



A NOTICE OF A BUSINESS MEETING OF **THE GAMBIER ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:30 AM on Thursday, January 31, 2013
at Gibsons Library,
470 South Fletcher Road, Gibsons, BC

AGENDA

		Page No.	*Approx. Time*
1.	CALL TO ORDER		10:30 am
2.	APPROVAL OF AGENDA		
3.	MINUTES		
3.1	Local Trust Committee Meeting Minutes dated December 13, 2012 – <i>for adoption</i>	1-12	
3.2	Local Trust Committee Special Meeting Minutes dated December 13, 2012 – <i>for adoption</i>	13-17	
3.3	Section 26 Resolutions Without Meeting - <i>none</i>		
3.4	Gambier Island Advisory Planning Commission Minutes - <i>none</i>		
4.	BUSINESS ARISING FROM MINUTES		10:40 am
4.1	Follow-up Action List dated January 22, 2013 - <i>attached</i>	18-19	
4.2	Greenshores Development Workshop – <i>verbal update</i>		
5.	CHAIR'S REPORT		
6.	TRUSTEES' REPORT		
7.	DELEGATIONS		
8.	TOWN HALL SESSION		10:50 am
9.	CORRESPONDENCE <i>Correspondence specific to an active development application and/or project will be received by the Gambier Island Local Trust Committee when that application and/or project is on the agenda for consideration.</i>		
9.1	Letter dated November 22, 2012 from Sunshine Coast Regional District regarding Howe Sound Community Forum - <i>attached</i>	20-37	11:10 am

10.	LOCAL TRUST COMMITTEE PROJECTS		11:20 am
10.1	GM-LUB-2011.2 (Associated Islands Land Use Bylaw Review Project) Staff Report dated January 8, 2013- <i>attached</i>	38-101	
10.2	Riparian Areas Regulation Communications 10.2.1 Draft Brochure - <i>attached</i> 10.2.2 Consultants Report - <i>attached</i>	102-103 104-112	
11.	APPLICATIONS AND PERMITS		1:00 pm
11.1	GM-RZ-2012.1 (Reel 17 Investments Ltd.) Staff Report dated January 4, 2013 - <i>attached</i>	113-130	
12.	BYLAWS		2:00 pm
12.1	Draft Bylaw No. 120 cited as the "Gambier Associated Islands Land Use Bylaw, 2013". – <i>for consideration of first reading (attached to staff report 10.1)</i>		
12.2	12.2.1 Staff Report dated December 18, 2012 - <i>attached</i> 12.2.2 Proposed Bylaw No. 116 as amended cited as "Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011" - <i>for consideration of third reading and submission to Executive Committee for approval</i>	131-137 138-176	
13.	REPORTS		2:15 pm
13.1	Work Program Reports Top Priorities Report and Projects List dated January 22, 2013 - <i>attached</i>	177-179	
13.2	Applications Log Report dated January 22, 2013 - <i>attached</i>	180-183	
13.3	Trustee and Local Expenses Expenses posted to December 31, 2013 - <i>attached</i>	184	
14.	NEW BUSINESS		
14.1	Local Trust Committee Covenants – <i>for discussion</i>		
15.	ISLANDS TRUST WEBSITE		
15.1	Gambier page – <i>attached</i>	185-186	
16.	NEXT MEETING Thursday, March 21, 2013 at 10:30 am at Gibsons Library, 470 South Fletcher Road, Gibsons, BC		
17.	ADJOURNMENT		3:00 pm

*Approximate time is provided for the convenience of the public only and is subject to change without notice.

DRAFT

**MINUTES OF THE GAMBIER ISLAND LOCAL TRUST COMMITTEE MEETING
HELD ON THURSDAY, DECEMBER 13 AT 10:30 AM AT
WEST VANCOUVER SENIORS CENTRE, 695-21ST STREET
WEST VANCOUVER, BC**

PRESENT:	David Graham	Chair
	Jan Hagedorn	Local Trustee
	Kate-Louise Stamford	Local Trustee
	Sonja Zupanec	Island Planner
	Diane Corbett	Recorder

There were sixteen (16) members of the public in attendance.

1. CALL TO ORDER

Chair Graham called the meeting to order at 10:39 am and introduced staff in attendance.

2. APPROVAL OF AGENDA

The Agenda was adopted as amended by consensus as follows:

- Move to after section 10.1: sections 3 and 4
- Add 10.1.3: Late Correspondence package
- Add: 14. 3 New Brighton Dock Divestiture

5. CHAIR'S REPORT

Chair Graham reported that Trust Council met two weeks previously on Salt Spring Island for their quarterly meeting. Highlights included a presentation by the manager of the Agricultural Land Commission and finalization of the budget package that will go to the public for comment.

6. TRUSTEES' REPORT

Trustee Hagedorn attended a planning meeting via telephone; a geo-exchange system was discussed as was the bylaw notification bylaw. Trustees are supporting development of a toolkit to use planning tools to encourage water quality.

Work with the Sunshine Coast Regional District is being undertaken regarding strategies around parks and trails in the Trust Area. Trustee Hagedorn met with Sunshine Coast Regional District staff regarding garbage pick-up in 2012, where successes, what could be improved, and toxic waste were considered.

Trustee Hagedorn participated in the November 17, 2012 celebration of the recovery

of Howe Sound and Lions Bay. The trustee requested staff to work on procedures around community information meetings on the web, something to look at for the future.

Trustee Stamford noted that she and Trustee Hagedorn were trying to combine their efforts and found that working together was more effective than working separately. She had met with the Sunshine Coast Regional District regarding furthering parks strategy and the garbage collection program. She was at the November 15, 2012 Sunshine Coast Regional District Planning and Development Committee, where it was recommended to defer first reading of the Burnco application for rezoning of McNab Creek, and attended an Sunshine Coast Regional District Public Wharves Advisory Committee meeting on December 3, 2012.

Trustee Stamford had met informally with members of the Future of Howe Sound Society. She was working with the Gambier Community Association to map how its linear parks and road rights-of-way could be opened up for the island. Regarding the New Brighton dock, the primary location for ingress and egress at Gambier, little information was available on the divestiture process underway.

At Trust Council there was a lot of discussion on the ferry consultation process. Trust Council had forwarded a list of concerns to the Ministry of Transportation and Infrastructure. Trustee Stamford commented that it is a bigger issue than the ferries; it is a question of transportation as a whole.

7. DELEGATIONS

7.1 *Ruth Simons of Future Howe Sound Society regarding Burnco*

A copy of a letter dated November 30, 2012 was distributed with the agenda, addressed to the Sunshine Coast Regional District Chair and Planning staff from the Future of Howe Sound Society regarding the Sunshine Coast Regional District staff report on the Burnco rock product rezoning application.

Ms. **Ruth Simons** commented that the Future of Howe Sound Society was committed to the conservation and stewardship of Howe Sound for the benefit of present and future generations. She introduced other members of the delegation: Bill McNee, Lea Bancroft, Jeff Gau, and Peter Finley. Ms. Simons announced that the delegation would be submitting to the Trust Committee a petition with 1625 signatures regarding concerns on the proposed gravel mine at McNab Creek.

Peter Finley, Chair of the Future of Howe Sound Society, noting that the Burnco application would be referred by the Sunshine Coast Regional District to the Gambier Island Local Trust Committee, indicated that the delegation was present to speak of the issues the Future of Howe Sound Society sees with the application.

Issues raised by Mr. Finley included:

- There is an incompatibility of the proposal with the established uses in

and around the area, such as children's camps, an established recreational community, a prawn fishery and salmon bearing streams.

- It is critical to have a regional plan for the whole area in introducing new industry; the implications of the project go beyond the proposed site. There is concern about the lack of planning on a comprehensive basis. It is a complicated area, with multiple jurisdictions. It is time there is a planning process put in place.
- There is concern about the staff report regarding this application that was on the November 15, 2012 Planning and Development Committee agenda. Mr. Finley thought it appeared to be superficial in its analysis, and have taken statements from Burnco at face value. The Burnco proposal has to be thought of in light of the "We Envision" core values. It is critical there is critical analysis.
- There is an assertion of economic value contributed. It would be only twelve jobs. Mr. Finley was concerned the impact could have a greater jobs loss in other areas, such as eco-tourism, destination tourism. Environmental remediation in the area without taking those in account would be a big mistake.
- The commentary in the report is that this is not a sensitive project, yet this is one of the last intact natural watersheds in the Howe Sound region. Mr. Finley urged trustees to be very critical of the comments made.

Mr. Finley asserted that it is time to develop a regional plan and promote it with other regional districts and municipalities. He announced that the Future of Howe Sound Society would be holding a regional forum on April 13, 2013. Their intention is that this forum would move the process toward development of a plan for the area.

Mr. Finley requested input from the Local Trust Committee on issues that could be considered at that forum and who should be invited. He emphasized that this type of proposal should not be looked at until there is the opportunity to develop a regional plan, to consider on a greater socioeconomic basis.

Trustee Hagedorn expressed support for a forum and that now was the right time to bring that together.

Trustee Stamford pointed out that the rezoning application would not affect the ability of the company to mine the site. There would be more barge traffic removing raw gravel from the site if the rezoning were not approved, something the trustee was concerned about.

Mr. Finley emphasized the need for an overall plan, in light of the complexity and interconnectedness within the region and the overall socioeconomic impact of the proposed activity, and noted concern about the lack of consultation of the proponent with the Future of Howe Sound Society. He asserted that it is important that there be more dialogue and understanding.

Trustee Hagedorn commented that nearby communities that have gravel extraction activities were concerned about this proposal.

A constituent indicated it was his understanding that rezoning was needed for two applications, a processing facility and barge-loading terminal. He expressed concern that, even if processing were not permitted, it was possible barge loading could be permitted.

Mr. Finley, referring to the garbage removal day in the Gambier Trust Area, mentioned that recyclables had not been accepted, and recommended that those are items that need to be removed.

The delegation left the meeting at 11:08 am.

8. TOWN HALL SESSION

Lynne Leboe of East Trail Island pointed out the Islands Trust should look at its mandate and that it has nothing to put on the table when this type of action happens in the area.

Ms. Leboe explained that she could not understand how purchasing under Bylaw 96 differs from Pasley shareholder agreements. She commented on observed changes of definitions as the bylaw process has unfolded, such as the definition for the M2 zone, no longer allowing mooring buoys. She also pointed out that the definition of community dock was changed to indicate that a community dock would need to be articulated at the same time as the bylaw.

Another constituent from East Trail Island commented that it appeared that if the community dock locations were not predetermined before the bylaw goes through they would not be allowed with the zoning. He inquired whether “upland lot” included the waterfront, to which staff replied in the affirmative. He was concerned that there were only a few locations where mooring buoys would be safe, and that this location would be allowed within the zoning.

It was noted that historical access to East Trail Island has been a protected cove.

Mark Hugdahl of East Trail Island distributed and discussed a chart outlining issues and questions of East Trail Island property owners pertaining to the land use bylaw. He described the island: 54.6 acres, 26 private lots, average lot size 1.6 acres, subdivision approval in 1968 under Bylaw 96. There was not much restriction under that bylaw, which allowed two dwellings per lot and no water zone restrictions. There are no services for power, water, sewer, and telephone landlines. Owners use green technologies; there is very little development. Marine access was cited as the biggest problem, as there is only one sheltered cove. There is currently one dock, privately owned, off lot 23, used by several people as a “semi” community dock, which is not adequate. The island needs a community dock.

Heather Scott of East Trail Island inquired if permission of adjacent owners would be required to utilize the road allowance to the cove.

Staff explained that permission would not be required but that consultation would be needed.

Mr. Hugdahl commented that he did not think that location was suitable for a dock in light of the rock in the cove and a reef; it also is very shallow off the road right-of-way.

Planner Zupanec pointed out that that was the only location the island had with the potential for public access to the water with appropriate upland access already in place.

Discussion ensued regarding the situation on East Trail Island. The property owners wanted the option of allowing a community dock all around the island, and did not want zoning to be in the way of where owners put a community dock.

Ms. Scott inquired if it would be possible to rescind the second dwelling restriction.

Chair Graham acknowledged this concern.

Ms. Leboe commented on access for barges, noting that tides shift and currents change over the year.

Mr. Hugdahl summarized the views of the East Trail Islanders: support for a second dwelling right; fines of \$2000 do not seem fair; zoning Small Rural Residential is not suitable, should be Rural Residential 1; prefer eleven metre height allowance; preference for ability to have three auxiliary buildings. He proposed a compromise that accepts the one dwelling but allows three accessory dwellings and a guest cabin and a build out restricted to 3200 square feet.

Monty Wood commented on building heights and the average of the grade.

Bill Sievewright of Day Break Camp on Anvil Island spoke of the proposed 100-foot setback on all property lines except water as having a substantial impact on portions of the property, and that would affect water intake lines and appeared to impact dorms and a caretaker's cabin. He noted that Day BreakCamp had reduced the size of the sound system by a factor of three.

Staff discussed the need for the setbacks as a buffer to the adjacent residential properties.

Carl Gustavson of Thormanby Island spoke of sustainability, high water impacts, and the eroding bank on Thormanby. Island owners want decreased rear setbacks; some lots have had severe impact due to slides. The high water coming up to the front of cabins has brought driftwood under some decks. Owners of lots 1-9 were able to get consensus on an approach: a reduced rear setback to one metre, and reduced front setback on lots 8 and 9 to be based on the current setback. The only solution is to build up and back to achieve a buildable area. Mr. Gustavson did not support proposed changes for the Small Rural Residential zone on Thormanby as noted in Attachment 1 of the Staff Report.

Two owners from Tikki Island requested that an allowance for 20 meters between dwellings be considered. Measurements were taken and there was a distance of around 121 to 123 feet between cabins. It was also proposed that any build out

require that a portion of the dwelling be kept on the original footprint. They suggested that flexibility would be created and issues addressed by allowing the 20 metres.

Bill Sievewright discussed with staff permitted uses in section 5.7, Private Institutional, requesting that the wording be left as it was previously. Planner Zupanec indicated that the wording came from a legal opinion to better reflect modern language and that she would investigate further to see if added changes were more restrictive.

Doug from **North Thormanby** expanded upon the comments of Mr. Gustavson, noting that the owners were trying to preserve what they have, not trying to gain density or encroach on neighbours. He noted that, in the event of a catastrophic event like a fire, some lots would be nonconforming once the bylaw was in place. In light of that and environmental issues regarding tides and the 2:1 slope in the rear, owners were trying to render some kind of relief regarding the front and rear setback. There is a road allowance of two feet in front. The steep slope behind had come down twice since the 1940's. There are three generations of people who have used the island for sixty years. In the case of a catastrophic event, it would not be possible even to build what is there now. The constituent wanted a survey and to have the setbacks such that it is set based on where the house is now as opposed to conforming to a particular setback.

Trustee Stamford thanked the public for the valuable input.

9. CORRESPONDENCE

Correspondence specific to an active development application and/or project will be received by the Gambier Island Local Trust Committee when that application and/or project is on the agenda for consideration.

None.

The meeting recessed at 12:00 pm and resumed at 12:08 pm.

10. LOCAL TRUST COMMITTEE PROJECTS

10.1 GM-LUB-2011.2 (Associated Islands Land Use Bylaw Review Project)

10.1.1 Staff Report dated December 3, 2012

Planner Zupanec reviewed the staff report dated December 3, 2012, and noted that this draft of the land use bylaw was for the purposes of discussion. She outlined the process of the development of the current draft.

Staff recommended that the Local Trust Committee not consider first reading at this time, and take care of changes needed for a revised draft and first reading.

Responding to an inquiry from Trustee Stamford, staff explained the referral process and the role of the Sunshine Coast Regional District. Sunshine Coast Regional District Planning staff had not flagged anything of concern in the draft bylaw so far.

The Local Trust Committee considered revisions based on staff identified issues. Members of the public offered comment.

Changes to the draft land use bylaw as endorsed by the Local Trust Committee at the meeting are noted in the chart below.

No.	Section or Regulation	Identified Issues and Potential Revisions
1	Entire document	(See 'track changes' in draft LUB). Comprehensive planning and legal review has resulted in the identification of several necessary revisions to clarify definitions, regulations, and administrative inconsistencies. Staff recommends all identified revisions identified throughout the document by 'track changes' be incorporated into the draft bylaw. LTC endorsed several of the 'track changes' to be incorporated into the draft bylaw, including several changes discussed at the meeting that were not identified by staff.
2	5.1(5) SRR Zone	Permit 2 accessory buildings, exclusive of utility and woodsheds for all properties within the SRR zone. No change.
3	5.1(8) SRR zone	Increase maximum height for any accessory building or structure within the SRR zone to 5.2 metres (17 feet) and one storey. LTC endorsed change.
4	5.1(6) SRR zone	Decrease the setbacks for lots 1 – 9 of District Lot 1017, Plan 5972 (BC Tel cottages) to 4.5 metres from any front or rear lot line. Maintain 1.5 metre setback from interior or exterior side lot line. LTC endorsed change.
5	5.2(10) RR1(a) Tiki Island	Decrease maximum lot coverage to 6.33% for each dwelling, associated buildings and structures. Delete floor area regulation. Include a 20 metre setback for any dwelling from any other dwelling. LTC endorsed change.
6	5.2(10) RR1(b) Jack Tolmie Island	Re-establish the 2 dwelling density provision for Jack Tolmie Island. LTC endorsed change.

No.	Section or Regulation	Identified Issues and Potential Revisions
7	5.2(10) RR1(f) Sand Island, Buccaneer Bay	Include a new site specific zone to recognize historic density of 2 dwellings on the 4.3 acre subject property. LTC endorsed change.
8	5.7(5) PI1 – Daybreak Point Bible Camp, Anvil Island	Amend the PI1 zone setback regulations to include a new interior setback of 30 metres to create a buffer between the camp and adjacent residential uses. Maintain 7.5 metres to the natural boundary of the sea. LTC endorsed change.

The meeting recessed at 1:36 p.m. and reconvened at 1:55 p.m.

10.1.2 Correspondence Package up to and including December 3, 2012

Correspondence related to the draft Land Use Bylaw was received as follows:

- Email dated November 8, 2012 from Lynn Leboe
- Email dated November 13, 2012 from Jay Munsie
- Letter dated November 29, 2012 from property owners of East Trail Island
- Email dated November 23, 2012 from Dan Grice
- Email dated November 13, 2012 from Barry Drummond
- Email dated November 23, 2012 from Eva Kleinman and Randy Eckert
- Email dated November 24, 2012 from Lynne Leboe
- Email dated November 17, 2012 from David Sheffield

10.1.3 Late Correspondence package

Late correspondence related to the draft Land Use Bylaw was received as follows:

- Email dated November 13, 2012 from Jay M. Munsie
- Letter dated November 29, 2012 from Heather Scott
- Email dated November 23, 2012 from Dan Grice
- Email dated November 13, 2012 from Barry Drummond
- Email dated November 23, 2012 from Eva Kleinman and Randy Eckert
- Email dated November 24, 2012 from Lynn Leboe
- Email dated November 17, 2012 from David Sheffield
- Email dated November 29, 2012 from Tor Hugdahl and Valerie Hurgdahl
- Email dated December 3, 2012 from Duane Bates
- Email dated December 3, 2012 from Montgomery Wood
- Letter dated December 5, 2012 from property owners of East Trail Island
- Email dated December 5, 2012 from Bruce Rea

- Email dated December 5, 2012 from Jonathan and Diane Ehling
- Email dated December 5, 2012 from Lynn Leboe
- Email dated December 7, 2012 from Karl Gustavson
- Email dated December 7, 2012 from John Simson
- Email dated December 7, 2012 from Allan Meyer
- Letter dated December 9, 2012 from Wendy Harrington

GM-066-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee endorse the proposed amendments to the draft land use bylaw (GM-LUB-2011.2) for the Associated Islands as amended by the Gambier Island Local Trust Committee at its meeting on December 13, 2012;

And that staff update the draft into bylaw format for consideration of first reading at the next Local Trust Committee regular business meeting.

CARRIED

Chair Graham requested that the document entitled "Future of Howe Sound Forum Principles of Cooperation" be added to the next agenda with a brief report from staff.

3. MINUTES

3.1 Gambier Island Local Trust Committee Meeting Minutes dated October 25, 2012

The minutes of the Gambier Island Local Trust Committee meeting dated were adopted as amended by consensus:

- Page 11, item 16, line 2 should read "10:30" not "11:00".

3.2 Section 26 Resolutions Without Meeting

Resolutions Without Meeting Log dated December 4, 2012 was received for information.

3.4 Gambier Island Advisory Planning Commission Minutes – None

There were no Gambier Island Advisory Planning Commission minutes.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated December 4, 2012

Planner Zupanec provided an update on the Follow-Up Action List dated December 4, 2012.

4.2 *Riparian Areas Regulation Communications Project*

Planner Zupanec explained that, as no expressions of interest had been received regarding doing the communications project, a Gabriola consultant had been hired to do the work. The consultant had been working to take all samples of the Riparian Areas Regulation work done within the Islands Trust and would produce a sample more relevant to Gambier Island. The output of the work would be seen by the Local Trustee Committee in March.

Trustee Stamford mentioned that the trustees would be available to provide further information to consultants if needed.

4.3 *Shoreline Mapping – Keats and Thormanby Islands*

Planner Zupanec reported that Murdoch de Greeff was hired to conduct the shoreline mapping of Keats and Thormanby Islands to be finalized early next year; the work should be seen at the second Local Trust Committee meeting of 2013.

4.4 *Discussion on Greenshores for Homes Project*

Available dates were discussed for a shoreline mapping workshop, to be held via teleconference or videoconference with consultants in Victoria.

GM-067-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee hold a workshop for only Greenshores in West Vancouver on March 20, 2013 in the evening.

CARRIED

11. **APPLICATIONS AND PERMITS** – *None*

12. **BYLAWS** – *None*

13. **REPORTS**

13.1 *Work Program Reports*

The Top Priorities Report and Projects List dated December 4, 2012 was received for information.

13.2 *Applications Log*

The Applications Log Report dated December 4, 2012 was reviewed.

13.3 *Trustee and Local Expenses*

The expenses reports posted to October 31, 2012 and November 30, 2012 were received for information.

14. **NEW BUSINESS**

14.1 *Web Based Community Information Meetings*

Planner Zupanec explained that staff were willing to provide support to the LTC to help deliver community information meetings electronically.

GM-068-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee request the Director of Planning to support the Gambier Island Local Trust Committee to pilot in-house technology measures to record, broadcast and post community information meetings electronically this term.

CARRIED

14.2 *Local Trust Committee Meeting Agenda Formats for 2013*

Responding to an inquiry from Planner Zupanec, the Local Trust Committee expressed an interest in arranging meeting agenda formats as they were done in previous years, with the regular business meetings as well as special meetings for projects that do not include business items like budget reports and application lists. This would allow more time for applications and projects.

14.3 *New Brighton Dock Divestiture*

Trustee Stamford discussed the challenges she had experienced in seeking further information from Transport Canada regarding the divestiture of New Brighton dock. No public information had been provided by Transport Canada and there was no request for public input. Trustee Stamford had learned that Transport Canada was not interested in providing a public meeting on Gambier. The trustee noted there was a letter of agreement for divestiture of docks between Transport Canada and the Local Trust Committee that conveys the former will provide public meetings.

Discussion ensued. The actual occurrence of divestiture would not happen until 2014.

GM-069-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee request the chair to write a letter to Transport Canada citing our letter of agreement asking to be consulted on the divestiture of New Brighton dock, and requesting a public information meeting be held on Gambier Island.

CARRIED

15. **ISLANDS TRUST WEBSITE**

15.1 *Gambier Page*

Staff was requested to add the following items to the website:

- Newsletter of November 2012;
- Staff Report dated December 3, 2012 regarding Proposed Land Use Bylaw – Associated Islands within the Sunshine Coast Regional District (SCRD).

GM-070-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee close the next part of the meeting to discuss matters pursuant to Section 90(1)(d) of the Community Charter to consider adoption of Closed Meeting Minutes and that staff be invited to attend.

CARRIED

16. CLOSED MEETING

Chair Graham moved the meeting in camera at 3:40 pm.

17. RECALL TO ORDER

Chair Graham recalled the meeting to order at 3:50 pm.

18. NEXT MEETING

17.1 Next Local Trust Committee Regular Business Meeting

The next Gambier Island Local Trust Committee meeting is scheduled for Thursday, January 31, 2013 at Gibsons Library, 470 South Fletcher Road, Gibsons, BC,

19. ADJOURNMENT

The Gambier Island Local Trust Committee meeting was adjourned by consensus at 3:50 pm.

Recorder

Chair

DRAFT

**MINUTES OF THE GAMBIER ISLAND LOCAL TRUST COMMITTEE
SPECIAL MEETING TO HOLD A
COMMUNITY INFORMATION MEETING
HELD ON THURSDAY, DECEMBER 13, 2012 AT 5:00 PM AT
THE WEST VANCOUVER SENIORS CENTRE, 695-21ST STREET
WEST VANCOUVER, BC**

<u>PRESENT:</u>	David Graham	Chair
	Jan Hagedorn	Local Trustee
	Kate-Louise Stamford	Local Trustee
	Miles Drew	Bylaw Enforcement Coordinator
	Diane Corbett	Recorder

There were four (4) members of the public in attendance.

1. CALL TO ORDER

Chair Graham called the meeting to order at 5:01 pm and introduced the Local Trustees and staff in attendance.

2. APPROVAL OF AGENDA

The agenda was approved by consensus.

3. OPENING REMARKS FROM THE CHAIR

Chair Graham explained that the purpose of the meeting was to introduce the Bylaw Enforcement Notification Bylaw, and for Bylaw Enforcement Coordinator Miles Drew to explain what it is and respond to questions from the public. Chair Graham explained that the bylaw does not introduce any new bylaw infractions but is a tool for bylaw enforcement officers.

4. PRESENTATION ON PROPOSED BYLAW NO. 116 CITED AS “GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW ENFORCEMENT NOTIFICATION BYLAW, NO. 116, 2011”

In light of an incomplete Schedule B being attached to the proposed bylaw, staff was requesting the Local Trust Committee to rescind third reading of the Bylaw Enforcement Notification Bylaw, No. 116 that was given on October 26, 2011 and replace the Schedule B with the Schedule B as attached to the staff report dated January 18, 2012 regarding adoption of the bylaw.

Bylaw Enforcement Coordinator Drew remarked that this proposed bylaw was being

brought to the Local Trust Committees to determine whether they wanted to use it as a tool. Thus far, six Local Trust Committees have adopted the bylaw, several had decided not to, and some are considering it.

The Bylaw Enforcement Notification Bylaw came about because municipalities had indicated to the Province that the process of dealing with relatively minor violations was too onerous. In the present system, bylaw enforcement is initiated by complaint, and is very costly. The Province came up with a system in which there is not actually a formal charge where you go to court. It is a system, where a Bylaw Violation Notification Bylaw is adopted, where an equivalent to a ticket is written. The ticket can be disputed. The District of North Vancouver piloted the system, and works through an adjudication registry. Islands Trust goes through this registry for those Local Trust Committees who have adopted it.

The Bylaw Enforcement Notification Bylaw does not have to go through the court system. It has compliance built into it; it is possible to show a reduction in the fine for compliance, and to negotiate a compliance agreement, laying out the length of term for compliance. It is a good way of dealing with minor issues.

The Local Trust Committee endorsed the Bylaw Enforcement Notification Bylaw in June 2009, and asked for an Order In Council from the Province to be permitted to adopt the bylaw. The Local Trust Committee will give three readings to the bylaw, the Executive Committee must approve it, and the Local Trust Committee then adopts the bylaw and appoints screening officers.

Some advantages of the Bylaw Enforcement Notification Bylaw are as follows:

- eliminates the requirement for personal service of tickets;
- establishes an informal process to manage disputes over tickets;
- reduces costs for everyone;
- resolves issues quickly.

Tickets can be disputed in writing or by phone. Those who wish to appeal a ticket are required to request a judicial review.

Local Trust Committees must adopt a bylaw which lists fine amounts up to \$500. Fine amounts may be reduced if a compliance plan is implemented and for early payment. Bylaw officers will try to get compliance before the ticket is written, at an early warning stage.

Factors determining the fine include:

- cost of doing business or revenue-associated activities are generally given fine amounts of \$150 to \$300;
- avoidance of permit application costs are generally given fines of \$150 to \$300;
- nuisance or easily resolved violations are generally given fines of \$75 to \$250;
- environmental damage is generally given the highest fines of \$200 to \$500;
- early payment discounts of 25%;
- compliance agreement discounts are either 75% or 50% depending on the costs and ease of complying;
- lower discounts are not recommended as the violator can comply after receiving a warning from the bylaw enforcement officer.

When bylaw enforcement officers have issued a warning notice, they anticipate a response.

There are some categories in which the process is not initiated by complaint, including: environmental issues; advertising an unlawful use; and referrals from other agencies.

Bylaw violation notices may be delivered to the accused by hand or by mail to the address listed on land title records. A pre-hearing appeal is possible. A screening officer (not the notice issuer) can review the circumstances of the bylaw, violation notice and cancel the notice; negotiate a compliance plan and reduce the fine amount, or set a date for an adjudicator to hear a dispute of the notice. The Bylaw Enforcement Coordinator and the Regional Planning Manager are the individuals who negotiate compliance agreements.

The offender may attend adjudications in person, by telephone or by mail.

Adjudication hearings are conducted at the City of North Vancouver. Costs are shared by all of the north shore municipalities, including Bowen Island. The annual cost for the entire Islands Trust is \$3500 plus \$75 per hearing. Costs are recoverable from persons who lose the dispute. Decisions are made on the basis of what is reasonable.

5. **QUESTION AND ANSWER SESSION**

The Bylaw Enforcement Coordinator responded to questions and comments from members of the public, as follows:

- What happens if an offender doesn't pay?

A ticket would only be written if it would solve the issue. Writing a ticket is an option. If the offender does not pay the ticket, the issue could be taken to small claims court. If the offender did not show up at court, they could be arrested.

- How do you determine when to go to the next step?

A description of the process is described in the bylaw.

Bylaw Enforcement Coordinator Drew commented that he asks people to advise when they can comply. An agreement is made in writing. The offender pays a reduced amount. If they do not pay within the time period, they have to pay in full.

- You would be responding to a complaint, and then enter into a discussion with the property owner showing the rules and how we can come about to make a resolution?

Right. Nothing in those schedules is new; they are in the Land Use Bylaw. Bylaw Enforcement Notification is not about whether they are good or bad regulations.

- I represent other property owners on other islands. There is a lot of fear. Your tone is completely different.

Staff commented that this is a simple system to use and that maybe the fear is that the process would be implemented.

Trustee Hagedorn remarked that the bylaws are there for a reason; the community has decided. The process is also complaint-driven.

- Why have some other Local Trust Committees chosen not to adopt this system?

South Pender Island, in last five years, has had one complaint, and has a low population; they thought they would not need the bylaw. On Denman Island, there was concern they would be subject to regulations that don't fit what is happening on the island. On Hornby Island, they are working on a new Land Use Bylaw. North Pender and Gabriola have just adopted it.

- What have islands found that adopted it?

They found attention on the bylaw has just faded out. People aren't surprised, they know about tickets. What they do like is the opportunity to discuss the compliance agreements.

- Tikki Island is less than three acres with three owners who are tenants in common, so each own everybody's place. If someone makes a complaint, how do we deal with it?

The bylaw enforcement officer would research the Land Use Bylaw and then enforce it. The concern is whether it is a bylaw violation. If they do not agree with the bylaw, they can go to the Local Trust Committee. People who own property jointly get everything that is good or is bad on the property. It would depend on documentation on split of costs for joint ownership.

- Our thoughts were that there will be more enforcement of the bylaws... but it sounds like life will carry on.

There will be the same enforcement policies, with one more tool in the box. If this bylaw is adopted, it won't be as easy to ignore the Land Use Bylaw. It depends on whether or not you think you are in compliance. You can ask for a variance; that would be part of the discussion.

- Clearly bylaws are there to benefit everyone. It is there in case something does go wrong; it is defending all people.
- If a neighbor does something in contravention to the bylaw, there is another tool here to say to the bylaw officer: "This is a minor offense. Can you look into it?"
- A concern people have who don't live on their island is that they could incur a

repeated fine because they are not there and not aware if something is posted to their property.

In court, you have to convince the judge there has been an offense, and then speak to the sentence. It is compliance oriented.

Chair Graham asked if there were any more questions. There being none, Chair Graham adjourned the meeting and thanked the public for coming. He also thanked Bylaw Enforcement Coordinator Drew for the presentation. Chair Graham commented that the bylaw would be considered by the Local Trust Committee.

17. ADJOURNMENT

The Gambier Island Local Trust Committee meeting was adjourned by consensus at 6:10 pm.

Recorder

Chair



Islands Trust

Follow Up Action Report w/ Target Date

Gambier Island

1	Resolution: GMLTC Chair to send a letter to Transport Canada citing our letter of agreement regarding divestiture of New Brighton dock on Gambier and requesting a public information meeting be held on Gambier Island.	David Graham	On Going
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Jun-23-2010

No.	Activity	Responsibility	Target Date	Status
6	Archaeological Management - staff requested to contact First Nations in response to their invitation to arrange for a meeting to explore interim strategies to address management of archaeological and heritage sites.	Sonja Zupanec		On Going

May-12-2011

No.	Activity	Responsibility	Target Date	Status
1	Staff to prepare a report to GMLTC and Application Fee Committee of TC on the options available to recover costs associated with staff time processing requests for planning work outside the scope of applications (SRW request as example).	Sonja Zupanec	May-27-2011	On Going

Jul-05-2012

No.	Activity	Responsibility	Target Date	Status
1	GMLTC Resolution: That the GMLTC request the Northern Regional Planning Manager investigate the options to customize the southern islands' "Guide to Environmentally Friendly Building and Renovating" for the northern trust area and report back to the GMLTC. Nov. 2012 update: RMP investigating grant options, waiting to hear back from grants administrator on CAEE funding.	Courtney Simpson	Aug-31-2012	On Going

Oct-25-2012

No.	Activity	Responsibility	Target Date	Status
1	GM-DVP-2012.4 staff to work with applicant on bringing forward supplemental information for LTC consideration at a future LTC meeting.	Sonja Zupanec	Dec-13-2012	On Going

Dec-13-2012

No.	Activity	Responsibility	Target Date	Status
1	Minutes from October 25 GMLTC meeting adopted as amended.	Theresa Warren	Dec-31-2012	On Going
1	GMLTC supports a web based greenshores workshop in the early afternoon or evening of March 20 in West Vancouver; to be web broadcast for public participation on the internet. Sonya S. and Dave B. to facilitate contractors presentation from Victoria boardroom. Theresa to book appropriate meeting facility in West Vancouver for 2 Trustees and less than 20 members of the public; with projector; screen; internet and phone capability. The Welsh Hall West at the West Vancouver Memorial Library is booked from 3-9 pm on March 20, 2013 - to be updated when meeting times have been clarified. TW	David Beeston Sonya Sundberg Theresa Warren Sonja Zupanec	Dec-31-2012	On Going
1	GMLTC request the Director of Planning to support the GMLTC to pilot in-house technology to record, broadcast post CIMs electronically for the remainder of this term.	David Marlor	Dec-31-2012	On Going
1	GMLTC request staff to advise on the 'Principles of Cooperation' from the Howe Sound Community Forum request for GMLTC signatures at the next regular business meeting; and add to the agenda for discussion.	Sonja Zupanec	Jan-31-2013	On Going
1	GM-LUB-2011.2 Associated Islands LUB: staff to update the draft LUB with changes endorsed by the LTC; prepare the draft bylaw for first reading for January 31, 2013	Sonja Zupanec	Jan-31-2013	On Going

Sunshine Coast Regional District

1975 Field Road
Sechelt, British Columbia
Canada V0N 3A1

P 604.885.6800
F 604.885.7909
Toll free 1.800.687.5753

info@scrd.ca
www.scrd.ca



November 22, 2012

David Graham, Chair
Gambier Island Local Trust Committee
200 – 1627 Fort Street
Victoria, BC, V8R 1H8

Dear Chair David Graham,

Re: Summary of the May 25, 2012 Howe Sound Community Forum

As a member of the Howe Sound Community Forum, the Gambier Island Local Trust Committee was invited to attend a meeting of the Forum on May 25th as hosted by the Sunshine Coast Regional District. Unfortunately our office couldn't confirm this information was sent out earlier, so I am sending it again. This letter is intended to provide information about the meeting and summarize actions discussed at the meeting.

The agenda for the meeting was as follows:

1. 8:30 – 11:15am McNab Creek valley site visit
2. 12:00 pm Lunch
3. Call to order 1:00 pm
4. Introductions
5. Adoption of the agenda
6. Presentation by BURNCO. Howe Sound Community Forum Chair facilitated a question period.
7. Discussion of revised Howe Sound Community Forum "Principles for Cooperation".
8. Discussion of alternative to the Lower Mainland Treaty Advisory Committee (LMTAC)
9. Closing comments
10. Meeting adjourned 3:45 pm

Attached is a copy of the Howe Sound Community Forum meeting notes (formal minutes were not taken).

On page two of the meeting notes, Forum members requested that SCRD staff distribute a copy of the revised "Principles of Cooperation". These "principles" were discussed by an earlier Forum sub-committee in 2010-2011. At the meeting, the Forum suggested that each member organization receive the document and adopt it by resolution. Please inform Forum members of your organizations decision. Attached are copies of the current and revised "principles". A summary of the changes between the 2002 and the 2012 Principles for Cooperation include:

- Section 1. Statement of Purpose was reworded to include "cultural".
- Under Section 4. Common Vision, the vision "nurturing cultural heritage" was added.

- Under Section 5 Shared Values , the sentence “The Forum shares the following values and objectives” was added to the end of the first paragraph.
- Under Section 5 Shared Values Efforts towards Sustainability, “cultural” was added to the sentence.
- Under Section 6 Structure (The Members), the frequency of meetings was changed from quarterly to “annually, or more frequently, as requested by any member or as predicated by local issues”.
- Under Section 7 Activities (Action and Results), “are not expected to make decisions as a body” and “actions” and “individuals” were added to the first paragraph.
- Under Section 7 Activities (Action and Results), “appraise the public of topical and important matters that affect us all” was added.

An original for signature will be distributed at a later date once each member has adopted the new principles.

Further, the Sunshine Coast Regional District Board discussed the HSCF meeting at their June 28th meeting and adopted two resolutions. The first resolution is regarding the BURNCO aggregate proposal while the second is more specific to the HSCF.

251/12 Recommendation No. 4 *BURNCO*

THAT the staff report titled “Summary of the May 25, 2012 Meeting of the Howe Sound Community Forum” dated June 12, 2012 be received;

AND THAT the report be forwarded to Area F APC, Area E APC, West Howe Sound Community Association, and BURNCO Rock Products Ltd. for comments;

AND THAT staff commence research on the concerns raised in preparation for a possible rezoning application;

AND THAT staff contact Department of Fisheries and Oceans (DFO) to obtain information about:

- **DFO’s concerns that resulted in previous gravel applications being rejected.**
- **The role of McNab Creek and its relative importance with respect to fish stocks in Howe Sound.**
- **What studies are required for ground water analysis and the impact of the proposed lake on McNab Creek?**

AND THAT staff prepare a list of questions to be sent to BURNCO for a written response regarding the proposed aggregate mine in the McNab Valley which shall include:

- **Confirmation of the proposed volume extracted and the impact of extracting 4 million tonnes/year**
- **Examples of parks developed after mining in locations that have similar ecology to the McNab Creek site**
- **BURNCO’s implementation of a dark skies program**
- **Specific reclamation plans for the site**

- **Noise mitigation**

AND THAT staff obtain a legal opinion regarding the ability of limiting operating hours for a potential aggregate mine through zoning;

AND THAT this report and resolution be sent to BURNCO for response;

AND THAT staff write to the Town of Port McNeill inquiring as to what concerns and issues, if any, they have with respect to BURNCO's aggregate material shipping operation;

AND FURTHER THAT this resolution be forwarded to the Howe Sound Community Forum, Nicholas Simons, MLA and John Weston, MP.

251/12 Recommendation No. 5 Howe Sound Community Forum

THAT the Sunshine Coast Regional District send a copy of the staff report dated June 12, 2012 regarding the May 25th Howe Sound Community Forum to its members;

AND THAT the Regional District advise the Howe Sound Community Forum of the following recommendation made on May 25, 2012:

That the Howe Sound Community Forum consider a future meeting to discuss a concept of an aboriginal committee to address concerns, build relationships, share information and examine opportunities as well as discuss the membership composition of such a committee.

Please find attached a copy of the June 12th staff report.

Please contact me at (604) 885-6804 (ext 5) if you have any questions, or require further information.

Regards,



Teresa Fortin
Planner

Attachments:

- SCRD Staff Report dated June 12, 2012 including the meeting notes of the May 25th Howe Sound Community Forum
- 2002 Howe Sound Community Forum "Principles for Cooperation"
- Revised 2012 Howe Sound Community Forum "Principles for Cooperation"

cc: Howe Sound Community Forum members

SCRD STAFF REPORT

DATE: June 12, 2012

TO: Planning and Development Committee Meeting, June 21, 2012

FROM: Teresa Fortin, Planner

RE: Summary of the May 25, 2012 Meeting of the Howe Sound Community Forum

RECOMMENDATION

THAT the Sunshine Coast Regional District send a copy of the staff report dated June 12, 2012 regarding the May 25th Howe Sound Community Forum to its members;

AND THAT the Regional District advise the Howe Sound Community Forum of the following recommendation made on May 25, 2012:

That the Howe Sound Community Forum consider a future meeting to discuss a concept of an aboriginal committee to address concerns, build relationships, share information and examine opportunities as well as discuss the membership composition of such a committee.

BACKGROUND

In March 2012, the Sunshine Coast Regional District Board adopted a resolution to host a Howe Sound Community Forum (HSCF) to discuss the proposed aggregate mine in the McNab Creek valley by BURNCO.

The Howe Sound Community Forum consists of elected representatives from the District of Squamish, Resort Municipality of Whistler, Squamish First Nation, District of West Vancouver, Gambier Island Local Trust Committee, Village of Pemberton, Metro Vancouver, Squamish-Lillooet Regional District, Village of Lions Bay, Sunshine Coast Regional District, Bowen Island Municipality and the Town of Gibsons. The Forum was formalized in 2002 with the signing of the "Principles for Cooperation" document.

On May 25th BURNCO arranged for a morning site visit at the proposed McNab Creek site. Access to the site was by water taxi. The Forum meeting continued at a formal meeting at the Gibsons and Area Community Centre. Meeting notes are attached (Attachment A).

DISCUSSION

The morning group site visit consisted of Forum members, BURNCO staff/consultants and Regional District planning staff. The group was led by BURNCO representatives through the site. Questions and discussions evolved as participants walked through the area.

The first item discussed at the formal afternoon meeting was the revised Howe Sound Community Forum "Principles for Cooperation". The Forum requested that SCRDP Planning staff

obtain a copy of the revised Howe Sound Community Forum "Principles for Cooperation" showing the changes in the document from the original. Staff are requested to distribute a "track changes" version to forum members with a request that each member organization receive the document, and adopt it by resolution.

Planning staff have a copy of revised changes and will be distributing the document later in June.

The next item discussed was BURNCO's proposed aggregate mine. Derek Holmes, Project manager for BURNCO provided an overview of the project. He and other BURNCO representatives responded to a variety of issue specific comments and questions. For example questions respecting jobs, dust control, apprenticeship sponsorship programs, Environmental Assessment process, reclamation, visual impacts, need for the McNab Creek site; overburden stockpile, and community benefits were discussed.

The last item discussed was an alternative to the Lower Mainland Treaty Advisory Committee (LMTAC). The HSCF proposed the following recommendation:

That the Howe Sound Community Forum consider a future meeting to discuss a concept of an aboriginal committee to address concerns, build relationships, share information and examine opportunities as well as discuss the membership composition of such a committee.

CONCLUSION

Staff suggest that the Regional District send a copy of this staff report to the Howe Sound Community Forum members and advise Forum members of the May 25th recommendation.

Teresa Fortin
Planner

Howe Sound Community Forum Notes

Meeting hosted by the Sunshine Coast Regional District

May 25, 2012 8:30 am – 3:30 pm

Location: McNab Creek and Gibsons & Area Community Centre

Forum Members Present:

Meeting Chair Garry Nohr, Chair, Sunshine Coast Regional District
 Frank Mauro, Director Electoral Area A, Sunshine Coast Regional District
 Dave Ryan, Alternate Director Electoral Area D, Sunshine Coast Regional District
 Lorne Lewis, Director Area E, Sunshine Coast Regional District
 Lee Turnbull, Director Electoral Area F, Sunshine Coast Regional District
 Alice Lutes, Councillor, District of Sechelt
 Lee Ann Johnson, Councillor, Town of Gibsons
 Brenda Broughton, Mayor Village of Lions Bay **(meeting only)**
 Joanne Ronsley, Councillor, Village of Lions Bay
 Kate Stamford, Trustee, Gambier Island Trust
 Andree Janyk, Councillor, Resort Municipality of Whistler **(site visit only)**

Also Present: Troy Speedie, McNab Creek Estates Strata representative
 Ruth Simons, Village of Lions Bay representative & Sea 2 Sky Clean Air Society **(site visit only)**
 Mike Powell, President, BURNCO
 Darren Kelm, Property Manager, BURNCO
 Derek Holmes, Operations Manager, BURNCO
 Melanie Gaboriault, Communications Director for BURNCO
 Mark Johannes, Golder Associates, Environmental Lead for project
 John France, CAO, Sunshine Coast Regional District **(meeting only)**
 Paul Fenwick, General Manager Community Services, Sunshine Coast Regional District **(meeting only)**
 Steve Olmstead, General Manager Planning and Development, Sunshine Coast Regional District
 Sharon Heppner, Manager of Information Technology, Sunshine Coast Regional District **(meeting only)**
 Teresa Fortin, Planner, Sunshine Coast Regional District
 Four other BURNCO staff/consultants **(site visit only)**

Site Visit 8:30 am – 12:45 pm

BURNCO arranged a water taxi from the public dock to take those interested to visit their property at McNab Creek. The group was led by BRUNCO representatives through the site. Questions and discussions evolved as participants walked through the area.

Break for Lunch 12:45 – 1:15 pm

Meeting Called to Order 1:15pm

Agenda Adopted

Revised Howe Sound Community Forum “Principles for Cooperation”

SCRD Planning staff are requested to obtain a copy of the revised Howe Sound Community Forum “Principles for Cooperation” showing the changes in the document from the original. Staff are requested to distribute a “track changes” version to forum members with a request that each member organization receive the document, and adopt it by resolution.

Summary of BURNCO presentation and questions

BURNCO: Derek Holmes, Project manager for BURNCO provided an overview of the project. He and other BURNCO representatives responded to a variety of issue specific comments and questions, as follows:

- *Jobs*
Twelve full time jobs anticipated; operating normal working hours: M-F 7am-5pm. Twelve workers give capacity 1 million – 1.6 million tonnes...max 4 million tonnes full capacity, could create need for a second shift. Camp will have on-site caretaker. BURNCO wants to draw employees from the Sunshine Coast. There are numerous other support/spin off jobs. For example: water taxi, reforestation, professional foresters, brochures printed on Sunshine Coast
- *Dust control*
BURNCO uses wet water sprays, proprietary dust enclosures for processing facility, no fans.
- *Apprenticeship sponsorship program in BC?*
BURNCO noted that it is developing in house positions. Trying to train and retain younger workers.
- *Environmental assessment:* harmonized Prov/Fed assessment.
BURNCO is in the process of submitting the draft “Application Information Requirements” application (a formal project information document) to the Environmental Assessment Office. The document will include information requirements: key factors that will build the environmental assessment. There will be an opportunity for the public to review this document.
- *Reclamation*
BURNCO will be required to remove infrastructure after cessation of mining operations. Berms around the lake. No planned used of flocculants (used to precipitate fine matter in water suspension).
- *Visual impacts*
Concern was expressed about the potential for significant visual impacts of the property for strata residents, Lions Bay and travelers on the Sea to Sky Highway. BURNCO responded by noting the significant treed buffer along the ocean that would be retained and that a full visual

impact assessment would be undertaken as part of the EA process. A question was also made regarding light pollution at night". BURNCO confirmed it would implement dark sky polices.

- A comment was made about the provincial gravel pit in Lions Bay. Noise source for residents and a scar on the landscape.
- Concerns were raised about:
 - The impact on the community (strata) if there is an increase capacity to 4 million tonnes.
 - Impact on marine environment – water will fill in lake, how does this interact with Howe Sound as it is slowly recovering?
 - The Environmental Assessment process and how it deals with barge traffic impacts.
 - Mine reclamation.

With respect to noise issues, BURNCO indicated it will try modelling and monitoring sound. BURNCO is monitoring the ground water system to understand groundwater movement and anticipate possible impacts.

- BURNCO talked about examples of parks made from gravel pits in Calgary.
- A question was raised about whether the McNab Creek area. What did it look like before the industrial use? Will DFO/BURNCO be remediating existing channel to deal with silt? BURNCO stated that it would eventually build a new ground water channel system.
- A concern was noted that the number of jobs created won't balance out the impact on Howe Sound.
- A concern was noted that the value of Howe Sound as an international class tourism resource far exceeded the value for industrial use.
- Question/comment was made regarding the availability of gravel resources elsewhere. Why does BURNCO need this site?

BURNCO noted that few aggregate sites have tidal water access. It is obtaining gravel from north Vancouver Island – a 280 km trip to the plant facility on the Fraser River. The McNabb site would greatly lower GHG emissions for BURNCO's operation due to significant reductions in transportation.

- A comment was made that there is little information about the overburden stockpile. Height/longevity/how much material? BURNCO noted that they believe there to be approximately 1m of overburden around site (haven't calculated amount/height). A silt mix with topsoil to spread will be used on site as part of the mine reclamation. The overburden pile won't continue to grow – all the material will be usable.
- A statement was made that Gambier Island is not seeing any benefit from this proposal. Ten children's camps in area (visually). BURNCO indicated it was agreeable to considering some form of amenity.
- BURNCO indicated that another site visit possible if requested.
- BURNCO will initiate its rezoning application soon.

Howe Sound Community Forum

May 25, 2012 Meeting Notes

Page 4 of 4

Troy Speedie, Mike Powell, Darren Kelm, Derek Holmes, Melanie Gaboriault and Mark Johannes left the meeting @ 2:30 pm.

Lower Mainland Treaty Advisory Committee (LMTAC)

- What is the next phase? With the dissolution of LMTAC, the SCRD and SLRD don't have formal pathway to Federal Government processes and treaty tables.
- Is there something new local governments can do?
- What if we all had an organization and sat together to talk – not separate.
- In SCRD closer working relationships with the Squamish Nation is desired.
- Islands Trust is working to build relationships – 20 First Nation groups get Islands Trust referrals now.

1. Recommendation:

That the Howe Sound Community Forum consider a future meeting to discuss a concept of an aboriginal committee to address concerns, build relationships, share information and examine opportunities as well as discuss the membership composition of such a committee.

Concluding Remarks

The Village of Lions Bay offered to host next Howe Sound Community Forum.

Kate Stamford to give SCRD Planning staff, contact information for Bowen Island.

Meeting Adjourned @ 3:30 pm

HOWE SOUND COMMUNITY FORUM

PRINCIPLES FOR COOPERATION

To provide an overview of the need, purpose and structure for cooperative efforts by interested local governments and First Nations in the Howe Sound area.

1. STATEMENT OF PURPOSE

To provide a forum for local governments, regional districts and First Nations to discuss the maintenance and enhancement of the economic, environmental and social well being of the Howe Sound for the benefit of present and future generations.

2. RATIONALE (The Need)

The Howe Sound Community Forum will enhance collective action among local governments, regional districts and First Nations by:

- providing a common forum for dialogue;
- sharing knowledge and information to avoid duplication of effort and to enhance any single organization's capacity for action;
- promoting the use of transparent processes that encourage awareness and involvement.

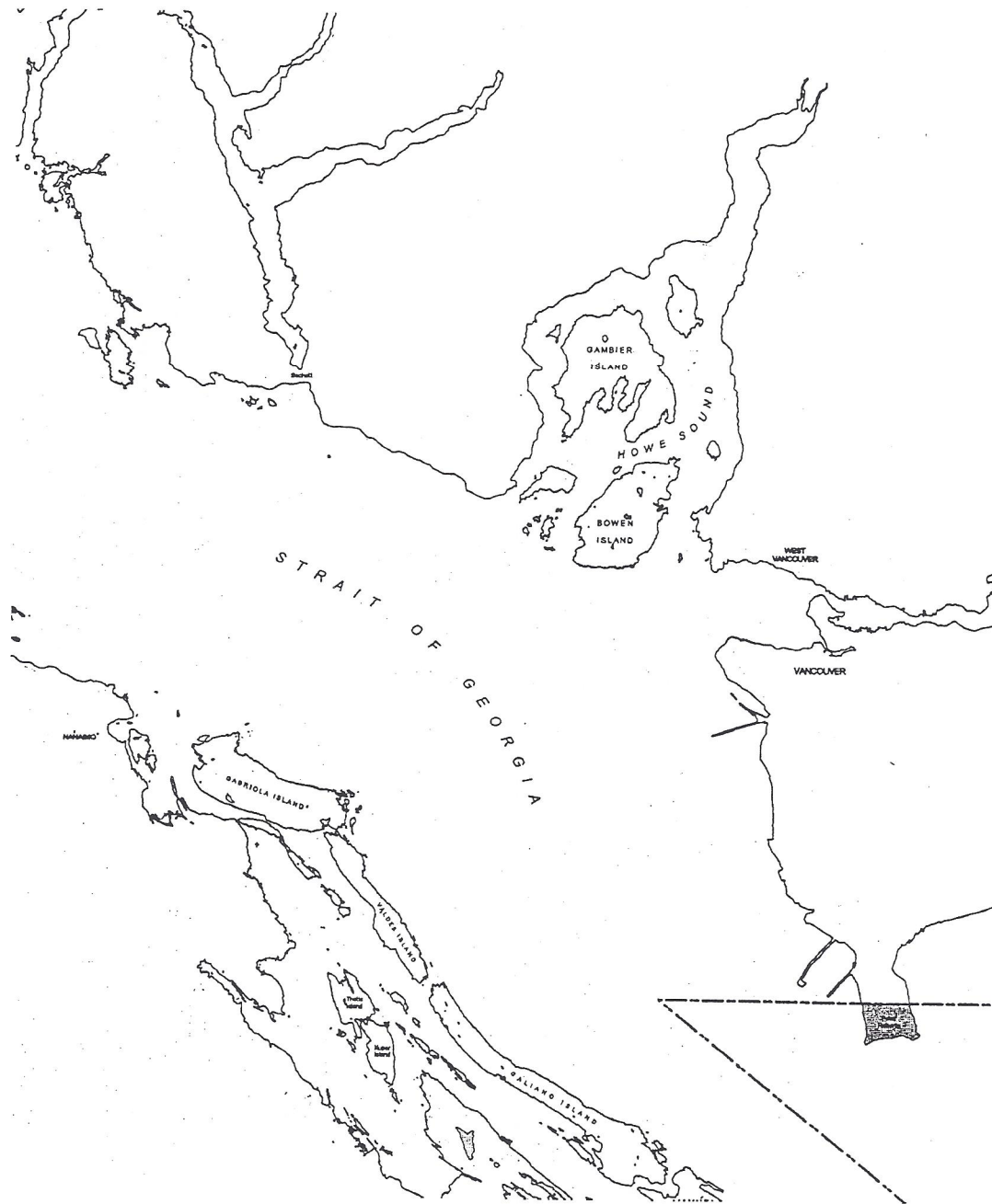
3. SCOPE (The Area)

The Howe Sound area includes the marine waters and all the municipal, regional district, local trust committee and First Nation lands that drain into these waters, the surrounding airshed on the east side of the Strait of Georgia between Point Atkinson and Gower Point, and interested adjacent communities.

4. COMMON VISION (The Future)

The Howe Sound Community Forum envisions that communities within the Howe Sound area can be healthy, productive and sustainable by:

- promoting compact and complete communities;
- encouraging safe and livable communities;
- encouraging an integrated transportation system;
- preserving a healthy and natural environment;
- supporting the sustainable use of resources;
- fostering a vibrant and dynamic economy;
- raising awareness about land use; and
- ensuring that the public is informed and encouraged to be active.



5. SHARED VALUES

The Howe Sound Community Forum will involve the collective efforts of a wide variety of interested parties including governments, First Nation communities, non-government organizations, the private sector, educational institutions and individuals to pursue the following values and objectives.

- **Value...Spirit of Sharing**
Objective – The many interests and organizations in the Howe Sound can strengthen the effectiveness of programs by openly sharing information and knowledge.
- **Value...Action Orientation**
Objective – The Howe Sound Community Forum will encourage groups to take actions that produce positive observable results and public benefit to communities.

- **Value...Efforts Toward Sustainability**
Objective – The Howe Sound Community Forum members recognize the need to effectively manage and maintain a balanced relationship between community development and the protection of unique biophysical qualities of the region.
- **Value...Need for Cooperation**
Objective – Local government and First Nation agencies and organizations will be encouraged to work together to overcome institutional limitations.
- **Value...Stewardship**
Objective – Voluntary action by individuals and organizations as a powerful and effective tool for achieving positive results is an objective of the Forum.
- **Value...Transcending Jurisdictions**
Objective – The Forum will encourage communities to work together for the greater good because territorial lines on a map mean nothing in terms of sustainability.
- **Value...Focus and Transparency**
Objective – Forum member programs will encourage clear objectives and use accountable processes that are available to Howe Sound Community Forum members and the public.
- **Value...Respect for Diversity**
Objective – It is recognized that while every member of the Howe Sound Community Forum may have a different focus or interest, they are encouraged to acknowledge a shared interest in the sustainability of Howe Sound.

6. **STRUCTURE (The Members)**

- A hosting community from the membership will act as the focal point and be responsible to coordinate meetings and agenda material.
- The hosting community will rotate among the Howe Sound Community Forum members and meetings will be held on a quarterly basis.
- Task forces or sub-forums may be established to focus on specific projects.
- Charter members of the Community Forum include elected representatives of:

District of Squamish
 Resort Municipality of Whistler
 Squamish First Nation
 District of West Vancouver
 Gambier Island Local Trust Committee
 Village of Pemberton

Greater Vancouver Regional District
 Squamish-Lillooet Regional District
 Village of Lions Bay
 Sunshine Coast Regional District
 Bowen Island Municipality
 Town of Gibsons

7. **ACTIVITIES (Action and Results)**

The Howe Sound Community Forum will achieve its objectives through activities that build on the talents and knowledge of its members by:

- Facilitating information exchange about local or regional projects;
- Supporting members in sharing information, research and best practices;
- Identifying areas of public policy that require attention and projects that deserve the support of the Forum members;
- Assessing progress through benchmarks, monitoring, and program assessments; and
- Promoting transparency and accessibility by the Forum members.

Therefore, all parties of the Howe Sound Community Forum commit to respecting the Principles for Cooperation.

Approved by the **District of Squamish** this 20th day of September 2002.



Corinne Lonsdale
Mayor

Approved by the **Resort Municipality of Whistler** this 20th day of September 2002.



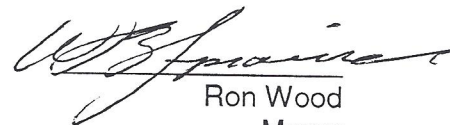
Hugh O'Reilly
Mayor

Approved by the **Squamish First Nation** this 20th day of September 2002.



Bill Williams
Chief

Approved by the **District of West Vancouver** this 20th day of September 2002.



Ron Wood
Mayor

Approved by the **Gambier Island Local Trust Committee** this 26 day of Sept 2002.



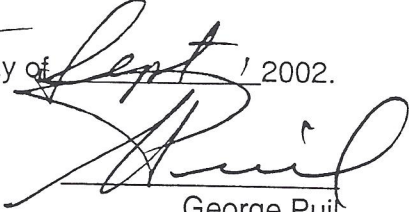
John Money
Chairperson

Approved by the **Village of Pemberton** this 20 day of Sept 2002.

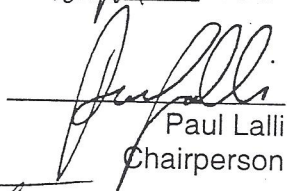


Elinor Warner
Mayor

Approved by the **Greater Vancouver Regional District** this 18 day of Sept 2002.


George Puil
Chairperson

Approved by the **Squamish-Lillooet Regional District** this 20th day of Sept 2002.


Paul Lalli
Chairperson

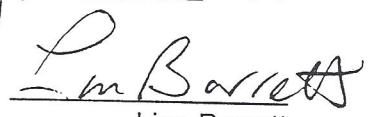
Approved by the **Village of Lions Bay** this 20th day of September 2002.


Brenda Broughton
Mayor

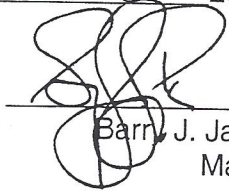
Approved by the **Sunshine Coast Regional District** this 25th day of September 2002.


Don Murray
Chairperson

Approved by the **Bowen Island Municipality** this 20th day of September 2002.


Lisa Barrett
Mayor

Approved by the **Town of Gibsons** this 20th day of September 2002.


Barry J. Janyk
Mayor

Principles For Cooperation

Howe Sound Community Forum

To provide an overview of the need, purpose and structure for cooperative efforts by interested local governments and First Nations in the Howe Sound area.

1. Statement of Purpose

To provide a forum for local governments, regional districts and First Nations discussion to maintain and enhance the economic, environmental, cultural and social well being of the Howe Sound for the benefit of present and future generations.

2. Rationale (The Need)

The Howe Sound Community Forum will enhance collective action among local governments, regional districts and First Nations by:

- Providing a common forum for dialogue;
- Sharing knowledge and information to avoid duplication of effort and to enhance any single organization's capacity for action;
- Promoting the use of transparent processes that encourage awareness and involvement.

3. Scope (The area)

The Howe Sound area includes the marine waters and all the municipal, regional district, local trust committee and First Nation lands that drain into these waters, the surrounding airshed on the east side of the Strait of Georgia between Point Atkinson and Gower Point, and interested adjacent communities.

4. Common Vision

The Howe Sound Community Forum envisions that communities within the Howe Sound area can be healthy, productive and sustainable by:

- promoting compact and complete communities;
- encouraging safe and livable communities;
- encouraging an integrated transportation system;
- preserving a healthy and natural environment;
- nurturing cultural heritage
- supporting sustainable use of resources;
- fostering a vibrant and dynamic economy;
- raising awareness about land use; and
- ensuring the public is informed and encouraged to be active.

5. Shared Values

The Howe Sound Community Forum will involve the collective efforts of a wide variety of interested parties including governments, First Nation communities, non-government organizations, the private sector, educational institutions and individuals to pursue the following values and objectives. The Forum shares the following values and objectives.

Value..Spirit of Sharing

Objective – The many interests and organizations in the Howe Sound can strengthen the effectiveness of programs by openly sharing information and knowledge.

Value.. Action Orientation

Objective – The Howe Sound Community Forum will encourage groups to take actions that produce positive observable results and public benefit to communities.

Value...Efforts towards Sustainability

Objective - The Howe Sound Community Forum members recognize the need to effectively manage and maintain a balanced relationship between community development and the protection of unique biophysical and cultural qualities of the region.

Value.. The need for Cooperation

Objective – Local Government and First Nation agencies and organizations will be encouraged to work together to overcome institutional limitations.

Value...Stewardship

Objective – Voluntary action of individuals and organizations as a powerful and effective tool for achieving positive results is an objective of the Forum.

Value.. Transcending Jurisdictions

Objective – The Forum will encourage communities to work together for the greater good because territorial lines on a map mean nothing in terms of sustainability.

Value...Focus and Transparency

Objective – Forum member programs will encourage clear objectives and use accountable processes that are available to Howe Sound Community Forum members and the public.

Value – Respect for Diversity

Objective – It is recognized that while every member of the Howe Sound Community Forum may have a different focus or interest, they are encouraged to acknowledge a shared interest in the sustainability of Howe Sound.

6. Structure (The Members)

A hosting community from the membership will act as the focal point and be responsible to coordinate meetings and agenda material.

The hosting community will rotate among the Howe Sound Community Forum members and meetings will be held annually, or more frequently, as requested by any member or as predicated by local issues.

Task forces or sub-forums may be established to focus on specific projects.

Charter members of the Howe Sound Community Forum include elected representatives of:

District of Squamish	Greater Vancouver Regional District
Resort Municipality of Whistler	Squamish-Lillooet Regional District
Squamish Nation	Village of Lions Bay
District of West Vancouver	Sunshine Coast Regional District
Gambier Island Local Trust Committee	Bowen Island Municipality
Village of Pemberton	Town of Gibsons

7. Activities (Action and Results)

The Howe Sound Community Forum members are not expected to make decisions as a body and will achieve its objectives through activities that build on the talents and knowledge and actions of its individual members by:

- Facilitating information exchange about local or regional projects;
- Supporting members by sharing information, research and best practices;
- Appraise the public of topical and important matters that affect us all;
- Identifying areas of public policy that require attention and projects that deserve the support of the Forum members;
- Assessing progress through benchmark, monitoring, and program assessments; and
- Promoting transparency and accessibility by the Forum members.

Therefore, all the parties of the Howe Sound Community Forum commit to respect the Principles for Cooperation.

Approved by the District of Squamish this ____ day of _____, 2012 by _____
Rob Kirkham, Mayor

Approved by the Bowen Island Municipality this ____ day of _____, 2012 by _____
Jack Adelaar, Mayor

Approved by the Squamish First Nation this ____ day of _____, 2012 by _____
Bill Williams, Chief

Approved by the Gambier Island Local Trust this ____ day of _____, 2012 by _____
David Graham, Chair

Approved by Metro Vancouver this ____ day of _____, 2012 by _____
Greg Moore, Chair

Approved by the Town of Gibsons this ____ day of _____, 2012 by _____
Wayne Rowe, Mayor

Approved by the Village of Lions Bay this ____ day of _____, 2012 by _____
Brenda Broughton, Mayor

Approved by the Squamish Lillooet Regional District this ____ day of _____, 2012 by _____
Susie Gimse, Chair

Approved by the Sunshine Coast Regional District this ____ day of _____, 2012 by _____
Garry Nohr, Chair

Approved by the Resort Municipality of Whistler this ____ day of _____, 2012 by _____
Nancy Wilhelm-Morden, Mayor

Approved by the Village of Pemberton this ____ day of _____, 2012 by _____
Jordan Sturdy, Mayor

Approved by the District of West Vancouver this ____ day of _____, 2012 by _____
Michael Smith, Mayor



STAFF REPORT

Date: January 8, 2013 **File No.:** GM-LUB-2011.2 (Gambier Associated Islands)

To: Gambier Island Local Trust Committee
For meeting of January 31, 2013

From: Sonja Zupanec
Island Planner
Northern Team

Copy: Courtney Simpson, A/Regional Planning Manager, Northern Team

Re: Draft Bylaw No. 120, 2013 - Gambier Associated Islands Land Use Bylaw

BACKGROUND:

The purpose of this report is to introduce Draft Bylaw No. 120 for consideration of first reading.

DRAFT BYLAW No. 120:

The attached Draft Bylaw No. 120 represents significant Local Trust Committee (LTC) effort since 2008 in planning, consultation and review of draft regulations for the associated islands.

At the last LTC meeting on December 12, 2012, the LTC gave staff specific direction on revisions to the most recent draft Land Use Bylaw (LUB), in preparation of consideration of first reading. All LTC requested edits, revisions and additions from the last LTC meeting have been included in the draft bylaw (attached).

One addition to the draft bylaw that was not discussed by the LTC at the last meeting pertains to the regulation of boathouses and ramps in the foreshore setback area of residentially zoned lots. The draft LUB regulation permitted a boathouse of any size in any residential zone within the setback to the natural boundary of the sea. The original intent of this regulation was to permit a small boathouse to store and secure a small boat or moorage and boating equipment. A recent example of an oversized concrete ramp and structure within the setback to the natural boundary of the sea on Mudge Island, in the Gabriola Local Trust Area, highlighted the need to qualify these regulations with more specific restrictions, and utilize the development variance permit process to review requests for structures exceeding the regulations. Staff has inserted an amendment to 3.3(3) in the draft bylaw to read:

“(3) No building or structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (24.6 feet) of the natural boundary of the sea except:

(a) one permitted boathouse not exceeding 18.5 m² (200 ft²);”

Boathouses in excess of 18.5 m² could be constructed outside the setback to the natural boundary of the sea, or by approval of a development variance permit. The maximum size of a permitted boathouse in the LUB area is currently drafted at 16.2 m² in the Buccaneer Bay area of South Thormanby Island. Ramp access within the setback to the natural boundary of the sea would be limited in width to 2.5 metres (8.2 feet) as per the Fall 2012 draft LUB wording of regulation 3.3(3)(e):

“(e) stairs, ramps or walkways not exceeding a width of 2.5 metres (8.2 feet), required to access the foreshore or a permitted dock;”

Staff recommend the LTC endorse the change to 3.3(3)(a) as reflected in the attached draft bylaw and review any specific public input on this regulation during the next phase of community review of the proposed bylaw.

The Sunshine Coast Regional District (SCRD) Board was notified in October of the LTC's intent to proceed with the draft LUB. Should the LTC give first reading to the draft bylaw, staff recommends that the LTC advise the SCRD in writing of their request for the SCRD to withhold building permits that contravene the intent of the proposed bylaw, as per the Letter of Understanding between the SCRD and the LTC. This would alleviate any conflict between the proposed bylaw and any new permits received in the coming months that do not comply with the use or density provisions of the draft regulations.

REFERRALS AND NEXT STEPS:

The LTC may refer the draft LUB to the Gambier Advisory Planning Commission (APC) for general review at this time, but staff does not recommend this as the majority of draft regulations have been developed in close consultation with affected property owners and are site specific. Should the LTC feel it requires advisory support from the APC, a targeted referral of one or all of the general regulations may be more appropriate; for example Part 3 – General Regulations; Part 6 – Sign Regulations; Part 7 – Parking Regulations; or Part 8 – Subdivision Regulations.

Upon first reading, the bylaw will be referred to a comprehensive list of relevant agencies and First Nations for review and comment. Agencies are typically given 30 days to review the referral and submit comments. Staff and the LTC then have an additional 30 days to review submissions prior to a public hearing being held.

The following consultation schedule and project timeline is proposed to advance the draft bylaw:

February 2013 – Referral of proposed bylaw to agencies and First Nations. Post proposed bylaw on website for public review. Notify property owners of the opportunity to review and comment on the proposed bylaw and notify of public hearing in April 2013.

April 2013 – Community information meeting and public hearing in a lower mainland venue.

May – July 2013 – Consideration of amendments; second and third readings and bylaw forwarded to Islands Trust Executive Committee for approval. Final consideration and adoption.

RECOMMENDATIONS:

THAT the Gambier Island Local Trust Committee:

- 1) give first reading to Draft Bylaw No. 120, cited as the "Gambier Associated Islands Land Use Bylaw, 2013" including any revisions deemed appropriate by the LTC;
- 2) request staff to proceed with agency referrals and scheduling/notification of a public hearing for Proposed Bylaw No. 120 in April 2013; and
- 3) request staff to advise the Sunshine Coast Regional District Board in writing that 1st reading has been given to proposed bylaw No. 120, and the LTC is requesting the SCRD Board withhold the issuance of building permits which contravene the intent of the proposed land use bylaw, as per the Letter of Understanding between the SCRD and the Gambier Island Local Trust Committee.

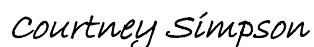


January 8, 2013

Sonja Zupanec, RPP
Island Planner

Date

Concurred in by:



January 9, 2013

Courtney Simpson, MCIP, RPP
A/Regional Planning Manager

Date

Attachment:

1. Draft Bylaw No. 120, 2013



GAMBIER ASSOCIATED ISLANDS LAND USE BYLAW No.120, 2013

Consolidation as of: ____, 20__

*Preserving **Island** communities, culture and environment*

[Back of front cover]

DRAFT BYLAW NO. 120, 2013

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 120

A BYLAW TO ADOPT A LAND USE BYLAW FOR THE GAMBIER ASSOCIATED ISLANDS PORTION OF THE GAMBIER ISLAND LOCAL TRUST AREA

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

AND WHEREAS the Gambier Island Local Trust Committee wishes to adopt a Land Use Bylaw;

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

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

1. TITLE

Bylaw No, 120 may be cited for all purposes as the “Gambier Associated Islands Land Use Bylaw, 2013”.

2. APPLICATION

The Plan applies to the land, the water on the land and the surface of the sea adjacent to the land in the Bowyer and Passage Islands Area as shown on Schedule “D” of this Bylaw.

3. SCHEDULES

The following schedules attached to and forming part of this Bylaw, are adopted as “Gambier Associated Islands Land Use Bylaw, 2013”:

SCHEDULE “A” – Land Use Bylaw Regulations
SCHEDULE “A-1” – Site Plan for Buccaneer Bay
SCHEDULE “B” – Zoning Maps A through F
SCHEDULE “C” – Bylaw Area of Application Map

READ A FIRST TIME this	day of	, 201
PUBLIC HEARING HELD this	day of	, 201
READ A SECOND TIME this	day of	, 201
READ A THIRD TIME this	day of	, 201
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this	day of	, 201
ADOPTED this	day of	, 201

SECRETARY

CHAIRPERSON

Bylaw Number	Amendment Number	Adoption Date

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PART 1 INTERPRETATION

1.1 Definitions

"accessory" in relation to a use, building or structure means incidental, secondary and exclusively devoted to a principal use, building or structure expressly permitted by this Bylaw on the same lot and within the same zone, or, if the accessory use, building or structure is located on the common property in a bare land strata plan, on a strata lot in that strata plan.

"agriculture" means the use of land for the growing, rearing, harvesting, or production of agricultural plants, crops, livestock and other farm animals .

"Approving Officer" means the Approving Officer for the Gambier Associated Islands Area appointed pursuant to the *Land Title Act*.

"boathouse" means a building or structure that is located on a waterfront residential lot, and that is used to house small boats, and equipment or items associated with sports, moorage and boating activities.

"breakwater" means a protective structure, bottom-founded or floating, and extending below the foreshore, designed to provide protection for a harbour, anchorage, docks, a shoreline or the adjacent upland from wave action by influencing the movement of water or deposition of materials.

"building" means a roofed structure, used or intended to be used for supporting or sheltering any use or occupancy.

"commercial" means occupied with or engaged in an activity or enterprise for the purposes of generating personal, professional, or business income for an individual, proprietorship, partnership, or corporation, and does not include public services or activities and enterprises engaged in by non-profit organizations, government agencies, or public service utilities.

"commercial visitor accommodation" means a home occupation comprising the provision of temporary overnight sleeping accommodation and meals to paying guests for a period not exceeding seven days.

"community dock" means non-commercial boat mooring facilities which are owned, operated, and administered cooperatively by individuals, a non-commercial organization, or a strata corporation, for the provision of boat moorage spaces to residents of the areas to which this Bylaw applies, lot owners, and invitees, and for which user fees may be charged.

"dock" means a marine-based structure, or set of structures, generally consisting of a pier or wharf, that may include a ramp, float, and supporting structures, and that is used for the non-commercial mooring of vessels in association with the permitted use of the adjacent upland.

"dwelling" means a building used for residential purposes by a single household, containing sleeping and living areas plus a single set of facilities for food preparation and eating, and does not include a mobile home or recreational vehicle.

"fence" means a structure used as a barrier to separate, prevent escape or intrusion or mark a boundary and may include a gate, screen or freestanding wall.

"float" means a non-roofed structure that is used as a landing or moorage place for marine transport and that is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea floor.

"floor area" means the sum of the horizontal areas of all storeys in a building, measured to the outer surface of the exterior walls, exclusive of any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection, and exclusive of any space where a floor and a ceiling are less than 1.2 metres (4 feet) apart, and includes the floor area of balconies, decks, porches and similar projections fully enclosed by siding, glazing, screening or other materials. For certainty if a balcony, deck, porch or similar projection is not fully enclosed then the floor area of such projections is excluded from any calculation of floor area.

"floor area ratio" means the ratio of the floor area of a dwelling to the area of the lot on which is located.

"frontage" means the length of that lot boundary which abuts a highway, other than a lane or a walkway, or an access route in a bare land strata plan.

"guest house" means a building containing sleeping and cooking facilities, which may or may not contain a toilet, sink, bathtub or shower, that is used or intended for use exclusively for the accommodation of persons who are non-paying guests of the owner of the principal residence or dwelling with which the guest house is associated .

"height" means the vertical distance between the highest point of a building or structure and the average natural grade, being the average undisturbed elevation of the ground at the perimeter of the building or structure calculated by averaging the elevations at the midpoints of all the exterior walls. In the case of structures on the surface of water, average natural grade shall be the natural boundary for a building or structure fixed to the bed of the water body and the watermark of any floating building or structure.

"highway" includes a street, road, lane, bridge, viaduct and any other way open to the use of the public, but does not include a private right-of-way on private property.

"home occupation" means a commercial use that is accessory to a permitted principal residential use on the same lot.

"horticulture" means the use of land for the purpose of growing fruits, vegetables, plants or flowers.

"island" means land surrounded by water, and includes islets and rocks exposed above the natural boundary of the sea.

"landscape screen" means a visual barrier consisting of natural vegetation, trees, shrubs, fencing or a combination of those elements, broken only by necessary access ways for pedestrians and vehicles and serving to screen land uses from abutting land and highways.

"local trust committee" means the Gambier Island Local Trust Committee.

"lot" means any parcel, block or other area in which land is held or into which it is subdivided whether under the *Land Title Act* or the *Strata Property Act*.

"lot coverage" means the total horizontal area at grade of those portions of a lot that are covered by buildings and structures, exclusive of decks not exceeding 1.2 metres in height at any point, measured to the outermost perimeter of the buildings or structures, divided by the area of the lot, and expressed as a percentage.

"lot line" means the boundary of a lot as shown on a plan of survey registered with the BC Land Titles Office or the boundary of a lot as otherwise described under the *Land Title Act*; and

"exterior side lot line" means a lot line that is not a front or rear lot line and that is common to the lot and an abutting highway or access route in a bare land strata plan.

"front lot line" means the lot line that is common to the lot and an abutting highway or access route in a bare land strata plan, and where there are two or more such lot lines the shortest (other than corner cuts) is deemed the front lot line.

"interior side lot line" means a lot line that is not a front, rear or exterior side lot line.

"rear lot line" means the lot line that is opposite the front lot line in the case of a lot having four sides, and where the rear portion of a lot is bounded by intersecting side lot lines the point of intersection is deemed the rear lot line.

"mobile home" means a dwelling designed, constructed or manufactured to be moved from one place to another by being towed or carried.

"moorage" means the tying or securing of a vessel to a fixed structure, float, dock or mooring buoy.

"natural boundary" means the visible high water mark of any lake, river, stream or other body of water where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.

"natural watercourse" means a naturally formed place that perennially or periodically contains surface water, including a lake, river, creek, spring, ravine, wetland, salt water marsh, and bog, but does not include a constructed ditch, or surface drain, or the sea.

"panhandle lot" means a lot that fronts on a highway, or where there is no highway that gains access at the natural boundary of the sea, by means of a strip of land, known as the access strip, that is narrower than the main portion of the lot.

"park" means any land dedicated as park under the *Park Act*, the *Land Title Act* or the *Local Government Act*, which is open to the general public and reserved for outdoor recreational, scenic, or nature conservation purposes, and may include undesignated Crown islets within the planning area covered by this Bylaw.

"personal watercraft" means a vessel less than 5 metres (16 feet) in length that is propelled by machinery, commonly a jet pump, and designed to be operated by a person standing, kneeling or sitting on the vessel rather than standing or sitting inside the vessel.

"pier" means a fixed structure constructed over the foreshore and the water and that abuts the shoreline, is generally perpendicular to the shoreline, and is used to provide access to a float or as a landing or moorage place for marine transport or for recreational purposes.

"principal" in relation to a use, building or structure means the main or primary use, building or structure, as the case may be, conducted or constructed on a lot.

"private institutional camp" means a use conducted by a non-profit society or other non-commercial organization which provides for public or private assembly and overnight accommodation of persons for recreational, educational and religious purposes.

"accessory recreational uses" means private leisure activities such as camping, picnicking and the playing of outdoor games, carried out on individual RR zoned lots or collectively by the owners or occupiers of neighbouring lots.

"recreational vehicle" means a tent trailer, travel trailer, motor home or other self-propelled vehicle, containing one or all of the following: sleeping, cooking and sanitary facilities, but does not include a mobile home or manufactured home.

"residential" means used for the domicile and home life of a person or persons, and for this purpose, does not include the rental of a dwelling unit for a period of less than one month.

"setback" means the horizontal distance that a building or structure must be sited from a specified lot line, building or feature.

"sign" means any device or medium, including its supporting structure, visible from the sea, any highway or lot other than the one on which it is located and which is used to attract attention for advertising, information or identification purposes.

"sleeping cabin" means an accessory building, which is not a dwelling unit, does not contain facilities for food preparation or eating, and is used for the temporary sleeping accommodation of non-paying guests of the occupants of a dwelling on the same lot.

“wind turbine” means a wind energy conversion system consisting of a turbine, a turbine tower, and associated equipment, machinery, structures and buildings, which has a nameplate rated capacity of not more than 50kW, and which provides power for use on-site only (grid connected or off-grid).

"structure" means a construction or portion thereof of any kind that is fixed to, supported by or sunk into land or water, but excludes landscaping, septic fields, septic tanks, absorption fields and related appurtenances below ground and concrete and asphalt paving or similar surfacing of the land.

“swimfloat” means a floating non-roofed structure that is used as a platform for diving or respite from swimming and which is free to rise and fall with sea level change and, for all conditions of tidal change, does not rest on the sea floor and is not to be used as a landing or moorage place for marine transport.

“temporary” means, in relation to a period of occupancy or use by any particular individual: not exceeding 45 days in a calendar year, not more than 30 of which are continuous.

“third party sign” means a sign that advertises or directs attention to a product, location, or other matter at a location other than that at which the sign is erected or displayed.

“upland lot” means any parcel, block or other land area adjacent to or inland of the natural boundary of the sea.

“use” means the purpose or activity for which land, buildings or structures are designed, arranged or intended, or for which land, buildings or structures are occupied or maintained.

"utility" means broadcast transmission, electrical, telecommunications, sewer or water services and facilities (excluding private radio or television towers) and includes navigation aids.

"utility shed" means an accessory building with a floor area of 10 square metres (108 sq.ft.) or less containing only equipment for pumping, processing, or storing of water or sewage, electrical generating equipment, or communication service equipment.

“watercourse” means any natural or man-made depression with well-defined banks and a bed 0.6 metres (2.0 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of two square kilometres or more.

"stream" means a watercourse, including a watercourse that is obscured by overhanging or bridging vegetation or soil mats, that contains water on a perennial or seasonal basis, is scoured by water or contains observable deposits of mineral alluvium, and

(a) has a continuous channel bed that is 100 m or more in length, or

(b) flows directly into

(i) a fish stream or a fish-bearing lake or wetland, or

(ii) a licensed waterworks intake.

"wetland" means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal conditions supports, vegetation typically adapted for life in saturated soil conditions, including marshes, bogs, fens, estuaries, and similar areas that are not part of the active floodplain of a stream.

"wharf" means a structure, usually consisting of a pier, ramp, or float, which is connected to an upland lot by a ramp or walkway.

"zone" means a zone established by Part 5 of this Bylaw.

1.2 Referencing

(1) In the system used for referencing provisions, the single digit number indicates parts, the two digit number sections, the parenthetical numbers subsections, the lower case letters articles and the roman numerals clauses:

Part:	1
Section:	1.1
Subsection:	1.1(1)
Article:	1.1(1)(a)
Clause:	1.1(1)(a)(i)

1.3 Units of Measure

(1) Metric dimensions are used in this Bylaw. Imperial equivalents, where shown in parentheses are approximate, are provided for convenience only, and do not form part of this Bylaw.

1.4 Information Notes

(1) Where a paragraph or sentence or column in a table in this Bylaw is preceded or labelled by the words "Information Note", the contents of the paragraph or sentence or column are provided only to assist in understanding of the bylaw and do not form a part of it.

Information Note:

The Interpretation Act, being a Provincial Statute defines a number of commonly used terms and is applicable in the interpretation of this bylaw.

PART 2 ADMINISTRATION

2.1 Application

- (1) This Bylaw shall apply to that part of the Gambier Island Local Trust Area as shown on Schedule C referred to as the Associated Islands Area. Encompassed in this area of application are the land area of all islands, islets, reefs, rocks, and the seabed, and specified surface waters.

2.2 Conformity

- (1) No person may use or occupy any land, water surface, building or structure or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.
- (2) No person may construct, reconstruct, place, alter, extend or maintain any building, structure or sign except as permitted by this Bylaw.
- (3) Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.
- (4) Any existing lot that is less than the minimum lot area specified in the applicable zone for the creation of new lots by subdivision may be used for any use permitted in that zone unless otherwise specified in this Bylaw.
- (5) No lot or area may be subdivided, no building, structure or land may be used, and no building or structure may be sited in a manner which renders any existing use, building or structure illegal or non-conforming.

2.3 Inspection

- (1) The Islands Trust Bylaw Enforcement Officer or any other person designated by the Islands Trust to administer this Bylaw is authorized to enter, at any reasonable time and after having given prior notification to the occupier, upon any property that is subject to regulation under this Bylaw, for the purpose of determining whether the regulations are being observed.

2.4 Violation

- (1) Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have committed an offence under this Bylaw.

2.5 Penalty

- (1) Any person who commits an offence against this Bylaw is liable, upon summary conviction, to a fine and penalty, pursuant to the *Offence Act*, not exceeding \$2,000 and the costs of prosecution. Each day during which an offence against this Bylaw is continued is deemed to constitute a new and separate offence.

2.6 Covenants

- (1) Where under this Bylaw an owner of land is required or authorized to grant a covenant restricting subdivision or development, the covenant must be granted to the Local Trust Committee pursuant to Section 219 of the *Land Title Act* in priority to all existing financial charges, delivered in registerable form satisfactory to the Local Trust Committee prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant must indemnify the Local Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenantor.

2.7 Owner's Cost

- (1) If any provision of this Bylaw requires a report, study, covenant, plan or similar document to be prepared, unless otherwise stated, the owner of the land to which the document pertains shall pay all costs.

2.8 Siting Compliance

- (1) Every applicant for a rezoning, temporary use permit or development variance permit must provide a current plan signed by a B.C. Land Surveyor showing the location on the lot of all existing and proposed buildings and structures in relation to lot and zone boundaries, watercourses, and the sea, and in relation to other buildings on the lot, unless the Local Trust Committee determines that the provision of such a plan is not reasonably necessary to establish whether the proposed buildings and structures comply with the siting requirements of this or any other Bylaw.

PART 3 GENERAL REGULATIONS**3.1 Permitted in All Zones**

The following uses, buildings and structures are permitted in any zone, except where noted, and all buildings and structures are subject to siting and size regulations established elsewhere in this Bylaw:

- (1) Conservation areas, including ecological reserves and other habitat reserves, and parks, but excluding playgrounds and playing fields.
- (2) Water supply facilities, for an individual dwelling or as a community service, in any land zoned for the purposes of supplying potable or grey water on an individual island, including reservoirs, pipes and valves, treatment facilities, catchment and storage facilities and pumping and intake structures.
- (3) Buried or submerged electricity and telecommunication lines for the distribution of service within the Associated Islands Area and above-ground lines in any land zone.
- (4) Electrical or telecommunications facilities for the purposes of supplying service on the same island.
- (5) Solar collectors, micro hydro generating stations and wind turbines in any land zone for the purposes of supplying power to the lot on which the structure is located.
- (6) Geothermal exchange equipment for the purposes of supplying energy to the lot on which the structure is located or to a lot adjacent to the foreshore in the case of equipment located on the foreshore.
- (7) Air and marine navigational aids.
- (8) Fences in any land zone.
- (9) Hiking and bicycle trails.
- (10) Signs, subject to regulations established in Part 6.
- (11) Utility sheds.
- (12) Sewage disposal facilities for which all required filings have been made with the health authority having jurisdiction under the *Public Health Act*.
- (13) Horticulture.

3.2 Prohibited in All Zones

For certainty, the following uses, buildings and structures are prohibited in all zones, except where expressly permitted in Part 5:

- (1) The disposal of any waste matter on land or in marine areas, except such waste matter as may lawfully be discharged pursuant to a permit under the Sewage Disposal Regulation of the *Environmental Management Act*.
- (2) The disposal or storage of hazardous or toxic waste.
- (3) The rental or sale of personal watercraft.
- (4) The use of a mobile home or recreational vehicle as a residence.
- (5) The use of a vessel anchored, moored, or secured as a permanent residence.
- (6) Finfish aquaculture in any water zone.
- (7) Bridges, causeways or tunnels connecting any island to the mainland.
- (8) Water utility lines connecting any island to another island or the mainland.
- (9) Wind turbines in any water zone, and wind turbines intended to provide power to an island other than the island on which the structures are located.
- (10) Dog breeding and boarding kennels.

3.3 Siting and Setback Regulations

- (1) All siting measurements must be made on a horizontal plane from the natural boundary, lot line or other feature specified in this Bylaw to the nearest portion of the building or structure in question.
- (2) No building or structure greater than 1 metre (3.28 ft.) in height, except a fence, utility line, utility pole, navigational aid, at-grade steps, driveway or path, or utility shed, may be constructed, reconstructed, moved, extended or located within the minimum setback areas established in the regulations in Part 5.
- (3) No building or structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (24.6 feet) of the natural boundary of the sea except:
 - (a) one permitted boathouse not exceeding 18.5 m² (200 ft²);
 - (b) propane tanks;
 - (c) utility lines;
 - (d) lifting devices associated with permitted marine uses, including cranes and hoists;
 - (e) stairs, ramps or walkways not exceeding a width of 2.5 metres (8.2 feet), required to access the foreshore or a permitted dock; and

- (f) decks or platforms which do not exceed a height of 1.2 metres (4 feet) above natural grade, exclusive of railings, and which do not exceed an area of 10 m² (108 ft²) per lot within the setback area.
- (4) No building or structure, except a fence or utility shed, may be constructed, reconstructed, moved, extended or located within 30 metres (100 feet) of the natural boundary of any watercourse or wetland. Septic fields, septic tanks, absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for the purposes of this subsection.
- (5) Steps, eaves gutters, cornices, sills, chimneys, retaining walls, balconies, decks and sunshades and similar features may project into a required setback area, except a setback from the natural boundary of the sea, a watercourse or a wetland, provided they do not project more than 0.6 metres (2 feet) into the required setback area.
- (6) Private floats and docks shall be located within the seaward projection of the boundaries of the upland property served and shall be set back 3.0 metres (9.8 feet) from the projection of those boundaries. This setback regulation does not apply to a shared lot boundary between residential lots served by the same private float or dock.

3.4 Height Regulations

- (1) The height regulations for buildings and structures specified in Part 5 do not apply to radio, telecommunications and television antennas and towers, chimneys, flag poles, lightning poles, fire and hose towers, utility poles, attic vents, solar collectors and water catchment and water storage facilities.
- (2) Despite any height regulation in Part 5, wind turbines may have a height of up to 15 metres (50 feet).

3.5 Accessory Uses, Buildings and Structures

- (1) A building or structure accessory to a dwelling may not be used as a residence but may be used as a sleeping cabin.
- (2) Accessory recreational uses are permitted on RR-zoned lot whether or not a principal residential use is occurring on the lot.
- (3) The following accessory buildings or structures may be constructed and placed on a lot prior to the construction of a principal building or the commencement of a principal use on the same lot:
 - (a) a permitted boathouse;
 - (b) picnic shelters and benches and washroom facilities required for accessory recreational use of an RR-zoned lot;

- (c) a utility shed;
 - (d) one accessory building used for storage of building materials and personal effects; and
 - (e) steps and structures accessory to and supporting a dock.
- (4) Any accessory building or structure, other than those specified in subsection 3.5(2), may be constructed or placed on a lot prior to the construction of a principal building, or the commencement of a principal use, on the same lot only if a building permit has been issued for a principal building on the same lot and the building permit has not expired.
- (5) Unless a building or structure is structurally attached to a principal building by a structure having walls, a roof, and a floor, it is for the purposes of this Bylaw, deemed not to be part of the principal building, but is deemed to be an accessory building or structure.

3.6 Home Occupation Regulations

- (1) Permitted accessory home occupations, unless otherwise prohibited in this bylaw, include any of the following:
- (a) home craft;
 - (b) repairing of goods;
 - (c) professional practice;
 - (d) service to a client;
 - (e) creation of a product; and
 - (f) Commercial visitor accommodation, subject to the following additional regulations:
 - (i) not more than 4 guests may be accommodated at any one time;
 - (ii) not more than 2 bedrooms may be used to accommodate guests; and
 - (iii) a commercial visitor accommodation use must be conducted solely within a principal dwelling.
- (2) For certainty home occupations do not include any of the following uses:
- (a) commercial campgrounds;
 - (b) rentals, except rental of a dwelling for thirty (30) or more continuous days, and

- (c) food service or the sale of goods or products unless the goods or products are produced, processed or repaired as part of the home occupation.
- (3) Home occupations must be conducted entirely within a dwelling or a permitted accessory building on a lot on which a permitted principal residential use is occurring.
- (4) The combined floor area used in all home occupations on a lot must not exceed 47 m² (500 ft²).
- (5) The owner or at least one employee of a home occupation must reside on the property.
- (6) Not more than one person per property may be employed in any home occupation in addition to any residents of the premises in which such business is carried on.
- (7) No storage of materials, commodities or finished products is permitted in connection with the operation of a home occupation other than within a permitted building.
- (8) No home occupation may cause any sound that is audible at a lot line of the lot on which the home occupation is conducted, including the natural boundary of the sea.

3.7 Fences

- (1) The height of fences shall not exceed 2 metres (6.6 feet) within any required setback, subject to regulations in Part 5.
- (2) The provision of protective netting, fencing or wire to control animal nuisances, or a landscape screen, is exempt from Subsection 3.7(1).

3.8 Landscape Screening

- (1) Where landscape screening is required by this Bylaw, it is to be provided in the form of:
 - (a) existing vegetation that is retained and is of a sufficient height to provide a complete and year-round visual screen between the uses being separated; or
 - (b) where existing vegetation is not of a sufficient height to provide a visual screen, planted and maintained indigenous, drought-tolerant evergreen vegetation that will attain a height sufficient to provide a complete and year-round visual screen between the uses being separated; or
 - (c) a wooden fence or lattice which is continuous, except for points of vehicular or pedestrian access/egress.

3.9 Use of Recreational Vehicles

- (1) Where recreational vehicle may not be placed on a lot, or used as a residence.

3.10 Storage of Junk and Derelict Vehicles

- (1) Except where permitted by the regulations in Part 5, no land shall be used for the storage of unusable, disassembled, detached, stripped, non-functional or abandoned vehicles, campers, trailers, vessels, or parts, which are not completely enclosed in a permitted permanent building.

3.11 Lots Divided by a Zone Boundary

- (1) If a lot is divided by one or more zone boundaries, the density permitted, including lot coverage, must be calculated by reference to the areas of the portions of the lot lying within each zone, and dwellings may only be constructed on any portion of the lot if, and to the extent that, the density regulations for that portion are complied with.

3.12 Use of Common Property

Land comprising the common property in a strata plan is not a lot for the purposes of the provisions of this Bylaw permitting dwellings in respect of lots but, where the strata lots and common property are in the same zone, the common property may be used for permitted uses accessory to principal uses located on strata lots in the same strata plan.

PART 4 ESTABLISHMENT OF ZONES

4.1 Division into Zones

- (1) The area to which this Bylaw applies is divided into the following zones, the geographic boundaries of which are as shown on the Zoning Maps designated as Schedule B that form part of this Bylaw and the regulations for which are set out in Part 5.

<u>Zone Name</u>	<u>Zone Abbreviation</u>
Small Lot Rural Residential One	SRR
Rural Residential One	RR1
Rural Residential Two	RR2
Rural Residential Three	RR3
Rural Residential Four	RR4
Rural Residential Five	RR5
Park	P
Private Conservation	PC
Community Service	CS
Forestry	F
Private Institutional One	PI1
Marine Foreshore 1	M1
Marine Foreshore 2	M2
Marine Protection	M3
Marine Industrial	M4
Public Wharf	M5

4.2 Zone Boundaries

- (1) Where zone boundaries on Schedule B maps coincide with lot lines, the zone boundaries are the lot lines.

- (2) Where a zone boundary is shown on Schedule B maps as following any highway, right-of-way or stream, the centre line of such highway, right-of-way, or stream is the zone boundary.
- (3) Where land based and water based zone boundaries shown on Schedule B coincide, the zone boundary shall be the surveyed lot line as shown on the most recent plan registered in the Land Title Office, and where there is no such plan the natural boundary of the sea is the zone boundary.
- (4) Where a zone boundary shown on Schedule B does not follow a legally defined line and no dimensions are shown by which the boundary could otherwise be located, the location of the boundary must be determined by scaling from Schedule B and in that case the zone boundary is the midpoint of the line delineating the zone boundary.

PART 5 ZONES

5.1 Small Lot Rural Residential – (SRR)

Information Note: The purpose of the Small Lot Rural Residential One Zone is to provide for the regulation of the development of small lot residential areas on North Thormanby Island.

Permitted Uses

- (1) The following uses are permitted in the SRR zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Residential use of a dwelling; and
 - (b) Accessory uses, buildings and structures, including but not limited to home occupations and accessory recreational uses.

Density

- (2) The maximum density in the SRR zone is one (1) dwelling per lot.
- (3) The maximum lot coverage in the SRR zone is 25 percent.
- (4) The maximum floor area ratio of any dwelling in the SRR zone is 0.20.
- (5) The maximum number of accessory buildings permitted in the SRR zone is two (2) per lot.

Siting and Size

- (6) The minimum setback for any building or structure in the SRR zone is:
 - (a) Residential 6.0 metres (19.6 feet) from any lot line abutting a highway or private road;
 - (b) 1.5 metres (5 feet) from any interior or exterior side lot line; and
 - (a) 7.5 metres (24.6 feet) from any rear lot line.
- (7) The maximum height for any dwelling in the SRR zone is 9 m (29.5 feet).
- (8) The maximum height for any accessory building or structure in the SRR zone is one storey to a maximum of 5.2 metres (17 feet).

Conditions of Use

- (9) Above grade septic storage tanks in the SRR zone must be screened from view of an abutting residential lot by a fence or a landscape screen complying with the provisions of Section 3.8.

Subdivision Lot Area Requirements

- (10) Land in the SRR zone may not be subdivided.

Site-Specific Regulations

- (11) The following table 5.1 indicates locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location for reference, with zone boundaries defined on Schedule B, where the regulations specified in the third column apply:

Table 5.1		
Site-Specific Zone	Location Description	Site Specific Regulations
SRR(a)	LOTS 1 THROUGH 9 OF DISTRICT LOT 1017, PLAN 5972	1. Despite 5.1(6)(a) the minimum setback for buildings or structures is 4.0 metres from any lot line abutting a highway or private road. 2. Despite 5.1(6)(c) the minimum setback for buildings or structures is 1.0 metres from any rear lot line.

5.2 Rural Residential One – (RR1)

Information Note: The purpose of the Rural Residential One Zone is to provide for the regulation of the development of specific residential areas on Anvil Island, North and South Thormanby Islands, Turnagain Island, Jack Tolmie Island, Echo Island, Tiki Island, Grant Island, North, East, South and West Trail Islands, Surrey Islets, Bertha Islet, Merry Island, Franklin Island, Woolridge Island, Popham Islands, Mickey Island, Ragged Island, New (Silver) Island and Hermit Island.

Permitted Uses

- (1) The following uses are permitted in the RR1 zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Residential Residential use of a dwelling;
 - (b) Accessory uses, buildings and structures, including but not limited to home occupations and accessory recreational uses;
 - (c) Agriculture.

Density

- (2) The maximum number of dwellings is 1 (one) dwelling for lots less than 4.0 hectares (10 acres) and 2 (two) dwellings for lots larger than 4.0 hectares (10 acres).
- (3) The maximum lot coverage in the RR1 zone is 25 percent.
- (4) The maximum number of accessory buildings permitted in the RR1 zone is three (3) per dwelling (exclusive of utility sheds and woodsheds).

Siting and Size

- (5) The minimum setback for any building or structure in the RR1 zone is 7.5 metres (24.6 feet) from any lot line.
- (6) The maximum height for any dwelling in the RR1 zone is 11 metres (36 feet).
- (7) The maximum height for any accessory building or structure in the RR1 zone is one storey to a maximum of 5.2 metres (17 feet).

Subdivision Lot Area Requirements

- (8) The minimum average lot size for subdivision in the RR1 zone is 4.0 hectares (10 acres).
- (9) The minimum lot size for subdivision in the RR1 zone is 1 hectare (2.4 acres).

Site-Specific Regulations

- (10) The following table 5.2 indicates locations where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the location for reference, with zone boundaries defined on Schedule B, where the regulations specified in the third column apply:

Site-Specific Zone	Table 5.2 Location Description	Site Specific Regulations
RR1(a)	PARCEL 12 (EXPLANATORY PLAN 7978) DISTRICT LOT 2309 GROUP 1 NEW WESTMINSTER DISTRICT, <u>Tiki Island</u>	1. Despite 5.2(2) the maximum number of dwellings is three (3). 2. Despite 5.2(3) the maximum lot coverage for each dwelling and associated accessory buildings is 6.3%. 3. Dwellings must be separated by a minimum of 20 metres (65.6 feet) from any other dwelling on the lot.
RR1(b)	DISTRICT LOT 4553 GROUP 1 NEW WESTMINSTER DISTRICT, <u>Echo Island</u> AND LOT 11 (EXPLANATORY PLAN 7978) DISTRICT LOT 2309 GROUP 1 NEW WESTMINSTER DISTRICT, <u>Jack Tolmie Island</u>	Despite 5.2(2) the maximum number of dwellings is one (1) unless water and sewer infrastructure connections from the island to the mainland along established easements or rights-of-way are in place at the time of issuance of a building permit(s) in which case the maximum number of dwellings is two (2).

RR1(c)	DISTRICT LOT 2081, <u>South Thormanby Island</u> , NEW WESTMINSTER DISTRICT	Despite 5.2(2) the maximum number of dwellings is eight (8).
RR1(d)	BLOCK B (REFERENCE PLAN 2132) DISTRICT LOT 845 GROUP 1 NEW WESTMINSTER DISTRICT <u>Anvil Island</u>	Despite 5.2(2) the maximum number of dwellings is two (2).
RR1(e)	DISTRICT LOT 845, GROUP 1 NEW WESTMINSTER DISTRICT EXCEPT PORTIONS IN REFERENCE PLANS 622 AND 2698 <u>Anvil Island</u>	Despite 5.2(2) the maximum number of dwellings is eleven (11).
RR1(f)	LOT 17 DISTRICT LOT 1388 PLAN 13161 <u>East Trail Island</u>	Despite 5.2(2) the maximum number of dwellings permitted is two (2).
RR1(g)	LOT A DISTRICT LOT 2019 KNOWN AS SAND ISLAND GROUP 1 NEW WESTMINSTER DISTRICT PLAN LMP24738 <u>South Thormanby Island</u>	Despite 5.2(2) the maximum number of dwellings permitted is two (2).

5.3 Rural Residential Two – (RR2)

Information Note: The purposes of the Rural Residential Two Zone are to incorporate the provisions of the Land Use Contract authorized by Gambier Island Local Trust Committee Land Use Contract Authorization Bylaw No. 6, 1978 in relation to DISTRICT LOT 1539 and LOT 1 OF DISTRICT LOTS 1018 AND 1019 South Thormanby Island, and to provide regulations in respect of matters not addressed in the Land Use Contract.

Permitted Uses

- (1) The following uses are permitted in the RR2 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Residential use of a Dwelling;
 - (b) Accessory uses, buildings and structures, including home occupations and accessory recreational uses, but excluding commercial visitor accommodation;

Density

- (2) The maximum number of dwellings for Lot 1 District Lot 1539, Block 1 District Lots 1018 and 1019 Plan 11122 is sixty-three (63).

Siting and Size

- (3) Dwellings must be sited as shown on Schedule A-1.
- (4) Floor area in the RR2 zone means any enclosed floor area of the main floor of the dwelling or structure but also including any floor area (exceeding 6 m²) of the second floor of any dwelling, which has an average ceiling height in excess of 1.8 metres (6.1 feet) measured from the inside walls.
- (5) The maximum floor area of a dwelling is 74.3 m² (800 ft²).
- (6) Despite section 5.3(5), for dwelling sites numbered 1A, 22 and 56 on Schedule A, the maximum floor area of a dwelling is 120.7 m² (1300 ft²).
- (7) Despite section 5.3(5) for dwelling sites numbered 3, 5, 8, 10, 15, 21, 31, 37, 39, 45 through 47, 50, 52, 62 and 68 on Schedule A the maximum floor area of a dwelling is 102.2 m² (1100 ft²).
- (8) The maximum height for any dwelling in the RR2 zone is 9.1 metres (30 feet).
- (9) The maximum height for any accessory building or structure in the RR2 zone is one storey to a maximum of 4.5 metres (15 feet).
- (10) The maximum number of accessory buildings in the RR2 zone is three (3) per dwelling, exclusive of woodsheds, with a total combined floor area per dwelling not exceeding 27.8 m² (350 ft²).
- (11) Despite subsection 5.3(10), the accessory buildings identified in Schedule A-2 may exceed the maximum permitted floor area and maximum number of accessory buildings to the extent specified on Schedule A-2.

- (12) A combined accessory building floor area of 501.6 m² (5,400 ft²) is permitted in the RR2 zone in addition to those referenced in subsections 5.3(10) and 5.3(11), for the storage of motor vehicles.
- (13) The maximum number of boat houses on Lot 1 District Lot 1539, Block 1 District Lots 1018 and 1019 is five (5) with a maximum floor area for each boathouse of 16.2 m² (175 ft²).

Subdivision Lot Area Requirements

- (14) Land in the RR2 zone may not be subdivided.

5.4 Rural Residential Three– (RR3)

Information Note: The purpose of the Rural Residential Three Zone is to provide for the regulation of the development of LOT 2 DISTRICT LOT 845 PLAN 10910 on Anvil Island.

Permitted Uses

- (1) The following uses are permitted in the RR3 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Residential use of a dwelling; and
 - (b) Accessory uses, buildings and structures, including home occupations and accessory recreational uses, but excluding commercial visitor accommodation.

Density

- (2) The maximum number of dwellings permitted in the RR3 zone is eight (8).
- (3) The maximum lot coverage in the RR3 zone is 2 percent.

Siting and Size

- (4) The maximum number of accessory buildings in the RR3 zone is two (2) per dwelling (exclusive of utility and wood sheds).
- (5) The minimum setback for any building or structure in the RR3 zone is 7.5 metres (24.6 feet) from any lot line.
- (6) The maximum height for any dwelling in the RR3 is 11 metres (36 feet).
- (7) The maximum height for any accessory building or structure in the RR3 zone is one storey to a maximum of 5.2 metres (17 feet).

Subdivision Lot Area Requirements

- (8) The minimum average lot size for subdivision in the RR3 zone is 4 hectares (10 acres).
- (9) The minimum lot size for subdivision in the RR3 zone is 1 hectare (2.4 acres).

5.5 Rural Residential Four– (RR4)

Information Note: The purpose of the Rural Residential Four Zone is to provide for the regulation of the development of District Lot 697, Pasley Island.

Permitted Uses

- (1) The following uses are permitted in the RR4 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
- (a) Residential use of a dwelling;
 - (b) Guest houses;
 - (c) Caretaker Residence; and
 - (d) Accessory uses, buildings and structures, including home occupations and accessory recreational uses, but excluding commercial visitor accommodation.

Density

- (2) The maximum number of dwellings, in the RR4 zone is one per 3.33 hectares to a maximum of thirty (30).
- (3) The maximum number of guest houses in the RR4 zone is one per dwelling to a maximum of thirty (30).
- (4) One caretaker residence in the RR4 zone is permitted in addition to the dwellings permitted by subsections 5.5(2) and 5.5(3).

Siting and Size

- (5) The maximum combined floor area of a dwelling, and its associated guest house and accessory buildings in the RR4 zone is 334.5 m² (3600 ft²) with no single building or structure exceeding 223 m² (2400 ft²).
- (6) The minimum setback for any building or structure in the RR4 zone is 7.5 metres (24.6 feet) from any lot line.
- (7) The maximum height for any dwelling in the RR4 zone is 11 metres (36 feet).
- (8) The maximum height for any accessory building or structure in the RR4 zone is one storey to a maximum of 5.2 metres (17 feet).

Subdivision Lot Area Requirements

- (9) Land in the RR4 zone may not be subdivided.

5.6 Rural Residential Five– (RR5)

Information Note: The purposes of the Rural Residential Five Zone are to incorporate the provisions of the Land Use Contract authorized by Gambier Island Trust Committee Land Use Contract Authorization Bylaw No. 5, 1978 in relation to District Lot 840, Worlcombe Island, and to provide regulations in respect of matters not addressed in the Land Use Contract.

Permitted Uses

- (1) The following uses are permitted in the RR5 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Residential use of a Dwelling; and
 - (b) Accessory uses, buildings and structures, including home occupations and accessory recreational uses, but excluding commercial visitor accommodation.

Density

- (2) The maximum number of dwellings in the RR5 zone is seven (7), one of which may be used as a lodge and for assembly purposes.
- (3) A maximum of three (3) accessory buildings is permitted for each dwelling (exclusive of utility sheds and woodsheds).

Siting and Size

- (4) The maximum floor area of a dwelling in the RR5 zone is 186 m² (2000 ft²).
- (5) The total accessory building floor area per dwelling in the RR5 zone shall not exceed 37 m² (400 ft²).
- (6) The minimum setback for any building or structure in the RR5 zone is 7.5 metres (24.6 feet) from any lot line.
- (7) The maximum height for any dwelling in the RR5 zone is 11 metres (36 feet).
- (8) The maximum height for any accessory building or structure in the RR5 zone is one storey to a maximum of 5.2 metres (17 feet).

Subdivision Lot Area Requirements

- (9) Land in the RR5 zone may not be subdivided.

5.7 Private Institutional– (PI1)

Information Note: The purpose of the Private Institutional One Zone is to provide for the regulation of the development of the camp on DISTRICT LOT D DISTRICT LOT 845 PLAN 10910, Anvil Island (Daybreak Point Bible Camp).

Permitted Uses

- (1) The following uses are permitted in the PI1 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Private institutional camp use of land, dormitories and cabins;
 - (b) caretaker dwelling accessory to the permitted private institutional camp use; and
 - (c) permanent and seasonal employee accommodation.

Density

- (2) The maximum number of caretaker dwellings in the PI1 zone is four (4).

Siting and Size

- (3) The maximum floor area of all dwellings, dormitories, cabins and accommodation units in the PI1 zone is 2050 m² (20,066 ft²).
- (4) The total accessory building floor area per dwelling in the PI1 zone shall not exceed 4530 m² (48,760 ft²).
- (5) The minimum setback for any building or structure in the PI1 zone is 7.5 metres (24.6 feet) from any lot line.
- (6) Despite 5.7(5) the minimum setback for any building or structure in the PI1 zone is 30 metres (98.4 feet) from any lot line abutting a residential zone.
- (7) The maximum height for any building or structure in the PI1 zone is 11 metres (36 feet).

Subdivision Lot Area Requirements

- (8) The minimum lot size for subdivision in the PI1 zone is 4 hectares (10 acres).

5.8 Park (P)

Information Note: The purpose of the Park Zone is to provide for the regulation of the development of regional district or provincially owned park lands.

Permitted Uses

- (1) The following uses are permitted in the P zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Protection and maintenance of natural features and habitat;
 - (b) Nature interpretation; and
 - (c) Natural area parks and conservation.

Permitted Structures

- (2) The following structures are permitted in the P zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:
 - (a) Pedestrian trails;
 - (b) Fences;
 - (c) Stairs, boardwalks; outhouses; camping platforms;
 - (d) Buildings and structures accessory to a permitted natural area protection, conservation or interpretation use; and
 - (e) Informational signs, subject to Part 6.

Siting and Size

- (3) The maximum combined floor area of all buildings on any lot in the P zone is 46 m² (500 ft²).
- (4) The minimum setback for any building or structure in the P zone is 7.6 metres (25 feet) from any lot line.
- (5) The maximum height for any accessory building or structure in the P zone is 3.0 metres (9.8 feet).

5.9 Private Conservation (PC)

Information Note: The purpose of the Private Conservation Zone is to provide for the regulation of lands reserved for privately managed conservation of local flora and fauna.

Permitted Uses

- (1) The following uses are permitted in the PC zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
- (a) Protection and maintenance of natural features and habitat; and
 - (b) Conservation.

Permitted Structures

- (2) The following structures are permitted in the PC zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:
- (a) pedestrian trails;
 - (b) fences;
 - (c) stairs, boardwalks; and
 - (d) signs, subject to Part 6.

Siting and Size

- (3) The minimum setback for any structure in the PC zone shall be 7.5 metres (24.6 feet) from any lot line.

5.10 Forest (F)

Information Note: The purpose of the Forest Zone is to provide for the regulation of the development of large parcels of land.

Permitted Uses

- (1) The following uses are permitted in the F zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Silviculture;
 - (b) Trails, stairs and walkways;
 - (c) Informational signs and interpretive structures; and
 - (d) Accessory uses, buildings and structures.
- (2) For certainty accessory uses, buildings and structures may include *wells, pumphouses, water storage tanks and utility sheds.*

Density

- (3) The maximum lot coverage in the F zone is 2 percent.

Siting and Size

- (4) The maximum combined floor area of all buildings on any lot in the F zone is 46 m² (500 ft²).
- (5) The minimum setback for any building or structure in the F zone is 7.6 metres (25 feet) from any lot line.
- (6) The maximum height for any accessory building or structure in the F zone is one storey to a maximum of 5.2 metres (17 feet).

5.11 Community Service (CS)

Information Note: The purpose of the CS Zone is to provide for the regulation of the development of the Merry Island Lighthouse Station.

Permitted Uses

- (1) The following uses are permitted in the CS zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:
 - (a) Lighthouse and caretaker dwellings,
 - (b) Helicopter landing pad,
 - (c) Trails, stairs and walkways,
 - (d) Informational signs and interpretive structures; and
 - (e) Accessory uses buildings and structures.
- (2) For certainty accessory uses, buildings and structures may include *wells, pumphouses, boathouse, boat ramp, water storage tanks and utility sheds.*

Density

- (3) Two (2) caretaker's dwellings are permitted per lot in the CS zone.

Siting and Size

- (4) The minimum setback for any building or structure in the CS zone is 7.6 metres (25 feet) from any lot line.

5.12 Marine Foreshore 1 (M1)

Information Note: The purpose of the Marine Foreshore 1 Zone is to provide for the regulation of development in marine areas adjacent to residential islands. The M1 zone, and the other water-based zones, includes the surface of the water, up the natural boundary of the sea.

Permitted Uses

- (1) The following uses and structures are permitted in the M1 zone subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Mooring buoys, for the purpose of mooring a private vessel accessory to the residential use of an upland lot; and
 - (b) Docks accessory to the residential use of an adjacent upland lot.

Density

- (2) The maximum number of docks that may be constructed in the M1 zone adjacent and accessory to any upland lot in the M1 zone shall be one.

Siting and Size

- (3) The maximum area of any accessory dock in the M1 zone, excluding ramps and walkways, is 40 m² (430 ft²).

Conditions of Use

- (4) The use permitted in 5.12(1)(b) does not include any dock constructed with foamed polystyrene flotation components that are not completely encapsulated to prevent such components from escaping into the marine environment.
- (5) No building, including a boathouse may be constructed or erected on any dock in the M1 zone.

Site-Specific Regulations

- (6) The following table 5.3 indicates locations for reference, with zone boundaries defined on Schedule B, where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on Schedule B. The second column is an information note and the third column specifies the regulations that apply:

Site-Specific Zone	Information Note: General Location	Table 5.3
		Site Specific Regulations
M1(a)	DISTRICT LOT 697 GROUP 1 NEW WESTMINSTER DISTRICT <u>Pasley Island</u>	Despite subsection 5.12(2), a maximum of thirty (30) docks may be constructed adjacent to this lot.
M1(b)	PARCEL 12 (EXPLANATORY PLAN 7978) DISTRICT LOT 2309 GROUP 1 NEW WESTMINSTER DISTRICT <u>Tiki island</u>	Despite subsection 5.12(2), a maximum of three (3) docks may be constructed adjacent to this lot.
M1 (c)	DISTRICT LOT 4553 GROUP 1 NEW WESTMINSTER DISTRICT <u>Echo Island</u>	Despite subsection 5.12(2), a maximum of two (2) docks may be constructed adjacent to this lot.

5.13 Marine Foreshore 2 (M2)

Information Note: The purpose of the Marine Service Zone is to provide for the regulation of development, including common dock facilities, in marine areas adjacent to residential islands.

Permitted Uses

- (1) The following uses are permitted in the M2 zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Mooring buoys, for the purpose of mooring a private vessel accessory to the residential use of an upland lot;
 - (b) Community docks and wharves;
 - (c) Barge ramps; and
 - (d) Breakwaters.

Density

- (2) One community dock or wharf may be constructed or installed at each M2 zoned location.

Conditions of Use

- (3) The use permitted in 5.13(1)(b) does not include any dock constructed with foamed polystyrene flotation components that are not completely encapsulated to prevent such components from escaping into the marine environment.
- (4) No building, other than one storage building not exceeding 10 m² or 4 metres in height, may be constructed or erected on any dock in the M2 zone.
- (5) The following table 5.4 indicates locations for reference, with zone boundaries defined on Schedule B, where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on Schedule B. The second column provides an information note and the third column specifies the regulations that apply:

Table 5.4		
Site-Specific Zone	Information Note: General Location	Site Specific Regulations
M2(a)	LOT 2 DISTRICT LOT 845 PLAN 10910 <u>Anvil Island</u>	Despite subsection 5.13 (2) one additional dock with a maximum area of 18 m ² (194 ft ²) is permitted below the natural boundary of the sea.

M2(b)	South Thormanby Island	Despite subsection 5.13 (2) a maximum of two docks with a combined maximum area of 725 m ² (7800 ft ²) are permitted below the natural boundary of the sea.
M2(c)	DISTRICT LOT D DL 845 PLAN 10910 <u>Anvil Island</u>	Despite subsection 5.13 (2) a maximum of two docks with a combined maximum area of 1000 m ² (10,764 ft ²) are permitted below the natural boundary of the sea.

5.14 Marine Protection (M3)

Information Note: The purpose of the Marine Protection Zone is to provide for the regulation of development in marine areas outside of areas zoned for docks.

Permitted Uses

- (1) The following uses are permitted in the M3 zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
 - (a) Marine navigational aids;
 - (b) Mooring buoys for the purpose of mooring a private vessel accessory to the residential use of an upland lot;
 - (c) Signs subject to Section 6;
 - (d) Ecological reserves; and
 - (e) Research and educational activities related to the marine environment, including nature interpretation.

Permitted Structures

- (2) No permanent building or structure of any kind, other than a navigational aid or mooring buoy, may be erected, constructed or placed.

5.15 Marine Industrial (M4)

Information Note: The purpose of the Marine Industrial Zone is to provide for the regulation of development in marine areas outside of areas zoned for docks and moorage.

Permitted Uses

- (1) The following uses are permitted in the M4 zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
- (a) log handling, sorting and storage.

Permitted Structures

- (2) The following structures are permitted in the M4 zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:
- (a) Buoys, floats, dolphins and pilings necessary for the establishment or operation of a log handling, sorting or storage use;
 - (b) Marine navigational aids; and
 - (c) Signs, subject to Part 6.

5.16 Public Wharf (M5)

Information Note: The purpose of the Public Wharf Zone is to provide for the regulation of development of the public wharf on North Thormanby Island.

Permitted Uses

- (1) The following uses are permitted in the M5 zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:
- (a) Public service utility uses;
 - (b) Loading, unloading and temporary storage of freight;
 - (c) Temporary docking and mooring facilities for passenger ferries, charter vessels, water taxis, pleasure craft, fishing boats and sea planes; and
 - (d) Non-commercial boat moorage.

Permitted Structures

- (2) The following structures are permitted in the M5 zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:
- (a) Public wharf or barge;
 - (b) Buoys, floats, wharves, wharf ramps, walkways, piers, floating breakwaters, dolphins and pilings, and buildings necessary for the establishment or operation of a use permitted in this zone;
 - (c) Marine navigational aids; and
 - (d) Signs, subject to Part 6.

Height

- (3) The maximum height of buildings and structures located on a public wharf is 5.0 metres (16.5 feet) measured from the surface of the wharf.

Floor Area

- (4) The maximum combined floor area for buildings and structures is 14.0 m² (150 ft²).

PART 6 SIGN REGULATIONS

6.1 Permitted Sign Types

- (1) All types of signs, except those prohibited in Section 6.2, are permitted.

6.2 Prohibited Signs

- (1) The following sign types are prohibited:
- (a) Blinking, backlit or neon signs;
 - (b) Signs with moving parts;
 - (c) Signs that make noise to attract attention to the sign;
 - (d) Signs illuminated by a floodlight or spotlight such that the light from the floodlight or spotlight shines directly into the path of on-coming motor vehicle, marine or aviation traffic;
 - (e) Signs that project over a highway or other public property;
 - (f) Third party signs;
 - (g) Signs painted on a natural rock face; and
 - (h) Any sign hung from, or in any way affixed to, any other sign.

6.3 Exempt Signs

- (1) The following signs are exempt from the regulations in this Part:
- (a) Directional, traffic control, safety, interpretive, address and navigational signs;
 - (b) Signs of duly nominated candidates for public office, provided they are removed within 14 days of the date of election;
 - (c) Signs pertaining to the lease, sale, or name of owner or property, or the use or status of a lot or building, provided that no sign exceeds a dimension of 0.75 metres by 0.75 metres (2.5 feet by 2.5 feet); and
 - (d) Signs erected and maintained by a public agency.

6.4 Siting and Height

- (1) The maximum height for any sign is 6 metres (20 feet).

6.5 Obsolete Signs

- (1) Any sign which has become obsolete because of the discontinuance of the business, service or activity to which it pertains must be removed from the premises within thirty days after the sign becomes obsolete.

6.6 Sign Number and Area

Table 6.1: Sign Number and Area		
Zone/Use	Number of Signs Permitted for each Lot, Premises or Use	Maximum Total Sign Dimension Permitted for Each Lot, Premises or Use
All zones	1 per lot	0.75 metres by 0.75 metres (2.5 feet by 2.5 feet)

PART 7 PARKING REGULATIONS

7.1 Application

- (1) Parking requirements shall not apply to any island unless there is a highway right of way on the island and one or more motor vehicles, as defined by the *Motor Vehicle Act* are located on that island.
- (2) There shall be one off-street parking space available for each motor vehicle on an island, of at least 2.75 metres (9 feet) in width and 6.25 metres (21 feet) in length, exclusive of manoeuvring aisles or driveways, and having unobstructed vertical clearance of at least 2 metres (6.6 feet).
- (3) Each parking space shall be accessible to a highway via a driveway or manoeuvring aisle not less than 6 metres (20 feet) in width at the junction with the highway.

PART 8 SUBDIVISION REGULATIONS

8.1 Lot Area Calculations

- (1) Subdivisions shall comply with the minimum and minimum average lot area regulations set out in Part 5. For the purposes of this bylaw, the average lot area is the sum of the areas of the proposed lots divided by the number of proposed lots.
- (2) If an owner of land being subdivided dedicates as parkland more than 5 percent of the land being subdivided, the area greater than 5 percent may, for the purpose of determining compliance with minimum average lot area regulations set out in Part 5, be included in the total area of lots being created.

8.2 Exemptions from Average and Minimum Lot Area Requirements

The average and minimum lot areas specified in Part 5 do not apply to:

- (1) A lot being created to be used solely for the unattended equipment necessary for the operation of any of the following services, provided that the owner grants a covenant restricting the use of the lot to that use:
 - (a) Electrical and telecommunication utilities;
 - (b) Community sewer or water system facilities;
 - (c) Telephone receiving antenna;
 - (d) Radio or television broadcasting antenna;
 - (e) Telecommunication relay;
 - (f) Automatic telephone exchange;
 - (g) Firefighting services;
 - (h) Air or marine navigation aid; and
 - (i) Electrical substation.
- (2) A lot being created to be used solely for park use or natural open space or conservation purposes provided that a covenant is granted that restricts the use of the lot to that purpose.
- (3) A lot created by the consolidation of two or more lots.
- (4) The adjustment of boundaries between lots provided that the area of any lot would not be increased to an extent that the land that comprised the parent lots could be subdivided into more lots than would be permitted under this Bylaw without the boundary adjustment, and the total number of lots after the boundary adjustment is no more than the total number of lots before the boundary adjustment.

8.3 Covenants Prohibiting Further Subdivision and Development

- (1) Where a subdivision is proposed that yields the maximum number of lots permitted by the applicable minimum average lot area specified by this Bylaw, and one or more of the lots being created has an area equal to or greater than twice the applicable minimum average lot area, the owner must grant a restrictive covenant in respect of every such lot prohibiting further subdivision of the lot and prohibiting construction,

erection, or occupancy on the lot of more than the applicable zone's permitted number or size of dwellings, guest houses and accessory buildings.

- (2) If a subdivision is proposed that yields fewer than the maximum number of lots permitted by the applicable minimum and minimum average lot sizes specified by this bylaw, and:
- (a) one or more of the lots being created has an area equal to or greater than twice the applicable minimum average lot size; and
 - (b) one or more of the lots being created has an area less than the applicable minimum average lot size the applicant shall grant a restrictive covenant in respect of every lot prohibiting:
 - (i) the subdivision of the lot so as to create a greater total number of lots by subdivision and re-subdivision of the original lot than would have been created had the first subdivision created the maximum number of lots permitted by the applicable minimum and minimum average lot sizes specified by this Bylaw; and
 - (ii) the construction, erection, or occupancy on the lot of dwellings, guest houses and accessory buildings so as to create greater density of such development on the original lot than would have been created had the original lot been developed to the greatest density permitted by this Bylaw without subdivision.
- (3) If the approval of a bare land strata plan would create common property, the applicant must grant a restrictive covenant in respect of the common property prohibiting the further subdivision of the common property and the disposition of the common property separately from the strata lots.

8.4 Boundary Adjustment Subdivisions

- (1) A boundary adjustment subdivision is prohibited if it would result in the increase of the area of any lot to the point where the new lots created could together be subdivided into more lots than would be permitted under this bylaw without the boundary adjustment.
- (2) A boundary adjustment subdivision resulting in a lot lying in two or more zones is prohibited, except where all of the lots being subdivided are located in two or more zones.

8.5 Section 946 Subdivisions (Residence for a Relative)

- (1) No lot having an area less than 8 hectares (20 acres) may be subdivided pursuant to the *Local Government Act* to provide a residence for a relative of the owner.

8.6 Lot Frontage and Lot Shape

- (1) The frontage on a highway of any lot in a proposed subdivision and having highway frontage shall be at least 10% of its perimeter, unless exempted by the Local Trust Committee pursuant to the *Local Government Act*.

- (2) No lot in a proposed subdivision may have a lot depth greater than three times its lot width excluding the width of any panhandle access strip.
- (3) If a panhandle lot proposed to be created has sufficient area to be further subdivided under this Bylaw, the minimum width of the access strip shall be 20 metres.
- (4) If a panhandle lot proposed to be created has insufficient area to be further subdivided, the minimum width of the access strip shall be 10 metres.

8.7 Split Zoned Lots

- (1) The creation of an additional lot lying within two or more zones is prohibited unless the subdivision consolidates lots or adjusts property lines.
- (2) Where a lot lying within two or more zones is subdivided, each proposed lot must comply with the largest minimum lot area specified in Part 5 for any zone in which the proposed lot lies, and with the largest of any minimum average lot areas specified for each such zone.

8.8 Split or Hooked Lots

- (1) No lot which is divided into two or more portions by a highway or other lot may be created by subdivision, except where required to provide highway access within a water access subdivision.
- (2) Where a part of a lot is separated from the main portion of the lot by a road, watercourse, marine water or topographical feature, it may be consolidated with an adjacent lot to which it may be more properly related without meeting other provisions of this Part, as long as the main portion of the parent lot conforms to the provisions of this Part.

8.9 Water Access Subdivisions

- (1) Subdivisions that propose access by water only shall be provided with access by highway dedication to a location suitable for the establishment of a neighbourhood dock for use by the owners and occupiers of the subdivision.

8.10 Highway Standards

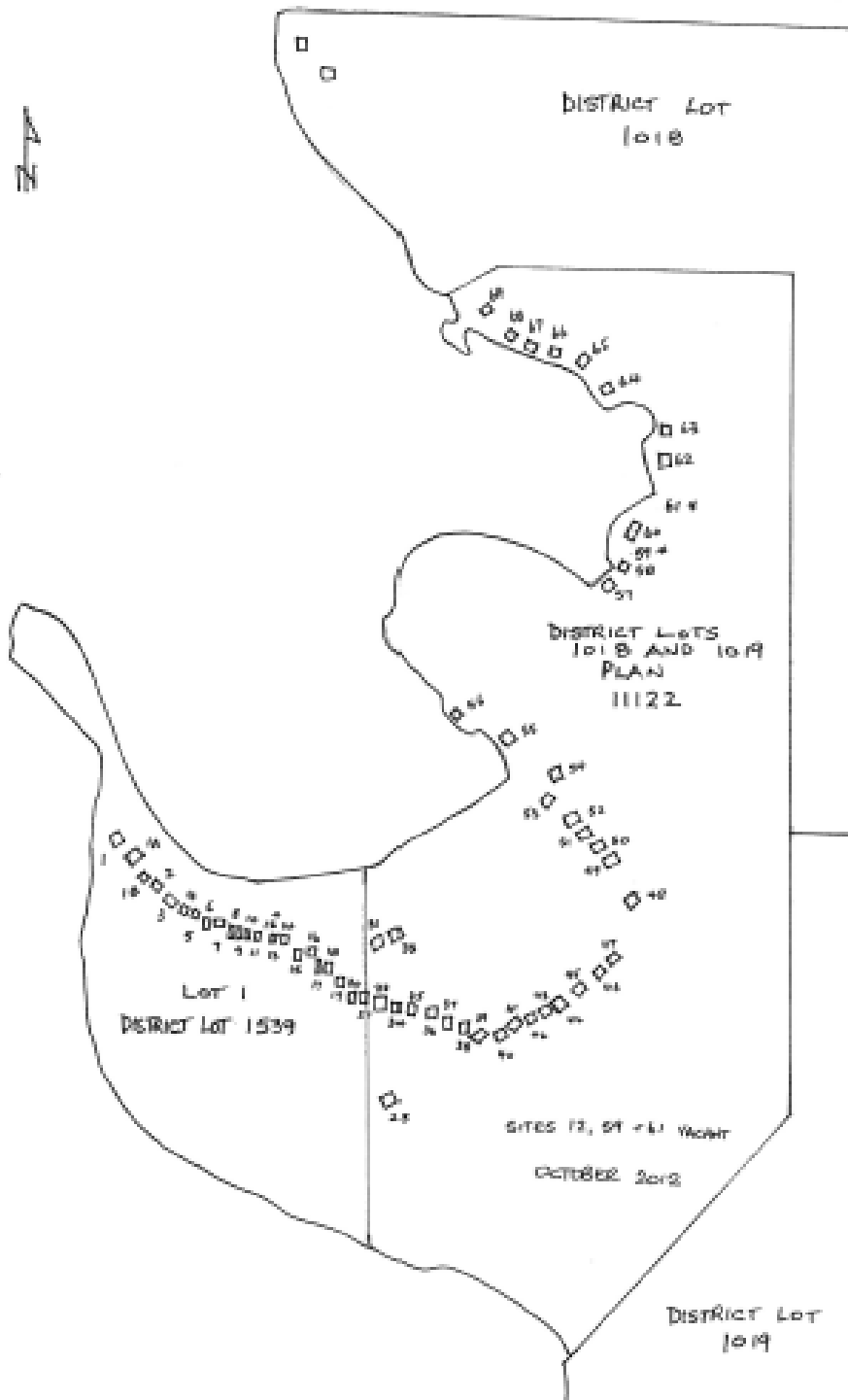
Information Note: For information on road standards see the Letter of Agreement between the Islands Trust and the Ministry of Transportation and Highways (now called Ministry of Transportation and Infrastructure), dated October 20, 1992 and amended July 18, 1996.

8.11 Water Supply

Information Note: For information on water quantity (volume) and quality (potability) requirements for proposed lots served by individual wells, contact the Provincial Approving Officer, Ministry of Transportation and Infrastructure, and for proposed lots served by a community water system contact the Vancouver Coastal Health Authority.

Schedule A-1

Site Plan for District Lot 1539, Lot 1 of District Lot 1018 and 1019, South Thormanby Island



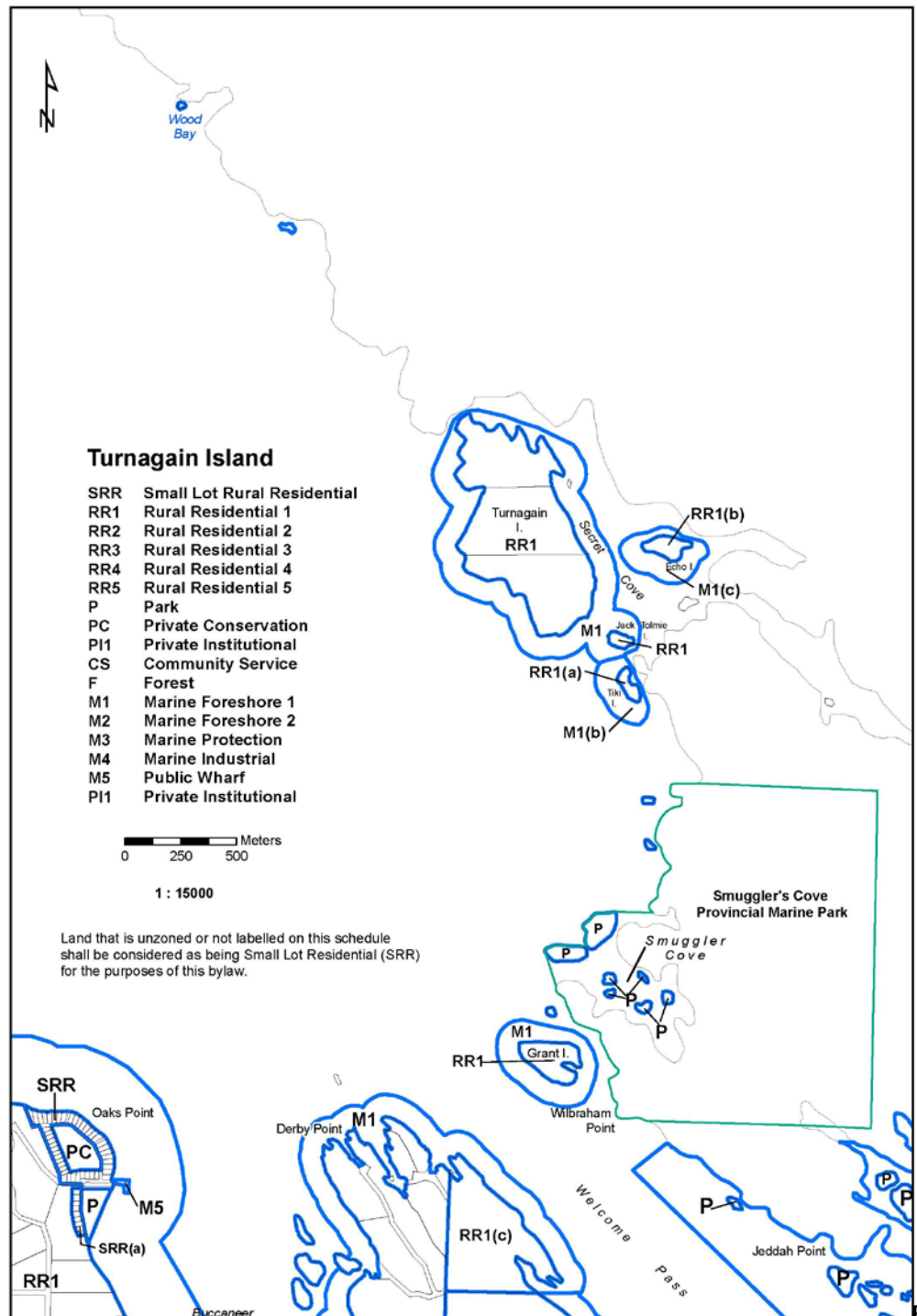
Schedule A-2 -Accessory Buildings in Buccaneer Bay

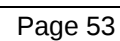
District Lot 1539, Lot 1 of District Lot 1018 and 1019, South Thormanby Island

Principal dwellings with accessory buildings in the RR2 zone numbering more than three (3) and/or whose total square footage is more than 32.5 m² (350 ft²).

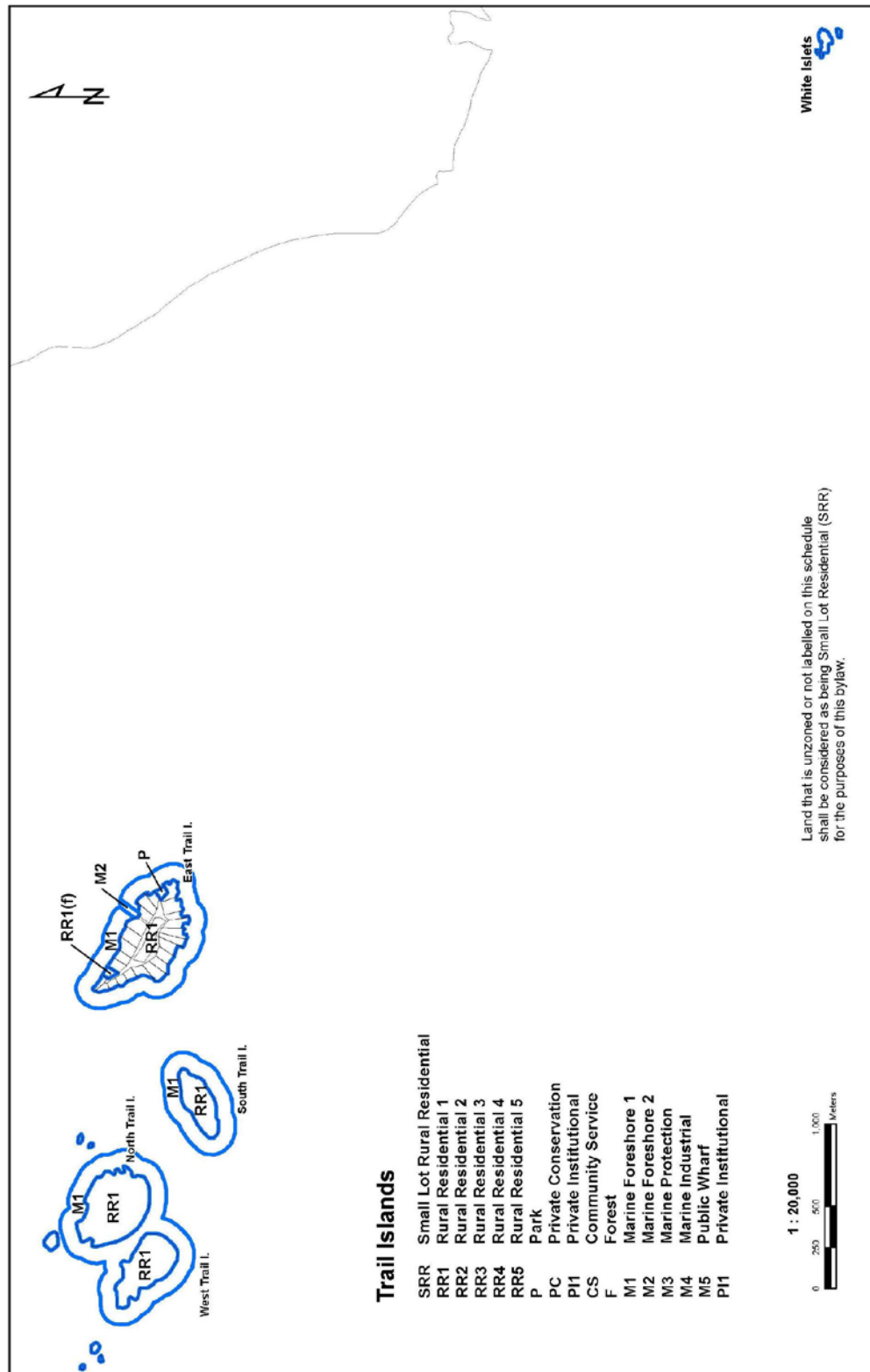
Table A.2: Accessory Building Build Out – Buccaneer Bay		
Site No.	Number of Buildings	Total Floor Area
3	3	61.3 m ² (660 ft ²)
5	4	43.2 m ² (465 ft ²)
8	3	62.4 m ² (672 ft ²)
14	3	46.7 m ² (503 ft ²)
16	3	38.2 m ² (411 ft ²)
19	3	37.2 m ² (400 ft ²)
22	2	60.2 m ² (648 ft ²)
23	1	34.4 m ² (370 ft ²)
45	3	40.5 m ² (436 ft ²)
54	3	41.7 m ² (449 ft ²)
62	5	86.8 m ² (934 ft ²)
63	4	33.4 m ² (360 ft ²)
64	2	83 m ² (893 ft ²)

Schedule B - Zoning Map A

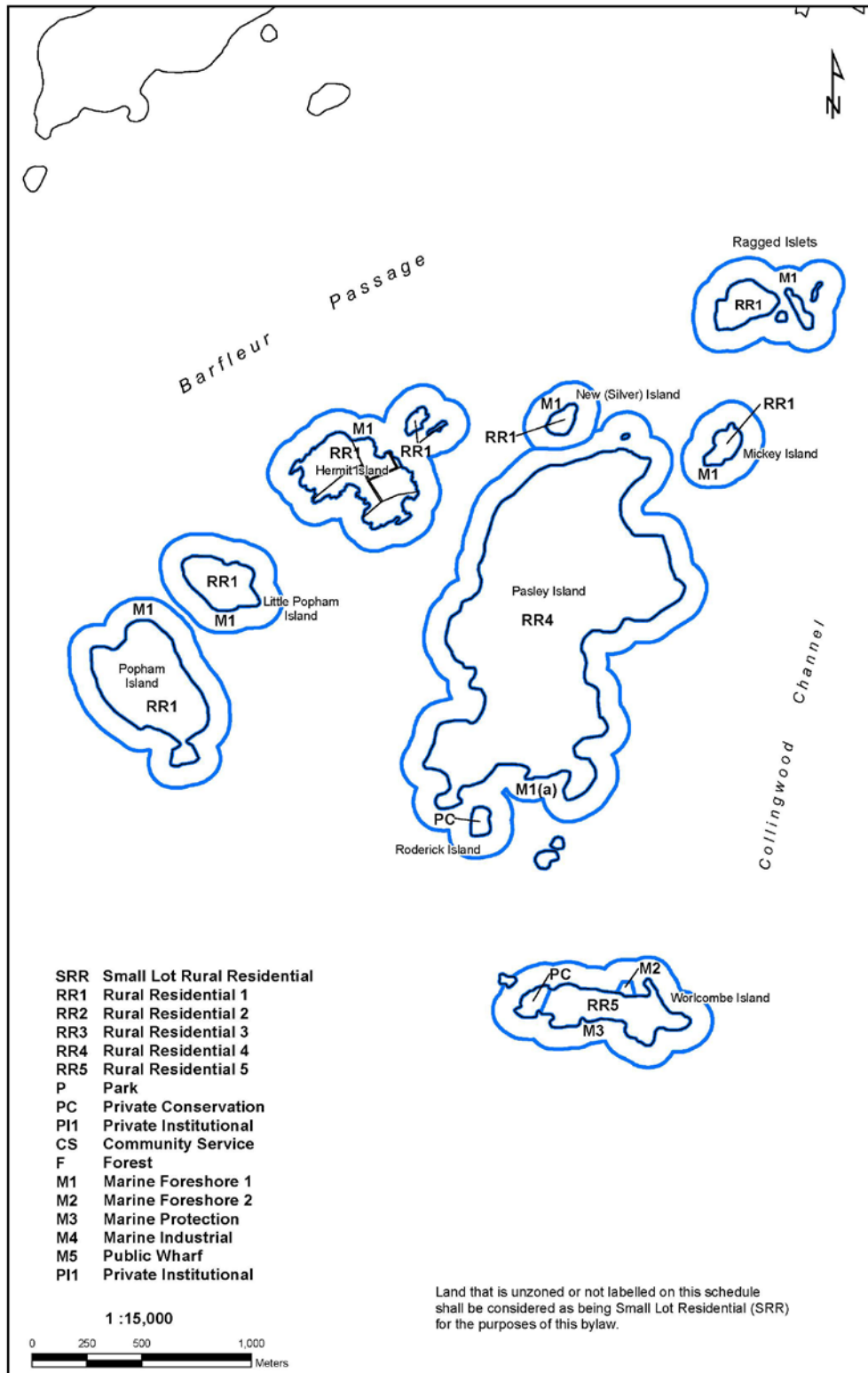




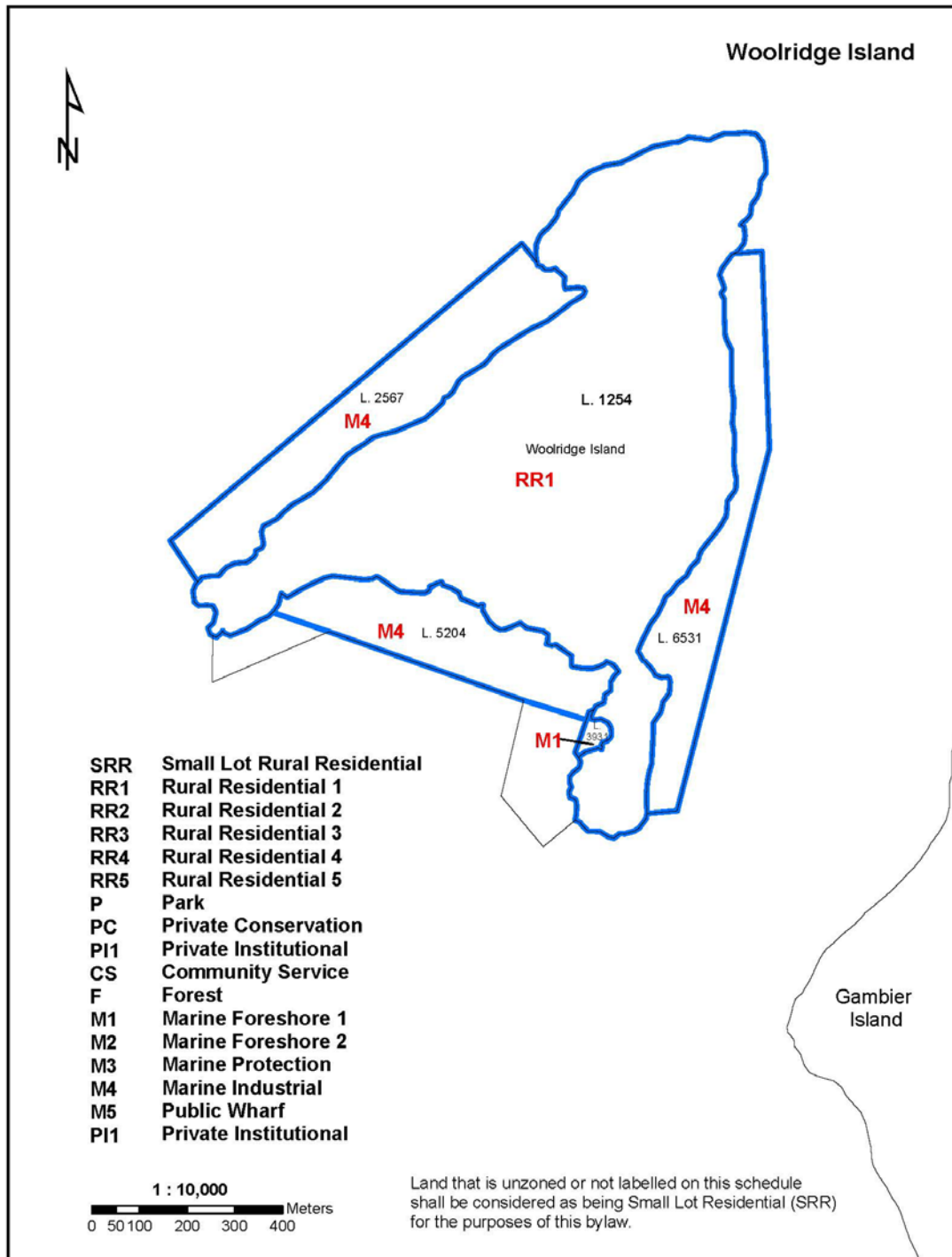
Schedule B - Zoning Map C



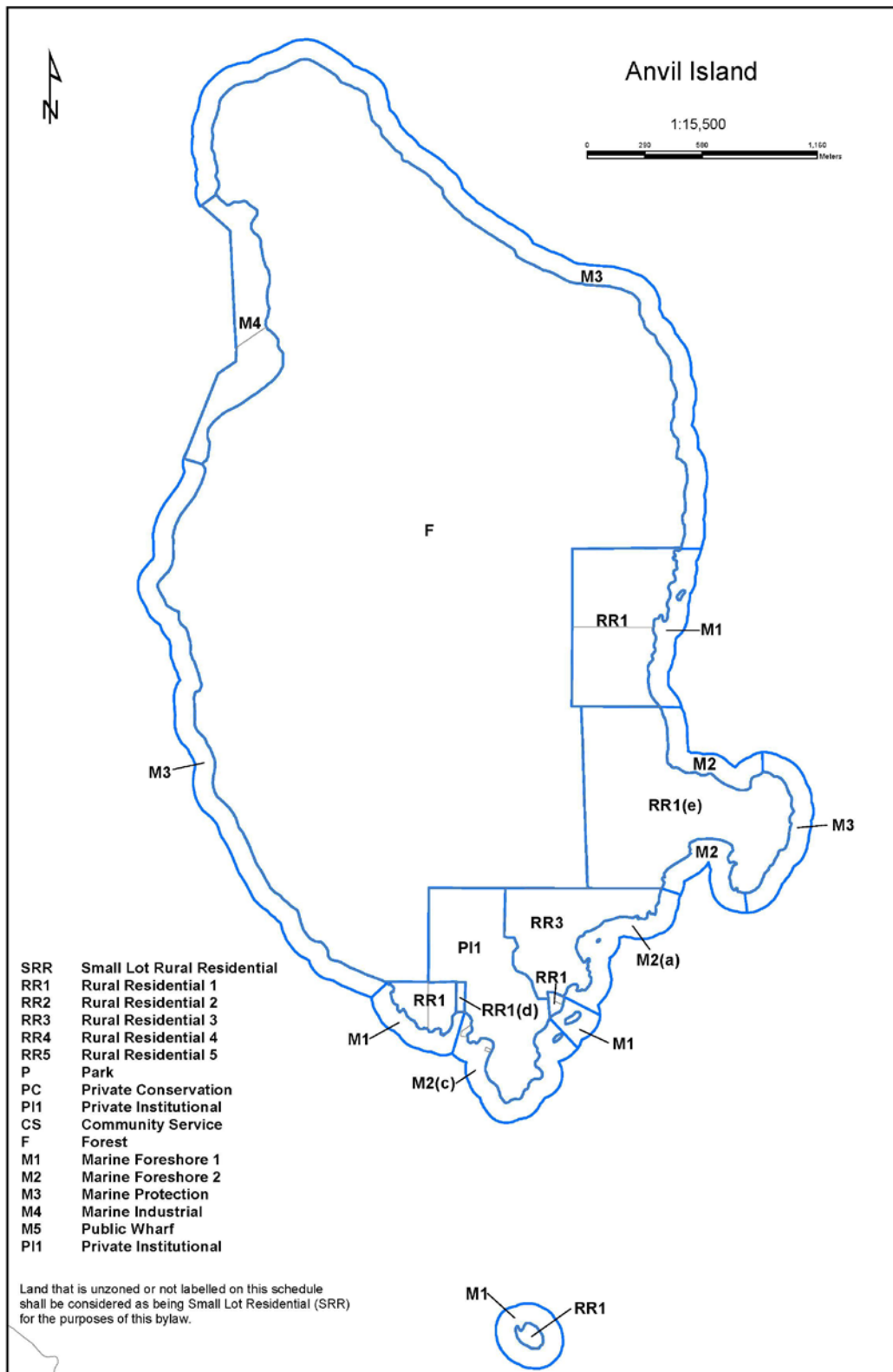
Schedule B - Zoning Map D



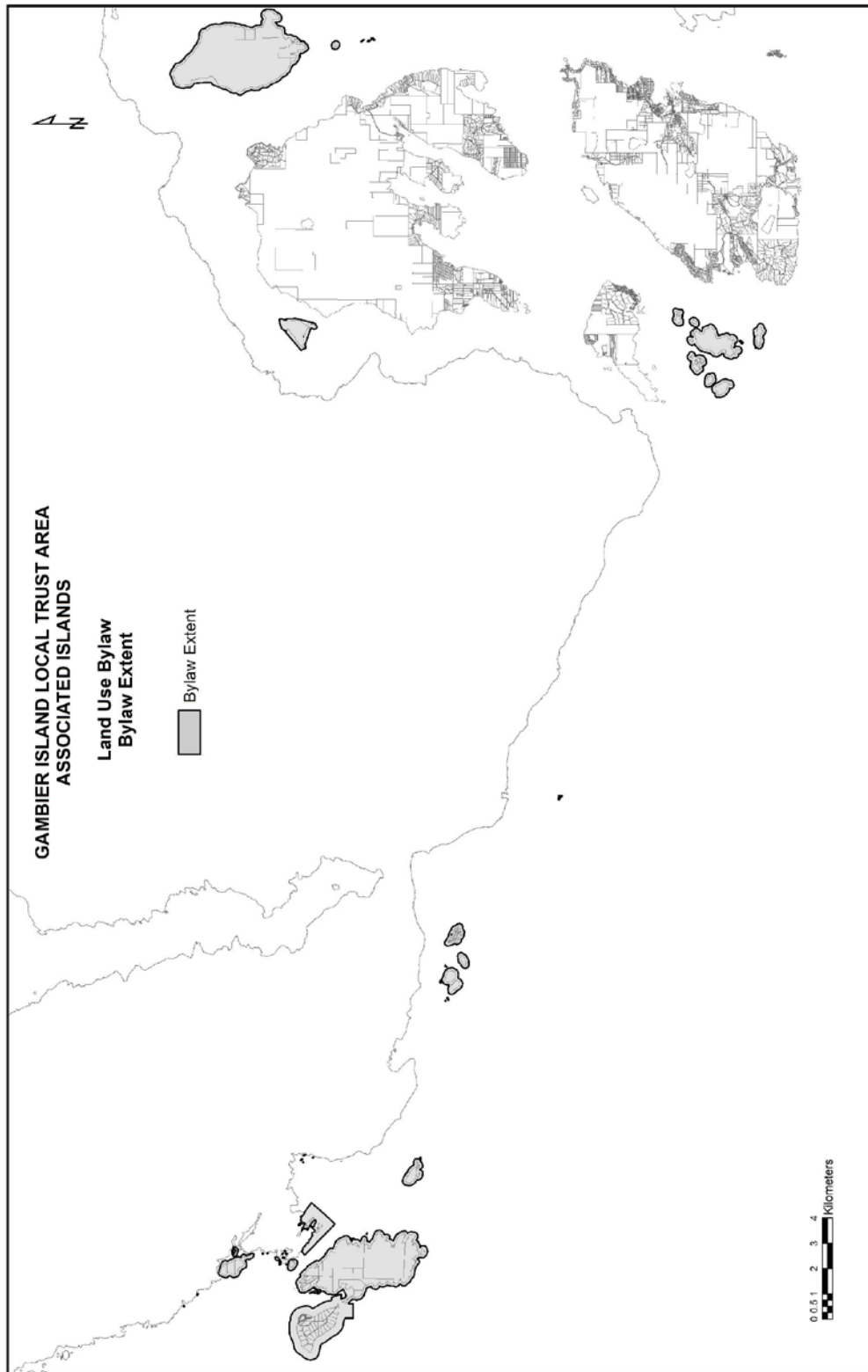
Schedule B - Zoning Map E



Schedule B - Zoning Map F



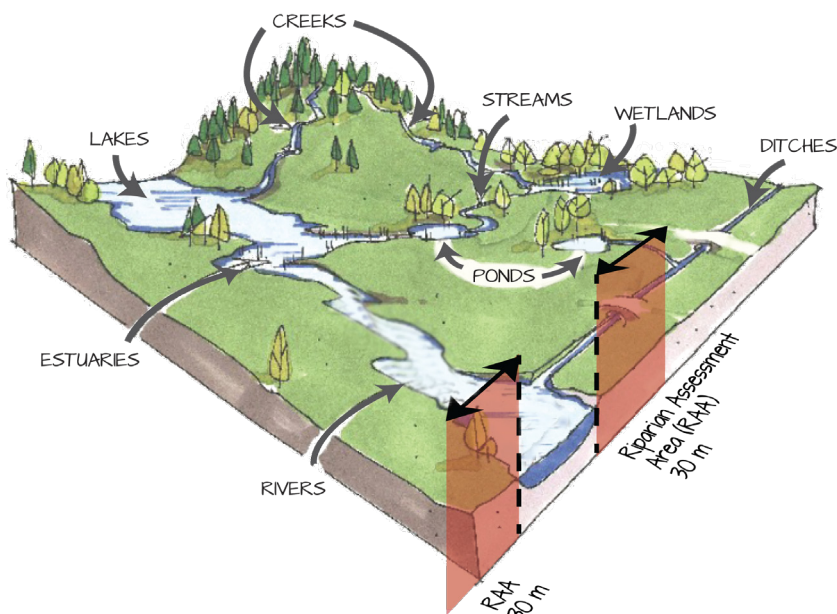
Schedule C – Bylaw Area of Application Map



RIPARIAN AREAS REGULATION

in the Gambier Island Trust Area

*A provincially legislated
regulation required for
specified development in BC*



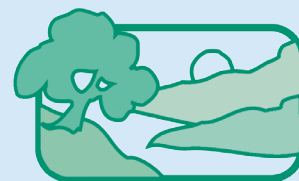
WHAT ARE RIPARIAN AREAS?

Riparian areas are the areas bordering streams, lakes and wetlands that connect water to land. These areas support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. In addition, riparian areas play a key role in maintaining the natural hydrologic cycle of a watershed by stabilizing stream channels, reducing erosion, filtering impurities and sediment, capturing and storing runoff water and precipitation and recharging aquifers that store groundwater.

RIPARIAN AREAS REGULATION (RAR)

The RAR applies to a “Riparian Assessment Area” (RAA), which is defined in the RAR to mean any area within 30 metres of a “stream”. A “stream” is defined in RAR to include a watercourse - whether it usually contains water year round or not - that provide fish habitat. Watercourses include ponds, lakes, rivers, creeks and brooks as well as some ditches, springs, and wetlands if they are connected by surface flow to fish habitat.

Local governments may allow development within 30 metres of the high water mark of a stream or top of a ravine bank provided the prescribed riparian assessment methods have been followed. The riparian assessment method requires a Qualified Environmental Professional (QEP) to provide an opinion in an Assessment Report. In the assessment, the QEP will establish, on a site-specific basis, which areas within the 30 metre RAA can be developed. The QEP may also provide recommendations on mitigation or enhancement measures specific to the development proposal. Remaining areas that may not be developed are identified as a Streamside Protection and Enhancement Area (SPEA).



10.2.1

Islands Trust

Northern Office
700 North Road | Gabriola Island
British Columbia | V0R 1X3

Phone: 250.247.2063
Toll Free: 1.800.663.7867
Fax: 250.247.7514
E-mail: northinfo@islandstrust.bc.ca

RAR IN THE GAMBIER ISLAND TRUST AREA

The Ministry of Environment was not able to verify which watersheds in the Gambier Island Trust Area are RAR applicable. Without this verification or a QEP assessment report, all streams in the Gambier Trust Area are considered RAR applicable until proven otherwise in accordance with the provincial Riparian Areas Regulation.

For the remainder of the 2013-2014 term the Gambier Island Local Trust Committee will;

- Continue to work with other local trust committees and staff in the northern area to develop community consultation options and education materials for RAR implementation;
- Review the current Gambier Island Official Community Plan, Schedules F and I, to draft development permit area provisions that would be in accordance with the provincial Riparian Areas Regulation; and,
- Explore other methods that could be used to determine RAR applicability to Gambier Island Trust Area watersheds and watercourses.

WHY ARE RIPARIAN AREAS IMPORTANT?

Riparian areas are extremely sensitive to disturbances. Even modest changes in the amount and timing of water flow may result in significant changes to the physical and biological functioning of these ecosystems.

The disturbance of riparian areas is one of the leading causes of poor stream and watershed health. Without the protective qualities of the riparian corridor, watercourses respond rapidly to the pressures of development, quickly becoming degraded and unable to support aquatic life. Our job as stewards of the land is to understand the qualities of these areas, anticipate how they will react to development and, ultimately, ensure they continue to function well into the future.

HOW ARE RIPARIAN AREAS IMPACTED?

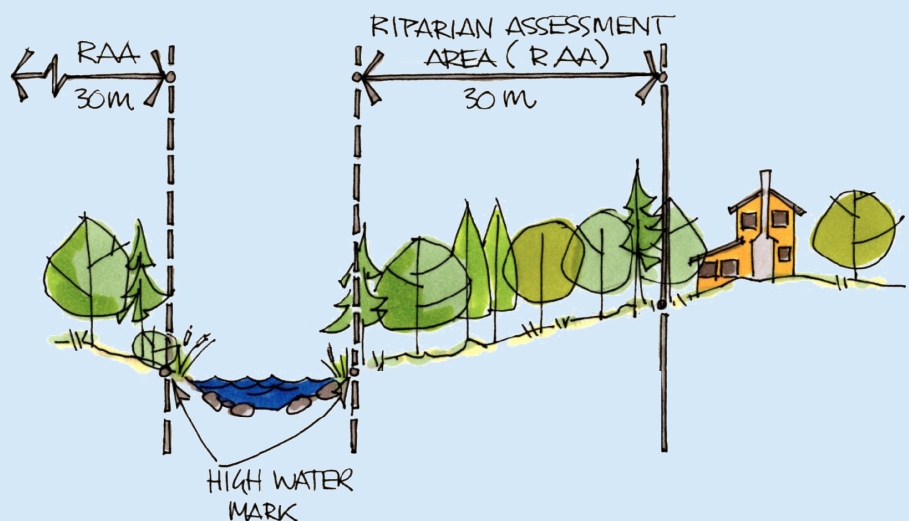
Development activities involving clearing land and replacing natural vegetation with buildings, roads and other impervious surfaces lead to increased runoff and decreased groundwater storage, resulting in wide fluctuations in stream flow and increased amounts of sediment and impurities entering sensitive aquatic habitat.

These impacts can be minimized by adopting land development practices that protect riparian environments.

WHAT CAN I DO?

Preventing damage to riparian areas is easier than restoring functional habitat once damage has occurred. The RAR is designed to prevent damage to riparian areas due to development.

By requiring an assessment by a QEP for any proposed development or land clearing activities within the riparian area, the regulation ensures that development is designed in harmony with nature. The goal is to accommodate development in such a way that allows sensitive riparian ecosystems to continue to function well into the future.



RAR QUICK FACTS

The RAR **does** apply to the following activities:

- Construction of buildings and structures;
- Creation of non-structural impervious or semi-impervious surfaces (e.g., parking lots, patios);
- Removal, alteration, disruption or destruction of vegetation;
- Disturbance of soils;
- Development of some recreational facilities (e.g., parks, trails, golf courses);
- Development of new services (e.g., roads); and
- Dwellings on ALR land.

The RAR **does not** apply to the following activities:

- Development outside a riparian assessment area (RAA);
- Farming activities (ALR or zoned) or institutional development;
- Existing permanent structures, roads and other development;
- Reconstruction or repair of permanent structure if the structure remains on its existing foundation; and
- Developments that have been approved but not yet built

FOR MORE INFORMATION ON RIPARIAN AREAS
REGULATION IN THE GAMBIER TRUST AREA

PLEASE VISIT

Islands Trust

Gambier Island Trust Area

RAR Communications Recommendation Report for the Gambier Island Local Trust Committee

Prepared by:

Devon Miller
Miller Consulting
1165 North Road,
Gabriola Island, BC
V0R 1X3
devon@origincollaborative.com
(250) 325-1988

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Executive Summary

This report was written to introduce the Gambier Island Local Trust Committee (LTC) to the latest Riparian Area Regulation (RAR) communication material for the Gambier Island Trust Area, and to offer recommendations as to the most appropriate means of distributing said material and engaging the community in RAR discussions.

The report is structured in the following way:

- In Section 1.0, an introduction to the communication materials will be provided. This section will describe the intended results of the materials as well as a justification for the structure and wording of the materials. Generally speaking, the materials were written in a less formal style with the intention of creating a more easily accessible document for the public.
- In section 2.0, an overall list of recommendations will be provided for appropriate means of material distribution and engagement within the stated \$1000 budget. These recommendations are broken down into two categories: *Online engagement* (section 2.1), and *Physical distribution* (Section 2.2).

Each of the recommendations will be described in detail and justified in their utility to achieving meaningful engagement within the stated budget. Each recommendation will be broken down into: description (what the recommendation is), justification (reasoning behind the recommendation and issues to consider), and intensity (estimated cost and time required by staff).

When making recommendations, two main elements were considered:

- Demographic data for the Gambier Island Trust Area, particularly with regard to percentage of full-time residents
- Typical methods of travel residents use to get to and from the islands in the Gambier Island Trust Area

1.0 - Introduction to communication materials

This section includes a description of the document, including a justification of the structure and wording of the materials.

1.1 Description of Document

The goal of the informational brochure is to provide relevant *content* in a concise, engaging, and aesthetically pleasing *format*. Strategies for achieving these two goal categories are broken down below.

Content

- Provide a description of what riparian areas are
- Provide a description of why riparian areas are an important part of a well-functioning ecosystem
- Provide a description of how riparian areas are at risk of degradation from development
- Introduce Gambier Island Trust Area landowners to Riparian Areas Regulation (RAR), including:
 - What the regulation restricts in terms of development
 - What a Riparian Assessment Area (RAA) is
 - When and why a Qualified Environmental Professional (QEP) is required
 - Which activities the RAR applies to
 - Which activities the RAR does not apply to
 - Information regarding the status of RAR in the Gambier Island Trust Area

Format

- Insert useful images wherever possible to aid in description of RAA or RAR
- Use a structured, legible format and font
- Write in engaging language to encourage reading (e.g., “How are riparian areas impacted”; “What Can I do?”) as opposed to more prescriptive, non-engaging writing (e.g., using terminology from policy and/or bylaw documents)
- Create concise sections and language for quick views (e.g., “RAR Quick Facts” box)

Printed sample material

Sample hard copy of document was printed at Gallery Press on Gabriola Island, on 100 weight, matte coated ‘tree-free’ paper, with bleeds to the edges.

2.0 – Recommendations

This section includes descriptions of the recommendations for distribution of the materials introduced in Section 1. Each recommendation will be structure in the following way: Title; Description; Justification; and Intensity (which includes cost – from low to high; and staff time – from low to high). A summary of the recommendations is provided in *Table 1* at the end of this section.

2.1 Online engagement

Link to downloadable document on Islands Trust website

Description: Create a designated page or space on the Islands Trust website where Gambier Island Trust Area community members and other interested parties can access and download the informational brochure.

Justification: This recommendation is currently practiced, and webpages with links to downloadable materials is a good resource to have when referring community members to other informational materials. This practice is also useful because community members can access information at any time.

Intensity: Low cost, low staff time.

Create a designated Riparian Areas Regulation webpage

Description: In addition to creating a download link to the informational brochure, a designated information webpage on the Islands Trust website would be useful in disseminating information widely to those community members that are Internet users. This webpage could include general information regarding RAR in the Gambier Island Trust Area, as well as links to additional information (e.g., RAR information from the Ministry of Environment website).

Note: other LTAs in the northern region could also use this webpage as a resource for RAR information, and it could perhaps be developed as a general resource page for northern Local Trust Areas. See Appendix i for a good example of an informational webpage.

Justification: While creating an entire website for this topic would likely be excessive in terms of time and effort required, a single webpage with images and descriptions (much like the information found in the brochure) would provide easy access to this information for residents and would require only moderate time and effort on behalf of staff. As well, this recommendation would not require a file to be downloaded from a webpage, which is an additional step that can be a barrier to accessing information for some individuals.

Intensity: Low cost, moderate staff time (creation and posting of materials).

Create a RAR video

Description: A short (e.g., 30 second) video embedded on the Islands Trust website describing RAR and how it impacts landowners in the Gambier Island Trust Area.

Justification: While this option would likely exceed the \$1000 budget, videos are a potentially powerful tool for online engagement. A well-constructed video can be shared widely online using any number of popular platforms (e.g., YouTube, Vimeo) in addition to contributing to the Islands Trust online presence. See *Appendix ii* for links to example videos and consultants that do this kind of work.

Intensity: High cost (likely involving outside consultants), moderate staff time (for project management).

2.2 Physical distribution

Mailouts

Description: A standard mailout. Send hard copies of the informational material to landowners that have property that lie within a watershed. Options include using tracked mail (most expensive option, mail that is assigned a locator number for tracking arrival), regular mail, and BC Mail Plus (most affordable option, for use by local governments).

Justification: This is standard practice and ensures that community members are provided with at least one copy of the informational materials. An issue with this option is that, depending on the number of properties included, this option could exceed the \$1000 budget (note: excluding landowners that are not within a watershed area is one way of reducing cost for this option). Another issue is that only approximately 15 percent of landowners live within the Gambier Island Trust Area full-time, and therefore there may be delays in disseminating the materials to the targeted audience.

Intensity: High cost (estimated \$2/landowner for printing¹ and shipping costs), moderate staff time (coordinating mailout).

Printed copies in community hubs

Description: In addition to mailouts, place informational brochures in strategic locations where community members typically frequent. Some suggested locations are on bulletin boards on docks on Gambier Island, in the Langdale ferry terminal passenger waiting room, and at the Gambier Island Community Centre. The brochures could be taped up in display, and additional copies could be nearby for landowners to take home with them.

Justification: By placing informational materials in strategic locations where residents typically frequent, the chances that residents will view the material will increase. For this option, it might be strategic to wait until landowners typically go to the islands to post the material (i.e., the beginning of summer).

Intensity: Moderate cost (estimated \$1/copy printed), moderate time for trustees from local islands to travel and post material.

¹ Quote from Gallery Press: 300 copies (\$186.40), 500 copies (\$278.60), 800 copies (\$388.20)

Table 1. Summary of options and their associated intensities (cost, staff time)

	Option	Cost (low/moderate/high)	Staff time (anticipated)
<i>Online</i>	Link to document on IT website	Low	Low
	Designated RAR webpage on IT website	Low	High
	Video on IT website	High	Moderate
<i>Physical</i>	Mailouts	High	Moderate
	Printed copies in community hubs	Moderate	Moderate

Appendix i

Regional District of Nanaimo website: *Watersheds and Aquifers 101*

<http://www.rdn.bc.ca/cms.asp?wpID=2415>

This webpage is easy to access, navigate and read, and includes all the pertinent information on one page. It does not require interested parties to download information (although that is an option), which can be a barrier for individuals accessing information.

A similar page on the Islands Trust website depicting key information regarding RAR could be a helpful source of information for landowners.



[Translate This Page](#) [RDN A to Z](#) [Contact](#) [Employment](#)

[ABOUT THE RDN](#) [SERVICES](#) [WHAT'S NEW](#) [REGIONAL BOARD](#) [RDN A TO Z](#)

[RDN Map](#) [Ravensong Pool](#) [Oceanside Place](#) [Curbside Collection](#) [Transit](#) [Drinking Water & Watersheds](#) [Agendas & Minutes](#)

[Services / Drinking Water & Watershed Protection / Watersheds and Aquifers 101](#)

DRINKING WATER & WATERSHED PROTECTION

- RDN Watersheds
- [Watersheds and Aquifers 101](#)
- RDN Rebates
- Program Actions
- Action for Water video
- Team WaterSmart
- Small Water Systems
- [DWWP Frequently Asked Questions](#)
- DWWP Technical Advisory Committee
- WaterMap

RDN ALERTS

< JANUARY 2013 >

CLICK TO EXPAND

S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Watersheds and Aquifers 101

When rain falls on the ground, some of it travels slowly down through the ground to the aquifer. As water makes its slow journey, it is filtered by soil, sand and gravel. This water is called **groundwater**.

Some of the rainwater runs over the land into lakes, rivers, and streams. This water is called **surface water**.

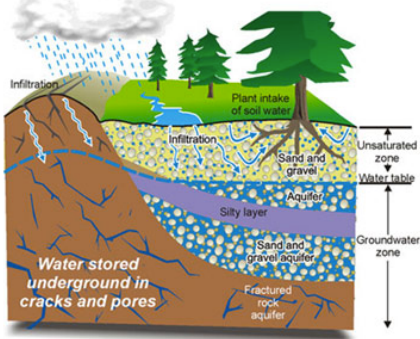
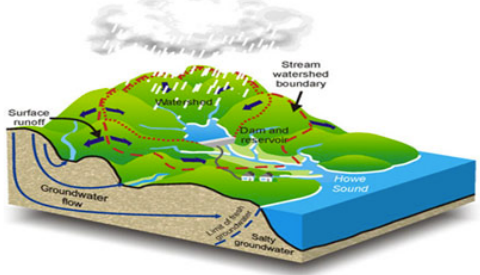
What is a Watershed?

A watershed is an area of land that catches rain and snow and where water flows downward into a specific river, stream, lake, or aquifer. All land is part of a watershed and we all live in a watershed.

Think about your local creek, river, or stream. Where does it come from? What type of landscapes does it pass through? All of the area covered is a watershed. What happens on the land affects the water in the ground as well as the local creeks, river, streams, and the fish that live in them.

What is an Aquifer?

An aquifer is the area underground where spaces between gravel, sand, clay, or rock fill with water. Water stored underground is called groundwater. There are different types of aquifers. When water is found in cracks and pores in the rock, we call this a 'bedrock' aquifer. When water is found in the spaces between sand and gravel, we call this a 'sand and gravel', or 'unconsolidated' aquifer. The RDN has both types of aquifers. See [RDN Watersheds](#) for more information.



Groundwater and surface water are connected. Have you ever wondered how rivers continue to flow even if there has been no rain for weeks? One answer is ground water. It continues to supply water through the banks and beds of rivers and streams. Once in the river, ground water becomes surface water! And sometimes surface water goes back into the ground.

For an excellent animation describing surface water and ground water, provided by UN Water: [CLICK HERE](#)

Appendix ii

List of consultancies that provide video/multimedia services

Ear to the Ground Planning

<http://www.eartotheground.ca/home.php>

A consultancy that uses multimedia as an engagement tool. The website has several sample videos, as well as an introductory video regarding the connection between planning and video.

Whole Picture Thinking

<http://www.wholepicturethinking.com/>

A consultancy that specializes in visual recording and graphic facilitation. The video on the home page shows a different technique for video engagement that can be effective.



STAFF REPORT

Date: January 4, 2013

For meeting of January 31,
2013

Application No.: GM-RZ-2012.1 (Reel
17 Investments,
Gambier Island)

To: Gambier Island Local Trust Committee

From: Sonja Zupanec, Island Planner

Copy: Courtney Simpson, A/Regional Planning Manager

**Re: Rezoning application for Lot 1, District Lot 477, Group 1, NWD Plan
BCP41717**

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

BACKGROUND:

The applicant is requesting to rezone and subdivide a small portion of Lot 1 from RR (Rural Residential) to S2 (Local Service) to permit ramp access to a private neighbourhood moorage facility. The applicant is also requesting the adjacent water area be rezoned from W3 (Marine Log Storage) to W1 (Marine general) to accommodate a proposed private neighbourhood moorage facility that would service Cotton Bay property owners (potentially up to 15 lots).

The Gambier Local Trust Committee (LTC) reviewed a preliminary staff report for this application in October 2012 and requested additional information from the applicant prior to further consideration. The applicant has since retained the services of a biologist in training (BIT) from Balanced Environmental Services Inc. to answer a series of questions related to the existing dock and rock retaining wall (letter attached).

The purpose of this supplemental staff report is to: 1) review the supplemental information provided by the applicant; and 2) recommend next steps to advance the rezoning application.

SUPPLEMENTAL INFORMATION:

The applicant was asked to consult with a qualified professional to address three specific information gaps:

1. Documentation that the existing dock infrastructure complies with the regulations of the W1 Marine zone.
2. Documentation that the existing dock meets and exceeds each of the conditions of use within the W1 general zone.
3. A signed BCLS survey plan showing the extent of the shoreline stabilization features installed, existing and the present natural boundary of the sea.

And provide answers to five questions related to the unauthorized rock retaining wall on the subject property:

4. How does the chosen (rock wall) structure preserve the integrity or connectivity of coastal processes for this type of Gambier shoreline?
5. How does this structure maintain or enhance habitat diversity and function of the foreshore area?
6. How does the structure minimize or reduce pollutants to the marine environment?
7. How does the structure reduce cumulative impacts to the coastal environment?
8. how does the structure fit with the rural aesthetic of the Gambier shoreline?

And answer one question related to the proposal in general:

9. What is the total number of lots anticipated to be served by this dock and what are your initial comments on having the foreshore zoning of those lots amended so that private docks would not be permitted?

The letter from the BIT addressed points 1-8 and the full responses are attached in the letter dated November 8, 2012.

ISSUES:

Upon review of the supplemental information provided by the applicant, the following issues have been identified by staff for further consideration by the LTC:

1. Compliance of existing dock infrastructure with W1 zoning and conditions of use.
2. Use of restrictive covenants to limit the number of private docks in Cotton Bay on adjacent parcels.
3. Unauthorized shoreline stabilization works undertaken on the subject property.

STAFF COMMENTS:

1. Compliance of existing dock infrastructure with W1 zoning and conditions of use.

The existing private dock is shown in detail on the attached BCLS survey plan (within attachment 1). It complies with the permitted uses regulation of the proposed W1 zone as a neighbourhood dock. The dock could be increased in dock float size in the future based on the number of lots that are to be serviced and the registration of a restrictive covenant on those benefiting parcels. Currently the dock exceeds the maximum float size for a dock servicing one lot by 4 square metres. The dock is intended to service several lots. The use of a restrictive covenant on all benefiting lots would negate the need to use a site specific sub-zone to authorize the slight increase in dock float size.

The existing ramp exceeds the maximum permitted width by 0.5 metres and could be authorized by a development variance permit, discussed in more detail later in this report.

The letter from the BIT concedes that the existing dock meets and exceeds each of the conditions of use within the W1 general zone (conditions attached). Staff has reviewed each of the individual conditions and identifies concern with only the following condition:

13) The placement of structures associated with anchorage and moorage shall not involve the excavation or filling of the seabed, intertidal foreshore or adjacent upland.

The adjacent upland 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 sometime after 2006 and extends over 50 metres along the shoreline and onto the adjacent Lot #2 to the north:



Figure 1. Aerial Photo 2006

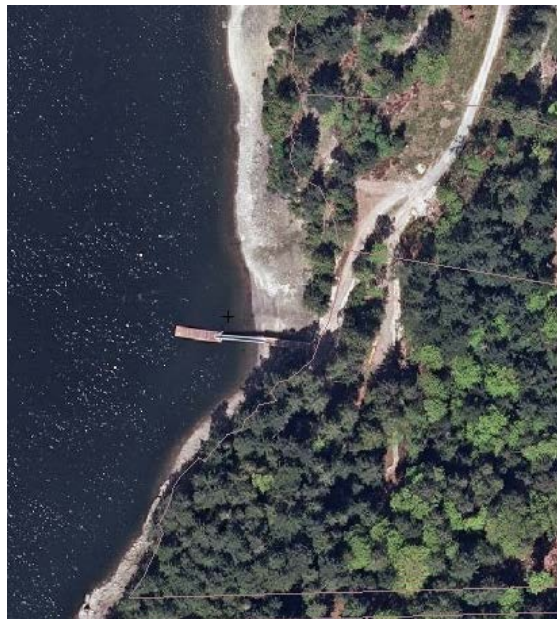


Figure 2. Aerial Photo 2011

Further discussion regarding the unauthorized retaining wall is discussed under point #3.

2. Use of restrictive covenants to limit the number of private docks in Cotton Bay on adjacent parcels.

The applicant has not confirmed the total number of parcels intended to be serviced by the private community dock. The preliminary staff report indicated a total number of up to 15 lots should the current subdivision applications be approved for the subject property and adjacent district lot to the north. For the purposes of advancing the rezoning application staff recommends the adjacent 6 parcels (Figure 3) be included in early consideration of having a restrictive covenant registered on title to reduce the number of private docks in Cotton Bay by not permitting private docks and identifying the community dock as the sole waterfront access point. As subdivision applications are pending for 2 of these parcels, the covenants would need to be registered on each individual title created by subdivision.



Figure 3. Adjacent parcels to potentially benefit from the community dock.

Staff recommends the applicant enter into cost recovery with the Islands Trust for the purposes of drafting and reviewing a restrictive covenant for the subject parcels. The timing could be concurrent with the development of the draft amending bylaws so that at the time of a public hearing a draft restrictive covenant would be available for review. Should the bylaws be adopted, the applicant

would then be required to register the restrictive covenants concurrently with the subdivision plan as per a letter of undertaking.

3. Unauthorized shoreline stabilization works undertaken on the subject property.

No authorizations from the Department of Fisheries and Oceans or the Gambier LTC were sought by the property owner when the approximately 50 metre long rock wall was constructed along the foreshore of the subject property. The retaining wall does not comply with the current residential or proposed local service zone regulations requiring structures to be setback 15 metres from the natural boundary of the sea.

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 LTC can request the applicant apply for a development variance permit (DVP) to request authorization of the siting of the rock wall along the foreshore. The LTC can also use the rezoning process to expressly permit a retaining wall within the setback of the natural boundary of the sea for the subject property. Staff recommends a development variance permit application process be used to evaluate the specific details of the existing structure's location in proximity to the natural boundary of the sea. The DVP process can also be used to request authorization of the oversized ramp access of the existing dock. Should a DVP not be granted for one or both of the requested variances, the rezoning can proceed on the basis that the location has been deemed suitable for the proposed use. The matter of the location, size or extent of existing non-conforming structures is best dealt with by way of a DVP; voluntary compliance with the zoning regulations or bylaw enforcement. Staff recommends a DVP be applied for well in advance of final consideration of any amending bylaws to demonstrate intent to rectify the unauthorized siting and size of the rock wall and dock ramp.

RECOMMENDATIONS:

THAT the Gambier Island Local Trust Committee request:

- 1) Staff to draft a bylaw for GM-RZ-2012.1 with the purpose to rezone: a) the upland portion of Lot 1 to 'Local Service' to permit community dock access; and b) the water portion to 'Marine General' to permit one neighbourhood dock;
- 2) Staff to enter into a cost recovery agreement with the applicant to draft a restrictive covenant for the benefiting parcels to limit the total number of private docks in Cotton Bay and return a copy of the draft covenant to the LTC for review prior to a public hearing; and
- 3) That prior to the LTC's final consideration of any amending bylaws related to the subject property, the applicant apply for a development variance permit requesting authorizations for the siting of the rock retaining wall and the width of the walkway pier as constructed on the subject property.

Prepared and Submitted by:

S. Zupanec

January 4, 2013

Sonja Zupanec, RPP
Island Planner

Date

Concurred in by:

Courtney Simpson

January 4, 2013

Courtney Simpson, RPP
A/Regional Planning Manager

Date

Attachments:

1. Letter from Duncan Clark, BIT, Balanced Environmental – November 2012.
2. Photos of the existing retaining wall and private dock.
3. W1 zone regulations and conditions of use.

November 8, 2012

Balanced File No.: 5381-R-8.1

Sonja Zupanec
Islands Trust
700 North Road
Gabriola Island, B.C.
V0R 1X3

Re: Request for additional information – rezoning application for Lot 1, DL 477, Group 1, NWD Plan BCP41717

Application No.: GM-RZ-2012.2
Owner: Reel 17 Investments
Applicant: Jim Green
Location: Cotton Bay, Gambier Island

Hi Sonja,

As noted in your Staff Report to the Gambier Island Local Trust Committee, dated October 10, 2012, Reel 17 Investments is requesting to rezone and subdivide a small portion of Lot 1 to permit access to an existing moorage facility, which is now being proposed for use as a private neighbourhood moorage facility. The facility was originally constructed under the terms and conditions of a license of occupation with the Province of British Columbia (License No. 240808) that has since expired. Reel 17 Investments is also requesting that the adjacent water area be rezoned to accommodate the new use of the moorage facility for the shared use of Cotton Bay property owners. No construction or modification of the existing facility is being proposed at this time.

In order to proceed with the rezoning application, the Gambier Island Local Trust Committee (LTC) has requested additional information including:

1. Documentation that the existing dock infrastructure complies with the regulations of the W1 Marine zone.
2. Documentation that the existing dock meets and exceeds each of the conditions of use within the W1 general zone.
3. A signed BCLS survey plan showing the extent of the shoreline stabilization features installed, existing and the present natural boundary of the sea.

An existing rock wall supports an access road and the fixed approach to the existing moorage facility. The LTC would also like the following questions about the rock wall to be addressed:

4. How does the chosen structure preserve the integrity or connectivity of coastal processes for this type of Gambier shoreline?
5. How does the structure maintain or enhance habitat diversity and function of the foreshore area?
6. How does the structure minimize or reduce pollutants to the marine environment?
7. How does the structure reduce cumulative impacts to the coastal environment?
8. How does the structure fit with the rural aesthetic of the Gambier shoreline? Rock retaining walls are considered conventional shoreline stabilization structures and typically do not blend in with the environment like bio engineered options might.

-
9. What is the total number of lots anticipated to be served by this dock and what are your initial comments on having the foreshore zoning of those lots amended so that private docks would not be permitted?

The intent of this letter is to provide the requested information required by the LTC in order to allow them to proceed with the rezoning application (Application No.: GM-RZ-2012.2).

1. Documentation that the existing dock infrastructure complies with the regulations of the W1 Marine zone

The existing dock infrastructure is shown in detail on the attached BCLS survey plan (see Appendix 1).

Permitted Uses – Regulation 5.16(1)

The existing moorage facility will be for the use of non commercial anchorage and moorage of private vessels and be accessory to upland use as permitted.

Permitted Uses - Regulation 5.16(2)

There are no buildings.

Permitted Uses – Regulation 5.16(3)

All of the structures associated with the existing facility (float, ramp, walkway providing marine access to upland residents, pilings, neighbourhood dock) are permitted.

Siting and Size – Regulation 5.16(4)

The size of the existing float is 69m², which exceeds the maximum area that may be covered by floats serving one lot of 65m². This size is less than the maximum area that may be covered by floats serving 2 or more lots.

Siting and Size – Regulation 5.16(5)

The size of the existing float is 69m², which exceeds the maximum area that may be covered by floats serving one lot of 65m². This size is less than the maximum area that may be covered by floats serving 2 or more lots.

Siting and Size – Regulation 5.16(6)

Not applicable.

Siting and Size – Regulation 5.16(7)

The width of the gangway ramp is 1.44m as permitted. The width of the walkway pier used to access the float is 2.51m and 2.96m at the shoreline attachment point.

Siting and Size – Regulation 5.16(8)

The gangway ramp has a clearance 2.8m above the natural boundary of the sea.

Siting and Size – Regulation 5.16(9)

Not applicable – there is no gear locker onsite.

2. Documentation that the existing dock meets and exceeds each of the conditions of use within the W1 general zone

The existing dock infrastructure is shown in detail on the attached BCLS survey plan (see Appendix 1).

Conditions of Use – Regulation 5.16 (10)

The moorage facility will be used in conjunction with a permitted upland residential use.

Conditions of Use – Regulation 5.16 (11)

The fixed approach and gangway ramp have been elevated above the natural boundary of the sea, allowing free access beneath the structure at all tides. It does not physically divide any beach and will not negatively restrict public beach access along the foreshore, or the movement of marine species or tidal waters.

Conditions of Use – Regulation 5.16 (12)

The structure was located to avoid impacting any eelgrass meadows, kelp beds, or shellfish beds and will not restrict the movement of aquatic life requiring shallow water. This was confirmed by a biophysical survey conducted by Balanced Environmental Services Inc. (Balanced) on February 3, 2012. No creosote or newly treated wood was used in the structures associated with anchorage and moorage. Steel piles were used as support piles for the access pier and mooring piles for the float.

Conditions of Use – Regulation 5.16 (13)

The placement of structures associated with anchorage and moorage did not involve any excavation or filling of the seabed, foreshore, or adjacent upland. A rock wall was constructed to stabilize a previously constructed fill area that was contained with wooden cribbing, and to provide a shore connection point for the fixed approach (see Balanced Drawing 5381-D-08.1 in Appendix 1). The rock wall is discussed further in the Rationale for Rock Wall section below.

Conditions of Use – Regulation 5.16 (14)

There are no dock bulkheads located on the foreshore.

Conditions of Use – Regulation 5.16 (15)

There are no lights associated with the moorage facility that shine into other lots not served by the facility.

3. A signed BCLS survey plan showing the extent of the shoreline stabilization features installed, existing and the present natural boundary of the sea

The existing dock infrastructure, rock wall, and present natural boundary are shown in detail on the attached BCLS survey plan (see Appendix 1).

Rationale for Rock Wall

When choosing the location of the moorage facility within the existing (now expired) tenure area, the following factors were considered:

- 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; and
 - 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.

The moorage facility was located in an area that had previously been developed. The bay to the north has a shallower sloping seabed due to the deposition of sediments from a stream. 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. 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.

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. Through discussions with contractors and onsite personnel, Balanced understands that the fill area was contained by a wooden structure that was deteriorating, resulting in fill material leaking into the marine environment. Freshwater sediment laden water was also flowing directly into the marine environment during rainfall events. A rock retaining wall was constructed to stabilize the previously existing fill area. The toe of the rock wall is above the Natural Boundary with the exception of a small 4m² section underneath the walkway pier (see Balanced Drawing 5381-D-08.1). The toe of the rock wall was pulled back from the old wooden structure and old fill area and much of the old wooden structure was removed. This resulted in an improvement to an approximate 30m² area of the upper intertidal zone (see Balanced Drawing 5381-D-08.1).

The new stabilized fill area provides a safe connection point between the facility and upland residential uses and also provides access for emergency services from the water. The design and placement of the rock wall reduced the footprint of fill and reduced impacts to intertidal marine organisms and fish habitat. The reconstructed fill area also includes a perimeter drainage ditch at the base of a vertical bedrock cliff that intercepts freshwater runoff, preventing it from draining directly into the marine environment. The use of the existing road minimized the loss of riparian vegetation while still allowing safe access of upland residents to their properties.

The private residential community moorage facility will reduce strain on existing community services and infrastructure (parking, vehicle traffic, vehicle emissions, vessel traffic and moorage) within the nearby community of New Brighton, which is the only other access to the upland properties.

4. How does the chosen structure preserve the integrity or connectivity of coastal processes for this type of Gambier shoreline?

The rock wall has resulted in the repair of an existing and deteriorating facility and helps to prevent the deposit of sediment laden water into the marine environment. Its location and design reduces impacts on coastal processes by reducing the amount of fill located within the upper intertidal zone and adjacent upland by approximately 30m².

5. How does the structure maintain or enhance habitat diversity and function of the foreshore area?

The rock wall has reduced the deposit of sediment laden waters (which can be harmful to fish and fish habitat) into the marine environment. Building the rock wall closer to shore than the old timber headwall and fill area has resulted in the remediation of approximately 30m² of the intertidal and associated upland, thereby enhancing the foreshore area.

6. How does the structure minimize or reduce pollutants to the marine environment?

The rock wall minimizes the input of sediment laden water into the marine environment by allowing runoff to “go to ground”. Sediment laden water is considered by Fisheries and Oceans Canada to be a deleterious substance.

7. How does the structure reduce cumulative impacts to the coastal environment?

By constructing the rock wall and moorage facility in a previously disturbed area, improving a deteriorating facility, and increasing the area of usable habitat for fish, cumulative impacts that might be created by constructing in a new and undisturbed area have been minimized.

8. How does the structure fit with the rural aesthetic of the Gambier shoreline? Rock retaining walls are considered conventional shoreline stabilization structures and typically do not blend in with the environment like bio engineered options might.

Much of the shoreline in the area consists of exposed bedrock without any significant riparian vegetation. The slope of bedrock along the shoreline varies, but is near vertical in many areas. The rock retaining wall is similar to the existing steep vertical bedrock found along the shoreline. Bio-engineered options would require a shallower slope and larger footprint causing greater impacts to fish and fish habitat.

Closure

In summary, blasted shot rock is a clean, commonly used method of shoreline stabilization found throughout coastal British Columbia that is safe for the environment and preferable to non porous surfaces commonly found on vertical concrete seawalls. The rock wall has resulted in the repair of an existing and deteriorating facility and helps to prevent the deposit of sediment laden water into the marine environment.

If Islands Trust or the LTC has any questions regarding this letter, or requires any additional documentation in order to move forward with the rezoning application (Application No.: GM-RZ-2012.2), please contact the undersigned.

Sincerely,
BALANCED ENVIRONMENTAL SERVICES INC.



Duncan Clark, BIT
Biologist

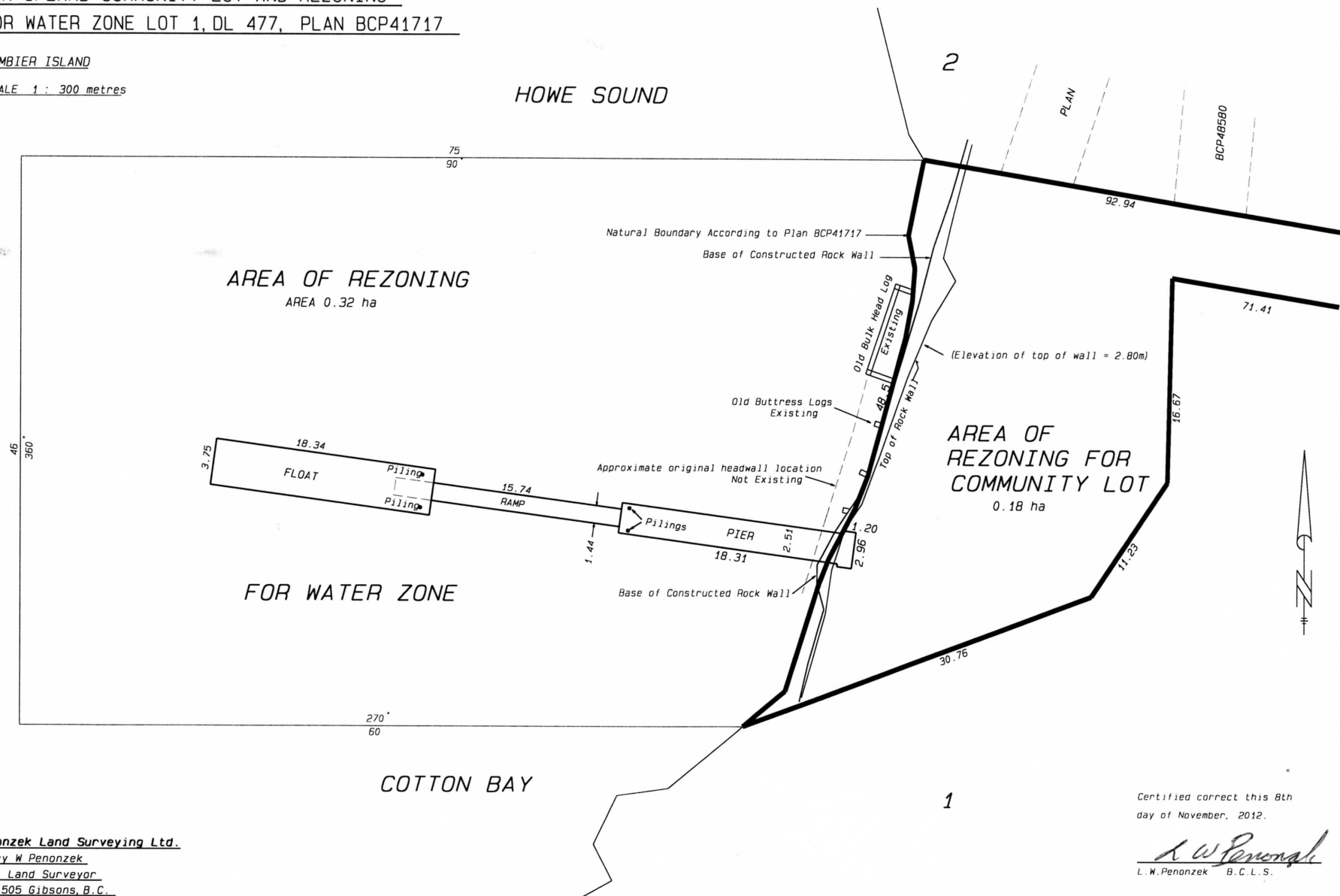
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APPENDIX 1 - DRAWINGS

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 W Penonzek
 B.C. Land Surveyor
 Box 505 Gibsons, B.C.
 VON 1V0 604-886-2531

Certified correct this 8th
 day of November, 2012.

L.W. Penonzek
 L.W. Penonzek B.C.L.S.

2203DCK2 - 1706

Client

Jim Green

Reel 17 Investments Ltd.
204-611 Alexander Street
Vancouver, BC

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Author

**BALANCED
ENVIRONMENTAL**

118 GARDEN AVE, NORTH VANCOUVER
BRITISH COLUMBIA, V7P 3H2

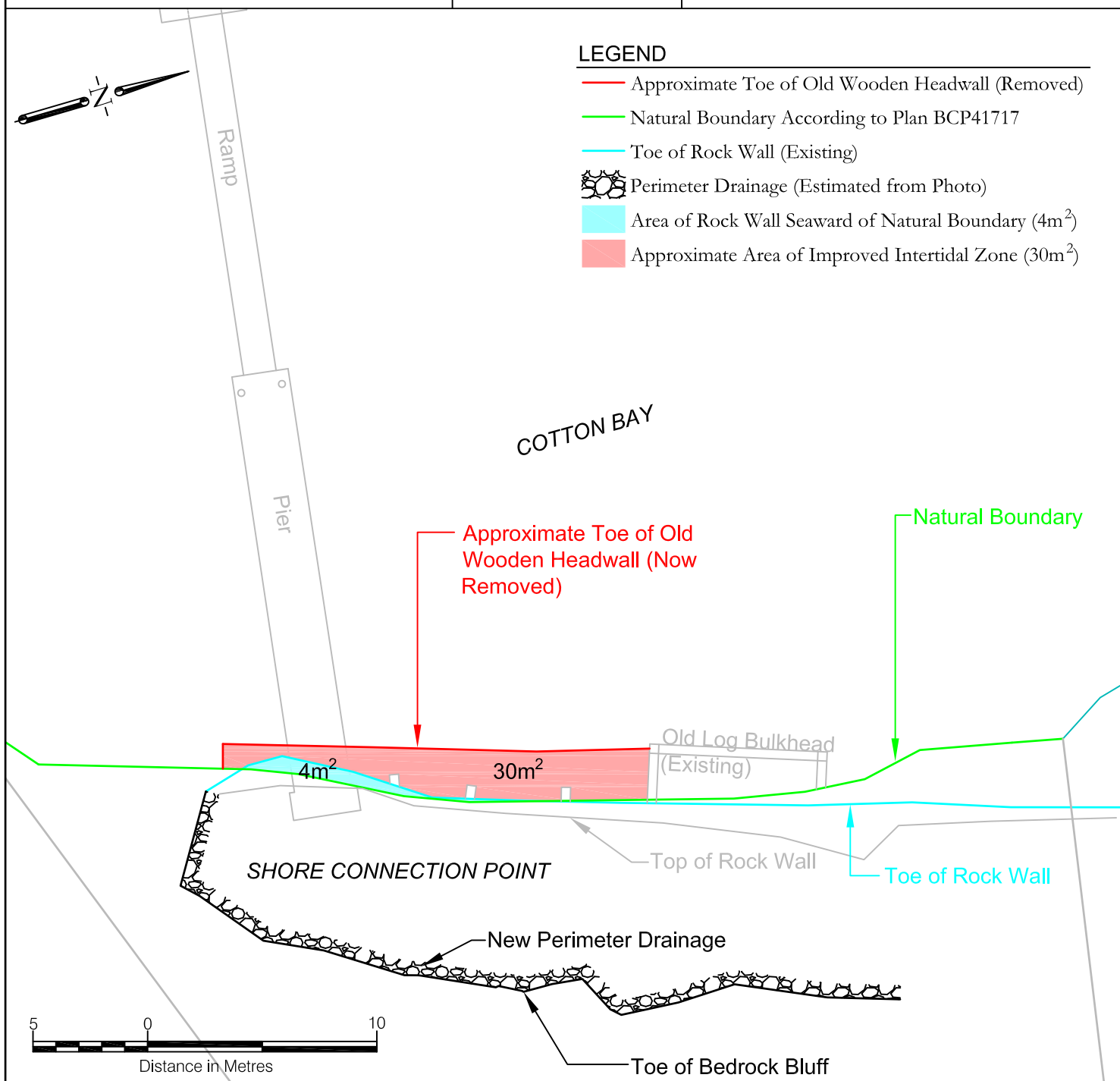
T: 604.988.3033

F: 604.988.3026

W: WWW.BALANCED.CA

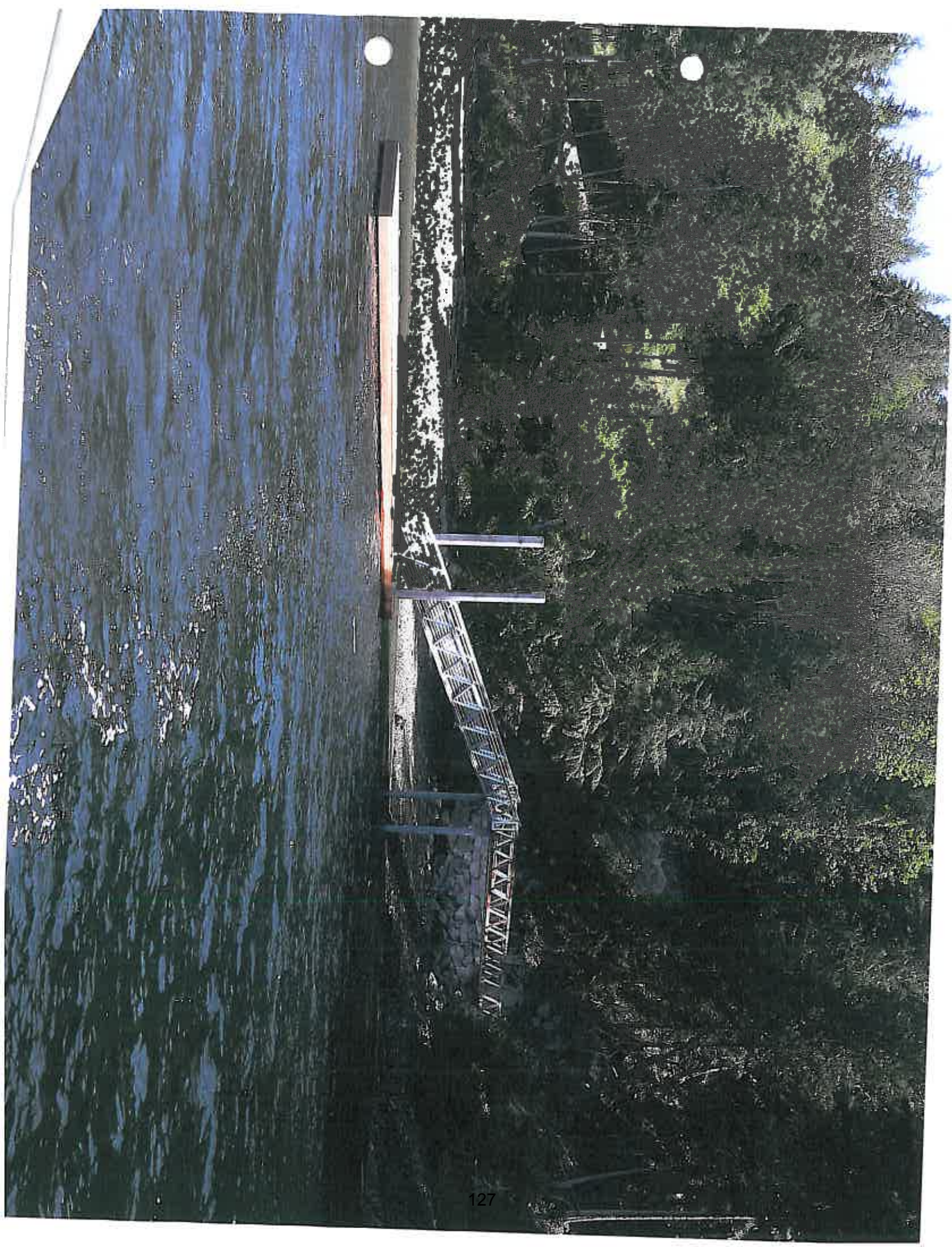
LEGEND

- Approximate Toe of Old Wooden Headwall (Removed)
- Natural Boundary According to Plan BCP41717
- Toe of Rock Wall (Existing)
-  Perimeter Drainage (Estimated from Photo)
- Area of Rock Wall Seaward of Natural Boundary (4m^2)
- Approximate Area of Improved Intertidal Zone (30m^2)



2203DCK2-1706	Penonzek Land Surveying Ltd.	Checked by WA	PROJECT CHANGE IN FILL AREAS RESULTING FROM ROCK WALL SHORELINE STABILIZATION IT REZONING APPLICATION GM-RZ-2012.2 COTTON BAY, GAMBIER ISLAND, BC
		Drawn by DC	
		Date 8-Nov-12	
		Scale 1:250	
		Inspectors -	
Ref. No.	REFERENCE	Paper 8.5 x 11	DWG. No. 5381 -D- 08.1







5.16 Marine General (W1) Zone

The purpose of the Marine General Zone is to provide regulations for the use of the foreshore and marine areas for private docks that provide access to upland residential lots.

Permitted Uses

- (1) The following uses are permitted, subject to the regulations set out in this section and Part 3, and all other uses are prohibited:
 - (a) Non commercial anchorage and moorage of private vessels.
 - (b) Accessory use to upland residential use.
 - (c) Utilities.

Permitted Buildings, Structures and Density

- (2) Permitted buildings are limited to one gear locker.
- (3) Permitted structures are:
 - (a) mooring buoys, floats, docks, wharves, ramps, and walkways providing marine access to upland residential uses; including dolphins and pilings necessary for the establishment or operation of the permitted use;
 - (b) neighbourhood dock;
 - (c) swimming floats;
 - (d) structures for utilities.

Siting and Size

- (4) The maximum area that may be covered by dock floats is:
 - (a) 65 square metres for a dock serving one lot;
 - (b) 65 square metres plus 47 square metres per lot served up to a maximum float size of 159 square metres, provided a restrictive covenant is registered on the title of the benefiting parcels to limit the total number of private docks.
- (5) Despite regulation 5.16(4), where the upland parcel has not been subdivided but subdivision potential exists based on the minimum average lot area for the applicable zone of the upland parcel, and a neighbourhood dock cannot be provided through regulation 5.16(4)(b) the maximum area that may be covered by dock floats may be increased by 47 square metres per potential lot to a maximum float size of 159 square metres, provided a restrictive covenant is registered on the title of the benefiting parcels to limit the total number of private docks.
- (6) The maximum area that may be covered by seasonal floats is 50 square metres surface area.
- (7) The width of any ramp or walkway, including handrails, used to access any float or wharf shall not exceed 1.5 metres.

Information Note: Some words and phrases are defined in Part 1.

A chart at the end of the Bylaw provides approximate imperial equivalents.

- (a) Despite 5.16(7), in areas outside the W1 (a) zone, the maximum width of any ramp or walkway, including handrails, used to access any float or wharf shall not exceed 2.4 metres.
- (8) Ramps shall have a minimum clearance of 0.5 metres above the natural boundary of the sea.
- (9) The maximum height of gear lockers is 2 metres.

Conditions of Use

- (10) The permitted anchorage and moorage use is only permitted in conjunction with a permitted upland residential use.
- (11) Docks shall not be located such that they physically divide a beach identified on Schedule D of the Official Community Plan.
- (12) Structures associated with anchorage and moorage:
 - (a) shall be located such that they will not negatively impact eelgrass meadows, kelp beds, or shellfish beds;
 - (b) made of newly treated wood shall bear the BMP certification mark ensuring that appropriate treatment and post-treatment measures have been employed in producing the preserved wood;
 - (c) shall not restrict the movement of aquatic life requiring shallow water.
- (13) The placement of structures associated with anchorage and moorage shall not involve the excavation or filling of the seabed, intertidal foreshore or adjacent upland.
- (14) Bulkheads for docks shall not be located on the foreshore.
- (15) Lights on docks that shine into a lot not served by the dock are not permitted.

Information Note: Some words and phrases are defined in Part 1.

A chart at the end of the Bylaw provides approximate imperial equivalents.



STAFF REPORT

Date: December 18, 2012 **File No.:** Bylaw No. 116, 2011

To: Gambier Island Local Trust Committee

Meeting of January 31, 2013

From: Miles Drew
Bylaw Enforcement Manager

Re: Adoption of Bylaw Enforcement Notification Bylaw

THE PROPOSAL:

The Gambier Island Local Trust Committee (LTC) requested that a public information procedure be developed to inform Gambier area residents and property owners about the purpose and procedures associated with the Bylaw Enforcement Notification Bylaw (BEN) before third reading of the Bylaw.

STAFF COMMENTS:

On December 13, 2012 a Community Information Meeting about the BEN was held in North Vancouver. Four members of the public attended. The questions generally concerned how and when the BEN would be applied. There was no opposition to the Bylaw.

If the LTC wishes to make use of the enforcement tools available in the BEN it must give third reading to proposed Bylaw 116 as amended. Then the LTC must request the Islands Trust Executive Committee to approve proposed Bylaw 116 before the LTC considers final adoption.

An Important Point

This bylaw does not create any new offences. It only lists those offences already present in the Land Use Bylaw.

Purpose of Bylaw

Proposed Bylaw 116 has several purposes; to establish schedules listing penalties for various offences of the Land Use Bylaw; and to establish discounts for completion of compliance agreements negotiated with a screening officer and early payment discounts. These schedules have been designed to penalize persons who violate the bylaws but also to allow for a reduction in the penalty if the violation is corrected through a Compliance Agreement. Additionally, it creates methods for payment, dispute, and service of the bylaw violation notices.

Methodology for setting fine and fine discount amounts

The recommended fine amounts and associated discounts for early payment or compliance were established by considering several factors that recognized the severity of the offence and the ease of compliance. The factors considered in setting fine amounts were:

1. environmental damage--generally given the highest fines of \$500 to \$200;
2. cost of doing business or revenue associated activities--generally given fine amounts of \$300 to \$150;
3. work without the appropriate permit--generally given fines of \$300 to \$150; and
4. nuisance or easily resolved violations--generally given fines of \$250 to \$75.

Discounts for early payments were set at 25% and compliance agreements discounted at either 75% or 50% depending on the costs and ease of complying. Greater discounts are not recommended as in most cases the violator will have had the opportunity to comply after receiving a warning from the bylaw enforcement officer.

Establishment of Registry and Screening Officer

Proposed Bylaw 116 establishes the location in North Vancouver of the Registry where disputed bylaw violation notices are adjudicated. The Islands Trust has an agreement with North Shore Municipalities to provide adjudication services.

Proposed Bylaw 116 establishes the position of Screening Officer and its duties, and authorizes bylaw enforcement officers to issue bylaw violation notices. The proposed Bylaw provides the ability for the Local Trust Committee to appoint persons holding certain positions to the duty of Screening Officer. This means that it is not necessary to name a specific person to carry out the duty; therefore, staff changes will not require new appointments. The proposed Bylaw provides for several positions to be appointed as screening officers. Recommendations for appointments to Screening Officer Positions will follow final adoption of the proposed Bylaw.

Attached is a copy of a pamphlet which is intended to explain the Bylaw Enforcement Notification Bylaw. This pamphlet will be issued with each notice and will be available to the general public at Islands Trust offices and on the web site.

Next Steps

The last steps to be taken before bylaw violation notices can be issued are:

- Islands Trust Executive Committee approval and final adoption by the Local Trust Committee; and
- appointment of Screening Officer and adoption of associated policies.

This bylaw does not require Ministerial approval from the Province. Bylaw enforcement staff training will be done by the City of North Vancouver.

Attached is a sample of the bylaw violation notice.

RECOMMENDATION:

That the Gambier Island Local Trust Committee:

- 1) give Third Reading to Proposed Bylaw No. 116 as amended cited as Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011; and
- 2) refer the Proposed Bylaw No. 116, 2011 to Executive Committee for approval.

Prepared and Submitted by:

Miles Drew
Bylaw Enforcement Manager

, 2013

Date

Frequently Asked Questions

What triggers bylaw enforcement?

Normally, enforcement is only undertaken when a written complaint is received. However, if an environmental concern, permitting issue or advertising of an illegal land use is discovered, enforcement may be started without a complaint.

What is a Compliance Agreement?

A person who enters into a Compliance Agreement accepts liability for the alleged contravention detailed in the BVN. The agreement sets out remedies or conditions for future behaviour to be performed within a designated period of time. If the agreement is kept and the bylaw violation is resolved within an agreed time, the amount of the penalty is reduced.

How much can a penalty be reduced with a Compliance Agreement?

With a few exceptions, the discounts for entering into and completing a Compliance Agreement are 50% or 75%.

Can I pay the reduced penalty within 14 days and still proceed to adjudication?

No. Once a penalty is paid the BVN cannot be disputed.

Why are disputes adjudicated in North Vancouver?

It is not practical or cost effective for the Islands Trust to set up its own registry. There are no registries on Vancouver Island. The Islands Trust has therefore joined the closest existing registry, North Shore Bylaw Dispute Registry, which offers partnerships to other governments.

Do I need to appear in person for the Adjudication Hearing?

No. You can submit your evidence and arguments in writing or arrange for a telephone conference call.

Can I pay the penalty before the hearing date if I change my mind?

Yes. However, payments received after 14 days from when the BVN was issued must be paid in full.

Can I appeal the adjudicator's decision to a higher authority?

No. An adjudicator's decision is final.

What if I pay the penalty but still do not comply?

You will be subject to further enforcement and possible legal actions.

How can I contact the Bylaw Enforcement team?

You can contact the Bylaw Enforcement team by

Email at bylawenforcement@islandstrust.bc.ca

Phone at 250.405.5175. If you are calling long distance, call toll free to **Enquiry BC**

In Victoria call **250.387.6121**
In Vancouver call **604.660.2421**
Elsewhere in BC call **1.800.663.7867**

Send **mail** or **visit** any of our offices.

Victoria—200-1627 Fort St, V8R 1H8
Salt Spring—1-500 Lower Ganges Rd, V8K 2N8
Gabriola—700 North Road, V0R 1X3

Visit us online at: www.islandstrust.bc.ca

Bylaw Enforcement Notice & Dispute Adjudication System



Islands Trust

Bylaw Enforcement Notice & Dispute Adjudication — Making the System Simpler

The Bylaw Enforcement Notice and Dispute Adjudication system provides a simple, fair and cost-effective method for dealing with straightforward bylaw violations. It is much less costly, complex and time-consuming than a system in which tickets can be disputed only by going to court.

Bylaw Violation Notices (BVN) are only issued after an investigation confirms that a bylaw contravention exists. Before penalties are imposed, offenders are usually offered an opportunity to comply. The main goal of bylaw enforcement in the Trust area is not to collect penalties; it is to encourage compliance with the community's bylaws.

The Islands Trust manages BVNs through its Bylaw Enforcement Notice and Dispute Adjudication System, under the province's *Local Government Bylaw Notice Enforcement Act*.

The Bylaw Enforcement Notice and Dispute Adjudication system replaces provincial court with an adjudicator. People disputing a BVN can present their objections to the notice by phone, by mail,

in person or online. The BVN includes information on how to do this. Disputes for the Islands Trust are adjudicated by the North Shore Bylaw Dispute Registry.

Under the Bylaw Enforcement Notice and Dispute Adjudication system an Islands Trust screening officer hears initial objections to BVNs. If the objection is found to be valid, the screening officer can cancel the BVN. The screening officer can also authorize a reduction in the penalty amount in return for compliance with the bylaw. This step is carried out through a Compliance Agreement and may include remedial actions.

The Bylaw Enforcement Notice & Dispute Adjudication System provides a simple, fair and cost-effective method for dealing with straightforward bylaw violations.

For more information about bylaw enforcement in the IslandsTrust area, please see our Bylaw Enforcement—Frequently Asked Questions pamphlet or go to www.islandstrust.bc.ca.

How the system works once a Bylaw Violation Notice is issued

Option 1: Pay the BVN

- For penalties paid within 14 days of receiving notice, payment is reduced.
- Penalties paid after 14 days must be paid in full.
- For penalties paid more than 28 days after receiving notice a surcharge is added.

Option 2: Dispute the BVN

Step One

Complete and submit the Adjudication Request Form which is on the back of the BVN. Forms can be delivered, mailed or faxed to the Islands Trust Office on Salt Spring or Gabriola or in Victoria. The request can also be completed online at www.islandstrust.bc.ca.

Step Two

An Islands Trust screening officer will review the adjudication request and will:

- cancel the BVN; or
- work out a Compliance Agreement and reduce the penalty when the agreement is completed; or
- uphold the BVN.

Step Three

If the screening officer upholds the BVN:

- A date and time is set for the Adjudication Hearing.
- At the hearing, evidence is presented and the adjudicator decides if an offence did or did not occur.

Step Four

- If an offence did occur, the BVN must be paid in full, plus an additional \$25 administrative fee.
- If an offence did not occur, the BVN is cancelled and no penalties are imposed.



BYLAW VIOLATION NOTICE

THE ISSUING OFFICER SAYS YOU ARE IN BREACH OF A LOCAL TRUST AREA BYLAW AS FOLLOWS:

ISSUED TO:

NAME OF PERSON OR COMPANY		
ADDRESS		
LEGAL DESCRIPTION		
DATE YYYY MM DD	TIME HH:MM AM/PM	LOCATION ISSUED
BYLAW NAME		
BYLAW NUMBER		SECTION
DESCRIPTION OF CONTRAVENTION		
ISSUING OFFICER NAME:		SIGNATURE

THE PENALTY FOR A CONTRAVENTION REFERRED TO ABOVE IS:

Discounted rate If paid within 14 days \$ _____
If paid within 15-28 days \$ _____
If paid after 28 days* \$ _____
*See reverse for additional information on late payments.

METHOD OF DELIVERY:	
☐	In Person
☐	By Mail



Islands Trust

ADJUDICATION REQUEST

To dispute this Bylaw Violation Notice please complete the form below and deliver, mail, or fax to any Islands Trust office within 14 days of receipt of this notice. The request can also be made online at www.islandstrust.bc.ca. See the reverse side of this ticket for addresses and additional information.

Bylaw Notice #:	Date of Issue:
Name:	
Postal Address:	
City/Island:	Province: Postal Code:
Daytime Phone #	Email Address:
Signature:	

White – Alleged Offender's Copy

Yellow – File Copy

Pink – Office Copy

ALLEGED OFFENDER'S COPY

COMPLIANCE

- ▶ Failure to comply with the bylaw may result in additional penalties.
- ▶ To arrange a compliance agreement and to receive a discount on the penalty indicated on this notice, contact us.

PAYMENT INFORMATION

PAY BY MAIL OR IN PERSON BY CASH OR CHEQUE
PRESENT THIS NOTICE AT THE TIME OF PAYMENT

- ▶ Please make your cheque or money order payable to Islands Trust.
- ▶ Do not send cash in the mail.
- ▶ Payment must be received within the noted time limits to receive the discounted amounts.
- ▶ A dishonoured cheque will not be considered payment of the penalty within the prescribed time. NSF fees will be applied.
- ▶ Failure to pay promptly will result in additional penalties being added.
- ▶ Overdue fines may be subject to collection process.

DISPUTE ADJUDICATION

- ▶ Adjudication requests must be filed within 14 days of violation notice receipt to be eligible for an adjudication hearing.
- ▶ Deliver, mail, or fax the request form on reverse to any Islands Trust office or complete a request form online at www.islandstrust.bc.ca.
- ▶ Unsuccessful adjudicated disputes will be charged an additional \$25 administration fee.

CONTACT US

Phone: 250-405-5175
Fax: 250-405-5155

Email: bylawenforcement@islandstrust.bc.ca
Web: www.islandstrust.bc.ca

ISLANDS TRUST OFFICES

Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Islands Trust
1-500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8

Islands Trust
700 North Road
Gabriola Island, BC V0R 1X3

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 116, 2011

A BYLAW TO RESPECT THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE GAMBIER ISLAND LOCAL TRUST AREA

WHEREAS the Gambier Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Gambier Island Local Trust Area, pursuant to the *Islands Trust Act*; and

WHEREAS the Gambier Island Local Trust Committee wishes to regulate the Enforcement of Bylaw Violation Notices in the Gambier Island Local Trust Area;

NOW THEREFORE the Gambier Island Local Trust Committee enacts, in open meeting assembled, as follows:

Citation

1. This Bylaw may be cited as "Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 116, 2011".

1.0 INTERPRETATION

In this Bylaw:

- 1.1 "Act" means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.
- 1.2 "Registry" means the North Shore Bylaw Notice Adjudication Registry established pursuant to section 6 of this bylaw.
- 1.3 "LTC" means the Gambier Island Local Trust Committee.

2.0 DEFINITIONS

The terms in this bylaw have the same meaning as the terms defined in the *Act*.

3.0 BYLAW CONTRAVENTIONS

The bylaws and bylaw contraventions designated in Schedule "A," Schedule "B" and Schedule "C" attached to this bylaw may be dealt with by Bylaw Violation Notice.

4.0 PENALTY

The penalty for a contravention referred to in Section 3 is as follows:

- (1) subject to paragraphs (2) to (4), is the Penalty amount set out in column A1 of Schedule "A," Schedule "B" and Schedule "C" as attached to this bylaw;
- (2) if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Early Payment Penalty set out in column A2 of Schedule "A," Schedule "B" and Schedule "C" as attached to this bylaw applies;
- (3) if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1), and is the Late Payment Surcharge set out in column A3 of Schedule "A," Schedule "B" and Schedule "C" as attached to this bylaw or
- (4) if paid under a compliance agreement, may be reduced as provided under column A5 of Schedule "A," Schedule "B" and Schedule "C" as attached to this bylaw.

5.0 PERIOD FOR PAYING OR DISPUTING NOTICE

5.1 A person who receives a bylaw violation notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw violation notice,

- (1) pay the penalty, or
- (2) request dispute adjudication

by filling in the appropriate portion of the bylaw violation notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Islands Trust as directed on the bylaw violation notice.

5.2 A person may pay the indicated penalty after 14 days of receiving the bylaw violation notice subject to the applicable surcharge for late payment in accordance with Section 4(3) of this bylaw, but no person may dispute the bylaw violation notice after 14 days of receiving it.

5.3 Where a person was not served personally with a bylaw violation notice and advises the Islands Trust that they did not receive a copy of the original notice, the time limits for responding to a bylaw violation notice under Sections 5, 6 and 7 of this bylaw do not begin to run until a copy of the bylaw violation notice is re-delivered to them in accordance with the *Act*.

6.0 BYLAW NOTICE DISPUTE ADJUDICATION SYSTEM

6.1 The Registry is established as a bylaw violation notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw violation notices.

6.2 The civic address of the Registry is 141 West 14th Street, North Vancouver, BC, V7M 1H9.

6.3 Every person who is unsuccessful in dispute adjudication in relation to a bylaw violation notice, or a compliance agreement under the dispute adjudication system established under this Section, must pay the Islands Trust an additional fee of \$25.00 for the purpose of the Islands Trust recovering the costs of the adjudication system.

7.0 SCREENING OFFICERS

7.1 The position of screening officer is established.

7.2 The following are designated classes of person that may be appointed as screening officers:

- (1) Regional Planning Manager;
- (2) Bylaw Enforcement Coordinator;
- (3) Bylaw Enforcement Officer;
- (4) Bylaw Enforcement Assistant;

and the LTC may appoint screening officers from these classes of persons by name of office or otherwise.

7.3 The powers duties and functions of screening officers are as set out in the *Act*, and include the following powers:

- (1) Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw violation notice dispute adjudication system and the fee or fees payable in relation to the bylaw violation notice enforcement process;
- (2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the bylaw violation notice;

- (c) the complainant or their representative;
- (d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.

- (3) To prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw violation notices, including to establish terms and conditions for compliance that the screening officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
- (4) To provide for payment of a reduced penalty if a compliance agreement is entered into as provided in column A5 of Schedule "A," Schedule "B" and Schedule "C" as attached to this bylaw; and
- (5) To cancel bylaw violation notices in accordance with the *Act* or LTC policies and guidelines.

7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedule "A," Schedule "B" and Schedule "C" as attached to this bylaw.

7.5 The maximum duration of a compliance agreement is one year.

8.0 **BYLAW ENFORCEMENT OFFICERS**

Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- (a) Bylaw Enforcement Coordinator;
- (b) Bylaw Enforcement Officer.

9.0 **FORM OF BYLAW VIOLATION NOTICE**

The LTC may, from time to time, stipulate the form or forms of the bylaw violation notice provided the bylaw violation notice complies with Section 4 of the *Act*.

10.0 **SCHEDULES**

The following schedules are attached to and form part of this bylaw:

- (a) Schedule A – Gambier Island Land Use Bylaw No. 86, 2004 Contraventions and Penalties.
- (b) Schedule B – Keats Islands Land Use Bylaw No. 78, 2002 Contraventions and Penalties.
- (c) Schedule C – Bowyer and Passage Islands Land Use Bylaw No. 114, 2011 Contraventions and Penalties.

READ A FIRST TIME THIS 26th DAY OF October ,2011

READ A SECOND TIME THIS 26th DAY OF October ,2011

READ A THIRD TIME THIS DAY OF ,20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS DAY OF ,20__

ADOPTED THIS DAY OF ,20__

SECRETARY

CHAIR

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.1.1	Non Permitted Use In Nature Reserve/Marine General/Marine Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
3.1.1(g)	No Valid Permit/Exceed Maximum Occupancy Time Period For Temporary Residence On Lot Where Dwelling Being Built	\$300.00	\$225.00	\$150.00	Yes	75%
3.1(i)	Saw Milling And Planing Of Timber Not From Lot/On Lot/Outside Permitted Hours	\$300.00	\$225.00	\$150.00	Yes	50%
3.1.2(b)	Temporary Structure On Construction Site Not Removed Within Time Period	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.1(a)	Non Permitted Paved/Unpaved Airstrip/Heliport Use For Use Of Aircraft Flying Non-Scheduled Flights	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1(b)	Non Permitted Recreational Vehicle Campgrounds And Trailer Parks	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1(c)	Non Permitted Manufactured Home Parks	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1(d)	Non Permitted Offensive Uses	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1(e)	Non Permitted Rental Of Personal Watercraft/All Terrain Vehicles/Motorcycles/Limited Speed Motorcycles	\$150.00	\$112.50	\$75.00	Yes	50%
3.2.1(f)	Non Permitted Use Located Partially/Totally In Tent/Travel Trailer/Motor Home/Camper	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1(g)	Non Permitted Casinos And Commercial Bingo Halls	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1(h)	Non Permitted Land Fill Sites	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1(i)	Non Permitted Salvage Yard/Storage Of Derelict Vehicles And Junk	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1(j)	Non Permitted Intensive Agriculture	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.1(k)	Non Permitted Use Of Shipping Container	\$300.00	\$225.00	\$150.00	Yes	50%
3.3.1	Encroachment Of Building/Structure Into Setback Of Natural Boundary Of Sea/Lake/Wetland/Watercourse	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.1(a)	Encroachment Of Animal Enclosures/Pens/Feeding Troughs/Animal Runs/Manure Piles Into Setback From Natural Boundary Of Sea/Lake/Wetland/Watercourse	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.2	Encroachment Of Private Floats And Docks Within Setbacks From Upland Lot	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.3	Encroachment Of Animal	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Enclosures/Pens/Feeding Troughs/Animal Runs/Manure Piles Into Setbacks From Any Lot Line/Dwelling Unit					
3.3.5	Encroachment Of Building Into Setback From Lot Line That Abuts A Highway	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.6	Non Permitted Landscape Screen/Landscaping/Building/Structure Planted/Erected One Metre Above Established Grade Of Adjacent Highway	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.8	Dwelling Located Within Ten Metres Of Any Other Dwelling Unit Located On Same Lot	\$300.00	\$225.00	\$150.00	Yes	75%
3.4.2	Retaining Wall Within Setback From The Natural Boundary Of The Sea	\$300.00	\$225.00	\$150.00	Yes	75%
3.4.5	Pump/Utility House Within Setback From The Natural Boundary Of The Sea	\$300.00	\$225.00	\$150.00	Yes	75%
3.4.6	Boathouse/Stairs/Walkways For Access To Foreshore/Ramp Within 15 Metre Setback From The Natural Boundary Of The Sea	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.1	Features Permitted To Exceed Height Restrictions Exceed 1% Of Lot Coverage Or 10% Of Roof Area Of The Building On Which It Is Located	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.2	Principal Building Exceeds Height Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.3	Accessory Building/Structure Exceeds Height Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
3.6.1	Accessory Building Used For Temporary Overnight Accommodation	\$300.00	\$225.00	\$150.00	Yes	50%
3.6.2	Accessory Buildings Exceed Total Floor Area Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
3.7.1(a)	Home Occupation Occurring When There Is No Single Family Dwelling On Lot Or Home Occupation Not Operated By Resident Of Dwelling On Lot	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.1(b)	Temporary Overnight Accommodation Outside Principal Dwelling	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.1(d)	Home Occupation Exceeds Non-Resident Employees	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.1(e)	Alteration To Dwelling/Accessory Building Made For Home Occupation That Is Not In Ordinary Course Of Its	\$250.00	\$187.50	\$125.00	Yes	50%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Use For Exclusively Residential/Accessory Purposes					
3.7.1(f)	Inadequate Landscape Screen For Outside Storage Of Material/Equipment	\$100.00	\$75.00	\$50.00	Yes	75%
3.7.1(g)	Non Permitted Goods Sold From Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.1(h)	Temporary Overnight Accommodation Exceeds Four Bedrooms	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.2(a)	Home Occupation Offensive Use/Causes Noise/Dust/Unsightliness Or Intrusive Activities That Impact Neighbours	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.2(b)	Storage Of Non Permitted Toxic/Flammable Materials	\$300.00	\$225.00	\$150.00	Yes	50%
3.7.2(c)	Home Occupation, With Non Permitted Hazardous Materials	\$300.00	\$225.00	\$150.00	Yes	50%
3.7.2(d)	Salvage Yard As Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.2(e)(i)	More Than Three Vehicles Licenced To Owners Other Than Residents Of Lot Being Maintained Or Vehicles Not Maintained Within A Building	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.2(e)(ii)	More Than One Vehicle Owned By Resident Of Lot Being Maintained Or Vehicle Not Maintained Within A Building	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.2(f)	Restaurant As Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.2(g)	Use Of Sawmill As Part Of Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.8.1	Fence Exceeds Height Restriction On Lots Less Than 0.5 Hectares	\$300.00	\$225.00	\$150.00	Yes	75%
3.8.2	Fence On Corner Lot Adjacent To Highway Exceeds Height Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
3.8.3	Non-Agricultural Use Fencing Exceeds Height Restriction/Sited Within Setback From Natural Boundary Of Sea	\$300.00	\$225.00	\$150.00	Yes	75%
3.9.1	Inadequate Landscape Screen	\$100.00	\$75.00	\$50.00	Yes	75%
3.10.1	Wrecking/Storage Of Derelict Automobiles/Junk	\$150.00	\$112.50	\$75.00	Yes	50%
3.13.1(a)	Exceed Maximum Floor Area For Retail Sales Ancillary To Licenced Winery/Cidery	\$300.00	\$225.00	\$150.00	Yes	75%
3.13.1(b)	Exceed Maximum Floor Area For Food And Beverage Service Lounge Ancillary To Licenced Winery/Cidery	\$300.00	\$225.00	\$150.00	Yes	75%
3.13.1(c)	Operating Indoor/Outdoor Food And Beverage Service Lounge Ancillary To	\$250.00	\$187.50	\$125.00	Yes	50%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Licensed Winery/Cidery Outside Permitted Hours					
3.13.2	Non Permitted Non-Farm Uses In Provincial Agricultural Land Reserve	\$300.00	\$225.00	\$150.00	Yes	50%
3.13.3(a)	Non Permitted Operation Of Temporary Saw Mill In Agricultural Land Reserve	\$300.00	\$225.00	\$150.00	Yes	50%
3.13.3(b)	Unpaved Airstrip/Helipad For Use Of Aircraft Flying Non-Scheduled Flights	\$300.00	\$225.00	\$150.00	Yes	50%
3.14.1(a)	Non Permitted Associated Secondary Dwelling On Lots Less Than 0.4 Hectares	\$300.00	\$225.00	\$150.00	Yes	50%
3.14.1(b)(i)	Associated Secondary Dwelling On Lots Between 0.4 And 2 Hectares Exceeds Maximum Floor Area Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
3.14.1(b)(ii)	Associated Secondary Dwelling On Lots Greater Than 2 Hectares Exceeds Maximum Floor Area Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.1	Non Permitted Use In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.1.2	More Than One Single Family Dwelling On Lot Less Than 0.4 Hectares In Area In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.3	More Than One Single Family Dwelling And One Associated Secondary Dwelling On Lots 0.4 Hectares Or Greater In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.5	Exceed Maximum Lot Coverage Restriction In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.6	Exceed Density On Lots With Multiple Owners Registered On Title Prior To 1969 That Are More Than 2 Hectares And Less Than 4 Hectares In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.7	Exceed Density On Lots Having A Registered Covenant Providing For Not More Than One Single Family Dwelling Per Two Hectares In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.9	Encroachment Of Building/Structure Into Setback In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.10	Exceed Maximum Height Restriction In	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Settlement Residential Zone					
5.1.11	Non Permitted Domestic Agriculture Use In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.1.12	Keeping Of Livestock As Part Of Domestic Agriculture On Lots Less Than 0.4 Hectares In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.1.13	Non Permitted Agriculture Use On Lots Less Than 2 Hectares In Settlement Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.2.1	Non Permitted Use In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.2.2	More Than One Single Family Dwelling On Lot Less Than 0.4 Hectares In Area In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.3	More Than One Single Family Dwelling And One Associated Secondary Dwelling On Lots 0.4 Hectares Or Greater In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.5	Exceed Maximum Lot Coverage Restriction In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.6	Exceed Density On Lots Having A Registered Covenant Providing For Not More Than One Single Family Dwelling Per Four Hectares In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.8	Encroachment Of Building/Structure Into Setback In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.9	Exceed Maximum Height Restriction For Accessory Building/Structure In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.10	Exceed Maximum Height Restriction For Agriculture Building In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.11	Keeping Of Livestock On Lots Less Than 0.5 Hectares In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.2.12	Non Permitted Agriculture Use On Lots Less Than 1 Hectares In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.2.15	Fail To Meet Site Specific Regulations In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.1	Non Permitted Use In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.3.2	Non Permitted Structure In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.3.3	Exceed Density On Lots Less Than	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	0.4 Hectares In Area In Agriculture Zone					
5.3.4	Exceed Density On Lots 0.4 Hectares Or Greater In Area In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.5	Exceed Maximum Total Lot Coverage Restriction In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.6	Encroachment Of Building/Structure Into Setback In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.7	Encroachment Of Building/Structure Used For Agriculture Into Setback In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.8	Exceed Maximum Height Restriction For Agricultural Building In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.9	Exceed Maximum Height Restriction For Accessory Building/Structure In Agriculture Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.1	Non Permitted Use In Forestry Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.4.2	More Than One Single Family Dwelling In Forestry Zone					
5.4.4	Exceed Maximum Lot Coverage Restriction In Forestry Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.5	Encroachment Of Building/Structure Into Setback In Forestry Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.6	Encroachment Of Building/Structure Into Setback From Lake/Stream In Forestry Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.7	Accessory Building/Structure Exceeds Maximum Height Restriction In Forestry Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.8	Accessory Log Booming And Log Storage In Non Permitted Areas In Forestry Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.4.9	Forest Use Of Natural Rock Face Of Adjacent Upland As Sign In Forestry Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.5.1	Non Permitted Use In Local Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.5.2	Exceed Density Restrictions In Local Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.3	More Than Three Accessory Buildings In Local Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.4	Exceed Maximum Lot Coverage Restriction In Local Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.5	Encroachment Of Building/Structure Into Setback In Local Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.6	Exceed Maximum Floor Area	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Restriction In A General Store In Local Commercial Zone					
5.5.7	Exceed Maximum Floor Area Restriction In A Retail Arts And Craft Use In Local Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.8	Exceed Maximum Height Restriction For a Principal Building In Local Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.9	Exceed Maximum Height Restriction For A Single Family Dwelling Or Accessory Building/Structure In Local Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.10	Single Family Residential Use Not In Conjunction With General Store Use In Local Commercial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.1	Non Permitted Use In Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.6.2	Non Permitted Building/Structure In Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.6.3	More Than One Accessory Dwelling Unit In Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.4	Exceed Maximum Lot Coverage Restriction In Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.5	Encroachment Of Building/Structure Into Setback In Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.6	Accessory Dwelling Unit Exceeds Maximum Floor Area Restriction In Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.7	Single Family Residential Use Not In Conjunction With Principal Use In Industrial Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.8	Inadequate Screening Of Industrial Equipment And Vehicles In Industrial Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.7.1	Non Permitted Use In Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.7.2	Non Permitted Building/Structure In Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.7.3	Exceed Maximum Lot Coverage Restriction In Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.4	Encroachment Of Building/Structure Into Setback In Community Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.1	Non Permitted Use In Local Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.8.2	Non Permitted Building/Structure In Local Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.8.3	More Than Three Storage Facilities In	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Local Service Zone					
5.8.4	More Than One Fire Fighting Facility In Local Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.5	More Than One Boat Storage Facility In Local Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.6	Exceed Maximum Lot Coverage Restriction In Local Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.7	Encroachment Of Building/Structure Into Setback In Local Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.8	Building/Structure Exceeds Maximum Height Restriction In Local Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.9	Boat Storage Facility Exceeds Maximum Height Restriction In Local Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.9.1	Non Permitted Use In Recreation Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.9.2	Non Permitted Building/Structure In Recreation Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.9.3	More Than One Dwelling Unit In Recreation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.9.4	Exceed Maximum Lot Coverage Restriction In Recreation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.9.5	Encroachment Of Building/Structure Into Setback In Recreation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.9.6	Building/Structure Exceeds Maximum Height Restriction In Recreation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.9.7	Exceed Maximum Marine Area Coverage Restrictions By Mooring Floats And Swimming Floats In Recreation Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.9.8	Recreational Camp Use And Assembly Use On Non-Upland Area Of Recreation Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.9.9	Moorage Use Outside Marine Area Of Recreation Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.10.1	Non Permitted Use In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.10.2	Non Permitted Building In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.10.3	Non Permitted Structure In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.10.4	Exceed Maximum Lot Coverage Restriction In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.5	Exceed Maximum Marine Area	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Coverage Restriction By Wharf Floats And Piers In Community Nature Park Zone					
5.10.6	Ramp/Walkway Exceeds Width Restriction In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.7	Encroachment Of Building/Structure Into Setback In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.8	Building/Structure Exceeds Maximum Height Restriction In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.9	Non Permitted Parking In Community Nature Park Zone	\$250.00	\$187.50	\$125.00	Yes	75%
5.10.10	Improper Surface/Location Of Parking Area In Community Nature Park Zone	\$250.00	\$187.50	\$125.00	Yes	75%
5.10.11	Protective Shelter Enclosed On All Sides In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.10.12	Non Permitted Use Of Pedestrian Trail In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.10.13	Improper Location Of Dock In Community Nature Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.1	Non Permitted Use In Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.11.2	Non Permitted Building/Structure In Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.11.3	Exceed Maximum Lot Coverage Restriction In Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.4	Encroachment Of Building/Structure Into Setback In Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.5	Building/Structure Exceeds Maximum Height Restriction In Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.11.6	Non Permitted Parking In Community Park Zone	\$250.00	\$187.50	\$125.00	Yes	75%
5.11.7	Improper Surface/Location Of Parking Area In Community Park Zone	\$250.00	\$187.50	\$125.00	Yes	75%
5.11.8	Non Permitted Use Of Pedestrian Trail In Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.12.1	Non Permitted Use In Marine Park And Recreation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.12.2	Non Permitted Building/Structure In Marine Park And Recreation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.12.3	Non Permitted Siting Of Structure In Marine Park And Recreation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.12.4	Exceed Maximum Marine Area Coverage Restriction In Marine Park And Recreation Zone	\$300.00	\$225.00	\$150.00	Yes	75%

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GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.12.5	Dock Located Within Riparian Area Boundary In Marine Park And Recreation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.1	Non Permitted Use In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.13.2	Non Permitted Building In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.13.3	Non Permitted Structure In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.13.4	Exceed Maximum Lot Coverage Restriction In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.5	Exceed Maximum Marine Area Coverage Restriction In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.6	Ramp/Walkway Exceeds Maximum Width Restriction In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.7	Encroachment Of Building/Structure Into Setback In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.8	Building/Structure Exceeds Maximum Height Restriction In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.9	Non Permitted Use Of Dock In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.13.10	Non Permitted Wilderness Camping/Trail/Dock Use In Environmentally Sensitive Areas In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.13.11	Dock Located Within Riparian Area Boundary In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.12	Picnic Shelter More Than 50% Enclosed In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.13.13	Fail To Meet Site Specific Regulations In Provincial Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.14.1	Non Permitted Use In Wilderness Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.14.2	Non Permitted Building In Wilderness Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.14.3	Non Permitted Structure In Wilderness Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.14.4	Exceed Maximum Lot Coverage Restriction In Wilderness Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.14.5	Encroachment Of Building/Structure Into Setback In Wilderness Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.14.6	Building/Structure Exceeds Maximum Height Restriction In Wilderness	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Conservation Zone					
5.14.7	Non Permitted Wilderness Camping/Trail Use In Environmentally Sensitive Areas In Wilderness Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.14.8	Protective Shelter Not Open On At Least One Side In Wilderness Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.14.9	Non Permitted Use Of Pedestrian Trail In Wilderness Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.15.1	Non Permitted Use In Nature Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.15.2	Non Permitted Building In Nature Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.15.3	Non Permitted Structure In Nature Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.15.4	Exceed Maximum Lot Coverage Restriction In Nature Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.15.5	Encroachment Of Building/Structure Into Setback In Nature Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.15.6	Building/Structure Exceeds Maximum Height Restriction In Nature Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.15.7	Protective Shelter Not Open On At Least One Side In Nature Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.15.8	Non Permitted Use Of Trail In Nature Reserve Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.16.1	Non Permitted Use In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.16.2	Non Permitted Building In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.16.3	Non Permitted Structure In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.16.4	Area Covered By Dock Floats Exceeds Maximum Area Restriction In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.5	Area Covered By Dock Floats Exceeds Maximum Area Restriction Where Upland Parcel Subdivision Potential Exists And No Neighbourhood Dock Exists In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.6	Area Covered By Seasonal Floats Exceeds Maximum Area Restriction In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.7	Ramp/Walkway Exceeds Maximum Width Restriction In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.16.8	Ramp Does Not Have Minimum Clearance Above Natural Boundary Of The Sea In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.9	Gear Lockers Exceed Maximum Height Restriction In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.10	Non Permitted Anchorage/Moorage Use In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.16.11	Non Permitted Location Of Dock On Beach In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.12a	Anchorage/Moorage Structure Negatively Impacts Eelgrass Meadows/Kelp Beds/Shellfish Beds In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.12b	Anchorage/Moorage Structure Does Not Bear BMP Certification Mark In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.12c	Anchorage/Moorage Structure Restricts Movement Of Aquatic Life Requiring Shallow Water In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.13	Excavation/Filling Of Seabed/Intertidal Foreshore/Adjacent Land When Placing Structures Associated With Anchorage/Moorage In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.14	Bulkheads For Docks Located On Foreshore In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.16.15	Lights On Dock Shine Into Lot Not Served By Dock In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.17.1	Non Permitted Use In Marine Transportation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.17.2	Non Permitted Building In Marine Transportation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.17.3	Non Permitted Structure In Marine Transportation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.17.4	Non Permitted Siting Of Dock Float At Public Wharf In Marine Transportation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.17.5	Wharfhead Exceeds Maximum Area Restriction In Marine Transportation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.17.6	Barge Ramp Exceeds Width Restriction In Marine Transportation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.17.7	Building Exceeds Maximum Floor Area Restriction In Marine Transportation	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Zone					
5.17.8	Building Exceeds Maximum Height Restriction In Marine Transportation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.18.1	Non Permitted Use In Marine Log Storage Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.18.2	Non Permitted Building In Marine Log Storage Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.18.3	Non Permitted Structure In Marine Log Storage Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.18.4	Exceed Maximum Area Coverage Restriction For Dock Floats In Marine Log Storage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.18.5	Exceed Width Restriction Of Ramp/Walkway In Marine Log Storage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.18.6	Exceed Height Restriction In Marine Log Storage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.18.7	Non Permitted Building/Structure Constructed/Erected On Float/Wharf In Marine Log Storage Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.18.8	Natural Rock Face Of Adjacent Upland Used As Sign In Marine Log Storage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.18.9	Non Permitted Use Of Dock Serving Upland Residential Use In Marine Log Storage Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.19.1	Non Permitted Use In Marine Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.19.2	Non Permitted Structure In Marine Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.19.3	Structure Exceeds Maximum Height Restriction In Marine Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.20.1	Non Permitted Use In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.20.2	More Than One Yacht Club Outstation In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.20.3	Non Permitted Building In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.20.4	Non Permitted Structure In The Upland Area In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.20.5	Non Permitted Structure In The Marine Area In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.20.6	Dock Float Exceeds Width Restriction In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.20.7	Ramp/Walkway To Access Float Exceeds Width Restriction In Yacht	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Club Outstation Zone					
5.20.8	Encroachment Of Structure In Marine Area Into Setback In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.20.9	Encroachment Of Building/Structure In Upland Area Into Setback In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.20.10	Building/Structure In Upland Area Exceeds Height Restriction In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.20.11	Gear Locker Exceeds Height Restriction In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.20.12	Buildings/Structures In Upland Area Exceed Maximum Total Lot Coverage Restriction In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.20.13	Non Permitted Structure Constructed/Erected On Float/Wharf In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.20.14	Dwelling Unit In Non Permitted Area In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.20.15	Overnight Accommodation Not Limited To Dwelling Unit For Residential Caretaker In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.20.17	Fail To Meet Site Specific Regulations In Yacht Club Outstation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.21.1	Non Permitted Use In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.21.2	Non Permitted Structure In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.21.3	Encroachment Of Dock Into Setback In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.21.4	Ramp/Walkway Exceeds Maximum Width Restriction In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.21.5	Non Permitted Building/Structure Constructed/Erected/Placed On Seasonal Float In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.21.6	Seasonal Float Permanently Affixed And/Or Accessed In Way Other Than From Upland Via Pedestrian Ramp Affixed To Upland In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.21.7	Seasonal Float Not Removed And Stored From October To March In	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Water Brigade Bay Zone					
5.21.8	Non Permitted Building/Structure Constructed/Placed On Neighbourhood Dock Or Gear Locker More Than 2 Meters In Height In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.21.9	Neighbourhood Dock Use Not Linked Through Binding Legal Agreement In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.21.10	Non Permitted Float House In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.21.11	Occupancy Of Boat/Vessel That Is Moored/Docked/Beached For More Than 31 Consecutive Days Or An Interrupted Period Of More Than 183 Days In Calendar Year In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.21.12	Seasonal/Neighbourhood Dock Used For Commercial/Industrial/Institutional Use In Water Brigade Bay Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.22.1	Non Permitted Use In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.22.8	Encroachment Of Building/Structure Into Setback In Area 1 In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.9	Exceed Maximum Floor Area Restriction For A Single Family Dwelling In Area 1 In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.10	Exceed Maximum Floor Area Restriction For Associated Secondary Dwelling In Area 1 In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.11	Floor Area Of Uppermost Floor In Two/Three Storey Building Exceeds 67% Of The Floor Area Of The Floor Immediately Below It In Area 1 In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.12	Exceed Eave Height Restriction On Uppermost Floor Of Building In Area 1 In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.13	Dwelling Unit Located Within 5 Metres	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Of Any Other Dwelling Unit On Same Lot In Area 1 In Gambier Island Sea Ranch Comprehensive Development 1 Zone					
5.22.14	Encroachment Of Building/Structure Into Setback In Areas 1,2 And 3 In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.15	Encroachment Of Building/Structure Accessory To Farm Use Into Setback In Areas 1, 2 And 3 In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.16	Encroachment Of Animal Enclosure/Pens/Feeding Troughs/Animal Runs/Manure Piles Into Setback In Areas 1, 2 And 3 In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.22.17	Non Permitted Temporary Overnight Accommodation In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.22.18	Farm Use, Permitted Building/Structure And Density Does Not Meet Regulations Specified In 3.13 In Gambier Island Sea Ranch Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
6.2	Non Permitted Sign	\$150.00	\$112.50	\$75.00	Yes	75%
6.3.2	Exempt Signs Greater Than Three Square Metres In Area	\$150.00	\$112.50	\$75.00	Yes	75%
6.3.3	Real Estate Signs Exceed 1 Square Metre In Area/Not Located On Subject Property/Not Removed Within 14 Days Of Property Sale/Lease	\$150.00	\$112.50	\$75.00	Yes	75%
6.4	Obsolete Sign Not Removed Within 30 Days After Operation Of Business/Service Ends	\$150.00	\$112.50	\$75.00	Yes	75%
6.5	Exceed Maximum Number/Area Of Signs	\$150.00	\$112.50	\$75.00	Yes	75%
7.1	Required Off-Street Parking Spaces Not Located On/Adjacent To Lot On Which Use Is Located	\$250.00	\$187.50	\$125.00	Yes	75%
7.2.1	Parking Space Does Not Meet Size Requirements	\$250.00	\$187.50	\$125.00	Yes	75%
7.2.2	Improper Manoeuvring Aisle	\$250.00	\$187.50	\$125.00	Yes	75%
7.2.3	Improper Parking Space Surface	\$250.00	\$187.50	\$125.00	Yes	75%
7.2.4	Parking Area Lighting Fixtures	\$250.00	\$187.50	\$125.00	Yes	75%

Schedule A
GAMBIER ISLAND LAND USE BYLAW NO. 86, 2004
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Directs/Reflects Light Onto Adjacent Residential Use					
7.2.5	Inadequate Landscape Screen For Vehicles Associated With Contractor's Business/Industrial Use	\$100.00	\$75.00	\$50.00	Yes	75%
7.2.6	Fail To Provide Minimum Bicycle Parking	\$250.00	\$187.50	\$125.00	Yes	75%
7.5	Fail To Provide Minimum Parking Spaces	\$250.00	\$187.50	\$125.00	Yes	75%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.1.1	Non Permitted Use	\$300.00	\$225.00	\$150.00	Yes	50%
2.1.2	Non Permitted Building/Structure	\$300.00	\$225.00	\$150.00	Yes	50%
2.1.4	Temporary Residence Has Inadequate Water Supply/Sewage Disposal Or Not Located On Same Lot As Dwelling Being Constructed Or Does Not Meet Setback Regulation	\$300.00	\$225.00	\$150.00	Yes	75%
2.1.5	Building/Structure Accessory To Dwelling Used For Human Habitation	\$300.00	\$225.00	\$150.00	Yes	50%
2.1.6	Building/Structure Accessory To Dwelling Contain Toilet/Bathtub/Shower In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
2.2.2	Home Occupation Not Operated By Resident Of Dwelling On The Lot	\$250.00	\$187.50	\$125.00	Yes	50%
2.2.3	Home Occupation Alters Residential Character/Appearance Of Land/Premises	\$250.00	\$187.50	\$125.00	Yes	50%
2.2.4	Home Occupation Not Carried Out Wholly Within Permitted Dwelling/Accessory Building Or Outdoor Storage Areas Not Enclosed By Fence/Landscape Screen	\$250.00	\$187.50	\$125.00	Yes	50%
2.2.5	Area Used For Home Occupation Exceeds 65 m2 Or More Than 14 m2 Used For Display/Storage Of Goods/Articles Offered For Sale Or Goods/Articles Not Grown/Produced/Manufactured/Processed On Premises	\$250.00	\$187.50	\$125.00	Yes	50%
2.2.6	Storage Of Heavy Machinery/Building Material/Contractor's Yards On Lots Less Than 4.0 Hectares	\$250.00	\$187.50	\$125.00	Yes	50%
2.2.7	Portable Sawmill Used To Mill Timber Not Grown On Lot Sawmill Located On	\$250.00	\$187.50	\$125.00	Yes	50%
2.2.7(1)	Portable Sawmill Not Screened From View Or Stored Inside Accessory Building Or Timber Brought Onto The Lot For Milling For Commercial Gain	\$100.00	\$75.00	\$50.00	Yes	75%
2.2.8	Sale Of Goods/Articles Not Produced/Manufactured/Processed On Lot Of Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
2.2.9	Home Occupation Produces Persistent Noise/Vibration/Glare/Smoke/Fumes/Odours/Litter/Fire Hazard/Electrical Interference/Other Nuisance Detectable Off Lot	\$250.00	\$187.50	\$125.00	Yes	50%
2.2.10	More Than Two Full-Time Equivalent Persons Employed/Engaged On Home Occupation Premises Or No Persons	\$250.00	\$187.50	\$125.00	Yes	50%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Employed/Engaged Reside On Premises					
2.2.11	Non Permitted Home Occupation	\$300.00	\$225.00	\$150.00	Yes	50%
2.4.1	Fence Exceeds Height Restriction On Lots Less Than 0.5 Hectares	\$100.00	\$75.00	\$50.00	Yes	75%
2.4.3	Outdoor Storage Related To Home Occupation Use/Derelict Vehicles Not Screened From View From Adjacent Lot/Roadway	\$100.00	\$75.00	\$50.00	Yes	75%
2.4.4	Inadequate Landscape Screen	\$100.00	\$75.00	\$50.00	Yes	75%
2.5	Storage/Wrecking Of Derelict Vehicles/Junk Not Completely Enclosed In Building/Structure Or Is Visible From Adjoining Lots/Public Right Of Ways	\$100.00	\$75.00	\$50.00	Yes	75%
2.7.2	Non Permitted Feature Projects Into Setback	\$300.00	\$225.00	\$150.00	Yes	75%
2.7.3	Encroachment Of Building/Structure Into Setback Of Natural Boundary Of The Sea	\$300.00	\$225.00	\$150.00	Yes	75%
2.7.4	Encroachment Of Building/Structure Into Setback Of Lot Lines	\$300.00	\$225.00	\$150.00	Yes	75%
2.7.5	Private Float/Dock Not Located Within Seaward Boundary Of Upland Property Or Within Setback Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
2.7.6	Sewage Disposal System Within 30 Metres Of Watercourse/Well/Source Of Domestic Water Supply	\$300.00	\$225.00	\$150.00	Yes	75%
2.8.1	Building/Structure Exceeds Height Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
4.1.1	Non Permitted Use In Land-Based Area In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.1.2	Non Permitted Use In Marine-Based Area In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.1.3	Non Permitted Building/Structure In Land-Based Area In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.1.4	Non Permitted Building/Structure In Marine-Based Area In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.1.5	Building Erected/Constructed/Placed On Float/Dock/Ramp/Stairs/Pier In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.1.6	Dock Float In Marine-Area Exceeds Maximum Area Coverage Restriction In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.1.8	Ramp Associated With Dock Exceeds Maximum Width Restriction In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.1.9	More Than One Single Family Residential Dwelling And One Sleeping Cabin On Lot	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	In Community Residential 1 Zone					
4.1.10	More Than One Dock In Marine-Area Abutting A Water Front Lot In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.1.11	Fire Hut Exceeds Maximum Floor Area Restriction In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.1.12	Sleeping Cabin Exceeds Maximum Floor Area Restriction In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.1.15	Building/Structure Accessory To Single Family Dwelling Exceeds Maximum Height Restriction In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.1.16	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Community Residential 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.2.1	Non Permitted Use Of Land/Building/Structure In Land-Based Area In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.2.2	Non Permitted Use Of Land/Building/Structure In Marine-Based Area In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.2.3	Non Permitted Building/Structure In Land-Based Area In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.2.4	Non Permitted Building/Structure In Marine-Based Area In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.2.5	Building Erected/Constructed/Placed On Float/Dock/Ramp/Stairs/Pier In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.2.6	Dock Float In Marine-Area Exceeds Maximum Area Coverage Restriction In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.2.8	Ramp Associated With Dock Exceeds Maximum Width Restriction In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.2.9	More Than One Single Family Residential Dwelling On Lot In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.2.11	More Than One Dock In Marine-Area Abutting A Water Front Lot In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.2.12	Fire Hut Exceeds Maximum Floor Area Restriction In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.2.15	Building/Structure Accessory To Single	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Family Dwelling Exceeds Maximum Height Restriction In Community Residential 2 Zone					
4.2.16	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Community Residential 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.3.1	Non Permitted Use Of Land/Building/Structure In Land-Based Area In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.3.2	Non Permitted Use Of Land/Building/Structure In Marine-Based Area In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.3.3	Non Permitted Use Of Building/Structure In Land-Based Area In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.3.4	Non Permitted Use Of Building/Structure In Marine-Based Area In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.3.5	Building Erected/Constructed/Placed On Float/Dock/Ramp/Stairs/Pier In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.3.6	Dock Float In Marine-Area Exceeds Maximum Area Coverage Restriction In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.3.8	Ramp Associated With Dock Exceeds Maximum Width Restriction In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.3.9	More Than One Single Family Residential Dwelling On Lot Less Than 2 Hectares In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.3.10	More Than Nine Single Family Residential Dwelling Units On Lots 2 Hectares Or Greater In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.3.11	More Than One Dock In Marine-Area Abutting A Water Front Lot In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.3.12	Fire Hut Exceeds Maximum Floor Area Restriction In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.3.15	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Comprehensive Development 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.1	Non Permitted Use Of Land/Building/Structure In Land-Based Area In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.4.2	Non Permitted Use Of Land/Building/Structure In Marine-Based Area In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.4.3	Non Permitted Building/Structure In Land-Based Area In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.4.4	Non Permitted Building/Structure In Marine-Based Area In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.4.5	Building Erected/Constructed/Placed On Float/Dock/Ramp/Stairs/Pier In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.4.6	Dock Float In Marine-Area Exceeds Maximum Area Coverage Restriction In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.8	Ramp Associated With Dock Exceeds Maximum Width Restriction In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.9	Exceed Density In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.11	More Than One Dock In Marine-Area Abutting A Water Front Lot In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.12	More Than One Boathouse Per Lot In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.13	Accessory Guest Cottage Exceeds Maximum Floor Area Restriction In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.14	Boathouse Exceeds Maximum Floor Area Restriction In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.15	Fire Hut Exceeds Maximum Floor Area Restriction In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.16	Sleeping Cabin Exceeds Maximum Floor Area Restriction In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.18	Boathouse Exceeds Maximum Height Restriction In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.4.19	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Rural Residential Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.1	Non Permitted Use Of Land/Building/Structure In Land-Based Area In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.5.2	Non Permitted Use Of Land/Building/Structure In Marine-Based Area In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.5.3	Non Permitted Building/Structure In Land-Based Area In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.5.4	Non Permitted Building/Structure In Marine-Based Area In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	50%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.5.5	Building Erected/Constructed/Placed On Float/Dock/Ramp/Stairs/Pier In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.5.6	Dock Float In Marine-Area Exceeds Maximum Area Coverage Restriction In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.8	Ramp Associated With Dock Exceeds Maximum Width Restriction In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.9	Exceed Density In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.11	More Than One Dock In Marine-Area Abutting A Water Front Lot In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.12	More Than One Boathouse Per Lot Larger Than 16 Hectares In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.13	Boathouse Exceeds Maximum Floor Area Restriction In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.14	Fire Hut Exceeds Maximum Floor Area Restriction In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.16	Boathouse Exceeds Maximum Height Restriction In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.5.17	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Rural Comprehensive Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.1	Non Permitted Use Of Land/Building/Structure In Land-Based Area In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.6.2	Non Permitted Use Of Land/Building/Structure In Marine-Based Area In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.6.3	Non Permitted Building/Structure In Land-Based Area In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.6.4	Non Permitted Building/Structure In Marine-Based Area In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.6.5	Structures In Marine-Based Area Exceed Maximum Area Coverage Restriction In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.6	Building/Structure On Float/Wharf In Marine-Based Area Exceeds Height Restriction In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.7	More Than One Private Institutional Camp In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.8	More Than Three Private Institutional Camp Wharves In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.6.9	Dormitory/Cabin Exceeds Maximum Floor Area Restriction In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.10	Permanent/Seasonal Employee Accommodation Exceeds Maximum Floor Area Restriction In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.11	Non-Accommodation Building/Structure Exceeds Maximum Floor Area Restriction In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.12	Encroachment Of Building/Structure Into Setback In Land-Based Area In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.13	Encroachment Of Caretaker Residential Dwelling/Building/Structure Into Setback In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.14	Boathouse Exceeds Maximum Height Restriction In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.6.15	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Private Institutional 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.1	Non Permitted Use Of Land/Building/Structure In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.7.2	Non Permitted Use Of Land/Building/Structure In Marine-Based Area In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.7.3	Non Permitted Building/Structure In Land-Based Area In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.7.4	Non Permitted Building/Structure In Marine-Based Area In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.7.5	Structures In Marine-Based Area Exceed Maximum Area Coverage Restriction In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.6	Building/Structure On Float/Wharf In Marine-Based Area Exceeds Height Restriction In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.8	More Than One Private Institutional Camp In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.9	Exceed Density Restrictions For Single Family Dwellings And Guest Cottages In Land-Based Area In Private Institutional 2	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Zone					
4.7.11	More Than One Boathouse On Land-Based Area Per Marine-Based Private Institutional Wharf	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.12	More Than Two Boathouses On Lots Greater Than 2 Hectares And Less Than 24 Hectares Or More Than One Additional Boathouse For Each Single Family Dwelling Located On Lots 24 Hectares Or Larger In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.13	More Than Three Private Institutional Camp Wharves In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.14	Buildings/Structures Used For Private Institutional Camp And Overnight Accommodation Exceed Maximum Combined Floor Area Restriction In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.15	Private Institutional Camp Tent Site Exceeds Maximum Combined Total Area Restriction In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.16	Boathouse Exceeds Maximum Floor Area Restriction In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.17	Confectionary And Gift Shop Exceed Maximum Combined Floor Area Restriction In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.18	Fire Hut Exceeds Maximum Floor Area Restriction In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.19	Pump/Utility House Exceeds Maximum Floor Area Restriction In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.20	Encroachment Of Private Institutional Camp Building/Structure Into Setback In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.21	Encroachment Of Caretaker Residential Dwelling/Building/Structure Into Setback In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.22	Boathouse Exceeds Maximum Height Restriction In Land-Based Area In Private Institutional 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.7.23	Buildings/Structures Exceed Maximum	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Combined Lot Coverage Restriction In Land-Based Area In Private Institutional 2 Zone					
4.8.1	Non Permitted Use Of Land/Building/Structure In Private Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.8.2	Non Permitted Building/Structure In Private Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.8.3	Fire Hut Exceeds Maximum Floor Area Restriction In Private Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.8.4	Pump/Utility House Exceeds Maximum Floor Area Restriction In Private Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.8.5	Encroachment Of Structure Into Setback In Private Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.8.6	Structure Exceeds Height Restriction In Private Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.8.7	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Private Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.9.1	Non Permitted Use Of Land/Building/Structure In Community Service 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.9.2	Non Permitted Building/Structure In Community Service 1 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.9.3	Fire Hall Exceeds Maximum Floor Area Restriction In Community Service 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.9.4	Fire Hut Exceeds Maximum Floor Area Restriction In Community Service 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.9.5	Pump/Utility House Exceeds Maximum Floor Area Restriction In Community Service 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.9.6	Encroachment Of Structure Into Setback In Community Service 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.9.7	Structure Exceeds Height Restriction In Community Service 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.9.8	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Community Service 1 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.10.1	Non Permitted Use Of Land/Building/Structure In Community Service 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.10.2	Non Permitted Building/Structure In Community Service 2 Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.10.3	Fire Hall Exceeds Maximum Floor Area Restriction In Community Service 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.10.4	Fire Hut Exceeds Maximum Floor Area Restriction In Community Service 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.10.5	Pump/Utility House Exceeds Maximum Floor Area Restriction In Community Service 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.10.6	Encroachment Of Structure Into Setback In Community Service 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.10.7	Structure Exceeds Height Restriction In Community Service 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.10.8	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Community Service 2 Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.11.1	Non Permitted Use Of Land/Building/Structure In Natural Area Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.11.2	Non Permitted Building/Structure In Natural Area Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.11.3	Fire Hut Exceeds Maximum Floor Area Restriction In Natural Area Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.11.4	Pump/Utility House Exceeds Maximum Floor Area Restriction In Natural Area Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.11.5	Encroachment Of Structure Into Setback In Natural Area Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.11.6	Structure Exceeds Height Restriction In Natural Area Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.11.7	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Natural Area Community Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.1	Non Permitted Use Of Land/Building/Structure In Land-Based Area In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.12.2	Non Permitted Use Of Land/Building/Structure In Marine-Based Area In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.12.3	Non Permitted Building/Structure In Land-Based Area In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.12.4	Non Permitted Building/Structure In Marine-Based Area In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.12.5	Building Erected/Constructed/Placed On Float/Dock/Ramp/Stairs/Pier In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.12.6	Dock Float In Marine-Area Exceeds Maximum Area Coverage Restriction In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.7	Ramp Associated With Dock Exceeds Maximum Width Restriction In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
4.12.8	More Than One Caretaker's Residence Per Lot In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.9	More Than One Tenting Site Per One Hectare Or Exceed Maximum Sites Per Lot In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.10	More Than One Public Wharf In Marine Area In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.11	Fire Hut Exceeds Maximum Floor Area Restriction In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.12	Pump/Utility House Exceeds Maximum Floor Area Restriction In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.13	Encroachment Of Structure Into Setback In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.14	Structure Exceeds Maximum Height Restriction In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.12.15	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Provincial Marine Park Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.13.1	Non Permitted Use Of Land/Building/Structure In Marine 1 – Public Wharf Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.13.2	Non Permitted Building/Structure In Marine 1 – Public Wharf Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.13.3	Building/Structure On Public Wharf Exceeds Maximum Height Restriction In Marine 1 – Public Wharf Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.13.4	Buildings/Structures Exceed Maximum Combined Lot Coverage Restriction In Marine 1 – Public Wharf Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.14.1	Non Permitted Use Of Land/Structure In Marine 2 – Communal Moorage Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.14.2	Non Permitted Building/Structure In Marine 2 – Communal Moorage Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.14.3	Building Erected/Constructed/Placed On Float/Dock/Ramp/Stairs/Pier In Marine 2 – Communal Moorage Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.14.4	Dock Float In Marine-Area Exceeds Maximum Area Coverage Restriction In Marine 2 – Communal Moorage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.14.5	Ramp Associated With Dock Exceeds Maximum Width Restriction In Marine 2 – Communal Moorage Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.15.1	Non Permitted Use Of Land/Structure In Marine 3 – Public Barge Ramp Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.15.2	Non Permitted Building/Structure In Marine 3 – Public Barge Ramp Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.15.3	Ramp Exceeds Maximum Width	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule B
KEATS ISLAND LAND USE BYLAW NO. 78, 2002
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Restriction In Marine 3 – Public Barge Ramp Zone					
4.15.4	Ramp Sited/Extends Toward Sea Beyond 20 Metres From High Water Mark/Natural Boundary Of The Sea In Marine 3 – Public Barge Ramp Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.15.5	Sign/Marker Placards Exceed Size Restriction In Marine 3 – Public Barge Ramp Zone	\$150.00	\$112.50	\$75.00	Yes	75%
4.15.6	Ramp Exceeds Maximum Height Restriction In Marine 3 – Public Barge Ramp Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.16.1	Non Permitted Use Of Land/Structure In Marine 4 – Private Log Dump Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.16.2	Non Permitted Building/Structure In Marine 4 – Private Log Dump Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.16.3	Structure Associated With Log Dump Use Exceeds Height Restriction In Marine 4 – Private Log Dump Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.16.4	Structures Exceed Maximum Combined Lot Coverage Restriction In Marine 4 – Private Log Dump Zone	\$300.00	\$225.00	\$150.00	Yes	75%
4.17.1	Non Permitted Use Of Land/Structure In Marine Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.17.2	Non Permitted Building/Structure In Marine Conservation Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.18.1	Non Permitted Use Of Land/Structure In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	50%
4.18.2	Non Permitted Building/Structure In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.1.1	Exceed Maximum Number/Area Of Signs	\$150.00	\$112.50	\$75.00	Yes	75%
5.1.2	Real Estate Signs Too Large/Not Located On Subject Property/Not Removed Within 14 Days Of Property Sale	\$150.00	\$112.50	\$75.00	Yes	75%
5.3.1	Sign Internally Illuminated/Has Moving Parts Or Flashing Lights/Affixed To Any Other Sign/Noise Making	\$150.00	\$112.50	\$75.00	Yes	75%
5.3.2	Obsolete Sign Not Removed Within 30 Days After Operation Of Business/Service Ends	\$150.00	\$112.50	\$75.00	Yes	75%
5.3.3	Third Party Sign	\$150.00	\$112.50	\$75.00	Yes	75%
6.1.1	Fail To Provide Required Parking Spaces	\$250.00	\$187.50	\$125.00	Yes	75%
6.2.1	Inadequate Parking Spaces	\$250.00	\$187.50	\$125.00	Yes	75%
6.2.2	Parking Not On Lot Or Adjacent To Lot On Which Use/Building/Structure Served Is Located	\$250.00	\$187.50	\$125.00	Yes	75%
6.2.3	Inadequate Location Of Parking Space For The Disabled	\$250.00	\$187.50	\$125.00	Yes	75%

Schedule C
BOWYER & PASSAGE ISLANDS LAND USE BYLAW NO. 114, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.2.1	Disposal Of Waste Matter On Land/Marine Areas	\$500.00	\$375.00	\$250.00	Yes	50%
3.2.2	Disposal/Storage Of Hazardous/Toxic Waste	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.3	Rental/Sale Of Personal Watercraft	\$150.00	\$112.50	\$75.00	Yes	50%
3.2.4	Use Of Mobile Home/Recreational Vehicle As Residence	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.5	Use Of Vessel Anchored/Moored/Secured As Permanent Residence	\$300.00	\$225.00	\$150.00	Yes	50%
3.2.6	Non Permitted Finfish Aquaculture	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.7	Non Permitted Bridges/Causeways/Tunnels Connecting Any Island To The Mainland	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.8	Non Permitted Water Utility Lines Connecting Any One Island To Another Island Or Mainland	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.9	Non Permitted Wind Turbines In Water Zone Or Wind Turbines Intended To Provide Power To Island Other Than Island On Which The Structures Are Located	\$300.00	\$225.00	\$150.00	Yes	75%
3.2.10	Non Permitted Dog Breeding Or Boarding Kennels	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.3	Encroachment Of Building/Structure Into Setback Of The Natural Boundary Of The Sea	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.4	Encroachment Of Building/Structure Into Setback Of The Natural Boundary Of Any Watercourse/Wetland/Lake	\$300.00	\$225.00	\$150.00	Yes	75%
3.3.5	Encroachment Of Features Into Setbacks	\$300.00	\$225.00	\$150.00	Yes	75%
3.4.2	Wind Turbines Exceed Maximum Height Restriction	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.1	Building/Structure Accessory To Dwelling Used As Residence	\$300.00	\$225.00	\$150.00	Yes	50%
3.5.2	Non Permitted Accessory Building/Structure On Lot Prior To Construction Of Principal Building Or Commencement Of Principal Use	\$300.00	\$225.00	\$150.00	Yes	75%
3.5.3	Accessory Building/Structure On Lot Without Valid Permit In Place For Principal Building Being Constructed	\$300.00	\$225.00	\$150.00	Yes	75%
3.6.1	Non Permitted Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.1(f)(i)	Commercial Visitor Accommodation Accommodated More Than 4 Guests At Any One Time	\$250.00	\$187.50	\$125.00	Yes	50%

Schedule C
BOWYER & PASSAGE ISLANDS LAND USE BYLAW NO. 114, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.6.1(f)(ii)	Commercial Visitor Accommodation Uses More Than 2 Bedrooms To Accommodate Guests	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.1(f)(iii)	Commercial Visitor Accommodation Not Conducted Solely Within Principal Dwelling	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.1(f)(vi)	Commercial Visitor Accommodation Guest Exceeds Stay Of Seven Nights In Any Ninety-day Period	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.2(a)	Non Permitted Home Occupation Rental Of Dwelling For Less Than Thirty Continuous Days	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.2(b)	Non Permitted Commercial Campground As Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.2(c)	Non Permitted Rental/Charter Of Marine Vessel For Less Than 30 Days As Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.2(d)	Non Permitted Food Service/Retail Of Goods/Products Not Produced/Processed/Repaired As Part Of Home Occupation	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.3	Home Occupation Not Conducted Entirely Within Dwelling/Permitted Accessory Building On Lot Where There Is A Permitted Principal Residential Use	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.4	Home Occupation On Lot Exceeds Maximum Total Floor Area Restriction	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.5	Owner/One Employee Of Home Occupation Not Permanently Resident On The Property	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.6	More Than One Person Per Property Employed In Home Occupation In Addition To Resident Of Premises	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.7	Storage Of Materials/Commodities/Finished Products Outside Permitted Building	\$250.00	\$187.50	\$125.00	Yes	50%
3.6.8	Noise Resulting From Home Occupation Heard At Lot Line Or Natural Boundary Of The Sea	\$250.00	\$187.50	\$125.00	Yes	50%
3.7.1	Fence Exceeds Maximum Height Restriction	\$100.00	\$75.00	\$50.00	Yes	75%
3.8	Inadequate Landscape Screen	\$100.00	\$75.00	\$50.00	Yes	75%
3.9	Parking/Storage/Stopping Of Recreational Vehicle	\$150.00	\$112.50	\$75.00	Yes	50%
3.10	Storage Of Unusable/Disassembled/ Detached/Stripped/Non-functional/Abandoned Vehicles/	\$150.00	\$112.50	\$75.00	Yes	50%

Schedule C
BOWYER & PASSAGE ISLANDS LAND USE BYLAW NO. 114, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Campers/Trailers/Vessels/Parts In Unenclosed Area Without Adequate Screening					
5.1.1	Non Permitted Use In Rural Residential One – Passage Island Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.1.2	More Than One Dwelling Per Lot In Rural Residential One – Passage Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.3	Exceed Maximum Lot Coverage Restriction In Rural Residential One – Passage Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.4	Exceed Maximum Floor Area Ratio Of Any Dwelling In Rural Residential One – Passage Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.5	Exceed Maximum Number Of Accessory Buildings In Rural Residential One – Passage Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.6	Encroachment Of Building/Structure Into Setback In Rural Residential One – Passage Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.7	Dwelling Exceeds Maximum Height Restriction In Rural Residential One – Passage Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.8	Accessory Building/Structure Exceeds Maximum Height Restriction In Rural Residential One – Passage Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.1.9	Fence Exceeds Maximum Height Restriction In Rural Residential One – Passage Island Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.1.10	No/Inadequate Screening Of Above Grade Water And Septic Storage Tanks In Rural Residential One – Passage Island Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.2.1	Non Permitted Use In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.2.2	Exceed Maximum Number Of Dwellings Permitted In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.3	Exceed Maximum Lot Coverage Restriction In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.4	Exceed Maximum Combined Floor Area Of Any Dwelling And All Buildings Accessory To That Dwelling In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule C
BOWYER & PASSAGE ISLANDS LAND USE BYLAW NO. 114, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.2.5	Exceed Maximum Floor Area Of Dwelling In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.6	Exceed Maximum Floor Area Of Accessory Building In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.7	Encroachment Of Building/Structure Into Setback In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.8	Insufficient Distance Between Dwellings In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.9	Dwelling Exceeds Maximum Height Restriction In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.10	Accessory Building/Structure Exceeds Maximum Height Restriction In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.2.11	No/Inadequate Screening Of Above Grade Water And Septic Storage Tanks In Rural Residential Two – Bowyer Island Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.2.14	Fail To Meet Site Specific Regulations On Density/Siting/Size In Rural Residential Two – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.1	Non Permitted Use In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.3.2	Exceed Maximum Of 30 Dwellings In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.3	Exceed Maximum Number Dwellings On District Lots 1340 and 1339 In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.5	Exceed Maximum Lot Coverage Restriction In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.6	Dwelling And Accessory Buildings Exceed Maximum Combined Floor Area Restriction In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.7	Dwelling Exceeds Maximum Floor Area Restriction In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.8	Exceed Total Accessory Building Floor	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule C
BOWYER & PASSAGE ISLANDS LAND USE BYLAW NO. 114, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
	Area Restriction Or Exceed Maximum Floor Area Restriction For Any One Accessory Building In Rural Comprehensive One – Bowyer Island Zone					
5.3.9	Exceed Total Accessory Building Floor Area Or Maximum Floor Area For Any One Building On Site 24 Of DL 1340 In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.10	More Than Two Accessory Buildings Per Dwelling In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.11	Encroachment Of Building/Structure Into Setback In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.13	Encroachment Of Building/Structure Into Setback For Site 1 On Schedule A-5 In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.14	Minimum Distance Between Dwellings Is Less Than 4 Metres In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.15	Dwelling Exceeds Maximum Height Restriction Of 9 Metres In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.16	Dwelling On Site 7 On Schedule A-5 Exceeds Maximum Height Restriction Of 10.5 Metres In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.17	Accessory Building Exceeds Maximum Height Restriction In Rural Comprehensive One – Bowyer Island Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.3.18	No/Inadequate Screening Of Above Grade Water And Septic Storage Tanks In Rural Comprehensive One – Bowyer Island Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.4.1	Non Permitted Use In Forest One Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.4.2	Non Permitted Silviculture Use On Lot A, District Lots 1339 And 1340 In Forest One Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.4.4	Exceed Maximum Lot Coverage Restriction In Forest One Zone	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule C
BOWYER & PASSAGE ISLANDS LAND USE BYLAW NO. 114, 2011
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
5.4.5	Exceed Maximum Combined Floor Area Restriction For All Buildings In Forest One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.6	Encroachment Of Building/Structure Into Setback In Forest One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.7	Accessory Building/Structure Exceeds Maximum Height Restriction In Forest One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.4.8	No/Inadequate Screening Of Above Grade Water And Septic Storage Tanks In Forest One Zone	\$100.00	\$75.00	\$50.00	Yes	75%
5.5.1	Non Permitted Use In Community Services One Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.5.2	Exceed Combined Coverage Of All Buildings/Structures Restriction In Community Services One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.3	More Than One Community Hall On Passage Island In Community Services One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.4	Encroachment Of Building/Structure Into Setback In Community Services One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.5.5	Building/Structure Exceeds Height Restriction In Community Services One Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.1	Non Permitted Use In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.6.2	More Than One Dock Constructed Adjacent And Accessory To Any Upland Lot In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.3	Accessory Dock Exceeds Maximum Area Restriction In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.4	Use Of Foam Floatation Devices That Are Not Completely Encapsulated In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.5	Building Constructed/Erected On Any Dock/Float/Wharf In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.6.6	Fail To Meet Site Specific Regulations In Marine General Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.1	Non Permitted Use In Marine Service Zone	\$300.00	\$225.00	\$150.00	Yes	50%
5.7.2	More Than One Community Dock/Wharf Constructed In Marine Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.4	Use Of Foam Floatation Devices That Are Not Completely Encapsulated In	\$300.00	\$225.00	\$150.00	Yes	75%

Schedule C
BOWYER & PASSAGE ISLANDS LAND USE BYLAW NO. 114, 2011
CONTRAVENTIONS AND PENALTIES

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	Marine Service Zone					
5.7.5	Building Other Than One Permitted Storage Building Constructed/Erected On Any Dock/Float/Wharf In Marine Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.7.6	Fail To Meet Site Specific Regulations In Marine Service Zone	\$300.00	\$225.00	\$150.00	Yes	75%
5.8.1	Non Permitted Use In Marine Protection Zone	\$300.00	\$225.00	\$150.00	Yes	50%
6.2.1(a)	Non Permitted Blinking/Backlit/Neon Sign	\$150.00	\$112.50	\$75.00	Yes	75%
6.2.1(b)	Non Permitted Sign With Moving Parts	\$150.00	\$112.50	\$75.00	Yes	75%
6.2.1(c)	Non Permitted Sign That Makes Noise To Attract Attention To The Sign	\$150.00	\$112.50	\$75.00	Yes	75%
6.2.1(d)	Non Permitted Illumination Of Signs Causing Light To Shine Directly Into The Path Of On-coming Motor Vehicle Traffic	\$150.00	\$112.50	\$75.00	Yes	75%
6.2.1(e)	Non Permitted Sign That Projects Over Highway/Public Property	\$150.00	\$112.50	\$75.00	Yes	75%
6.2.1(f)	Non Permitted Third Party Signs	\$150.00	\$112.50	\$75.00	Yes	75%
6.2.1(g)	Non Permitted Signs Painted On Natural Rock Face	\$150.00	\$112.50	\$75.00	Yes	75%
6.2.1(h)	Affixing One Sign To Any Other Sign	\$150.00	\$112.50	\$75.00	Yes	75%
6.3.2	Political Sign Not Removed Day After Election	\$150.00	\$112.50	\$75.00	Yes	75%
6.3.3	Real Estate Sign Exceeds Area Restriction	\$150.00	\$112.50	\$75.00	Yes	75%
6.4	Sign Exceeds Height Restriction	\$150.00	\$112.50	\$75.00	Yes	75%
6.5	Obsolete Sign Not Removed Within 30 Days After Operation Of Business/Service/Activity Ends	\$150.00	\$112.50	\$75.00	Yes	75%
6.6	Exceed Number/Area Of Signs Per Lot/Premise/Use	\$150.00	\$112.50	\$75.00	Yes	75%



Islands Trust

Top Priorities

Gambier Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	LUB for SCRD Islands	Initiate new LUB review process for SCRD islands.	Feb-02-2006	Sonja Zupanec	Apr-07-2011	On Going
2	Riparian Areas Regulation Implementation Project for Gambier Island Local Trust Area.		Oct-26-2011	Sonja Zupanec	Dec-31-2012	On Going
3	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			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	GHG Emissions - examine as part of next OCP reviews 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.		Oct-06-2010	On Going
1	Sustainability Checklist in consultation with Sunshine Coast Regional District.		Feb-03-2011	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.		On Going
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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



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: Oct-19-2012

New owners working with planning staff to provide further information

Status Date: Jan-06-2012

No change.

Status Date: May-04-2011

Awaiting further info from applicant.

Rezoning

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

Planning Status

Status Date: Oct-23-2009

Representative provided verbal update at LTC meeting

Status Date: Sep-18-2009

Email to applicant and owner sent re: request for status update in time for Oct. 23,2009 GMLTC meeting.

Status Date: Nov-24-2008

Letter sent to applicant with LTC resolution and requesting status update

File Number	Applicant Name	Date Received	Purpose
GM-RZ-2012.1	Jim Green Planner: Sonja Zupanec	Jun-27-2012	Rezoning a portion of Lot 1 from Residential to S2 zone and rezoning a portion of the marine area from W3 to W1

Planning Status

Status Date: Jan-04-2013

Supplemental report prepared for Jan 31, 2013 LTC meeting.

Status Date: Oct-25-2012

Preliminary report to LTC; request supplemental information from applicant and qualified professional.

Subdivision

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2000.1	LANDPLAN GROUP INC. Planner: Sonja Zupanec	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

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-2009.1	Don Smith Planner: Linda Prowse	Aug-10-2009	2 lot subdivision. District Lot 847, Gambier Island.

Planning Status

Status Date: Dec-20-2012

This subdivision is still on hold as the applicant has not provided a RAR report to comply with legislative requirements. As well, Ministry of Transportation and Infrastructure requires a number of conditions in their Preliminary Layout approval of to be met prior to their approval of the subdivision.

Status Date: May-01-2012

Applicant is disputing the requirement for a RAR report or a 30 metre covenant. e-mails being sent between applicant and staff planner, with cc's to Island Planner and LTC.

Status Date: Apr-10-2012

Applicant's legal counsel is drafting a 30 metre no build and no soil disturbance covenant to satisfy RAR

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

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-2011.2	EDWARD TRAFF Planner: Marnie Eggen	Jul-21-2011	014-111-888 and 014-111-896 Lot Line adjustment on Gambier Island

Planning Status

Status Date: Oct-12-2012

Requires DVP to permit lot size; awaiting further info from MOTI and Health Authority

Status Date: Oct-31-2011

Referral Report to MOTI

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

Planner: Sonja Zupanec

Planning Status

Status Date: Oct-03-2012

Referral response sent to MOTI and applicant

From: Nicole Ranger

Sent: January-07-13 12:11 PM

To: David Graham; Jan Hagedorn; Kate-Louise Stamford; Sonja Zupanec; Becky McErlean; Theresa Warren

Cc: Nancy Roggers

Subject: Gambier Expense Report Dec 2012

<i>Islands Trust</i> LTC EXP SUMMARY REPORT F2012 Invoices posted to December 31, 2012					
630 Gambier	Invoices posted to December 31, 2012	Budget	Spent	Balance	
65000 630	LTC "Trustee Expenses"	1,200.00	2,808.50	(1,608.50)	
65200 630	LTC Local Exp LTC Meeting Expenses	4,000.00	2,272.93	1,727.07	
65210 630	LTC Local Exp APC Meeting Expenses	200.00	-	200.00	
65220 630	LTC Local Exp Communications	200.00	-	200.00	
65230 630	LTC Local Exp Special Projects	400.00	-	400.00	
65240 630	LTC Local Exp Miscellaneous	700.00	-	700.00	
TOTAL LTC Local Expense		5,500.00	2,272.93	3,227.07	
73001 630 2003	Gambier Associated OCP/LUB	8,000.00	2,325.61	5,674.39	
73001 630 3003	Gambier RAR	4,000.00	135.26	3,864.74	
TOTAL Project Expense		12,000.00	2,460.87	9,539.13	

Nicole Ranger

Finance Clerk

Islands Trust

200-1627 Fort Street

Victoria, BC V8R 1H8

Phone: (250) 405-5152

Fax: (250) 405-5155

Preserving [Island](#) communities, culture and environment

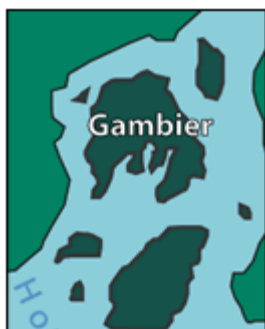


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Islands Trust

Preserving **island** communities, culture and environment.

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Population (2011):

Approximately 275

Size:

6,893 hectares (17,032 acres)

Location:

10 kilometres north of Horseshoe Bay in Howe Sound.

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Gambier Island Local Trust Committee

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December 2012

- [Gambier Island Local Trust Committee Meetings - December 13, 2012](#)

November 2012

- [Release of Fall 2012 Draft Land Use Bylaw for Public Review](#)

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Gambier Island Local Trust Committee Projects

GM-LUB-2011.2 - Land Use Bylaw Development for the Associated Islands

- [Project Charter – April 2012](#)
- [Communications Plan – April 2012](#)
- [Letter to Property Owners – May 2012](#)

Staff Reports

- [Staff Report dated December 2012](#)
- [Staff Report dated October 11, 2012](#)
- [Staff Report dated August 29, 2012](#)
- [Staff Report dated June 29, 2012](#)
- [Staff Report dated September 2011](#)
- [Staff Report dated January 2011](#)

Draft Land Use Bylaw

- [Fall 2012 Draft Land use Bylaw](#)

Advisory Planning Commission - Minutes

- [May 23, 2012](#)

Applications

GM-RZ-2012.1 (Reel 17 Investments Ltd., Cotton Bylaw, Gambier Island)

- [Staff Report -October 10, 2012](#)

Trustee Newsletters

- [Trustee Newsletter – November 2012](#)
- [Trustee Newsleterr - July 2012](#)
- [Trustee Newsletter - February 2012](#)

Shoreline Management Resources

- [Coastal Shores Stewardship](#)
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