commission (APC) in the referral process or to conduct a Community Information Meeting (CIM) in advance of further bylaw readings or a public hearing.

Standing Resolution Regarding Interim DP Applications

Until such a time as the OCP and LUB are amended, the existing DPA will continue to apply. As explained in detail in the August 31st staff report, there are implementation challenges associated with the existing DPA (see Attachment 1). To manage these challenges in the interim before bylaw amendments are complete, it is recommended that the LTC adopt a standing resolution, which directs staff on an approach for handling DPA No. 3 applications under the existing policy and regulatory framework. The recommended approach is detailed in Recommendation 1 of this report.

Please note that, while the intent is to also require development permit (DP) applications for development within the designated area of water features that are not subject to the RAR, the recommended interim approach is to not require DPs in these cases, as there are currently no DPA guidelines which speak to the protection of non-RAR water features.

Rationale for Recommendation

Staff recommend the adoption of a standing resolution regarding interim handling of DPA No. 3 applications because staff will need to administer the existing DPA until such a time that bylaw amendments are made, and the implementation challenges associated with the existing DPA are such that administering it as written is unreasonably onerous for applicants. Staff further recommend that the project charter be amended to include a public education component and an updated timeline, and to reflect the process that will need to be followed in light of the requirement for an OCP amendment.

ALTERNATIVES

1. Request further information

NEXT STEPS

If the amended project charter is adopted, staff will proceed with drafting both LUB and OCP amendments in preparation for first reading.

Submitted By:	Madeleine Koch, MCIP, RPP Planner 2	October 6, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	October 11, 2017

ATTACHMENTS

- 1. August 31, 2017 Staff Report Excerpt (Summary of DPA Implementation Challenges)
- 2. DPA No. 3: Riparian Areas LUB Excerpt
- 3. DPA No. 3: Riparian Areas OCP Excerpt
- 4. Current Project Charter
- 5. Draft Amended Project Charter

protecting watercourses and implementing the provincial *Riparian Areas Regulation* (RAR) via a new Development Permit Area (DPA) – “Development Permit Area No. 3: Riparian Areas” (see Attachments 1 and 2 for applicable sections of the OCP and LUB).

At the Gambier Island LTC meeting on July 27, 2017, staff advised the LTC of certain implementation challenges associated with the new DPA. Staff also requested clarification on whether the LTC had intended for the DPA, and development application requirements, to apply to all watercourses on Gambier, or only those subject to the RAR. The LTC indicated that their intention had been to capture both “RAR” and “non-RAR” watercourses with the DPA, and directed staff to provide a report.

GM-2017-040

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to bring back a report regarding guidelines for the Riparian Area Regulations Development Permit Area for the August 31st Local Trust Committee meeting.

CARRIED

ANALYSIS

Issues and Recommended Solutions

1. Issue: No guidelines for Non-RAR watercourses

The DPA as currently written suggests it is only intended to apply to RAR applicable watercourses (although there is no explicit exemption for non-RAR watercourses). Each of the guidelines is worded on the basis of the applicant having secured a formal RAR “Assessment Report” – a document which is typically only produced for RAR applicable watercourses. At present, none of the guidelines apply to development adjacent to non-RAR watercourses.

Recommended solution:

The Gambier LTC recently adopted “DP-2 Streamside Protection” for Keats Island and the new bylaw is currently awaiting Ministerial approval. This DPA includes guidelines for development adjacent to non-RAR watercourses, (see Attachment 3). It is recommended that the LTC apply the same guidelines from Keats Island’s DP-2 to Gambier Island’s Development Permit Area No. 3 (Riparian Areas).

2. Issue: “Designated Area” of Applicability not indicated in Land Use Bylaw

The intent of the DPA is to require permits for development within a “designated area” consistent with the RAR “riparian assessment area” which is defined as follows:

- (a) for a stream, the 30 meter strip on both sides of the stream, measured from the high water mark,*
- (b) for a ravine less than 60 metres wide, a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank, and*
- (c) for a ravine 60 metres wide or greater, a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank;*

At present, the Gambier Island OCP indicates a “designated area” in accordance with the RAR, but the Land Use Bylaw does not. There is no exemption in the LUB for development taking place outside of the designated area. This is problematic because there is currently no ability to exempt development outside the designated area. A strict interpretation of the bylaws as written requires an application for any applicable development, anywhere on Gambier Island, regardless of whether or not a watercourse is present.

Recommended Solution:

This issue could be resolved by amending the Land Use Bylaw to include the “designated area” language currently contained in the OCP, and by including an exemption for development taking place outside of the “designated area”.

3. *Issue: Method of Determining RAR Applicability not specified*

The DPA is intended to apply to both RAR and non-RAR watercourses, but it does not indicate a method for determining whether or not a watercourse is subject to the RAR. This determination is important because RAR watercourses are subject to the Provincial Regulation, with specific RAR assessment methodology and reporting requirements, whereas non-RAR watercourses are not. If, as recommended, separate guidelines are developed for RAR and non-RAR watercourses, determining RAR applicability will be necessary in order to apply the correct guidelines.

Recommended Solution:

The recommended option for resolving this is to require a “Qualified Environmental Professional” (QEP) to evaluate whether the RAR applies each time development is proposed within the “designated area”. Under this approach, applicants would be asked to supply confirmation from a QEP of whether or not the watercourse is subject to the RAR. If not applicable to RAR, the non-RAR guidelines would apply; if RAR-applicable, the RAR guidelines would apply. This approach is used in other local government jurisdictions with comprehensive watercourse protection DPAs.

4. *Issue: Method of Determining Watercourse Presence not specified*

Because a comprehensive DPA approach was used, staff do not have detailed mapping to determine where watercourses are present. As part of the background research for this project, a mapping analysis of RAR-applicable watersheds was conducted, but this did not include site-level detail, and did not capture non-RAR applicable watercourses.

Recommended Solution:

Some other jurisdictions with comprehensive DPAs include a RAR “declaration” form in their building permit application packages, which asks applicants to disclose whether or not any watercourses are located on their property. If an applicant indicates no watercourses are present, but staff have reason to suspect otherwise, there may be an option to require a QEP to conduct an evaluation. Staff can explore the possibility of developing such a declaration form, and collaborating with the Sunshine Coast Regional District to include this with their building permit application package. The Regional District of Nanaimo RAR declaration form and policy is attached to this report as an example (see Attachment 4).

Consultation

Because the required amendments would be considered minor in nature and it would be beneficial for the amendments to occur in a timely manner, staff do not recommend a lengthy or complex consultation process.

Statutory Requirements

The existing DPA issues could be resolved through amendments to the Land Use Bylaw; OCP amendments are not required. In accordance with Section 464(2) of the *Local Government Act*, the public hearing for the recommended amendments could be waived in lieu of the LTC giving notice (in the newspaper). The LTC is not yet required to make a decision as to whether or not a public hearing will be held at the current time. However, either a public hearing or notice must occur prior to third reading of bylaws to amend the Gambier Island LUB.

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 141**

A BYLAW TO AMEND GAMBIER ISLAND LAND USE BYLAW, 2004

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 Island Land Use Bylaw, 2004, Amendment No. 1, 2016”.

2. Gambier Island Local Trust Committee Bylaw No. 86, cited as “Gambier Island Land Use Bylaw, 2004,” 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 PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES AND EXEMPTIONS, is amended by inserting the following:

“9.3 Development Permit Area No. 3 (Riparian Areas)

Definitions

- (1) Terms used in Section 9.3 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 Development Permit Area No. 3, unless specifically exempted under Subsection 9.3(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 Development Permit No. 3 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 20 metres 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 trees are removed and the disturbance of native vegetation is restricted to 0.5 metres on either

side of the fence, or 1.5 metres 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 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 away from the high water mark of a stream.
- (n) Disturbance of soils more than 20 metres 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 squared;
- (o) The constructing of a small accessory building more than 20 metres 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.

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 Development Permit Area No. 3, 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) has, as part of the assessment report defined in the RAR, 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 assessment report submitted to the provincial RAR Notification System (RARNS).

- (b) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified in the assessment report 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's RAR assessment 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 RAR assessment report. Monitoring and regular reporting by a QEP 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 RAR assessment 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."

Information Note: While recommendations from more than one professional may be required to establish comprehensive mitigation measures (as QEPs must act in their area of expertise), an assessment report as defined in the RAR must be submitted to the provincial RAR Notification System (RARNS) by a QEP.

Information Note: Development of a permitted use can be limited but not sterilized by the Riparian Areas Regulation.

READ A FIRST TIME THIS	19 TH	DAY OF	MAY	, 2016
PUBLIC HEARING HELD THIS	25 TH	DAY OF	AUGUST	, 2016
READ A SECOND TIME THIS	25 TH	DAY OF	AUGUST	, 2016
READ A THIRD TIME THIS	25 TH	DAY OF	AUGUST	, 2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
	5 TH	DAY OF	OCTOBER	, 2016
ADOPTED THIS	7 TH	DAY OF	APRIL	, 2017

Chair

Secretary

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 140

A BYLAW TO AMEND GAMBIER ISLAND OFFICIAL COMMUNITY PLAN, 2001

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 Island Official Community Plan, 2001, Amendment No. 1, 2016”.

2. Gambier Island Local Trust Committee Bylaw No. 73, cited as “Gambier Island Official Community Plan, 2001,” is amended as follows:

2.1 **SCHEDULE A** – Policy Document, **Part 12 PERMITS AND DEVELOPMENT APPROVAL INFORMATION**, is removed in its entirety and replaced with the following text:

“Development Permit Areas (DPAs) are established, pursuant to Section 488 of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

This section designates development permit areas and provides justification for the designations. This section also specifies development approval information that may be required for designated development permit areas.

DEVELOPMENT PERMIT AREAS

12.1 Development Permit Area No. 1: Watershed Areas

12.1.1 Designated Area

The Local Trust Committee may issue development permits to protect the natural environment, its ecosystems and biological diversity for areas designated as Development Permit Area No. 1 on Schedule I.

12.1.2 Justification

This development permit area includes streams, lakes, wetlands, groundwater catchment areas and watershed areas that have been identified as important as fish, wildlife and plant habitats and as water supplies or water recharge areas for rural and residential use. The objectives of this designation are:

1. to conserve biological diversity and habitat values of riparian and aquatic ecosystems;

2. to prevent the degradation of existing and future water supplies in the Gambier Island Planning Area; and
3. to maintain groundwater recharge capability in the Gambier Island Planning Area.

Riparian areas are important wildlife habitat. Riparian forests and other vegetation perform essential functions in maintaining the quality of aquatic habitat. Trees and shrubs shade streams, preventing high water temperatures that can be harmful to fish and other aquatic animals and provide cover that enables fish to avoid predators. Mature trees along streams provide a source of large organic debris that maintains pools and cascades used by fish. Plant roots and ground-covering vegetation stabilise stream banks and help to maintain high water quality by filtering sediments and pollutants throughout a drainage system. Riparian and aquatic habitats are unique and necessary to many species of plants and animals.

The management of watershed areas is important as the removal of vegetation and the development of impervious surfaces, such as roads, buildings or the compaction of soil from vehicle use can accelerate surface water flows and introduce larger volumes of water into streams, lakes and wetlands.

Accelerated water flows also act to collect ground surface contaminants including:

- run-off from construction debris, in particular from drywall;
- lignin and tannin released from felled trees left to rot rather than removed to a less vulnerable area;
- faecal coliform from the introduction of pets and farm animals;
- nitrates from fertilizers and pesticides from vegetable and ornamental gardens;
- wood preservation chemicals that leach from fences and other soft- wood (cedar) constructed structures;
- manure and associated residues from gardens;
- oil, gas, transmission fluids and other hydro carbon compounds from vehicle maintenance and use;
- garbage accumulation that provides residues and which also attracts rodents and mammals which leave wastes;
- PCP's and dioxin which can be produced from burning green wet garden refuse along with plastic bags;
- salts which may be applied on icy roads and driveways;
- leaching from spent containers of paint and preservatives and from these materials as they are applied to garages, sheds, green houses, boats etc.;
- movement of septic tank effluent in absorption fields to surface run-off;
- run-off from wastes and eroded terrain that occurs from home occupations, swimming pool construction, residential development, driveways, and recreational and farm vehicle use; and
- biological contaminants such as giardia lamblia and salmonella and viruses such as Hepatitis A.

Land use activities in the higher elevations of Gambier Island can also impact the ability of the island to recharge its groundwater supplies. Large land use activities that accelerate surface water flows or compact the soils decrease the ability of the ground to absorb rainfall. This rainfall in the

higher elevations of the island seeps through the soil and ultimately provides the groundwater supply in the lower elevations where much of Gambier Island's groundwater demands exist from residential development.

12.1.3 Development Approval Information

- (a) Development approval information shall be required for the area that is subject to Development Permit Area 1.
- (b) Applicants for a development permit in Development Permit Area 1 must provide development approval information when applying for a development permit.
- (c) Development Permit Area 1 protects the natural environment and specifically the water quality and quantity of streams, lakes, wetlands, and groundwater catchment areas. Development approval information is required to determine under what circumstances and conditions development permits may be issued to manage development that potentially has significant impact on the natural environment and water quality and quantity. The potential cumulative impact will be assessed in relation to pre-existing impacts in order to protect the overall resiliency of the watershed.

12.2 Development Permit Area No. 2: Shoreline Protection Area (Brigade Bay Area)

12.2.1 Designated Area

The Local Trust Committee may issue development permits to protect the natural environment, its ecosystems and biological diversity for Marine and Foreshore designated areas considered to have potential fishery resource values. The area designated as Development Permit Area No. 2 (Brigade Bay Area) on Schedule I is a development permit area for protection of the natural environment, its ecosystems and biological diversity.

12.2.2 Justification

The development permit area includes an area 15 metres upland of the natural boundary of the sea and an area 30 metres seaward of the natural boundary of the sea that represent an area that is important for fish habitat or is within an area of potential impact on such habitat. The objectives of the designation are:

1. to conserve biological diversity and habitat values of marine ecosystems;
2. to ensure no net loss in fisheries values; and
3. to ensure that any development in the upland portion of the development permit area has no impacts on adjacent fisheries values.

Maintenance of vegetation in upland areas can minimize siltation of shoreline zones and assist in preventing erosion of existing shoreline.

Eelgrass beds, rocky shoreline and variable substrate can provide opportunity for fish habitat and protection from predators.

The management of the shoreline and immediate upland area in the vicinity of areas of fish habitat is important to maintain the integrity of the habitat and allows for the ongoing maintenance of the fishery resource.

12.2.3 Development Approval Information

- (a) Development approval information shall be required for the area that is subject to Development Permit Area 2 (Brigade Bay Area).
- (b) Applicants for a development permit in Development Permit Area 2 (Brigade Bay Area) must provide development approval information when applying for a development permit.
- (c) Development Permit Area 2 protects the natural environment and specifically fish habitat values in marine areas. Development approval information is required to determine under what circumstances and conditions development permits may be issued to manage development that potentially has a significant impact on the natural environment and fish values.

12.3 **Development Permit Area No. 3: Riparian Areas**

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

12.3.1 Designated Area

Development Permit Area No. 3 applies to all *streams* as defined in the RAR and encompasses any of the following on Gambier Island 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 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 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 beyond the top of the ravine bank;

For a stream located within a ravine that is 60 metres 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 beyond the top of the ravine bank;

For a lake, wetland or other water body, the development permit area is 30 metres around the water body measured from the high water mark of the water body.

12.3.2 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.

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

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

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

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 Gambier Island.

12.3.3 Development Approval Information

- (a) Development Permit Area 3 is designated as an area for which development approval information may be required as authorized by Section 485 of the *Local Government Act*.
- (b) Development approval information in the form of an assessment report as defined in the RAR submitted by a Qualified Environmental Professional (QEP) as defined in the RAR will be required for applicable development activities.
- (c) Development Permit Area 3 protects the natural environment and specifically fish habitat values. Development approval information is required to determine under what circumstances and conditions development permits may be issued to manage development that potentially has a significant impact on the natural environment and fish habitat. ”

2.2 SCHEDULE I - DEVELOPMENT PERMIT AREAS is replaced with Plan 1, which is attached to and forms part of this bylaw.

READ A FIRST TIME THIS	19 TH	DAY OF	MAY	, 2016
PUBLIC HEARING HELD THIS	25 TH	DAY OF	AUGUST	, 2016
READ A SECOND TIME THIS	25 TH	DAY OF	AUGUST	, 2016
READ A THIRD TIME THIS	25 TH	DAY OF	AUGUST	, 2016
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	5 TH	DAY OF	OCTOBER	, 2016
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT THIS	13 TH	DAY OF	MARCH	, 2017
ADOPTED THIS	7 TH	DAY OF	APRIL	, 2017

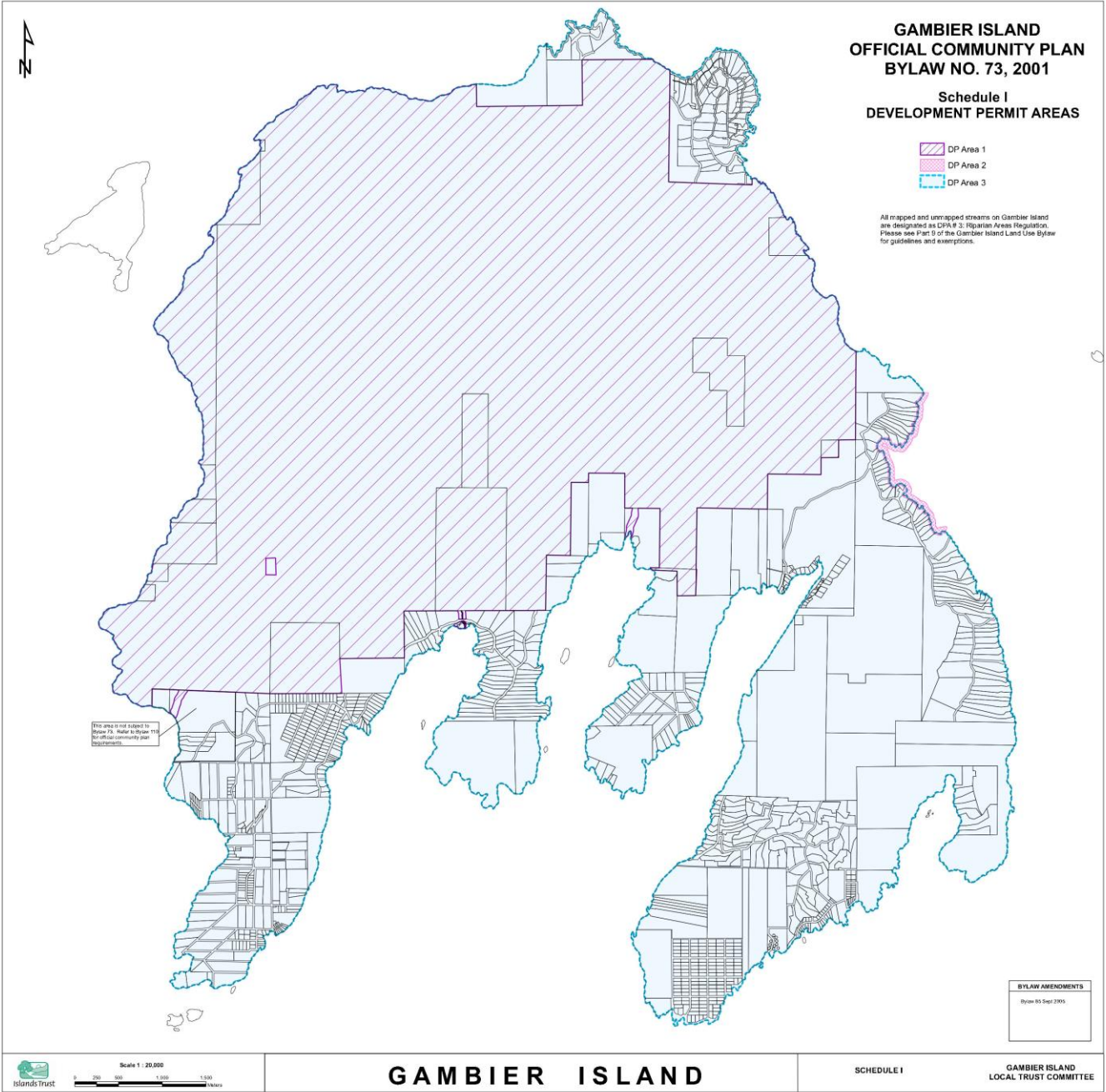
SECRETARY

CHAIRPERSON

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW No.140

PLAN NO. 1



Riparian Areas Regulation Implementation - Project Charter

Gambier Island Local Trust Committee

Date: August 31, 2017

Revised: June 18, 2015; November 19, 2015; August 31, 2017

Purpose This project is intended to better protect riparian and streamside habitat in the Gambier Local Trust Area (LTA), in part by bringing Gambier Island into compliance with the provincial Riparian Areas Regulation (RAR), and in part by establishing guidelines for development adjacent to non-RAR watercourses.

Background Strategy 1.3 of the Islands Trust Council's 2011-2014 Strategic Plan is to "Protect fish habitat by implementing Riparian Areas Regulation", and the LTC has also indicated their intention to protect watercourses that are not fish bearing, but have other important habitat values.

Objectives

- Improve the protection of riparian habitat on islands in the Gambier LTA
- Become compliant with the RAR
- Protect non-RAR applicable watercourses
- Conduct bylaw housekeeping

Scope & Deliverables

- Designate Development Permit Areas (DPAs) in OCPs for RAR and non-RAR applicable watercourses (Gambier, Keats, Associated Islands)
- Establish and maintain effective guidelines for the protection of RAR and non-RAR applicable watercourses (Gambier, Keats, Anvil, Bowyer, South Thormanby)
- Coordinate with the SCRD to include a RAR declaration as part of the building permit application process
- Coordination with provincial staff responsible for RAR; consultation with First Nations and other agencies and stakeholders

Workplan Overview

Deliverable/Milestone	Date
Draft LUB amendments to Gambier Island Land Use Bylaw DPA No. 3 (Gambier Island); LTC consideration	September—October 2017
Draft amendments to Bowyer and Passage LUB and Gambier Associated Islands LUB for DPA No. 2 (Bowyer and Anvil); LTC consideration	September—October 2017
First Nations and Agency Referrals	October-November 2017
Develop an approach for receiving RAR declarations	September –October 2017
Legislative bylaw amendment process	November—December 2017

Project Team

Madeleine Koch, Planner 2	Project Manager
Ann Kjerulf	

Budget

Budget Source: Gambier OCP (\$2000)

Fiscal	Item	Cost
2017-18	Public Hearing/Notice	\$2000
	Total	\$2000

RPM Approval:

Date: Aug. 23, 17

LTC Endorsement/Amendments:

May 22, 2014 (GM-2014-034)
June 18, 2015 (GM-2015-031)
November 19, 2015 (GM-2015-059)

Riparian Areas Regulation Implementation - Project Charter

Gambier Island Local Trust Committee

Date: October 26, 2017

Revised: June 18, 2015; November 19, 2015; August 31, 2017; October 26, 2017

Purpose This project is intended to better protect riparian and streamside habitat in the Gambier Local Trust Area (LTA), in part by bringing Gambier Island into compliance with the provincial Riparian Areas Regulation (RAR), and in part by establishing guidelines for development adjacent to non-RAR watercourses.

Background Strategy 1.3 of the Islands Trust Council's 2011-2014 Strategic Plan is to "Protect fish habitat by implementing Riparian Areas Regulation", and the LTC has also indicated their intention to protect watercourses that are not fish bearing, but have other important habitat values.

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- Improve the protection of riparian habitat on islands in the Gambier LTA
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Scope & Deliverables

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- Establish and maintain effective guidelines for the protection of RAR and non-RAR applicable watercourses (Gambier, Keats, Anvil, Bowyer, South Thormanby)
- Coordinate with the SCRD to include a RAR declaration as part of the building permit application process
- Coordination with provincial staff responsible for RAR; consultation with First Nations and other agencies and stakeholders

Workplan Overview

Deliverable/Milestone	Date
Draft amendments to Bowyer and Passage LUB, Gambier Associated Islands LUB, and the Associated Islands OCP for DPA No. 2; LTC consideration	September—October 2017 (OCP draft amendment complete)
Draft amendments to Gambier Island Land Use Bylaw and Official Community Plan DPA No. 3 (Gambier Island); LTC consideration	November – December 2017
First Nations and Agency Referrals	November 2017—January 2018
LTC consideration of agency and public input	Ongoing
Statutory approvals	March—April 2018
Public Hearing and LTC consideration of input	February—March 2018
Implement RAR declarations (with SCRD)	November—December 2017
Public Education	Ongoing

Project Team

Madeleine Koch, Planner 2	Project Manager
Ann Kjerulf	Project Sponsor

RPM Approval:

Date: Oct 12, 17

LTC Endorsement/Amendments:

May 22, 2014 (GM-2014-034)
June 18, 2015 (GM-2015-031)
November 19, 2015 (GM-2015-059)
August 31, 2017 (awaiting minutes)

Budget

Budget Source: Gambier OCP (\$2000)

Fiscal	Item	Cost
2017-18	Public Hearing/Notice	\$2000
	Total	\$2000



DATE OF MEETING: October 26, 2017

TO: Gambier Island Local Trust Committee

FROM: Ann Kjerulf, Regional Planning Manager
Northern Team

SUBJECT: Gambier Associated Islands Streamside Protection DPA (Draft Bylaw Nos. 146 & 147)

RECOMMENDATION

1. That the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 146, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017”, is not contrary to or at variance with the Islands Trust Policy Statement.
2. That Gambier Island Local Trust Committee Bylaw No. 146 cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017”, be read a first time.
3. That the Gambier Island Local Trust Committee request staff to refer Bylaw No. 146 to the following agencies and First Nations: Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Resource Management Objectives Branch), Ministry of Housing and Urban Affairs, Ministry of Transportation and Infrastructure, Sunshine Coast Regional District, Squamish First Nation, Tsleil Waututh First Nation, and Musqueam Nation.
4. That the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 147, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017”, is not contrary to or at variance with the Islands Trust Policy Statement.
5. That Gambier Island Local Trust Committee Bylaw No. 147 cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017”, be read a first time.
6. That the Gambier Island Local Trust Committee request staff to refer Bylaw No. 147 to the following agencies and First Nations: Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Resource Management Objectives Branch), Ministry of Housing and Urban Affairs, Ministry of Transportation and Infrastructure, Sunshine Coast Regional District, Squamish First Nation, Tsleil Waututh First Nation, and Musqueam Nation.
7. That the Gambier Island Local Trust Committee request staff to refer Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”, to the following agencies: Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Resource Management Objectives Branch), Ministry of Housing and Urban Affairs, Ministry of Transportation and Infrastructure, and Sunshine Coast Regional District.

REPORT SUMMARY

The Gambier Island Local Trust Committee (LTC) is asked to consider draft Bylaw Nos. 146 and 147, which would amend the Bowyer and Passage Land Use Bylaw and Gambier Associated Islands Land Use Bylaw, respectively, to include guidelines for proposed Gambier Associated Islands Official Community Plan (OCP) Development Permit Area (DPA) 2: Streamside Protection (DP-2).

BACKGROUND

The designation of DPAs to implement the Provincial *Riparian Areas Regulation* (RAR) and provide greater protection for riparian and streamside habitat in the Gambier Local Trust Area (LTA), is an LTC Top Priority.

At the July 27, 2017 meeting, the LTC considered proposed Bylaw No. 145 cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”. This bylaw, if adopted, would designate DP-2, in accordance with the *Local Government Act (LGA)*, for the purpose of protecting the natural environment, its ecosystems, and biodiversity.

The LTC passed the following resolutions:

GM-2017-035

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 No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GM-2017-036

It was MOVED and SECONDED

that Gambier Island Local Trust Committee Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”, be read a first time.

CARRIED

GM-2017-037

It was MOVED and SECONDED

that Gambier Island Local Trust Committee request staff to prepare draft bylaws to amend the Bowyer and Passage Islands Land Use Bylaw and Gambier Associated Islands Land Use Bylaw to include guidelines for Development Permit Area 2: Streamside Protection.

CARRIED

GM-2017-038

It was MOVED and SECONDED

that Gambier Island Local Trust Committee Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”, be referred to First Nations in accordance with the provincial First Nations Consultation List.

CARRIED

Staff have prepared draft Bylaw Nos. 146 and 147 to amend the Bowyer and Passage Land Use Bylaw and Gambier Associated Islands Land Use Bylaw, respectively (see Attachments 1 and 2).

Staff have also referred proposed Bylaw No. 145 to First Nations with asserted interests in the Gambier Associated Islands OCP Plan Area, in an effort to have early and ongoing consultation with First Nations. Bylaw No. 145 has not yet been referred to agencies for comment.

ANALYSIS

Policy/Regulatory

Local Government Act

The authority to designate a DPA in an OCP for the purpose of protecting the natural environment, its ecosystems and biodiversity is granted through section 488(1) of the *LGA*. Pursuant to section 489 of the *LGA*, the following prohibitions apply unless an exemption applies or the owner first obtains a development permit:

- land within the area must not be subdivided;
- construction of, addition to or alteration of a building or other structure must not be started; and
- land must not be altered.

Section 491(1) of the *LGA* further states that for land within a development permit area designated under section 488 (1) (a) [*protection of natural environment*], a development permit may do one or more of the following:

- a) specify areas of land that must remain free of development, except in accordance with any conditions contained in the permit;
- b) require specified natural features or areas to be preserved, protected, restored or enhanced in accordance with the permit;
- c) require natural water courses to be dedicated;
- d) require works to be constructed to preserve, protect, restore or enhance natural water courses or other specified natural features of the environment;
- e) require protection measures, including that vegetation or trees be planted or retained in order to
 - i. preserve, protect, restore or enhance fish habitat or riparian areas,
 - ii. control drainage, or
 - iii. control erosion or protect banks.

Islands Trust Policy Statement

The Islands Trust Policy Statement (ITPS) provides the guiding policy framework for the development of LTC OCPs and Land Use Bylaws (LUBs). Staff have completed the ITPS Directive Policies Checklist and determined that draft Bylaw Nos. 146 and 147 are not contrary to or at variance with the ITPS (see Attachment 3).

Official Community Plan

As described in the May 25, 2017 staff report, the Gambier Associated Islands OCP provides numerous policies to support the designation of a DPA for streamside protection. Associated guidelines for the DPA may be contained either within the OCP or LUB.

Land Use Bylaw:

Draft Bylaw No. 146 would amend the Bowyer and Passage Land Use Bylaw, 2011 to add “Part 8 – Development Permit Area Guidelines”. Draft Bylaw No. 147 would amend the Gambier Associated Islands Land Use Bylaw, 2013 to add “Part 9 – Development Permit Area Guidelines”. The respective guidelines are very similar in their wording. In both cases, a qualified professional would be required to assess the proposed development in relation to DPA objectives and recommend measures to protect or mitigate development impacts within the DPA. However, under draft Bylaw No. 146 guidelines applicable to DP-2 on Bowyer Island, the professional would need to be a Qualified Environmental Professional (QEP) pursuant to the RAR because Orchid Creek has been identified as a RAR-applicable stream. Under draft Bylaw No. 147 guidelines applicable to Anvil Island, it is

suggested that the professional may either be a QEP or a Registered Professional Biologist with expertise in aquatic biology (as the un-named creek on Anvil Island is not classified as a RAR-applicable stream). Furthermore, the RAR requires a specific reporting methodology that must be followed by the QEP when dealing with assessments for RAR-applicable streams.

Issues and Opportunities

The LTC has previously established DPAs for protection of RAR and non-RAR applicable watercourses. Staff have endeavoured to draft bylaws which have consistent wording. However, it is possible that as the bylaws proceed through the statutory process, amendments may be needed, particularly in response to agency or First Nations input.

Consultation

As noted, Proposed Bylaw No. 145 (to amend the Gambier Associated Islands OCP) has been referred to First Nations in order to initiate “early and ongoing” consultation. Referrals were sent to the Squamish, Musqueam and Tsleil Waututh First Nations.

The Islands Trust has since received the following response from the Tsleil Waututh First Nation:

“Tsleil-Waututh stands by the principle of “net environmental gain” for all projects, rather than a perspective based on mitigating impacts for “no net environmental loss”. This Tsleil-Waututh principle takes into account that current conditions throughout the territory are already at a loss, compared to pre-industrial times. With this in mind, Tsleil-Waututh has no concerns with the proposed change to designate lands as a Development Permit Area for the purpose of protecting the natural environment, ecosystems and biodiversity, provided that locally-affected First Nations are agreeable.”

It is recommended that Bylaw No. 145 now be referred to agencies for comment, including: Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Resource Management Objectives Branch), Ministry of Housing and Urban Affairs, Ministry of Transportation and Infrastructure, and Sunshine Coast Regional District.

It is further recommended that Bylaw Nos. 146 and 147 be referred to the above-noted First Nations and agencies, including: Ministry of Forests, Lands, Natural Resource Operations and Rural Development (Resource Management Objectives Branch), Ministry of Housing and Urban Affairs, Ministry of Transportation and Infrastructure, and Sunshine Coast Regional District.

The LTC may wish to consider whether or not supplemental notification to affected persons should occur beyond statutory notice requirements, such as to affected property owners on Bowyer and Anvil Islands, and direct staff accordingly.

Rationale for Recommendation

Staff have prepared draft Bylaw Nos. 146 and 147 for LTC consideration. These bylaws would add DPA guidelines for streamside protection applicable to Orchid Creek on Bowyer Island and the un-named creek at the southern end of Anvil Island, in relation to proposed Gambier Associated Islands OCP DPA 2: Streamside Protection. The establishment of DPAs for protection of the natural environment, its ecosystems and biodiversity is supported by the Gambier Associated Islands OCP and Islands Trust Policy Statement.

The recommendations are noted on page 1 of the report.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are further delays in obtaining formal protection for creeks which have been identified as having ecological significance.

2. Amend Bylaw Nos. 146 and 147 prior to First Reading

The LTC may choose to amend the bylaws prior to first reading although staff advise that this not occur in advance of receiving input from referral agencies and First Nations.

NEXT STEPS

Following first reading, Bylaw Nos. 146 and 147 would be referred to agencies and First Nations for comment. In order to accommodate a minimum 45 day referral period for First Nations, staff anticipate reporting back to the LTC in early 2018.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	October 16, 2017
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ATTACHMENTS

1. Draft Bylaw No. 146
2. Draft Bylaw No. 147
3. Islands Trust Policy Statement Directive Policies Checklist

DRAFT

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 146

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, 2017”.

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, cobblestones, 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 7 of the Gambier Associated Islands Official Community Plan and their locations are shown on Schedule E of that Plan.

8.1 DP-2 STREAMSIDE PROTECTION

Definitions

- (1) Terms used in Section 8.1 that are defined in the Provincial *Riparian Areas Regulation* (RAR) 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;
- alteration of land;
- 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-2 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 10 metres (32.8 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 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 10 metres (32.8 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 10 metres (32.8 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-2, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:
 - a) Applicants are to provide a report, prepared by a Qualified Environmental Professional (QEP). 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 DPA.
 - b) In general, all development should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems.
 - c) Native vegetation and trees are to be retained or replaced to control erosion, protect banks and protect fish and wildlife habitat.
 - d) Where this DPA includes unique native species dependent on streamside habitat identified by a QEP 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.”
- f) Where a QEP 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 QEP report.
- g) The development permit should only allow activities identified in the QEP report, and the owner should be required to follow any protective or mitigative measures identified by the QEP and these measures should be included as conditions of the development permit.
- h) Monitoring and regular reporting by a QEP at the applicant’s expense may be required during construction and development phases, as specified in a development permit.
- i) 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 the DPA in compliance with recommendations of a QEP report.”

READ A FIRST TIME THIS	XXX	DAY OF	XXX	, 20XX
PUBLIC HEARING HELD THIS		DAY OF		, 20XX
READ A SECOND TIME THIS		DAY OF		, 20XX
READ A THIRD TIME THIS		DAY OF		, 20XX
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
		DAY OF		, 20XX
ADOPTED THIS		DAY OF		, 20XX

Chair

Secretary

DRAFT

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 147

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, 2017”.

2. Gambier Island Local Trust Committee Bylaw No. 120, cited as “Gambier Associated Islands 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, cobblestones, pavers and decorative concrete.”

2.2 SCHEDULE A – LAND USE BYLAW REGULATIONS 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 7 of the Gambier Associated Islands Official Community Plan and their locations are shown on Schedule E of that Plan.

9.1 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 9.1(2):

- subdivision of land;
- construction of, addition to, or alteration of a building or other structure;
- alteration of land.

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 10 metres (32.8 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, or 1.5 metres (4.9 feet) on either side of the fence in agricultural areas;

- 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 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 10 metres (32.8 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 10 metres (32.8 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

- (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) Applicants are to provide a report, prepared by a Qualified Environmental Professional (QEP) or Registered Professional Biologist with expertise in aquatic biology. The professional's 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 DPA.
 - b) In general, all development should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems.
 - c) Native vegetation and trees are to be retained or replaced to control erosion, protect banks and protect fish and wildlife habitat.
 - d) Where this DPA includes unique native species dependent on streamside habitat identified in the professional report 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’s 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.”
- f) Where a 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 professional’s report.
- g) The development permit should only allow activities identified in the professional’s report, and the owner should be required to follow any protective or mitigative measures identified by the professional, and these measures should be included as conditions of the development permit.
- h) Monitoring and regular reporting by a QEP or Registered Professional Biologist at the applicant’s expense may be required during construction and development phases, as specified in a development permit.
- i) 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 the DPA in compliance with recommendations of the professional’s report.”

READ A FIRST TIME THIS DAY OF , 20XX

PUBLIC HEARING HELD THIS DAY OF , 20XX

READ A SECOND TIME THIS DAY OF , 20XX

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APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

DAY OF , 20XX

ADOPTED THIS DAY OF , 20XX

Chair

Secretary

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: Bylaw Nos. 146 & 147

File Name: Gambier RAR Implementation

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, 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 CHECKLIST

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.
✓	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.
✓	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
✓	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
✓	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.
✓	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.

CONSISTENT	No.	DIRECTIVE POLICY
	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.
✓	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.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
✓	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
	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
✓	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
✓	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
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

**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	Ann Kjerulf Madeleine Koch	
2	Gambier OCP Comprehensive Review	Includes developing a "Shared Narrative of Place" with First Nations	12-Feb-2015	Fiona MacRaid Madeleine Koch	
3	Keats Island OCP/LUB Amendments	Consideration of amendments to policies and regulations regarding docks and other foreshore development on Keats Island	27-Jul-2017	Sonja Zupanec	
4	OCP Advocacy Policies - Implementation & Support	Supporting the advocacy policies of the Gambier, Keats, and Associated Islands OCPs, and Islands Trust Strategic Plan (e.g. woodlots, industrial facilities, Howe Sound)	24-Oct-2013	Kate-Louise Stamfor Dan Rogers Susan Morrison	

**Projects****Gambier Island**

Description	Activity	R/Initiated
Development Approval Information Bylaw	Develop and adopt a D.A.I bylaw for the Gambier Trust Area.	
Squamish First Nation Consultation	Scope interim strategies pending completion of a possible protocol agreement to address protection of archaeological and heritage resources.	31-Jan-2012
Gambier LUB Review	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
Gambier Site-specific Water Zones	Staff to research the history of Site-Specific water zones on Gambier.	26-Sep-2013
Recreational Camp and Private Institutional Regulation Review	Review 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



Islands Trust

Print Date: October 19, 2017

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\nKeats Island - Keats Camp cottage lots - siting variances\nDL 696

Planner: Sonja Zupanec

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\nvary the setback to the natural boundary of the sea for retaining wall

Planner: Marnie Eggen

Planning Status

Status Date: 14-Oct-2016

Requested documents not received in the time provided. File passed over to bylaw enforcement.

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

Rezoning

File Number	Applicant Name	Date Received	Purpose
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Applications

GM-RZ-2004.1 LandPlan Group Inc. 16-Jun-2004 PID: 014-385-694
Keats Island - Keats Camp rezoning application
DL 696

Planner: Sonja Zupanec

Planning Status

Status Date: 25-May-2017

CIM scheduled for July 27th to provide draft bylaw amendments to enable a comprehensive development zone; transfer LUC provisions and enable subdivision.

Status Date: 20-Apr-2017

Revised draft ToR for hydro.assessment sent to applicant for review.

Status Date: 10-Mar-2017

Draft Terms of Reference for hydrogeological assessment sent to applicant for review

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\nKeats Island\n9 Lot Subdivision

Planner: Sonja Zupanec

Planning Status

Status Date: 20-Apr-2017

New drawings January 20, 2017 endorsed by MOTI staff

Status Date: 06-Oct-2016

New drawings submitted to MOTI September 9, 2016.

Status Date: 01-Aug-2016

New subdivision application submitted to MOTI on July 16, 2016.

Islands Trust
 LTC EXP SUMMARY REPORT F2018
 Invoices posted to Month ending August 2017

630 Gambier	Invoices posted to Month ending August 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-630	LTC "Trustee Expenses"	3,000.00	815.78	2,184.22
LTC Local				
65200-630	LTC - Local Exp - LTC Meeting Expenses	4,750.00	2,208.95	2,541.05
65210-630	LTC - Local Exp - APC Meeting Expenses	500.00	59.93	440.07
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>2,268.88</u>	<u>4,481.12</u>
Projects				
73001-630-2016	Gambier OCP/LUB	5,500.00	0.00	5,500.00
73001-630-4024	Gambier Keats Island OCP/LUB Amendments	8,000.00	0.00	8,000.00
73001-630-4082	Gambier DAI Bylaws	1,500.00	0.00	1,500.00
TOTAL Project Expenses		<u>15,000.00</u>	<u>0.00</u>	<u>15,000.00</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 October 2017



Regional Conservation Plan (RCP)

The Trust Fund Board (TFB) has approved the draft Regional Conservation Plan (RCP) for 2018-2027. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. A new element is a focus on relationship building with First Nations. The Board has referred the RCP to local trust committees and Bowen Island Municipality for review. (It has also been referred to partner agencies and First Nations and will be posted on the Islands Trust Fund (ITF) website with a mechanism to enable public feedback). Staff will be available to attend LTC and BIM meetings in person if possible and electronically if not. The Board is expecting to consider final approval of the Regional Conservation Plan in January 2018.

Islands Trust Fund Five Year Plan

The *Islands Trust Act* requires the TFB to submit a plan to the minister every five years providing information on goals and key policies. The Board has approved a draft plan for 2018-2022 which references the new Regional Conservation Plan and describes relevant policies. This draft is also being referred to local trust committees, Bowen Island Municipality and First Nations. The Board expects to submit the plan to the Minister by the end of the year.

Board Retreat

The TFB and senior staff will be participating in a day long retreat in October for high level discussions on future directions with a particular focus on fundraising, (with facilitation from an experienced expert in the field).

Property Monitoring

The Board has received detailed reports on the results of this year's monitoring of our 27 nature reserves, the 24 NAPTEP covenanted areas and the 50 other covenants we hold. A number of management issues have been identified which are now being addressed (see below for highlights by island).

Summary of Current Island-by-Island Activities

Bowen

Trees recently planted at the David Otter Nature Reserve are looking healthy.

Denman

Communication is continuing with neighbours of the Lindsay Dickson Nature Reserve to clearly delineate property boundaries. Mountain bike damage is a concern in the Morrison Marsh Nature Reserve; addressing this issue will be considered during the current review of the management plan. There is no further evidence of tree cutting at the Inner Island Nature Reserve following two large trees being felled there last year. The Trust Fund Board has registered a covenant on the Denman Conservancy Association's Settlement Lands.

Gabriola

The Elder Cedar Nature Reserve continues to suffer from vandalised signs and the impacts of unpermitted mountain bikes and horses. ITF is working with GaLTT to address these and other issues.

Galiano

Monitors were excited to see falcons at the cliffs on Trincomali Nature Reserve. ITF and Galiano Conservancy Association are looking into possible vehicle intrusions and tree removal in the Vanilla Leaf Land Nature Reserve.

Gambier

Recent plantings at Brigade Bay Bluffs and Long Bay Wetland Nature Reserves are looking healthy.

Keats

The fifth draft of a covenant for Sandy Beach has been sent to Sunshine Coast Conservation Association and The Land Conservancy of BC for review. A draft baseline report has been received and is now being reviewed.

Lasqueti

Sheep browsing is proving to be a challenge for restoration work at the John Osland Nature Reserve, (where approximately 50% of the plantings have died) and Mount Trematon Nature Reserve. Stronger materials will be required for protective cages.

South Pender

Progress is being made towards establishing the covenant for Brooks Point Regional Park.

Salt Spring

A trail location issue at Lower Mount Erskine Nature Reserve and a tree cutting incident at McFadden Creek Nature Reserve are being addressed.

Thetis

The first monitoring visit was completed at Moore Hill Nature Reserve and management planning is in progress. Pledges for Fairyslipper Forest are processed and there are two grant applications in progress to raise more funds to complete the purchase. Hydrological and ecosystem assessments are complete for the property.

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



BRIEFING

To: Gambier Island Local Trust Committee/
Bowen Island Municipality

From: Kate Emmings, Ecosystem Protection
Specialist

For the Meeting of: October 26, 2017

Date prepared: October 11, 2017

SUBJECT: REFERRAL OF DRAFT ISLANDS TRUST FUND REGIONAL CONSERVATION PLAN 2018-2027

PURPOSE:

The Islands Trust Fund has completed a draft of its Regional Conservation Plan 2018-2027 and is providing it for information to all local trust committees and to the Bowen Island Municipality. The draft Regional Conservation Plan is also being shared with all First Nations with interests in the Islands Trust Area as well as conservation partners.

BACKGROUND:

Why a Regional Conservation Plan?

The rich diversity of life in the Islands Trust Area makes the region ecologically significant, not only locally, but globally. Most of the region is within the Coastal Douglas-fir zone, one of the rarest of British Columbia's 16 biogeoclimatic zones. The Douglas-fir ecosystems of this zone, including Garry oak and associated ecosystems, are globally rare – in the entire world they occur only on the east coast of southern Vancouver Island, the islands of the Georgia Basin, and a small area of the mainland. The Islands Trust Area is also home to several other sensitive ecosystems and hundreds of rare terrestrial and marine plants and animals.

Despite its ecological significance, biodiversity in the Islands Trust Area is exposed to significant threats. With over 68% of the Islands Trust Area in private land ownership and over 3.3 million people living in the surrounding areas, the pressures to develop and change the natural landscape in the islands are substantial.

Because of the significance of the ecosystems found in the Islands Trust Area and the threats they are under, conservation planning is an important tool to ensure that the natural beauty that draws so many to the region is not lost. Since 2005, the work of the Trust Fund Board and, in some cases, the Islands Trust's local planning work, has been guided by Regional Conservation Plans.

What's in the Regional Conservation Plan?

The Regional Conservation Plan provides background on the ecosystems in the Islands Trust Area, evaluates their current status, identifies priorities and threats, and sets goals and objectives for the next ten years. The goals identified in the draft 2018-2027 Regional Conservation Plan are:

1. Identify, investigate and communicate about important natural areas to generate action on conservation priorities
2. Strengthen relationships with First Nations to identify and collaborate on shared conservation goals

3. Continue to secure and manage Trust Fund Board lands and conservation covenants to maximize ecological integrity
4. Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

Local trust committees and the Bowen Island Municipality will find island profiles in Appendix II with information specific to their area of interest.

When will the Regional Conservation Plan Begin?

The draft Regional Conservation Plan will cover a ten-year period and will begin with approval of the Trust Fund Board. Review and approval of the final draft will happen in early 2018. The final Regional Conservation Plan will be provided to the Trust Council in March 2018 with a request for endorsement.

Who will the Regional Conservation Plan affect?

The Regional Conservation Plan directs the work of the Trust Fund Board and its staff. It is not binding on the work of the local trust committees, Bowen Island Municipality or Trust Council, although each of these corporate bodies may choose to incorporate elements of the plan into their work.

How will the Regional Conservation Plan be implemented?

The Trust Fund Board will implement the Regional Conservation Plan through three-year work plans, which will be approved by the Trust Fund Board and will be implemented by staff. At the end of each three-year period, staff will evaluate progress and set the next three-year work plan with the Trust Fund Board.

ATTACHMENT(S): [Draft Regional Conservation Plan 2018-2027](#)

FOLLOW-UP:

If the local trust committee or Bowen Island Municipality chooses to provide comment, they should pass a resolution citing comments and direct staff to relay the comments to Islands Trust Fund staff. Feedback will be considered by the Trust Fund Board when it finalizes its Regional Conservation Plan at its first meeting in 2018.

Prepared By: Kate Emmings, Ecosystem Protection Specialist

Reviewed By/Date: Jennifer Eliason, Islands Trust Fund Manager/October 6, 2017



REQUEST FOR DECISION

TO: Gambier Local Trust
Committee
Bowen Island Municipality
FROM:
Islands Trust Fund

**For the meeting of: October 26,
2017**
Date: October 12, 2017

SUBJECT: REFERRAL OF ISLANDS TRUST FUND FIVE YEAR PLAN

RECOMMENDATION:

That the _____ Island Local Trust Committee/Bowen Island Municipality receive the draft Islands Trust Fund Five Year Plan for information.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None

FINANCIAL: None

POLICY: Consistent with policy.

IMPLEMENTATION/COMMUNICATIONS: The Islands Trust Fund Plan has been referred to all local trust committees and Bowen Island Municipality, as well as First Nations with interests in the Trust Area and Trust Council. Comments received will be considered and addressed. The Trust Fund Board intend to submit a final plan to the Minister of Municipal Affairs and Housing in December 2017 with a request for approval.

BACKGROUND

The *Islands Trust Act* requires that the Trust Fund Board prepare and submit to the Minister, at least once every five years, a plan for the Islands Trust Fund respecting policies on acquisition, management, and disposal of property, investment of money, goals for major acquisitions, and other matters as required.

Islands Trust Policy 3.3.ii Islands Trust Fund and Local Planning Services Coordination (TFB Policy 3.1) requires the plan to be referred to every LTC and Island Municipality for comment. The Trust Fund Board will also be submitting the plan to Trust Council for comment at its December 2017 meeting.

The Islands Trust Fund Plan is administrative in nature, and explains current Trust Fund Board policies on land acquisition, management and disposition of land, and investment of funds. It also summarizes the goals of the draft Regional Conservation Plan.

It is important to distinguish between the Islands Trust Fund Five Year Plan which requires Ministerial approval under the *Islands Trust Act*, and the Regional Conservation Plan, which provides science-based operational direction to the Trust Fund Board and its staff. The documents are complementary, but serve different functions.

REPORT/DOCUMENT: [Draft Islands Trust Fund Five Year Plan](#)

RELEVANT POLICY: Islands Trust Policy 3.3.ii Islands Trust Fund and Local Planning Services Coordination (TFB Policy 3.1)

DESIRED OUTCOME: Local Trust Committee/Islands Municipality review of the Islands Trust Fund Five Year Plan and approval of plan from the Minister of Municipal Affairs and Housing.

RESPONSE OPTIONS

Recommended: That the _____ Island Local Trust Committee/Bowen Island Municipality receive the draft Islands Trust Fund Plan for information.

Alternatives: That the _____ Island Local Trust Committee/Bowen Island Municipality provide the following comments on the Islands Trust Fund Five Year Plan:

PREPARED BY: _____
Jennifer Eliason
Islands Trust Fund Manager

REVIEWED BY: _____
Clare Frater
Director of Trust Area Services