



Gambier Island Local Trust Committee Regular Meeting Agenda

Date: March 26, 2015
Time: 10:30 am
Location: Gibsons and District Public Library
470 South Fletcher Road, Gibsons, BC

	Pages
1. CALL TO ORDER	10:30 AM - 10:35 AM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	10:35 AM - 10:45 AM
4. COMMUNITY INFORMATION MEETING - none	
5. PUBLIC HEARING - none	
6. MINUTES	10:45 AM - 10:50 AM
6.1 Local Trust Committee Meeting dated February 12, 2015 for adoption	4 - 14
6.2 Section 26 Resolutions-without-meeting Report dated March 17, 2015	15 - 15
6.3 Advisory Planning Commission Minutes - none	
7. BUSINESS ARISING FROM MINUTES	10:50 AM - 11:10 AM
7.1 Follow-up Action List dated March 17, 2015	16 - 17
7.2 LTC Goal Setting Session Report	
7.2.1 <u>Memorandum dated March 13, 2015</u>	18 - 20
7.3 Executive Committee Update regarding Howe Sound Advocacy	
7.3.1 <u>Briefing dated March 9, 2015 from Clare Frater, Policy Advisor</u>	21 - 26
8. DELEGATIONS - none	
9. CORRESPONDENCE	
(Correspondence received concerning current applications or projects is posted to the LTC webpage)	

10.	APPLICATIONS AND REFERRALS	11:10 AM - 11:40 AM	
10.1	GM-DVP-2015.1 (Peters/Crompton) 366 Mary Road, Gambier Island		
10.1.1	<u>Staff Report dated March 3, 2015</u>		27 - 51
10.2	GM-DVP-2013.2 Reel 17 Investments Lot 1, District Lot 477, Gambier Island		
10.2.1	<u>Staff Report dated February 28, 2015</u>		52 - 84
11.	LOCAL TRUST COMMITTEE PROJECTS	11:40 AM - 12:00 PM	
11.1	Riparian Areas Regulation		
11.1.1	<u>Memorandum dated March 10, 2015</u>		85 - 88
11.2	Foreshore Protection and Stewardship		
11.2.1	<u>Memorandum dated March 10, 2015</u>		89 - 90
	<u>BREAK</u>		
11.3	Gambier Official Community Plan Review	12:15 PM - 12:45 PM	
11.3.1	<u>Staff Report dated March 11, 2015</u>		91 - 98
12.	REPORTS	12:45 PM - 1:00 PM	
12.1	Work Program Reports		
12.1.1	<u>Top Priorities Report dated March 17, 2015</u>		99 - 99
12.1.2	<u>Projects List Report dated March 17, 2015</u>		100 - 101
12.2	Applications Report dated March 17, 2015		102 - 105
12.3	Trustee and Local Expense Report dated February, 2015		106 - 106
12.4	Adopted Policies and Standing Resolutions		107 - 107
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 - none		
13.	NEW BUSINESS	1:00 PM - 2:00 PM	
13.1	Advisory Planning Commission		
13.1.1	<u>Staff Report dated February 27, 2015</u>		108 - 122

13.2 2014 Eelgrass Mapping

- 13.2.1 Memorandum dated January 15, 2015
from Kate Emmings, Ecosystem
Specialist - for discussion

123 - 125

Report and Maps are available on the
Islands Trust Fund Website at:
<http://www.islandstrustfund.bc.ca/initiatives/marineconservation/eelgrass-mapping.aspx>

13.3 Trustee Liaison Positions with Community Groups - discussion

13.4 Board of Variance Report

- 13.4.1 Staff Report dated February 2, 2015

126 - 131

13.5 Schedule Meeting with Metro Vancouver Area A Director - discussion

13.6 Schedule Protocol Meeting with Sunshine Coast Regional District - discussion

13.7 Schedule Meeting with Squamish Nation - discussion

14. UPCOMING MEETINGS

- 14.1 Next Regular Meeting Scheduled for Thursday,
May 7, 2015 at 10:30 am at Gleneagles
Community Centre, 6262 Marine Drive, West
Vancouver, BC

15. TOWN HALL

16. CLOSED MEETING - none

17. ADJOURNMENT

2:00 PM - 2:00 PM



Gambier Island Local Trust Committee

Minutes of Regular Meeting

Date: February 12, 2015
Location: Gleneagles Community Centre
6262 Marine Drive, West Vancouver, BC

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

Staff Present Aleksandra Brzozowski, Island Planner
Courtney Simpson, Regional Planning Manager
Miles Drew, Bylaw Enforcement Manager
Diane Corbett, Recorder

Also Present 4 Members of the public – am
2 Members of the public – pm

1. CALL TO ORDER

Chair Morrison called the meeting to order at 10:30 am. She acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations. Chair Morrison welcomed members of the public and introduced trustees and staff in attendance.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 11.3.2 Response to Clare Frater email request regarding LNG actions;
- 11.3.3 Correspondence from Sunshine Coast Regional District to Ministry of Environment and Ministry of Energy and Mines regarding Woodfibre LNG and request for public meeting on the Sunshine Coast;
- 14.7 Ramona de Graaf request for letter of support for environmental grant.

GM-2015-001

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee add the following amendments to the February 12, 2015 business agenda:

- 11.3.2 Response to Clare Frater email request regarding LNG actions;
- 11.3.3 Correspondence from Sunshine Coast Regional District to Ministry of Environment and Ministry of Energy and Mines regarding Woodfibre LNG and request for public meeting on the Sunshine Coast;
- 14.7 Ramona de Graaf request for letter of support for environmental grant.

CARRIED

3. TOWN HALL AND QUESTIONS

None.

4. COMMUNITY INFORMATION MEETING

None.

5. PUBLIC HEARING

None.

6. MINUTES

6.1. Local Trust Committee Meeting Adopted Minutes Dated October 23, 2014 for receipt

Received.

6.2. Section 26 Resolutions-without-meeting Report Dated February 3, 2015

By general consent, the Section 26 Resolutions Without Meeting Report dated February 3, 2015 was received. A Resolution Without Meeting from January 29, 2015 will be posted on the next agenda.

6.3. Advisory Planning Commission Minutes

None.

7. BUSINESS ARISING FROM MINUTES

7.1. Follow-up Action List Dated February 3, 2015

The Follow-up Action List dated February 3, 2015 was received. Planner Brzozowski reported she had not heard back from Ramona de Graaf regarding a green wharf guide, in response to which Trustee Rogers indicated he would follow up on this with Ms. de Graaf.

8. DELEGATIONS

None.

9. CORRESPONDENCE

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

9.1. Letter Dated January 13, 2015 from Gambier Island Conservancy regarding Amendment to Bylaw Nos. 73 and 86 for Woodlot Use and Timber Harvesting

Received. A response to the correspondence would be pending discussion on this topic for the Gambier Official Community Plan review.

10. APPLICATIONS AND REFERRALS

10.1. Gabriola Island Local Trust Area Bylaw Referral Request for Response regarding Bylaw Nos. 278 and 279

GM-2015-002

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee respond to the Gabriola Island Local Trust Area referral regarding Bylaw Nos. 278 and 279 on the response summary by selecting "Interests Unaffected by Bylaw".

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1. Foreshore Protection and Stewardship – Forage Fish Mapping

11.1.1. Memorandum dated January 27, 2015

The memorandum dated January 27, 2015 and titled “Foreshore Protection and Stewardship Deliverable – Forage Fish Mapping” was received for information; it included an attached report titled “Gambier and Keats Islands Surf Smelt and Pacific Sand Lance Spawning Habitat Suitability Assessments” that was prepared by the BC Marina Conservation and Research Society for Islands Trust and Islands Trust Fund.

Planner Brzozowski noted that the next steps for the mapping department would involve putting the shoreline mapping in Map-IT and TAPIS.

Trustees’ feedback was positive, and possible distribution methods were discussed. Discussion ensued on an educational event for contractors and engineers, ideally three to four hours in length, tentatively to be held in late March in the Gibsons area.

GM-2015-003

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee request staff to organize a soft shore workshop for the construction industry for late March.

CARRIED

GM-2015-004

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee directs that the remaining funds of the shoreline protection project budget are authorized to be utilized, if necessary, for the landowners’ shoreline protection guide.

CARRIED

Trustees will assist staff with communications about the workshop event once the date is confirmed.

11.2. Riparian Areas Regulation – verbal update

Staff announced that a contract had been awarded for Riparian Areas Regulation (RAR) stream identification and mapping in the Local Trust Area. Regional Planning Manager Simpson discussed the current status of the RAR and RAR compliance in the Trust Area.

11.3. Implementing Official Community Plan Advocacy Policies

11.3.1. Memorandum Dated January 27, 2015

The memorandum dated January 27, 2015 with an update regarding response procedures for Howe Sound Industrial applications was received for information.

Trustee Rogers requested clarity regarding advocacy by the Local Trust Committee (LTC) regarding Howe Sound industrial issues, referring to the discussion on advocacy in the previous LTC meeting minutes.

Staff explained that the role of LTCs in legislation is land use planning, with priority on zoned areas. Currently there are a number of industrial proposals for Howe Sound, a large un-zoned area. Trust Council has the legislative authority, staff and resources to do advocacy work.

It was noted that advocacy could be done in reference to OCP advocacy policies. It was further noted that the LTC Chair's role is to bring trustee concerns to the Executive Committee, which meets regularly via teleconference or in person.

11.3.2 Response to Clare Frater email request regarding LNG actions

There was discussion regarding an email received by trustees on February 10, 2015 from Islands Trust Policy Analyst Clare Frater on action pertaining to the Woodfibre LNG proposal.

GM-2015-005

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee request the Executive Committee to provide comment on the Environmental Assessment application and the process for Woodfibre LNG through a letter from the Chair prior to March 9, 2015.

CARRIED

11.3.3 Correspondence from Sunshine Coast Regional District to Ministry of Environment and Ministry of Energy and Mines regarding Woodfibre LNG and request for public meeting on the Sunshine Coast

Planner Brzozowski reported that the Sunshine Coast Regional District (SCRD) Board recently sent a formal letter to the BC Ministry of Environment and Ministry of Energy and Mines reiterating its previous

request that the BC Environmental Assessment Office have a public meeting on the Sunshine Coast regarding the Woodfibre LNG application.

Trustee Stamford announced that she attended the January 29, 2015 meeting on the Woodfibre LNG proposal in West Vancouver. She reported on her interaction with a Woodfibre LNG staff member at the event, who indicated the company had no interest in a meeting on the Sunshine Coast, since the company's view was that the project would not affect the Sunshine Coast, but it would be willing to have a meeting on Gambier Island. Discussion ensued.

12. REPORTS

12.1. Work Program Reports

12.1.1. Top Priorities Report Dated February 3, 2015

Received.

12.1.2. Projects List Report Dated February 3, 2015

Received.

12.2. Applications Report Dated February 3, 2015

Received.

12.3. Trustee and Local Expense Report Dated January 2015

Received. There was discussion on the trustee travel expenses allocated for the Gambier Trust Area, and the process by which the allocation to the Gambier Island LTC would be adapted to reflect the actual travel costs required. Trustee Stamford emphasized the need for clarification on the report regarding the extra travel expense for trustees from the Gambier Local Trust Area.

Chair Morrison indicated she would discuss this issue at the Financial Planning Committee the following week.

12.4. Adopted Policies and Standing Resolutions

None.

12.5. Local Trust Committee Webpage

The Gambier Island Local Trust Committee website can be found at:
<http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier.aspx>

Staff was requested to post the following documents to the Gambier webpage:

- Current updates on status of Howe Sound industrial applications
- “Gambier and Keats Islands Surf Smelt and Pacific Sand Lance Spawning Habitat Suitability Assessments” report.

12.6. Chair's Report

Chair Morrison remarked that she attends a lot of meetings and that she had been learning a lot. She commented to her colleagues that she takes all the local trustees' concerns to the executive and that she looks forward to working with Trustee Stamford on the Trust Fund Board.

12.7. Trustee Reports

Trustee Stamford commented that she had been busy with advocacy and attending meetings. The *HMS Annapolis* project is still going and has stalled. Numerous docks need repairs. In the Gambier Local Trust Area, since New Brighton lost its road maintenance person, service has gone downhill. The trustee is working with Capilano Highways to organize a meeting to see how it would be possible to structure things to get better service.

Trustee Stamford attended a meeting with MP John Weston regarding abandoned vessels. Someone from Bowen Island has taken the lead on this issue. Trustee Stamford is serving as Alternate Director for Ian Winn, the Area F (West Howe Sound) SCRD Director. She has attended some land plan issue meetings for specific district lot issues within Gambier.

Trustee Rogers attended Woodfibre open house. He also attended a meeting with Network BC, a branch of the provincial government, to talk about how to get high speed Internet onto the islands. Trustee Rogers became a member of Sea-to-Sky Clean Air Society working group, and has been working on their action plan and implementing recommendations. A road community meeting on Keats Island is set for March 16, 2015. Trustees Rogers and Stamford and others will be meeting with the SCRD directors regarding taxation and services on the islands on Monday, February 16, 2015.

12.8. Electoral Area Director's Report

Chair Morrison explained that Islands Trust had contacted the Electoral Area director to advise that there now is an opportunity to report at the LTC business meetings.

Trustee Stamford had spoken with SCRD Area F Director Ian Winn who indicated he would like to attend a meeting and looks forward to working with the Islands Trust.

12.9. Trust Fund Board Report Dated January 2015

Chair Morrison reviewed highlights from the Trust Fund Board Report, dated January 2015. There had been an effort to get the document on every Local Trust Committee agenda to increase awareness of the work of the Trust Fund Board.

13. CLOSED MEETING

13.1. Motion to Close the Meeting

GM-2015-006

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee close the meeting to the public in accordance with the Community Charter, Part 4, Division 3, s. 90(1)(f) for the purpose of considering Bylaw Enforcement, and that the recorder and staff attend the meeting.

CARRIED

The Local Trust Committee recessed for a closed meeting at 12:06 pm.

13.2. Recall to Order

Chair Morrison recalled the meeting to order at 12:42 pm.

13.3. Rise and Report

The Chair announced that the following items were received:

- Communications strategy;
- Official Community Plan and Land Use Bylaw excerpts regarding walls.

14. NEW BUSINESS

14.1. Bylaw Enforcement – Miles Drew, Bylaw Enforcement Manager

14.1.1. Staff Report Dated January 28, 2015

The staff report dated January 28, 2015 regarding bylaw enforcement was received. Bylaw Enforcement Manager Drew noted he makes a bylaw report quarterly to Trust Council. Trustees could make a copy of the report for the information of constituents.

14.2. Gambier Island Local Trust Committee Work Program – 2015

14.2.1. Staff Report Dated January 21, 2015

Received.

14.2.2. Goal Setting Session

Staff engaged with trustees in a facilitated goal setting session pertaining to the 2014-2018 term. A report on the session will be forwarded to the next Local Trust Committee meeting agenda.

GM-2015-007

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee amend the Priority Project #2: Implementation of OCP Advocacy Policies as a responsibility of trustees Dan Rogers and Kate Stamford rather than Island Planner Brzozowski.

CARRIED

GM-2015-008

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee add to the Top Priorities List a #4: the Gambier Island Official Community Plan comprehensive review.

CARRIED

GM-2015-009

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee request that staff provide a report with recommendations on examining the Wilderness Conservation zone on Gambier Island first in the Official Community Plan process.

CARRIED

14.3. 2014 Eelgrass Mapping

14.3.1. Memorandum Dated January 28, 2015 from Kate Emmings, Ecosystem Specialist

Deferred to next business meeting agenda.

14.4. Trust Council Participation with Howe Sound Community Forum

14.4.1. Briefing Dated January 15, 2015 from Clare Frater, Policy Analyst

Trustees considered options for participation in the Howe Sound Community Forum listed in the Executive Committee briefing, dated January 15, 2015.

GM-2015-010

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee recommend to the Executive Committee to adopt options 3, 4, and 5 from the memorandum entitled "Islands Trust Options for Howe Sound Forum Participation", dated January 15, 2015.

CARRIED

14.5. Scheduling Meeting with Metro Vancouver Area A Director

Deferred to next business meeting agenda.

14.6. Trustee Liaison Positions with Community Groups

Deferred to next business meeting agenda.

14.7 Ramona de Graaf Request for Letter of Support for Environmental Grant

There was discussion regarding a request from Ramona de Graaf, Sea Watch Society, for a letter of support for a grant application.

GM-2015-011

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee write a letter of support for the Sea Watch Society for its application to the Environment Canada Environmental Damages Fund for funding for fish habitat restoration in Howe Sound and Burrard Inlet.

CARRIED

15. UPCOMING MEETINGS

15.1. Next Regular Meeting Scheduled for Thursday, March 26, 2015 at 10:30 am at Gibsons & District Public Library, 470 South Fletcher Road, Gibsons, BC.

16. TOWN HALL

Eoin Finn, Bowen Island, commented on the amount of reading required for the Environmental Assessment submissions from Woodfibre LNG and Fortis Gas proponents, approximately 12,000 pages; reading this amount of material in the 45-day comment period requires reading 206 pages per day. The proponent has unlimited time to prepare and the public has a limited time to respond. Mr. Finn encouraged trustees to

consider sending a letter to BC Environmental Assessment Office stating this is not a public process that anyone could regard as equitable. Due to the volume of the material to review, the public has been deprived of time to participate.

17. ADJOURNMENT

By general consent, the meeting was adjourned at 2:20 pm.

Susan Morrison, Chair
Certified Correct:

Diane Corbett, Recorder

RWM From: January 27, 2015 To: March 17, 2015

Gambier Island

Resolution #	Action	Resolution Description	Resolution Date
2015-03	In Favour	THAT the Gambier Local Trust Committee co-host the Woodfibre LNG roundtable discussion to be held on Gambier Island on Saturday March 21, 2015 and that it authorize Trustee Stamford to assist with the event's organization.	Mar 12, 2015
2015-02	In Favour All in favour	"That the Gambier Island Local Trust Committee (GMLTC) approve extraordinary travel expenses of up to \$150.00 for Trustee Stamford to attend the Woodfibre LNG/ Pipeline Community Meeting in Squamish on February 25th from 6:30 – 9pm."	Feb 23, 2015
2015-01	In Favour	That the Gambier Island Local Trust Committee (GMLTC) release up to \$150.00 for Trustee Stamford to attend the British Columbia Environmental Assessment Office (EAO) Woodfibre LNG Open House in West Vancouver on January 29th from 5 – 9pm.	Jan 28, 2015



Islands Trust

Print Date: Mar-17-2015

Follow Up Action Report w/ Target Date

Gambier Island Nov-29-2013

No.	Activity	Responsibility	Target Date	Status
1	Staff to provide Trustees with possible shoreline protection strategies for DL 696.	Aleksandra Brzozowski	Mar-20-2014	On Going

Oct-23-2014

No.	Activity	Responsibility	Target Date	Status
1	Source Green Wharf guide by Ramona de Graaf. Update: Ramona says she sent Trustee Rogers a Google drive of information.	Aleksandra Brzozowski	Nov-27-2014	Done

Feb-12-2015

No.	Activity	Responsibility	Target Date	Status
1	Reply to Gambier Conservancy to give update on decisions made re work program and timing on the woodlot issue.	Aleksandra Brzozowski	Feb-13-2015	Done
1	Recommend to the Executive Committee to adopt options 3, 4, and 5 from the memo entitled 'Islands Trust Options for Howe Sound Forum Participation', dated January 15, 2015.	Aleksandra Brzozowski	Feb-18-2015	Done
1	Provide letter of support signed by the Chair for Sea Watch Society's application for project funding (Environmental Damages), due before Feb 19. Drafted by Trustee Rogers, reviewed by RPM Simpson.	Becky McErlean Dan Rogers Courtney Simpson	Feb-19-2015	Done
1	That the interests of the Gambier LTC are not affected by Gabriola Bylaws 278 and 279	Aleksandra Brzozowski Karin Kronstal Lisa Webster-Gibson	Feb-26-2015	Done

1	Request Exec Committee to write a letter from the IT Chair regarding the Woodfibre LNG environmental assessment, with comments regarding the process as well as the content of the assessment, due prior to March 9.	Courtney Simpson	Mar-09-2015	Done
1	Staff to arrange logistics for a soft shore workshop for construction industry in late March.	Aleksandra Brzozowski	Mar-23-2015	Done
1	Add forage fish report, eelgrass mapping relevant to GMLTA, and memo re Howe Sound applications to the Gambier website.	Aleksandra Brzozowski	Mar-26-2015	Done
1	Staff provide report examining review of Gambier's Wilderness Conservation zone as the first item in the OCP review (as requested by community group).	Aleksandra Brzozowski	May-07-2015	Done



Memorandum

700 North Road Gabriola Island, BC BC V0R 1X3

Telephone **(250) 247-2063** FAX: (250) 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date March 13, 2015 File Number 6500-02 LTC Top
Priorities

To Gambier Island Local Trust Committee

From Courtney Simpson
Regional Planning Manager
Northern Office

Re Gambier Island Local Trust Committee Goal Setting Session

At the February 12, 2015 regular business meeting, the Gambier Local Trust Committee held a “goal setting session” facilitated by planning staff. The attached document is a record of the session.



Gambier Island Local Trust Committee

2014-2018 TERM GOAL SETTING SESSION

OVERVIEW

Planning Staff led the Gambier LTC in what we titled a 'Goal Setting Session' on February 12, 2015. The session took about an hour and comprised the following steps:

1. **Wishlist** - A brainstorming of what the three Trustees hoped to get out of the 2014-2018 term. The trustees completed this step independently using post-it notes and then shared their goals.
2. **Others Wishes?** - A review of the current Top Priorities list, the Projects list, and any external requirements and considerations. The LTC identified certain topics and tasks they agreed should be added to the discussion.
3. **Grouping and Filtering** - Reviewing all the individual goals and additional topics and tasks, similar goals and tasks were grouped. Synergies were also considered.
4. **The Goals List** - The LTC established goals for the term. Some were content-related, some were process-related.

The resulting list of goals for the 2014-2018 term represents the result of an initial conversation this LTC had at the start of their term about shared goals. This list can be referred to over time should the LTC find it useful during the course of their term, and can be further refined.

SUMMARY NOTES FOR February 12 SESSION

Trustee Responses to Wish List Brainstorm

- Developing an awareness and action plan to protect the foreshore
- Put Gambier & Keats at leading edge of soft shoreline structures "buy in"
- Facilitate more public access green spaces on Keats Island
- Encourage land conservation through current Trust Fund Board tools
- Incorporate forage fish and eelgrass mapping reports into OCP/LUB review
- Develop strategies to enact Coastal Douglas Fir Conservation Partnership strategies into OCP/LUB review
- Reduce inappropriate development on Keats Island
- Modernize aspects of the Gambier & Keats Official Community Plans to better reflect our communities
- Develop a rich partnership with First Nations
- Continue to advance the advocacy to preserve the ecological integrity of Howe Sound

- Help stop re-industrialization of Howe Sound
- Encourage protection of marine life in Howe Sound
- Raise the profile and credibility of Islands Trust and Local Trust Committee
- Build the profile and legitimacy of Islands Trust in the Local Trust Area

“What Else” list

- Become compliant with Riparian Areas Regulation
- Squamish Nation Marine Plan
- Howe Sound Community Forum & Howe Sound advocacy
- Conservancy request to review Wilderness Conservation Crown land

Draft Long-Range LTC Goals for the 2014-2018 Term (Gambier LTC)

- Improve & remediate foreshores
- Preserve Howe Sound
- Facilitate public access green space
- Preserve sensitive ecosystems
- Develop rich partnerships with neighbouring First Nations
- Encourage island-appropriate development
- Modernize bylaws to better reflect changing communities (Gambier & Keats)
- Raise profile & credibility of Islands Trust
- Become compliant with Riparian Areas Regulation

NEXT STEPS

This list can be referred to in amending the LTC Work Program; the Top Priorities and Projects Lists. Weighing potential projects against identified goals can help set priorities.

The LTC can refer to this list of goals throughout the term, especially when projects are completed and a new project can be moved up to the Top Priorities list for staff to begin work on.

To: Gambier Island Local Trust Committee **For the Meeting of:** March 26, 2015
From: Clare Frater, Policy Advisor **Date prepared:** March 9, 2015
SUBJECT: UPDATES ON HOWE SOUND ADVOCACY ACTIVITIES

DESCRIPTION OF ISSUE: This briefing is to convey updates related to Executive Committee and Trust Area Services involvement in Howe Sound advocacy, including participation in the Howe Sound Community Forum, the Woodfibre LNG environmental assessment process and an upcoming Howe Sound science and knowledge workshop.

BACKGROUND:

Participation in Howe Sound Community Forum:

On February 25, 2015, the Executive Committee received requested feedback from the Gambier Island Local Trust Committee and Bowen Island Municipality regarding possible roles for Trust Council in the Howe Sound Community Forum. In response, the Executive Committee passed the following resolutions:

EC-2015-021

It was MOVED and SECONDED,

That the Executive Committee request staff to add Howe Sound Community Forum to the March Trust Council agenda under trustee updates and keep as standing item on future agendas.

EC-2015-022

It was MOVED and SECONDED,

That the Executive Committee direct staff to communicate to Gambier Island Local Trust Committee and Bowen Island Municipality that Executive Committee recommend advocacy about Howe Sound in the 2015-2018 Trust Council Strategic Plan.

Chair Peter Luckham and Director Lisa Gordon plan to attend the May 1, 2015 Howe Sound Community Forum meeting on Bowen Island. Director Gordon has offered to present about Islands Trust advocacy at the May 2015 or a future Forum meeting.

Participation in Woodfibre LNG environmental assessment process:

In June 2014, the Islands Trust Council passed the following resolution:

That the Islands Trust Council request the Executive Committee to monitor and consider directing activities related to the environmental assessment process for the Woodfibre LNG project.

In August 2015, BC Environmental Assessment Office staff contacted Islands Trust staff by phone to extend an invitation to sit as a member of the Woodfibre LNG project. Staff at the Islands Trust northern office and at the BC Environmental Assessment Office also received

numerous enquiries from the public about why the Islands Trust is not represented on the working group. The enquiries consumed numerous planning staff hours.

On August 26, 2014 the Executive Committee passed the following resolutions:

EC-2014-146

It was MOVED and SECONDED,

That the Executive Committee request that Policy Advisor, Clare Frater join the BC Environmental Assessment Office's Woodfibre LNG working group, limiting involvement to consideration of marine shipping impacts.

EC-2014-147

It was MOVED and SECONDED,

That the Executive Committee authorize Clare Frater to receive and keep confidential from the Executive Committee and the Islands Trust Council information that all Woodfibre LNG Project environmental assessment working group members are required to keep confidential.

On February 25, 2015 the Executive Committee passed the following resolutions:

EC-2015-019

It was MOVED and SECONDED,

That the Executive Committee direct staff to draft a letter for the Chair's signature (to BC's Environmental Assessment Office) regarding the Woodfibre LNG environmental assessment, commenting about marine aspect of the assessment due prior to March 23, 2015.

EC-2015-020

It was MOVED and SECONDED,

That the Executive Committee direct staff to provide a briefing/RFD about a letter from the Chair to federal and provincial ministers outside of the environmental assessment process, about concerns with the Woodfibre LNG environmental assessment process.

The Environmental Assessment Office Advisory Working Group for Woodfibre LNG.

As a member of the BC Environmental Assessment Office's Woodfibre LNG Advisory Working Group, Islands Trust Policy Advisor provided technical comments on the marine components of the Woodfibre LNG application to the BC Environmental Assessment Office. Staff's comments are attached for information.

Participation in Howe Sound Science and Knowledge Workshop

The Vancouver Aquarium Marine Science Centre, David Suzuki Foundation and Squamish Nation are co-hosting an all-day technical workshop on March 27, 2015 at the Vancouver Aquarium about Howe Sound ecosystem data. Kate Emmings, Islands Trust Fund's Ecosystem Protection Specialist, will attend on behalf of the Islands Trust to provide information on the Islands Trust's forage fish and eelgrass mapping.

ATTACHMENT(S):

- 1) Staff comments on the marine shipping components of the Woodfibre LNG application to the BC Environmental Assessment Office.

AVAILABLE OPTIONS:

- 1) Receive for information

FOLLOW-UP:

- 1) Make a request of the Islands Trust Executive Committee.
-

Prepared By: Clare Frater, March 9, 2015

Reviewed By/Date: Lisa Gordon, March 11, 2015

Woodfibre LNG Project – Application Review Working Group

Comment Tracking Memo

Please provide your feedback on the proposed Woodfibre LNG Application for Environmental Assessment Certificate in the table provided below. You may choose to capture longer/more complex comments in memo format (see page 3). Please update the file name to include your name, agency and date before you return it to Amber Paulson by email at Amber.Paulson@gov.bc.ca. Comments are due by **February 6, 2015**.

Date: 10/02/2015

Name: Clare Frater

Title: Policy Advisor

The following staff comments have not been reviewed by any Islands Trust political body or elected official.

Category/Theme of Comment	Section of the Application	Comment/ Issue Description
Spills from LNG tanker	11.3.4/Appendix 11-1	The wording in this section and others that discuss spill risks is confusing regarding whether the LNG tankers are at risk of spilling diesel oil or heavy bunker fuel in the event of a grounding, allusion or collision. Page 11-24 states that marine diesel would be spilled and then goes on to discuss the behaviour of heavy fuels in water. What percentage of the tankers calling at Woodfibre will contain heavy fuel oils? What percentage of the tankers calling at Woodfibre will contain diesel fuels?
Spills from LNG tanker	11.3.4.3	Page 11-29 states that “The consequences of a grounding are expected to be minor, given the low volume of fuel for the vessels and LNG characteristics. “Low volume of fuel” is not precise enough to support information public analysis of potential consequences. I cannot find information in the application about where the vessels will be bunkering. Page 11-24 states: The maximum amount of bunker fuel oil released to the environment is estimated to be 1,250 m3 on average since the bunker fuel tanks will not be full on either in-bound or out-bound legs. Where are the vessels expected to bunker and how full are their bunker fuel tanks expected to be in Howe Sound?
Vapour cloud hazard	11.3.4.1.1	The application states that an LNG vapour cloud can travel a short distance before reaching the lower flammable limit (p.11-25). How far is a ‘short distance’ in metres or kilometres – assuming worst case scenario for dispersion? How do the vapour cloud dispersion estimates differ depending on humidity, temperatures, wind conditions etc.? How quickly is the vapour cloud expected to rise above ignition sources within a ‘short distance’ of the shipping route (e.g. bonfire, cigarette)?

Woodfibre LNG Project – Application Review Working Group Comment Tracking Memo

Category/Theme of Comment	Section of the Application	Comment/ Issue Description
Tanker Emergency Response Plans	11.3.4.4	The discussion on contingency measures for a spill to water states that “The Proponent has no jurisdiction over the emergency procedures of a vessel involved in grounding or collision that occurs outside of the Project Control Zone; however, the Proponent will require that vessels involved with the project have their own ERP in place...). There is no information about the required content of the vessels’ Emergency Response Plans and what plans would be required to be in place for vessel salvage and cargo and bunker lightering and firefighting. Will the proponent provide further details of what the required content of vessels’ ERPs will be for both diesel/heavy oil spills and LNG release? Will the proponent develop the required content of ERPs in consultation with response agencies such as the Canadian Coast Guard and Western Canada Marine Response Corporation?
Assessment of the impacts of an allusion, collision and grounding of LNG tanker	11.3.4.5	The application does not assess the effects of an allusion, collision and grounding of LNG tanker (page 11-33). While these events are low-likelihood, they have potential to be high consequence, especially if the tankers are fueled with heavy fuel or collide with a vessel with heavy bunker fuel. The impacts of these events should be assessed to determine the potential for significant adverse effect to wildlife population and Howe Sound ecosystems and other valued components.
Vessel Wake Assessment	7.3.2	The vessel wake assessment only addresses wake height from the tankers. There are concerns that vessel wake energy could result in scouring of shorelines and harm to eelgrass/kelp and community/personal infrastructure such as docks. It would be helpful if the proponent undertook a study on wake energy that looks at both tankers and tugs to determine the potential for shoreline erosion/infrastructure damage from ship wake energy along the shipping route based on projections of wake generated from the tankers and tugs and the resulting wave energy reaching beaches during different tide stages. I note that a wake energy report was produced for the study of the Gateway Pacific Terminal in Washington State: http://coaltrainfacts.org/docs/Task-16-Impact-of-GPT-Vessels-on-Lummi-Cultural-Properties-Report.pdf. This analysis found that tugboat wakes have a larger wave height and more energy flux than bulkier wakes.
Wind re vessel spill risk assessment	Appendix 11-1, Section 4.1	Was Pam Rocks (Environment Canada Station 10459NN) the only available wind data for Howe Sound? Page 7.3-72 includes reference to “WorleyParsons. 2013b. Wind and Wave Study. May 2013. For Woodfibre LNG. Unpublished report”. Does this report contain other wind data locations for Howe Sound or recommendations for other wind data locations?
Vessel spill risk	Appendix 11-1 Table 7.1, # 3.2	Why was the worst-case scenario in this section not the release of heavy fuel from the LNG tanker or another large vessel involved in a collision? Note: Paragraph 2 of page 11-24 of section 11.3.4.1.1 states that “The worst-case credible grounding scenarios described below assume a powered grounding of an LNG carrier, which could lead to a release of <i>heavy fuel oil (bunker fuel oil)</i>.... of the LNG tanker or the vessel it collides with.”
Glass-sponge reef impacts		Will the proponent provide more information on the potential impacts of Project related vessel traffic on the glass sponge reefs near the shipping routes from LNG tankers’ and tugs’ wake, vibration and noise? If not, why not?

Woodfibre LNG Project – Application Review Working Group

Comment Tracking Memo

Category/Theme of Comment	Section of the Application	Comment/ Issue Description
Vessel collisions	11.3.4.2 11-29	The application states that the Proponent “may identify future mitigation measures that relate to vessel collision and grounding based on the outcomes of the TERMPOL review being conducted concurrently with the environmental assessment process. “ Will the recommendations of the TERMPOL review be available for public review before the conclusion of the public comment period in the environmental assessment process? If not, it is difficult for members of the public to comment knowledgeably about the risk posed to and by recreational /tourist vessels and the mitigation measures that may be put in place?
Recognition of Islands Trust Mandate/Policy Statement		The application does not mention the Islands Trust. The Islands Trust Act gives the Islands Trust responsibility for leading the preservation and protection of the Trust Area and invites the Islands Trust to cooperate with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia. It also requires Trust Council to adopt a Policy Statement with the policies it will use to achieve this goal. The Islands Trust Policy Statement, approved by the provincial Minister responsible for Islands Trust, sets out the Island Trust's three main goals: • Foster the preservation and protection of the Trust Area's ecosystems • Ensure that human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of Trust Area ecosystems • Sustain island character and healthy communities. Much of Howe Sound is in the Islands Trust Area.

STAFF REPORT

Date: March 3, 2015

File No.: 3190 – 25
GM-DVP-2015.1
(Peters/Crompton)

To: Gambier Island Local Trust Committee
For meeting March 26, 2015

From: Marnie Eggen, Planner 2

CC: Aleksandra Brzozowski, Island Planner
Courtney Simpson, Regional Planning Manager

Re: Development Variance Permit – Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991, Gambier Island; PID 007-295-928

Owner: Margaret Crompton
Applicant: Garry Peters
Location: 362 Mary Road, Gambier Harbour, Gambier Island

THE PROPOSAL:

The applicant requests the following variances in order to allow the location of the following:

- A reduction of the following setbacks:
 - from the natural boundary of the sea from 15.0 metres to 2.8 metres (9.2 feet);
 - from the western interior side lot line from 3.0 metres to 2.0 metres (6.6 feet); and
 - the eastern interior lot line from 3.0 metres to 0.85 metres (2.8 feet) to allow the location of the following in accordance with the site plan and elevation plans (see Schedule “A1” through “A3” of the proposed Development Variance Permit in attachments):
 - i) a single family dwelling consisting of an existing “cottage” (125.4 sq. metres (1350 sq. feet)) and decks, and proposed alterations/additions: “proposed annex configuration,” “proposed cabinets,” “proposed new deck,” “proposed infill deck,” and “new stairs”;
 - ii) an existing freestanding “wooden deck”;
 - iii) an existing “wood shed”; and
 - iv) an existing “retaining wall” north west of the dwelling.

BACKGROUND:

This is the fourth application for a variance made by the applicant. The first application was closed due to lack of information to proceed further. Bylaw enforcement began an investigation subsequent to the first application being closed, given the existence of non-conforming structures, in which enforcement staff then put on hold when the applicant applied a second

The third application was made in 2013 for which a partial variance was issued by the Local Trust Committee. The variance allowed the following existing structures to be sited in the setback areas:

- The variance did not allow the following existing structures, and therefore, were to be removed:

- Since the variance was issued, the applicant has removed the decking within 2 metres (6.6 feet) of the western interior lot line and altered the garage deck to be free standing. Since the free standing deck is less than 0.6 metres (2 feet) in height, it is exempt from setback requirements in the Gambier Island Land Use Bylaw No. 86 (s.3.4 (3)), and requires no variance. The applicant has not removed the cottage annex, and instead has proposed to reduce its size, and add some decking. The cottage annex is proposed to be reduced in floor area from 43.9 sq. metres (472 sq. feet) to 18.9 sq. metres (203.7 sq. feet). This alteration would result in a reduction of the encroachment into the natural boundary of the sea and into the eastern interior lot line setback areas (see figures below).

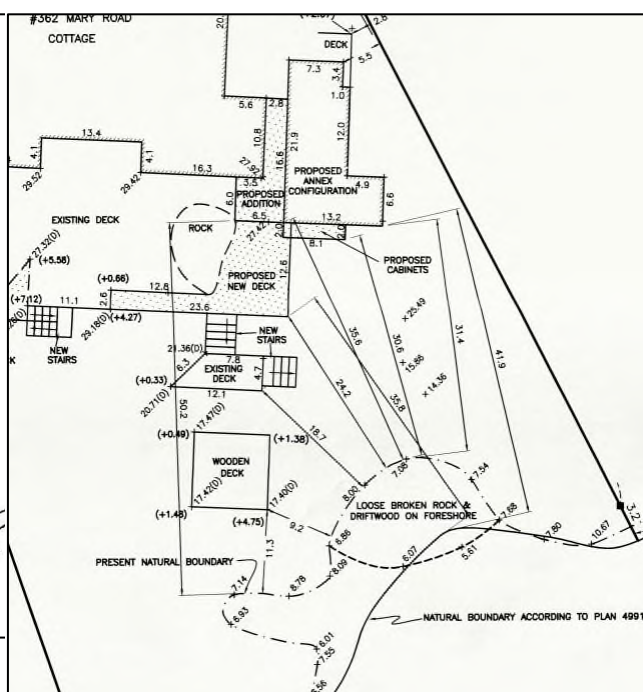


Figure 2: Site Plan of Proposed Alterations to Cottage Annex

Reasons for the Variance

The application includes the reasons for the proposed variance and why the current bylaw requirements cannot be met in the following excerpts (see attachments for a copy of the application):

"I will enclose a plan showing that this lot with the latest setback requirements allows very little of the lot to be built on. This lot was subdivided in 1920 and is only 50' at the North and 80' at the front. It was water on 2 sides that require 15 metres set backs. Because we are a small lot with all the restrictions it was hard to find a building area."

SITE CONTEXT:

The subject property is a waterfront lot that is partially treed and situated on Mary Road, Gambier Harbour, Gambier Island as shown below in the subject Property Map. The property is approximately 0.13 ha (0.32 acres) in size and is bordered to the east side by a privately owned lot and to the west by a regionally managed park. Staff note that the regional park is a waterfront lot on Gambier Harbour and the park is less than 15 metres (49.2 feet) wide in places such that the subject property is subject to the 15 metres (49.2 feet) setback to the natural boundary of the sea along the length of the property on the west side, in addition to the setback to the natural boundary of the sea along the south side of the property (see surveyed site plan and sketch of area of lot not covered by setbacks on subject property in attachments).

A single family dwelling (consisting of a pre-existing cottage and a more recently constructed and connected cottage annex, including decks), garage, freestanding wooden deck, woodshed, septic system, retaining wall and pump house are currently located on the property. The western side of the property exhibits a moderately sloped area. The top of the slope runs along the length of the western side of the dwelling, cutting into the subject property along that side. The retaining wall is located along a small portion of the sloped area.

Subject Property Map

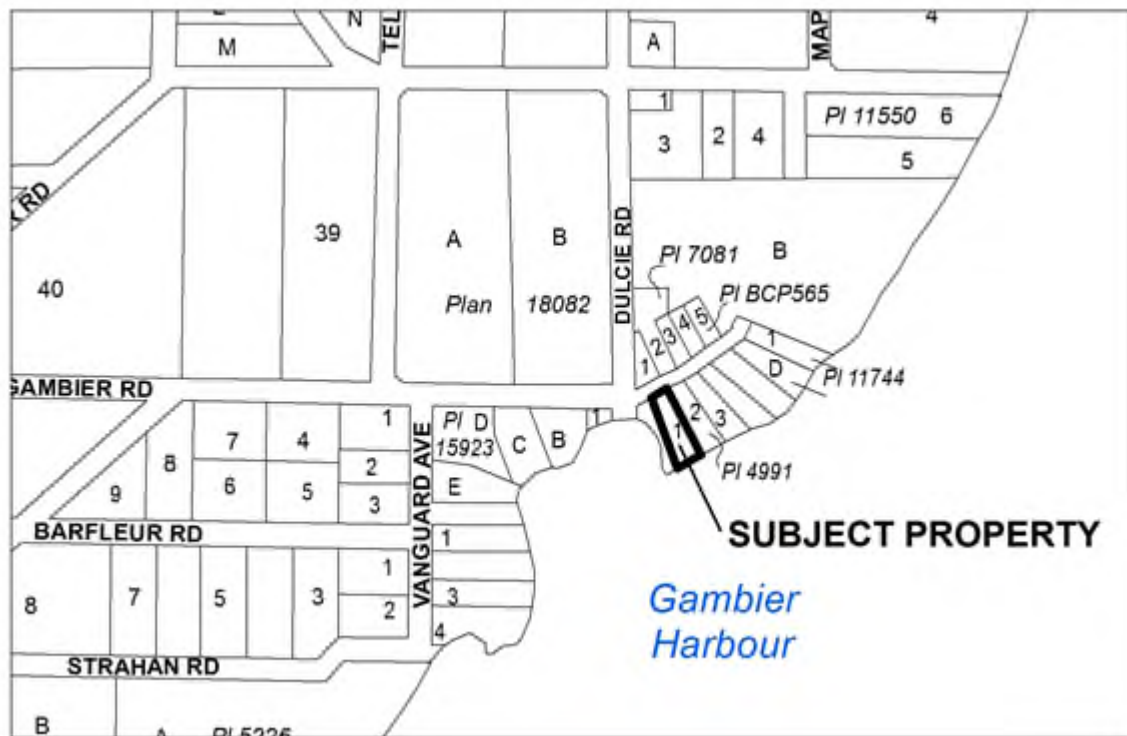


Photo 1

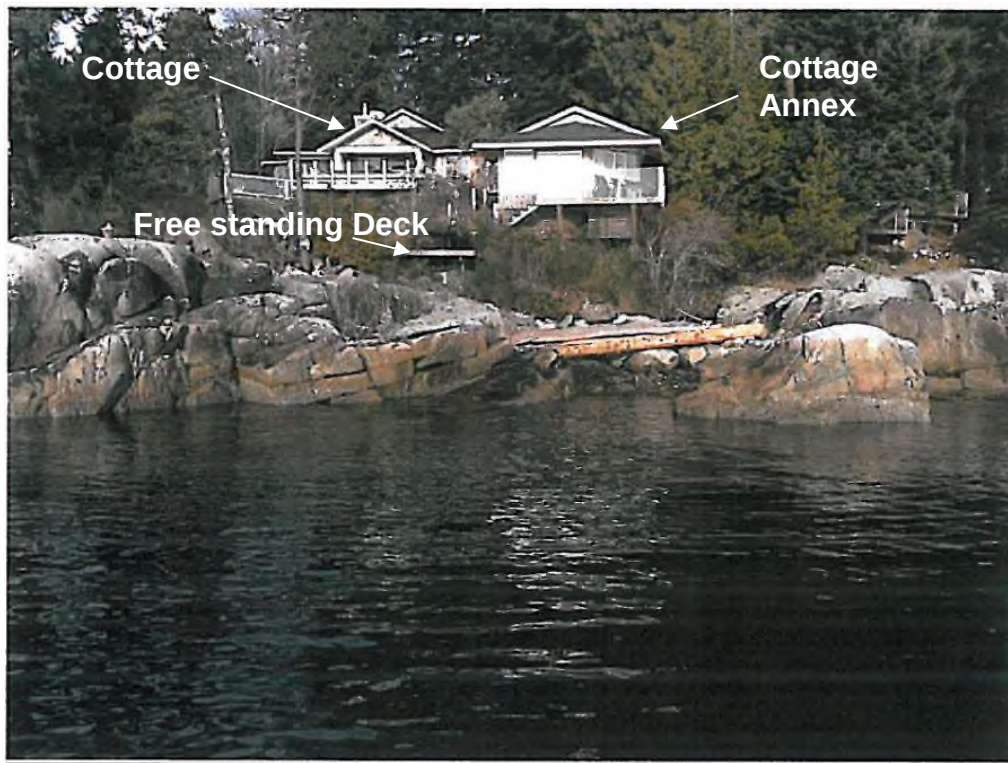


Photo 2



Photo 3



Photo 4



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The following policies pertain to this application:

4.5 Coastal Areas and Marine Shorelands

Commitments of Trust Council

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.

Directive Policies

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.

5.1 Aesthetic Qualities

Commitments of Trust Council

5.1.1 Trust Council holds that the overall visual quality of the Trust Area and its scenic values should be protected from disturbance, particularly those areas that have distinctive features or are highly visible.

Directive Policy

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.

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

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

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

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

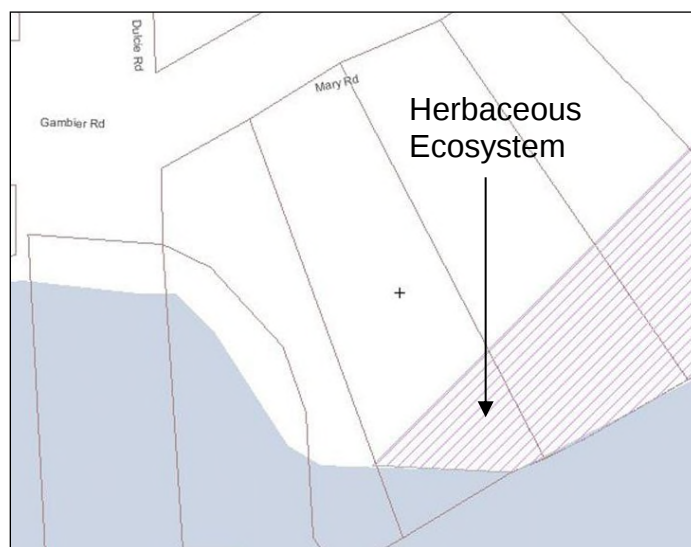
The subject property is located in the Settlement Residential Zone (SR) of which the interior side lot line setback of 3 metres (9.8 feet) is requested to be varied. Also, the setback to the natural boundary of the sea of 15 metres (49.2 feet) in the General Regulations of the LUB is requested to be varied. Staff notes that the 25% lot coverage regulation is not currently exceeded nor would it be with the proposed variance.

Regional Conservation Plan:

There are no identified interests in the immediate area pertaining to the Islands Trust Fund Regional Conservation Plan.

Sensitive Ecosystems, Hazard Areas, and Riparian Areas:

According to Islands Trust Sensitive Ecosystem mapping, there is a sensitive herbaceous ecosystem located on the south east portion of the property, in the same vicinity as the existing cottage annex. There are no hazardous areas mapped on the Schedule E of the Official Community Plan. However, staff notes that the dwelling is located at the top of a slope on the western edge of the property. The property is not subject to the Riparian Areas Regulation.



Archaeological Sites:

According to the provincial Remote Access to Archaeology Data (RAAD), there are no archaeological sites on or within 50 metres of this property.¹

Covenants:

There are no covenants registered on the State of Title Certificate.

Bylaw Enforcement:

This property continues to have an active bylaw enforcement file. The applicant is moving towards compliance by removing structures as per the requirements of the previous development variance permit and by applying for this new development variance permit for other structures.

Climate Change Mitigation and Adaptation

The proposed variance to lot line setbacks is not anticipated to affect greenhouse gas emissions in any way. Allowing a dwelling within the setback from the sea is generally not recommended

¹ Fifty metres is the recommended buffer from the BC Archaeology Branch to determine if there is a conflict with an identified archaeological site.

when trying to adapt to the effects of climate change. However, the shoreline in this area is relatively protected from erosion (see Shoreline section below).

Shoreline

The shoreline mapping along the subject property indicates the shoreline is classed as a low rock/boulder shoreline. It is a mixture of sediment and rock, and this type of shoreline is known to be moderately resistant to erosion. It also tends to have a limited sediment supply and be stable over a human time scale. Eelgrass mapping indicates that there are patchy fringes of eelgrass present along the shoreline of the subject property. The buildings and structures that require a variance on the property are not expected to have any impact on the sensitive eelgrass habitat in the foreshore area.

The applicant has made a commitment to remove the loose rock wall by the end of October 2015.

Other

Schedules 'A1' through 'A3' of the Proposed Development Variance Permit

The proposed development variance permit restricts all the portions of the dwelling, all proposed alterations and additions, the freestanding wooden deck, wood shed, retaining wall, and garage deck located within setback areas from being any closer to lot lines than as indicated on the Schedules 'A1' through 'A3'. Any portions of those buildings and structures within setback areas cannot be altered in the future to encroach horizontally or vertically any further into the setback areas unless another variance is granted for those purposes.

The proposed development variance permit and schedules also anticipate the removal of the loose rock wall at and below the natural boundary to the sea at the south property line.

Building Permit

The applicant did not obtain a building permit prior to construction of the buildings and structures subject to this variance. It is expected that the applicant would apply for a building permit if the development variance permit is granted. The Sunshine Coast Regional District building department typically does not process a building permit for construction of buildings or structures that contravene the Gambier bylaws until such time that they have become conforming; for example, either through an approved variance or the structures have been removed.

Regional District Park Access

The small regional park adjacent to the subject property is unusually shaped, with limited public access. The park exhibits a coastal bluff at the southern end, where a viewscape of the harbour and Howe Sound can be taken in. The park is not easily accessible from Mary Road due to heavy vegetation and moderate slope, but would be accessible for pedestrians to access from along the beach at low tide.

Setback Coverage of the Subject Property

The setback to the natural boundary of the sea of 15 metres (49.2 feet) covers more than half of the subject property. In combination with the front lot line setback to Mary Road and the interior lot line on the east side of the property, the area not covered by setbacks is relatively small in comparison to other lots in the area. As a result, typical residential development on this lot would likely require a variance to setback(s). See the approximate area of the lot not covered by setbacks (i.e. buildable area on the lot) on subject property in attachments.

Effect on Surrounding Lands and Mitigation

In the application, the applicant describes how they believe the surrounding lands may be affected:

“We have [proposed to] removed the largest portion of the annex that could affect the East neighbours view. I have reviewed this change and the neighbour to the East is OK with the change. We have a very narrow indent that pushes our 50’ setback past the neighbours home so no view will be lost”

Consultation with Neighbours

In the application, the applicant describes consultation they had with neighbours:

“My neighbor is being consulted in all my applications and has sent [an] email saying she is 100% OK with this new variance”

Staff has viewed this email communication, and since then has formally emailed their supportive comments in response to the DVP notice circulated. (see Results of Circulation section below).

COMMUNITY INFORMATION MEETING(S):

Community information meetings are not required for development variance permit applications.

RESULTS OF CIRCULATION:

A copy of a proposed development variance permit and notice were sent to adjacent property owners (see attachments for proposed development variance permit and notice). One supportive public comment was received prior to the completion of the staff report. It was received from the neighbour directly adjacent to the eastern property line of the subject property (see attachments). Any other comments received will be presented to the LTC at the March 26th regular business meeting.

STAFF COMMENTS:

Although some neighbouring properties have been granted setback variances and others may apply in the future, each request for a variance is evaluated on its individual merits.

Potential Impacts: Shoreline Access, Visual Qualities, Neighbouring Properties

As the decking on the west side of the lot has been removed within 2 metres of the western lot line and the proposed cottage annex configuration is set back further than what is existing, public access along the shore is not expected to be impacted as a result of those being sited closer to the natural boundary of the sea than permitted. The Sunshine Coast Regional District

(SCRD) had liability concerns with respect to the steep drop in elevation from the original decking into the regional park. Now that the decking has been removed to 2 metres, staff expects that the SCRD will have less concern. Staff has notified the SCRD of the proposed variance and are awaiting a response. Any comments received will be presented to the LTC at the March 26th regular business meeting.

The proposed cottage annex configuration is reduced to less than half its original size and is sited further back from the natural boundary of the sea and from the eastern lot line. The face of the proposed cottage annex is roughly in line with the existing original cottage, and is not expected to be as prominent as before, blending in as a modest addition to the original cottage. The closest neighbour to the east, who was unsupportive of the existing cottage annex, is now in support for the proposed configuration of the annex.

The woodshed, the free standing wooden deck, the retaining wall and decking around the existing cottage that were given approval in the previous variance remain to have little visual impact. This is due to either being low profile and/or being located towards the north end of the property and further away from the natural boundary of the sea where they are less visible.

As stated above, the loose rock wall placed by the owner/applicant at and below the natural boundary on the south end of the property would not be permitted as a result of this application, and would remain an enforcement matter if not removed voluntarily by the owner.

SUMMARY:

Staff recommends approving the proposed development variance permit.

RECOMMENDATION:

THAT the Gambier Island Local Trust Committee issue the Development Variance Permit for GM-DVP-2015.1 (Peters/Crompton) that authorizes the reduction of the minimum setback to the natural boundary of the sea from 15 metres to 2.8 metres (9.2 feet) to allow the location of the following:

- i) a single family dwelling consisting of an existing “cottage” (125.4 sq. metres (1350 sq. feet)) and decks, and proposed alterations/additions: “proposed annex configuration,” “proposed cabinets,” “proposed new deck,” “proposed infill deck,” and “new stairs”;
- ii) an existing freestanding “wooden deck”;
- iii) an existing “wood shed”; and
- iv) an existing “retaining wall” north west of the dwelling;

and to authorize the reduction of the setback from the western interior side lot line from 3 metres to 2.0 metres (6.6 feet) to allow the location of the following:

- i) a single family dwelling consisting of an existing “cottage” (125.4 sq. metres (1350 sq. feet)) and decks;

and to authorize the reduction of the setback from the eastern interior side lot line from 3 metres to 0.85 metres (2.8 feet) to allow the location of the following:

- i) the “proposed annex configuration” and “deck”;

located on Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991, Gambier Island; PID 007-295-928 in accordance with Schedules 'A1' through 'A3' attached to and forming part of the permit.



March 3, 2015

Marnie Eggen, MCIP, RPP
Planner 2

Date

Concurred in by:



March 12, 2015

Courtney Simpson, MCIP, RPP
Regional Planning Manager

Date

Attachments:

1. Proposed Development Variance Permit
2. Surveyed Site Plan
3. Sketch of Area of Lot not Covered by Setbacks on Subject Property
4. Notice
5. Application for Development Variance Permit
6. Public Comment – received March 10, 2015

	GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT GM-DVP-2015.1 (Crompton / Peters)
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TO: Margaret Crompton

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

PID 007-295-928

Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991

2. Pursuant to Section 922 of the *Local Government Act*, the *Gambier Island Land Use Bylaw No. 86, 2004* is varied as follows:

a) Section 3.3 (1) "Siting and Setback Regulations" is varied to reduce the setback from the natural boundary of the sea from 15.0 metres to 2.8 metres (9.2 feet) in accordance with Schedules "A1" through "A3" to allow the location of the following:

- i) a single family dwelling consisting of an existing "cottage" (125.4 sq. meters)(1350 sq. feet)) and decks, and proposed alterations/additions: "proposed annex configuration," "proposed cabinets," "proposed new deck," "proposed infill deck," and "new stairs";
- ii) an existing freestanding "wooden deck";
- iii) an existing "wood shed";
- iv) an existing "retaining wall" north west of the dwelling;

AND

b) Section 5.1 (9)(b) "Siting and Size" is varied to reduce the setback from the western interior side lot line from 3 metres to 2 metres (6.6 feet) in accordance with Schedule "A1" to allow the location of the following:

- i) a single family dwelling consisting of an existing "cottage" (125.4 sq. meters)(1350 sq. feet)), and decks up to 2 metres (6.6 feet) to the western interior lot line;

AND

c) Section 5.1 (9)(b) "Siting and Size" is varied to reduce the setback from the eastern interior side lot line from 3 metres to 0.85 metres (2.8 feet) in accordance with Schedules "A1" through "A3" to allow the location of the following:

i) the “proposed annex configuration” and “deck” up to 0.85 metres (2.8 feet) to the eastern interior lot line;

AND

d) Such reductions apply only to the buildings and structures as located, built and shown on Schedules “A1” through “A3,” attached to and forming part of this permit including the heights, forms and elevations shown on those Schedules.

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

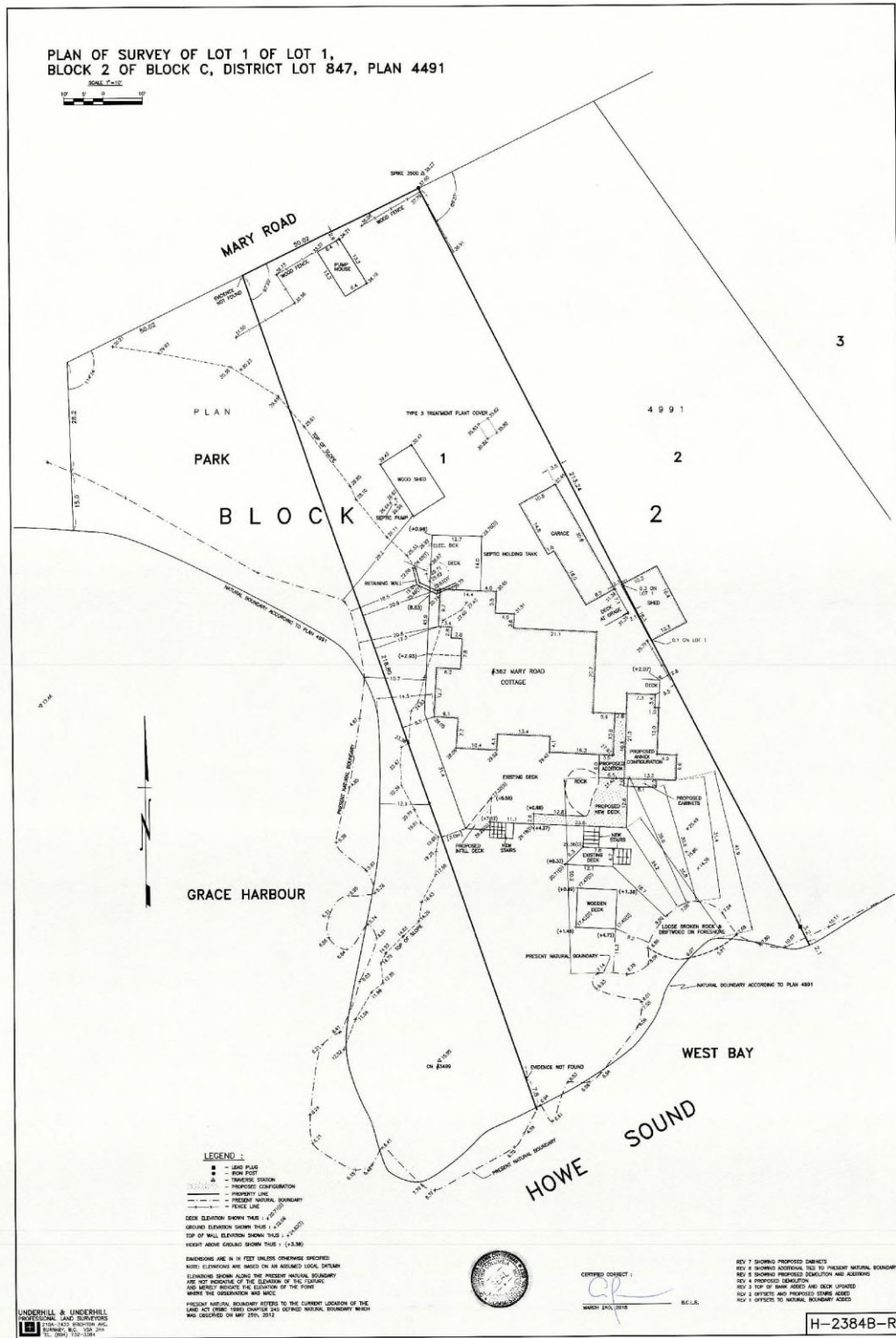
AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS ___ DAY OF MARCH, 2015.

Deputy Secretary, Islands Trust

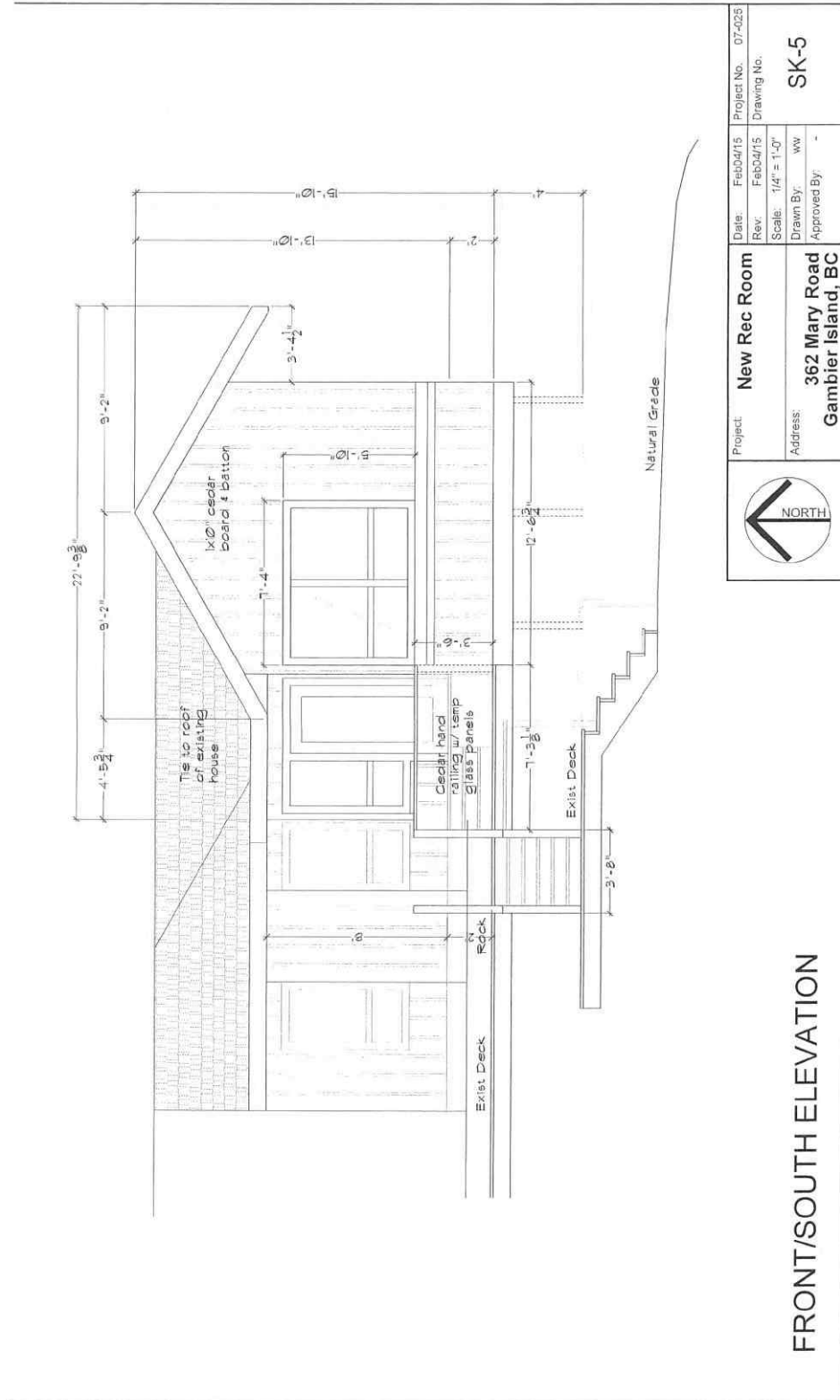
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ___ DAY OF MARCH, 2017, THIS PERMIT AUTOMATICALLY LAPSES.

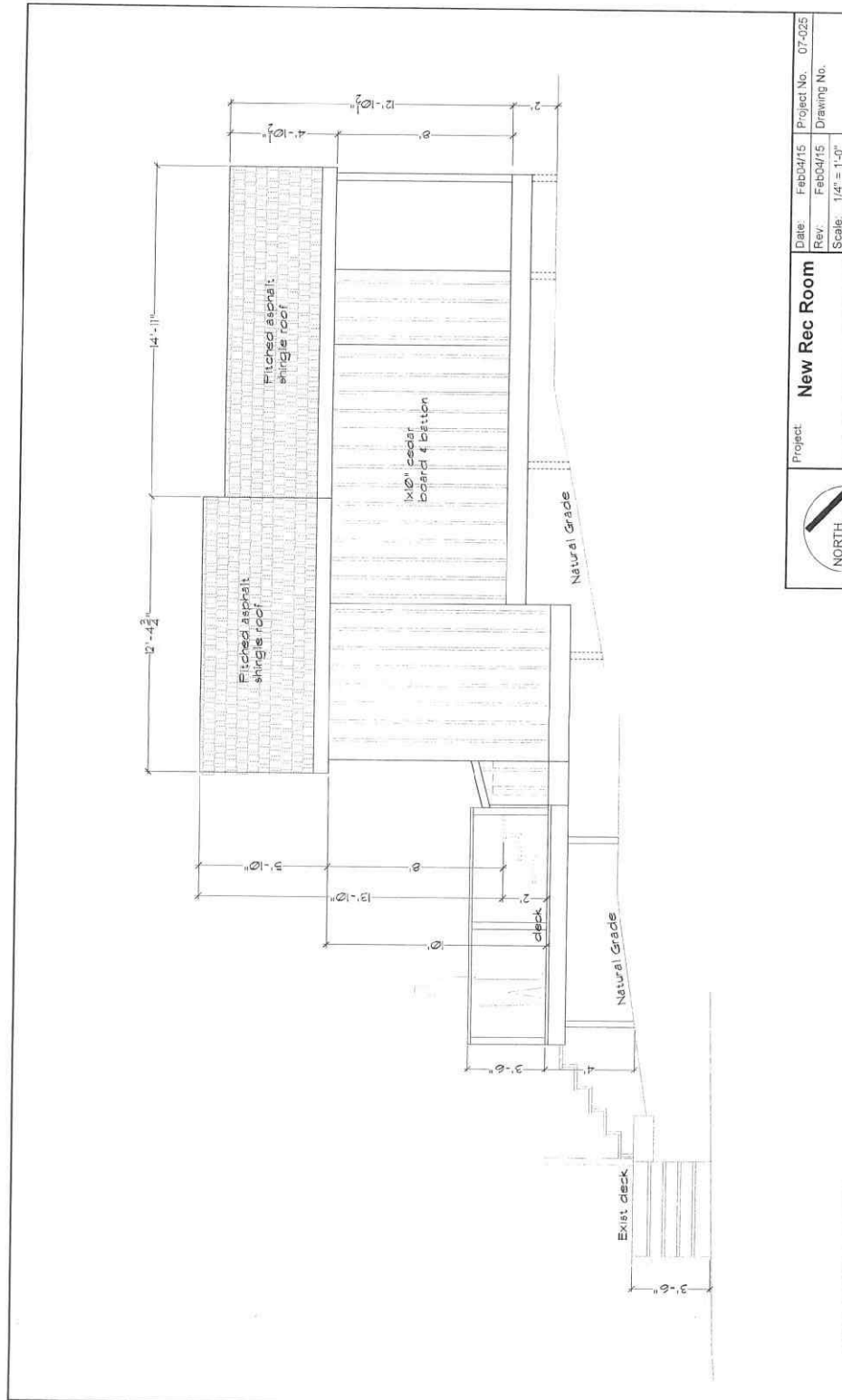
SCHEDULE "A1"



SCHEDULE "A2"

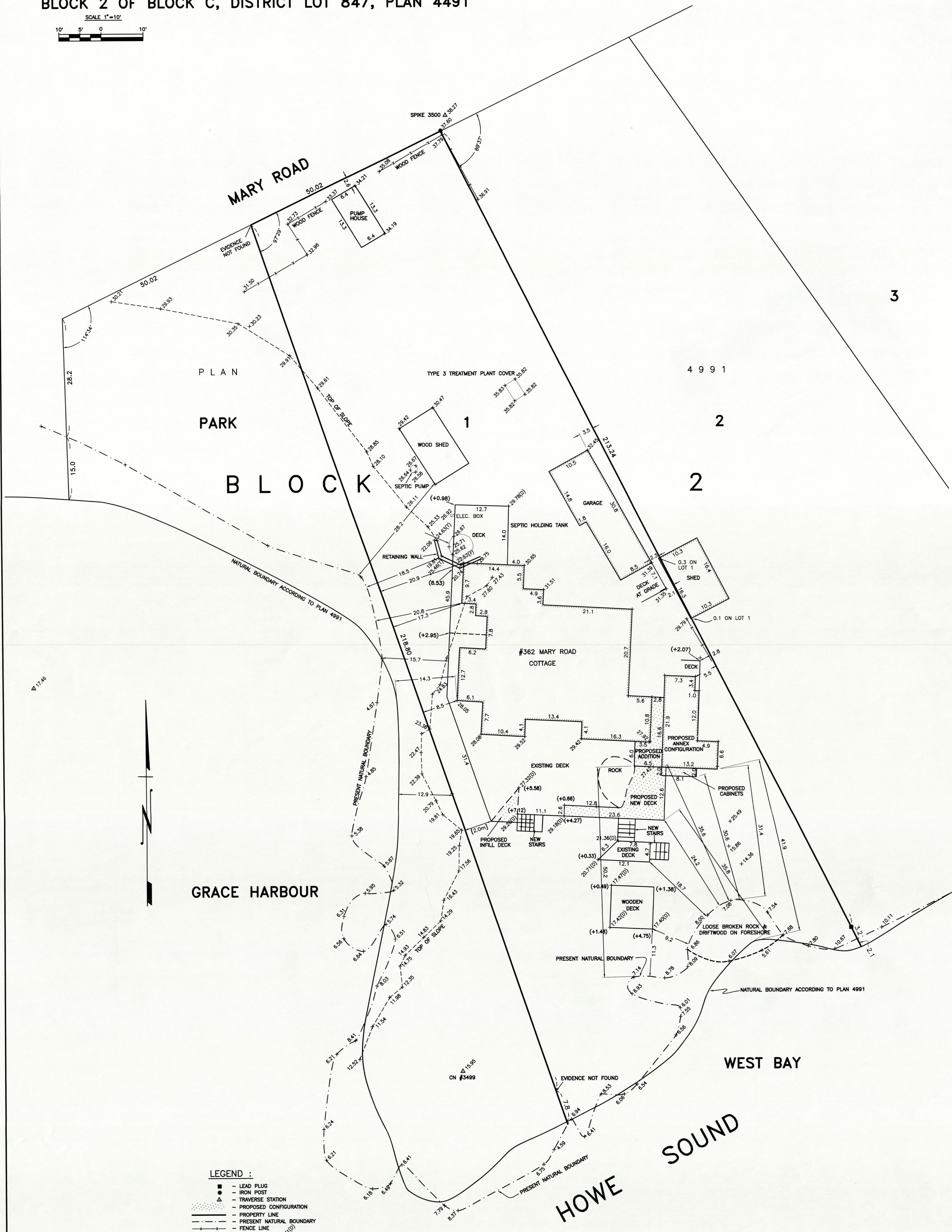
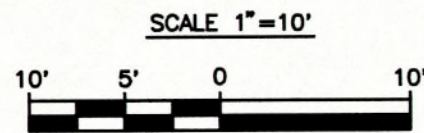


SCHEDULE "A3"



 NORTH	Project:	New Rec Room	
	Date:	Feb04/15	Project No. 07-025
	Rev:	Feb04/15	Drawing No.
		Scale:	1/4" = 1'-0"

PLAN OF SURVEY OF LOT 1 OF LOT 1,
BLOCK 2 OF BLOCK C, DISTRICT LOT 847, PLAN 4491



GRACE HARBOUR

WEST BAY

HOWE SOUND

- LEGEND :
- - LEAD PLUG
 - - IRON POST
 - △ - TRAVERSE STATION
 - - PROPOSED CONFIGURATION
 - - PROPERTY LINE
 - - PRESENT NATURAL BOUNDARY
 - - FENCE LINE

DECK ELEVATION SHOWN THUS : +2.71(0)
GROUND ELEVATION SHOWN THUS : +22.06
TOP OF WALL ELEVATION SHOWN THUS : +24.63(1)
HEIGHT ABOVE GROUND SHOWN THUS : (+3.36)

DIMENSIONS ARE IN FEET UNLESS OTHERWISE SPECIFIED
NOTE: ELEVATIONS ARE BASED ON AN ASSUMED LOCAL DATUM
ELEVATIONS SHOWN ALONG THE PRESENT NATURAL BOUNDARY
ARE NOT INDICATIVE OF THE ELEVATION OF THE FEATURE
AND MERELY INDICATE THE ELEVATION OF THE POINT
WHERE THE OBSERVATION WAS MADE
PRESENT NATURAL BOUNDARY REFERS TO THE CURRENT LOCATION OF THE
LAND ACT (RSBC 1996) CHAPTER 245 DEFINED NATURAL BOUNDARY WHICH
WAS OBSERVED ON MAY 25th, 2012



CERTIFIED CORRECT :

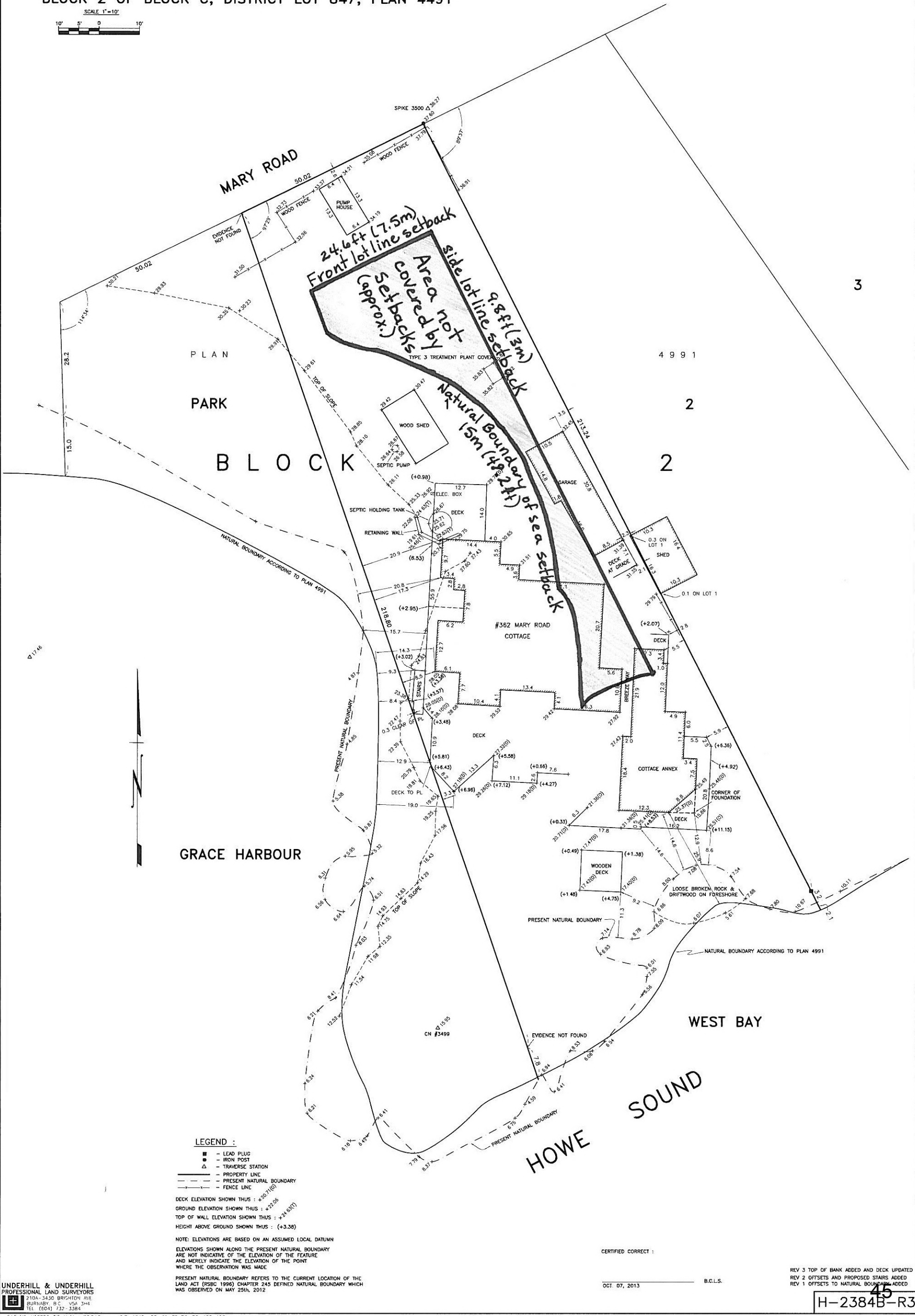
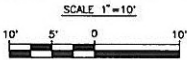
MARCH 2ND, 2015
B.C.L.S.

- REV 7 SHOWING PROPOSED CABINETS
- REV 6 SHOWING ADDITIONAL TIES TO PRESENT NATURAL BOUNDARY
- REV 5 SHOWING PROPOSED DEMOLITION AND ADDITIONS
- REV 4 PROPOSED DEMOLITION
- REV 3 TOP OF BANK ADDED AND DECK UPDATED
- REV 2 OFFSETS AND PROPOSED STAIRS ADDED
- REV 1 OFFSETS TO NATURAL BOUNDARY ADDED

UNDERHILL & UNDERHILL
PROFESSIONAL LAND SURVEYORS
210A-3430 BRIGHTON AVE.
BURNABY, B.C. V5A 3H4
TEL. (604) 732-3384

H-2384B-R7

PLAN OF SURVEY OF LOT 1 OF LOT 1,
BLOCK 2 OF BLOCK C, DISTRICT LOT 847, PLAN 4491



LEGEND :

- - LEAD PLUG
- - IRON POST
- △ - TRAVERSE STATION
- - PROPERTY LINE
- - - - - PRESENT NATURAL BOUNDARY
- - - - - FENCE LINE

DECK ELEVATION SHOWN THUS : +20.7(10)
GROUND ELEVATION SHOWN THUS : +22.05
TOP OF WALL ELEVATION SHOWN THUS : +24.63(7)
HEIGHT ABOVE GROUND SHOWN THUS : (+3.38)

NOTE: ELEVATIONS ARE BASED ON AN ASSUMED LOCAL DATUM
ELEVATIONS SHOWN ALONG THE PRESENT NATURAL BOUNDARY
ARE NOT INDICATIVE OF THE ELEVATION OF THE FEATURE
AND MERELY INDICATE THE ELEVATION OF THE POINT
WHERE THE OBSERVATION WAS MADE

PRESENT NATURAL BOUNDARY REFERS TO THE CURRENT LOCATION OF THE
LAND ACT (RSBC 1996) CHAPTER 245 DEFINED NATURAL BOUNDARY WHICH
WAS OBSERVED ON MAY 25th, 2012

CERTIFIED CORRECT :

OCT 07, 2013

B.C.L.S.

REV 3 TOP OF BANK ADDED AND DECK UPDATED
REV 2 OFFSETS AND PROPOSED STAIRS ADDED
REV 1 OFFSETS TO NATURAL BOUNDARY ADDED

H-2384B-R3

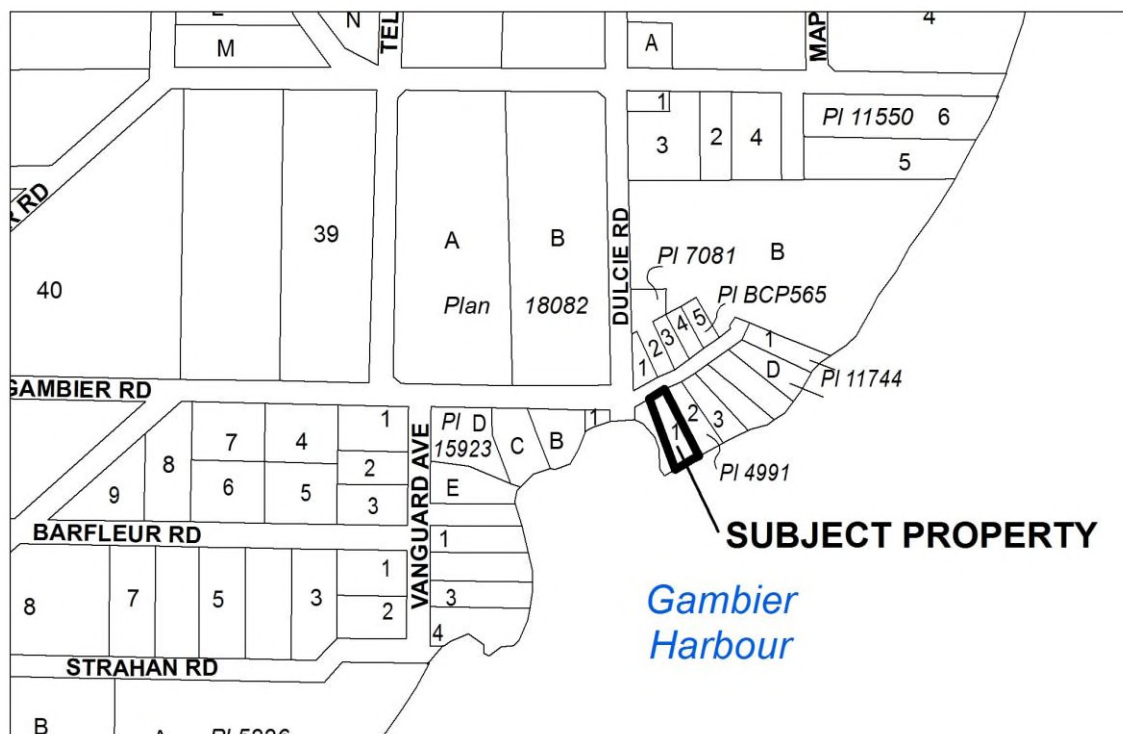


NOTICE
GM-DVP-2015.1
GAMBIER ISLAND LOCAL TRUST COMMITTEE

Notice is hereby given that the Gambier Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 922 of the *Local Government Act*, varying Section 3.3(1) and Section 5.1(9)(b) of the *Gambier Island Land Use Bylaw No. 86, 2004* at its Regular Business meeting to be held at 10:30 am on March 26, 2015.

In general terms, the purpose of the proposed Permit is to authorize the reduction of the setback to the natural boundary of the sea from 15.0 metres to 2.8 metres (9.2 feet) and authorize the reduction of the setback from the western and eastern interior lot lines from 3 metres to 2 metres (6.6 feet) and from 3 metres to 0.85 metres (2.8 feet) respectively, to permit proposed additions and alterations to a single family dwelling.

The subject property is legally described as Lot 1 of Lot 1, Block 2 of Block C, District Lot 847, Plan 4991, PID 007-295-928, and is shown in the following sketch.



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3 between the hours of 8:30 am to 4:00 pm, Monday to Friday inclusive, excluding statutory holidays, commencing Thursday, March 13, 2015 and continuing up to and including Wednesday, March 25, 2015. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed permit, please submit them before 4:00pm, March 25, 2015 to:

Mail: Islands Trust,
700 North Road,
Gabriola Island, BC,
V0R 1X3
Fax: 250- 247-7514
Email: meggen@islandstrust.bc.ca
Phone: Marnie Eggen, Planner 2 at 250-247-2210; Toll-free via Enquiry BC in
Vancouver: 604-660-2421; elsewhere in BC: 1-800-663-7867

Following the end of the notice period, the Gambier Island Local Trust Committee may consider issuance of the proposed Permit at its Regular Business meeting to be held at 10:30 am on March 26, 2015 at Gibsons Library, 470 South Fletcher Road, Gibsons, BC.

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

Lisa Webster-Gibson
Deputy Secretary



Islands Trust

Preserving *Island* communities, culture and environment

Victoria Office
200 - 1627 Fort Street
Victoria, BC V8R 1H8
Telephone: **250.405.5151**
Fax: 250.405.5155
information@islandstrust.bc.ca
North Pender, South Pender, Galiano,
Mayne, Saturna, Executive

www.islandstrust.bc.ca

Salt Spring Office
1 - 500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Telephone: **250.537.9144**
Fax: 250.537.9116
ssinfo@islandstrust.bc.ca
Salt Spring

Northern Office
700 North Road
Gabriola Island, BC V0R 1X3
Telephone: **250.247.2063**
Fax: 250.247.7514
northinfo@islandstrust.bc.ca
Denman, Gabriola, Gambier,
Hornby, Lasqueti, Thetis

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC 1.800.663.7867

Development Variance Permit Application Form

Office Use Only

Fee Paid: _____ Receipt No.: _____ File No.: _____

SECTION 1: DESCRIPTION OF PROPERTY

(AS INDICATED ON STATE OF TITLE CERTIFICATE)

Lot/Parcel 1 Plan VAP4991 Block 2 District Lot/Section 847
Range _____ Other Description group 1, New Westminster Land District of BLK C
Street Address or General Location 366 Mary Road Gambier
Jurisdiction and Folio Number 01053000 (From Property Assessment/Tax Notice)
Parcel Identifier (PID) 0000261448 (From State of Title Certificate)

SECTION 2: OWNER INFORMATION

(ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

First Owner Information

Margaret Grace Crompton
Name _____
110 - 8484 162 Street
Street Address _____
City surrey Region BC
Postal/Zip Code V4N1B4
Telephone 604-328-0121
Fax 604-597-0211
E-mail delburndev@gmail.com

Second Owner Information

Name _____

Street Address _____
City _____ Region _____
Postal/Zip Code _____
Telephone _____
Fax _____
E-mail _____

SECTION 3: APPLICANT INFORMATION

(IF DIFFERENT FROM OWNER)

Name Garry Peters Street Address #110 - 8484 162 Street
City Surrey Region BC Postal/Zip Code V4N1B4
Telephone 604-328-0121 Fax 604-597-0211 E-mail delburndev@gmail.com

Freedom of Information and Protection of Privacy

Personal information contained on this form is collected under the *Local Government Act* for the purpose of responding to this application, or for purposes directly connected with this application. Information on your application form may be available to the public upon request under freedom of information legislation. Please contact a Deputy Secretary at one of the above noted offices if you have any questions

The processing of your application will be delayed if it is incomplete. Please read the guide before you complete the application form. Keep the guide for your reference during the application process. Contact a staff person for assistance.

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

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

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

If the space provided below for each section is not sufficient, please attach additional information using a Microsoft Word, Excel, Text or a separate PDF Document.

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

Residential Cabin

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

Addition to master bedroom removal of a portion of the annex and addition of a new deck

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

Foreshore dwelling 31.4 from 15 meters, new deck 24.2 from 15 meters, existing deck 18.7 from 15 meters, free standing deck 9.2 from 15 meters, existing wood shed 28.2 from 15 meters, retaining wall 18.5 from 15 meters
Western interior lot line existing deck 2 meters from 3 meters
Eastern interior lot line dwelling 5.5' from 3 meters, deck 2.8' from 3 meters this deck is only 2.07' high so could be landscape deck
See survey plan to see distances

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

I will enclose a plan showing that this lot with the latest setback requirements allows very little of the lot to be built on. This lot was subdivided in 1920 and is only 50' at the North and 80' at the front. It has water on 2 sides that require 15 meter set backs. Because we are a small lot with all the restrictions it was hard to find a building area.

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

We have removed the largest portion of the annex that could affect the East neighbors view. I have reviewed this change and Margo the neighbor to the East is OK with the change. We have a very narrow indent that pushes our 50' set back past the neighbors home so no view will be lost.

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

My neighbor is being consulted in all my applications and has sent an e-mail saying she is 100% OK with this new variance.

SECTION 11: APPLICATION COMPLETION CHECKLIST

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

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

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

SECTION 12: OWNER'S CONSENT AND AUTHORIZATION

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

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

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

First Consent and Authorization

Second Consent and Authorization

Margaret Croxall

Consent and Authorization Signature

Consent and Authorization Signature

Date

Date

Contaminated Sites Regulation

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

-----Original Message-----

From: Margo Gram [mailto:margogram13@gmail.com]

Sent: Tuesday, March 10, 2015 3:10 PM

To: Marnie Eggen

Cc: Garry Peters; Stu Watson; Malcolm Smith; The Bates; Sharon Moxon

Subject: Crompton/Peters Variance request - Gambier Island

Hi Marnie,

Re: GM-DVP-2015.1

Kevin and I, the adjacent neighbours of the subject property, are pleased to support this variance application. The request addresses our concerns about setbacks and views, and the proposed addition fits nicely with the original Crompton cottage and the waterfront.

We will not attend the meeting and hope that the request is approved.

I can be reached by cell phone at 604 657-7558.

You are welcome, as are the applicants, to circulate this message to any other neighbours.

Best regards,

Margo Gram and Kevin Pike

STAFF REPORT

Date: February 28, 2015

File No.: GM-DVP-2013.2

(Reel 17 Investments, Gambier Island)

To: Gambier Island Local Trust Committee
For meeting of March 26, 2015

From: Aleksandra Brzozowski, Island Planner

Copy: Courtney Simpson, Regional Planning Manager

Re: Application for Development Variance Permit on Lot 1, District Lot 477, Gambier Island

Owner: Reel 17 Investments Ltd.

Applicant: Jim Green

Location: Cotton Bay, Gambier Island

THE PROPOSAL:

The applicant has requested a relaxation of Section 3.3 and Section 5.16 of Gambier Island Land Use Bylaw No. 86 (LUB) to allow the siting of a rock wall within 0.0 metres of the natural boundary of the sea, and to permit an increased width allowance of 1.01 metres for a dock pier.

SITE CONTEXT:

The property is 12.6 hectares in size and located in Cotton Bay (Figure 1).

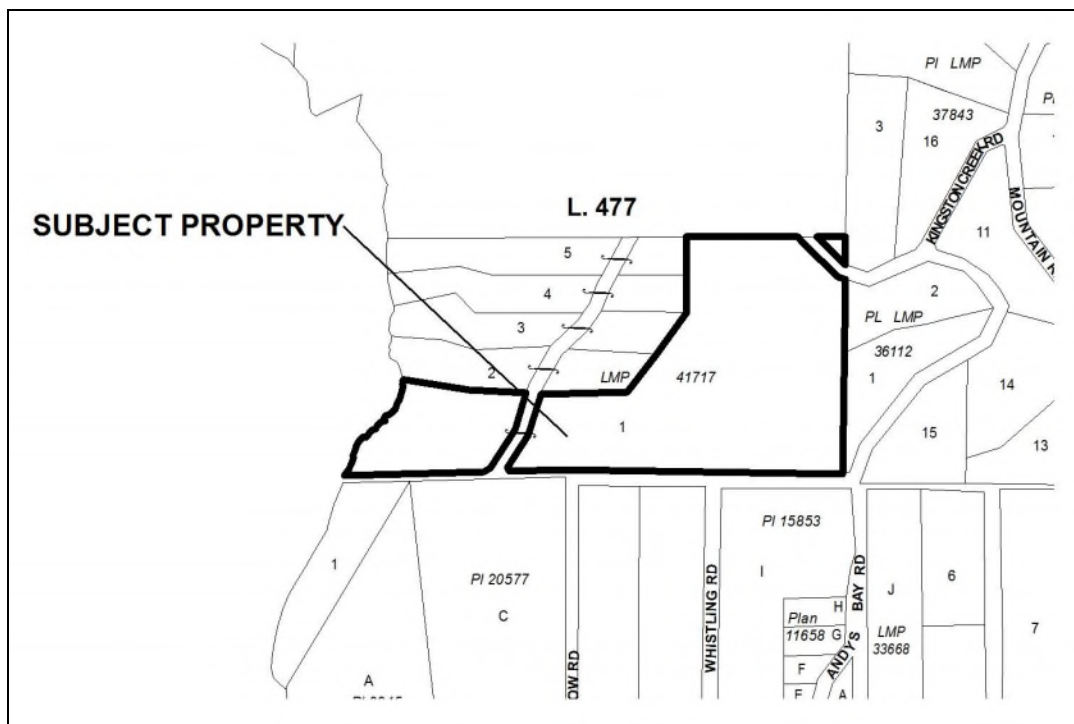


Figure 1. Subject property map

A network of roads is in place and the property has been heavily disturbed in the last decade with tree removal.



Figure 2. Aerial Photo – 2006

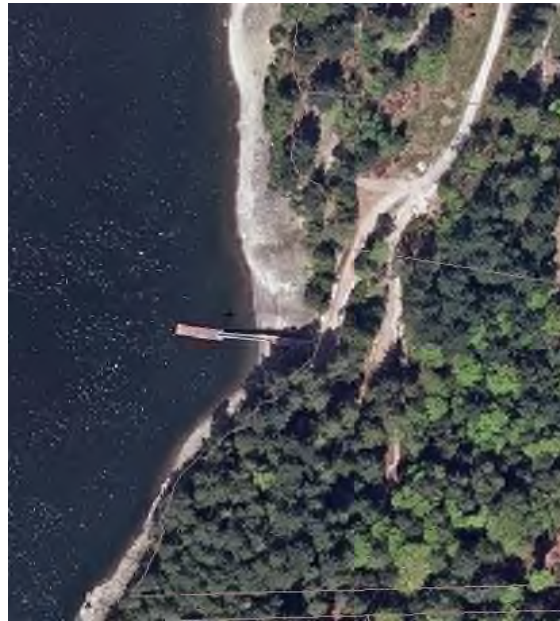


Figure 3. Aerial Photo - 2011

The applicant has applied for subdivision to the Ministry of Transportation and Infrastructure to create four residential lots. Preliminary layout approval (PLA) for this subdivision is on hold until a variance brings the property into compliance with the zoning.

The applicant is requesting two variances on the property:

- 1) To retroactively permit a width increase for the dock ramp.
- 2) To retroactively permit an existing rock wall within the 15 metre setback from the natural boundary of the sea.



Figure 4: Photograph of Dock and Rock Wall, September 26, 2013

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

The Islands Trust Policy Statement provides the following relevant policies:

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.

Official Community Plan

The property is exempt from Gambier Island Official Community Plan Bylaw No. 73, 2001 (OCP) and the policies, objectives and Development Permit Areas of this OCP do not apply. OCP Bylaw No. 110, 1976 is still in effect. The subject property is designated "Residential".

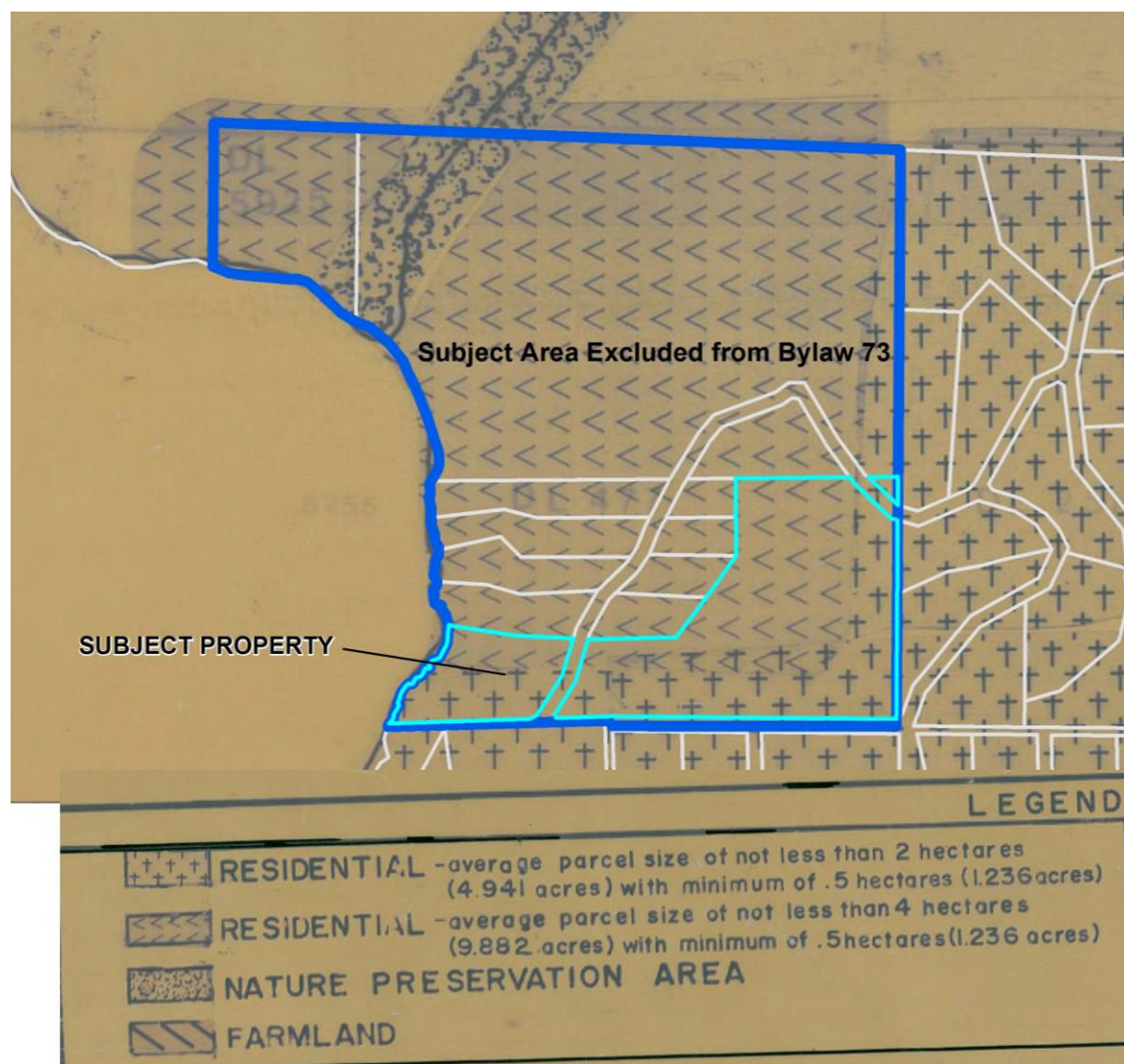


Figure 5. OCP Bylaw No. 110 Land Use Designation Map and Legend

In 2013, the subject property was rezoned to a site-specific Local Service (S2) zone to permit neighbourhood dock access and a fire fighting storage facility. Should a DVP not be granted for one or both of the requested variances, the 2013 rezoning can stand on the basis that the location has been deemed suitable for the local service use; however, the dock may be required to relocate should the wall supporting its access road not be granted an authorized variance.

3.3 (1) *No building or structure shall be sited within 15 metres of the natural boundary of the sea, lake, wetland or watercourse, or constructed with the underside of any floor system or the top of any pad supporting any space or room that is used for dwelling purposes, business or the storage of goods less than 1.5 metres above the natural boundary of the sea, lake or watercourse unless otherwise provided for in this Bylaw.*

The applicant is requesting a four lot residential subdivision in the following proposed layout:



Regional Conservation Plan:

There are no identified interests in the immediate area pertaining to the Islands Trust Fund Regional Conservation Plan.

Sensitive Ecosystem, Hazard and Riparian Areas:

The Islands Trust's Sensitive Ecosystem Mapping shows no sensitive ecosystems on the subject property. There are no riparian areas according to the Islands Trust mapping. Geotechnical hazard areas have been addressed via restrictive covenants with the provincial government at the time of the previous subdivision was approved.

Shoreline mapping for Gambier Island indicates that the subject property's shoreline is Sea Cliff. Sea cliffs are hard, mostly bedrock shores with slopes steeper than 20%. Sea cliffs are resistant to erosion and tend to be stable over a human time scale. Sediment transport rates along shoreline nearby sea cliffs are low, because of the limited sediment they supply to the nearshore. Sea cliffs may also have associated rock fall hazards.

Eelgrass mapping for Gambier Island indicates no eelgrass presence in Cotton Bay.

Forage Fish spawning habitat mapping for Gambier Island does not indicate Cotton Bay as suitable habitat for forage fish spawning.

Archaeological Sites:

According to the provincial Remote Access to Archaeology Data (RAAD), there are no archaeological sites on or within 50 metres of this property.¹

Covenants:

There are a number of permanent access and utilities easements registered on the subject property, as well as two restrictive covenants:

BB0954468 – Covenant held by the province restricting buildings within specified areas from the natural boundary of the sea based on a geotechnical report.

BB0954467 – Covenant held by the province restricting land clearing or other disturbance of land or vegetation or construction within a 1.72 hectare covenant area on Lot 1.

A third restrictive covenant was required as part of the recent zoning, restricting the parcels in the Cotton Bay area that would benefit from access to the community dock, ensuring they would not additionally build private docks on their individual properties.

Climate Change Mitigation and Adaptation:

BC Ministry of Environment² anticipates that by 2100, potential impacts of sea level rise in British Columbia will include:

- More frequent and extreme high water levels in coastal areas;
- Increased erosion and flooding;

¹ Fifty metres is the recommended buffer from the BC Archaeology Branch to determine if there is a conflict with an identified archaeological site.

² <http://www2.gov.bc.ca/gov/topic.page?id=F09F1EC7576643CEB5FB1536913730BA>

- Increased risk to coastal infrastructure, as well as increased maintenance and repair costs;
- Loss of property due to erosion.

Reducing the setback from the sea is considered contrary to climate change adaptation. Cotton Bay is deemed in the biologist's to have low storm and wave energy action; however, should storm surge and sea level rise become an issue in future years, the large portion of the toe of the wall sitting at the current natural boundary would encounter wave action, creating problems due to the hard surface reflecting wave energy.

COMMUNITY INFORMATION MEETING(S):

Community information meetings are not required for Development Variance Permit applications.

RESULTS OF CIRCULATION:

Notification of the proposed variance was sent to adjacent properties on March 13, 2015. Any comments received will be presented to the LTC at the March 26, 2015 regular business meeting.

STAFF COMMENTS:

Variance for the oversized pier

The moorage facility for the site includes a pier leading from shore, connected to a ramp and a float in the water. The float and the ramp meet the sizing requirements set out in the bylaw, but the 18 metre pier has a width of 2.51 metres when the maximum width in the bylaw is set at 1.5 metres. The applicant's rationale for requiring a variance is an error in the fabrication process of the pier, resulting in a width 1.01 metres wider than permitted in the current Land Use Bylaw.

Reviewing marine ecosystem mapping data created for the Local Trust Area, as well as information provided by the applicant in his private moorage application management plan, staff determines that the additional width should not have a negative impact on marine habitat. The additional width of the pier does not modify the intended function or use for ramps and piers in the Marine General zone.

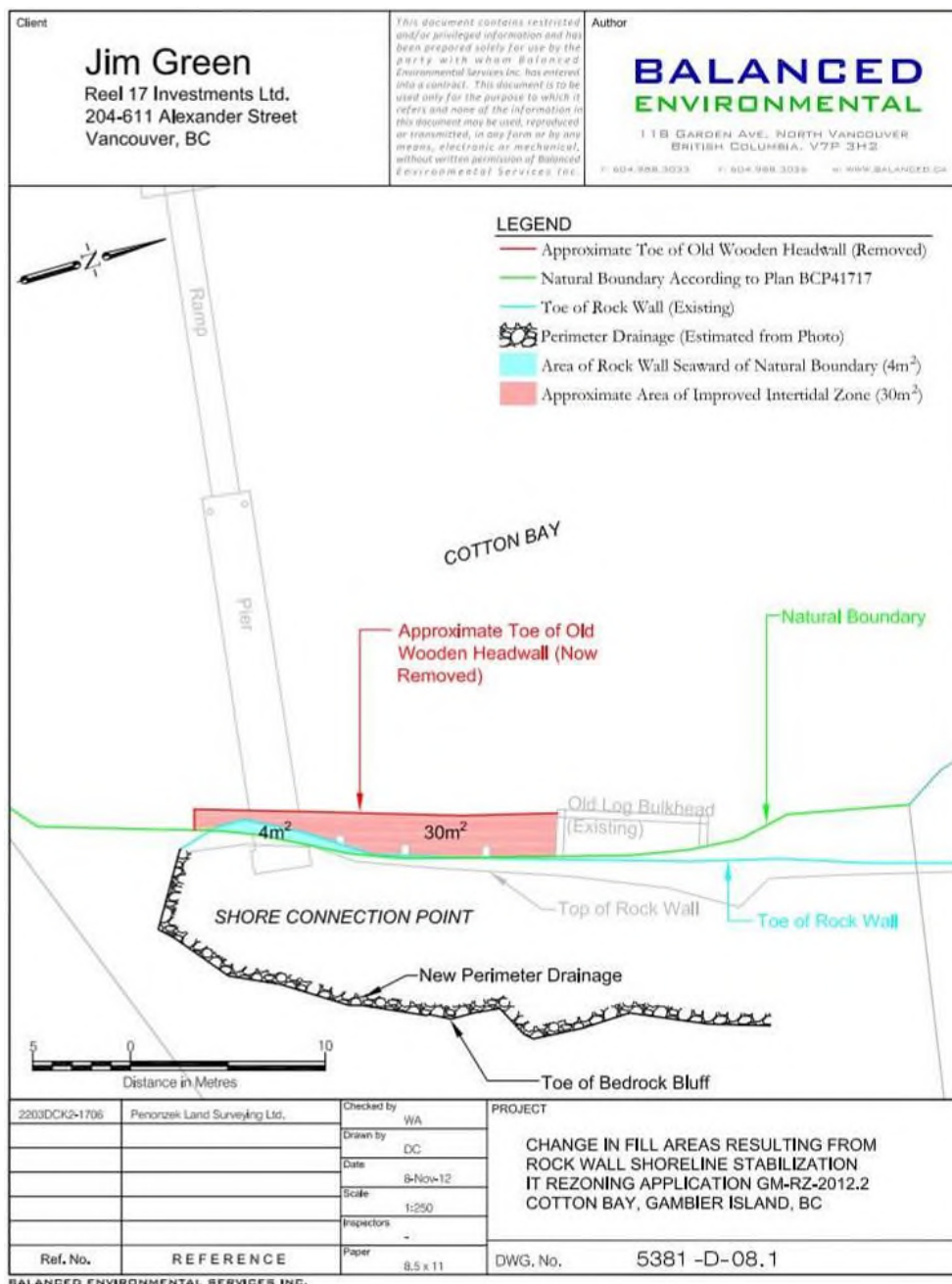
Staff recommends that the LTC grant this variance.

Variance for the structure in the Setback from the Sea

The siting of the rock wall is directly related to the siting of the dock access road along the shoreline. The adjacent upland along the shoreline and a small portion of the intertidal foreshore have been filled with "stabilized fill" to accommodate the construction of a road, rock retaining wall and shore connection point for the dock. The retaining wall was constructed in 2008 and extends approximately 50 metres along the shoreline and onto the adjacent Lot #2 to the north.

No authorizations from the Department of Fisheries and Oceans (DFO) or the Gambier LTC were sought by the property owner when the rock wall was constructed along the foreshore of the subject property. In 2012, planning staff contacted Bruce Clark, head biologist with DFO, to discuss retroactive approvals for foreshore modifications such as this. Staff was informed that DFO could not retroactively authorize such works. The road adjacent to the shoreline was

identified as having a low probability of being authorized if proposed for new construction, due to the proximity to the foreshore and need for fill and protective armoring.



The applicant states that the rock wall was put in to replace an older timber structure containing fill that supported a logging road leading to a landing area near the current dock site. The rationale for placing the current road and wall in the same location is that by constructing the road, rock wall, and moorage facility in a developed area, other areas have been left undisturbed. The applicant was not able to provide historical documentation of the previous timber structure, fill area, or road; as such, the applicant is not able to pursue proof of legal non-conforming status as rationale for the rock wall.



Figure 7: Photograph taken by the planner on her site visit on September 26, 2013.

The toe of the rock wall runs along behind the surveyed natural boundary of the sea, except for a 4 square metre stretch under the pier that extends into the marine zoning (see figure below). This 4 square metre portion of the rock wall is not a permitted use in the W1 zone and therefore is not eligible for a siting variance. The applicant has committed to removing this portion of the rock wall. The variance discussed in this report is for the upland portion of the rock wall.



Figure 8: Photograph indicating the survey markings for the natural boundary. Taken March 4, 2015.

The applicant has submitted information from a biologist providing an analysis of the shoreline processes at the site, determining that the rock wall will not have any positive or negative impacts on coastal processes in Cotton Bay. (Attachment 2)

Information submitted from a geotechnical engineer states that the rock wall has no effect on the surrounding bedrock or underlying subgrades of dense soils which are not subject to settlement, and that the use of rocks allows for free draining. The engineer states that the wall is integral in supporting the road and the fill placed behind it. (Attachment 3)

Should the LTC deny this variance, the applicant will be obligated to remove the rock wall structure. The applicant's options in this case would be to:

- move the road back and re-grade the slope after removing the rock wall and fill;
- remove the road and re-site the approach to the community dock; or,
- stabilize the fill under the road by non-structural means.

Both re-siting options would require blasting of bedrock upland and removal of the fill and sediment under the current road. Re-siting the dock approach would require a redesign of the switchback road and drainage system currently in place; because final layout approval for the subdivision has not yet been granted at this point, such a change could be possible.

It is unfortunate that the applicant constructed the road and accompanying rock wall without gaining authorization from the Department of Fisheries and Oceans or the Gambier LTC. However, moving the road would require disturbance of the upland property and remediation of the shoreline area currently serving as the road. As the rock wall is deemed to not have impact on the coastal processes in Cotton Bay, Staff recommends that the LTC grant this variance.

RECOMMENDATION:

THAT the Gambier Island Local Trust Committee issue GM-DVP-2013.2 (Reel 17 Investments Ltd., Gambier Island).

Prepared and Submitted by:

Aleksandra Brzozowski

March 16, 2015

Aleksandra Brzozowski
Island Planner

Date

Concurred in by:

Courtney Simpson

March 16, 2015

Courtney Simpson, RPP, MCIP
Regional Planning Manager

Date

Attachments:

1. Proposed Development Variance Permit
2. Letter from Balanced Environmental dated December 3, 2013.
3. Letter from GVH Consulting dated November 11, 2014.
4. Photos of rock wall and access road

PROPOSED



**GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
GM-DVP-2013.2**

TO: Reel 17 Investments Ltd.

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

PID 027-998-967
LOT 1 DISTRICT LOT 477 GROUP 1 NEW WESTMINSTER DISTRICT
PLAN BCP41717
2. Pursuant to Section 922 of the *Local Government Act*, the *Gambier Island Land Use Bylaw No. 86, 2004* is varied as follows:
 - a) Section 3.3 (1) "Siting and Setback Regulations" is varied to reduce the setback from the natural boundary of the watercourse from 15.0 metres to 0.0 metres, as shown on Schedule "A1", to allow the location of a rock wall above the natural boundary.
 - b) Section 5.16 (7) "Marine General (W1) Zone Regulations", is varied to increase the maximum allowed width of the boat pier shown on Schedule "A1" from 1.5 metres to 2.51 metres.
3. All structures shall be consistent with Schedule "A1" which are attached to and forms part of this permit.
Schedule A1 – Plan depicting location of rock wall, dock float, ramp, and pier
4. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of the Gambier Island Land Use Bylaw No. 86 and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF ____, 2015.

Deputy Secretary, Islands Trust

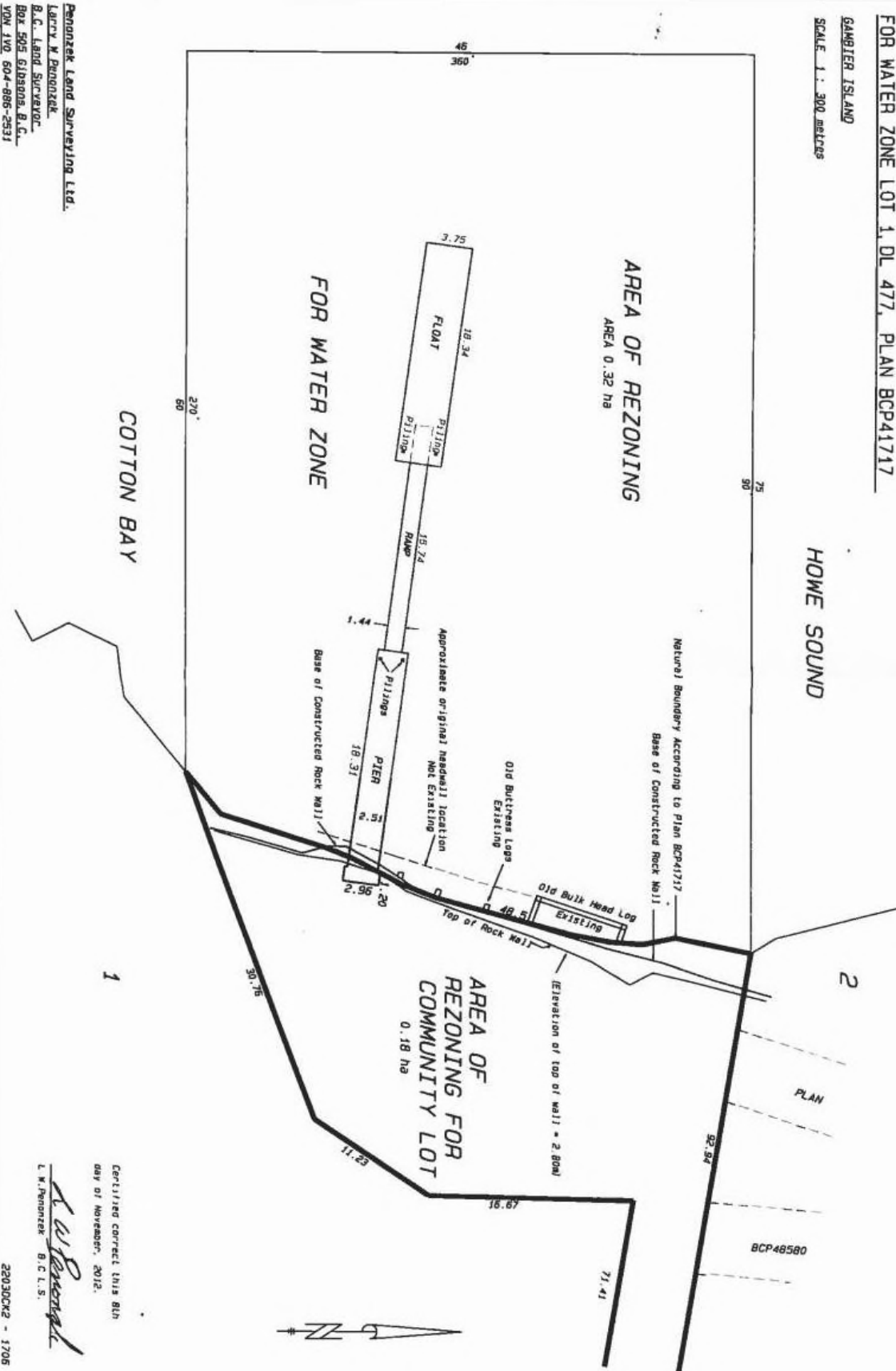
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF ____, 2017, THIS PERMIT AUTOMATICALLY LAPSES.

GAMBIER ISLAND LOCAL TRUST COMMITTEE
GM-DVP-2013.2
SCHEDULE "A1"

PLAN SHOWING IMPROVEMENTS IN PROPOSED AREA OF REZONING
 FOR UPLAND COMMUNITY LOT AND REZONING
 FOR WATER ZONE LOT 1, DL 477, PLAN BCP41717

GAMBIER ISLAND
 SCALE 1 : 300 metres



Penonzek Land Surveying Ltd.
 LARRY M PENONZEK
 B.C. Land Surveyor
 Box 505 Gibsons, B.C.
 V0N 1V0 604-896-2531

CEPILATED CORRECT THIS 8th
 DAY OF NOVEMBER, 2012.
L. M. Penonzek
 L. M. PENONZEK B.C. L.S.

22030CK2 - 1706

December 2, 2013

Balanced File No.: 5381-R-09.3

Aleksandra Brzozowski
Island Planner
Northern Office, Islands Trust
700 North Road
Gabriola, BC V0R 1X3

***Re: Environmental Considerations Applied to Location and Design of Rock Wall Structure
Development Variance Permit Application for Lot 1, DL 477, Group 1, NWD Plan BCP41717***

Owner: Reel 17 Investments
Applicant: Jim Green
Location: Cotton Bay, Gambier Island, British Columbia

Dear Aleksandra,

Reel 17 Investments is requesting a development variance permit (DVP) from the Islands Trust for an existing non-conforming rock wall and walkway pier. The rock wall and walkway pier are part of a private moorage facility that was originally constructed under the terms and conditions of a license of occupation with the Province of British Columbia (License No. 240808). The private moorage facility will be for the community use of landowners to access their respective properties within Cotton Bay.

The upland property was acquired by Reel 17 Investments in October of 2006 and surveying began shortly thereafter. Several pre-construction site visits were undertaken to gain an understanding of existing conditions at the site¹. These site conditions were considered in the location and design of the community moorage facility². The facility was designed to minimize impacts on the environment (fish, fish habitat, and coastal processes) while providing upland owners with access to their properties². The mitigation of impacts to fish and fish habitat was confirmed by a biophysical survey conducted by Balanced Environmental Services Inc. (Balanced, 2012).

Balanced has over 35 years of experience with marine construction projects in Howe Sound, Burrard Inlet, and throughout coastal British Columbia. This includes in-depth knowledge of project siting and design considerations and mitigation measures, and best management practices that can be utilized to minimize temporary and permanent environmental impacts. Balanced also has an understanding of coastal processes and the impacts that vertical seawalls can have on erosion and sediment transport in high energy wave climates as well as options for mitigation measures to address these impacts. Balanced is the primary author of the District of West Vancouver's Shoreline Protection Plan.

In support of their DVP application, Reel 17 Investments contracted Balanced to provide Islands Trust with a letter outlining the environmental site conditions that were considered in the location and design of the existing private moorage facility (including the rock wall). This letter is intended to assist the Islands Trust in making a decision on the application for a DVP.

¹ Visual observations by Ocean Tech Constructors and Reel 17 Investments over multiple site visits in 2007. Bathymetric survey by Ocean Tech on August 20, 2007, site visit by Ocean Tech and Reel 17 Investments in May 2010.

² Multiple verbal discussions between Ocean Tech and Scott Christie of Balanced Environmental between 2007 and 2010 and recommendations of float location to Reel 17 Investments.

Existing Site Conditions

The shoreline within Cotton Bay near the community moorage facility consists of backshore bedrock transitioning to sand and pebble beach. Much of the shoreline within Cotton Bay consists of bedrock with inadequate soil to allow for the growth of trees or shrubs. In areas with adequate soil depth, large trees and shrubs grow down to the high water mark. There is no evidence of bank undercutting or erosion³. The shoreline is depositional as evidenced by the stream delta created by Mannion Creek, approximately 458m north of the existing moorage facility.

The predominant direction of storms in Howe Sound run in a north or south direction⁴ and as a result bypass the site (see Figure 1 in Appendix 1). The site is further protected from wave energy coming from the west as a result of the short fetch that fronts the site (see Figure 1 in Appendix 1).

An area around the mouth of Mannion Creek is currently zoned as W4 Marine Conservation Zone, which provides regulations for the use of ecologically significant marine and foreshore areas.

Cotton Bay has long historical and ongoing usage as log storage and booming grounds. Prior to the construction of the moorage facility there was a previously constructed logging road connected to a fill area contained by a deteriorating timber headwall that extended into the intertidal zone⁵ (see Figure 2 and Figure 3 in Appendix 1).

Rationale for Rock Wall Location

The location of the rock wall is a function of the location of the private moorage facility as it is the connection point between the float and the shore. When choosing the location of the moorage facility the following environmental factors were considered as per best management practices⁶:

- the float should be located in water deep enough to prevent grounding of the float on the intertidal seabed and propeller wash of the seabed from vessels;
- dredging to achieve deep water should be avoided if possible due to the resulting negative impacts on fish and fish habitat and the potential need for maintenance dredging in the future;
- the float should be positioned to avoid shading and disturbance of aquatic vegetation or algae (eelgrass, bull kelp beds);
- the distance from deep water to shore should be minimized to mitigate any visual impacts, shading impacts, or impacts from support piles or mooring piles on fish or fish habitat;
- access to the float should be constructed in previously disturbed areas if possible;
- disturbance to existing riparian vegetation within 15m of the natural boundary of the sea should be minimized;
- mooring anchors and piles should be located such that they do not negatively impact eelgrass meadows, kelp beds, or shellfish beds;
- mooring anchors should be adequately sized to secure the float and any moored vessels and to prevent anchors from shifting or being dragged along the seabed; and
- structures should be located as far from the W4 Marine Conservation Zone as possible.

³ Observation made by Duncan Clark of Balanced Environmental during a February 2012 site visit.

⁴ Over 80 years of combined experience and local knowledge as members of Kildare Estates on Bowyer Island in Howe Sound (Duncan Clark and Scott Christie of Balanced).

⁵ The previously existing roads and timber headwall were observed onsite by Jim Green of Reel 17 Investments and Wayne Penney of Ocean Tech Constructors during pre-construction site visits between 2006 and 2010.

⁶ Pre-construction site visits by Ocean Tech between 2007 and 2010. Multiple verbal discussions between Ocean Tech and Scott Christie of Balanced Environmental between 2007 and 2010 and recommendations of float location to Reel 17 Investments

The moorage facility was located in an area where a timber headwall and access road had previously been developed (Figure 2 and Figure 3 in Appendix 1). The bay to the north has a shallower seabed due to the deposition of sediments from Mannion Creek (see Figure 4 in Appendix 1). Constructing the facility in its present location avoided the need for dredging (and any future maintenance dredging) and minimized the length between deep water and the shore minimizing the infrastructure requirements and any associated impacts on the marine environment (see Figure 4). The float was located such that there is a minimum of 1.5m between the float and the seabed during low water conditions at the shallowest point. The facility was also located to avoid shading and disturbance of marine macro-organisms and to minimize disturbance of the seabed as confirmed by the lack of photo sensitive organisms within the footprint of the moorage facility and adjacent seabed areas (Balanced, 2012).

At the time of installation of the rock wall, there was an existing logging road and fill area at the connection point between the float and the shore (see Figure 2 and Figure 3 in Appendix 1). The fill area was contained by a deteriorating timber headwall that extended into the intertidal zone. These existing structures were utilized to provide access between the upland residences and the float in order to avoid the need to construct a new road and landing area that would have been required if the moorage facility had been located further north. By avoiding the need to construct a new road and landing area in a previously undisturbed location, impacts on riparian areas and the marine environment were minimized.

Rationale for Rock Wall Design

The previously existing fill area contained by the timber headwall in the intertidal zone was moved inland and contained by the current rock wall to mitigate the deposition of sediments into the marine environment and to minimize the footprint of the intertidal area of the structure. This resulted in an improvement to an approximately 30m² area of the upper intertidal zone, making the area accessible by fish at higher tides (see Figure 5). The design options for the rock wall were limited by environmental conditions at the site. Soft engineering considerations such as beach nourishment and managed retreat were not applicable in this case for the following reasons:

- a vertical bedrock cliff (see Figure 5 in Appendix 1) on the shoreward side of the access road prevents the road and top of the rock wall from being moved further inland without significant blasting of bedrock and tree removal; and
- the toe of the rock wall could not be pushed further seaward without filling the ocean which would negatively impact coastal processes and result in the loss of fish habitat within the footprint of the fill area, which is prohibited under the *Fisheries Act*.

The Islands Trust website (<http://www.islandstrust.bc.ca/islands/island-ecosystems/caring-for-my-shoreline/site-considerations.aspx>) provides guidance on site considerations in the development of waterfront properties. The considerations from the website were included in an analysis of the impacts of the rock wall structure on coastal processes. While hard engineering structures such as vertical concrete seawalls can have negative impacts on coastal processes in high energy wave climates, the current location and design of the rock wall in Cotton Bay does not negatively impact coastal processes for the following reasons:

- Much of the shoreline within Cotton Bay consists of bedrock slopes with inadequate soil to allow for the growth of trees or shrubs. In areas with adequate soil depth large trees and shrubs grow down to the high water mark. There are no trees that are tipping or have fallen over within the vicinity of the rock wall. There is no evidence of rock fall, erosion, bare soils, or bank undercutting.
- In general, wave height is affected by wind speed, wind duration, and fetch, which is the distance that wind can blow over water in a single direction (NOAA, 2008). If strong winds blow for a long period of time but over a short fetch, no large waves form (NOAA, 2008). Large waves occur only when all three factors (wind speed, wind duration, and

- fetch) combine (NOAA, 2008). The site faces west towards the mainland at Williamsons Landing. The fetch is approximately 1.8km which is relatively short compared to many shorelines within Howe Sound. The site's orientation, perpendicular to the prevailing winds (northerlies and southerlies) and the short fetch results in a low energy wave climate (see Figure 1 in Appendix 1).
- The toe of the rock wall is located at the approximate high water mark (above the upper elevation of barnacles) and any waves travelling towards the rock wall would dissipate as they ran up the naturally sloping seabed just as they would if the rock wall was not there. The area at the base of the seawall would generally be above water except during the highest tides.
- The long historical and ongoing use of the adjacent shoreline areas for log storage and booming grounds provide a good indication of the sheltered nature of the shore. In addition, the large stable delta of finer sediments formed by Mannion Creek located to the north of the site shows no significant erosion from wind generated waves.
- The shoreline is not eroding, but rather is a depositional shore as a result of sediment inputs from the nearby Mannion Creek. The stream delta is symmetrical and well balanced indicating there is no significant long shore drift in either the northerly or southerly direction. There is no exposure to ferry wakes. Tugboats operate within Cotton Bay, to the north of the site, which continues to be used as temporary log storage. There is no evidence to suggest that tug boat wakes have or will cause erosion of the shoreline.

Conclusion

The rock wall provides a safe connection point between the community moorage facility and upland residential uses and also provides access for emergency services from the water. The design and placement of the rock wall considered existing conditions at the site and minimized environmental impacts to fish and fish habitat, riparian vegetation, and coastal processes. The rock wall was built within the existing footprint of an already anthropogenically altered site and through its' design mitigated and/or reduced impacts that were associated with the previously existing structures.

The location and design of the rock wall does not have any significant positive or negative impacts on coastal processes. Any "softening" of the rock wall would require significant environmental impacts in the form of either a permanent loss of fish habitat due to filling of the ocean or additional disturbance of the riparian area due to blasting of bedrock. Moving the facility either to the north or south would require the construction of additional infrastructure, resulting in increased environmental impacts.

It is the opinion of Balanced that the rock wall and its associated access structures are located and constructed in a manner that has mitigated or minimized impacts to the greatest extent practicable resulting in an environmentally sensitive community access. If Islands Trust has any questions regarding this letter, or requires any additional information in order to move forward with the DVP application please contact the undersigned.

Sincerely,
BALANCED ENVIRONMENTAL SERVICES INC.

AUTHOR



Duncan Clark, B.I.T.
Senior Project Manager

REVIEWED/ APPROVED BY



Scott Christie, R.P.Bio
Principal



DC/sc

attachment

References

Balanced Environmental Services Inc. (Balanced). 2012. Private Moorage Application Management Plan, Reel 17 Investments Private Moorage Application, Gambier Island, British Columbia. Dated March 1, 2012.

NOAA (National Oceanic and Atmospheric Administration). 2008. Ocean Service Education. Available at: <http://oceanservice.noaa.gov/education/kits/currents/03coastal1.html>. Viewed on November 29, 2013.

APPENDIX 1 – SUPPORTING FIGURES

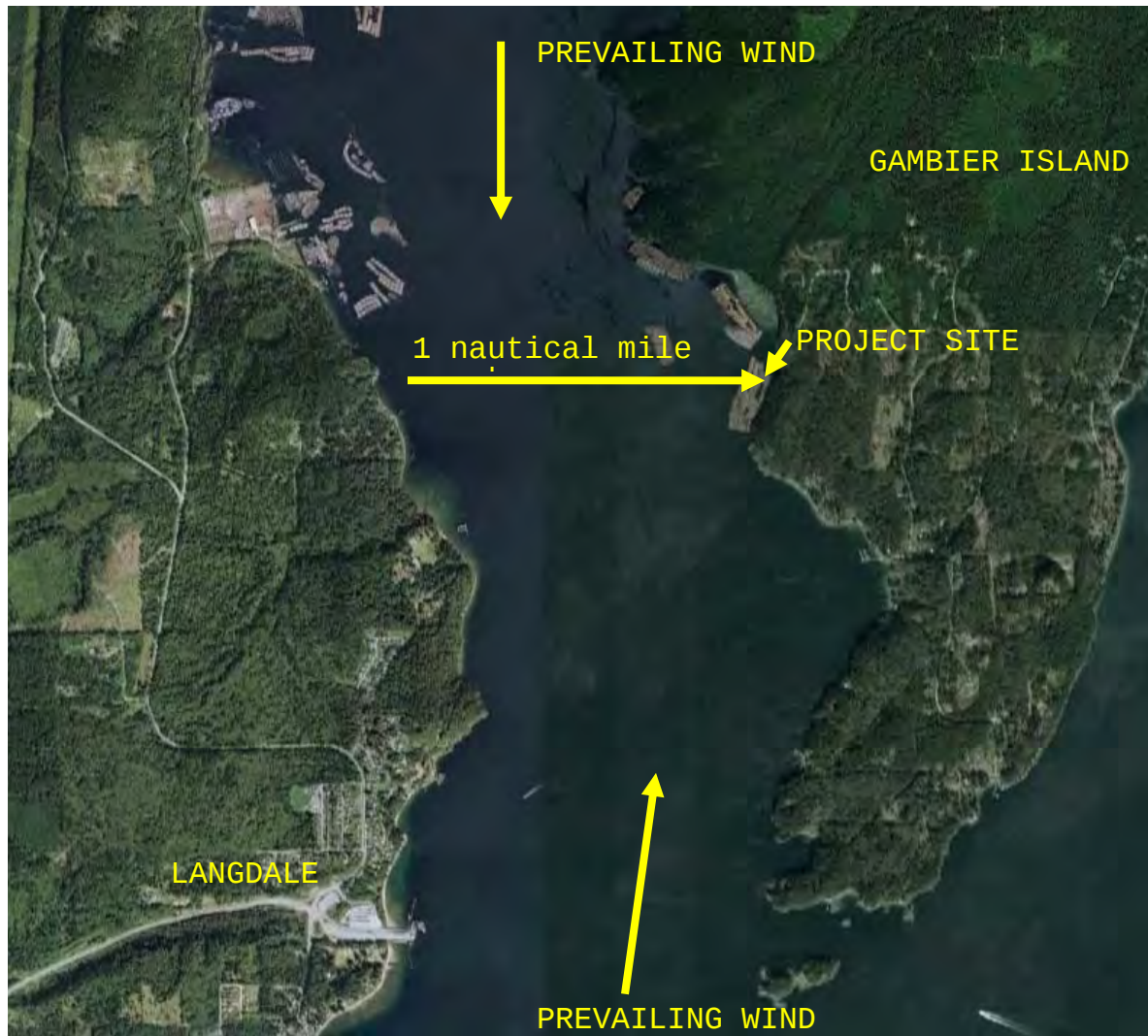


Figure 1. Directions of prevailing winds and fetch distance relative to location of community dock.



Figure 2. Aerial photo taken in February 2008 showing the existing roads prior to the construction of the community moorage facility.

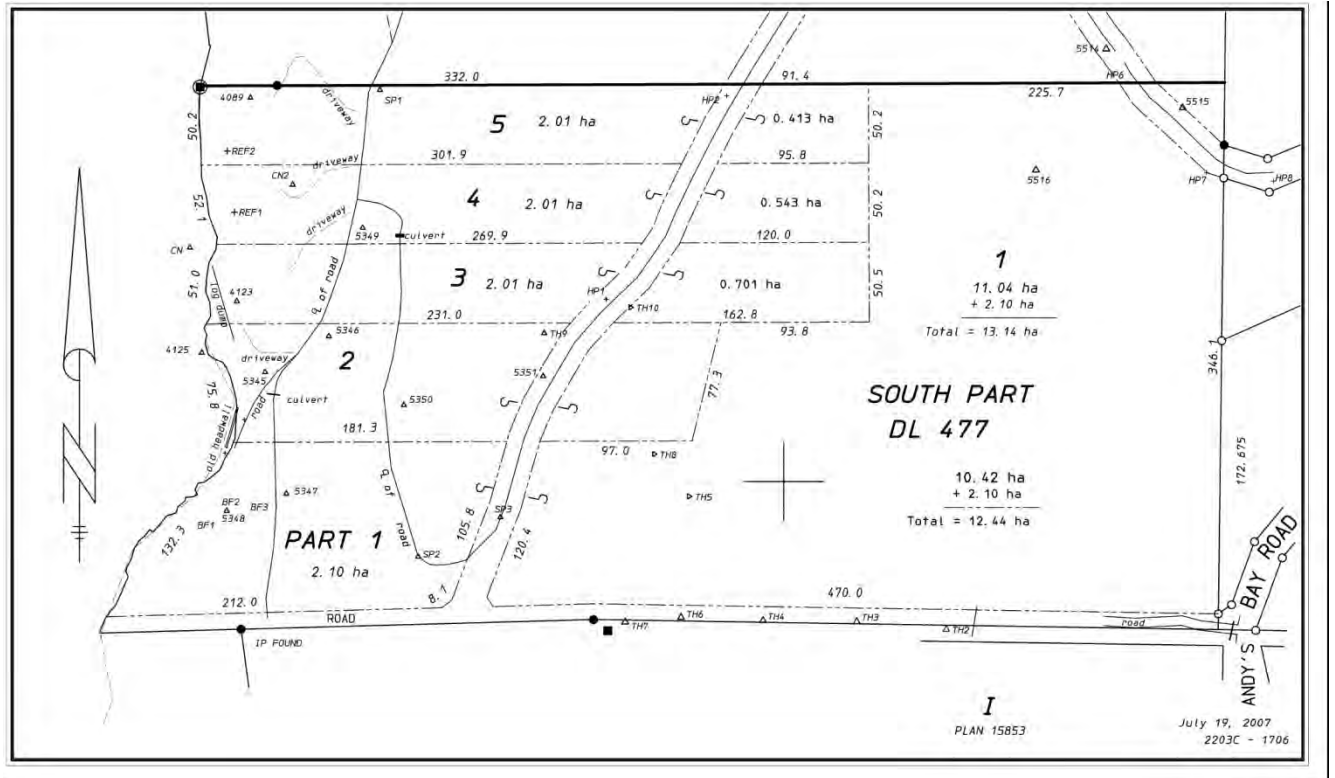


Figure 3. Survey plan dated July 19, 2007 showing the centre line of previously existing roads and the location of the old timber headwall.

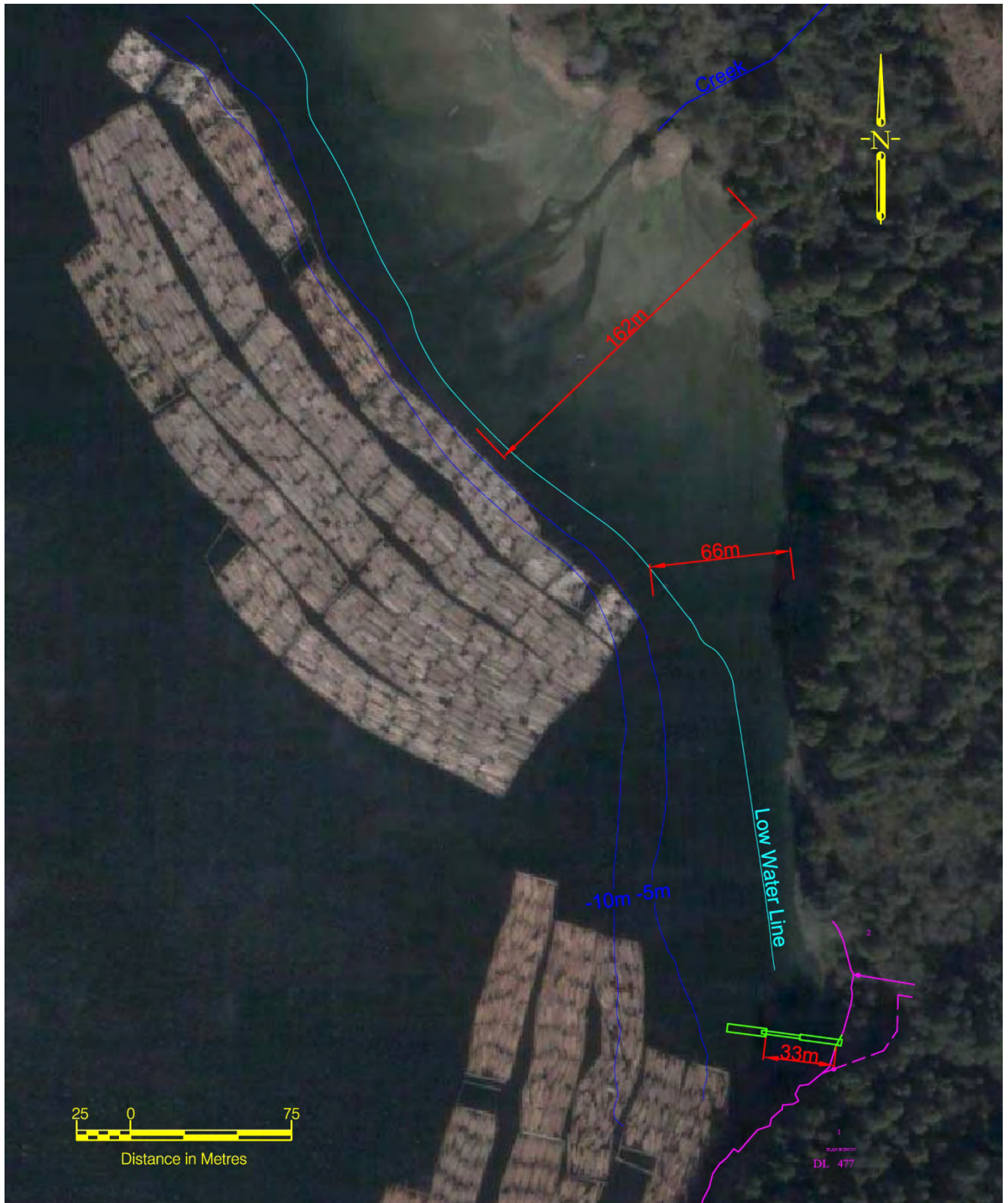


Figure 4. Aerial photo with preliminary bathymetric data (in metres chart datum) collected by Ocean Tech Constructors in August 2007. Various distances from the approximate high water line and water deep enough for a float are shown.

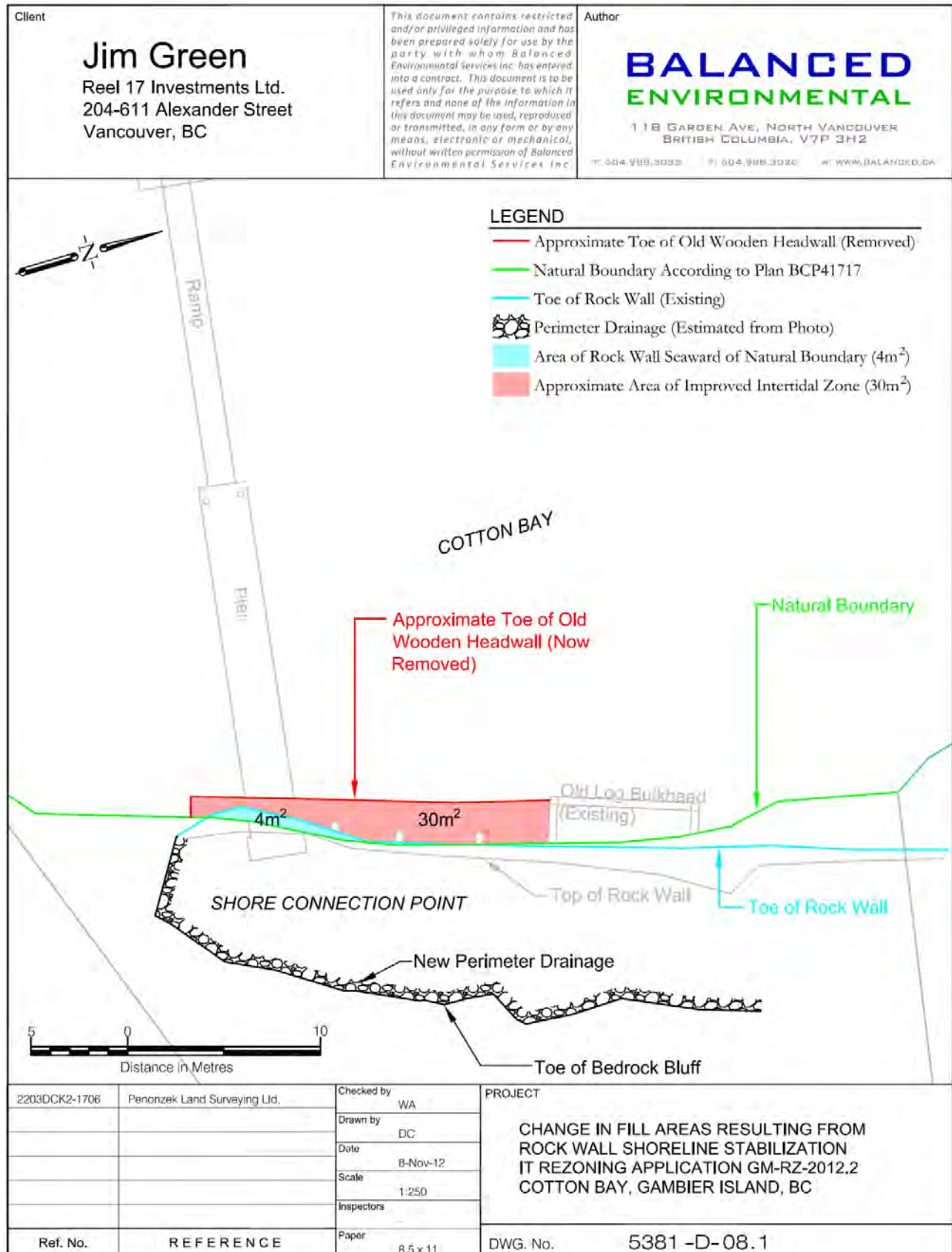


Figure 5. Drawing showing estimated recovery of intertidal seabed between the current rock wall and the previously existing timber headwall. The survey of the remaining sections of timber headwall, the rock wall, and the toe of the bedrock bluff was performed by Penonzek Surveying in 2012.

GVH CONSULTING LTD.

#102 - 6388 Bay Street, West Vancouver, BC, V7W 2G9
Phone/ Fax (604) 925-9102 gvh9@shaw.ca

Aleksandra Brzozowski
Island Planner
Northern Office, Islands Trust
700 North Road
Gabriola, BC V0R 1X3

File #13-105
November 11th 2014

cc: Reel 17 Investments Ltd., Att: Jim Green

RE: Rock Stack Retaining and Dock Access Road
Cotton Point, Gambier Island, BC

As requested the rockery wall placed for access to the new dock at the above noted development was reviewed. The purpose of the review was to determine if the wall and access is an appropriate application for the site as pertaining to geotechnical considerations. Reference documents pertaining to the review include;

Balanced Environmental, *Environmental Considerations Applied to Location and Design of Rock Wall Structure Development Variance Permit Application for Lot 1, DL 477, Group 1, NWD Plan BCP41717*, December 2 2013

Balanced Environmental, *Private Moorage Application Management Plan*, March 1st 2012

BC Ministry of Environment, *Guidelines of Coastal Flood Hazard Land Use*, January 27 2011 (Anseco Sandwell)

BC Ministry of Environment, *Sea Dike Guidelines*, January 27 2011 (Anseco Sandwell)

It is understood that the rockery wall was designed and is the responsibility of others as pertaining to stability of the wall. Based on the review of the referenced documents and a site visit made on March 27th, 2014, it is concluded by GVH Consulting Ltd. that the rock wall placed is appropriate for the area pertaining to geotechnical considerations since:

- The wall is similar to the naturally occurring rock cliffs along the shoreline in this area.
- It replaces a wall of similar geometry
- Rock stack walls generally work well as sea walls since they are made using heavy rock

GVH CONSULTING LTD.

#102 - 6388 Bay Street, West Vancouver, BC, V7W 2G9
Phone/ Fax (604) 925-9102 gvh9@shaw.ca

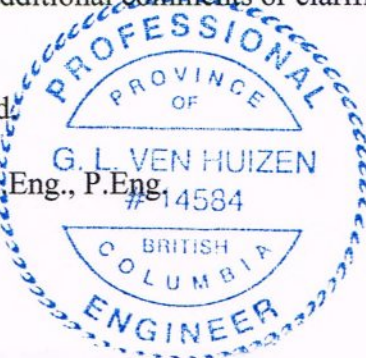
resistant to wave action and are freely draining.

- In general, the rock wall has no affect from a geotechnical standpoint on the surrounding land since the surrounding land is comprised of outcropping bedrock and the underlying subgrades are comprised of dense soil or bedrock not subject to settlement.

Please call if there are additional comments or clarification required.

Yours truly;
for GVH Consulting Ltd.

Greg L. Ven Huizen, M.Eng., P.Eng.
Geotechnical Engineer



Attachment 4 – Site Photos









Islands Trust

Preserving Island communities, culture and environment

Victoria Office

200 - 1627 Fort Street
Victoria, BC V8R 1H8
Telephone: 250.405.5151
Fax: 250.405.5155
information@islandstrust.bc.ca
North Pender, South Pender, Galiano,
Mayne, Saturna, Executive

Salt Spring Office

1 - 500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Telephone: 250.537.9144
Fax: 250.537.9116
ssinfo@islandstrust.bc.ca
Salt Spring

Northern Office

700 North Road
Gabriola Island, BC V0R 1X3
Telephone: 250.247.2063
Fax: 250.247.7514
northinfo@islandstrust.bc.ca
Denman, Gabriola, Gambier,
Hornby, Lasqueti, Thetis

www.islandstrust.bc.ca

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC 1.800.663.7867

Development Variance Permit Application Form

Office Use Only

Fee Paid:

572.00

Receipt No.:

2472

File No.:

GM-DVP-2013.2

SECTION 1: DESCRIPTION OF PROPERTY

(AS INDICATED ON STATE OF TITLE CERTIFICATE)

Lot/Parcel Lot 1 Plan BCP 41717 Block _____ District Lot/Section 477
Range _____ Other Description _____
Street Address or General Location Cotton Bay, Gambier Island
Jurisdiction and Folio Number _____ (From Property Assessment/Tax Notice)
Parcel Identifier (PID) 027-998-967 (From State of Title Certificate)

SECTION 2: OWNER INFORMATION

(ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

First Owner Information

Reel 17 Investments Ltd
Name _____
507 - 5525 West Boulevard
Street Address _____
City Vancouver Region BC
Postal/Zip Code V6M 3W6
Telephone (604) 603-3750
Fax (604) 264-9152
E-mail jimgreen@telus.net

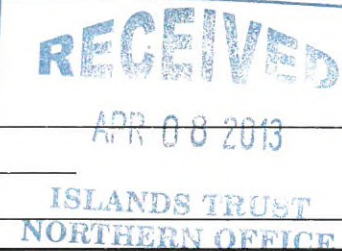
Second Owner Information

Name _____
Street Address _____
City _____ Region _____
Postal/Zip Code _____
Telephone _____
Fax _____
E-mail _____

SECTION 3: APPLICANT INFORMATION

(IF DIFFERENT FROM OWNER)

Name Jim Green Street Address same
City _____ Region _____ Postal/Zip Code _____
Telephone _____ Fax _____ E-mail _____



Freedom of Information and Protection of Privacy

Personal information contained on this form is collected under the *Local Government Act* for the purpose of responding to this application, or for purposes directly connected with this application. Information on your application form may be available to the public upon request under freedom of information legislation. Please contact a Deputy Secretary at one of the above noted offices if you have any questions

The processing of your application will be delayed if it is incomplete. Please read the guide before you complete the application form. Keep the guide for your reference during the application process. Contact a staff person for assistance.

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

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

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

If the space provided below for each section is not sufficient, please attach additional information using a Microsoft Word, Excel, Text or a separate PDF Document.

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

Vacant land - no buildings.

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

A portion of the land will be used for residential purposes. The variance area is proposed to be on a vacant lot that will be designated as a "Community Lot" for purposes of maintaining a community dock facility. No buildings will be allowed on this community lot.

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

As per Islands Trust staff report dated January 4th, 2013 (file# GMRZ 2012.1): A variance is required to site a rock retaining wall and to authorize additional width for a walkway pier.

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

The existing rock wall and walkway pier are non-conforming (staff report dated January 4th, 2012 GMRZ 2012.1).

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

The conditions are existing. The surrounding lands will benefit from the shared use of the community dock facility including the walkway pier and the rock wall.

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

The applicant owns the adjacent lands.

SECTION 11: APPLICATION COMPLETION CHECKLIST

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

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

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

SECTION 12: OWNER'S CONSENT AND AUTHORIZATION

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

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

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

First Consent and Authorization

Consent and Authorization Signature

Date

Second Consent and Authorization

Consent and Authorization Signature

Date

Contaminated Sites Regulation

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



Memorandum

700 North Road Gabriola Island BC V0R 1X3

Telephone **250. 247-2063** FAX: 250. 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date March 10, 2015 File Number GM-6500-20
Riparian Areas
Regulation

To Gambier Island Local Trust Committee
For the meeting of March 26, 2015

From Aleksandra Brzozowski
Island Planner
Northern Office

Re Riparian Areas Regulation - Project Charter and Update

This memorandum is to provide the Gambier Island Local Trust Committee (LTC) with the Project Charter for the priority project of Riparian Areas Regulation (RAR), and to provide an update on the mapping fieldwork recently conducted on Gambier and Keats Islands.

Project Update

Implementing the RAR was a Top Priority project for the LTC last term and at its February 12, 2015 meeting, the LTC resolved to keep this project as its Number 2 priority project.

In February 2015, stream mapping fieldwork was completed for identified watersheds on Anvil, Bowyer, Keats, and Gambier Islands. Attached is an email update from Trystan Wilmott, Madrone Environmental Services, summarizing the fieldwork.

Staff anticipates a report on the mapping results will be presented at the May 7, 2015 LTC meeting.

Project Charter

Attached is the current version of the RAR Project Charter. Due to the time needed to work with the Islands Trust GIS Coordinator and representatives at Forests, Lands, and Natural Resource Operations to successfully narrow the mapping parameters on Gambier Island, as well as establish a mapping contract during a time of staff turnover, the milestone dates noted on the Project Charter are likely now outdated.

Next Steps

Should the LTC wish to revise or comment on the current Project Charter, this can be discussed and forwarded to Staff at the March 26, 2015 LTC meeting. Staff intends to present suggested revisions for the Project Charter at the May 7, 2015 LTC meeting after reviewing the results and recommendations put forward in the stream mapping report.

Attachments: *Email from Trystan Wilmott (Madrone Environmental Services) dated March 9, 2015*
Gambier LTA Riparian Areas Regulation Project Charter – last revised May 2014

Aleksandra Brzozowski

From: Trystan Willmott <trystan.willmott@madrone.ca>
Sent: Monday, March 09, 2015 12:16 PM
To: Aleksandra Brzozowski
Cc: Karin Kronstal; justin.lange@madrone.ca
Subject: Summary of fieldwork - RAR stream identification

Aleksandra,

Fieldwork has now been completed for the focus areas identified for stream mapping by Islands Trust:

- Areas A-H on Gambier Island;
- Two identified watersheds on Anvil Island;
- Five identified watersheds on Bowyer Island; and
- Eleven identified watersheds on Keats Island.

While all identified watersheds were subject to field-checks, not all watersheds contained streams that would be applicable to RAR. For Gambier Island, Area A (Grennon Creek watershed), Area M (Whispering Creek watershed) and Area I (Fircom Creek watershed) were mapped up to either Crown Land or protected area boundaries – mapping included the main-stem and all associated tributaries. These watersheds all contained confirmed fish habitat (as in the case of Grennon Creek and Whispering Creek), or potential fish habitat (Fircom Creek). Area H was checked by boat and on land, but the outlet stream was not considered to provide potential habitat for fish, or connect by surface flow to fish habitat. As a result, Area H does not contain streams that would be applicable to RAR. During field surveys on Gambier Island, juvenile salmonids were observed in the main tributary of Whispering Creek. Fish were not observed anywhere else, although Grennon Creek is known to contain coastal cutthroat trout (based on discussions with Mike Stamford).

One of the identified watersheds on Anvil Island was considered to contain potential fish habitat (albeit in the lower-most reaches, where the gradient was not too excessive). Interestingly, the other watershed, containing the gazetted “Champside Creek” did not represent potential fish habitat, based on excessive gradient at the outlet, which persisted throughout the stream, and lack of perennially-available habitat. We also wanted to check two other streams on the east side of Anvil Island, which were not in identified watersheds. Based on discussions with Karin, we wanted to have a look at these streams if time permitted. While we had the time, repeated attempts to contact the landowner were not successful. We were able to contact colleagues of the owner, none of whom were comfortable providing access permission on behalf of the owner. We also noted that the same landowner denied access permission for previous ecosystem mapping work completed on Anvil Island several years ago by Madrone.

For Bowyer Island, all identified watersheds were field-checked. Based on the limited size of the watersheds, only one (associated with “Orchid Creek” – local name) was considered to contain potential fish habitat (albeit very marginal seasonally-available habitat).

All identified watersheds were field checked on Keats Island. Silver Creek represents the highest magnitude stream on the island, but enters the ocean via a vertical bedrock bluff. This precludes seasonal use by anadromous fish. While there is the potential (extremely low) for resident fish in lower-gradient habitat upstream of the tidewater barrier, I would doubt whether Silver Creek contains enough water or summer refuge habitat to support resident fish. We still mapped this stream up to the park boundary, as it does represent a well-defined stream with riparian habitat values, despite the fact that in my professional opinion, resident fish do not occur. Two other watersheds on Keats Island were also included in the mapping exercise, based on the outlet streams being of relative low gradient, offering potential seasonal use by anadromous fish. All remaining watersheds either did not contain defined outlet streams, or the gradients at tidewater

were too excessive to allow seasonal access for fish. Perennial habitat in any lower gradient habitat above the tidewater gradient barriers was lacking in all the watersheds that were not included.

We are currently working on data analysis and preliminary report production. We will send the GIS data to Mark van Bakel for his review as soon as we can, and I will get a draft report to you as soon as possible.

If you have any questions or concerns at this point, please let me know.

Regards,

Trystan.

Trystan Willmott, B.Sc., A.Sc.T.

aquatic / terrestrial biologist

Madrone Environmental Services Ltd.

1081 Canada Avenue

Duncan, BC V9L 1V2 Canada

TEL 250.746.5545 FAX 250.746.5850

Toll Free 1.888.338.1057

Ecology & Wildlife | Archaeology | Fisheries | Hydrology | Geoscience | Site Contamination | Soil Science | GIS

Riparian Areas Regulation Implementation - Project Charter

Gambier Island Local Trust Committee

Draft Date: May 9, 2014

Purpose This project will improve the protection of fish and fish habitat in the Gambier Local Trust Area (LTA) by improving stream mapping and amending the Official Community Plan and Land Use Bylaw to come into compliance with the Riparian Areas Regulation (RAR) of the provincial Fish Protection Act.

Background Strategy 1.3 of the Islands Trust Council's 2011-2014 Strategic Plan is to "Protect fish habitat by implementing Riparian Areas Regulation". All watersheds (~150) in the LTA are unverified for RAR applicability. Implementation of the provincial Riparian Areas Regulation (RAR) has been a priority project of the GMLTC work program for the 2011-2014 term, pending funding for mapping necessary to establish which

Objectives

- Improve the protection of riparian habitat on islands in the Gambier LTA
- Become compliant with the RAR
- Ongoing notification and effective engagement with property owners, residents and First Nations in the area.

Scope & Deliverables

- Determination of RAR applicability in areas of the Gambier Island LTA permitting residential, commercial, or industrial use.
- Community Information Meetings to communicate mapped data and next steps
- Community Information Meetings to present draft bylaws – on Gambier, Keats and Associated Islands
- Adoption of development permit areas to protect riparian areas in the Gambier, Keats, and Associated Islands OCPs.

Workplan Overview

Deliverable/Milestone	Date
Mapping of relevant watersheds and streams on Gambier	Summer / Fall 2014
Community information meeting for Gambier Island	Fall / Winter 2014
Draft regulation for Gambier Island RAR implementation	Spring 2015
Review of RAR implementation options for rest of LTA	Spring 2015
Draft regulation for remainder of LTA	Summer 2015
Public Hearing	Fall 2015
Bylaw adoption	Fall / Winter 2015

Project Team

Aleksandra Brzozowski, Island Planner	Project Manager
Marnie Eggen, Planner	RAR Advisor
Barb Dashwood, GIS Technician	Mapping support
Theresa Warren, Office Admin Assistant	Meeting Logistics
Lisa Webster-Gibson	Referrals and Public Hearing

RPM Approval:

Courtney Simpson

Date: May 9, 2014

LTC Endorsement:

Resolution #:GM-2014-034

Date: May 22, 2014

Budget

Budget Source: Mapping — RAR project; Communications - LTC local expenses; Public Hearing—program

Fiscal	Item	Cost
14/15	RAR Mapping	\$30,000
14/15	Communications	\$1,500
15/16	Public Hearing	\$1,500
	Total	\$33,000



Memorandum

700 North Road Gabriola Island BC V0R 1X3

Telephone **250. 247-2063** FAX: 250. 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date March 10, 2015 File Number GM-6500-20
Foreshore Protection

To Gambier Island Local Trust Committee

From Aleksandra Brzozowski
Island Planner
Northern Office

Re Foreshore Protection Project Charter

This memorandum is to provide the Gambier Island Local Trust Committee (LTC) with the Project Charter for the priority project of Foreshore Protection for the purposes of potentially reviewing the Project Charter for the 2015/2016 year.

Foreshore Protection and Stewardship was a Top Priority project for the Gambier Island Local Trust Committee last term and at its February 12, 2015 meeting, the LTC resolved to keep this project as its Number 1 priority project.

Attached is the current version of the Foreshore Protection Project Charter. While dates may no longer be accurate, staff has continued to work on this according to the milestones noted. Due to some staff turnover, some project team names have been updated.

Staff seeks feedback from the Gambier LTC on whether it wishes to modify the scope, expectations, and/or milestones for this project moving forward.

Attachments: *Gambier LTA Foreshore Protection Project Charter – last revised April 2014*

Gambier LTA Foreshore Protection Project Charter

Revised: April 10, 2014

Date: January 17, 2014

Purpose This project aims to increase understanding about shoreline ecosystems and coastal processes, and to better protect those foreshore ecosystems in the Gambier Local Trust Area.

Background Foreshore protection is a priority project of the GMLTC work program in the 2011-2014 term. Mapping of shorelines and eelgrass have been completed for Gambier Island, Keats Island, and the Associated Islands; shoreline mapping was presented in a webinar in 2013. Keats and the Thormanby Islands in particular have previously been identified as shorelines highly sensitive to foreshore modification issues.

Objectives

- Facilitate a deeper understanding of coastal processes and foreshore ecosystems.
- Provide property owners with best science and best practices for shoreline landscaping and development.
- Identify and develop improved regulatory tools to proactively protect the foreshore.

Scope & Deliverables

- Modification and printing of existing information materials.
- Forage Fish mapping in Gambier LTA.
- Educational event on the topic of best practices for landowners considering shoreline development.
- Video of educational event posted on website.
- Expansion of *Caring for My Shoreline* webpages.
- Report re: possible regulatory options to improve protection.

Project Team

Aleksandra Brzozowski (Island Planner) (Lead)
Gambier LTC (promotion of educational event)
Theresa Warren (venue logistics, web posting)
Mike Richards (Forage Fish Mapping lead)
Jag Dhau (webpage design)

Budget

Budget Source: Work Program 2013/2014 (\$5,000) and 2014/2015 (\$3,000); Forage Fish mapping budget (\$5,000)

Item	Cost	Fiscal
Prep and printing information materials	\$700	2013/ 2014
Forage Fish Mapping	\$5000	2014/2015
Educational event (speaker, venue)	\$2,000	2014/2015
Video of educational event	\$500	2014/2015
Technical review of new webpage information	\$500	2014/2015

Workplan Overview

Deliverable/Milestone	Date
Modification of <i>Sharing our Shorelines</i> brochure & printing	March 20, 2014
Outline of educational event presented to LTC.	April 10, 2014
Host educational event in the Gambier LTA.	July 2014
Forage Fish Mapping	Summer 2014
Expansion of <i>Caring for My Shoreline</i> webpages.	Fall/Winter 2014
Further brochure design & printing if needed.	Fall/Winter 2014
Report on possible regulatory improvements for foreshore protection.	Winter 2014/2015

RPM Approval: Courtney Simpson

Date: January 20, 2014

LTC Endorsement: January 30, 2014 (Resolution GM-2014-001)

LTC Endorsed Revision: April 10, 2014 (Resolution GM-2014-021)90

Date: March 11, 2015

File No.: GM 6500-20
Gambier OCP Review

To: Gambier Island Local Trust Committee
For the meeting of March 26, 2015

From: Aleksandra Brzozowski, Island Planner

CC: Courtney Simpson, Regional Planning Manager

Re: Gambier Island Official Community Plan (OCP) Review

Preliminary Report

The purpose of this report is to provide the Local Trust Committee (LTC) with staff analysis of first steps for the Top Priority Gambier Official Community Plan review project.

Project Background

An Official Community Plan (OCP) is the overarching land use planning document for an island, outlining the community's goals and policies regarding land use, environmental protection, and community services. Section 877 and 879 of the *Local Government Act* requires that an OCP include statements and map designations respecting a number of land use topics, and enables the local government to include policies on a range of topics. OCPs also provide the enabling foundation for regulatory measures in the Land Use Bylaw. An OCP review is an opportunity to assess whether policies in the plan are in need of revision.

Part 1 of the Gambier OCP notes that the OCP should be reviewed in its entirety every five years. While plans in the Islands Trust often go longer than five years between review, there remains an effort to monitor the age of OCPs for the main islands. This OCP Review project was originally brought forward by Local Planning Services, identifying the 2002 plan as warranting review after 12 years. A review of Gambier's Official Community Plan (OCP) was placed as Priority #4 on the Top Priorities work program at the February 12, 2015 LTC meeting.

In previous years, the LTC has expressed a desire to pursue a comprehensive plan for the area that would holistically address cross-jurisdictional issues such as road networks and forest tenure in Crown land; such a project has been on the Projects List since 2010. Staff recognizes that there remains trustee desire to apply a comprehensive planning lens to this OCP review as appropriate.

Project Objectives

At present, objectives for this project have not yet been set.

Relevant Policy and Land Use Considerations

Trust Council Strategic Plan

This project will potentially work toward a number of objectives identified in the current Trust Council Strategic Plan:

- 1.1.3 Improve and update mapping of natural and modified environments, including terrestrial ecosystem mapping, protected area networks, nearshore mapping and areas under sustainable forestry or sustainable agricultural use.*
- 1.3.4 Improve mapping of additional riparian areas in Gambier Local Trust Area.*
- 1.3.7 Adopt new bylaws to implement Riparian Areas Regulation on all Lasqueti and Gambier watersheds.*
- 3.3.2 Amend Official Community Plans to include new policies for water resource protection.*
- 4.3.1 Amend Official Community Plans to include affordable housing policies.*
- 4.4.1 Amend Official Community Plans to include food security and farmland production policies.*
- 5.1.4 Implement First Nations liaison improvements at an informal political level.*

A related Strategic Plan item that impacts the Gambier Island OCP review is a new item introduced in September 2014, “Negotiate a new protocol agreement and letter of understanding with the Ministry of Forests, Lands, and Natural Resource Operations”. Trust Area Services has begun work on this item; status on this item is discussed later in this report.

Trust Policy Statement

At the stage of draft bylaw development, the Islands Trust Policy Statement will be referred to in detail to ensure that all resulting amendments are in compliance with it. At consideration of First Reading, a completed copy of the Policy Statement Directives Checklist will be presented to the LTC to determine that the amending bylaw is not contrary to or at variance with the Islands Trust Policy Statement.

Islands Trust Fund:

The Memorandum of Agreement between the Gambier Island Local Trust Committee and the Trust Fund Board, 1996, identifies that Local Trust Committee bylaws will be referred to the Trust Fund Board when they may have an impact on the responsibilities of the Board. The Memorandum of Agreement only requires referral of draft bylaws, but staff will recommend that the Trust Fund Board is notified earlier in the process to solicit input and identify any relevant goals and objectives in the Regional Conservation Plan.

Regional Conservation Plan:

The Regional Conservation Plan 2011-2015 identifies Gambier Local Trust Area for a high conservation focus, due to high amounts of unprotected high relative biodiversity composition values. The 2011-2015 Regional Conservation Plan sets a goal to protect 15% of Gambier LTA

land under conservation covenants or as protected nature reserves. Currently, 10.7% of land in the LTA is protected.

Bylaw Enforcement:

Staff will recommend that Bylaw Enforcement be notified early in the process to solicit input and identify any relevant goals and objectives in their work plan.

Climate Change Mitigation and Adaptation

A new section of the OCP with climate change mitigation and adaptation policies (Part 11 - Climate Change Mitigation and Adaptation) was added to the Gambier Official Community Plan in August 2010.

Sensitive Ecosystem, Hazard, Shoreline, or Archaeological Resources

Gambier Island is home to a significant number of sensitive ecosystem features, shoreline features, and archaeological sites. Much of the data gathered for these features is new or updated since the last OCP review and mapping for certain OCP schedules should be updated in turn. Moreover, this geographically specific information will likely inform discussion during the review.

First Nations Engagement

The Province's Consultative Areas Database identifies the Squamish Nation and the Tsleil-Waututh Nation as having Aboriginal rights in the project area. These Nations will be engaged early and continually in the project in order to identify their Aboriginal rights in the area and involve them in the project. Preliminary staff-to-staff arrangements with the Squamish Nation have already been established to share data and information.

Staff advises that these First Nations also be communicated with as community stakeholders, especially the Squamish Nation considering that the New Brighton dock was recently divested to their development corporation.

Gambier LTC 2014-2018 Term Draft Goals

The Gambier OCP review has the potential to address all nine draft term goals that the LTC set on February 12, 2015:

- Improve & remediate foreshores*
- Preserve sensitive ecosystems*
- Develop rich partnerships with neighbouring First Nations*
- Encourage island-appropriate development*
- Modernize bylaws to better reflect changing communities (Gambier & Keats)*
- Facilitate public access green space*
- Become compliant with Riparian Areas Regulation*
- Preserve Howe Sound*
- Raise profile & credibility of Islands Trust*

Project Outcomes

Before embarking on this project, a key first step for the LTC will be to identify the desired outcomes of the Gambier OCP review. Staff notes that discussion of these desired outcomes should also consider their scope and the time estimated to achieve them.

Project outcomes could include items such as: “address community needs that are within the scope of land use planning”, “engage with First Nations”, “adopt policies and regulations to advance the stewardship of coastal areas and marine shore lands”, and “play an advocacy role to help the community achieve goals outside of the Local Trust Committee’s authority, when appropriate”.

Project Charter and Communications Plan

First steps for planning staff in launching the OCP review will be to develop a draft Project Charter and Communications Plan for LTC review. Following discussion at the March 26, 2015 meeting regarding the information in this staff report, any particular input the LTC wishes to make regarding scope, stakeholder engagement, or the timeline should be communicated to planning staff.

Project Scope

As this review has been triggered by the length of time since the last review, a key question is “Which parts of the OCP remain current and relevant, and which have become problematic?”

A handful of topics have already been recently identified by the community, government agencies, and/or planning staff as potentially in want of review:

- Land uses and policies for the current Wilderness Conservation (Crown) lands
- Park and trail prioritization
- Protection of archaeological and cultural sites
- Shoreline protection
- Updating OCP schedules based on more current mapping data
- Policies to promote economic development
- Review of advocacy policies

There may also be other topics of concern that have not been previously identified. Staff advises consulting with the community at the outset of the project to assess whether the community goals and other specific policies in the OCP continue to reflect the community or are in need of review.

Part of the draft Project Charter will be a delineation of In Scope / Out of Scope. Carefully identifying subjects that should fall out of scope of the OCP review project can be just as important as identifying which topics to review, as this will help to avoid ‘scope creep’ when the project moves forward. For example, Out of Scope items in other project charters have included: “review of density cap and development potential”, “identification of suitable commercial lands”, and “review of bed and breakfast policies”. Staff will be seeking input from the LTC when the Project Charter is presented at a future LTC meeting.

Project Timeline

This project currently sits at #4 on the Priority Project list, meaning that the other three priority projects – Foreshore Protection, Riparian Areas Regulation, and Implementation of OCP Advocacy Policies – take precedence for Staff and Trustee workload. However, background work can begin on this project, especially for matters that overlap with the other top priority project work (i.e. RAR measures for Gambier Island, foreshore protection policies for Gambier Island). Staff will provide a more detailed analysis of anticipated workload considerations when the draft Project Charter is presented to the LTC for review.

Due to the cross-jurisdictional communication and coordination required for land use planning on Gambier Island, timing for this project will be a key consideration for discussion. Staff provides the following four updates to assist in preliminary discussions regarding the project timeline.

Reviewing the Wilderness Conservation Land Use Designation

In January 2015, the Gambier Conservancy sent the LTC a request to pursue, in advance of the OCP review, amendment bylaws to review the permitted uses for both the Wilderness Conservation land use designation in the OCP and for the Wilderness Conservation zoning in the Land Use Bylaw. At its February 12, 2015 meeting, the LTC requested staff to provide a report examining the feasibility of a review of Gambier's Wilderness Conservation land use designation as the first item in the OCP review.

Staff has followed up recently on the woodlot situation with both the Squamish Nation and staff at Forests, Lands, and Natural Resource Operations (FLNRO) and has been advised that no movement is expected on the woodlot matter in the coming year. This alleviates some of the immediate urgency anticipated for this issue. In addition, the Ministry of Community, Sport, and Cultural Development recently renewed emphasis on its requirements to consult and follow up on referral responses with both First Nations and government agencies on OCP bylaws. The issue of woodlot use in the Gambier Crown land involves both FLNRO and the Squamish Nation as key stakeholders; as such, any OCP bylaw amendment will require a robust level of consultation and collaboration with both in order to meet the requirements of the Ministry.

Staff recommends that this topic be pursued as a major part of the OCP review. However, this topic should not be completed as a separate item before the OCP review begins, as the expected timeline for completing this OCP amendment will now be much longer than it would have been in previous years. It is more likely that work on this topic will run alongside work on other topics while waiting on engagement and response from the key stakeholders.

New Protocol Agreements with Forests, Lands, and Natural Resource Operations

Trust Area Services (TAS), Forests, Lands, and Natural Resource Operations (FLNRO), and Bowen Island Municipality have committed to amending and consolidating a Letter of Understanding regarding Crown Land. The draft objective for the project is “Formal and consistent consideration of the Islands Trust Object during provincial decisions about Crown Land within the Islands Trust Area”. The draft project scope is to consolidate three letters of understanding and three protocol agreements regarding data sharing, referrals and decisions regarding Crown Land.

Work is set to begin in April 2015 and a draft is expected to go to Trust Council in March 2016. This new protocol agreement should be set in place before drafting bylaw amendments for the Gambier OCP review as the referral process may change as a result of the new agreement.

Crown Land Profile for Gambier Island

In August 2014, Trust Programs Committee returned a Crown Land Profile project to its priority list after many years of dormancy, and directed staff to assess the resources required to complete it for Gambier, Bowen, and Gabriola Islands. During initial project scoping, TAS staff discovered significant changes since completion of the previous round of reports; mapping technologies have evolved substantially in the last decade as well as expectations for consultation with affected communities (including First Nations). Staff advised that these factors would affect the cost, timing and process for defining and gathering the information as well as the format for the information.

At their February 17, 2015 meeting, Trust Programs Committee approved the Project Charter in principle, but directed staff to defer starting work until after Trust Council clarifies its priorities upon establishing the new Protocol with FLNRO.

Squamish Nation Marine Use Plan

The Squamish Nation is exploring the creation of a Marine Use Plan for the Howe Sound area. The Squamish Nation is expected to share updated information about their funding for this strategy and anticipated timelines at an upcoming Howe Sound Community Forum meeting. Staff recommends that the LTC and Staff monitor this project to share relevant information and pursue possible synergies.

Staff Analysis

While some items are not possible to pursue in this coming year, there is a significant amount of background work, community consultation, and review of policies not directly related to Crown land policies that could be done in the current fiscal year.

Project Resources

Official Community Plan reviews often begin with the development of a Community Profile. Community Profiles summarize historical and current information on settlement patterns, sensitive ecosystems, and development potential. Such profiles require a substantial amount of front end workload to compile, but offer a good opportunity for early stakeholder engagement and prove to be an invaluable resource as the review moves forward. Staff recommends that a Community Profile be an early deliverable for this project.

Planning Staff had hoped that the LTC's timeline for this OCP review would coordinate with Trust Programs Committee's work on the Crown Land Profile, as the profile would provide significant data to inform conversations around the Crown lands currently designated as Wilderness Conservation. However, this project has been placed on hold until at least 2016 and its scope and focus is unclear. If the LTC wishes to use the 2015-2016 fiscal year to compile a profile similar to the Crown Land Profile that was tailored to the needs of the OCP review, this could be incorporated into the project scope and budget for the coming year as background work.

The 2015-2016 budget has allotted \$10,000 to the Gambier OCP Review project.

Completing a Community Profile, a deliverable equivalent to a Crown Land Profile, and a preliminary community engagement piece will be a significant amount of work for planning staff for the 2015/2016 year. Depending on whether the LTC scopes any particular studies in the coming year, the budget may allow for an external contract to assist to complete the work.

Project Roles

The primary role of the LTC at this point in the project is to provide preliminary input and direction. Once a Project Charter and Communications Plan are drafted, they will be presented to the LTC for endorsement.

Stakeholder engagement at the information and consultation level will be the joint role of Planning Staff and the LTC.

Stakeholder engagement at the political level will be the role of the LTC. Bodies that will likely require direct political engagement are the Sunshine Coast Regional District, First Nations, FLNRO, and community organizations.

The staff lead on this project will be the Island Planner for Gambier LTC, Aleksandra Brzozowski. Once the scope of the project is clarified, other staff will be included in the Project Team as needed.

Next Steps

The LTC will be asked to review the draft Project Charter and draft Communications Plan at a future LTC meeting.

RECOMMENDATIONS:

1. That the Gambier Local Trust Committee identify the desired outcomes of the Gambier Official Community Plan review.
2. That the Local Trust Committee consider and provide any preliminary input to Staff regarding the following:
 - issues of concern for review.
 - topics in scope / out of scope.
 - project timeline, particularly for the 2015-2016 fiscal year.
 - early deliverables and background work.
 - early stakeholder engagement.

Prepared and Submitted by:

Aleksandra Brzozowski

March 16, 2015

Aleksandra Brzozowski,
Island Planner

Date

Concurred in by:

Courtney Simpson

Courtney Simpson, RPP MCIP
Regional Planning Manager

March 17, 2015

Date

Top Priorities

Gambier Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Foreshore protection/stewardship and clarity; implementation of Development Approval Information Bylaw (DAI) or Development Permit Areas (DPA's).	Investigate and recommend options for protection/stewardship within the local trust area through the use of existing land use planning tools.	Jan-31-2012	Aleksandra Brzozowski	Nov-27-2014	On Going
2	OCP advocacy policies - implementation & support	Work related to supporting the advocacy policies stated in the Gambier, Keats, and Associated Islands OCPs and in the IT Strategic Plan. Ex. Woodlots, industrial facilities, cross-jurisdictional management of Howe Sound	Oct-24-2013	Dan Rogers Kate-Louise Stamford	May-31-2015	On Going
3	Riparian Areas Regulation Implementation Project for Gambier Island Local Trust Area.		Oct-26-2011	Aleksandra Brzozowski	Dec-31-2012	On Going
4	Gambier OCP comprehensive review.		Feb-12-2015	Aleksandra Brzozowski	Feb-01-2017	On Going

Projects

Gambier Island

No.	Description	Activity	Received/Initiated	Status
1	Keats Island OCP Map Amendment - add trail map used during public process developing OCP.		Mar-08-2007	On Going
1	Staff to prepare an issues outline with respect to Gambier Island Comprehensive Land Use Planning Project. (Address community planning and environmental protection issues)	Gambier DP and comprehensive planning - subject to alternate funding and resources. To include: 1. Road issues - road network, and parking issues 2. Gambier forest tenure and reallocation - Gambier Island Crown lands. Gambier LUB follow-up: Definition of recreation in Area 3, CD1 Zone. Subdivision and use of common property in a bare land strata plan. Legal non-conforming - information note. ssociated secondary dwelling - definition and use. Potable water requirements.	Jun-23-2010	On Going
1	Consider a mechanism to recognize authorizations of additional dwellings as permitted by s. 4.4.10 of Keats LUB		Aug-04-2010	On Going
1	Food Security: Based on the November 2010 'Exploring Food Security in the Islands Trust Area' - explore opportunities to implement policies and regulations to address food security in the Gambier Trust Area.	Please make note to consider Objectives 6.1 & 6.2 in the Agricultural Area Plan for the Sunshine Coast Regional District.		On Going
1	Development Approval Information Bylaw	Develop and adopt a D.A.I bylaw for the Gambier Trust Area.		On Going
1	Consultation with Squamish First Nation	Scope interim strategies pending completion of a possible protocol agreement to address protection of archaeological and heritage resources.	Jan-31-2012	On Going
1	Strategic Planning Review for Howe Sound		Jan-31-2012	On Going

1 Review Gambier OCP/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.	May-22-2014	On Going
1 Staff to research the history of Site-Specific water zones on Gambier.		Sep-26-2013	On Going



Applications w/ Status - Gambier Island Status: Open

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2002.1	Land Plan Group Inc. Planner: Sonja Zupanec	Jan-24-2002	PID: 014-385-694 Keats Island - Keats Camp cottage lots - siting variances DL 696

Planning Status

Status Date: Apr-10-2008

still on hold pending rezoning

Status Date: Aug-13-2007

on hold pending rezoning application

Status Date: May-16-2006

Met with applicant. Outstanding items forwarded for attention. May be add'l fees.

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2011.2	Elena and France Corin and Larouche Planner: Marnie Eggen	Mar-22-2011	PID: 024-212-041 1250 Taki-Te-Si Road, Gambier Island vary the setback to the natural boundary of the sea for retaining wall

Planning Status

Status Date: Feb-02-2015

no change

Status Date: Aug-26-2014

no change

Status Date: May-07-2014

no change

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2013.2	Jim Green	Apr-08-2013	027-998-967 Jim Green (Reel 17 Investments) Gambier Island A variance to site a rock retaining wall and to authorize additional width for a walkway pier

Planner: Aleksandra Brzozowski

Planning Status

Status Date: Mar-17-2015

DVP application to be considered by LTC at March 26, 2015 meeting.

Status Date: Mar-13-2015

DVP notice mailed out and posted.

Status Date: Mar-03-2015

Site visits conducted with Trustees.

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2015.1	GARRY PETERS	Feb-17-2015	Request variance for alterations to existing buildings and structures
Planner: Marnie Eggen			

Planning Status

Status Date: Mar-17-2015

staff report prepared for March 26th agenda

Status Date: Feb-27-2015

planner reviewing

Rezoning

File Number	Applicant Name	Date Received	Purpose
GM-RZ-2004.1	LandPlan Group Inc.	Jun-16-2004	PID: 014-385-694 Keats Island - Keats Camp rezoning application DL 696
Planner: Courtney Simpson			

Planning Status

Status Date: Oct-10-2014

Applicant notified SZ not lead planner on file

Status Date: Sep-18-2014

Trust Fund accepted nature reserve at Sandy Beach

Status Date: Mar-13-2014

Teleconference with applicant regarding next steps.

Subdivision

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2000.1	LANDPLAN GROUP INC.	May-04-2000	PID: 014-385-694 Keats Island - 111 bare land strata subdivision, 2 camp lots, and remainder(Keats Camp); nature reserve, park dedication, parking lot. DL 696

Planner: Sonja Zupanec

Planning Status

Status Date: Jun-06-2007

On hold pending rezoning application.

Status Date: May-16-2006

Met with applicant - revised plan to come based on LUC. May be add'l fees.

Status Date: Dec-21-2005

MOT issues Prelim Layout NOT APPROVED with conditions.

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2010.1	Venture Management Ltd	May-25-2010	PID: 015-980-324 7 residential lots

Planner: Sonja Zupanec

Planning Status

Status Date: Jan-06-2012

No further action until applicant finalizes final plan of subdivision.

Status Date: Mar-16-2011

Comments sent to MoTI. Depth to width information was received.

Status Date: Feb-23-2011

Waiting for applicant to confirm that lots comply with depth to width ratio. Revised comments to be sent to MoTI.

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2012.2	Reel 17 Investments Ltd.	Jun-29-2012	4 lot subdivision

Planner: Aleksandra Brzozowski

Planning Status

Status Date: Dec-08-2014

Reaffirmed with MOTI that DVP is required before property is deemed compliant with zoning.

Status Date: Oct-03-2012

Referral response sent to MOTI and applicant

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2013.1	Creus Engineering	Dec-09-2013	PID: 014-385-694 The Convention of Baptist Churches of BC Keats Island 9 Lot Subdivision

Planner: Sonja Zupanec

Planning Status

Status Date: Mar-28-2014

Under review by planner

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2015.1	Walker	Jan-05-1900	Passage Island - Boundary Adjustment 3 lots to 2 lots

Planner: Marnie Eggen

Planning Status

Status Date: Feb-17-2015

Preliminary Layout approval from MOTI received.

Status Date: Feb-04-2015

Subdivision referral report completed, emailed to MOTI.

Status Date: Feb-02-2015

Planner reviewing.

Islands Trust
LTC EXP SUMMARY REPORT F2015
Invoices posted to Month ending February 2015

630 Gambier	Invoices posted to Month ending February 2015	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-630	LTC "Trustee Expenses"	1,000.00	3,793.73	-2,793.73
LTC Local				
65200-630	LTC - Local Exp - LTC Meeting Expenses	2,500.00	1,362.82	1,137.18
65210-630	LTC - Local Exp - APC Meeting Expenses	750.00	0.00	750.00
65220-630	LTC - Local Exp - Communications	300.00	0.00	300.00
65230-630	LTC - Local Exp - Special Projects	750.00	0.00	750.00
TOTAL LTC Local Expense		<u>4,300.00</u>	<u>1,362.82</u>	<u>2,937.18</u>
Projects				
73001-630-3003	Gambier RAR	30,000.00	0.00	30,000.00
73001-630-4024	Gambier Foreshore Protection and Stewardship	3,000.00	0.00	3,000.00
73001-630-4027	Gambier Forage Fish	5,000.00	5,000.00	0.00
TOTAL Project Expenses		<u>38,000.00</u>	<u>5,000.00</u>	<u>33,000.00</u>

Gambier Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

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.”
				▪

STAFF REPORT

Date: February 27, 2015

File No.: GM 3050-01

To: Gambier Island Local Trust Committee
For meeting of March 26, 2015

From: Lisa Webster-Gibson, Legislative Clerk and
Aleksandra Brzozowski, Island Planner

CC: Courtney Simpson, Regional Planning Manager

Re: Gambier Island Advisory Planning Commissions

At the start of this new term of the LTC, the purpose of this memo is to provide a status update of APC appointments.

The Gambier Island Local Trust Committee (LTC) has had an established advisory planning commission under its Advisory Planning Commission (APC) bylaw.

Bylaw No. 113 (Attachment # 1) establishes a Gambier Island Advisory Planning Commission (APC).

BACKGROUND:

Local Government Act Section 898 enables a local trust committee (LTC) to establish, by bylaw, advisory planning commissions to advise them on “all matters respecting land use, community planning or proposed bylaw and permits” upon referral from the LTC.

Bylaw No. 113 establishes an APC for Gambier Island, however, it does not allow for the appointment of any other advisory planning commissions.

Pursuant to Bylaw No. 113, the Gambier Island APC shall consist of not more than nine members. At least 2/3 of the members of the APC must be “residents” of the Local Trust Area.

“Resident” means a person who:

- is a citizen of Canada or is lawfully admitted to Canada for permanent residence,
- must be an individual who is age 18 or older,
- has resided within the Gambier Island Local Trust area for at least six months in the last year, and,
- makes his or her home in the Gambier Island Local Trust Committee area and to which, whenever absent, the individual intends to return.

The LTC must, by resolution, appoint the members to two year terms prior to March 31st of the year during which the term of appointment commences.

The LTC has also established, by resolution, advisory planning commission appointment guidelines outside of Bylaw No. 113. (Attachment # 2)

The LTC appointed eight (8) members to its most recent APC, to which all terms expired on March 1, 2014. Those members were:

Last Name	First Name	Position	Term Start		Term End
• Clegg	Joyce	Chair	Mar-01-2012	to	Mar-01-2014
• Hailey	Al	Vice Chair	Mar-01-2012	to	Mar-01-2014
• Walker	David	Secretary	Mar-01-2012	to	Mar-01-2014
• Colbourne	Frank	Member	Mar-01-2012	to	Mar-01-2014
• Berry	Camilla	Member	Mar-01-2012	to	Mar-01-2014
• Holtz	Eric	Member	Mar-01-2012	to	Mar-01-2014
• Brenda	Hardisty	Member	Mar-01-2012	to	Mar-01-2014
• Marttala	Lei	Member	Mar-01-2012	to	Mar-01-2014

All appointment terms have expired. Members were contacted by the Island Planner on January 23, 2014 by email to thank them for serving on the APC and to canvas them for further interest in serving on the APC. Four members indicated an interest in re-appointment to the APC; however, there remained challenges to fill the remaining positions with the broad cross-section of geographic representation outlined in the Gambier APC Appointment Guidelines, and the LTC requested Staff to outline possible options to remove those challenges.

Staff reviewed the issues raised by the LTC and ascertained in a memorandum dated May 9, 2014 (Attachment #3) that the APC Bylaw's membership requirements represent the broadest possible application of the above section of the LGA and cannot be amended to allow more representation from landowners who do not meet the full-time residency requirements. The LTC decided to let the APC lapse for the remainder of the 2011-2014 term.

STAFF COMMENTS

The LTC should consider the need for a general APC in the coming two years, particularly in light of the major top priority project of a Gambier OCP review, which may involve Gambier-specific referrals to the APC.

General Advisory Planning Commission:

Staff typically recommends that an LTC have an APC appointed to meet upon referral as needed. There is a historically low volume of referrals from this LTC to their APC; there were 7 in the past 10 years. The May 9, 2014 memo further outlined alternative approaches to managing an APC that may assist the LTC in meeting both the LGA requirements and the criteria set out in the APC Appointment Guidelines. Staff considers appointment of a smaller APC to be the most efficient manner in which to meet the residency requirements of Bylaw 113.

When considering whether an APC should be appointed or allowed to lapse, the LTC should consider factors including:

- Upcoming LTC priority projects may warrant referrals to an APC.
- Monitoring APC appointments and administering their meeting and minutes takes staff resources.

- If APC members are appointed they may feel discouraged if there are few or no referrals to them for a great length of time. Referring matters to an APC to “keep them busy” is not a good solution to this problem, as it unnecessarily uses staff resources to administer the meeting.
- On the other hand, a minimum of two to three months would be required to appoint a new commission, if desired. Should any issues arise with urgency, it could result in a delay in the referral to the APC.

Special Advisory Planning Commission for Gambier Island Project:

The Official Community Plan review for Gambier Island is the type of major project that typically involves a number of referrals to an APC. Should the LTC wish to include referrals to an APC as an integral part of this project, they could pursue one of two options:

- a) Advertise for a general APC for the Gambier LTA, noting in the advertisement that possible referrals for this APC term will involve the Gambier OCP review. If this option is chosen the LTC should also revisit their APC appointment guidelines to allow for a higher representation from Gambier Island for this APC term.
- b) Amend Bylaw 113 to enable the LTC to establish Special Projects Advisory Planning Commissions (typical in APC bylaws in most other LTAs). Note that it may be difficult to recruit enough volunteers for two APCs in this area.

If the LTC wishes to pursue option a) above, then the APC Appointment guidelines, as adopted by resolution GM-082-2010 on October 6, 2010, should be amended. Staff suggests a possible amendment as follows, new wording in bold:

The Gambier Island Local Trust Committee shall make all reasonable efforts, in the consideration of appointments to the APC that members are:

- a. The Gambier Island Local Trust Committee shall make all reasonable efforts, in the consideration of appointments to the APC that members are:
 - a. representative of a broad cross section of the geographical areas of the Gambier Island Local Trust Committee area, **unless referrals are expected to be focused on one geographic area for the term of appointment;**
 - b. representative of a range of backgrounds and expertise that is supportive to each other in the consideration of matters referred to the APC; and
 - c. 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 credentials 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.

SUMMARY OF OPTIONS:

The LTC has a few options to consider:

1. **Advertise for membership to an APC seeking a broad representation of geographic areas of the LTA, pursuant to the APC appointment guidelines.**

Note that with this option, the LTC should consider appointing an APC with fewer than the maximum membership of 9 should this make meeting the 2/3 residency requirement possible, pursuant to staff advice in the May 9, 2014 memo. This can be decided at the time of appointing members, after expressions of interest have been received.

2. **Amend the APC appointment guidelines to allow for representation of members to be weighted to a geographic area subject of a current top priority project**

and

advertise for appointment to an APC that is expected to receive a number of referrals related to the Gambier OCP review project.

3. **Amend APC Bylaw No. 113 to establish Special Projects Advisory Planning Commissions**

and

advertise for membership to a general APC for the LTA and a special projects APC that will be for the purpose of the Gambier OCP review project.

Note that with this option, a Terms of Reference would be established for the Special Projects APC that would outline the number of members, length of term, and could further outline its role in the OCP review project.

RECOMMENDATIONS:

- a) 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 of a current top priority project; and,
- b) THAT the Gambier Island Local Trust Committee advertise for appointment to an APC that is expected to receive referrals related to the Gambier OCP review project.

Respectfully submitted by:

Lisa Webster-Gibson

February 27, 2015

Lisa Webster-Gibson
Legislative Clerk

Date

Aleksandra Brzozowski

March 16, 2015

Aleksandra Brzozowski
Island Planner

Date

Concurred in by:

Courtney Simpson

March 17, 2015

Courtney Simpson, RPP, MCIP
Regional Planning Manager

Date

Attachments:

1. Gambier Island Advisory Planning Commission Bylaw No. 113
2. Advisory Planning Commission Appointment Guidelines, October 6, 2010
3. Memorandum, May 9, 2014

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 113

A BYLAW TO ESTABLISH AN ADVISORY PLANNING COMMISSION FOR THE GAMBIER ISLAND AREA PURSUANT TO THE *LOCAL GOVERNMENT ACT* AND THE *ISLANDS TRUST ACT*

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. **Establishment**

There is established an Advisory Planning Commission (APC) for all that area of the Local Trust Area to advise the Trust Committee on all matters respecting land use, community planning, or proposed bylaws and permits, pursuant to the *Local Government Act* that are referred to it by the Local Trust Committee.

2. **Appointment of Members**

(a) The APC shall consist of not more than nine members. At least 2/3 of the members of the APC must be residents of the Local Trust Area.

(b) For the purpose of application of subsection 2 (a) the following definition shall apply:

“resident” means a person who:

- (i) is a citizen of Canada or is lawfully admitted to Canada for permanent residence,
- (ii) must be an individual who is age 18 or older,
- (iii) has resided within the Gambier Island Local Trust area for at least six months in the last year, and
- (iv) makes his or her home in the *Gambier Island Local Trust Committee area* and to which, whenever absent, the individual intends to return.

(c) The Trust Committee must, by resolution, appoint a member to a term not exceeding two years.

(d) The Trust Committee may, by resolution, remove a member at any time.

- (e) Where a member resigns or an appointment is otherwise terminated, the Trust Committee may appoint a member to serve the balance of the term of the appointment.
- (f) The members must during the first meeting of a calendar year, from among the members elect a Chairperson, and a Deputy Chairperson to act in the place of the Chairperson in the absence of the Chairperson.
- (g) The Deputy Chairperson shall, in the absence of the Chairperson, serve as described in Section 3(b).
- (h) In the event that the Chairperson resigns or the Chairperson position is otherwise terminated, the APC shall write to the Trust Committee to advise them and the Trust Committee shall appoint an interim Chairperson who shall serve until a Chairperson is elected in accordance with Section 2(e).

3. Roles

(a) Secretary

- (1) The Trust Committee must appoint a Secretary to the APC.
- (2) The Secretary is to:
 - i) assist the Chairperson, as required, in arranging meetings of the APC;
 - ii) ensure that proper notification of meetings is given in compliance with this bylaw;
 - iii) keep legible minutes of all meetings;
 - iv) provide copies of all minutes and recommendations of the APC to the Local Trustees and the Secretary of the Islands Trust;
 - v) maintain financial records and conduct financial transactions with the Islands Trust; and
 - vi) maintain an annual record book of approved minutes to be available to the public upon request and shall provide a copy of minutes when requested upon receipt of a sum of money sufficient to pay the cost of copying those minutes.

(b) Chairperson

- (1) The Chairperson is to:
- i) receive referrals from the Trust Committee and, in response, decide when and where APC meetings shall be held;
 - ii) ensure proper conduct of all APC meetings in accordance with the requirements of this Bylaw and the principles of procedural fairness;
 - iii) rule on the existence of a conflict or potential conflict of interest of an APC member when requested to do so; and
 - iv) sign the minutes certifying that they are true and correct after they have been approved by the APC.

4. Referrals to the Commission

- (a) The Trust Committee may by resolution, refer an application for an amendment to the community plan, a bylaw, or a permit, pursuant to the *Local Government Act*, or may refer a proposed bylaw or permit to the Chairperson of the APC with a request for a recommendation.
- (b) The APC must meet, when there is a need to consider a referral, at a duly constituted meeting as defined under this Bylaw and as called by the Chairperson.
- (c) The APC shall select at its first meeting, a regular monthly meeting day to consider referrals.
- (d) In the event that no referral is received by the Secretary at least 7 calendar days prior to the date of the next regular APC meeting, then no meeting need be held.
- (e) A meeting of the APC on any particular referral must be held not more than 30 days after the date of receipt of that referral unless the Trust Committee has requested a response by an earlier specified date.
- (f) The Trust Committee may refer a plan or bylaw amendment or permit that has been partially processed and seen at the application stage by the APC for additional recommendations if it feels changes to the application warrant the review. In these cases the APC may be asked to respond in a briefer than normal time period.

- (g) The Chairperson may call an extraordinary meeting after consultation with the Secretary and all other members of the APC to deal with any matter for which a quick response is requested.
- (h) Although APC recommendations on referrals must be received by the Trust Committee, the recommendations do not bind the decisions of the Trust Committee.

5. Notice of Meeting

- (a) The Secretary must send a notice of meeting including a description of all referrals to be discussed to each APC member at least 5 calendar days prior to the regularly scheduled meeting.
- (b) The Secretary must confirm by telephone or note, the date and time of any extraordinary meetings with each member of the APC.
- (c) The Secretary must ensure that an applicant for a plan or bylaw amendment or a permit is notified of the date, time and place of an APC meeting at which their application will be discussed at least five calendar days prior to the meeting.
- (d) The Secretary must ensure the Local Trustees are notified of each APC meeting at least five days prior to the day of the meeting.
- (e) Where a matter upon which an APC recommendation has been made is referred back to the APC for further comment within a limited time period, the Secretary must notify the Trust Committee of an extraordinary meeting. The Secretary may invite the applicant if further information is required at least 2 days prior to the meeting unless the applicant agrees to a lesser notice.

6. Conduct of Meeting

- (a) All deliberations of the APC must take place in a meeting, and all APC meetings must be open to the public.
- (b) A quorum of the APC is the lesser of four members, or 50% of those appointed.
- (c) The Chairperson is to convene the meeting and may adjourn it from time to time.
- (d) Applicants of an amendment to a plan or bylaw or a permit must be afforded the first opportunity to present their proposal and to answer any questions asked by APC members.

- (e) If an applicant or their agent fails to appear and was duly notified as required by this Bylaw, the APC may proceed to reach its recommendation in the applicant's absence.
- (f) At the request of any member of the APC, the Chairperson must invite any elected official, staff or resource person present at the meeting to comment on the matters before the APC.
- (g) The APC must not receive development proposals and other applications directly from applicants.
- (h) The APC must not consult directly with other government agencies.

7. Notice of Recommendation

- (a) If the Local Trustees did not attend an APC meeting, they may require a verbal report from the Chairperson.
- (b) The Secretary must ensure minutes of each meeting of the APC be recorded and approved by the APC at its subsequent meeting.
- (c) The Secretary must ensure a completed referral form recording the response of the APC and a copy of the draft minutes are submitted to the Trust Committee and Islands Trust office within seven calendar days of the meeting.
- (d) A recommendation of the APC may be in the form of recorded commentary, in the form of minutes or in the form of a resolution, provided that all dissenting opinions are also recorded.

8. Transition

Gambier Island Trust Committee Bylaw No. 58 cited for all purposes as the "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 1997", is repealed.

- 9. This Bylaw may be cited as the "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2010".

READ A FIRST TIME THIS	6th	DAY OF	October	, 2010
READ A SECOND TIME THIS	6th	DAY OF	October	, 2010
READ A THIRD TIME THIS	6th	DAY OF	October	, 2010

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
19th DAY OF October , 2010

ADOPTED THIS 28th DAY OF October , 2010

SECRETARY

CHAIRPERSON

The Gambier Island Local Trust Committee shall make all reasonable efforts, in the consideration of appointments to the APC that members are:

- a. representative of a broad cross section of the geographical areas of the Gambier Island Local Trust Committee area;
- b. representative of a range of backgrounds and expertise that is supportive to each other in the consideration of matters referred to the APC; and
- c. 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 credentials 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.



Memorandum

700 North Road Gabriola BC V0R 1X3

Telephone **250. 247.2063** FAX: 250. 247.7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date May 9, 2014 File Number GM 3050-01

To Gambier Island Local Trust Committee

From Aleksandra Brzozowski, Island Planner
Lisa Webster-Gibson, Legislative Clerk
Northern Office

Re **Options to amend Advisory Planning Commission Bylaw No. 113**

At its March 20, 2014 regular business meeting, the Gambier Island Local Trust Committee (LTC) requested staff to provide a report regarding possible amendments to the Advisory Planning Commission (APC) bylaw (Bylaw No. 113), specifically the resident requirements and the possibility of members meeting electronically (Resolution GM-2014-016.) This memorandum reports back information regarding these requests and offers information to assist the LTC on this topic.

BACKGROUND:

Gambier Bylaw No. 113 was adopted on October 28, 2010 following a review to improve the previous APC bylaw (Bylaw No. 58). As part of its review, Staff presented options regarding the composition of the APC, in particular, the residency requirements noted in APC Bylaw 58. The requirements were very restrictive, allowing only 'resident electors' to be appointed members. (Please refer to staff reports dated August 28, 2009; May 27, 2010; September 1, 2010; and October 4, 2010 for detailed background.)

Bylaw 113 removed the requirement that *"every member must be an elector of the Local Trust Area, as defined in the Municipal Act"*, replacing it with a clause stating that *"at least 2/3 of the members of the APC must be residents of the Local Trust Area"*. Allowing the LTC to appoint corporate shareholders or other qualified non-residents as APC members widened the pool of candidates. In addition, 'resident' replaced 'resident elector' to further broaden the pool of potential applicants. Resident is now currently defined in Bylaw 113 as:

"resident" means a person who:

- (i) is a citizen of Canada or is lawfully admitted to Canada for permanent residence,*
- (ii) must be an individual who is age 18 or older,*
- (iii) has resided within the Gambier Island Local Trust area for at least six months in the last year,*
and
- (iv) makes his or her home in the Gambier Island Local Trust Committee area and to which, whenever absent, the individual intends to return.*

In addition to the requirements set out in Bylaw 113, the LTC expressed a strong desire that its APC be *"representative of a broad cross-section of the geographical areas of the Gambier Island Local Trust Committee area"*, as outlined within its Advisory Planning Commission Guidelines. Because the Gambier Local

Trust Area (LTA) covers such a large expanse with a low number of residents, it remains difficult to meet the criteria set out in the guidelines even with the revised residency requirements set out in Bylaw 113.

Over the last ten years, the APC has received seven referrals, most initiated by the LTC:

- 2004: Draft Gambier Island Land Use Bylaw (project initiated by LTC)
- 2004: Official Community Plan and Parks Master Plan from Sunshine Coast Regional District
- 2005: Draft Howe Landscape Unit Plan from Ministry of Forests
- 2005: Brigade Bay Subdivision application
- 2010: Proposed Associated Islands Official Community Plan (project initiated by LTC)
- 2012: Sustainability Checklist (project initiated by LTC)
- 2013: Invitation to Green Shores webinar (project initiated by Local Planning Committee)

REQUESTED OPTIONS FOR AMENDING BYLAW 113:

It remains a requirement of the Local Government Act (LGA) Section 898 (4) that APC members be residents of the LTA. This requirement must be met, whether or not the clause is contained within the bylaw. The current APC Bylaw has membership requirements that represent the broadest possible application of the above section of the LGA and cannot be amended further.

The LTC has also requested a review of the requirement to meet in person. The LGA also does not allow APCs appointed under the Gambier LTC to hold meetings electronically.

The Islands Trust Electronic Meetings Regulation, the governing act for electronic meetings for the Trust, states that a “trust body” means Trust Council, the Executive Committee, Local Trust Committees, and the Islands Trust Fund Board. There is no provision in the regulation for Advisory Planning Commissions to hold electronic meetings as they are not named in the definition of a “trust body”.

ALTERNATIVE OPTIONS:

Unfortunately, the LTC is not able to amend Bylaw 113 as requested. However, the following are alternative approaches to managing an APC that may assist the LTC meet both the LGA requirements and the criteria set out in the APC Appointment Guidelines.

1. Appointing a smaller APC: There is no minimum number for members for the APC. A smaller number of appointees would enable the LTC to more easily meet the residency requirements. For example, if the number of members is three, then only two members would need to meet the residency requirements; if the number were five, then three members would need to be resident.

In order to appoint a smaller LTC, no bylaw amendments would be necessary. When APC members are appointed, a resolution regarding commission size could be made at that time. If the LTC later chose to increase the number of APC members, it may do so and increase the size of the APC as per the residency requirements.

Staff considers this to be the most efficient manner in which to meet the residency requirements of Bylaw 113.

2. Providing More Detailed Referral Direction: The LTC could consider providing detailed instructions in their referrals to the APC, directing the Commission to obtain additional information from the public or stakeholders by way of presentations or other such activities. It is stated in the Islands Trust Terms of Reference for Advisory Planning Commissions: *“in cases where the LTC wishes the APC to consult broadly with members of the community or specifically with particular stakeholders in the community before formulating its advice, the LTC will make such wishes known to the APC in its referral of the matter”*.

Staff notes that giving specific direction to consult with stakeholders or the public does not infer that the public or stakeholders can be invited to participate in selective APC meetings. Consultation would

be required in advance of the APC discussion; consulted individuals would be able to sit and observe the discussion but not participate.

It is also in the LTC's authority to directly refer a briefing or document to individuals or groups that are not the APC, should the LTC be seeking comment or information on a particular topic.

In order to direct an APC to consult the community, detailed resolutions at the time of referral would be required. No amendments to Bylaw 113 would be necessary.

Staff considers this option a good complement to the option of a smaller APC.

3. Lengthening the Term of the APC: Longer terms for the APC appointees may not assist in recruiting new APC appointees; however, longer terms may help to sustain participation in the APC and eliminate the need for repeated and costly calls for interest throughout the LTC's term. In particular, considering the upcoming change to four-year Trustee terms, the LTC could consider amending Bylaw 113 to specify a four-year term that coincides with the Trustee term, instead of the current two-year term.

In order to lengthen the term of the APC, an amendment to Bylaw 113 would be required.

Staff considers this a wise course of action, considering the upcoming change to four-year Trustee terms.

Should the recruitment of APC members present such ongoing difficulties that the APC is untenable, there are other alternatives to consider, including: the suspension of the APC; and a request to change the LGA by Order in Council, to exempt the LTC from the residency requirements of Sec 898 of the Local Government Act.

4. Suspension of the APC: While the LTC has the authority by bylaw to establish an APC, it is not mandatory. It may be that the LTC wishes to simply suspend the APC until such time as there is a need for an ongoing commission, and interest-based appointments could then be solicited and made at that time.

In order to suspend the APC, no bylaw amendments or resolutions are required.

If the LTC decides to suspend the APC, Staff strongly advises requiring an assessment of the anticipated need for an APC to occur as part of preliminary reports for projects, bylaws, and major development applications.

5. Request for amendment of the Local Government Act (LGA): The LTC may wish to consider requesting an amendment to the LGA that would exempt the Gambier Island LTC from the residency requirements in the establishment of APC, providing alternate means to appoint APC members. The LTC would be required to make a request to the Islands Trust Council to then request the Provincial Government to enact a regulation under s. 54(2)(b) of the Islands Trust Act to exempt the Gambier Island Local Trust Committee from complying with s. 899(4) of the Local Government Act, in respect of the Gambier Island Advisory Planning Commission and any other Advisory Planning Commissions that might be appointed in portions of the Gambier Island Local Trust Area.

Such changes to the LGA can only be completed through an Order-in-Council.



Memorandum

200 1627 Fort Street, BC V8R 1H8

Telephone 250. 405.5186 FAX: 250. 405.5151

Toll Free via Enquiry BC in Vancouver 604-660-2421.

Elsewhere in BC 1.800.663.7867

itfmail@islandstrust.bc.ca

www.islandstrust.bc.ca

www.islandstrustfund.bc.ca

Date: January 28, 2015

To: Gambier Island Local Trust Committee

From: Kate Emmings, Ecosystem Protection Specialist, Islands Trust Fund

Re: Islands Trust/Islands Trust Fund Eelgrass Mapping

Eelgrass Mapping in the Gambier Island Local Trust Area

Eelgrass Mapping for the islands off of the Sunshine Coast (e.g. the Thormanbies) was completed in December, 2014 by SeaChange Marine Conservation Society under contract with the Islands Trust (see attached report). These islands complete the mapping for the Gambier Island Local Trust Area which began in 2012. Findings for the islands off of the Sunshine Coast found that:

- Eelgrass comprises 19.6% of the combined linear shorelines of the Thormanby Islands
- There are significant amounts of eelgrass around North Thormanby Island primarily because of sandy sediments around the island
- No eelgrass habitat was noted off of Surrey Island, Bertha Island, or Merry Island
- Small amounts of eelgrass were found around the Trail Islands, Turnagain Island, Echo Island and Tiki Island

About Eelgrass

Eelgrass is a critical nearshore habitat for birds, mammals, invertebrates and commercial and non commercial fish. Eelgrass beds are also an important carbon sink. Contaminants, shading from docks and overwater structures, increased sedimentation, marine traffic and development pressures from shoreline land use threaten eelgrass ecosystems and the species they support.

Report Recommendations

The 2012-2014 Nearshore Eelgrass Inventory Report contains several recommendations. Some of the relevant recommendations for local trust committees are:

- Create setbacks from the shoreline in regulatory bylaws.
- Prevent construction of docks in eelgrass beds. Where dock construction cannot be avoided, ensure that docks are built to allow light to pass through to eelgrass beds below and that they are constructed from materials that have a minimum impact on water quality.
- Require removal of illegal shoreline modifications and habitat restoration where appropriate.
- Support education of the boating community and shoreline landowners regarding the importance of eelgrass beds and natural shorelines.

- Encourage the boating community not to locate mooring buoys in eelgrass beds and not to anchor in eelgrass beds. Where mooring buoys are located in eelgrass beds, encourage the use of line floats to keep chains and lines off of the sea floor where they can drag and scour the bottom, removing eelgrass habitat and killing species.
- Encourage dock owners to replace dock materials with light penetrable materials.

Next Steps

The Islands Trust Fund has placed the eelgrass mapping and the associated report on its website at <http://www.islandstrustfund.bc.ca/initiatives/marineconservation/eelgrass-mapping.aspx> and has added eelgrass mapping to the MapIT public mapping site at <http://www.islandstrust.bc.ca/maps/mapit.aspx> (Shorelines Application). Local trust committees are encouraged to provide links to the mapping on their websites and consider actions within their local trust areas to include eelgrass protection in their official community plans and regulatory bylaws as per the Islands Trust Policy Statement, section 3.4.4 (see background below). Local trust committees may wish to direct staff to highlight maps and recommendations specific to their local trust area on their own webpage.

Attachment Report: 2012-2014 Nearshore Eelgrass Inventory
 Map 3c: Eelgrass Presence Gambier Local Trust Area Associated Islands Sunshine Coast Area

Background

The Islands Trust Policy Statement, section 3.4.4, states:

Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.

The 2013 Audit of Biodiversity in B.C. (Office of the Auditor General of B.C., www.bcauditor.com/pubs/2013/report10/audit-biodiversity-bc-assessing-effectiveness-key-tools) highlighted the importance of collecting sufficient and reliable information on species distribution in order to make well-informed decisions about conserving biodiversity. With sensitive ecosystem mapping completed in the Islands Trust Area (2008-2010), the Bowen Island Municipality (BIM) and local trust committees have access to ecosystem data for terrestrial species. The Islands Trust and Islands Trust Fund are now working to acquire mapping of sensitive coastal areas to help island governments meet the requirements of the Islands Trust Policy Statement.

In 2012, the Islands Trust and Islands Trust Fund launched a project to map eelgrass as a partnership with the Seagrass Conservation Working Group and SeaChange Marine Conservation Society. The arrangement between the partners resulted in shared funding of the program between the Islands Trust, the Islands Trust Fund and the Seagrass Conservation Working Group (through grants acquired by its member group, SeaChange Marine Conservation Society).

Eelgrass mapping is intended to assist BIM, local trust committees and the Trust Fund Board in making science-based decisions about land use and conservation to preserve coastal ecosystems in the Islands Trust Area. Eelgrass mapping will serve as a baseline inventory to monitor the effects of conservation activities, such as Marine Protected Areas, as well as human impacts, such as potential increased tanker traffic, marine industrial activities (e.g. log dumping and booms) and foreshore use (e.g. wharves and docks). It will also enable marine conservation groups to identify areas ideal for eelgrass restoration.

Mapping Partnership:

Mapping was completed by SeaChange Marine Conservation Society through a partnership with the Seagrass Conservation Working Group and the Islands Trust Fund. The Mayne Island Conservation Society provided eelgrass mapping for Mayne Island free of charge. The total project budget was \$155,610 (over three years)

and the Islands Trust, primarily through Trust Fund Board budgets, contributed 54% of the total amount. The Gambier Island Local Trust Committee contributed \$2,000 towards the project in the 2013/2014 fiscal year.

Mapping is now complete for the entire Islands Trust Area. Islands were mapped over three years as follows:

2012:

- Gambier Island
- Lasqueti Island
- Mayne Island Local Trust Area (information courtesy of Mayne Island Conservation Society)
- North Pender Island
- South Pender Island
- Thetis Island Local Trust Area (excluding Valdes)

2013:

- Ballenas-Winchelsea (Executive Islands) Local Trust Area
- Bowen Municipality
- Denman Island Local Trust Area
- Gabriola Island Local Trust Area
- Galiano Island Local Trust Area
- Hornby Island Local Trust Area
- Gambier Associated Islands except those off of the Sunshine Coast (e.g. the Thormanbys)
- Valdes Island
- Cufra Inlet (Thetis Island)

2014:

- North Pender Associated Islands
- Islands off the Sunshine Coast (e.g. the Thormanby Islands)
- Lasqueti Associated Islands
- Saturna Island Local Trust Area
- Salt Spring Island Local Trust Area

Resources for local trust committees

The following are some resources for local trust committees. Please see references in the attached report for a more complete list.

Hutton, K. E. and S. C. Samis. 2000. Guidelines to protect fish and fish habitat from treated wood used in aquatic environments in the Pacific Region. Can. Tech. Rep. Fish. Aquat. Sci. 2314: vi + 34 p. Available at <http://www.dfo-mpo.gc.ca/Library/245973.pdf> .

Fisheries and Oceans Canada. Projects Near Water. Available at <http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html> .

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Date: February 2, 2015

File No.: 3060-01

To: Executive Committee acting as a Local Trust Committee (*Ballenas – Winchelsea Islands*)

Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Thetis Island Local Trust Committee

From: Lisa Webster-Gibson, Legislative Clerk

CC: Courtney Simpson, Regional Planning Manager

Re: Board of Variance

Preliminary Report

The purpose of this report is to present background information related to appointments to the Board of Variance (BOV) for Local Trust Committees (LTC) in the Northern Region, including appointments to a joint BOV, and what might be required of LTCs in relation to this initiative.

Project Objectives

The objective of this project is to ensure that each LTC has a current Board of Variance (BOV) in place as per the requirements of the Local Government Act (LGA), Islands Trust Act and other relevant legislation and policy.

Project Background

Under sec. 899 of the LGA, a local government that has adopted a zoning bylaw must, by bylaw, establish a BOV. A person may apply to the BOV for a minor variance if they feel compliance with the bylaw would cause them a hardship. For example, if a big rock in their yard made it a hardship to site the house in conformity with the normal setbacks, then that person could apply for a minor variance. The BOV may grant a variance if they have considered the following factors and are of the opinion that the variance does not result in inappropriate development of the site; adversely affect the natural environment; substantially affect the use and enjoyment of the adjacent land; or vary the permitted uses and densities or defeat the intent of the bylaw.

The BOV focuses primarily on hardship relating to matters such as siting, dimensions and size of buildings. A BOV order cannot conflict with other matters such as Land Title Act covenants, permits or land use contracts or floodplain bylaw specifications.

Of seven LTCs within the Northern Region of the Islands Trust, six LTCs (Denman, Gabriola, Gambier, Hornby, Lasqueti and Thetis) have adopted "*Board of Variance Establishment and Procedure Bylaws*" that are identical and allow for either the establishment of a BOV for each individual LTC or for a joint Board. The Executive Committee Acting as a Local Trust Committee (Ballenas – Winchelsea Islands) (EC as LTC (B-W)) has a much older bylaw and it is not consistent with the other bylaws. This bylaw does not allow for a joint BOV.

In the recent past a BOV was established for each of the Northern Local Trust Areas (LTA), with several of the appointments consisting of the same individuals to several Islands' BOVs. All member terms have expired. Under the LGA, sec 899(6), an appointment to a board is for the later of a) 3 years or b) if no successor has been appointed at the end of the 3 year period, until the time that a successor is appointed. However, some individuals are no longer available, nor interested in serving on the BOV. See attached table.

The seventh LTC, the EC as LTC (B-W) will need to establish a new bylaw as the current bylaws are outdated. A draft was proposed in 2010 but not adopted.

During the period 1993 until 2007, the Northern Region, received 17 applications to BOVs. These applications are broken down as follows: Denman Island – 4; Gabriola Island – 9; Gambier Island – 3; Hornby Island – 2 and Thetis Island – 1. From 2007 until 2014, no further applications to any BOV have been received.

Although there are very few applications to any of the BOVs, establishment of a BOV is a mandatory requirement of the LGA, as noted above.

As per the requirements of Section 899 of the LGA and the relevant "*Board of Variance Establishment and Procedure Bylaws*" a BOV must consist of three members and appointees must not be members of advisory planning commissions for the LTA and must not be an officer or employee of the Islands Trust. The LTC has a duty to appoint a new board under s. 899(5.1) of the LGA. Should any LTCs receive an application to their BOV at this time, a significant delay, at minimum, three months, would be experienced by the applicant as a result of an outdated BOV. This delay is anticipated based on the length of time required to advertise or recruit for Board members, evaluate applicants, and train those applicants selected. The LGA recognizes the burden this duty places on local governments and also indicates that a LTC could establish a joint BOV with any municipality, regional district, or with another LTC. In the past, the Islands Trust has established three BOV's – Northern, Southern, and Salt Spring Island.

Relevant Policy and Land Use Considerations

Trust Council Strategic Plan

N/A

Islands Trust Policy Statement

All administrative procedure bylaws are considered to be in compliance with the policy statement and the object of the Islands Trust.

Official Community Plan

N/A

Land Use Bylaw

A BOV is a mandatory requirement of any local government who has a zoning bylaw.

Islands Trust Fund

N/A

Bylaw Enforcement

N/A

Climate Change Mitigation and Adaptation

N/A

Analysis

LTCs are requested to discuss and decide whether they wish to pursue a joint BOV or to pursue an independent BOV for their LTA.

It can be quite a job to recruit and appoint members and manage BOVs for each island, especially those with a very small population. Finding three interested people and maintaining their interest when applications may be few is a challenge.

An issue that has arisen with the BOV system where each LTC has its own BOV is that there are an insufficient number of applications on most islands to permit board members to become familiar with the bylaws, the issues and the process. Establishing a joint board would allow members to become more experienced and effective. At the same time, a joint board can provide a degree of greater independence and objectivity in comparison to five separate boards appointed for each local trust area by each LTC.

The main challenge with establishing a joint board is in achieving consensus in appointments among the five LTCs.

Project Scope and Timeline

The scope of the project is as defined in the attached Project Charter. The timeline of the project is dependent on staff resources and requirement to adopt any potential bylaws or bylaw amendments that may be required. The proposed timeline is attached in the Project Charter; however, it is anticipated that members to a BOV could be appointed as soon as May / June 2015.

Resources and Roles

This initiative will be led by the Northern Office Legislative Clerk in conjunction with the Regional Planning Manager and Island Planners.

Outside of staff time, the only resources that may be required would fund advertisements intended to recruit new appointees.

Communications

Past members of each BOV will be contacted to thank them for their past service and to canvas them for interest in re-appointment.

Should advertisements be required they will be placed in relevant newspapers and posted at the Islands Trust notice locations on the Islands.

Project Charter

A Project Charter has been attached for endorsement.

Next Steps

Upon endorsement of the Project Charter, Staff will action the completion of this Staff Report, and the attached Project Charter.

Summary of Staff Recommendations

LTCs are requested to discuss and decide whether they wish to pursue a joint BOV or to pursue an independent BOV for their LTA. Staff recommends that LTC's agree to pursue a joint BOV in order to realize:

- efficiency of staff time in recruiting and monitoring membership;
- greater success in filling positions on the BOV; and
- greater effectiveness of the BOV as it will receive more applications as a joint board and will develop experience.

RECOMMENDATIONS:

That the _____ Local Trust Committee direct staff to advertise for membership in a Board of Variance appointed jointly with other local trust committees in the Northern Region.

Prepared and Submitted by:

Lisa Webster-Gibson

February 17, 2015

Lisa Webster-Gibson, Legislative
Clerk

Date

Concurred in by:

Courtney Simpson

February 17, 2015

Courtney Simpson, RPP MCIP,
Regional Planning Manager

Date

Attachments:

1. Board of Variance Membership Northern Region

Northern Region Board of Variance Membership

Report dated February 17, 2015

Local Trust Area	Member Name	Home Address	Member Term
Denman, Hornby & Lasqueti	George Buvyer	Hornby Island	2005-2008
	Leagh Farrell	Hornby Island	2005-2008
	Gillian Rambold	Victoria	2005-2008
Gabriola	George Buvyer	Hornby Island	2006-2009
	Gail Lund	Gabriola Island	2006-2009
	Barbara Williamson	Gabriola Island	2006-2009
Gambier	Ken White	Gibsons	2008-2011
	Wolf Wiedermann	Gambier Island	2008-2011
	Glen Young	Vancouver	2008-2011
Thetis	Roland Cook	Salt Spring Island	2006-2009
	Steve Frankel	Thetis Island	2006-2009
	Jack Woodward	Salt Spring Island	2006-2009