



**Revised – February 8, 2012**

A NOTICE OF A BUSINESS MEETING OF **THE GAMBIER ISLAND LOCAL TRUST COMMITTEE**  
to be held at 10:30 AM on Tuesday, January 31, 2012 at Manil Room, Gibsons Public Library  
470 South Fletcher Road, Gibsons, BC

## **AGENDA**

|            |                                                                                                                                                                                                                                  | <b>Page No.</b> | <b>*Approx.<br/>Time*</b> |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|---------------------------|
| <b>1.</b>  | <b>CALL TO ORDER</b>                                                                                                                                                                                                             |                 | 10:30 am                  |
| <b>2.</b>  | <b>APPROVAL OF AGENDA</b>                                                                                                                                                                                                        |                 |                           |
| <b>3.</b>  | <b>MINUTES</b>                                                                                                                                                                                                                   |                 | 10:35 am                  |
| 3.1        | Adopted Local Trust Committee Meeting Minutes dated October 26, 2011 –<br><i>attached for information</i>                                                                                                                        | 1-9             |                           |
| 3.2        | Section 26 Resolutions Without Meeting dated January 23, 2012- <i>attached for<br/>information</i>                                                                                                                               | 10              |                           |
| 3.3        | Gambier Island Advisory Planning Commission Minutes - <i>none</i>                                                                                                                                                                |                 |                           |
| <b>4.</b>  | <b>BUSINESS ARISING FROM MINUTES</b>                                                                                                                                                                                             |                 | 10:45 am                  |
| 4.1        | Follow-up Action List dated January 23, 2012 - <i>attached</i>                                                                                                                                                                   | 11-12           |                           |
| 4.2        | Advisory Planning Commission Appointments<br>Memorandum dated January 23, 2012                                                                                                                                                   | 13-20           |                           |
| <b>5.</b>  | <b>LOCAL TRUST COMMITTEE PROJECTS</b>                                                                                                                                                                                            |                 | 11:00 am                  |
| <b>6.</b>  | <b>CHAIR'S REPORT</b>                                                                                                                                                                                                            |                 |                           |
| <b>7.</b>  | <b>TRUSTEES' REPORT</b>                                                                                                                                                                                                          |                 |                           |
| <b>8.</b>  | <b>DELEGATIONS</b>                                                                                                                                                                                                               |                 |                           |
| <b>9.</b>  | <b>TOWN HALL SESSION</b>                                                                                                                                                                                                         |                 | 11:15 am                  |
| <b>10.</b> | <b>CORRESPONDENCE</b>                                                                                                                                                                                                            |                 |                           |
|            | <i>Correspondence specific to an active development application and/or project<br/>will be received by the Gambier Island Local Trust Committee when that<br/>application and/or project is on the agenda for consideration.</i> |                 |                           |
| 10.1       | Funding Request from Sea to Sky Clean Air Society - attached                                                                                                                                                                     | 21-23           |                           |
| <b>11.</b> | <b>APPLICATIONS AND PERMITS</b>                                                                                                                                                                                                  |                 | 11:30 am                  |
| 11.1       | GM-DVP-2011.5 (Shane – Gambier Island)<br>Staff Report dated January 10, 2012 - <i>attached</i>                                                                                                                                  | 24-61           |                           |

|             |                                                                                                                                                                                                                                                                                                                                                                                 |         |         |
|-------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------|
| 11.2        | GM-RZ-2011.1 (Camp Fircom – Gambier Island)<br>Staff Report dated December 14, 2011 - <i>attached</i>                                                                                                                                                                                                                                                                           | 62-76   |         |
| 11.3        | GM-RZ-2011.2 (Thunderbird Yacht Club – Gambier Island)<br>Staff Report dated December 19, 2011 - <i>attached</i>                                                                                                                                                                                                                                                                | 77-88   |         |
| 11.3.1      | Letter dated January 13, 2012 from Lea Bancroft for Burrard Yacht Club - <i>attached</i>                                                                                                                                                                                                                                                                                        |         |         |
| <b>12.</b>  | <b>REPORTS</b>                                                                                                                                                                                                                                                                                                                                                                  |         | 1:00 pm |
| <b>12.1</b> | <b>Work Program Reports</b>                                                                                                                                                                                                                                                                                                                                                     |         |         |
| 12.1.1      | Memorandum dated January 20, 2012 regarding Work Program for term 2011-2014 - <i>attached</i>                                                                                                                                                                                                                                                                                   | 89-91   |         |
| 12.1.2      | Email dated January 14, 2012 from Wendy Harrison regarding the Associated Islands Land Use Bylaws - <i>attached</i>                                                                                                                                                                                                                                                             | 92      |         |
| 12.1.3      | Top Priorities Report and Projects List dated January 23, 2012 - <i>attached</i>                                                                                                                                                                                                                                                                                                | 93-95   |         |
| <b>12.2</b> | <b>Applications Log</b><br>Report dated January 23, 2012 - <i>attached</i>                                                                                                                                                                                                                                                                                                      | 96-100  |         |
| <b>12.3</b> | <b>Trustee and Local Expenses</b><br>Expenses posted to December 21, 2011 - <i>attached</i>                                                                                                                                                                                                                                                                                     | 101     |         |
| <b>13.</b>  | <b>NEW BUSINESS</b>                                                                                                                                                                                                                                                                                                                                                             |         | 2:15 pm |
| 13.1        | Proposed Local Trust Committee Meeting Schedule for 2012 - <i>attached</i>                                                                                                                                                                                                                                                                                                      | 102     |         |
| 13.2        | BURNCO Gravel Extraction Proposal – Sunshine Coast – <i>verbal update</i>                                                                                                                                                                                                                                                                                                       |         |         |
| <b>14.</b>  | <b>BYLAWS</b>                                                                                                                                                                                                                                                                                                                                                                   |         |         |
| 14.1        | Bylaw Enforcement Notification System<br>Staff Report dated January 18, 2012 - <i>attached</i>                                                                                                                                                                                                                                                                                  | 103-117 |         |
| 14.1.1      | Bylaw Enforcement Notification Brochure - <i>attached</i>                                                                                                                                                                                                                                                                                                                       | 118-119 |         |
| 14.1.2      | Bylaw Violation Notice - <i>attached</i>                                                                                                                                                                                                                                                                                                                                        | 120-121 |         |
| 14.1.3      | Proposed Bylaw No.116 cited as “Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 116, 2011”. – <i>for consideration of amendment, 3<sup>d</sup> reading as amended and submission to the Executive Committee - attached</i>                                                                                                                       | 122-149 |         |
| <b>15.</b>  | <b>ISLANDS TRUST WEBSITE</b>                                                                                                                                                                                                                                                                                                                                                    |         |         |
| 15.1        | Gambier page – <i>attached</i>                                                                                                                                                                                                                                                                                                                                                  | 150     |         |
| <b>16.</b>  | <b>CLOSED MEETING:</b> The Gambier Island Local Trust Committee closes the next part of the January 31, 2012 business meeting to discuss matters pursuant to Section 90(1)(a) of the <i>Community Charter</i> to consider appointments to the Advisory Planning Commission and that Sonja Zupanec, Island Planner and Diane Corbett, Recorder be invited to attend this meeting |         |         |
| <b>17.</b>  | <b>RECALL TO ORDER</b><br>Rise and Report from Closed Meeting                                                                                                                                                                                                                                                                                                                   |         |         |
| <b>18.</b>  | <b>NEXT MEETING</b><br>Thursday, March 1, 2012 at 10:30 am at Eric Cardinal Hall, 930 Chamberlain Road, Gibsons, BC                                                                                                                                                                                                                                                             |         |         |
| <b>19.</b>  | <b>ADJOURNMENT</b>                                                                                                                                                                                                                                                                                                                                                              |         | 2:30 pm |

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

**MINUTES OF THE GAMBIER ISLAND LOCAL TRUST COMMITTEE  
MEETING  
HELD ON WEDNESDAY, OCTOBER 26, 2011 AT 12:30 pm,  
THE MANIL ROOM, GIBSONS PUBLIC LIBRARY  
470 SOUTH FLETCHER ROAD, GIBSONS, BC**

|                 |                      |                               |
|-----------------|----------------------|-------------------------------|
| <b>PRESENT:</b> | Louise Bell          | Chair                         |
|                 | Joyce Clegg          | Local Trustee                 |
|                 | Jan Hagedorn         | Local Trustee                 |
|                 | Sonja Zupanec        | Island Planner                |
|                 | Kate-Louise Stamford | Recorder                      |
|                 | Miles Drew           | Bylaw Enforcement Coordinator |

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

**1. CALL TO ORDER**

The Local Trust Committee Meeting was called to order at 12:30 pm.

**2. APPROVAL OF AGENDA**

Agenda was adopted as presented by consensus

**3. MINUTES**

*3.1 Local Trust Committee Special Meeting Minutes for the Community Information Meeting dated July 20, 2011.*

The minutes of the Special Business Meeting Dated July 20, 2011 were adopted by consensus.

*3.2 Local Trust Committee Meeting Minutes dated September 7, 2011*

The following corrections were made to the minutes:

- Page 3 of minutes – Item 9. Town Hall Session should read “...pecuniary interest in the matter *to be presented by Mr. Bentall* due to owning a leaseholder site...”
- Page 4 – GM-055-2011 5<sup>th</sup> line down should read “...Land Use Bylaw *where* the landowners, *through* government...”
- GM-056-2011 last line should read “...special meeting *to be held on Tuesday...*”
- Page 5- second paragraph of the Chairs Report, 4<sup>th</sup> line down should read “...Coastal Communities that pertain *to* the Islands Trust...”

- Page 6 – first line should read “Trustee Clegg reported *by means of a written report that she had submitted earlier in the meeting,...*”

The minutes of the Gambier Island Local Trust Committee Business Meeting Dated September 13, 2011 were adopted as amended by consensus.

*3.3 Local Trust Committee Special Meeting Minutes dated September 13, 2011.*

The minutes of the Local Trust Committee Special Meeting dated September 13, 2011 were adopted by consensus.

*3.4 Section 26 Resolutions Without Meeting*

There were no Resolutions Without Meeting

*3.5 Gambier Island Advisory Planning Commission Minutes*

There were no Gambier Island Advisory Planning Commission minutes.

**4. BUSINESS ARISING FROM MINUTES**

*4.1 Follow-up Action List dated October 18, 2011*

Planner Zupanec outlined the Follow-up Action List

Trustee Hagedorn presented the latest version of the Gambier Island Trust Area map by staff member, Barb Dashwood. Trustee Clegg noted that Alexandra Island was not identified in Centre Bay (Gambier Island). Planner Zupanec will discuss this addition with Barb Dashwood. Chair Bell suggested that the words “Federation of the Islands Trust” be deleted and replaced with “within the Islands Trust Area”

Chair Bell and Trustee Clegg thanked Trustee Hagedorn and Barb Dashwood for their work on the map.

*4.2 Advisory Planning Commission Appointments*

Trustee Hagedorn noted she knew of two more possible applicants. The Local Trust Committee decided to delay appointing the Advisory Planning Commission members until next term to allow the new Local Trust Committee to recruit more members.

*4.3 Report dated September 10, 2011 from Ramona C. de Graaf of Emerald Sea Biological to the Department of Fisheries and Oceans regarding the Critical Forage Fish Habitat Assessment in Halkett Bay.*

Planner Zupanec outlined the report noting it was for background information only. Trustee Hagedorn suggested that Ramona’s de Graaf’s request for further assessment of toxicity levels on the ship’s hull be forwarded to the appropriate authorities. Chair Bell suggested Trustee Hagedorn review the earlier letters that were sent regarding the

HMCS Annapolis to decide if it was necessary to approach further regulatory bodies, beyond DFO, with this information.

Chair Bell reviewed Trust Council Administrative Policy 4.1.8 on appropriate use of disbursements. The Local Trust Committee agreed, as per the earlier resolution GM-029-2011, to release a \$100.00 honorarium to Ramona de Graaf accompanied by a note thanking her for the report and workshop for residents of Halkett Bay.

**5. LOCAL TRUST COMMITTEE PROJECTS**

There were no Local Trust Committee projects presented at this meeting.

**7. TRUSTEES REPORT**

Trustee Clegg

Trustee Clegg noted that it had been a relatively quiet period since the last Local Trust Committee meeting. She attended the Trust Council meeting in September on Salt Spring Island and participated in a teleconference call with other Ferry Advisory Committee Trustees to give Chair Sheila Malcolmson more information about the Chairs Ferry Advisory Group for use by the Executive Committee in preparing for the Union of British Columbia Municipalities annual convention.

Trustee Clegg attended a debriefing meeting regarding the 2011 island clean-up at the Sunshine Coast Regional District and will attend another meeting in December for further discussions.

When the BC Ferry Commissioner and his deputy were on the Sunshine Coast, Trustee Clegg attended a private meeting with them. Other attendees to the meeting included most of the elected people from the Sunshine Coast area and members of the Route 3 Ferry Advisory Committee. More recently, Trustee Clegg noted that she attended the regular fall meetings between BC Ferry personnel, the Route 3 Ferry Advisory Committee, and the Route 13 Ferry Advisory Committee. She added that the Chairs Ferry Advisory Group had sent its response to the Commissioner for inclusion in the BC Ferry Review Process.

Trustee Clegg concluded by thanking Chair Bell and Planner Zupanec for their expert guidance during the term.

Trustee Hagedorn

Trustee Hagedorn reported that she had a productive meeting with the Keats Road Committee and Capilano Highway Services Company on September 9, 2011 and that they plan to meet again in May. Trustee Hagedorn added that both she and Trustee Clegg also attended a meeting with the Sunshine Coast Regional District in regards to the annual garbage pickup for the islands.

Trustee Hagedorn outlined the community meeting held at Camp Fircom for their rezoning proposal on October 8, 2011.

Trustee Hagedorn suggested that if residents were concerned about the installation of BC Hydro smart metres they should contact her either by email or phone at 604-815-7339.

Trustee Hagedorn thanked the other members of Local Trust Committee for their work over the past term.

## **6 CHAIR'S REPORT**

Chair Bell highlighted the activities of the Executive Committee at the annual convention of Union of British Columbia Municipalities, which took place from September 26 - 30, 2011. The Islands Trust Executive Committee Chair, Sheila Malcolmson, and Sunshine Coast Regional District Chairs met with British Columbia Premier, Christie Clark, and Minister of Transportation, Blair Lekstrom, to discuss ferry fares on the minor routes. Minister Lekstrom concluded the meeting with a commitment to meet again once the review by the BC Ferries Commissioner was finalized.

Chair Bell reported that the Executive Committee hosted a breakfast for Members of the Legislative Assembly (MLA) and Electoral Area Directors (EAD) for the areas around the Islands Trust. She noted that there were twelve guests including MLA Nicholas Simons, EADs Gary Nohr and Lee Turnbull. Chair Bell said that this meeting is considered one of the most effective ways of engaging others in promoting the object of the Islands Trust.

She added that during the question period at the Union of BC Municipalities Ministers Resources Panel the following issues were raised:

- When the report from the Agricultural Land Commission would be made available – Response: The Agriculture Minister stated it was not ready for the public yet.
- When the Water Act would be ready - Response: The Environment Minister said that after more consultation it should be ready in 2012.
- Requested a more robust environmental review of the proposed Underground Raven Coal Mine. Chair Bell advised that there was no satisfactory response from the Environment Minister.

In regards to Smart Meters, Chair Bell stated a resolution from the floor was passed at the Union of BC Municipalities to place a moratorium on the meters. Although the resolution passed, the Union itself does not have the power to enforce it.

Although Chair Bell was not present at the September 7, 2011 Executive Committee, she noted that they approved several bylaws submitted by Local Trust Committees including:

- Fourteen bylaws that amend the Galiano Island Official Community Plan, which is a culmination of their Official Community Plan review.
- Bylaw amendments to South Pender's Official Community Plan.
- Bylaws for North Pender to implement the bylaw notification adjudication system.

As this was the final meeting of the 2008-2011 term, Chair Bell concluded her report by acknowledging the commitment of both Local Trustees to serve Gambier Islands Trust area residents and landowners to the very best of their ability, to thank them for the huge amount of time they had given to the job, and to congratulate them for their thorough analysis of the issues and their sound decision-making. She noted that some of this good work relied on

the site visits they did, which are far more demanding for this Local Trust area than anywhere else in the Islands Trust. Additionally, Chair Bell thanked Trustee Clegg for her participation as Chair of the Ferry Advisory Commission for route 13 and her persistence in working with the Sunshine Coast Regional District to retain the public use of the Stormaway dock. Chair Bell thanked Trustee Hagedorn for her work developing a clear informative map for the Gambier Local Trust Committee and to connect with Ramona de Graaf in an attempt to arrange forage fish workshops across the Local Trust Area. Finally, she thanked the Local Trustees for the attention they gave to constituents' views and their responsiveness as they attempted to address community needs while promoting the Object of the Islands Trust. Chair Bell stated that it was her great pleasure to chair the Gambier Local Trust Committee this term and to serve with fellow trustees like Jan Hagedorn and Joyce Clegg.

Chair Bell also thanked Sonja Zupanec for her thorough research, the well organized and clear documentation she provided, and the solid recommendations on the technical aspects of matters before the Local Trust Committee. She thanked Kate-Louise Stamford for her careful minute taking.

**8. DELEGATIONS**

There were no delegations at this meeting

**9. TOWN HALL SESSION**

There were no participants at the Town Hall Session

**10 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.*

The Trustees confirmed that letters received from Mr. Brymer of Bowyer Island dated July 16, 2011 had been presented at an earlier meeting.

**11. APPLICATIONS AND PERMITS**

**11.1 GM-DVP-2011.4 (Blake-Keats Island)**

Trustee Hagedorn stated that pursuant to Section 100 of the Community Charter that she has a direct pecuniary interest in the matter of GM-DVP-2011.4 (Blake-Keats Island) due to owning a leaseholder site on the subject property and left the meeting.

Planner Zupanec outlined the staff report dated October 11, 2011.

Trustee Clegg asked whether or not there would be a height difference in the new building. The applicant stated that the ridge height of the roof should be same. Planner Zupanec added that the basement level will have liveable space where there wasn't any before.

Trustee Clegg asked about total floor area. The applicant said the printed calculation was the footprint of the building and did not include the basement.

Chair Bell reiterated her concern that the Local Trust Committee continues to receive Development Variance Permits on Lot 696 while the landowners (the Convention of Baptist Churches) have not progressed with the stipulations of their application. She added that staff have worked more intensely with this applicant than with any other owner to continue this application.

The applicants presented their application for a Development Variance Permit.

**GM-061-2011**

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee issue GM-DVP-2011.4 (Blake, Keats Island) authorizing the replacement of a single family dwelling on leaseholder Lot 23 in accordance with the plans submitted and attached to the development variance permit.

**CARRIED**

Trustee Hagedorn returned to the meeting.

**12     REPORTS**

*12.1    Work Program Reports - Top Priorities Report and Projects Report dated October 18, 2011 - To be discussed later in the meeting*

*12.2    Applications Log*

Planner Zupanec reviewed the Applications Log report dated October 18, 2011.

*12.3    Trustee and Local Expenses*

The Local Trust Committee reviewed the expenses posted to September 21, 2011

**GM-062-2011**

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee release \$100 from Special Projects account for an honorarium for Ramona de Graaf.

**CARRIED**

**13     NEW BUSINESS**

*13.1    Heritage Lighthouses*

Planner Zupanec outlined the details of the program that could be used to protect the federal lighthouse on Merry Island.

**GM-063-2011**

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee request staff to submit a completed nomination and petition to designate the Merry Island Lighthouse under the Heritage Lighthouse Program, Parks Canada.

**CARRIED**

Trustee Hagedorn supported the historical role of the Merry Island lighthouse to boaters along the sunshine coast.

- 13.2 *Affordable and Special Needs Housing Documents Memorandum dated August 8, 2011 regarding Housing Agreements on Salt Spring Island and the Islands Trust Application Guide for Affordable and Special Needs Housing.*

The Trustees received the information provided and discussed the long term implications of affordable housing in the Gambier Island Local Trust area.

- 13.3 *Local Trust Committee Term in Review*

The Local Trust Committee received the report for information

14. **BYLAWS**

- 14.1 *Bylaw Enforcement Notification System*

14.1.1 *Bylaw Enforcement Notification Brochure*

14.1.2 *Bylaw Violation Notice*

14.1.3 *Draft Bylaw No. 116 cited as "Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 116, 2011"*

Miles Drew outlined the proposed Bylaw Enforcement Notification System.

Trustee Hagedorn asked about continued non-compliance after a fine had been issued. Miles Drew said the landowner would continue to be fined and that the Bylaw Officer would be the collector. He added that this was still based on complaints, except in cases where environmental issues were present or there was a violation of permits. In those situations the Bylaw Officer could be proactive.

Miles Drew noted that this adjudication process was in place in many communities in British Columbia, including several cities in the Lower Mainland and Sechelt.

Chair Bell stated that this is an administrative bylaw, not a planning bylaw therefore it does not have to go through a public hearing.

Trustee Hagedorn noted her support of the bylaw but wanted more communication with the public and requested this could go to the Advisory Planning Commission before this bylaw was considered.

## ADOPTED

Chair Bell clarified that the proposed system does not change any existing bylaws or the way in which they are applied. It is simply a way of adjudicating complaints outside of the courts to make it more efficient.

Trustee Clegg added that the proposed Bylaw Enforcement Notification System has been discussed at Trust Council level for several months and that there have been numerous articles in the local newspapers.

**GM-064-2011** It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee give the First Reading to Draft Bylaw No. 116, cited as "Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011".

**CARRIED**

**GM-065-2011** It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee give the Second Reading to Proposed Bylaw No. 116 cited as Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011.

**CARRIED**

**GM-066-2011** It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee give the Third Reading to Proposed Bylaw No. 116 cited as Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011.

**CARRIED**

Trustee Hagedorn opposed

**GM-067-2011** It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee refer the Proposed Bylaw No. 116, 2011 to Executive Committee for approval.

**CARRIED**

Trustee Hagedorn opposed

### 15. ISLANDS TRUST WEBSITE

#### 15.1 *Gambier Page*

The Gambier Island Trustees requested that staff post all the Local Trust Committee newsletters for 2011 on the website.

### 16. CLOSED MEETING

The Gambier Island Local Trust Committee closed the next part of the October 26, 2011 business 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 this meeting.

**17. RECALL TO ORDER**

There was nothing to report from the Local Trust Committee Closed Meeting.

*12.1 Additions to the work program*

**GM-068-2011** It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee remove item 4 of the Projects List and move it to item 2 on the Top Priorities List and change item 2 to 3 on Top Priorities List.

**CARRIED**

Trustee Hagedorn asked Planner Zupanec to check on the update of the definition of “natural boundary of the sea” in the bylaws for Gambier Island Local Trust Area.

**18. NEXT MEETING**

The next meeting was not discussed due to upcoming elections for a new Local Trust Committee.

**19. ADJOURNMENT**

The Gambier Island Local Trust Committee Business Meeting was adjourned at 3:15 pm.

\_\_\_\_\_  
Recorder

\_\_\_\_\_  
Chair



**Islands Trust**

Print Date: Jan-23-2012

## **RWM From: September 21, 2011 To: January 23, 2012**

### **Gambier Island**

| <b>Resolution #</b> | <b>Action</b> | <b>Resolution Description</b>                                                                                             | <b>Resolution Date</b> |
|---------------------|---------------|---------------------------------------------------------------------------------------------------------------------------|------------------------|
| 2011-05             | In Favour     | "That the Gambier Island Local Trust Committee will hold its first regular business meeting of 2012 on January 31, 2012." | Dec 22, 2011           |
| 2011-04             | In Favour     | "THAT the Gambier Island Local Trust Committee adopt the minutes of its regular business meeting of October 26, 2011 ."   | Nov 14, 2011           |

3.2



**Islands Trust**

Print Date: Jan-23-2012

## **Follow Up Action Report w/ Target Date**

### **Gambier Island Jun-23-2010**

| No. | Activity                                                                                                                                                                                                                        | Responsibility | Target Date | Status   |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------|----------|
| 6   | Archaeological Management - staff requested to contact Squamish First Nation 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 |

### **Feb-03-2011**

| No. | Activity                                                                                                                                                       | Responsibility | Target Date | Status   |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------|----------|
| 4   | Draft LUB - SCRD Islands - Planners to continue work on draft LUB and consult with individual property owners.                                                 | Sonja Zupanec  |             | On Going |
| 9   | Project Priority 3 - Discussions with Squamish Nation - bring forward discussion regarding proposed topics for an agenda if meeting held with Squamish Nation. | 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). | Chris Jackson<br>Sonja Zupanec | May-27-2011 | On Going |

### **Oct-26-2011**

| No. | Activity | Responsibility | Target Date | Status |
|-----|----------|----------------|-------------|--------|
|-----|----------|----------------|-------------|--------|

4.1

|   |                                                                                                                                                                                                       |                |             |          |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------|----------|
| 1 | Check with SCRD on status of their sustainability checklist; check 'natural boundary of the sea' TC report and compare with GMLTC area land use bylaw definitions for consistency.                    | Sonja Zupanec  | Nov-30-2011 | On Going |
| 1 | Bylaw 116 given 1st, 2nd, 3rd readings and forwarded to EC for approval.                                                                                                                              | Miles Drew     | Nov-30-2011 | On Going |
| 1 | Staff to submit a completed nomination form to designate Merry Island Lighthouse as a heritage property. Forward to SCRD a copy of nomination form and request letter of support from planning staff. | Sonja Zupanec  | Nov-30-2011 | On Going |
| 1 | LTC to release \$100 from special projects budget for honorarium for Ramona Degraaf accompanied by a co-signed letter from GMLTC trustees.                                                            | Sonja Zupanec  | Nov-30-2011 | On Going |
| 1 | Contact residents who requested to be appointed to APC advising that their names will be brought forward for consideration in early 2012.                                                             | Becky McErlean | Nov-30-2011 | Done     |
| 1 | Staff to enquire about the status of the HMCS Annapolis project in Halket Bay and report back to LTC via email.                                                                                       | Sonja Zupanec  | Nov-30-2011 | On Going |



# Memorandum

700 North Road Gabriola Island BC V0R 1X3

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

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

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

Date: January 23, 2012

To: Gambier Island Local Trust Committee

From: Sonja Zupanec  
Island Planner

Re: **Advisory Planning Commission Appointments**

The purpose of this memorandum is to provide a summary of those who have expressed interest in serving on the commissions and the process for appointments.

## ADVISORY PLANNING COMMISSION

Appointments to the Gambier Island LTC area 'Advisory Planning Commission' (APC) must be made by resolution of the Local Trust Committee. Consideration of expressions of interest will occur in closed meeting, following which appointments will be made by resolution in open meeting.

Seven members were appointed to the Gambier APC in 2009. The term for all seven members expired in July 2011. An ad was run in the Coast Reporter in August 2011 advertising for vacancies to the APC. Only three expressions of interest were received by the last meeting of LTC in 2011 so consideration of appointments was deferred until the new term in 2012.

The APC Bylaw No. 113 (attached) requires that not more than nine members be appointed, and at least 2/3 of the membership must be residents of the Gambier LTC area. The following guidelines apply to consideration of APC appointments:

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

- a. representative of a broad cross section of the geographical areas of the Gambier Island Local Trust Committee area;*
- b. representative of a range of backgrounds and expertise that is supportive to each other in the consideration of matters referred to the APC; and*
- c. where feasible and practical of a balanced representation of gender and age groups.*

*Consideration shall be given to the following criteria in any appointment:*

- ☐ *Previous experience as a member of a Board of Variance*
- ☐ *Experience on a local government council, board, local trust committee, commission or other body*
- ☐ *Experience with other volunteer boards, commissions or committees*
- ☐ *Experience and credentials in a planning, design or related profession*

- ☐ *Experience and credentials in a building or design trade*
- ☐ *Educational background*
- ☐ *Length of residency in the local trust area*
- ☐ *Availability, and willingness to travel between local trust areas.*

To date, 11 expressions of interest have been received for the (up to) nine vacant positions on the APC:

Ken White, Passage Island  
Roger Sweeney, Mickey Island  
Bruce Bingham, Bowyer Island  
Joyce Clegg, Gambier Island  
Brenda Hardisty, Gambier Island  
Graham Wickham, Gambier Island  
Frank Colbourne, Gambier Island  
Eric Holtz, North Thormanby Island  
David Walker, Passage Island  
Dan Rogers, Keats Island  
Camilla Berry, Gambier Island

Copy: Chris Jackson, Regional Planning Manager

# GAMBIER ISLAND LOCAL TRUST COMMITTEE

## BYLAW NO. 113

\*\*\*\*\*

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

\*\*\*\*\*

The Gambier Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gambier Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

#### 1. **Establishment**

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

#### 2. **Appointment of Members**

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

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

**“resident”** means a person who:

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

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

INFORMATION NOTE – The contents within this box are provided for information only and are not part of bylaw 113.

The following terms apply to appointments to the Advisory Planning Commission:

July 2009 – July 2011  
July 2011 – July 2013  
July 2013 – July 2015

and every two years thereafter.

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

### **3. Roles**

#### **(a) Secretary**

- (1) The Trust Committee must appoint a Secretary to the APC.
- (2) The Secretary is to:
  - i) assist the Chairperson, as required, in arranging meetings of the APC;
  - ii) ensure that proper notification of meetings is given in compliance with this bylaw;
  - iii) keep legible minutes of all meetings;

- iv) provide copies of all minutes and recommendations of the APC to the Local Trustees and the Secretary of the Islands Trust;
- v) maintain financial records and conduct financial transactions with the Islands Trust; and
- vi) maintain an annual record book of approved minutes to be available to the public upon request and shall provide a copy of minutes when requested upon receipt of a sum of money sufficient to pay the cost of copying those minutes.

(b) Chairperson

(1) The Chairperson is to:

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

**4. Referrals to the Commission**

- (a) The Trust Committee may by resolution, refer an application for an amendment to the community plan, a bylaw, or a permit, pursuant to the *Local Government Act*, or may refer a proposed bylaw or permit to the Chairperson of the APC with a request for a recommendation.
- (b) The APC must meet, when there is a need to consider a referral, at a duly constituted meeting as defined under this Bylaw and as called by the Chairperson.
- (c) The APC shall select at its first meeting, a regular monthly meeting day to consider referrals.

- (d) In the event that no referral is received by the Secretary at least 7 calendar days prior to the date of the next regular APC meeting, then no meeting need be held.
- (e) A meeting of the APC on any particular referral must be held not more than 30 days after the date of receipt of that referral unless the Trust Committee has requested a response by an earlier specified date.
- (f) The Trust Committee may refer a plan or bylaw amendment or permit that has been partially processed and seen at the application stage by the APC for additional recommendations if it feels changes to the application warrant the review. In these cases the APC may be asked to respond in a briefer than normal time period.
- (g) The Chairperson may call an extraordinary meeting after consultation with the Secretary and all other members of the APC to deal with any matter for which a quick response is requested.
- (h) Although APC recommendations on referrals must be received by the Trust Committee, the recommendations do not bind the decisions of the Trust Committee.

## **5. Notice of Meeting**

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

## **6. Conduct of Meeting**

- (a) All deliberations of the APC must take place in a meeting, and all APC meetings must be open to the public.
- (b) A quorum of the APC is the lesser of four members, or 50% of those appointed.
- (c) The Chairperson is to convene the meeting and may adjourn it from time to time.
- (d) Applicants of an amendment to a plan or bylaw or a permit must be afforded the first opportunity to present their proposal and to answer any questions asked by APC members.
- (e) If an applicant or their agent fails to appear and was duly notified as required by this Bylaw, the APC may proceed to reach its recommendation in the applicant's absence.
- (f) At the request of any member of the APC, the Chairperson must invite any elected official, staff or resource person present at the meeting to comment on the matters before the APC.
- (g) The APC must not receive development proposals and other applications directly from applicants.
- (h) The APC must not consult directly with other government agencies.

## **7. Notice of Recommendation**

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

## **8. Transition**

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

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

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

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

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

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

ADOPTED THIS 28th DAY OF October , 2010

---

SECRETARY

---

CHAIRPERSON



### PARTNER COMMUNITY BENEFITS

Thank-you for your continued involvement as a key partner in the Sea-to-Sky Clean Air Society. Partnering communities located in the Howe Sound/Sea-to-Sky airshed and B.C. Ministry of Environment agree to jointly fund the Sea-to-Sky Air Quality Management Plan (AQMP). The funding is renewed annually based on a voted-upon budget. Additional funds are raised through traditional fundraising initiatives, donations, and membership fees.

The AQMP is managed and coordinated by the Sea-to-Sky Clean Air Society. Much of the funding provided by the partnering communities goes towards:

- Programming to achieve Priority Actions as indicated in the AQMP
- Advertising and outreach
- Organizing and hosting Board meetings (3 or 4 per year)
- Administration and oversight of the non-profit society's paperwork (financial audits, annual reports, etc)
- Overhead costs (website costs, bank charges, and insurance)

A complete description of the Society's programs and activities are outlined in the following documents (available for download from [www.seatoskyairquality.ca](http://www.seatoskyairquality.ca)):

- 2011 Key Milestones
- 2010 Annual Report
- "Sharing the Air: A Community Based Approach to Airshed Management in the Sea-to-Sky Corridor"

Benefits of becoming a Partnering Community include:

1. Assist your community in fulfilling sustainability goals, which may make your community eligible for Green Municipal Funds;
2. Recognition on the Sea-to-Sky Clean Air Society website and Annual Reports;
3. Voting rights on annual budget;
4. Position on Board of Directors (if desired);
5. Assist in prioritizing regional air quality action priorities;
6. Maximize the benefit of current activities and build from existing momentum;
7. Increase the likelihood of stakeholder support and participation by providing an integrated and cross-regional approach to air quality;



8. Enable communities with fewer resources to benefit from the collective support of other local stakeholders with greater capacities;
9. Ensure that action plans and resultant initiatives are locally relevant, and have community buy-in;
10. Ensure that participating communities can identify potential synergies and also avoid conflicts.

## FUNDING ARRANGEMENT

The \$11,167 community partner budget for the 2012, calendar year is divided between municipalities and regional districts in Howe Sound and the Sea-to-Sky corridor. The contributions for 2012 are the same as per the 2011 and 2010 budgets and are based on population data from the 2006 Census of Canada. This is expected to be reviewed in 2012 when 2011 Census Data becomes available. Additional nominal fees of \$200 are requested from new partners (Vancouver Coastal Health, Gambier/Keats Islands, and West Vancouver). The budget is voted upon annually by the Board of Directors.

| <b>Community</b>                          | <b>2012<br/>Funding<br/>Request</b> | <b>2011<br/>Funding<br/>Request</b> | <b>% of Total Population<br/>= % of Budget</b> |
|-------------------------------------------|-------------------------------------|-------------------------------------|------------------------------------------------|
| Lions Bay                                 | \$321                               | \$321                               | 3.0                                            |
| Bowen Island                              | \$813                               | \$813                               | 7.7                                            |
| Town of Gibsons                           | \$1,012                             | \$1,012                             | 9.6                                            |
| District of Squamish                      | \$3,616                             | \$3,616                             | 34.2                                           |
| Resort Municipality of Whistler           | \$3,616                             | \$3,616                             | 34.2                                           |
| Village of Pemberton                      | \$530                               | \$530                               | 5.0                                            |
| Squamish Lillooet Regional District       | \$659                               | \$659                               | 6.2                                            |
| Islands Trust (Gambier and Keats Islands) | \$200                               | \$200                               | *new partner                                   |
| West Vancouver (Horseshoe Bay)            | \$200                               | N/A                                 | *new partner                                   |
| Vancouver Coastal Health                  | \$200                               | N/A                                 | *new partner                                   |
| <b>Total</b>                              | <b>\$11,167</b>                     | <b>\$10,767</b>                     |                                                |

The total budget above does not include the in-kind support for activities associated with AQMP Actions provided by the partners. The Ministry of Environment carries out air quality monitoring and provides data and in-kind technical support to the Sea-to-Sky Clean Air Society, as well as carrying out regulatory activities in the airshed. In 2010 and 2011 the Ministry of Environment contributed \$10,000 per year towards the salary of SSCAS' Executive Director. While this contribution is expected to be continued in 2012 it is not confirmed.

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## **TERMS**

1. Funding requests are for the 2012 calendar year.
2. Within 60 days of signing the contribution agreement, the contributing municipality or district will provide a cheque to the Sea-to-Sky Clean Air Society

## **ACCEPTANCE**

If the above terms and conditions are acceptable, please confirm this by signing and dating this letter and returning it to the Sea to Sky Clean Air Society.

**A contribution agreement in the sum of \$200.00 will be provided by Gambier/Keats Island Local Trust.**

IN WITNESS HEREOF the parties hereto have duly executed this agreement as of the \_\_\_\_ day of the month of \_\_\_\_\_, 2012.

SIGNED AND DELIVERED on behalf of the Gambier/Keats Island Local Trust.

\_\_\_\_\_ (Authorized Representative)

### **Please send cheques to:**

Sea-to-Sky Clean Air Society  
c/o Environmental Coordinator  
4325 Blackcomb Way  
Whistler, BC  
V0N 1B4

### **Sea-to-Sky Clean Air Society contact:**

Ione Smith  
Executive Director  
Sea-to-Sky Clean Air Society  
778-999-2149  
seatoskycleanair@gmail.com

# STAFF REPORT

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**Date:** January 10, 2012

**File No.:** GM-DVP-2011.5  
(Shane, Gambier  
Island)

**To:** Gambier Island Local Trust Committee  
For meeting of January 31, 2012

**From:** Sonja Zupanec, MCIP  
Island Planner  
Northern Team

**Copy:** Chris Jackson, MCIP  
Regional Planning Manager, Northern Team

---

**Re:** Application for Development Variance Permit on Lot 4, District Lot 477,  
BCP 41717, Cotton Bay, Gambier Island

**Owner:** Sophia Shane  
**Applicant:** Marko Simcic, Architect  
**Location:** Cotton Bay, Gambier Island

## THE PROPOSAL:

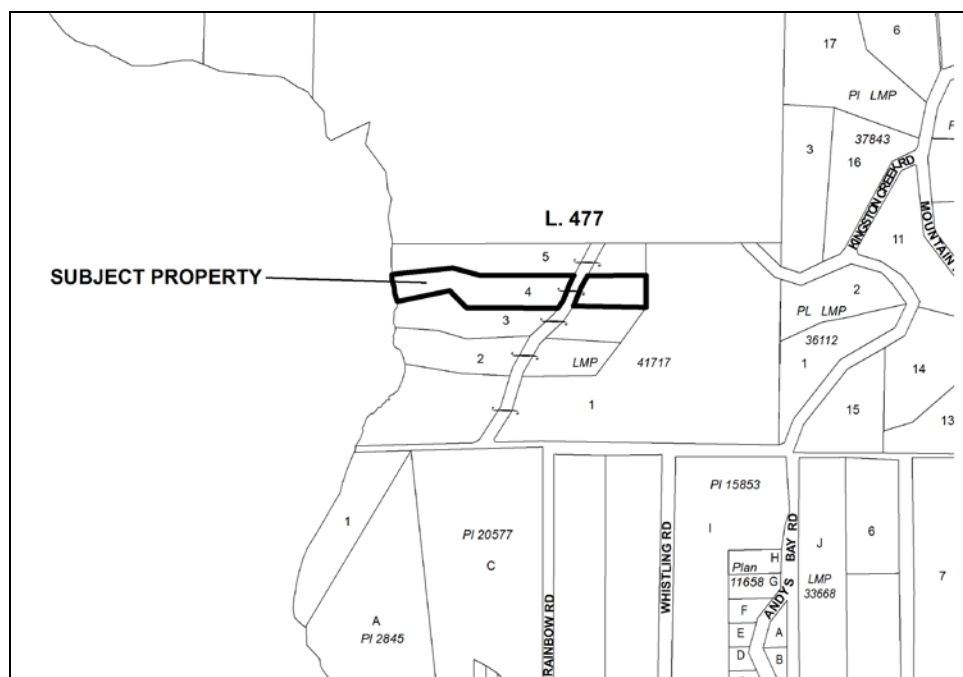
The applicant has requested a relaxation of section 3.3 'Siting and Setback Regulations' of the Gambier Island Land Use Bylaw No. 86 to allow the siting of a one storey 2100 ft<sup>2</sup> single family dwelling 7.5 metres from the natural boundary of the sea when 15.0 metres are required by bylaw. The property is further encumbered by a restrictive covenant with the Ministry of Transportation and Infrastructure, which evaluated setback requirements from the foreshore at the time of subdivision for the purposes of flood protection and shoreline slope stability.

## SITE CONTEXT:

The subject property is 2.0 hectares in size and located in the 5 lot Cotton Bay subdivision which was approved by the Ministry of Transportation and Infrastructure in 2008. A development variance permit was issued to the subdivision application by the Gambier Island Local Trust Committee (LTC) in 2008, waiving the 5:1 width depth ratio requirement to allow more efficient development of the lot for single family residential use. There are currently no dwelling units on the lots. All the lots within the subdivision have been impacted by land clearing, tree removal and road construction with fragmented pockets of trees remaining along steep cliffs and the foreshore area. The subdivision was deemed by the Ministry of Transportation to be environmentally sensitive and subject to periodic flooding; therefore a restrictive covenant was registered against each of the lot titles' regarding minimum setbacks to the natural boundary of the sea based on a foreshore geotechnical report and minimum elevation above the natural boundary of the sea.

A copy of the 2008 geotechnical report prepared by C.N. Ryzuk and Associates (2008) is attached. The assessment contained within the report was limited to the stability of the shoreline and did not address the potential for other geological hazards with the lot area(s). The report

recommended a minimum setback from the natural boundary of the sea for Lot 4 at 7.5 metres. The report did not examine areas upslope of the foreshore area for site suitability, and acknowledges that other site constraints may exist, such as local government regulations, that may further limit the potential building sites on the lot.



**Figure 1.** Subject Property Map.



**Figure 2.** 2011 aerial photo of the subject property, Lot 4.



- 5.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
- 5.6.1 Trust Council holds that the natural and human heritage of the Trust Area — that is the areas and property of natural, historic, cultural, aesthetic, educational or scientific heritage value or character — should be identified, preserved, protected and enhanced.

### Official Community Plan

The subject property does not have a land use designation as it falls under the old Gambier Island Official Community Plan Bylaw No. 110. This bylaw was repealed and replaced with the existing OCP Bylaw 73, except for District Lot 5925 and the remainder and south part of District Lot 477 (the subject property). OCP Bylaw 73 policies and objectives do not apply in this application.



Figure 4. OCP Bylaw 73 excerpt.

OCP Bylaw 110 (copy attached) applies to the two parcels of land illustrated above and does contain a number of policies that are relevant to this development variance permit application.

**6.2 Visual Pollution** is to be minimized by the following measures:

6.2.4 Discouraging unsightly tree and land clearance, and encouraging the replanting of already logged-off areas.

The subject property has been substantially cleared. The applicant has indicated that they intend to maintain the site in a natural state with the addition of ground covers. Extensive gravel walkways are proposed to access the proposed house.

### **8.1 Criteria for Determining Land and Foreshore Use**

The following criteria shall be applied in the allocation of land to the use categories in paragraph 8.2 below:

8.2.1.2 g) Dwellings should be set back at least 20 metres (65.63 feet) from high water mark.

Although the OCP provides guidance to the LTC to consider setbacks of at least 20 metres, the Gambier Island Land Use Bylaw requires a minimum setback of 15 metres. The intent of the OCP policies is to provide guidance to the LTC in the development of land use regulations. The policies are based on the requirements of the Islands Trust Policy Statement, community expectations and sound land use planning. The policy in the Official Community Plan suggests the importance of siting dwellings and structures substantially enough back from the foreshore not just for geotechnical stability or flood protection, but also to protect marine and riparian habitat and water quality; maintain a view of the coastline that is rural in character and relatively pristine in appearance. These objectives are consistent with the Trust Policies and relevant in consideration of the requested variance.

### Land Use Bylaw

The property is zoned Rural Residential (RR) in the land use bylaw. The application is consistent with all regulations of the land use bylaw, except for Section 3.3 which is the subject of the variance request.

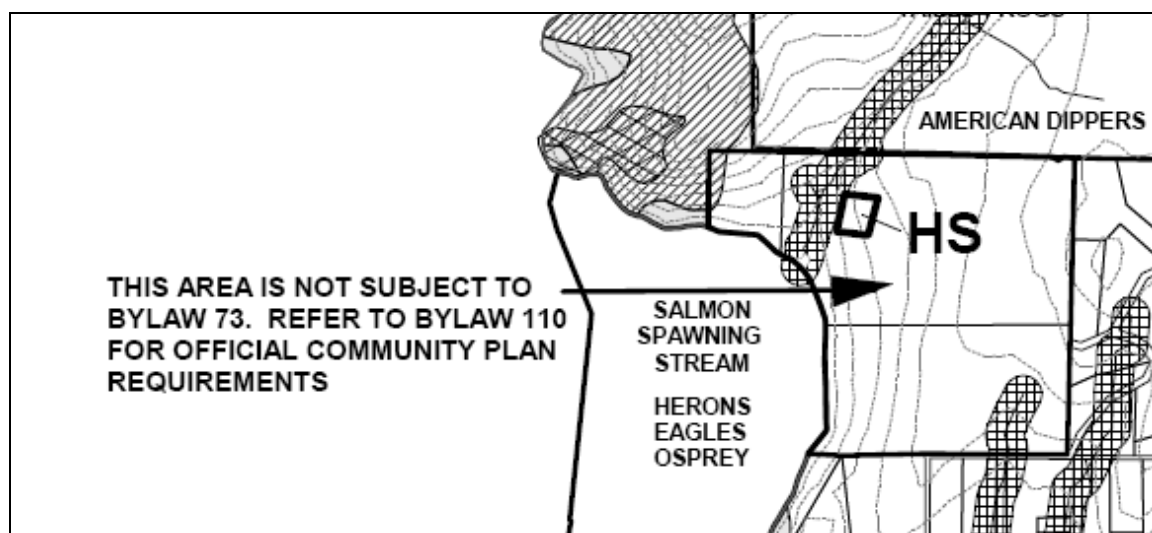
Section 3.3 of the Gambier Island Land Use Bylaw requires that the underside of any floor system that is used for dwelling purposes, business or storage of goods not be less than 1.5 metres above the natural boundary of the sea. Based on the contour mapping provided the proposal would meet this requirement.

### Regional Conservation Plan:

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

### Sensitive Ecosystems and Hazard Areas:

The sensitive ecosystem mapping predates the land clearing of the Cotton Bay subdivision. Historic mapping shows the area as 'mature forest' and the bay area being sensitive due to salmon spawning and the presence of herons, eagles and osprey. Only a small area of the subject property is identified as having slopes greater than 35% according to the 'Hazard Lands' map completed for the Gambier OCP.



#### Archaeological Sites:

There are no identified archaeological sites on the property.

#### Covenants:

There is one restrictive covenant registered on title.

BB954468 amended - covenant with Crown requires any building, mobile home or unit or modular home or structure on Lot 4 to be at least 7.5 metres from the natural boundary of the sea. The underside of the wooden floor system or the top of any concrete slab must be at least 1.5 metres Geodetic Survey of Canada datum.

#### Other:

There are numerous easements, statutory rights of way and a statutory building scheme registered on title. The easements do not impact the proposed building location and are primarily for the purpose of providing access to lots in the relatively steep terrain. The statutory building scheme does regulate tree removal, topping and site clearing to a limited extent.

#### Climate Change:

The subject property is not subject to policies or actions in Part 11 'Climate Change Adaptation and Mitigation' of the Gambier Island OCP.

#### **COMMUNITY INFORMATION MEETING(S):**

None held

#### **RESULTS OF CIRCULATION:**

Notification of the requested variance was mailed out on January 18, 2012. As the adjacent lots have not yet been sold, the original developer is the registered owner on title for the adjacent lots. He has submitted a letter of support for the variance.

#### **STAFF COMMENTS:**

A site visit to the property was not conducted for this application; however staff did conduct a site visit of the area prior to the subdivision being finalized in 2008. The proposed dwelling would be the first for this subdivision and sited 7.5 metres from the natural boundary of the sea when 15 metres is required by bylaw. The draft development variance permit would allow the dwelling as identified on Schedule A attached to the draft permit. Any further additions to such a dwelling would have to be located at a distance of 15 metres from the natural boundary of the sea.

#### *Neighbourhood Siting*

It is anticipated that due to the topography in this subdivision all five lots will have siting challenges if owners decide to site their dwellings in the foreshore area. The geotechnical report registered on title of the lots recommends a minimum 15 metre setbacks for Lots 2 and 3; and minimum 7.5 metres for Lots 1, 4 and 5 if the siting of the dwellings are to be in the foreshore area. These recommendations did not take into consideration the 15 metre minimum setback in the Gambier Island Land Use Bylaw, nor did the recommendation evaluate geotechnical

considerations upland from the foreshore. As this would be the first building permit issued for the Cotton Bay subdivision, the impact of the variance may result in the perception of a precedent being set for this subdivision. Development Variance Permits are to be evaluated on a case-by-case basis, and not because of historic patterns of approval in similar conditions.

The applicant has indicated in their application that the proposed location is suitable for sun exposure and views to the south, as well as privacy from Cotton Bay. The applicant feels that trees would need to be removed or topped along the foreshore if the house were to be sited at the minimum 15 metre setback and additional costly site preparation would be required due to the steep topography. The vast majority of lots on Gambier Island require blasting and extensive site preparation to accommodate a residence built to BC Building Code requirements. When considering this variance, hardship (e.g. site building costs) was not taken into account by staff. Nor is staff in a position to evaluate the extent of land disturbance that would be required to support the applicant's request for siting closer to the foreshore.

The potential for the foreshore to support tree canopy cover and a healthy understory of ground covers is important, and once a building or structures are permitted in that narrow envelope, that potential for forest regeneration is eliminated. Protecting the 15 metre foreshore buffer in Cotton Bay for water quality and habitat preservation; maintaining rural aesthetic along the shoreline and supporting the potential for regeneration of forest canopy in a heavily disturbed waterfront subdivision are important considerations.

The 2.0 ha subject property contains several open, disturbed and road access areas that may be suitable for the 2100 sqft dwelling and carport being proposed. Staff suggest the applicant evaluate the geotechnical feasibility of siting the dwelling and carport in those areas and protecting the foreshore from any structures or development. For this particular lot, staff supports maintaining the 15 metre setback from the natural boundary of the sea and not issuing a variance.

#### **RECOMMENDATION:**

**THAT** the Gambier Island Local Trust Committee not issue development variance permit application GM-DVP-2011.5 (Shane, Gambier Island).

---

Prepared and Submitted by:  
Sonja Zupanec, MCIP  
Island Planner  
January 10, 2011

Concurred in by:  
*Chris Jackson, MCIP*  
Regional Planning Manager, Northern Team  
January 11, 2012

#### **Attachments:**

1. Gambier Island OCP Bylaw 110
2. Geotechnical Report
3. Letter of support
4. Proposed Development Variance Permit

|                                                                                   |                                                                                                           |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|
|  | <b>GAMBIER ISLAND LOCAL TRUST COMMITTEE</b><br><b>DEVELOPMENT VARIANCE PERMIT</b><br><b>GM-DVP-2011.5</b> |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------|

## PROPOSED

**TO: Sophia Shane**

1. This Development Variance Permit applies to the land described below:  
  
 Lot 4, District Lot 477, BCP 41717, New Westminster District  
 PID 027-998-991
  
2. Pursuant to Section 922 of the *Local Government Act*, the Gambier Island Land Use Bylaw No. 86 is varied as follows:
  - a) Section 3.3 "Siting and Setback Regulations" is varied to reduce the setback from the natural boundary of the sea from 15.0 metres to 7.5 metres, as shown on Schedule "A1" to Schedule "A2" to allow the location of the proposed house, referenced as a single family dwelling in Bylaw No. 86.

All buildings and structures shall be consistent with Schedule "A1" and Schedule "A2" which are attached to and forms part of this permit.
  
3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of the Gambier Island Land Use Bylaw No. 86 and to obtain other appropriate approvals necessary for completion of the proposed development.

**AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS \_\_\_\_ DAY OF \_\_\_\_, 2012.**

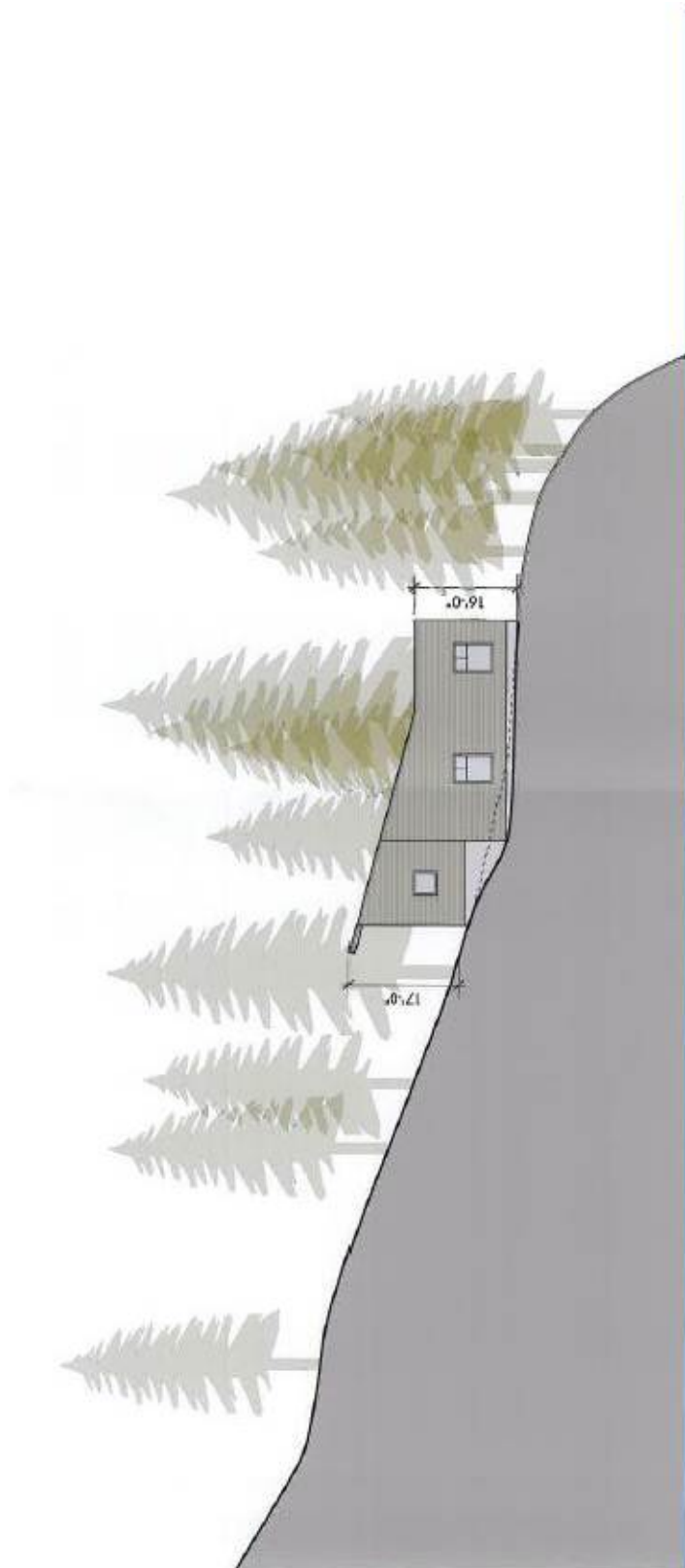
\_\_\_\_\_  
**Deputy Secretary, Islands Trust**

\_\_\_\_\_  
**Date of Issuance**

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE \_\_\_\_ DAY OF \_\_\_\_, 201-, THIS PERMIT AUTOMATICALLY LAPSES.**

[illegible]

GAMBIER ISLAND LOCAL TRUST COMMITTEE  
GM-DVP-2011.5  
SCHEDULE "A2"



MARKO SIMCIC ARCHITECT  
655 West Northwold Avenue  
Vancouver BC Canada V5Z 1X6  
T: 604.731.3879 F: 604.731.3899  
id\_s@ultranet.ca

SHANE CABIN, COTTON BAY, GAMBIER ISLAND, BC  
NORTH ELEVATION 1/16" = 1'-0" DVP APPLICATION OCTOBER 19, 2011  
A0.02

**GAMBIER ISLAND**

**OFFICIAL COMMUNITY PLAN BYLAW NO. 110**

**AS AMENDED BY GAMBIER ISLAND TRUST COMMITTEE**

**BYLAW: 28, 30 and 54**

**NOTE:** This Bylaw is consolidated for convenience only and is not to be construed as a legal document. For consistency the word "bylaw" is no longer hyphenated. In addition when an act has been cited in this document, the title of said act is in italics.

Certified copies of the Official Community Plan Bylaw are available from the Islands Trust Office, 2nd Floor, 1627 Fort St., Victoria, B.C. V8R 1H8.

***\*\*\*Note: This bylaw is repealed, except as it applies to District Lot 5925 and the remainder and south part of District Lot 477 all of Group 1 New Westminster District***

April/1995

This copy is consolidated for convenience only and includes the following  
**Text Amendments only:**

| <u>Bylaw Number</u> | <u>Amendment Number</u> | <u>Adoption Date</u> |
|---------------------|-------------------------|----------------------|
| Bylaw No. 28        | Amendment No. 1, 1989   | 1990/03/31           |
| Bylaw No. 30        | Amendment No. 2, 1989   | 1990/03/31           |
| Bylaw No. 54        | Amendment No. 1, 1994   | 1995/01/11           |

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 110

\*\*\*\*\*

A BYLAW TO DESIGNATE THE COMMUNITY PLAN FOR GAMBIER ISLAND  
AS THE OFFICIAL COMMUNITY PLAN FOR THAT ISLAND,  
PURSUANT TO SECTIONS 798A, 696, AND 697 OF THE *MUNICIPAL ACT*

\*\*\*\*\*

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

1. This Bylaw may be cited as "The Gambier Island Official Community Plan Bylaw No. 110, 1976".
2. The community plan attached as Schedule "A" and made a part of this Bylaw is designated as the Official Community Plan for Gambier Island.

|                               |      |        |         |      |
|-------------------------------|------|--------|---------|------|
| READ A FIRST TIME THIS        | 25TH | DAY OF | MARCH   | 1976 |
| READ A SECOND TIME THIS       | 29TH | DAY OF | APRIL   | 1976 |
| READ A THIRD TIME THIS        | 15TH | DAY OF | JULY    | 1976 |
| RECONSIDERED AND ADOPTED THIS | 27TH | DAY OF | JANUARY | 1977 |

H.J. Almond  
Chairperson

A.G. Pressley  
Secretary-Treasurer

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## GAMBIER ISLAND OFFICIAL COMMUNITY PLAN

### **1. PREAMBLE**

Gambier Island, although close to the heavily-populated Lower Mainland, has had the good fortune to remain largely undeveloped, thus maintaining its natural beauty and recreational atmosphere for the enjoyment of residents and visitors. The Island is unique because it has a large wilderness area and no urban-type commercial facilities. Since it is a designated Island under the *Islands Trust Act* it is also a recognized part of a unique ecological and recreational resource.

### **2. PURPOSE**

The purpose of the Community Plan shall be to place on record a statement about the sort of community the people of Gambier Island want to see in the future and how such a community can be achieved. It shall provide guidelines for both governmental and individual decisions regarding the future development of the Island, in accordance with the wishes of the Islanders and other citizens concerned with the Island's future. The Plan represents a commitment by the Islanders to the course of action described in the Plan, so that the Plan should constitute a resolution of existing and possible future conflicts within the community.

The Plan sets out, in general terms; the areas for various types of land and water use. It does not specify every use, nor does it define precise boundaries between permitted uses. These are left to the regulating bylaws of the Sunshine Coast Regional District, which will only be amended upon application and in conformity with the provisions of this Plan, after a public meeting.

It is recognized that the Plan is not binding upon federal and provincial agencies. Where provisions of the Plan concern matters beyond the jurisdiction of the Regional District, senior levels of government are requested:

- a) to regard them as the considered wishes of the Island community and the Regional District, and
- b) to use them as guidelines wherever possible for making decisions concerning Gambier Island.

The Plan has no fixed duration. So long as it is an accurate expression of community values and governmental willingness to carry out its provisions, it will remain unaltered. However, unforeseen circumstances or changes in attitudes or technology may make it advisable to introduce revisions. The Plan will be reviewed within three years of its implementation in order to assess its overall practicality and to evaluate its appropriateness in light of any technical information that has become available in the interim. Thereafter, the Plan will be systematically reviewed every five years. Changes to the Plan shall only be made after extensive public discussion and only when it is clear that the change enjoys widespread community support.

### 3. GAMBIER ISLAND PLANNING AREA

The area covered by this Plan includes the following:

Gambier Island  
Grace Islands  
Alexandra Island  
Unnamed islets within 250 metres (820.3 feet) of the shoreline of Gambier Island

### 4. GOALS

The goals of the Plan are as follows:

- 4.1 To preserve and enhance the rural character and peacefulness of the Island, and to protect its natural beauty and views.
- 4.2 To ensure that the waterfronts, beaches and waters surrounding them are preserved and kept free of pollution for the enjoyment of users and the preservation of marine life; to protect ground water supplies from contamination by effluent of any type; to preserve ground over and trees to the extent necessary to maintain the natural beauty of the Island and the ability of the soil to retain moisture, and to prevent erosion of soil and soft rocks; and in particular to preserve sufficient land and water areas in their natural state to enable wildlife, plant life and marine life of the Island to continue to exist and flourish.
- 4.3 To embody the principles of the *Islands Trust Act* and the Sunshine Coast Regional District's Goals for the Sunshine Coast, for the benefit of the people of the Region and the Province, with particular respect to the preservation of amenities and the management of growth.
- 4.4 To ensure that land uses are suitably located, compatible with surrounding uses, aesthetically attractive and in harmony with the natural environment.
- 4.5 To provide for the recreational needs of residents and visitors, of a quantity and quality consistent with the maintenance of rural tranquillity and ecological balance and subject to appropriate controls and supervision, including public access to shore, Crown land and other open space.
- 4.6 To maintain a diversified population in terms of age, income and lifestyles, and a friendly, personally-oriented community.
- 4.7 To ensure that services essential to the community's health and safety are provided in any future development of land in such a way that they do not detract from the quality of existing services.
- 4.8 To ensure that development of the Island does not exceed the ability of the foreshore to provide access and recreation.

## 5. OBJECTIVES

Future development under this Plan shall comply with the following objectives:

- 5.1 To preserve the Island's rural character and peacefulness by limiting the road system and discouraging the use of motor vehicles.
- 5.2 To secure a reasonable degree of privacy for property users.
- 5.3 To prevent air, water and visual pollution and protect Islanders from objectionable noise and odour.
- 5.4 To preserve marine, animal and bird life and designate nature preservation areas where advisable.
- 5.5 To protect watershed and catchment areas in order to prevent ground and surface water contamination.
- 5.6 To prohibit any sewage disposal system that discharges effluent into water bodies, including the sea.
- 5.7 To limit industry to labour-intensive, small scale, non-polluting activities, with priority given to servicing Island needs.
- 5.8 To prohibit extension of log booming, sorting and storage, and encourage relocation, where necessary, to produce the least environmental damage and conflict with adjacent land uses.
- 5.9 To secure a moratorium on timber licenses on Crown land for forty years.
- 5.10 To minimize adverse environmental effects, particularly erosion, any logging should use selective cutting methods. Where more than two contiguous hectares (4.941 acres) have been logged, reforestation should be mandatory, except where the cleared land is being farmed.
- 5.11 To retain land with an agricultural capability for present or future farm use.
- 5.12 To retain the non-commercial character of the Island by prohibiting commercial activity until such time as the Island's resident population clearly desire it.
- 5.13 To encourage development of separate centres of population, kept distinct from each other by a greenbelt of land left in its natural state, their location to be determined by the availability of good water access, soil suitable for drain fields or a common sewer system, and a proven supply of potable water.
- 5.14 To provide suitable areas for a variety of recreational uses, not to include any forms of recreation involving the use of motorized vehicles.
- 5.15 To protect the Island's beaches for recreational purposes.

- 5.16 To improve control of external sources of pollution by urging both provincial and federal governments to enforce existing regulations strictly and to strengthen these regulations where necessary.

## **6. POLICIES FOR THE CONTROL OF POLLUTION**

To preserve and enhance the unspoiled natural beauty and peacefulness of the Island the following policies are to be observed:

### **6.1 Sound Pollution**

is to be minimized by:

- 6.1.1. Requiring the use of mufflers on motor vehicles, boats and equipment.
- 6.1.2 Discouraging the use of motor vehicles.

### **6.2 Visual Pollution**

is to be minimized by the following measures:

- 6.2.1 Encouraging the growth of vegetation of road rights-of-way except where this interferes with ditch drainage, safety or road maintenance.
- 6.2.2 Encouraging property owners to leave a 5 metre (16.41 feet) strip of vegetation in its natural state alongside public rights-of-way.
- 6.2.3 Leaving the rights-of-way along transmission lines in their natural state as far as possible.
- 6.2.4 Discouraging unsightly tree and land clearance, and encouraging the replanting of already logged-off areas.
- 6.2.5 Ensuring that no rights-of-way are granted for regional electrical transmission or gas lines. New local service lines should use existing hydro or road rights-of way where possible.
- 6.2.6 Where practical, placing telephone, electric and any other wires and cables underground.

### **6.3 Land Pollution**

is to be minimized by:

- 6.3.1 Confining logging to small-scale operations, using appropriate management methods in order to minimize adverse environmental effects.
- 6.3.2 Retention of vegetation for a minimum of 40 metres (131.3 feet) on either side of designated creeks.

- 6.3.3 Discouraging the use of toxic chemicals for gardening and agriculture or for controlling the growth of vegetation along hydro and other rights-of-way.
- 6.3.4 Requiring that proposals that will make significant changes to topography or ground cover be supported by studies demonstrating that these changes will not lead to increased erosion.

#### **6.4 Water Pollution**

is to be minimized by:

- 6.4.1 Prohibiting the discharge of effluent into any bodies of water, including effluent from boats.
- 6.4.2 Requiring that sewage disposal systems be located and constructed so as not to contaminate groundwater, beaches or water courses.
- 6.4.3 Removing log booms from waters where there are significant changes to marine growth as a result of their presence.

## **7. POLICIES FOR COMMUNITY SERVICES**

### **7.1 Water**

- 7.1.1 The Island's designated watershed areas shall be strictly protected in order to preserve water quality and quantity.
- 7.1.2 A standard shall be established for each household of a least 1,000 litres (220 gallons) of potable water per day year round.
- 7.1.3 Community water systems will be encouraged where practicable.

### **7.2 Sewage Disposal**

- 7.2.1 The Plan endorses the regulations of the provincial Department of Health concerning sewage disposal.
- 7.2.2 Septic fields shall be at least 30 metres (98.44 feet) from any well, spring, stream, lake, or high water mark.
- 7.2.3 In cluster development where there is a concentration of houses, community disposal systems will be encouraged.
- 7.2.4 Under certain circumstances, the use of approved means of disposing of human wastes other than by septic field should be encouraged.

### **7.3 Solid Waste Disposal**

- 7.3.1 A managed dump should not be established until the number of permanent residents in the area to be served is large enough to warrant the expense involved. In the meantime, solid waste should be disposed of in accordance with the appropriate health regulations.

### **7.4 Transportation (roads, lanes and pathways)**

A key factor in maintaining the rural character and peacefulness of the Island is discouragement of the use of motor vehicles. To this end the following policies are to be observed:

- 7.4.1 Development of an island perimeter road or expansion of the connected road system on the Island should not occur. However, it is recognized that additional road allowances may be necessary for access purposes.

7.4.2 Existing roads should not be widened nor is it desirable that the full width of road allowances be cleared. Where new road allowances are created, the following maximum widths are desirable:

1. roads 12 metres (39.38 feet)
2. lanes 6 metres (19.69 feet)

7.4.3 The provision of footpaths, bridle paths and non-motorized bike trails should be encouraged.

## **7.5 Transportation (ferry service)**

7.5.1 A car ferry should not be provided.

7.5.2 Ferry schedules should be drawn up in consultation with the Island residents.

## **7.6 Fire Protection**

7.6.1 The volunteer Fire Department established on the Island should be maintained and supported since it is the most effective way of providing service to the present population.

7.6.2 Fire protection should be extended as soon as practicable to those residential areas not currently served.

7.6.3 Proposals for new residential development should include provisions for housing fire fighting equipment and for emergency water storage.

7.6.4 Extra fire protection must be provided during the recreation season when recreation facilities are made available to the non-island public.

## **7.7 Public Safety**

7.7.1 The laws prohibiting the operation of unlicensed or unsafe motor vehicles and the abandonment of unwanted vehicles should be strictly enforced, since violations are increasing and pose a threat to public safety.

7.7.2 Adequate police protection must be available during the recreation season when recreational opportunities are provided for the non-island public.

## **7.8 Medical and Community Care Services**

7.8.1 Community care facilities such as health centres, home nursing and housing for the elderly from the Island should be established as the need is demonstrated.

## **7.9 Education**

- 7.9.1 Until the child population of the Island warrants construction of a school, residents wishing to use alternative educational programmes that do not require children to attend school off the Island should be free to do so.

## **8. POLICIES GOVERNING LAND USE**

### **8.1 Criteria for Determining Land and Foreshore Use**

The following criteria shall be applied in the allocation of land to the use categories in paragraph 8.2 below. The same criteria shall be considered paramount in the review and revision of the local regulation of any part of Gambier Island.

#### **8.1.1 Soil Conditions with particular reference to**

- a) stability
- b) drainage
- c) slope and topography
- d) suitability for farming or horticulture
- e) ability of the soil to absorb effluent.

#### **8.1.2 Availability of adequate potable water.**

#### **8.1.3 Existing lawful use of land.**

#### **8.1.4 Prevention of pollution in all its forms.**

#### **8.1.5 The desirability of avoiding incompatible adjacent uses.**

#### **8.1.6 Protection of sensitive wildlife habitat, especially in inter-tidal and estuarine areas.**

#### **8.1.7 Prevention of continuous strip development outside the present areas of settlement by maintaining substantial greenbelts between one area of development and another.**

### **8.2 Categories of Land Use**

The following land use categories are authorized, their location to be indicated on the Plan map.

#### **8.2.1 Residential**

##### **8.2.1.1 The following residential densities are authorized:**

- a) An average parcel size of not less than 2 hectares (4.941 acres) in new subdivisions, with a minimum parcel size of .5 of a hectare (1.236 acres).
- b) An average parcel size of not less than 4 hectares (9.882 acres) in new subdivisions, with a minimum parcel size of .5 of a hectare (1.236 acres).

8.2.1.2 In new residential development the following should be required:

- a) Proof of a potable water supply of at least 1,000 litres (220 gallons) per day per dwelling year-round for all parcels to be created that are less than 2 hectares (4.941 acres) in size.
- b) Approved sewage disposal facilities.
- c) Where electricity is generated locally, noise and other forms of pollution from a generating plant should be kept to an absolute minimum. If B.C. Hydro supplies power, it should be brought in by submarine cable where appropriate and feasible.
- d) In areas not within the existing road system, where practical access to the development shall be by water only and proper water access facilities shall be considered an integral part of the development. The subdivision's road system should link all parcels to the water access point, thus ensuring ease for the residents in transferring goods and supplies. It is recommended that a site be provided for a building to house equipment for a volunteer fire department.
- e) Where shorefront public access is required, it must be readily usable by the public. If necessary these accesses should be consolidated to achieve this objective.
- f) Where part of a proposed development includes archaeological sites or nature preservation areas, it is desirable that this part be set aside and protected from intrusion of housing and the general activities of the development.
- g) Dwellings should be set back at least 20 metres (65.63 feet) from high water mark.
- h) In addition, the planning and layout of a development shall comply with one of the following:
  - 1. Lot sizes determined by an established average density, with a set minimum size; or
  - 2. Strata title or corporate ownership arrangements whereby building lots are clustered, leaving a large balance of land not built on and held in common by the residents.

## **8.2.2 Watersheds**

- 8.2.2.1 To protect future sources of domestic water, designation of watershed boundaries is a high priority among the studies to be undertaken. It is expected that the watershed areas will include all land over 150 metres (492.1 feet) in height.
- 8.2.2.2 Protection of the watersheds, catchment areas and water courses shall take precedence over all other land uses within such areas. Regardless of the watershed boundaries that are designated, this provision applies to Gambier Lake, Gambier Creek, West Bay Creek, Whispering Creek; Mannion Creek and those unnamed creeks flowing into Andys, Centre and Long Bays.
- 8.2.2.3 Watershed areas are not to be zoned for residential use.
- 8.2.2.4 Logging or other soil-disturbing activities shall be prohibited within 40 metres (131.3 feet) of any lake or creek within a designated watershed.

## **8.2.3 Public Recreation Areas**

- 8.2.3.1 Gambier Island, because of its close proximity to a large urban population, should be largely reserved for public recreational use. Such use, however, must be adequately supervised, and all park facilities properly maintained, particularly where overnight camping is permitted.

### **8.2.3.2 Interior Park**

A non-vehicular park should be established in the interior of the Island, centred on Gambier Lake and to include Mounts Liddell and Killam.

### **8.2.3.3 Marine Parks**

Most of the shore line is privately owned even though much of it is undeveloped. Waterfront suitable for public use must be identified without delay and purchased where necessary for marine parks.

The development of marine parks on Gambier Island should be part of an overall marine recreational plan for Howe Sound. The uses of each site should relate to the total recreation system with some sites used as access to the interior with provision for small boat docking only, some used for day-use picnic areas and others as overnight marine parks. Each site must have proper facilities for disposing of sewage and other wastes from boats, picnickers, etc.

The Provincial Parks Branch, in co-operation with other concerned planning authorities, is urged to prepare

discussed with the various islands and communities in and around Howe Sound.

The following sites should be considered for marine parks:

- (a) Douglas Bay
- (b) Ekins Point
- (c) South of Andys Bay
- (d) Halkett Bay

BL #54

#### 8.2.3.4 Local Area Parks

Local area parks may be established to serve primarily the parks and recreation needs of residents and property owners in the vicinity.

#### 8.2.3.5 Access Trails

The interior park should be linked to the shoreline by maintained trails in designated corridors 80 metres (262.6 feet) in width. These trails should provide access from Douglas Bay, Ekins Point, Andys Bay, and New Brighton via Andys Bay road.

#### 8.2.3.6 Beach Access

Where good beach areas are rendered inaccessible by off-shore log booms, these booms should be removed in the very near future.

### 8.2.4 Nature Preservation Areas

8.2.4.1 These are areas of particular sensitivity where development should be discouraged in order to protect important natural features. Removal of natural vegetation should not be permitted within these areas, except where they have been designated farmland.

8.2.4.2 Salmon spawning streams, as identified by the Federal Department of Fisheries, and other streams containing sport fish, shall be protected by requiring a 40 metre (131.3 feet) "leave strip" on either side of such streams.

### 8.2.5 Forest Areas

8.2.5.1 Forest areas shall include all Crown land currently under timber license and any such land that is leased for the growing and harvesting of forest crops in the future.

8.2.5.2 Sound forest management practices should be observed at all times in order to prevent erosion, preserve water supplies

and ensure healthy renewal of the forest crop. Particular attention should be paid to reforestation.

8.2.5.3 Access for recreational purposes should be encouraged.

8.2.5.4 No building or structures shall be constructed in the area, other than those required for fire protection, timber removal operations, or public recreation purposes.

#### 8.2.6 Farmland

8.2.6.1 To preserve as much farmland as possible for future generations, land considered by the B.C. Land Commission to be capable of sustaining present or future food production is to be protected from any development that would reduce that capability. In particular, top soil shall not be removed from designated farmland areas except in accordance with the provisions of the *Soil Conservation Act*.

8.2.6.2 The re-establishment of farming as a viable Island industry should be encouraged.

8.2.6.3 In designated farmland areas the minimum lot size shall be 4 hectares (9.882 acres) or such higher minimum as may be determined by the Provincial Land Commission.

#### 8.2.7 Private and Public Institutional

#30  
#30

##### 8.2.7.1 Private Institutional

The three summer camps operated by non-profit organizations afford an excellent opportunity for off-island groups to experience the Island's beauty, rural lifestyle and recreational opportunities, and should be encouraged. Any expansion of facilities should be rural in character and comply with the provincial sewage disposal regulations.

#30

##### 8.2.7.2. Public Institutional

These areas are to be utilized for community or public service uses as such needs arise.

#### 8.2.8 Extractive Industry

8.2.8.1 Altering the landscape by extracting minerals for gravel is not in keeping with preserving the rural character and natural beauty of the Island. However, it is recommended that small-scale gravel extraction be allowed in designated areas to serve Island needs.

- 8.3.8.2 Gravel extraction should only be permitted if it does not create erosion or drainage problems, and provided an acceptable plan of reclamation has been submitted.
- 8.2.8.3 Gravel extraction from the Island's beaches shall be prohibited.
- 8.2.8.4 Removal of topsoil for commercial purposes shall not be permitted.

#### **8.2.9 Commerce**

- 8.2.9.1 No land has been set aside in the Plan for commercial use. However, it is recognized that if the Island's year-round population, especially of elderly people, continues to grow, a general store will be increasingly desirable. To establish a store a change in zoning would be necessary, which would mean that the matter would be discussed at the public hearing that is required prior to rezoning. Such rezoning should be in compliance with the provisions of this Plan.
- 8.2.9.2 Other commercial activities would not be in keeping with the Island's character and should not be permitted at this time.

#### **8.2.10 Light Industrial**

- 8.2.10.1 These are areas set aside for small-scale light industry. Such industry should be:
  - non-polluting and suitably screened from public view
  - labour-intensive in relation to the amount of land being used
  - established primarily to service Island needs.
- 8.2.10.2 Any use under this category should require a change in zoning and thus be subject to a public hearing. Such rezoning should be in compliance with the provisions of this Plan.

#### **8.2.11 Residual Areas**

Residual areas of land shall have a 20 hectare (49.41 acres) minimum lot size.

## 9. TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS

Pursuant to Section 975 of the *Municipal Act*, R.S.B.C., 1979, Chapter 290, as amended, the Gambier Island Trust Committee may designate areas where temporary commercial and industrial uses may be allowed and where Temporary Commercial and Industrial Use Permits may be issued, upon the application of an owner of land.

### 9.1 Designation of Temporary Commercial and Industrial Use Permit Areas

Lands identified in Schedule "B" by means of maps or lists are designated as areas for which Temporary Commercial and Industrial Use Permits may be issued. Schedule "B" also specifies the land uses for which a permit may be issued.

### 9.2 Criteria for Temporary Commercial and Industrial Permit Designation

Applications for Temporary Commercial and Industrial Use Permits considered by the Gambier Island Trust Committee shall specify the purposes for which the permit is sought, including the nature of all proposed temporary commercial or industrial land uses. The Trust Committee shall examine each application for a permit with regard to the policies contained within this plan.

### 9.3 Areas Designated as Temporary Commercial and Industrial Use Permits and Land Uses for Which Permits May Be Issued - Schedule "B"

#### SCHEDULE "B"

| <u>Designated Area</u>                                                              | <u>Land Use for Which Temporary Permit May Be Issued</u>                                   |
|-------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|
| Foreshore and adjacent waters as shown on Map No. 1, forming part of this Schedule. | siting, construction, and operation of log dumps for logs originating from Gambier Island. |

TERMS OF INSTRUMENT - PART 2

RESTRICTIVE COVENANT

DEFINITIONS:

- a. The "Transferor" means REEL 17 INVESTMENTS LTD.
- b. The "Transferees" mean the Transferees as set out in Item 6 on Page 1 (Form C) of the attached General Instrument - Part 1.
- c. The "Lands" mean the Lots as set out in Item 2 on Page 1 (Form C) of the attached General Instrument - Part 1.

WHEREAS:

- A. The Transferees have informed the Transferor that the Lands are environmentally sensitive and may be subject to periodic flooding, but nevertheless the Transferor desires to place, construct and/or occupy and use buildings upon the Lands.
- B. The Transferees have requested that the Transferor enter into a covenant over the Lands, pursuant to Section 219 of the *Land Title Act*, in the terms hereinafter set forth.
- C. Section 219 of the *Land Title Act* provides that there may be annexed to any land a condition or covenant that the land or any specified portion thereof, is not to be built upon or is not to be used in a particular manner.

**WITNESS THAT**, in consideration of the sum of One Dollar (\$1.00) and other valuable consideration now paid by the Transferees to the Transferor (the receipt and sufficiency whereof is hereby acknowledged), the Transferor hereby agrees to grant a covenant over the Lands, pursuant to Section 219 of the *Land Title Act*, to the Transferees on the following terms:

- 1. (a) With respect to Lots 1 through 5 ("lots"):
  - (i) Hereafter, no building shall be constructed, or mobile home located, on any lot within the distance from the natural boundary of the sea identified for that lot in the Geotechnical Report prepared by C.N. Ryzuk & Associates Ltd., dated June 10, 2008, a copy of which is attached as Schedule A hereto.
  - (ii) Hereafter, no area used for habitation, business or storage of goods damageable by flood waters shall be located within any building at an elevation such that the underside of the floor system thereof is less than one point five (1.5) meters above the natural boundary of the sea.

- (b) The required elevation may be achieved by structural elevation of the said habitable, business, or storage area, or by adequately compacted landfill on which any building is going to be constructed, or by a combination of both structural elevation and landfill. No area below the required elevation shall be used for the installation of furnaces or other fixed equipment susceptible to damage by floodwaters. Where landfill is used to raise the natural ground elevation, the toe of the landfill slope shall be no closer to the natural boundary than the setback requirement given in Condition 1(a) above. The face of the landfill slope shall be adequately protected against erosion from flood flows.
2. The Transferor acknowledges that the Transferees do not represent to the Transferor or any other person that any building constructed or mobile home located in accordance with Condition 1 herein will not be damaged by flooding or erosion, and the Transferor covenants and agrees not to claim damages from the Transferees, or hold the Transferees responsible for damages caused by flooding or erosion to the land or to any building, improvement, or other structure built, constructed, or placed upon the Lands and to any contents thereof.
  3. The Transferor will indemnify and save harmless the Transferees and their servants and agents against all losses, damages, costs and expenses, including fees of solicitors and other professional advisors, arising out of any breach, violation or non-performance of any term, condition, covenant, or other provision of this Agreement.
  4. No term, condition, covenant, or other provision of this Agreement will be considered to have been waived by the Transferees unless the waiver is expressed in writing by the Transferees.
  5. Any waiver by the Transferees of any term, condition, covenant, or other provision of this Agreement or any waiver by the Transferees of any breach, violation, or non-performance of any term, condition, covenant, or other provision of this Agreement does not constitute and will not be construed as a waiver of any further or other term, condition, covenant, or other provision of this Agreement or any further or other breach, violation, or non-performance of any term, condition, covenant, or other provision of this Agreement.
  6. The terms, conditions, covenants, and other provisions of this Agreement will extend to, be binding upon, and enure to the benefit of the parties to this Agreement and their respective successors and assigns.
  7. In this Agreement, unless the context otherwise requires, the singular includes the plural and vice versa.
  8. This Agreement will be interpreted according to the laws of the Province of British Columbia.
  9. Where there is a reference to an enactment in this Agreement, the reference will include any subsequent enactment of the Province of British Columbia of like effect and all enactments referred to are enactments of the Province of British Columbia.
  10. If any part of this Agreement is found to be illegal or unenforceable, that part will be considered separate and severable and the remaining parts will not be affected thereby and will be enforceable to the fullest extent permitted by law.

11. All obligations on and benefits accruing to the persons comprised in the Transferees or the Transferor apply only in respect of such benefits or obligations which arise during the period in which any such person is registered as owner of any portion of the Lands.
12. This Agreement runs with the Lands and will be registered as a charge against the title to the Lands under Section 219 of the *Land Title Act*.
13. Nothing contained or implied in this Agreement shall impair, limit, prejudice, or affect the Transferees' rights and powers in the exercise of their functions pursuant to any public or private statutes or any other enactment including the Transferees' bylaws, orders, policies, and regulations and all such powers and rights may be fully and effectively exercised in relation to the Lands as if this Agreement had not been executed and delivered by the Transferor.
14. The Transferor will do or cause to be done all things and execute or cause to be executed all documents and give such further and other assurances which may be reasonably necessary to give proper effect to the intent of this Agreement.
15. This Agreement will not be modified or discharged except in accordance with the provisions of Section 219(9) of the *Land Title Act*.
16. This is the Instrument creating the condition or covenant entered into under Section 219 of the *Land Title Act* by the registered owner referred to herein.

  
 Approving Officer HOWARD HUNTER  
 Ministry of Transportation AND INFRASTRUCTURE

SCHEDULE A 

7

**C.N. RYZUK & ASSOCIATES LTD.**  
Geotechnical/Materials Engineering

28 Crease Avenue Victoria, B.C. V8Z 1S3 Tel: (250) 475-3131 Fax: (250) 475-3611

June 10, 2008  
File No: 8-4299-4

Reel 17 Investments Ltd. c/o Ventureland Management Ltd.  
Suite 507 – 5525 West Boulevard  
Vancouver, B.C.  
V6M 3W6

Attention: Mr. J. Green

Dear Sir,

Re: Recommended Geotechnical Setbacks from Natural Boundary of Site  
Proposed Cotton Bay Subdivision, Cotton Bay – Gambier Island, B.C.  
(South Part of District Lot 477, Gambier Island)

As requested, we have carried out a geotechnical assessment of the foreshore area at the referenced site in order to develop recommendations for setbacks from the shoreline (natural boundary of the site) in terms of residential construction. The field work for this assessment was carried out on October 17, 2007 on foot and by boat, by the writer accompanied by you. The following letter summarizes our observations and assessments as they pertain to this matter. Our services are provided in accordance with the attached Statement of Terms of Engagement.

Our assessment was limited to the stability of the shoreline, and does not address the potential for other geological hazards within the subdivision. In particular, we did not examine areas upslope of a road located about 30 to 110 m east of the shoreline (referred to as the lower road in this letter), nor did we examine the southern 70 m of the property, and hazards such as rockfall or potential slope instability may well exist in these areas.

The site is located on the west side of Gambier Island approximately 1 km north of New Brighton and 3.5 km northeast of the ferry terminal at Langdale as indicated on the attached Location Plan, dwg. 8-4299-4-1. The overall property is a roughly rectangular parcel extending just under 350 m from north to south and approximately 650 to 700 m from east to west, with a total frontage of about 360 m along Cotton Bay (part of Thornbrough Channel) on the west side. According to the attached Site Plan, dwg. 8-4299-4-2, it is proposed to divide this property into four 2.0 ha lots and one larger 12.6 ha lot, each with a shoreline frontage of at least 45 m.

In most areas the foreshore consists of intact bedrock bluffs rising a few metres above the high water mark to prospective building sites, but there are some areas where overburden materials such as sand, clay, or glacial till, extend downslope to near the high water mark which might be

**C.N. RYZUK & ASSOCIATES LTD.**

June 10, 2008

Reel 17 Investments Ltd.

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subject to toe erosion by waves. Accordingly, while for some of the lots we expect that safe building sites exist behind a setback line established 7.5 m back of the natural boundary of the sea, in other lots a larger setback is recommended. The shoreline portion of each lot is described in more detail in the following paragraphs. It should be noted that other constraints may exist on these lots, such as proximity to property lines and roads, as well as environmental and/or governmental constraints, which may further limit the potential building sites on each lot. From a geotechnical engineering perspective we recommend minimum setbacks from the natural boundary as listed in the following table for each lot:

| Lot No.           | Setback (m)  | Lot No. | Setback (m) | Lot No. | Setback (m) |
|-------------------|--------------|---------|-------------|---------|-------------|
| 1 (northern half) | 7.5          | 2       | 15          | 4       | 7.5         |
| 1 (southern half) | Not assessed | 3       | 15          | 5       | 7.5         |

Lot 1 includes the southern approximately 130 m of the overall property, plus a large upland area to the east. We understand that it is not intended to sell this lot at present, but a potential building site has been identified near the shoreline in the northern part of the lot. Intact granitic rock extends downslope to close to the shoreline, rising as a series of benches and low bluffs. A stacked boulder wall 2 courses high has been constructed part way up this slope, and the likely building site is located back of this wall. The bedrock is not considered highly erodible, and from a geotechnical perspective we expect that a 7.5 m setback from the natural boundary of the sea would be sufficient. However, because the boulder wall and the fill behind it were not constructed/placed under the direction of a geotechnical engineer they cannot be relied upon for foundation support, and it will be necessary to ensure that any building footings in this area are extended down through the fill to competent native soil or bedrock. We understand that a community dock is to be constructed near the northern side of Lot 1, accessed by a road extending down to the southwest from the lower road, through Lot 2.

Lot 2 is an approximately 60 m wide strip located directly north of Lot 1. The probable building site is located towards the north side of the lot, accessed by a separate driveway that begins at the same location as the community dock access. An older track accessing an apparent former log dump on Lot 3 is located closer to the shoreline, below the building site. Although there is some bedrock located close to the shoreline, the old access track and the lower portion of the slope above it appear to consist of potentially erodible fills and native soils, and accordingly we recommend a 15 m setback from the natural boundary of the sea for any buildings on this lot. Note that it may be possible to reduce this setback somewhat, if a more detailed study were undertaken to confirm the subgrade conditions at any proposed building site. Topographic mapping, or a plan map with several spot elevations, would likely be required as part of such an investigation, along with some form of subsurface investigation such as test pitting.

Lot 3 comprises the next approximately 50 m wide strip of terrain north of Lot 2. The noted former log dump occupies most of the shoreline portion of this lot, behind which the terrain rises

C.N. RYZUK &amp; ASSOCIATES LTD.

June 10, 2008

Reel 17 Investments Ltd.

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at a moderately steep inclination to a more gently sloping area where the likely building site is located. We did not see any outcrops of bedrock on the portion of this lot examined, and there is an exposure of apparent glacial till in the slope just behind the log dump site. It is conceivable that the log dump could occasionally be overtopped during storm surge events, allowing for erosion of the slope behind. We understand that the outside or seaward edge of the log dump would now be considered the natural boundary of the sea for the purpose of determining setbacks, and a 7.5 m setback measured from this location would only be located a short distance up the moderately steep slope, while a 15 m setback line would be well onto the more gentle bench. Accordingly, we also recommend a 15 m setback from the seaward edge of the log dump for any buildings on this lot. Again, it may be possible to reduce this somewhat, subject to a more detailed site investigation.

Lots 4 and 5 comprise the northern approximately 100 m of the overall property. They are fronted by a granitic bedrock bluff that is about 3 m high near the southern side of Lot 4 and becomes increasingly higher towards the north. The likely building sites are located on a more gently sloping (about 20% to 30%) bench behind the bluff, underlain by a thin veneer of organic or colluvial soils, with some possible morainal material (glacial till). A line 7.5 m back of the natural boundary on these lots would be well onto the bench and well above the high water mark, and accordingly we expect that such a setback would be sufficient.

From a geotechnical perspective, we expect that proposed building sites on the 5 lots located at least as far back of the natural boundary of the sea as indicated above could be safely used for the intended purpose (construction of single family residences) with a probability of less than 10 percent of the sites being impacted by foreshore slope instability in 50 years. However, other geotechnical hazards may exist as noted above, which would further limit the locations of safe building sites on each lot, as may provincial and/or other government restrictions.

We hope that the preceding letter is suitable for your purposes at this time. If we can provide further information or clarification in this regard, please contact us. Thank you for the opportunity to have been of service to you.

Yours very truly,  
C.N. Ryzuk & Associates Ltd.

  
Bruce R. Dagg, P.Eng.  
Geotechnical Engineer



Attachments: Statement of Terms of Engagement  
Location Plan, dwg. 8-4299-4-1  
Site Plan, dwg. 8-4299-4-2

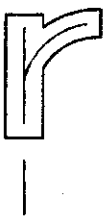
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C.N. Ryzuk & Associates Ltd.



Notes:

1. Ref.: N.T.S. Map Sheet 92 G/6 - North Vancouver, Edition 4 (1983)



Reel 17 Investments

DRAWN  
BRD

LOCATION PLAN  
Proposed Cotton Bay Subdivision

DATE  
November, 2007

APPROVED  
*[Signature]*

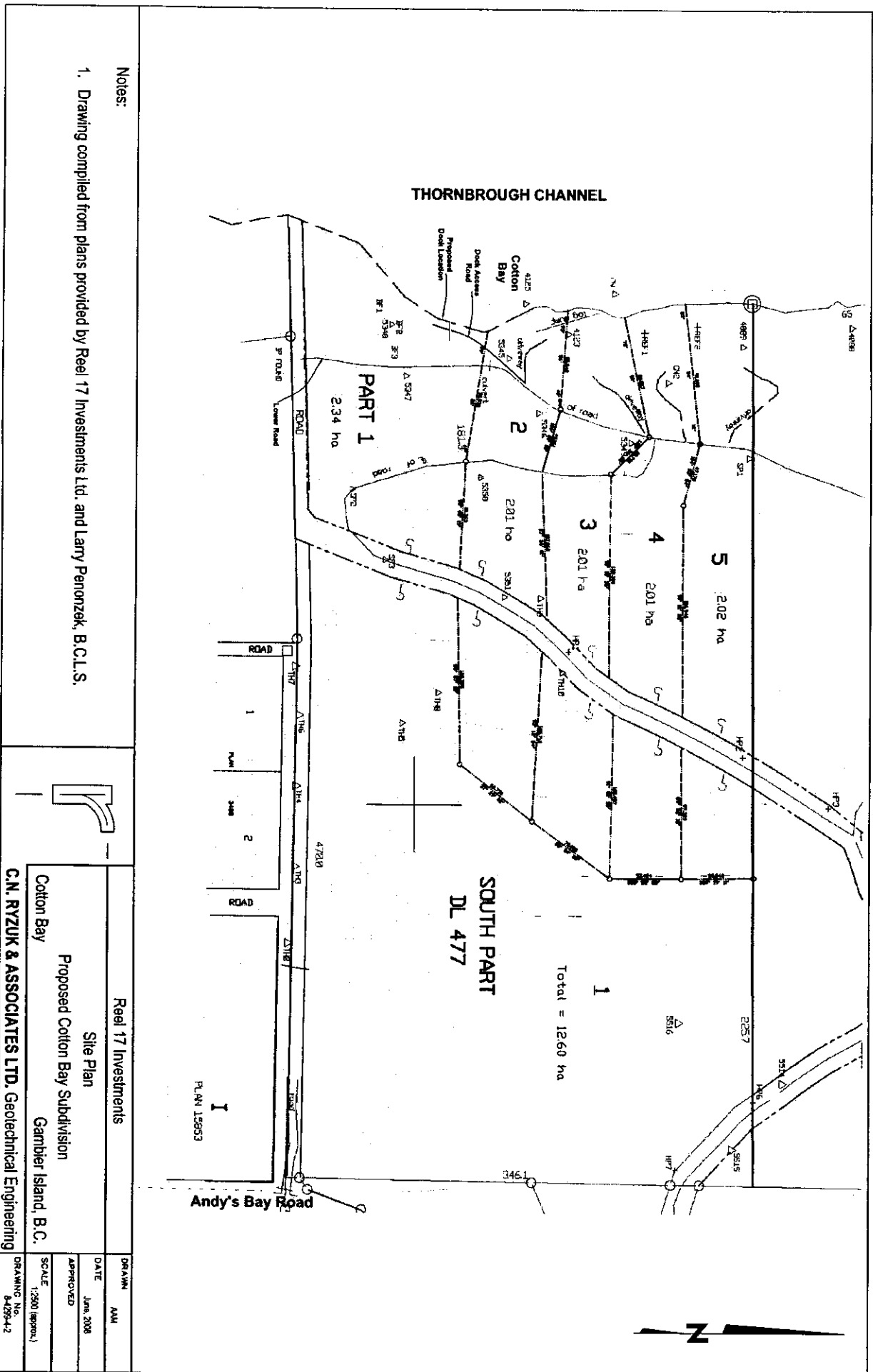
Cotton Bay

Gambier Island, B.C.

SCALE  
1:50,000

C.N. RYZUK & ASSOCIATES LTD. Geotechnical Engineering

DRAWING No.  
8-4299-4-1



END OF DOCUMENT

December 30<sup>th</sup>, 2011

Islands Trust  
Northern Office  
700 North Road  
Gabriola Island, BC

Attention: Ms. Sonja Zupanec  
Re: Cotton Bay: DL 477 Lot 4, Gambier Island

Dear Ms. Zupanec,

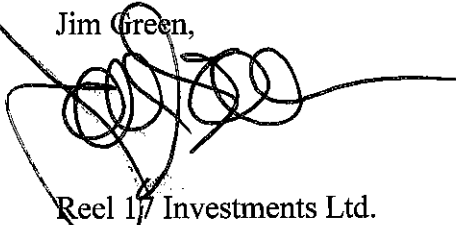
I am writing on behalf of Reel 17 Investments Ltd, the owner and developer of the new community in Cotton Bay, on Gambier Island.

As the only "neighbours" of the applicant for the current variance under consideration by the Islands Trust, we are writing to express our support for the proposed variance (i.e. allowing for a 7.5 M rather than a 15 M setback from the natural boundary).

It is our feeling that the variance will be of mutual benefit as it would result in less tree removal and less disruption to natural grades. It is important to note that during the development process on this property that our Geotechnical Engineer determined that a 7.5 M setback was suitable for this lot. In addition, the registered Ministry of Transportation set back covenant on title is already sited at 7.5 M.

Thanks for giving us the opportunity to comment on this application.

Jim Green,

A handwritten signature in black ink, appearing to be 'Jim Green', with a long horizontal line extending to the right.

Reel 17 Investments Ltd.  
Project Manager

# STAFF REPORT

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**Date:** December 14, 2011

**File No.:** GM-RZ-2011.1 (Camp Fircom, Gambier Island)

**To:** Gambier Island Local Trust Committee  
**For meeting of January 31, 2012**

**From:** Sonja Zupanec, MCIP  
Island Planner

---

**Re: Official Community Plan Amendment and Rezoning Application- Gambier Island, Camp Fircom**

**Owner:** BC Conference Property Development Council of the United Church of Canada  
**Applicant:** Justen Harcourt, Colliers International  
**Location:** Lot B, District Lot 836, Plan 21550, Gambier Island, PID 009-393-358

## Preliminary Report

### THE PROPOSAL:

The application is to rezone a 24.5 hectare (60.6 acre) waterfront property in Halkett Bay from 'Settlement Residential (SR) Zone' to a site specific sub zone of the 'Recreation Service (S3) Zone', consistent with the adjoining Camp Fircom property to the south. An Official Community Plan (OCP) amendment would also be required.

The subject property was sold to the current owners by the Ford family, as an extension to the existing 14 hectare (34.5 acre) Camp Fircom property which operates as a youth camping facility maintained by two non-profit groups; the Camp Fircom Society in partnership with the BC Conference of the United Church of Canada.

The purpose of this report is to: 1) provide the Local Trust Committee (LTC) with a preliminary overview of the proposal; 2) identify any land use planning issues associated with the application and 3) seek direction from the LTC on whether or not to proceed with the application.

### Subject Property

The subject property is located between Camp Fircom and Halkett Bay Provincial Park, Gambier Island.

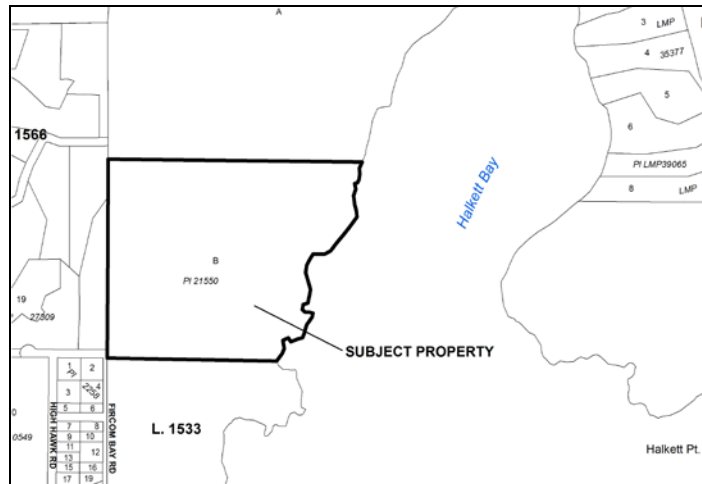


Figure 1. Subject Property Map

### **CURRENT PLANNING STATUS OF SUBJECT LANDS:**

#### Trust Policy Statement

The proposed OCP amendment and rezoning are not contrary to the Islands Trust Policy Statement (checklist attached).

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

The purpose of the Gambier Island Official Community Plan (OCP) is to acknowledge the community's shared goals, objectives and policies for the future and provide direction for decisions regarding management of the Gambier Island Planning Area.

#### **Bylaw No. 73, 2001 Schedule B Land Use Designation**

The subject property is designated Settlement Residential (SR) with a current build out potential of a minimum of 12 residential lots. Immediately to the north is the Halkett Bay Provincial Marine Park. Immediately to the south is the existing Camp Fircom property. To the west is a residential subdivision. This application would require an OCP amendment to change the land use designation from 'Settlement Residential (SR)' to 'Private Camps (CMP)'.

Policy 6.10 of the OCP states:

*"The Local Trust Committee should, through land use regulations, ensure that private institutional uses in the Gambier Island Planning Area are limited to low environmental impact, nature-based facilities which are complementary to their natural setting."*

The applicant has indicated that the subject property would remain undeveloped for the purpose of nature-based camp activities.

#### **Bylaw No. 73, 2001 Schedule C Environmentally Sensitive Areas**

Schedule C of the OCP indicates that there is one unnamed stream in the northeast corner of the property. It is identified as having fisheries values. Forested bluff areas are indicated in two hatched areas.

**Bylaw No. 73, 2001 Schedule F Watersheds & Watercourses**

Schedule F of the OCP indicates that the northeastern corner of the subject property is located within a streamside protection and enhancement area.

**Bylaw 73, 2001 Schedule 1 Development Permit Areas:**

A small portion of the northeastern corner of the subject property falls within Development Permit Area 3, which requires a development permit to protect the environment. To date, this Development Permit area has not been enacted with guidelines by the Gambier Island Local Trust Committee.

**Gambier Island Land Use Zoning Map (Bylaw No. 86, 2004)**

The subject property is zoned Settlement Residential (SR) and the proposal is to amend the zoning to 'Recreational Service S3'. The marine waters adjacent to the subject property are zoned 'Provincial Park PP(a) Zone' and would remain unchanged. There would be no moorage facilities or docks permitted in this marine zone as the upland portion would no longer be residential if the rezoning were to be approved.

As the applicant proposes to maintain the property as an undeveloped extension of the Camp Fircom lands directly to the south, draft land use regulations would need to specify density limits and siting and setbacks for buildings or structures. The existing S3 Zone (excerpt attached) currently permits recreational camp use, assembly use, moorage and accessory uses, as well as a caretaker's residence and a maximum lot coverage of 20%.

**Other:**

There are no covenants on title that affect this application.

*Fish Protection Act* Riparian Areas Regulation (BC Regulation 376/2004) does not apply to institutional development.

**COMMUNITY INFORMATION MEETING(S):**

The applicant hosted an independent open house regarding their proposed application on Gambier Island on October 8, 2011 (minutes attached). No members of the public were in attendance. Should the application proceed to draft bylaw amendment stage, the Gambier Island Local Trust Committee should hold one community information meeting (CIM) prior to a public hearing. If an additional CIM were required, the LTC could ask the applicant to cover the costs of advertising and room rental.

Two letters of support for the proposed rezoning are attached, submitted by Gambier Island residents.

**REGIONAL CONSERVATION PLAN:**

The Gambier Island area is recognized in the 'Regional Conservation Plan 2011-2015' of the Islands Trust Fund as being a high priority area for conservation. The removal of the subject property from residential land use to private camp may address key conservation goals and increase the size of the corridor of undeveloped lands adjacent to Halkett Bay Provincial Park.

**ISSUES SUMMARY:**

The following issues are identified for LTC consideration:

1. Lot consolidation versus two separate titles.
2. Determining appropriate regulations for a new sub zone.

**STAFF COMMENTS:**

Lot consolidation versus two separate titles: The applicant was asked by staff to explore the option of dissolving the lot line separating the subject property from the northern boundary of the Camp Fircom property in order to create one legal title for the Camp ownership. This would result in one S3 zoned property, if the rezoning was approved.

After discussions with the Ministry of Transportation and Infrastructure (MoTI) staff; it determined that a subdivision application would not be required, and such a lot consolidation would be possible under section 99 of the *Land Title Act*. The registrar would be able to deposit the plan without approval by an approving officer, as allowed for by Section 91(2)(b) of the *Land Title Act*. However, the Land Title Office indicated that it required a new reference plan (survey) of both properties. The applicant decided this to be too costly to proceed.

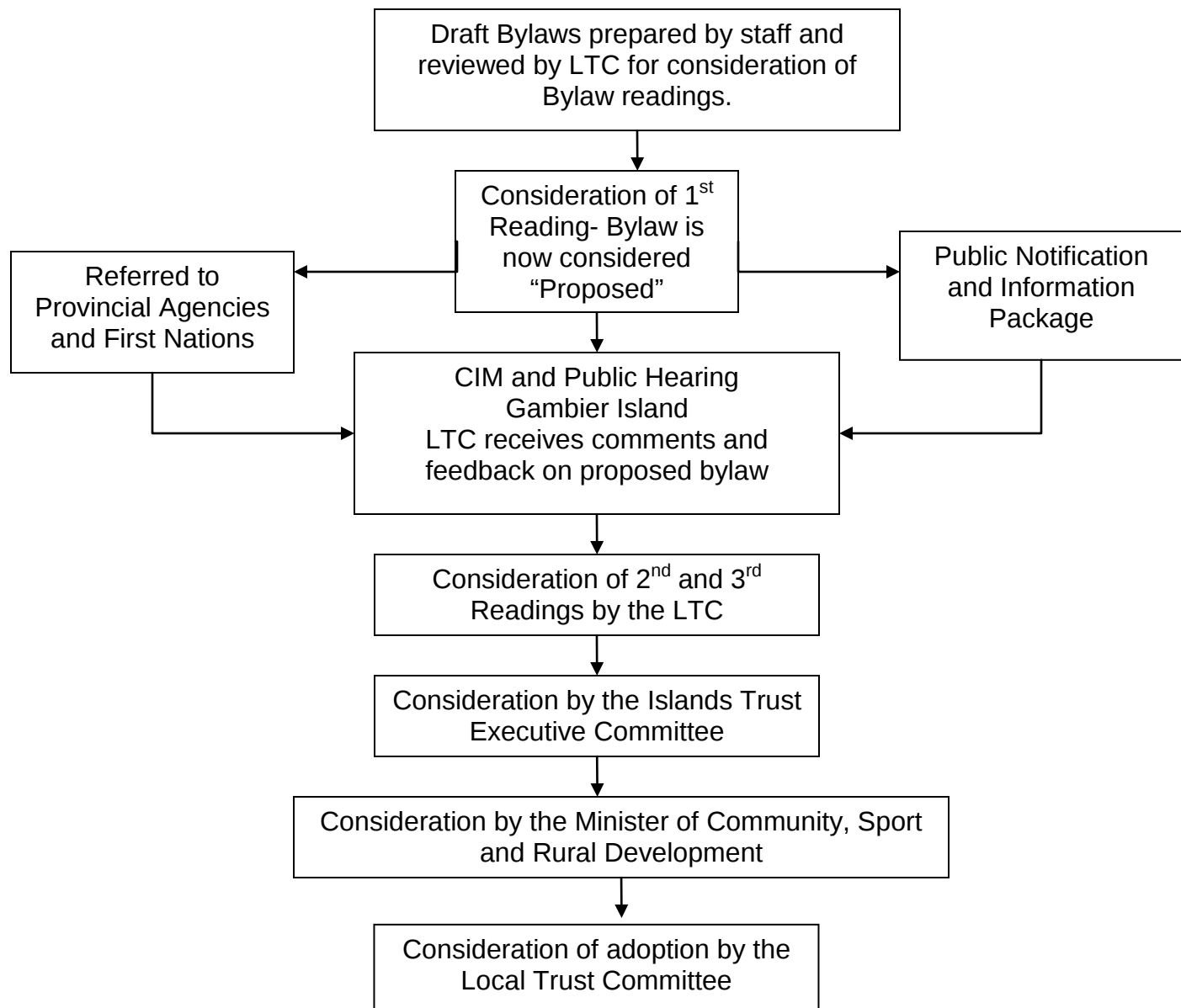
Staff advised the applicant that if the lots were not consolidated as part of the rezoning application, that the recommendation to the LTC would be to consider creating a sub zone of the S3 zone, restricting uses and permitted buildings and structures to those commonly found in Gambier's' Nature Park or Community Park zones. This would limit the camp's developed footprint to the existing lot and protect the subject property from camp expansion, other than conservation and low impact use.

Determining appropriate regulations for a new sub zone: Should the application proceed to draft bylaw stage, staff recommend that a property specific S3 subzone such as 'Recreation Service S3 (a) Zone' be created for the subject property in order to limit development of camp infrastructure to the existing Camp Fircom lot boundaries. The newly acquired subject property zone could be written to accommodate pedestrian trails, fish and wildlife habitat protection and camp assembly; as well as structures such as trail bridges, stairs, boardwalks, signs, fencing, benches and/or limited shelters.

**SUMMARY:**

The application proposes to remove the residential build out potential of a large waterfront acreage adjacent to a popular youth camp and provincial park. The application is consistent with Trust Policy and the Gambier Island OCP. Staff supports proceeding to the bylaw drafting stage in order for the LTC to review draft amending bylaws and deciding if it wishes to proceed to agency referrals and public input.

The following is a breakdown of possible next steps and the legislated process required should the rezoning/OCP amendment application proceed:



## RECOMMENDATIONS:

*THAT the Gambier Island Local Trust Committee request staff to:*

1. *prepare a draft amending bylaw for GM-RZ-2011.1 (Camp Fircom, Gambier Island.) to re-designate Lot B, District Lot 836, Plan 21550, Gambier Island, PID 009-393-358 from 'Settlement Residential (SR)' to 'Private Camps (CMP)' in the Gambier Island Official Community Plan and return it to the LTC for further consideration;*
2. *prepare a draft amending bylaw to rezone Lot B, District Lot 836, Plan 21550, Gambier Island, PID 009-393-358 from SR to a new S3 subzone in the Gambier Island Land Use*

- Bylaw regulating the density and lot coverage so that the property remains undeveloped, and return the draft to the LTC for further consideration; and*
3. *post the preliminary staff report for GM-RZ-2011.1 (Camp Fircom, Gambier Island) to the Gambier website.*
- 

Respectfully submitted by:

Sonja Zupanec, MCIP  
Island Planner  
Local Planning Services  
December 14, 2011

Concurred in by:

*Chris Jackson, MCIP*  
Regional Planning Manager  
Northern Region  
December 19, 2011

**ATTACHMENTS:**

1. Islands Trust Policy Statement Checklist
2. Excerpt of S3 Zone from Gambier Island Land Use Bylaw
3. Minutes of applicant hosted open house
4. Applicant letters of support



## Islands Trust

### POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: GM-RZ-2011.1 (CAMP FIRCOM, GAMBIER ISLAND)

#### PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

#### POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

#### DIRECTIVES ONLY CHECK LIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or  
✗ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or  
N/A if the policy is not applicable.

### Part III Policies for Ecosystem Preservation and Protection

| CONSISTENT | NO.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                  |
|------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>3.1</b>   | <b>Ecosystems</b>                                                                                                                                                                                                                                                                                                 |
| ✓          | <b>3.1.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.                                   |
| ✓          | <b>3.1.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity. |
| ✓          | <b>3.1.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.                                                |
|            | <b>3.2</b>   | <b>Forest Ecosystems</b>                                                                                                                                                                                                                                                                                          |
| ✓          | <b>3.2.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.                                |
|            | <b>3.3</b>   | <b>Freshwater and Wetland Ecosystems and Riparian Zones</b>                                                                                                                                                                                                                                                       |
| N/A        | <b>3.3.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.                                          |
|            | <b>3.4</b>   | <b>Coastal and Marine Ecosystems</b>                                                                                                                                                                                                                                                                              |
| ✓          | <b>3.4.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.                                                                                                                                               |
| N/A        | <b>3.4.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.                                                                                  |

### PART IV: Policies for the Stewardship of Resources

| CONSISTENT | NO.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                        |
|------------|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | <b>4.1</b>   | <b>Agricultural Land</b>                                                                                                                                                                                                                                                |
| N/A        | <b>4.1.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.                                                           |
| N/A        | <b>4.1.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses. |
| N/A        | <b>4.1.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.                                                           |

| CONSISTENT |  | NO.    |  | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|------------|--|--------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| N/A        |  | 4.1.7  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture                                                     |  |
| N/A        |  | 4.1.8  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.                                                                                                                                                                |  |
| N/A        |  | 4.1.9  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.                                                                                                                                                                                                                                                            |  |
|            |  | 4.2    |  | <b>Forests</b>                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| ✓          |  | 4.2.6  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.                                                                                                                                                                                                                   |  |
| N/A        |  | 4.2.7  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.                                                                                          |  |
| N/A        |  | 4.2.8  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.                                                                                                                                                                |  |
|            |  | 4.3    |  | <b>Wildlife and Vegetation</b>                                                                                                                                                                                                                                                                                                                                                                                                      |  |
|            |  | 4.4    |  | <b>Freshwater Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| ✓          |  | 4.4.2  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for. |  |
| N/A        |  | 4.4.3  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses                                                                                                                                                                                                                                   |  |
|            |  | 4.5    |  | <b>Coastal Areas and Marine Shorelands</b>                                                                                                                                                                                                                                                                                                                                                                                          |  |
| N/A        |  | 4.5.8  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.                                                                                                                                                                                                                                                    |  |
| N/A        |  | 4.5.9  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.                                                                                                                                                                             |  |
| N/A        |  | 4.5.10 |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.                                                                                                                                    |  |
| ✓          |  | 4.5.11 |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.                                                                                                                                                                               |  |
|            |  | 4.6    |  | <b>Soils and Other Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| N/A        |  | 4.6.3  |  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the                                                                                                                                                                                                                                                                                                        |  |

|  |  |                                 |
|--|--|---------------------------------|
|  |  | protection of productive soils. |
|--|--|---------------------------------|

### **PART V: Policies for Sustainable Communities**

| <b>DIRECTIVE POLICY</b> |              |                                                                                                                                                                                                                                                                                                                                            |
|-------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CONSISTENT</b>       | <b>NO.</b>   |                                                                                                                                                                                                                                                                                                                                            |
|                         | <b>5.1</b>   | <b>Aesthetic Qualities</b>                                                                                                                                                                                                                                                                                                                 |
| N/A                     | <b>5.1.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.                                                                     |
|                         | <b>5.2</b>   | <b>Growth and Development</b>                                                                                                                                                                                                                                                                                                              |
| ✓                       | <b>5.2.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.                                                                                                                               |
| ✓                       | <b>5.2.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character. |
| ✓                       | <b>5.2.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.                                                                                |
| N/A                     | <b>5.2.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.                             |
|                         | <b>5.3</b>   | <b>Transportation and Utilities</b>                                                                                                                                                                                                                                                                                                        |
| N/A                     | <b>5.3.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.                                                  |
| N/A                     | <b>5.3.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.                                                                                                                                                   |
| N/A                     | <b>5.3.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.                                                                                                                                                |
| N/A                     | <b>5.3.7</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.                   |
|                         | <b>5.4</b>   | <b>Disposal of Waste</b>                                                                                                                                                                                                                                                                                                                   |
| N/A                     | <b>5.4.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.                                                                                                                                       |

| CONSISTENT |  | NO.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                                                                          |
|------------|--|--------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |  | <b>5.5</b>   | <b>Recreation</b>                                                                                                                                                                                                                                                                                                                                                         |
| N/A        |  | <b>5.5.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.                                                                                                                                                     |
| ✓          |  | <b>5.5.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas. |
| ✓          |  | <b>5.5.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.    |
| ✓          |  | <b>5.5.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.                                                                          |
| N/A        |  | <b>5.5.7</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.                                                                                                                                                                               |
|            |  | <b>5.6</b>   | <b>Cultural and Natural Heritage</b>                                                                                                                                                                                                                                                                                                                                      |
| N/A        |  | <b>5.6.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.                                                                                                                                                                  |
| N/A        |  | <b>5.6.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.                                                                                                                         |
|            |  | <b>5.7</b>   | <b>Economic Opportunities</b>                                                                                                                                                                                                                                                                                                                                             |
| N/A        |  | <b>5.7.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.                                                                                                                                 |
|            |  | <b>5.8</b>   | <b>Health and Well-being</b>                                                                                                                                                                                                                                                                                                                                              |
| ✓          |  | <b>5.8.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.     |

| POLICY STATEMENT COMPLIANCE |                                                                |
|-----------------------------|----------------------------------------------------------------|
| ✓                           | COMPLIANCE WITH TRUST POLICY                                   |
|                             | NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons: |

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## 5.9 Recreation Service (S3) Zone

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*The purpose of the Recreation Service Zone is to provide regulations for facility-based recreational uses that are low environmental impact, nature-based, and complementary to their natural setting.*

### 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) Recreational camp use;
  - (b) Assembly use;
  - (c) Moorage;
  - (d) Accessory use.

### Permitted Buildings, Structures and Density

- (2) Buildings and structures accessory to permitted uses are permitted.
- (3) One residential caretaker dwelling unit accessory to recreational camp use is permitted.
- (4) The maximum lot coverage for all buildings and structures is 20%.

### Siting and Size

- (5) The minimum setback for any building or structure is:
  - (a) 7.5 metres from any front or rear lot line;
  - (b) 3 metres from any interior side lot line;
  - (c) 4.5 metres from any exterior side lot line.
- (6) The maximum height of any building or structure:
  - (a) 10 metres in the upland area;
  - (b) 5.0 metres in the marine area.
- (7) The maximum marine area that may be covered by mooring floats and swimming floats is 500 square metres.

### Conditions of Use

- (8) Recreational camp use and assembly use are limited to the upland area of the Recreation Service Zone.
- (9) Moorage use is limited to the marine area of the Recreation Service Zone.

### Subdivision Lot Area Requirements

- (10) The minimum lot area is 4.0 hectares.

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

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

- (11) The minimum average lot area is 4.0 hectares.

**MINUTES OF THE CAMP FIRCOM OPEN HOUSE  
HELD ON SATURDAY, OCTOBER 8, 2011 AT 3:00 pm,  
IN THE DINING HALL  
CAMP FIRCOM  
GAMBIER ISLAND, BC**

**PRESENT:**

|                                         |                                             |
|-----------------------------------------|---------------------------------------------|
| Justen Harcourt, Colliers International | Property Development Manager                |
| Jeff Willis                             | Executive Director                          |
| Darren Dyck                             | Site Manager                                |
| Jan Hagedorn                            | Islands Trust -Gambier Island Local Trustee |
| Joyce Clegg                             | Islands Trust -Gambier Island Local Trustee |
| Kate-Louise Stamford                    | Recorder                                    |

There were no members of the public in attendance

Open House began at 3:30pm

Justen Harcourt introduced the Camp Fircom staff to the Island Trustees. He gave an overview of the land swap agreement between the BC Conference of the United Church and the Ford family. Justen Harcourt then provided details on how the camp would use the adjoining 60 acre property once it was rezoned from Settlement Residential to Recreational Service.

Justen Harcourt noted that he had spoken to several neighbouring families about the intended rezoning and had expected them to attend the open house. He added that none of these property owners had expressed any concerns to him about the proposed rezoning.

The Open House was adjourned at 4:00pm.

## **VENTURELAND MANAGEMENT**

*Property Development*

507-5525 W. Boulevard, Vancouver, B.C. V6M-3W6

**Date:** Oct 11<sup>th</sup>, 2011

**Phone:** 604-603-3750

**Fax:** 604-264-9152

**E-Mail:** jimgreen@telus.net

**Attn:** Justen Harcourt, Colliers

**Re:** Rezoning Application

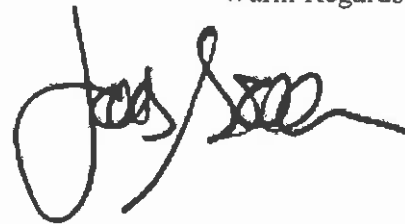
**From:** Jim Green

Justen – thank you for the review of the proposed rezoning of the “Ford Property” (Rem DL 836) located on Gambier Island fronting on the west side of Halkett Bay.

As a neighbor to the west of this property we, Hope Point Development Partnership, have reviewed this rezoning with particular interest. It is our opinion that this rezoning will allow for excellent use of these lands by the United Church. As we all know Camp Fircom provides a valuable service to the community and it is great to see that they have been able to expand their operations.

Please give me a call if you require anything further -

Warm Regards,



**MARGUERITE FORD, C.M., O.B.C.**

**#1011 - 456 MOBERLY ROAD, VANCOUVER, B.C. V5Z 4L7**

**phone or fax 224-3607**

**e-mail m.ford@telus.net**

12 October, 2011

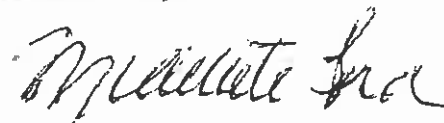
Gambier Island Local Trust Committee  
Islands Trust  
700 North Road,  
Gabriola Island, B.C. VOR 1X3

Trustees:

I am writing in support of the Rezoning application to rezone Lot B DL836 Plan 21550 on Gambier Island from Settlement Residential to Recreational Service. Our family owned this lot for many years and sold it to the B.C. Conference of the United Church for expansion of Camp Fircom. We felt that was the optimum use of that parcel, situated as it is between Camp Fircom and the Halket Bay Marine Park, with access to the crown land on Mount Artaban. It was a condition of the sale that the land be used for camp purposes, therefore this rezoning is consistent with that understanding.

In 1987 we sold part of our property in Halkett Bay to the Province of British Columbia on the understanding that it would be designated as a class A Park. It is now Halkett Bay Marine Park. The proposed rezoning of Lot B will further our desire to preserve the area in a natural state.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Marguerite Ford', written in a cursive style.

Marguerite Ford

# STAFF REPORT

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**Date:** December 19, 2011

**File No.:** GM-RZ-2011.2  
(Thunderbird Yacht  
Club, Gambier Island)

**To:** Gambier Island Local Trust Committee  
For meeting of January 31, 2012

**From:** Sonja Zupanec, MCIP  
Island Planner

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**Re: Rezoning application for the marine waters adjacent to the Thunderbird Yacht Club, Gambier Island**

**Owner:** Thunderbird Yacht Club  
**Applicant:** Les Morton  
**Location:** Foreshore of Lot A, District Lot 2809, Explanatory Plan 8309, New Westminster District, Gambier Island, PID 015-896-129

## Preliminary Report

### THE PROPOSAL:

The application is to rezone approximately 8,000 m<sup>2</sup> (1.9 acres) of marine waters adjacent to the upland subject property from 'Marine Park and Recreation (P3) Zone' to 'Yacht Club Outstation (YCO) Zone' to accommodate extensions to existing docks. An Official Community Plan (OCP) amendment is not required.

Currently the Thunderbird Yacht Club has two approved Crown leases for deep water anchorage which are reflected in the YCO Zone of the Gambier Island Land Use Bylaw, No. 86. Both lease areas have been expanded by application with the province, however the zoning outside the expanded lease areas does not permit yacht club outstation use. During the crown lease referral process the applicant was notified that the zoning did not comply and a rezoning application was required.

The purpose of this report is to: 1) provide the Local Trust Committee (LTC) with a preliminary overview of the proposal; 2) identify any land use planning issues associated with the application and 3) seek direction from the LTC on whether or not to proceed with the application.

### Subject Property

The subject property is located on the northern tip of Gambier Island, just east of Camp Latona and west of the Burrard Yacht Club Outstation.

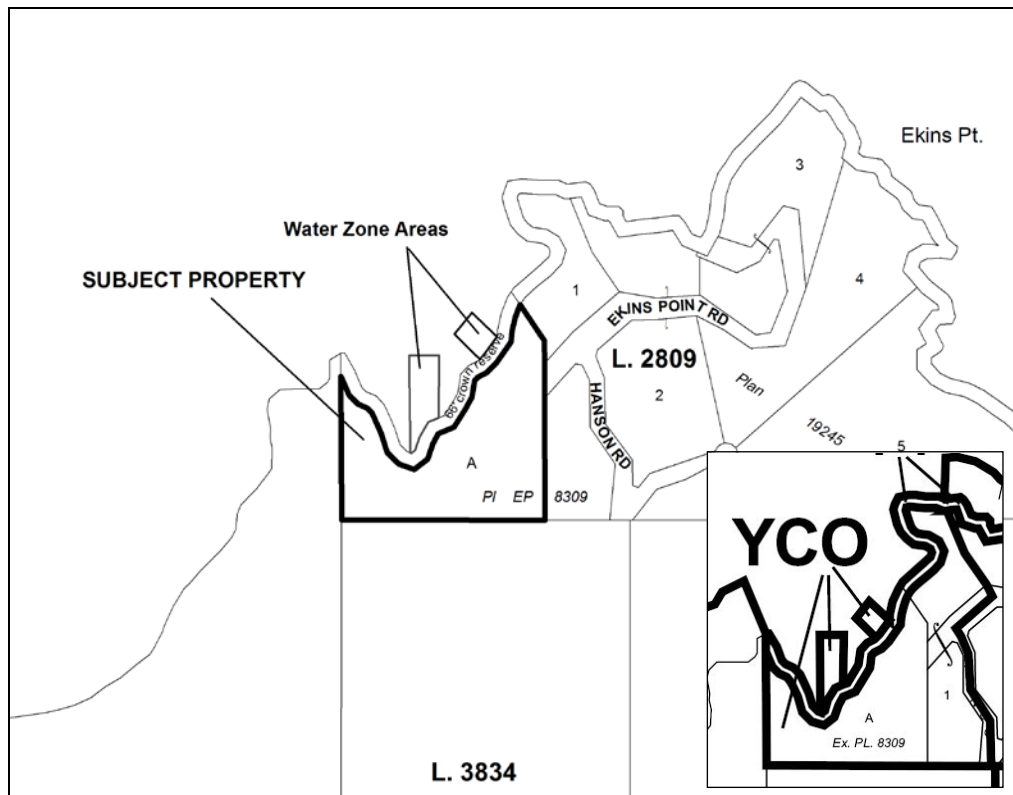


Figure 1. Subject Property Map and inset zoning map.

The applicant applied for an extension to Crown lease DL 388 in 2008 (attached) and was notified by Islands Trust Planning staff that a rezoning application was required. The lease was approved by the Province, however a rezoning application was not submitted. In 2011 an extension to their second Crown lease DL3414 was submitted and the applicants were notified again by Islands Trust planning staff that their previous expansion did not comply with zoning and their requested second expansion also falls outside the YCO zone boundaries. The Thunderbird Yacht club representative expressed regret at not realizing back in 2008 that a rezoning was required. They responded by submitting a rezoning application to seek compliance with the Gambier Island Land Use Bylaw.

#### **CURRENT PLANNING STATUS OF SUBJECT LANDS:**

##### Trust Policy Statement

The proposed rezoning is not contrary to the Islands Trust Policy Statement (checklist attached).

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

The purpose of the Gambier Island Official Community Plan (OCP) is to acknowledge the community's shared goals, objectives and policies for the future and provide direction for decisions regarding management of the Gambier Island Planning Area.

The following objectives and policies in the OCP provide direction, which is relevant to this application:

**Objective 6.21** To support the retention of the existing yachting outstations as outdoor recreation sites.

**Policy 6.28** minor expansions and adjustment of zone boundaries for yachting outstations beyond the areas designated “Y” on Schedule B may be considered without further amendment to this Plan to address requirements for dock reconfiguration and relocation and servicing requirements, provided that the areas designated “Y” on Schedule B remain as the principal areas of yachting outstation use.

**Policy 7.35** The area of marine waters used by the existing yachting outstations in the Gambier Island Planning Area should be zoned for yachting outstation purposes.

**Bylaw No. 73, 2001 Schedule B Land Use Designation**

The foreshore area of the subject property is designated ‘Marine and Foreshore (M)’. No change to the land use designation is required

**Bylaw No. 73, 2001 Schedule C Environmentally Sensitive Areas**

Schedule C of the OCP identifies the subject area as ‘productive intertidal’ with coastal bluff environmentally sensitive areas on the upland portion of the subject property.

Gambier Island Land Use Zoning Map (Bylaw No. 86, 2004)

The subject marine areas are zoned ‘Yacht Club Outstation YCO Zone’ (see below). The proposal is to increase the size of the YCO zone to include the 2008 crown lease dock expansions and the proposed 2011 crown lease dock expansions.

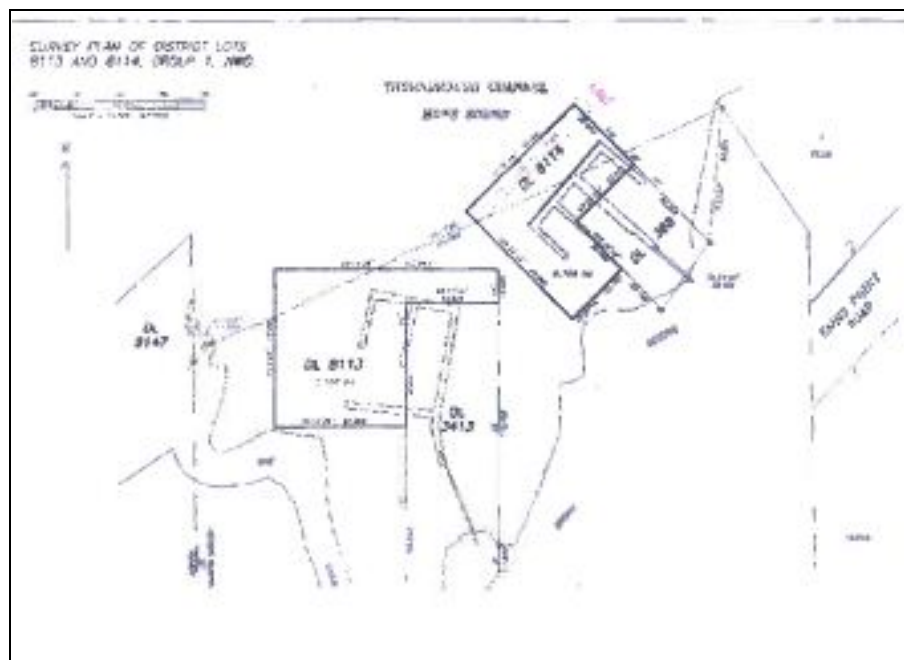


Figure 2. Site plan of both crown lease expansion areas.



Figure 3. Aerial photo of existing dock infrastructure.

#### **COMMUNITY INFORMATION MEETING(S):**

The applicant did not host an independent open house regarding their proposed application. The applicant did indicate to staff that they would contact adjacent property owners requesting input on the proposed rezoning application. Should the application proceed to draft bylaw amendment stage, the Gambier Island Local Trust Committee should hold one community information meeting (CIM) prior to a public hearing. If an additional CIM is required, the LTC can ask the applicant to cover the costs of advertising and room rental.

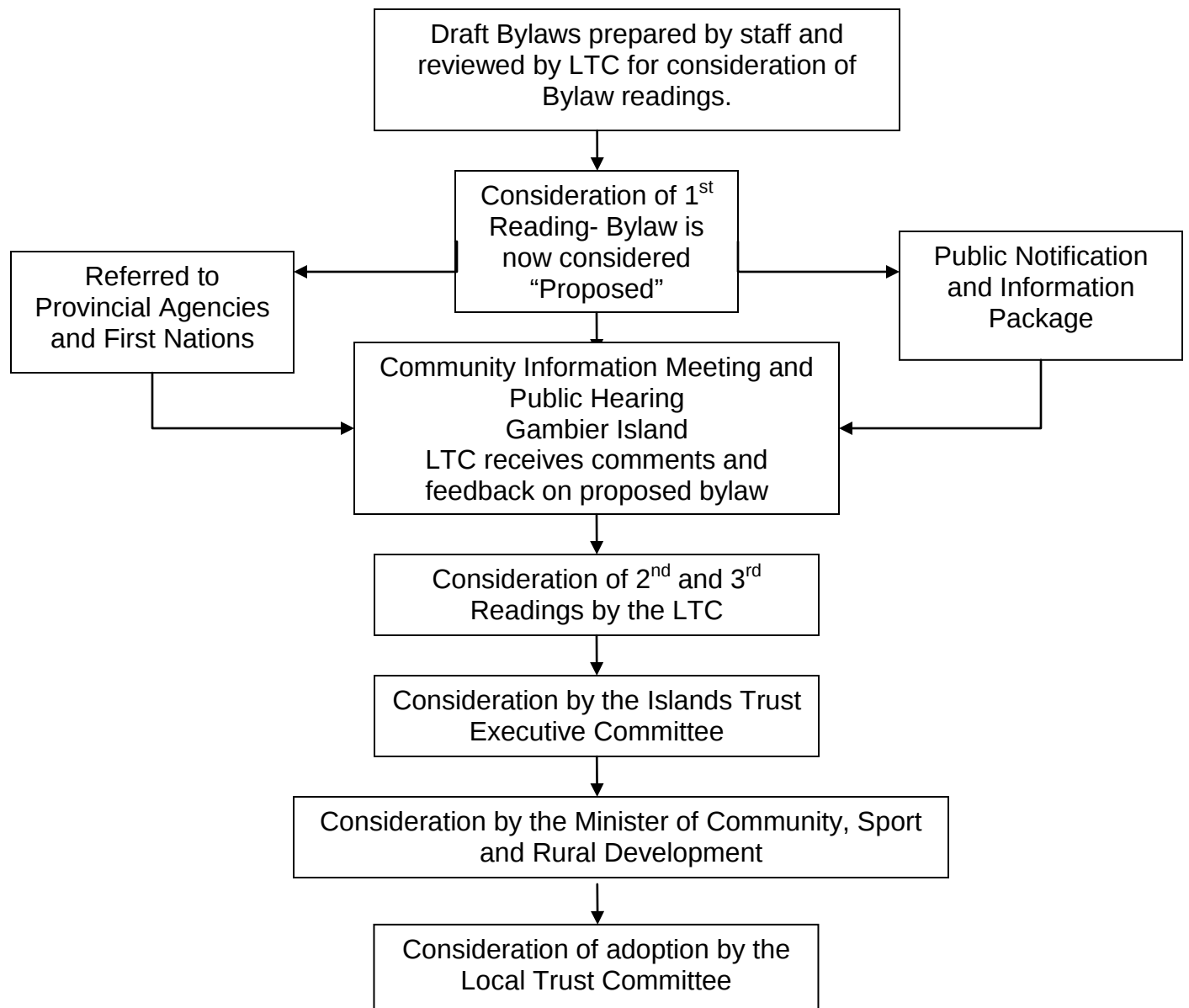
#### **REGIONAL CONSERVATION PLAN:**

The interests of the regional conservation plan are not affected by the rezoning application.

#### **SUMMARY:**

The intent of the application is to rezone the water lots of the Thunderbird Yacht Club to appropriately zone the areas of dock expansion that have been secured through crown lease with the province. The application is consistent with the Trust Policy Statement and the Gambier Island OCP. Staff supports proceeding to the bylaw drafting stage in order for the LTC to review the draft amending bylaw and decide if it wishes to proceed to agency referrals and public input.

The following is a breakdown of possible next steps and the required legislated process should the rezoning/OCP amendment application proceed:



## RECOMMENDATIONS:

*THAT the Gambier Island Local Trust Committee request staff to:*

1. *prepare a draft amending bylaw to rezone the foreshore area of Lot A, District Lot 2809, Explanatory Plan 8309, New Westminster District, Gambier Island, PID 015-896-129 from 'P3 Zone' to 'Yacht Club Outstation (YCO) Zone' in the Gambier Island Land Use Bylaw; and*
  2. *post the preliminary staff report for GM-RZ-2011.2 (Thunderbird Yacht Club, Gambier Island) to the Gambier website.*
- 

Respectfully submitted by:

Sonja Zupanec, MCIP  
Island Planner  
Local Planning Services  
December 19, 2011

Concurred in by:

*Chris Jackson, MCIP*  
Regional Planning Manager  
Northern Region  
December 19, 2011

## Attachments:

1. Trust Policy Statement Checklist
2. 2008 Crown Lease site plan



## Islands Trust

### POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw and File No:** GM-RZ-2011.2 (Thunderbird Yacht Club, GAMBIER ISLAND)

#### **PURPOSE**

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

#### **POLICY STATEMENT**

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

#### **DIRECTIVES ONLY CHECK LIST**

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- |     |                                                                                                           |
|-----|-----------------------------------------------------------------------------------------------------------|
| ✓   | if the bylaw is <b>consistent</b> with the policy from the Policy Statement, or                           |
| ✗   | if the bylaw is <b>inconsistent (contrary or at variance)</b> with a policy from the Policy Statement, or |
| N/A | if the policy is not applicable.                                                                          |

### Part III Policies for Ecosystem Preservation and Protection

| CONSISTENT |  | NO.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                  |
|------------|--|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |  | <b>3.1</b>   | <b>Ecosystems</b>                                                                                                                                                                                                                                                                                                 |
| <b>N/A</b> |  | <b>3.1.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.                                   |
| <b>N/A</b> |  | <b>3.1.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity. |
| ✓          |  | <b>3.1.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.                                                |
|            |  | <b>3.2</b>   | <b>Forest Ecosystems</b>                                                                                                                                                                                                                                                                                          |
| <b>N/A</b> |  | <b>3.2.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.                                |
|            |  | <b>3.3</b>   | <b>Freshwater and Wetland Ecosystems and Riparian Zones</b>                                                                                                                                                                                                                                                       |
| <b>N/A</b> |  | <b>3.3.2</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.                                          |
|            |  | <b>3.4</b>   | <b>Coastal and Marine Ecosystems</b>                                                                                                                                                                                                                                                                              |
| ✓          |  | <b>3.4.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.                                                                                                                                               |
| ✓          |  | <b>3.4.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.                                                                                  |

### PART IV: Policies for the Stewardship of Resources

| CONSISTENT |  | NO.          | DIRECTIVE POLICY                                                                                                                                                                                                                                                        |
|------------|--|--------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|            |  | <b>4.1</b>   | <b>Agricultural Land</b>                                                                                                                                                                                                                                                |
| <b>N/A</b> |  | <b>4.1.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.                                                           |
| <b>N/A</b> |  | <b>4.1.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses. |
| <b>N/A</b> |  | <b>4.1.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.                                                           |

| CONSISTENT |        | DIRECTIVE POLICY                                                                                                                                                                                                                                                                                                                                                                                                                    |  |
|------------|--------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|            | NO.    |                                                                                                                                                                                                                                                                                                                                                                                                                                     |  |
| <b>N/A</b> | 4.1.7  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture                                                     |  |
| <b>N/A</b> | 4.1.8  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.                                                                                                                                                                |  |
| <b>N/A</b> | 4.1.9  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.                                                                                                                                                                                                                                                            |  |
|            | 4.2    | <b>Forests</b>                                                                                                                                                                                                                                                                                                                                                                                                                      |  |
| <b>N/A</b> | 4.2.6  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.                                                                                                                                                                                                                   |  |
| <b>N/A</b> | 4.2.7  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.                                                                                          |  |
| <b>N/A</b> | 4.2.8  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.                                                                                                                                                                |  |
|            | 4.3    | <b>Wildlife and Vegetation</b>                                                                                                                                                                                                                                                                                                                                                                                                      |  |
|            | 4.4    | <b>Freshwater Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                         |  |
| <b>N/A</b> | 4.4.2  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for. |  |
| <b>N/A</b> | 4.4.3  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses                                                                                                                                                                                                                                   |  |
|            | 4.5    | <b>Coastal Areas and Marine Shorelands</b>                                                                                                                                                                                                                                                                                                                                                                                          |  |
| ✓          | 4.5.8  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.                                                                                                                                                                                                                                                    |  |
| ✓          | 4.5.9  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.                                                                                                                                                                             |  |
| <b>N/A</b> | 4.5.10 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.                                                                                                                                    |  |
| ✓          | 4.5.11 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.                                                                                                                                                                               |  |
|            | 4.6    | <b>Soils and Other Resources</b>                                                                                                                                                                                                                                                                                                                                                                                                    |  |
| <b>N/A</b> | 4.6.3  | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the                                                                                                                                                                                                                                                                                                        |  |

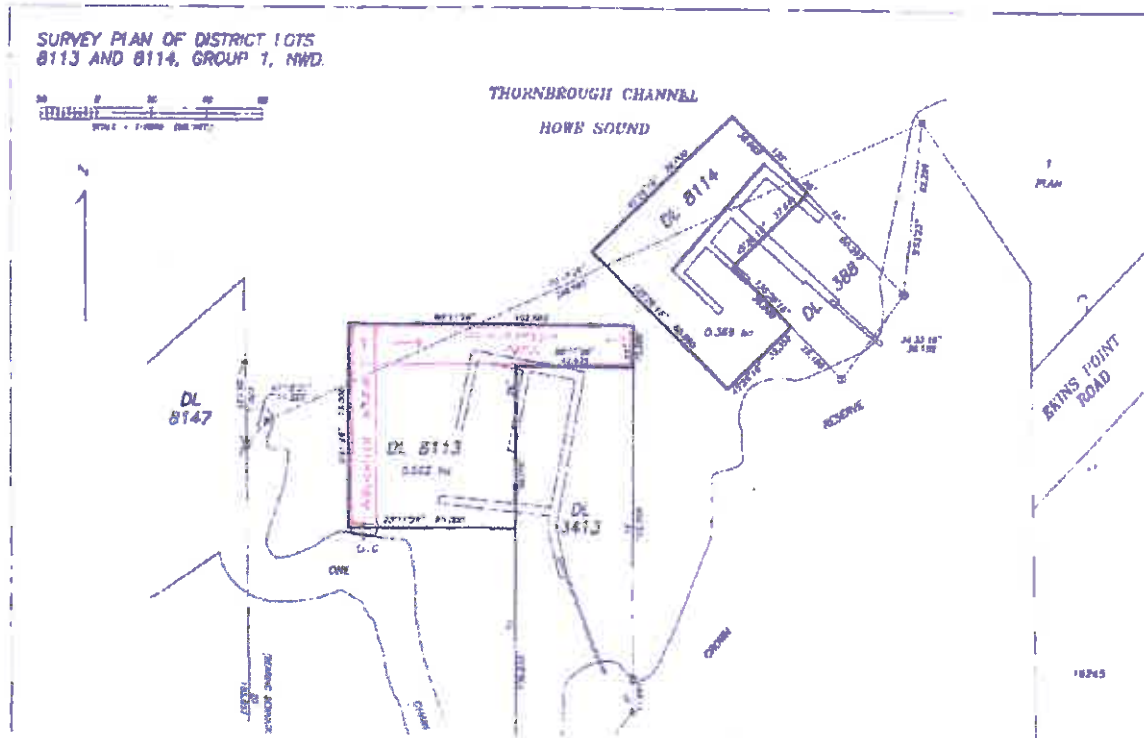
|  |  |                                 |
|--|--|---------------------------------|
|  |  | protection of productive soils. |
|--|--|---------------------------------|

### **PART V: Policies for Sustainable Communities**

| <b>DIRECTIVE POLICY</b> |              |                                                                                                                                                                                                                                                                                                                                            |
|-------------------------|--------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CONSISTENT</b>       | <b>NO.</b>   |                                                                                                                                                                                                                                                                                                                                            |
|                         | <b>5.1</b>   | <b>Aesthetic Qualities</b>                                                                                                                                                                                                                                                                                                                 |
| <b>N/A</b>              | <b>5.1.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.                                                                     |
|                         | <b>5.2</b>   | <b>Growth and Development</b>                                                                                                                                                                                                                                                                                                              |
| <b>✓</b>                | <b>5.2.3</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.                                                                                                                               |
| <b>✓</b>                | <b>5.2.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character. |
| <b>✓</b>                | <b>5.2.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.                                                                                |
| <b>N/A</b>              | <b>5.2.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.                             |
|                         | <b>5.3</b>   | <b>Transportation and Utilities</b>                                                                                                                                                                                                                                                                                                        |
| <b>N/A</b>              | <b>5.3.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.                                                  |
| <b>N/A</b>              | <b>5.3.5</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.                                                                                                                                                   |
| <b>N/A</b>              | <b>5.3.6</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.                                                                                                                                                |
| <b>N/A</b>              | <b>5.3.7</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.                   |
|                         | <b>5.4</b>   | <b>Disposal of Waste</b>                                                                                                                                                                                                                                                                                                                   |
| <b>N/A</b>              | <b>5.4.4</b> | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.                                                                                                                                       |

| CONSISTENT                  |       | NO.                                                                                                                                                                                                                                                                                                                                                                       | DIRECTIVE POLICY |
|-----------------------------|-------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|
|                             | 5.5   | <b>Recreation</b>                                                                                                                                                                                                                                                                                                                                                         |                  |
| N/A                         | 5.5.3 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.                                                                                                                                                     |                  |
| ✓                           | 5.5.4 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas. |                  |
| ✓                           | 5.5.5 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.    |                  |
| ✓                           | 5.5.6 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.                                                                          |                  |
| N/A                         | 5.5.7 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.                                                                                                                                                                               |                  |
|                             | 5.6   | <b>Cultural and Natural Heritage</b>                                                                                                                                                                                                                                                                                                                                      |                  |
| N/A                         | 5.6.2 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.                                                                                                                                                                  |                  |
| N/A                         | 5.6.3 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.                                                                                                                         |                  |
|                             | 5.7   | <b>Economic Opportunities</b>                                                                                                                                                                                                                                                                                                                                             |                  |
| N/A                         | 5.7.2 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.                                                                                                                                 |                  |
|                             | 5.8   | <b>Health and Well-being</b>                                                                                                                                                                                                                                                                                                                                              |                  |
| N/A                         | 5.8.6 | Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.     |                  |
| POLICY STATEMENT COMPLIANCE |       |                                                                                                                                                                                                                                                                                                                                                                           |                  |
| ✓                           |       | COMPLIANCE WITH TRUST POLICY                                                                                                                                                                                                                                                                                                                                              |                  |
|                             |       | NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:                                                                                                                                                                                                                                                                                                            |                  |

### Attachment 3 Site Plan



**BURRARD YACHT CLUB**

10 Gostick Place, North Vancouver, B.C. V7M 3G3

Telephone: (604) 988-0817 Fax: (604) 988-0835

Email: [info@burrardyachtclub.com](mailto:info@burrardyachtclub.com)

Internet: [www.burrardyachtclub.com](http://www.burrardyachtclub.com)

January 13, 2012

To Whom It May Concern;

As the owner of a neighboring waterfront property in the Ekins Point area of Gambier Island we are pleased to confirm that we support the application by the Thunderbird Yacht Club for the extension and/or rezoning of the waterlot areas shown as DL8113 and DL8114 on the attached Survey Plan #133-08/1809.

If you have any further questions regarding this matter please don't hesitate to let us know.

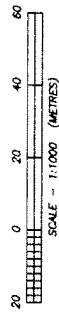
Yours truly,

A handwritten signature in black ink, appearing to be 'Lea Bancroft'. The signature is fluid and cursive, with a large loop at the end.

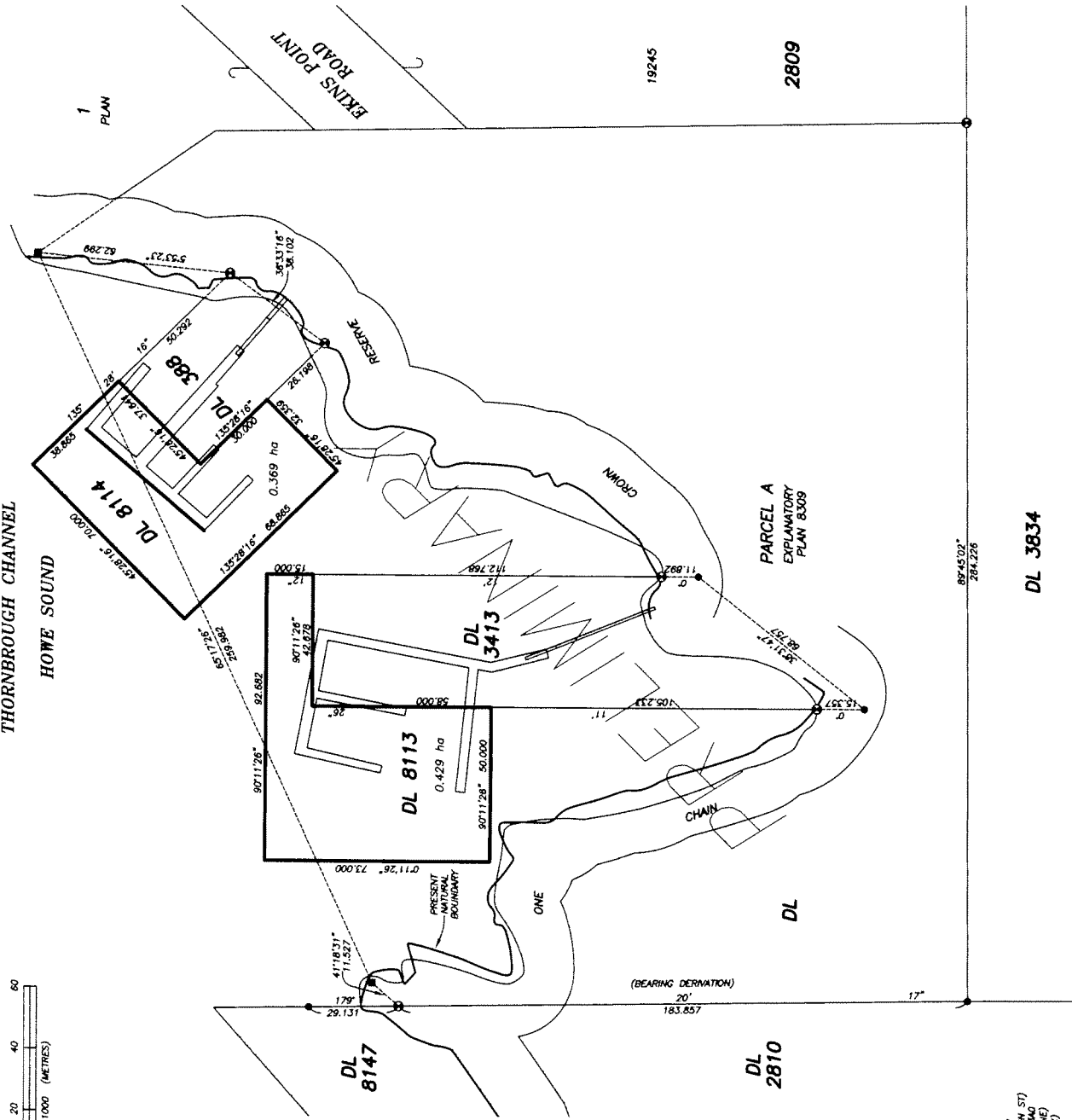
Lea Bancroft  
Commodore  
Burrard Yacht Club

SURVEY PLAN OF DISTRICT LOTS  
8113 AND 8114, GROUP 1, NWD.

PLAN EPC



THORNBROUGH CHANNEL  
HOWE SOUND



LEGEND:

BEARINGS ARE ASTROLOGICAL AND WERE DERIVED FROM THE OFFICIAL SURVEY PLAN OF DL 8147.

- DENOTES A STANDARD CURVED POST FOUND
- DENOTES A STANDARD IRON POST FOUND
- DENOTES A LEAD PLUG FOUND
- DENOTES A STANDARD IRON POST SET
- DENOTES A LEAD PLUG SET

ALL LINEAR MEASUREMENTS ARE HORIZONTAL GROUND-LEVEL DISTANCES IN METRES AND DECIMALS THEREOF.

THIS PLAN LIES WITHIN THE  
SUNSHINE COAST REGIONAL DISTRICT

THE FIELD SURVEY REPRESENTED BY THIS PLAN  
WAS COMPLETED BY JOHN C. THEED, BOLS ON  
THE --TH DAY OF MARCH, 2011.

JOHN C. THEED  
BC LAND SURVEYOR  
BOX 2070 (5688 DOLPHIN ST)  
SCHELT, BC V8N 3A0  
604-885-3337 (PHONE)  
604-885-3336 (FAX)

133-08/1809

DL 8113: CROWN FILE NO. 2409679  
DL 8114: CROWN FILE NO. 2409680



# Memorandum

700 North Road Gabriola Island BC V0R 1X3

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

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

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

Date January 20, 2012

File Number 6500-20

To Gambier Island Local Trust Committee

From Sonja Zupanec  
Island Planner  
Northern Office

Re **Gambier LTC 2012 Work Program and Priorities**

The start of a new term is an opportunity for the Local Trust Committee (LTC) to change or confirm their work program. The current work program was amended at the last regular meeting of the LTC in 2011. However, with a new term, one new trustee and a new chair of the LTC, staff requests the LTC to confirm the priorities of the new term. The purpose of this memorandum is to provide the LTC with more information about the items currently on the work program.

## TOP PRIORITIES LIST:

The first priority is Land Use Bylaw review project for the associated islands within the Sunshine Coast Regional District. This project is estimated to take one year to complete. The second priority is a significant riparian areas regulation implementation review. The third priority is consultation with the Squamish First Nation. Staff advises that two major bylaw review projects and one smaller project may be a realistic workload to complete in the current term (2012-2014). Detailed scoping and budgeting of items #1 and #2 should be undertaken in order for staff to effectively manage the projects. If the LTC wishes to amend the Top Priorities List, workload balance should be kept in mind. Further, the Gambier LTC work program will need to be balanced with the resource demands required at the Northern Office regional level.

**Table 1: Gambier Island Local Trust Committee Top Priorities List**

| Description                                                        | Activity                                                                                                                                   | Staff Comments                                                                                                                                                                                                        |
|--------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Associated Islands Land Use Bylaw Review (islands within the SCRD) | Develop new LUB to replace SCRD Bylaw No. 96 (repealed)                                                                                    | Detailed scoping and budgeting should begin immediately. Estimated to be completed in 14-16 months.<br><br><i>The LTC requested an \$8,000 budget for 2012/13.</i>                                                    |
| Riparian Areas Regulation Implementation                           | Amend OCPs and LUBs to comply with RAR for the watersheds identified as applicable to RAR, using stream mapping completed by a consultant. | Detailed scoping and budgeting should begin April 2012. Estimated to take entire 2012-2014 term to complete for Gambier, Keats and Associated Islands.<br><br><i>The LTC requested a \$30,000 budget for 2012/13.</i> |

**Table 1: Gambier Island Local Trust Committee Top Priorities List**

| Description                                                                                      | Activity                                                                                                              | Staff Comments                                                                                                                 |
|--------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| Meeting with Squamish First Nation regarding protection of archeological and heritage resources. | Scope interim strategies pending completion of a possible protocol to address protection of archaeological resources. | Staff will follow up with Squamish Nation to set a meeting date in 2012.<br><br><i>The LTC requested no funds for 2012/13.</i> |

**PROJECTS LIST:**

The purpose of the projects list is to keep a record of topics raised for future work by the LTC. Before any work beyond basic scoping or preliminary discussion with other agencies begins, the item should be moved to the Top Priorities list to ensure that staff resources are not being taken away from other top priorities.

**Table 2: Gambier Island Local Trust Committee Projects List**

| Description                                                                                                                                                     | Activity                                                                                     | Staff Comments                                                                                                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Keats Island OCP map amendment – add trail map used during public process developing OCP.                                                                       |                                                                                              | Staff have flagged this for incorporation with a future OCP amendment, not as a stand alone amendment.                                                                    |
| Development Approval Information Bylaw (DAI)                                                                                                                    | Create a DAI for the Gambier Trust Area                                                      | Staff would like to include the development of this bylaw within the project for the Associated Islands LUB, as any potential DPA will not be as effective without a DAI. |
| Options to protect integrity of beaches and define “natural boundary”                                                                                           |                                                                                              | Delete from project list as staff report to Trust Council on this topic was completed and no further work was identified at that time.                                    |
| Issues outline with respect to Gambier Island comprehensive land use planning project: 1) Road Issues; 2) Forest tenure (see complete project list for details) | Comprehensive Gambier Island Land Use Plan project.                                          | Keep on project list for consideration.                                                                                                                                   |
| Review whether trail right of ways should be held by SCRD on Keats Island or jointly with LTC.                                                                  | Derived from Keats Island development and has resulted in jointly ownership of right of way. | Delete from project list as reoccurrence of this matter will be infrequent and a process is currently in place whereby joint agency right of way is established.          |

**Table 2: Gambier Island Local Trust Committee Projects List**

| <b>Description</b>                                                                                                                | <b>Activity</b>                                                                           | <b>Staff Comments</b>                                                                            |
|-----------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|
| Consider a mechanism to recognize authorizations of additional dwellings as permitted by s. 4.4.10 of the Keats LUB.              |                                                                                           | For LTC clarity/discussion.                                                                      |
| GHG Emissions: examine as part of next OCP reviews – more proactive approaches to plan for GHG reductions.                        | Initiative from recommendation of SCRD in comments about Bylaws 111 and 112.              | Keep on projects list for future consideration.                                                  |
| Sustainability Checklist with SCRD                                                                                                | Provide comments to SCRD on a draft sustainability checklist for building permit process. | Keep on projects list and as discussion topic for next meeting with SCRD.                        |
| Food Security – explore opportunities to implement policies and regulations to address food security across the local trust area. | Based on November 2010 IT report.                                                         | Keep on projects list for consideration within future Keats/Gambier OCP scoping review projects. |

Copy: Chris Jackson, Regional Planning Manager

**From:** Wendy Harrington <[wendyharrington@telus.net](mailto:wendyharrington@telus.net)>  
**Date:** January 14, 2012 10:16:28 PM PST  
**To:** [jhagedorn@shaw.ca](mailto:jhagedorn@shaw.ca)  
**Subject:** Associated Islands LUB

Hello Jan,

Thank you for your time on Tuesday, January 10th. I appreciated enthusiasm and hearing more about the process which may take place at the upcoming Islands Trust meeting being held on January 31st. As mentioned, we have been going to the Sunshine Coast, and in particular Echo Island for over 40 years and know the area well. Echo Island no longer belongs to our family, but we have owned one-third of Tiki Island for the past 15 years.

The purpose of calling you was to encourage Islands Trust staff and Trustees to continue their important work on the Associated Islands Land Use Bylaws. There are concerns for those of us whose island is in an undefined state. The Land Use Bylaws would have a positive effect on resolving those concerns, particularly if, that which presently exists on the islands were to be legalized and honoured. As well, it would greatly benefit everyone in the Associated Islands if the legal boundaries for future renovations and additions were in writing.

Thank you Jan, and I am hopeful that at the meeting in January the Associated Islands Land Use Bylaws will be confirmed as the utmost importance and priority.

Yours truly,

Wendy Harrington

2530 Queens Avenue  
West Vancouver, B.C.  
Canada V7V 2Y8  
[wendyharrington@telus.net](mailto:wendyharrington@telus.net)  
Home : 604 922 1627  
Work : 1 800 667 1055  
Cell: 604 250 6766



**Islands Trust**

Print Date: Jan-23-2012

## 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   | Initial discussions with Squamish First Nation regarding protection of archaeological and heritage resources. | Scope interim strategies pending completion of a possible protocol to address protection of archaeological resources. | Jun-23-2010        | Sonja Zupanec  |             | On Going |



**Islands Trust**

Print Date: Jan-23-2012

## 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   | Development Approval Information Bylaw                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Develop and adopt a D.A.I bylaw for the Gambier Trust Area. |                    | On Going |
| 2   | Options for protect of integrity of beaches and define "natural boundary".                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                             | Jun-23-2010        | On Going |
| 3   | Staff to prepare an issues outline with respect to Gambier Island Comprehensive Land Use Planning Project. (Address community planning and environmental protection issues)<br><br>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 |
| 5   | Review whether trail rights of way should be held by SCRD on Keats Island or by SCRD and LTC.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                             | Aug-04-2010        | On Going |
| 6   | Consider a mechanism to recognize authorizations of additional dwellings as permitted by s. 4.4.10 of Keats LUB                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                             | Aug-04-2010        | On Going |

|   |                                                                                                                                                                                                                                                                         |             |          |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|----------|
| 7 | 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.<br>Initiative arises from recommendation of SCRD in comments about bylaws 111 & 112. | Oct-06-2010 | On Going |
| 8 | Sustainability Checklist in consultation with Sunshine Coast Regional District.                                                                                                                                                                                         | Feb-03-2011 | On Going |
| 9 | Food Security: Based on the November 2010 'Exploring Food Security in the Islands Trust Area'<br>- explore opportunities to implement policies and regulations to address food security in the Gambier Trust Area.                                                      |             | On Going |



Islands Trust

## 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. | Jan-24-2002   | Keats Island - Keats Camp cottage lots - siting variances DL 696 |
| <b>Planner:</b> Sonja Zupanec |                      |               |                                                                  |

#### 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-2009.4                | Jonathan Ehling | May-13-2009   | Gambier Island - workshop height variance (principal building on lot) |
| <b>Planner:</b> Linda Prowse |                 |               |                                                                       |

#### Planning Status

**Status Date:** Mar-28-2011

Awaiting further information from applicant

**Status Date:** Nov-17-2010

Sent memo to Island Planning asking advice on how to proceed with this file and the related Building Permit referral

**Status Date:** Oct-06-2010

Received update from applicant noting that he would not be pursuing the Variance as DFP will not relax covenant requirements.

| File Number                                                                                                                                                             | Applicant Name                                                                             | Date Received | Purpose                                                                                 |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------|---------------|-----------------------------------------------------------------------------------------|
| GM-DVP-2009.8                                                                                                                                                           | David & Carolyn/Doug & Sue/Pat & Mary Philip/Lane/Willmott<br><b>Planner:</b> Linda Prowse | Jun-24-2009   | Gambier Island - Proposed variance to the ocean setback requirement. District Lot 1259. |
| <b>Planning Status</b>                                                                                                                                                  |                                                                                            |               |                                                                                         |
| <b>Status Date:</b> Mar-28-2011                                                                                                                                         |                                                                                            |               |                                                                                         |
| Deck is already constructed. DFO will not relax setback. DVP is not an option given DFO will not relax setback. Letter to be written to file and LTC. Enforcement issue |                                                                                            |               |                                                                                         |
| <b>Status Date:</b> Oct-01-2010                                                                                                                                         |                                                                                            |               |                                                                                         |
| Assigned file. Sent e-mail to applicant to get an update on status of covenant discharge between owners and DFO and MOTI                                                |                                                                                            |               |                                                                                         |
| <b>Status Date:</b> Jan-25-2010                                                                                                                                         |                                                                                            |               |                                                                                         |
| file sent to NrthOffice                                                                                                                                                 |                                                                                            |               |                                                                                         |
| File Number                                                                                                                                                             | Applicant Name                                                                             | Date Received | Purpose                                                                                 |
| GM-DVP-2011.2                                                                                                                                                           | Elena and France Corin and Larouche<br><b>Planner:</b> Marnie Eggen                        | Mar-22-2011   | vary the setback to the natural boundary of the sea for retaining wall                  |
| <b>Planning Status</b>                                                                                                                                                  |                                                                                            |               |                                                                                         |
| <b>Status Date:</b> Jan-06-2012                                                                                                                                         |                                                                                            |               |                                                                                         |
| No change.                                                                                                                                                              |                                                                                            |               |                                                                                         |
| <b>Status Date:</b> May-04-2011                                                                                                                                         |                                                                                            |               |                                                                                         |
| Awaiting further info from applicant.                                                                                                                                   |                                                                                            |               |                                                                                         |
| <b>Status Date:</b> Apr-18-2011                                                                                                                                         |                                                                                            |               |                                                                                         |
| Staff site visit                                                                                                                                                        |                                                                                            |               |                                                                                         |
| File Number                                                                                                                                                             | Applicant Name                                                                             | Date Received | Purpose                                                                                 |
| GM-DVP-2011.5                                                                                                                                                           | Cotton Bay (Gambier Is) (Shane)<br><b>Planner:</b> Sonja Zupanec                           | Oct-26-2011   | Variance to 7.5 setback from boudary of the sea instead of 15                           |
| <b>Planning Status</b>                                                                                                                                                  |                                                                                            |               |                                                                                         |
| <b>Status Date:</b> Jan-11-2012                                                                                                                                         |                                                                                            |               |                                                                                         |
| Preliminary staff report prepared for Jan 31 LTC meeting                                                                                                                |                                                                                            |               |                                                                                         |

## Rezoning

| File Number                   | Applicant Name      | Date Received | Purpose                                               |
|-------------------------------|---------------------|---------------|-------------------------------------------------------|
| GM-RZ-2004.1                  | LandPlan Group Inc. | Jun-16-2004   | Keats Island - Keats Camp rezoning application DL 696 |
| <b>Planner:</b> Sonja Zupanec |                     |               |                                                       |

### 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-2011.1                  | Camp Fircom    | Nov-08-2011   | To redesignate and rezone an undeveloped parcel of land adjacent to the existing camp Fircom from SR (Settlement Residential) to S3 (Recreational Service). |
| <b>Planner:</b> Sonja Zupanec |                |               |                                                                                                                                                             |

### Planning Status

**Status Date:** Jan-09-2012

Preliminary staff report for LTC January 31 meeting prepared.

**Status Date:** Nov-23-2011

Applicant advised that reference plan still required an too costly

**Status Date:** Nov-08-2011

Advised applicant of process to dissolve lot line uner LTA

| File Number                   | Applicant Name | Date Received | Purpose                                       |
|-------------------------------|----------------|---------------|-----------------------------------------------|
| GM-RZ-2011.2                  | Les Morton     | Nov-10-2011   | To rezone the foreshore and yacht club zoning |
| <b>Planner:</b> Sonja Zupanec |                |               |                                               |

### Planning Status

**Status Date:** Jan-10-2012

Preliminary staff report prepared for LTC meeting Jan 31.

## Subdivision

| File Number | Applicant Name | Date Received | Purpose |
|-------------|----------------|---------------|---------|
|-------------|----------------|---------------|---------|

GM-SUB-2000.1

LANDPLAN  
GROUP INC.

May-04-2000

Keats Island - 111 bare land strata subdivision, 2 camp lots, and  
remainder(Keats Camp); nature reserve, park dedication, parking lot. DL  
696

**Planner:** Sonja Zupanec

### **Planning Status**

**Status Date:** Jun-06-2007

On hold pending rezoning application.

**Status Date:** May-16-2006

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

**Status Date:** Dec-21-2005

MOT issues Prelim Layout NOT APPROVED with conditions.

| File Number                   | Applicant Name            | Date Received | Purpose            |
|-------------------------------|---------------------------|---------------|--------------------|
| GM-SUB-2010.1                 | Venture<br>Management Ltd | May-25-2010   | 7 residential lots |
| <b>Planner:</b> Sonja Zupanec |                           |               |                    |

### **Planning Status**

**Status Date:** Jan-06-2012

No further action until applicant finalizes final plan of subdivision.

**Status Date:** Mar-16-2011

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

**Status Date:** Feb-23-2011

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

| File Number                   | Applicant Name                                                         | Date Received | Purpose             |
|-------------------------------|------------------------------------------------------------------------|---------------|---------------------|
| GM-SUB-2011.1                 | Peter M. Gordon<br>Land Surveying<br>(William Steen -<br>Keats Island) | Jul-04-2011   | boundary adjustment |
| <b>Planner:</b> Sonja Zupanec |                                                                        |               |                     |

### **Planning Status**

**Status Date:** Dec-02-2011

Copy of referral re-sent to applicant and advised that upon final review of subdivision IT can prepare letter to MOTI

**Status Date:** Aug-31-2011

Preliminary review of file and referral report sent to MOTI and applicant. Copied to LTC and owner.

| File Number                     | Applicant Name                               | Date Received | Purpose                               |
|---------------------------------|----------------------------------------------|---------------|---------------------------------------|
| GM-SUB-2011.2                   | EDWARD TRAFF<br><b>Planner:</b> Marnie Eggen | Jul-21-2011   | Lot Line adjustment on Gambier Island |
| <b>Planning Status</b>          |                                              |               |                                       |
| <b>Status Date:</b> Oct-31-2011 |                                              |               |                                       |
| Referral Report to MOTI         |                                              |               |                                       |

**From:** Nancy Roggers  
**Sent:** December-22-11 2:38 PM  
**To:** David Graham; Jan Hagedorn; Kate-Louise Stamford; Sonja Zupanec; Becky McErlean  
**Cc:** Craig Elder  
**Subject:** Gambier expense report - December/11

Hello Trustees,

This is a summary only for the Agenda Package. Please be advised that the details of expenditures to date will be sent to you by email in January/12.

|                                        |                                | <b>Budget</b>   | <b>Spent</b>    | <b>Balance</b>  |
|----------------------------------------|--------------------------------|-----------------|-----------------|-----------------|
| <b>Invoices posted to DEC 21, 2011</b> |                                |                 |                 |                 |
|                                        |                                |                 |                 |                 |
| 630 Gambier                            | 65000 Trustee Expense          | 1,500.00        | 2,122.94        | (622.94)        |
|                                        |                                |                 |                 |                 |
|                                        |                                |                 |                 |                 |
| 630 Gambier                            | 65200 LTC Meetings             | 4,000.00        | 2,325.14        | 1,674.86        |
|                                        | 65210 APC Meetings             | 200.00          | 418.80          | (218.80)        |
|                                        | 65220 Communications           | 200.00          |                 | 200.00          |
|                                        | 65230 Special Projects         | 400.00          | 100.00          | 300.00          |
|                                        | 65240 Miscellaneous            | 700.00          |                 | 700.00          |
|                                        | <b>TOTAL LTC Local Expense</b> | <b>5,500.00</b> | <b>2,843.94</b> | <b>2,656.06</b> |
|                                        |                                |                 |                 |                 |
| 630 Gambier                            | 72300 OCP/LUB Expense          | 8,000.00        | 5,216.00        | 2,784.00        |

Thanks!

Nancy Roggers  
 Finance Officer

Islands Trust  
 #200 1627 Fort Street  
 Victoria, B.C. V8R 1H8  
 Phone: (250) 405-5154  
 Fax: (250) 405-5155  
[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

Preserving *island* communities, culture and environment

Please consider the environment before printing this email.



**Islands Trust**

## **GAMBIER ISLAND LOCAL TRUST COMMITTEE**

Visit Our Website: [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)  
Contact us: [northinfo@islandstrust.bc.ca](mailto:northinfo@islandstrust.bc.ca)

# **PROPOSED BUSINESS MEETING SCHEDULE – 2012**

|                                               |                 |
|-----------------------------------------------|-----------------|
| <b>THURSDAY, JANUARY 31, 2012 - GIBSONS</b>   | <b>10:15 AM</b> |
| <b>THURSDAY, MARCH 1, 2012 - GIBSONS</b>      | <b>10:15 AM</b> |
| <b>THURSDAY, APRIL 12, 2012 - GIBSONS</b>     | <b>10:15 AM</b> |
| <b>THURSDAY, MAY 24, 2012 – GAMBIER</b>       | <b>10:30 AM</b> |
| <b>THURSDAY, JULY 5, 2012 - KEATS</b>         |                 |
| <b>THURSDAY, SEPTEMBER 20, 2012 - GIBSONS</b> | <b>10:15 AM</b> |
| <b>THURSDAY, OCTOBER 25, 2012 - GIBSONS</b>   | <b>10:15 AM</b> |
| <b>THURSDAY, NOVEMBER 29, 2012 - GIBSONS</b>  | <b>10:15 AM</b> |
| <b>THURSDAY, DECEMBER 13, 2012 – GIBSONS</b>  | <b>10:15 AM</b> |

**THESE ARE REGULAR BUSINESS MEETINGS OF THE LOCAL TRUST COMMITTEE, WHERE ITEMS SUCH AS CORRESPONDENCE, APPLICATIONS AND BYLAWS WILL BE CONSIDERED.**

**ALL MEETINGS ARE OPEN TO THE PUBLIC**



# STAFF REPORT

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

**To:** Gambier Island Local Trust Committee

Meeting of January 31, 2012

**From:** Miles Drew  
Bylaw Enforcement Coordinator

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**Re:**      **Adoption of Bylaw Enforcement Notification Bylaw**

## THE PROPOSAL:

This report will recommend to the Gambier Island Local Trust Committee that it:

1. rescind third reading of the Bylaw Enforcement Notification Bylaw No. 116 which was given on October 26, 2011;
2. amend the bylaw by replacing Schedule B of Bylaw No. 116 with the Schedule B as attached to this report;
3. give third reading to Bylaw No. 116 as amended;
4. refer the bylaw to the Executive Committee for approval.

## STAFF COMMENTS:

The above action is required because unfortunately Schedule B of the Bylaw No. 116 that previously was given three readings was incomplete. Schedule B lists potential offences of the Keats Island Land Use Bylaw. Unless the bylaw is amended to include a complete Schedule B it will be of limited usefulness in attempts to negotiate voluntary compliance in resolving Land Use Bylaw violations on Keats Island.

As explained in the previous report the Local Trust Committee previously requested that it be appointed by the Province as a local government for the purpose of adopting a Bylaw Enforcement Notification Bylaw. The Province has issued an Order In Council authorizing this step. Therefore, the Local Trust Committee can now adopt a bylaw and implement the system.

## 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**

The attached bylaw has several purposes. Primarily it establishes schedules listing penalties for various offences of the Land Use Bylaw. It also establishes 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 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 which 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;
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**

The bylaw 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.

The bylaw also establishes the position of Screening Officer and its duties, and authorizes bylaw enforcement officers to issue bylaw violation notices. The 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. Although the bylaw provides for several positions to be appointed as screening officers, staff believes that only one person should operate as a screening officer at this time. The most appropriate position to carry out screening officer duties is the bylaw enforcement administrative assistant.

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:

- Executive Committee approval and final adoption by the Local Trust Committee by Spring 2012
- appointment of Screening Officer and adoption of associated policies
- conduct necessary staff training. Other than occasionally filling out a receipt for payment of a fine or referring persons to the screening officer there will be no impact on regional office resources. A staff familiarization session will be held in each region.
- print required bylaw violation notices and the Q & A brochure for recipients of bylaw violation notices and other interested persons.

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 proposed sample of the bylaw violation notice.

### **RECOMMENDATION:**

#### **That the Gambier Island Local Trust Committee:**

- 1) rescind the October 26, 2011 Third Reading to Proposed Bylaw No. 116, cited as Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011;
- 2) amend Proposed Bylaw No. 116 by replacing Schedule B with the Schedule B as attached to the staff report dated January 18, 2011;
- 3) give Third Reading to Proposed Bylaw No. 116 cited as Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011;
- 4) refer the Proposed Bylaw No. 116, 2011 to Executive Committee for approval.

---

Prepared and Submitted by:

Miles Drew  
Bylaw Enforcement Coordinator

January 18, 2012

---

Date

**Schedule B**  
**KEATS ISLAND LAND USE BYLAW NO. 78, 2002**  
**CONTRAVENTIONS AND PENALTIES**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                                                                      | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**  
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|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                             | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|---------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                             | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|---------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                   | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                     | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                        | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                                                                                                                     | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                      | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|----------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                             | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-----------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                             | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-----------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                        | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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%                                                 |

## 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](mailto: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.

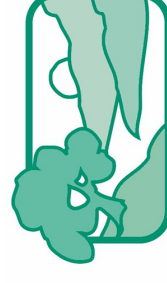
Victoria—200-1627 Fort St, V8R 1H8

Salt Spring—1-500 Lower Ganges Rd, V8K 2N8

Gabriola—700 North Road, V0R 1X3

Visit us online at: [www.islandstrust.bc.ca](http://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 Islands Trust area, please see our Bylaw Enforcement—Frequently Asked Questions pamphlet or go to [www.islandstrust.bc.ca](http://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](http://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.



Islands Trust

Bowen Denman Executive Hornby Gabriola Galiano Gambier  
Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis

**BYLAW VIOLATION NOTICE****BI xxxxx**

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<br>YYYY   MM   DD    | TIME<br>HH: MM AM/PM | LOCATION     |
| BYLAW NAME                |                      | BYLAW NUMBER |
|                           |                      | SECTION      |
|                           |                      |              |
| DESCRIPTION OF OFFENCE    |                      |              |
|                           |                      |              |
|                           |                      |              |
|                           |                      |              |

**PENALTIES MAY ONLY BE ACCEPTED IN THE MANNER NOTED:**

Discount if paid within 14 days      \$ \_\_\_\_\_  
 Penalty after 14 days                      \$ \_\_\_\_\_  
 Penalty after 28 days                      \$ \_\_\_\_\_

**DELIVERY:**

☐ In person  
☐ By Mail

**ISSUING OFFICER** \_\_\_\_\_

You have 14 days upon receipt of this Notice to dispute the Notice. If a dispute is not filed within 14 days you will not be able to dispute. Unsuccessful disputes will also be charged a \$25 administration fee. Disputes are adjudicated by the North Shore Bylaw Dispute Registry.

ALLEGED OFFENDER'S COPY



**Islands Trust**

[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

**PAYMENT: READ CAREFULLY**

PRESENT THIS NOTICE AT THE TIME OF PAYMENT  
FAILURE TO PAY PROMPTLY WILL RESULT  
IN ADDITIONAL PENALTIES BEING ADDED

Please make your cheque or money order payable to Islands Trust.  
Do not send cash in the mail. A dishonoured cheque will not be considered  
payment of the penalty within the prescribed time. NSF fees will be applied.  
Payment must be received within the noted time limits to receive the discounted amounts.  
**OVERDUE FINES MAY BE SUBJECT TO COLLECTION PROCESS**

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**PAY BY MAIL OR IN PERSON BY CASH OR CHEQUE**

Islands Trust  
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

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**INQUIRIES**

Phone: 250-405-5175

Fax: 250-405-5155

Email: [bylawenforcement@islandstrust.bc.ca](mailto:bylawenforcement@islandstrust.bc.ca)

|                                                                                                  |  |                                                                                                     |              |
|--------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------|--------------|
| <b>ADJUDICATION REQUEST</b>                                                                      |  | Please deliver, mail, or fax to any of the above addresses within 14 days of receipt of this notice |              |
| Bylaw Notice #:                                                                                  |  | Date of Issue:                                                                                      |              |
| Name:                                                                                            |  |                                                                                                     |              |
| Address:                                                                                         |  |                                                                                                     |              |
| City:                                                                                            |  | Province:                                                                                           | Postal Code: |
| Daytime Phone #                                                                                  |  |                                                                                                     |              |
| Signature:                                                                                       |  |                                                                                                     |              |
| A \$25 fee is added to the total fine if the adjudicator finds that the contravention did occur. |  |                                                                                                     |              |

## GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 116, 2011

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

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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                      26<sup>th</sup>                      DAY OF                      October                      ,2011

READ A SECOND TIME THIS                      26<sup>th</sup>                      DAY OF                      October                      ,2011

READ A THIRD TIME THIS                      26<sup>th</sup>                      DAY OF                      October                      ,2011

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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                      | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                           | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**  
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**CONTRAVENTIONS AND PENALTIES**

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|----------------------|---------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                                       | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**  
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**CONTRAVENTIONS AND PENALTIES**

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|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**  
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|----------------------|------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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%                                                 |

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|----------------------|----------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | Restriction In A General Store In Local Commercial Zone                                                                          |                                  |                                                               |                                                    |                                                      |                                                     |
| 5.5.7                | Exceed Maximum Floor Area<br>Restriction In A Retail Arts And Craft<br>Use In Local Commercial Zone                              | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.5.8                | Exceed Maximum Height Restriction<br>For a Principal Building In Local<br>Commercial Zone                                        | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.5.9                | Exceed Maximum Height Restriction<br>For A Single Family Dwelling Or<br>Accessory Building/Structure In Local<br>Commercial Zone | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.5.10               | Single Family Residential Use Not In<br>Conjunction With General Store Use In<br>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<br>Industrial Zone                                                                           | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 50%                                                 |
| 5.6.3                | More Than One Accessory Dwelling<br>Unit In Industrial Zone                                                                      | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.6.4                | Exceed Maximum Lot Coverage<br>Restriction In Industrial Zone                                                                    | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.6.5                | Encroachment Of Building/Structure<br>Into Setback In Industrial Zone                                                            | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.6.6                | Accessory Dwelling Unit Exceeds<br>Maximum Floor Area Restriction In<br>Industrial Zone                                          | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.6.7                | Single Family Residential Use Not In<br>Conjunction With Principal Use In<br>Industrial Zone                                     | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.6.8                | Inadequate Screening Of Industrial<br>Equipment And Vehicles In Industrial<br>Zone                                               | \$100.00                         | \$75.00                                                       | \$50.00                                            | Yes                                                  | 75%                                                 |
| 5.7.1                | Non Permitted Use In Community<br>Service Zone                                                                                   | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 50%                                                 |
| 5.7.2                | Non Permitted Building/Structure In<br>Community Service Zone                                                                    | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 50%                                                 |
| 5.7.3                | Exceed Maximum Lot Coverage<br>Restriction In Community Service<br>Zone                                                          | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.7.4                | Encroachment Of Building/Structure<br>Into Setback In Community Service<br>Zone                                                  | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 75%                                                 |
| 5.8.1                | Non Permitted Use In Local Service<br>Zone                                                                                       | \$300.00                         | \$225.00                                                      | \$150.00                                           | Yes                                                  | 50%                                                 |
| 5.8.2                | Non Permitted Building/Structure In<br>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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                     | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>       | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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%                                                 |

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

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                              | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

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|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**  
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**CONTRAVENTIONS AND PENALTIES**

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|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                  | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                    | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                                                                     | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                                                | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                 | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-----------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                                                                      | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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 C**  
**BOWYER & PASSAGE ISLANDS LAND USE BYLAW NO. 114, 2011**  
**CONTRAVENTIONS AND PENALTIES**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                        | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                   | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

| <b>Bylaw Section</b> | <b>Description<br/>The following fines apply to the contraventions below:</b>                                                                 | <b>A1<br/>Penalty<br/>Amount</b> | <b>A2<br/>Discounted<br/>Penalty<br/>(within 14<br/>days)</b> | <b>A3 Late<br/>Payment<br/>(after 28<br/>days)</b> | <b>A4<br/>Compliance<br/>Agreement<br/>Available</b> | <b>A5<br/>Compliance<br/>Agreement<br/>Discount</b> |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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**

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|----------------------|---------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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**

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|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
|                      | 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%                                                 |

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|----------------------|-------------------------------------------------------------------------------------------------|----------------------------------|---------------------------------------------------------------|----------------------------------------------------|------------------------------------------------------|-----------------------------------------------------|
| 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%                                                 |

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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%                                                 |



**Population:**  
Approximately 313

**Size:**  
6,893 hectares (17,032 acres)

**Location:**  
10 kilometres north of Horseshoe Bay in Howe Sound.

- [Land Use Planning](#)
- [Related Planning Services](#)
- [Related Resources](#)
- [Trust Area Mapping](#)
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## Gambier Island Local Trust Committee

### Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Gambier Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

#### June 2011

- [The Gambier Island Local Trust Committee gave 1st Reading to the Bowyer and Passage Islands Land Use Bylaw, 2011](#)
- [Climate Change Actions in the Gambier Trust Area](#)

#### April 2011

- [Community Information Meeting Scheduled for Bowyer and Passage Islands on May 5, 2011](#)
- [April 2011 Draft Land Use Bylaw for Bowyer and Passage Islands](#)

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## Gambier Island Local Trust Committee Projects

### GM-LUB-2011.2 - Land Use Bylaw Development for the Associated Islands

#### Staff Reports

- [Staff Report dated September 2011](#)
- [Staff Report dated January 2011](#)

#### Draft Land Use Bylaw

- [Land Use Bylaw dated February 2011](#)

#### Trustee Newsletters

- [October 2011](#)
- [June 2011](#)
- [February 2011](#)
- [October 2010](#)
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- [February 2010](#)
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- [Resolutions-Without-Meeting](#)
- [Associated Islands](#)
- [Land Use Application Forms](#)