



**GAMBIER ISLAND
LOCAL TRUST COMMITTEE
AGENDA**

**REGULAR BUSINESS MEETING
OF THE GAMBIER ISLAND LOCAL TRUST COMMITTEE**
held at 10:30 AM on Thursday, October 25, 2012
at Gibsons & Area Community Centre,
700 Park Road, Gibsons, BC

LATE ITEMS, ADDITIONS

**AMENDMENTS/ADDITIONS
TO ITEMS:**

- 10. LOCAL TRUST COMMITTEE PROJECTS**
- 10.1 GM-LUB-2011.2 (Associated Islands Land Use Bylaw Review Project)
 - 10.1.1 Staff Report dated October 11, 2012 with Letter of Understanding - *attached*
 - 10.1.2 Correspondence
- 10.3 Shoreline Education Workshop Discussion
Request for a Public Education/Consultation Event – *attached*
- 11.4 GM-RZ-2012.1 (Reel 17 Investments Ltd. – Cotton Bay, Gambier Island)
Staff Report dated October 10, 2012 with attachments 1 and 2 - *attached*



STAFF REPORT

Date: October 11, 2012

File No.: GM-LUB-2011.1
(Associated Islands
LUB Review)

To: Gambier Island Local Trust Committee
For meeting of October 25, 2012

From: Sonja Zupanec
Island Planner

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

Re: Proposed Land Use Bylaw – Associated Islands within the SCRD

THE PROPOSAL:

This report summarizes:

- the status of the draft Associated Islands Land Use Bylaw (LUB);
- the status of further revisions to the LUB pending receipt of information from specific property owners;
- staff recommendations on a process to address SCRD building permits at variance with what is permitted in the draft LUB; and
- next steps in the project and proposed timeline.

This report does not summarize or provide comments on public correspondence received since the September 20, 2012 meeting date.

STATUS OF THE DRAFT BYLAW:

At the time of report writing, staff has partially updated the July 2012 draft land use bylaw, with revisions from the September 20, 2012 LTC resolution. A copy of the revised draft has not yet been posted to the website and will be available late October or early November. The next draft will be released as the 'Fall 2012 Draft Land Use Bylaw'.

Staff is anticipating receipt of the following for LTC consideration by the October 25, 2012 regular business meeting:

- 1) A copy of the site plan for Buccaneer Bay Holdings for Map Schedule A-1; and
- 2) Public Institution zone regulations for maximum lot coverage and floor area for the Daybreak Point Bible Camp based on the camp development plan.

Neither of these outstanding items was available at the time of report writing. Staff has been working with the property owners (or designated spokesperson) to rectify the site specific gaps in the draft LUB.

Additional changes to the LUB can be considered by the LTC at the October and December 2012 regular business meeting. A staff report detailing public correspondence received from late

September – December will be prepared in time for the December meeting, with recommendations on public requests for amendments.

SCRD BUILDING PERMITS AT VARIANCE WITH DRAFT LUB:

The LTC has a 1996 Letter of Understanding (LOU) with the SCRD Board (copy attached). The LOU requires each party to refer relevant bylaws to each other at least 30 days prior to first reading. The LOU also provides guidance on what should occur when a building permit application received by the SCRD is in conflict with a bylaw being prepared by the LTC.

The LOU states that the LTC may advise the Regional District Board that they propose to adopt a bylaw referred to in s. 32 of the *Islands Trust Act*, and that where they consider a development proposed in a building permit application to be in conflict with the bylaw or plan being developed, they may deliver to the Regional District Board a copy of a resolution passed by the Local Trust Committee directing the Regional District Board to withhold the building permit.

Currently there are no building permit applications in stream that are in conflict with the proposed land use bylaw regulations. However applications may be submitted that affect the use or density of a parcel in a way that contravenes the draft LUB late in the bylaw review process. Examples of building permit applications that may be affected up until the adoption of the land use bylaw include but are not limited to secondary dwellings or unauthorized commercial uses.

Staff recommends that the LTC advise the SCRD in writing of their request for the SCRD to withhold building permits AFTER FIRST READING has been given to the draft bylaw, which may occur at the December 2012 LTC meeting. This would help alleviate any conflict between the draft regulations and any new permits received in the coming months that do not comply with the use or density provisions of the draft regulations.

Should the LTC proceed with this staff recommendation, staff suggests residents and property owners be notified of the process by way of the Trustee Newsletter which will also highlight the release of the fall 2012 draft LUB.

NEXT STEPS AND TIMELINE:

Comments from the early referral to SCRD Board may be considered at the December regular business meeting. Further additions or revisions to the draft bylaw, as well as first reading, will also be considered by the LTC at that time.

After first reading is given, bylaw referrals to outside agencies will be sent and a community information meeting will be scheduled well in advance of a public hearing in early 2013. This proposed timeline for next steps coincides with the Project Charter endorsed by the LTC in April 2012 (see below).

Land Use Bylaw Review Timeline

Deliverable/Milestone	Tentative Schedule
<i>Release of draft LUB</i>	<i>Summer 2012</i>
<i>Consultation with residents and private property owners on draft regulations and zones</i>	<i>Summer/Fall 2012</i>
<i>Early Referral to SCRD prior to 1st reading</i>	<i>Fall 2012</i>
<i>1st reading of draft bylaw—agency referrals</i>	<i>Winter 2012/13</i>
<i>Community Information Meetings/Public Hearing</i>	<i>Winter/Spring 2013</i>
<i>Consideration of second and third readings. Submission to Islands Trust Executive Committee</i>	<i>Spring 2013</i>
<i>Consideration of adoption of LUB</i>	<i>Spring 2013</i>

RECOMMENDATION:

THAT the Gambier Island Local Trust Committee:

1. Request staff to refer a copy of the 'Fall 2012 draft associated islands land use bylaw' (GM-LUB-2011.2) to the Sunshine Coast Regional District Board for review prior to LTC consideration of first reading, as per the Letter of Understanding between the SCRD Board and the Gambier Island Local Trust Committee; and
2. Request staff to advise the Sunshine Coast Regional District Board in writing that: 1) the content of the draft Land Use Bylaw may affect the Regional District Board's right to issue a building permit; and 2) after 1st reading has been given to the draft land use bylaw, the LTC may direct the SCRD Board to withhold the issuance of building permits which contravene the intent of the proposed land use bylaw, as per the Letter of Understanding between the SCRD and the Gambier Island Local Trust Committee.

Sonja Zupanec

October 11, 2012

Sonja Zupanec, RPP
Island Planner

Date

Concurred in by:

Courtney Simpson

Courtney Simpson, RPP
A/Regional Planning Manager

October 12, 2012
Date

Attachment:

1. Letter of Understanding between the SCRD Board and GMLTC

LETTER OF UNDERSTANDING

between staff for the

THE GAMBIER ISLAND LOCAL TRUST COMMITTEE

and the

REGIONAL DISTRICT OF SUNSHINE COAST BOARD

SUBJECTS:

- I PURPOSE**
- II PRINCIPLES**
- III CONSULTATIVE PROCESS**
- IV IMPLEMENTATION**
 - A Community Planning**
 - 1. Official Community Plans**
 - 2. Land Use Bylaws**
 - 3. Bylaw Enforcement**
 - 4. Building Permits**
 - B Parkland and School Site Acquisition**
 - 1. Parkland Acquisition**
 - 2. Park Planning**
 - 3. School Site Acquisition**
 - 4. Parks and Recreation Commission**
 - C Servicing**
 - 1. Service Delivery**
 - 2. Regional Growth Strategy**
 - 3. Service Coordination Agreements**
 - 4. Servicing Plans**
 - D Administrative Arrangements**
 - 1. Interagency Agreements**
 - 2. Information Sharing**
 - 3. Legislative Initiatives**
 - 4. Conduct of Elections**

Updated: October 2, 1996

LETTER OF UNDERSTANDING

This Letter of Understanding ("Agreement") dated for reference October 2, 1996 is:

AMONG:

THE GAMBIER ISLAND LOCAL TRUST COMMITTEE
("Local Trust Committee")

AND:

REGIONAL DISTRICT OF SUNSHINE COAST BOARD
("Regional District Board")

(referred to as the "Parties")

I PURPOSE

The purpose of this Agreement is to delineate how the Regional District Board and the Local Trust Committee will implement the principles stated in the Protocol Agreement dated October 2, 1996 between the Gambier Island Local Trust Committee for the Gambier Island Local Trust Area ("local trust area") and the Regional District of Sunshine Coast Board for Electoral Area F ("electoral area").

II PRINCIPLES

The Local Trust Committee and Regional District Board agree to the following principles regarding interagency relations:

1. Recognition of each others' jurisdiction and capabilities with a commitment to promoting a spirit of partnership through joint legislative, policy, program and communication initiatives;
2. Coordination of planning, servicing and growth management activities that is responsive to the needs of the local trust area and the electoral area of which they are a part;
3. Commitment to share a mutual interest in the legislated 'preserve and protect' object of the Islands Trust, the servicing function of the Regional District Board, and the respective land use planning authority of both Parties; and
4. Cooperation through sharing of information and notification of significant initiatives that may impact the other Party and through regular liaison.

III CONSULTATIVE PROCESS

1. The Parties agree to the establishment of a regular consultative process to foster understanding among respective staff and elected officials.
2. The intent of this Agreement is for both Parties to use best effort, rather than to oblige either Party, to affect interagency cooperation within mutually agreeable terms and time-frames.
3. Responsibility for the coordination of this Agreement by the respective Parties is assigned to the Administrator of the Regional District Board and the Executive Director of the Islands Trust.
4. An annual meeting of respective staff will be established by the Administrator and the Executive Director at the request of the Executive Director.
5. A meeting of respective staff to review any current issues or Agreement matters may be arranged at the request of either the Administrator or Executive Director.
6. Where anything is required or permitted to be delivered, or otherwise sent to the Parties or the Islands Trust Council, it shall be delivered to:

Local Trust Committee: 2nd Floor, 1627 Fort Street
and Islands Trust Council Victoria, BC V8R 1H8
Attention: Executive Director

Regional District Board: Box 800
Sechelt, BC V0N 3A0
Attention: Administrator

7. Both Parties will bear the full cost of their own requirements to implement this Agreement unless otherwise provided for in this Agreement or otherwise agreed to, in writing, by both Parties.
8. This Agreement may be amended by agreement, in writing, by the Regional District Board and Local Trust Committee.

IV IMPLEMENTATION

A. COMMUNITY PLANNING

1.0 Official Community Plans (OCPs)

- 1.1** Both Parties shall provide the other Party with the opportunity for input regarding OCP reviews and updates relevant to the local trust area/electoral area to promote the effective coordination of servicing and planning functions of the respective Parties.
- 1.2** Where an OCP being prepared by either Party affects the local trust area/electoral area, the Party coordinating the OCP initiative shall deliver the following to the other Party:
 - 👉 Notice of Intent - indicating the aims and time-frames of the OCP initiative; and
 - 👉 Consultation Schedule - providing opportunities for interagency liaison and technical or political discussions.
- 1.3** Where an OCP being prepared by either Party affects the local trust area/electoral area, the Party coordinating the OCP initiative shall deliver a draft copy of the OCP to the other Party 30 days prior to first reading.
- 1.4** Either Party may give written notice requesting that a consultation meeting be conducted by the Party coordinating the OCP initiative within 10 days of receipt of the draft OCP.
- 1.5** The obligations referred to in this section are in addition to any statutory obligations (s. 948 of the *Municipal Act*) that the Parties may have respecting the referral of OCP bylaws.
- 1.6** Either Party shall provide a copy of any adopted OCP bylaws as soon as practicable after adoption.

2.0 Land Use Bylaws

- 2.1** Both Parties shall provide the other Party with the opportunity for input regarding land use bylaw initiatives relevant to the local trust area/electoral to promote the effective coordination of servicing and planning functions of the respective Parties.

- 2.2** Clauses B. 1.2, 1.3, 1.4, 1.5 & 1.6 for OCPs are applicable to the relevant land use bylaws noted in 2.1.
- 2.3** The Regional District Board must not adopt a bylaw, issue a permit or undertake work respecting the local trust area/electoral area that is contrary to or at variance with the OCP or land use bylaws of the Local Trust Committee.

3.0 Bylaw Enforcement

- 3.1** The Parties wish to coordinate their activities with respect to bylaw investigation and bylaw enforcement on matters which constitute a potential contravention or contravention of a bylaw of either Party or both Parties.
- 3.2** Where information is received by one Party that it considers a potential contravention of a bylaw of the other Party, that Party shall promptly convey that information to the other Party.
- 3.3** Where either Party identifies an activity that it considers a potential contravention of a bylaw of both Parties, and which it considers may be effectively controlled through the enforcement of either of the bylaws or both bylaws, that Party may deliver to the other Party a notice, in writing, requesting the other Party's participation in a joint enforcement process.
- 3.4** Where either Party receives from the other a request referred to in Section 3.3, that Party shall notify the other Party whether it wishes to participate in negotiations for a joint enforcement process within 30 days.
- 3.5** After an affirmative notice referred to in Section 3.4. has been delivered by one Party to the other Party, the Parties shall negotiate and agree, in writing, regarding the methodology, cost sharing and key activities for the joint enforcement program.
- 3.6** Either Party may deliver written notice to the other that it is withdrawing from a joint enforcement process and, in that case, the Parties are liable only for their share of any:
- a) costs incurred by the other Party prior to the date the notice is given; and
 - b) costs reasonably incurred by the other Party in continuing a legal proceeding commenced prior to the date the notice is given.
- 3.7** Either Party may initiate interagency arrangements whereby one Party may conduct bylaw investigations on behalf of the other Party and at the request of the other Party subject to written conditions agreed to by the signatories of this Agreement.

4.0 Building Permits

- 4.1** The Parties wish to coordinate their activities with respect to the issuance of building permits by the Regional District Board in a manner consistent with the official community plan and zoning bylaws of the Local Trust Committee.
- 4.2** The Parties acknowledge that:
- (a) Subject to s. 32 of the *Islands Trust Act*, the Regional District Board has exclusive jurisdiction over the issuance of building permits in the local trust area/electoral area;
 - (b) Section 32 of the *Islands Trust Act*, prohibits the Regional District Board from issuing a building permit that is contrary to or at variance with a bylaw of the Local Trust Committee;
 - (c) Where a completed building permit application has been received by the Regional District Board and that application complies with all applicable enactments, the Regional District Board is, subject to s. 25 of the *Islands Trust Act* and s. 981 of the *Municipal Act*, required to issue the building permit;
 - (d) For the purpose of complying with s.32 of the *Islands Trust Act*, the Regional District Board should be aware of the content of the bylaws of the Local Trust Committee that may affect the Regional District Board's right to issue a building permit; and
 - (e) Section 35 of the *Islands Trust Act* authorizes the Regional District Board to withhold a building permit where the Local Trust Committee has advised that the Local Trust Committee propose to adopt a bylaw or plan referred to in that section, and where the Regional District Board directs the withholding of a building permit upon such advice from the Local Trust Committee, s. 981 of the *Municipal Act* applies to the Local Trust Committee.
- 4.3** The Local Trust Committee shall deliver to the Regional District Board, within 10 days of adopting a bylaw, a copy of that bylaw and the Regional District Board shall make a copy of that bylaw available to any person who is authorized to issue building permits for developments in the local trust area/electoral area.
- 4.4** Where an application for a building permit is received by the Regional District Board and a building permit issued in response to that application would be contrary to or at variance with a bylaw of the Local Trust Committee, the Regional District Board shall not issue the building permit and shall, within 5 days of notifying the applicant of the refusal to issue the building permit, deliver to the Local Trust Committee a notice in writing, stating that the building permit has been refused and the reasons for that refusal.

- 4.5** The Local Trust Committee may advise the Regional District Board that they propose to adopt a bylaw or plan referred to in s. 32 of the *Islands Trust Act*, by delivering to the Regional District Board a statement, in writing, indicating the date on which the Local Trust Committee resolved to commence preparation of the bylaw or plan.
- 4.6** After the Regional District Board receives the statement referred to in section 4.5, it shall deliver to the Local Trust Committee forthwith upon receipt and by facsimile transmission a copy of each building permit application received at least 7 days after the date of the resolution referred to in section 4.5.
- 4.7** The Regional District Board shall not issue any building permit for an application which has been delivered to the Local Trust Committee under section 4.6 unless:
- a) at least 10 days have passed since the date the Regional District Board delivered a copy of the building permit application to the Local Trust Committee and the Local Trust Committee has not within that 10 days delivered to the Regional District Board a copy of a resolution referred to in section 4.8, or
 - b) the Local Trust Committee has delivered to the Regional District Board a statement in writing authorizing the Regional District Board to issue the building permit.
- 4.8** The Local Trust Committee shall review all building permit applications received under section 4.6, and where they consider a development proposed in a building permit application to be in conflict with the bylaw or plan referred to in section 4.5 they may deliver to the Regional District Board a copy of a resolution passed by the Local Trust Committee directing the Regional District Board to withhold the building permit.
- 4.9** Where the Regional District Board receives a copy of the resolution referred to in section 4.8, the Regional District Board shall withhold for 30 days the building permit referred to in the resolution.
- 4.10** During the 30 day period referred to in section 4.9, the Local Trust Committee may deliver to the Regional District Board a copy of a resolution passed by the Local Trust Committee directing the Regional District Board to withhold the building permit for a further 60 days, and where the Regional District Board receives a copy of that resolution within that 30 days, it shall withhold the building permit for a further 60 days.
- 4.11** Where the Regional District withholds a building permit under s. 35 of the *Islands Trust Act* otherwise than in accordance with this Agreement, the Regional District Board shall indemnify and save harmless the Local Trust Committee from any compensation for damages for which the Local Trust Committee become liable by virtue of s. 35 of the *Islands Trust Act* and s. 981 of the *Municipal Act*.

- 4.12** Where the Regional District Board withholds a building permit under sections 4.7, 4.9, or 4.10, the Trust Council shall indemnify and save harmless the Regional District Board from any compensation for damages and other costs for which the Regional District Board becomes liable, or which it incurs, as a result of the withholding of the building permit.
- 4.13** The Parties acknowledge that;
- a) To calculate time in relation to the 30 days and the 60 days, s. 25 of the *Interpretation Act* excludes the first day and includes the last day, and if the time falls or expires on a holiday, it is extended to the next day that is not a holiday. If the time for doing an act in a business office falls or expires on a day when the office is not open during the regular business hours, the time is extended to the next day that the office is open.
 - b) To calculate time in relation to the “at least 7 days prior” reference in s. 981(2) of the *Municipal Act*, both the first and the last days are excluded.
- 4.14** The Local Trust Committee and the Regional District Board agree that, during the 30 day period referred to in s. 981(1) of the *Municipal Act*, consultations between staff representatives shall be scheduled to review the likelihood of direction to withhold for a further 60 days, or to consider granting the permit, with the imposition of mutually agreed-upon conditions relative to the public interest, having regard to the plan or bylaw under preparation.

B. PARKLAND AND SCHOOL SITE ACQUISITION

1.0 Parkland Acquisition

- 1.1** The Parties wish to coordinate their activities with respect to the identification of land suitable for parkland, and the acquisition, development, operation and maintenance of parkland in a manner that promotes the object of the Islands Trust and the parks system plan of the Regional District Board.
- 1.2** Both Parties acknowledge that:
- (a) The Local Trust Committee has the authority under s. 27 of the *Islands Trust Act* to determine whether an owner of land being subdivided on the local trust area/electoral area shall provide parkland under s. 992(1)(a) of the *Municipal Act* or money under s. 992(1)(b).
 - (b) The Regional District Board is entitled to any money required to be provided under s. 992 in respect of land being subdivided in the local trust area/electoral area; and
 - (c) The Regional District Board is entitled to any land in the local trust area/electoral area that is required to be provided under s. 992.

- 1.3** The Local Trust Committee shall consider any planning statements that the Regional District Board may deliver to the Local Trust Committee respecting parkland to the local trust area/electoral area with a view to determining whether they should be incorporated in or otherwise reflected in an OCP or land use bylaw initiative or plans.
- 1.4.** Where a subdivision application in respect of which s. 992(1) of the *Municipal Act* is applicable is referred to the Local Trust Committee, the Local Trust Committee shall, within 7 days of receiving the referral of that application, send a copy of the application to the Regional District Board for review.
- 1.5.** The Regional District Board shall, within 10 days of receiving the application, deliver to the Local Trust Committee a written notice that either:
- (a) states that the Regional District Board makes no comment or recommendation; or
 - (b) comments on, or makes recommendations respecting the exercise by the Local Trust Committee of the Local Trust Committee's powers under s. 992 of the *Municipal Act*.
- 1.6.** In exercising its powers, the Local Trust Committee shall consider any comments or recommendations received from the Regional District Board and shall not make a determination that is in direct conflict with a recommendation received from the Regional District Board unless it has first given the Regional District Board at least 5 days written notice of its intention to do so.
- 1.7.** Where, in respect of land being subdivided in the local trust area/electoral area, the Regional District Board receives money under s. 992 of the *Municipal Act*, it shall:
- (a) use that money only for the acquisition of parkland in the local trust area/electoral area; and
 - (b) not obligate itself to use that money for the acquisition of specific parkland, unless it has first consulted with the Local Trust Committee regarding the proposed acquisition.
- 1.8.** Where a planning statement delivered to the Local Trust Committee by the Regional District Board includes maps designating areas considered by the Regional District Board to be areas in which parkland preservation, acquisition or development is desirable, the Local Trust Committee shall deliver a copy of any application for rezoning or a permit under Division 5 of Part 29 of the *Municipal Act* to the Regional District Board if the application pertains to those areas.

- 1.9** Within 10 days of receiving the application referred to in section 10, the Regional District Board may deliver to the Local Trust Committee any comments or recommendations of the Regional District Board concerning the impact of the proposed rezoning or development on the Regional District Board's ability to preserve, acquire or develop parkland in the area, and the Local Trust Committee shall consider any comments or recommendations received under this section during its consideration of the application to which the Regional District Board's comments or recommendations relate.

2.0 Parks Planning

- 2.1.** The Regional District Board shall provide the Local Trust Committee with the opportunity for input regarding a parks planning initiative in the local trust area/electoral area by providing the following to the Local Trust Committee:
- 👉 Notice of Intent - indicating the aims and time frames of the Parks Plan; and
 - 👉 Consultation Schedule - providing opportunities for interagency liaison and technical or political discussions.
- 2.2.** Where a Parks Plan being prepared by the Regional District Board affects the local trust area/electoral area, the Regional District Board shall deliver a draft copy of the Parks Plan to the Local Trust Committee 30 days prior to first reading.
- 2.3.** The Local Trust Committee may give written notice requesting that a consultation meeting be conducted by the Regional District Board within 10 days of receipt of the draft Parks Plan.
- 2.4.** The Regional District Board shall provide a copy of any Parks Plan bylaws including maps designating areas within the local trust area/electoral area considered to be areas in which parkland preservation, acquisition or development is desirable.

3.0 School Site Acquisition

- 3.1** Both Parties share an interest in coordinating activities related to the planning and acquisition of school sites within the local trust area/electoral area and either Party shall notify the other Party of initiatives in this regard with the School Board.
- 3.2** The Parties agree that both Parties shall be involved in any processes related to the planning and acquisition of school sites within the local trust area/electoral area.

4.0 Parks and Recreation Commission

- 4.1** The Regional District Board will consult with the Local Trust Committee before initiating the formation of a Parks and Recreation Commission for the local trust area/electoral area.
- 4.2** The Regional District Board may deliver to the Local Trust Committee a notice in writing directing the Local Trust Committee to deal directly with the Commission in the exercise of its rights and obligations of the Parkland Acquisition section of this Agreement.
- 4.3** Where the Regional District Board has delegated part or all of its powers respecting parks to a Parks and Recreation Commission, the Local Trust Committee shall endeavour to consult regularly with that Commission.

C. SERVICING

1.0 Service Delivery

- 1.1.** The Parties agree that the provision of services in the local trust area/electoral area by the Regional District Board and that land use planning relating to the provision of such services are matters of great importance to the residents of the local trust area/electoral area, and the Parties agree that extensive consultation on such matters, including consultation with the public, is to be encouraged.
- 1.2.** The Regional District Board shall notify the Local Trust Committee that the Regional District Board is considering providing a service in the local trust area/electoral area that has not been formerly or significantly extending an existing service.
- 1.3.** The Local Trust Committee may prepare and deliver to the Regional District Board a written notice requesting the Regional District Board to consider providing a local or extended service in one or more areas of the local trust area/electoral area, and stating the reason for the request.
- 1.4.** The Regional District Board shall consider the request referred to in Section 1.3, and shall, within 60 days of receiving the request, deliver to the Local Trust Committee a notice in writing stating its position with respect to the request.
- 1.5.** The Regional District Board shall submit a consultation process involving the public and the Local Trust Committee within 60 days of a notice being provided under Section 1.2 or 1.4.
- 1.6.** The Regional District Board shall consult with the Local Trust Committee before deciding whether to provide or extend the service.

2.0 Regional Growth Strategy

- 2.1** Both Parties acknowledge that a Regional Growth Strategy initiative of the Regional District Board shall not apply to the local trust area/electoral area (*Islands Trust Act*, Section 33.3).
- 2.2** In the preparation and adoption of a Regional Growth Strategy, the Regional District Board must consult with the Local Trust Committee as if it was an affected local government as defined in s.942.1 of the *Municipal Act*, and any consultation plan adopted pursuant to s.942.17(2) of the *Municipal Act* must identify the Local Trust Committee as an authority with which the Regional District Board intends to consult.
- 2.3** The Regional District Board must invite the Local Trust Committee to appoint a representative as a member of any intergovernmental advisory committee the Regional District Board establishes in relation to the development and implementation of a Regional Growth Strategy, except where the terms of reference of such committee are limited to matters wholly unrelated to the local trust area/electoral area.
- 2.4** Nothing in this Agreement requires the Regional District Board to secure the acceptance of a Regional Growth Strategy by the Local Trust Committee prior to its adoption.
- 2.5** The Regional District Board must provide a copy of the Regional Growth Strategy, as adopted by bylaw, to the Local Trust Committee as soon as practicable upon the adoption.

3.0 Service Coordination Agreements

- 3.1** The Local Trust Committee in cooperation with the Regional District Board may recommend that the Islands Trust Council enter into a Service Coordination Agreement respecting the coordination of Official Community Plans of the Local Trust Committee, the Islands Trust Policy Statement Bylaw of the Islands Trust Council and with the services to be provided within the local trust area/electoral area by the Regional District Board (*Islands Trust Act*, Section 33.1 (1)).

4.0 Servicing Plans

- 4.1** The Parties wish to ensure the effective delivery of services to the local trust area/electoral area in a manner that is responsive to island community needs and the environmental protection and preservation object of the Islands Trust.

- 4.2** Where a Servicing Plan being prepared by the Regional District Board affects the local trust area/electoral area, the Regional District Board shall deliver the following to the Local Trust Committee:
- 👉 Notice of Intent - indicating the aims and time frames of the Servicing Plan; and
 - 👉 Consultation Schedule - providing opportunities for interagency liaison and technical or political discussions.
- 4.3** Where a Servicing Plan being prepared by the Regional District Board affects the local trust area/electoral area, the Regional District Board shall deliver a draft copy of the Servicing Plan to the Local Trust Committee 30 days prior to first reading.
- 4.4** The Local Trust Committee may give written notice requesting that a consultation meeting be conducted by the Regional District Board within 10 days of receipt of the draft Servicing Plan.
- 4.5** The Regional District Board shall provide a copy of any Service Plan bylaws affecting the local trust area/electoral area to the Local Trust Committee.

D. ADMINISTRATIVE ARRANGEMENTS

1.0 Interagency Agreements

- 1.1** Both Parties will endeavour to provide opportunities for the other Party to provide input to or involvement in interagency initiatives with other organizations that impact the activities of the other Party within the local trust area/electoral area.
- 1.2** Either Party will refer interagency agreements or initiatives with other organizations that impact the activities of the other Party within the local trust area/electoral area for comment before concluding such an interagency agreement.
- 1.3** Either Party will provide copies to the other Party of interagency agreements or terms of reference for interagency projects relevant to the local trust area/electoral area.

2.0 Information Sharing

- 2.1** Agenda and minutes for regular meetings of the Regional District Board and the Local Trust Committee will be provided on a regular basis to the designate staff.
- 2.2** Where an inquiry or complaint is received by either Party, and that inquiry or complaint relates to a matter within the jurisdiction of, or in which may reasonably be of interest to, the other Party, the Party receiving the inquiry or complaint will forward appropriate information to the other Party.

- 2.3** Copies of studies, plans, reports and other documents prepared or received by one Party, which may reasonably be of interest to the other Party, will be forwarded to the other Party through the designate staff.

3.0 Legislative Initiatives

- 3.1** Either Party will provide to the other Party any information received concerning a Federal or Provincial Government legislative initiative that it considers may affect the activities of the other Party within the local trust area/electoral area.
- 3.2** Either Party shall provide notice to the other Party respecting requests for the Federal or Provincial Governments to enact legislation that it considers may affect the activities of the other Party within the local trust area/electoral area.

4.0 Conduct of Elections

- 4.1** The Executive Director on behalf of the Islands Trust Council may provide notice to the Administrator of the Regional District of Sunshine Coast Board that the Islands Trust requests the Regional District Board to conduct a trustee election for the local trust area/electoral area as part of the Regional District Board's triennial election program or a by-election for the Local Trust Committee.
- 4.2** The Regional District Board will consider such a request and the Administrator shall notify the Executive Director whether the Regional District Board wishes to participate in negotiations for the Regional District Board to conduct the trustee elections in the local trust area/electoral area.
- 4.3** The Executive Director and the Administrator shall establish a separate agreement dealing with procedures and cost sharing for the Regional District Board to conduct election proceedings.

THE GAMBIER ISLAND LOCAL TRUST COMMITTEE
Thursday, October 25, 2012

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

10.1.2 Correspondence

Sonja Zupanec

From: Jan Hagedorn <jhagedorn@islandstrust.bc.ca>
Sent: October-24-12 10:04 AM
To: Sonja Zupanec
Cc: Ione Smith; D Wark; Karl Gustavson; Greg Gardiner; Peter Evans; 'Michael Coyle' (mcoyle@shaw.ca); Frank Ingham (frankoingham@gmail.com); Nancy (nmunsie1@gmail.com); Jay Munsie; Robert Burns; Kate-Louise Stamford; David Graham
Subject: Re: Islands Trust - Land Use By-Law [RBS-Active.RBS.JMM]

Sonja, Please include the email below from Rob in the 25th Oct meeting. Thanks Jan

On 12-10-23 10:42 PM, "Robert Burns" <robertvburns@shaw.ca> wrote:

Dear Ms. Hagedorn,

I am the owner of one of the "BC Tel cottages" located on North Thormanby Island. My family have owned Lot 5 in the row south of the dock since 1951. I write to simply indicate my strong support for the comments and concerns expressed by my neighbours Wark, Munsie and Gustavson. I am sure you will hear from others shortly.

Please have the Trustees consider a By-law that imparts a fairer treatment of these historical properties.

Sincerely,

Rob Burns

On 2012-10-23, at 6:05 PM, Jan Hagedorn wrote:

Re: Islands Trust - Land Use By-Law [RBS-Active.RBS.JMM]

Sonja, Please ensure Jay's email is included in the correspondence to be considered at our 25th Oct. business meeting. Thanks Jan

On 12-10-23 6:01 PM, "Jan Hagedorn" <jhagedorn@islandstrust.bc.ca <x-msg://330/jhagedorn@islandstrust.bc.ca> > wrote:

Thanks Jay for putting your request in writing as I am just in the process of getting ready for our Local Trust Committee (LTC) meeting this Thursday and will forward your email to our planner so it is considered at the 25 Oct 2012 . All our business is done in a public meeting where all input from residents and landowners are taken into consideration. It would help if you specifically forward what you consider would be a practical footprint including accessory buildings that would support preserving the ecosystem and rural nature of the Island. As a trustee I must also take into consideration the unique legislated mandate to preserve and protect the islands.

Thanks again for taking the time to put your request in writing. Please note there will be a new amended Draft Land Use Bylaw up on the website in early November with the new amended changes. As a trustee I will be encouraging more feedback. I will also add your email contact to my trustee report and newsletter. Please let me know at any time if you wish me to be removed. Sincerely Jan

On 12-10-22 4:49 PM, "Jay M. Munsie" <JMunsie@rbs.ca <x-msg://330/JMunsie@rbs.ca> > wrote:

Dear Ms. Hagedorn

Thank you for taking the time to speak with me on Friday.

I hope that you will, as indicated, seriously consider the concerns of the residents and not simply push through that which you believe is desirable. I believe that with something as fundamental as land use, it is the results to the affected residents which is most important. The changes proposed in the Land Use By-Law are dramatic, and I believe the results are not necessarily well understood by many of the people affected.

As I mentioned by phone, my family has a cottage on North Thormanby Island, south of the dock in the row which was first developed as the BC Telephone cottages.

The lower level of North Thormanby Island is divided into city sized lots. Our lot was created by a subdivision plan filed in 1928. In our phone conversation you indicated that you believed that the island should have zoning as though it were a rural area. This ignores the reality of how the island has been subdivided. The proposed by-law may be appropriate for acreages, but not for the city sized lots into which the island has been divided. That is the reality and the Islands Trust should create zoning which reflects the actual lot sizes, not rural acreages. The zoning can't be drafted to reflect "how it ought to have been" if there had been fewer larger parcels.

As you stated, the effect, and therefor the intent, of the re-zoning will be to reduce the value of almost all of the properties on the island other than the large 10 acre parcels, for which the proposed zoning may be appropriate.

Ironically, the value of the properties of the owners who have "built-out" their properties in recent years will be preserved or perhaps enhanced. This does not seem fair. The proposed zoning will add insult to the injury of those who believe that the large new homes have adversely affected their properties.

Many of the owners on the island, as they don't have any immediate building plans themselves, are not aware of the result that the proposed down-zoning will have on the value of their properties. I believe that if they did, they might want to reconsider how the zoning should change.

I am not an architect nor a developer so the information accompanying the By-law was not that meaningful to me at first. For example the "Information Note" to the density section of the proposed By-law uses an example of a 15,000 square foot lot. That is nearly twice the size of my family's lot and, I believe, most of the other lots on the lower part of the Island. It is a misleading example as most, if not all, of the lots on the Lower part of the Island are considerably smaller than 15,000 square feet. It would have been more helpful to compare the proposed density to densities of other areas. I understand that the proposed density is a fraction of that permitted on similar sized lots in other jurisdictions.

I understand that the proposed 15% density is $\frac{1}{4}$ of what would be permitted on a comparably sized lot in the City of Vancouver. I am not suggesting that the density should be maximized, but it should be practical. Similarly, given the lot sizes the setbacks should be practical, say 10% of the lot widths.

Limiting the footprint and increasing setback requirements will probably, in time, create the Island equivalent of the "Vancouver Special", a design which will maximize the square footage which can be built on a lot. I imagine it will be a box built to the maximum height. Often when development is curtailed, the reaction is to build to the maximum permitted.

I ask the Trustees to slow down the process and make sure that all of the affected residents are aware of the consequences of the re-zoning, not simply the land use by-law itself.

When I first looked at the land use by-law I didn't give it much thought because I didn't think it affected me. Now I realize that it does.

Everyone should have an opportunity to carefully consider this.

My neighbour Karl Gustavson has made some thoughtful suggestions to the Trustees. Karl is an architect and island resident, I hope you favourably consider his suggestions.

If the Trustees want to proceed to implement the By-Law substantially as written then, I propose that the 9 lots south of the dock on North Thormanby Island be zoned site specific in the manner as all of the residents of that row should agree. Site Specific regulation is proposed for parts of South Thormanby Island so there is a precedent for this. What is built along that row only affects the residents of that row so there should not be any objections.

I am copying this email to Ione Smith of the Vaucroft Improvement District so that he can consider circulating this or other information to the VID Trustees or residents.

Regards,

Jay Munsie

Jan Hagedorn
Gambier Island Trustee
jhagedorn@islandstrust.bc.ca <x-msg:///330/jhagedorn@islandstrust.bc.ca>
1 604 815 7339

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1 604 815 7339

Sonja Zupanec

From: Jan Hagedorn <jhagedorn@islandstrust.bc.ca>
Sent: October-19-12 10:48 AM
To: Kate-Louise Stamford; David Graham; Sonja Zupanec
Cc: 'Moirra Gustavson (moira@30seconds.ca)'; Karl Gustavson
Subject: Re: Status of Associated Islands Draft Land Use Bylaw

Sonja please include Karl's email for consideration at the next LTC meeting in Oct. With thanks Jan

On 12-10-19 10:31 AM, "Karl Gustavson" <karl@kgarchitect.ca> wrote:

Jan

Thank you for the update. I am hoping I can persuade you to put off first reading of the bylaw until next year to give everyone a reasonable time to review the updated draft. For me I will be away for 3 weeks so will not be available to spend much time on this and as you have indicated an early November draft release and early December first reading this does not give enough time for the review and comment process. Can you let me know if you will reconsider the possibility of proceeding with first reading in December. In addition I question the timing of the community information meeting. It has been my experience over the course of many rezoning's and public information meetings that first reading would come after and not before this public consultation. Should you not seek this input before voting on intent.

Thank you,

Karl W. Gustavson MAIBC, MRAIC, LEEDtm
Office: 604.926.1649
Cell: 604.644.4548
karl@kgarchitect.ca
www.kgarchitect.ca <<http://www.kgarchitect.ca/>>

From: Jan Hagedorn [<mailto:jhagedorn@islandstrust.bc.ca>]
Sent: October-18-12 3:47 PM
To: Jan Hagedorn
Subject: Status of Associated Islands Draft Land Use Bylaw

Hello all,

Here is a quick status update on the SCRD Associated Islands draft Land Use Bylaw.

The Gambier Local Trust Committee has been working with residents and property owners of the Associated Islands on the draft land use bylaw and is steadily moving forward with an updated draft. A copy of a fall 2012 revised draft will be posted to the website in early November where you will be encouraged to provide more input. First reading of the bylaw may be considered as early as December 2012 with a community information meeting in January 2013. Residents and property owners can provide further input to the LTC on the draft provisions and regulations at any time, up until the close of a public hearing. A hearing may be scheduled in Spring 2013. Technical questions and comments on the draft or the review process can be directed to the Island Planner, Sonja Zupanec szupanec@islandstrust.bc.ca.

All background staff reports, meeting minutes and agenda packages related to this project can be found on our website. If you wish to be notified by email of relevant project updates please sign up for the Islands Trust email subscription service on our website: www.islandstrust.bc.ca <<http://www.islandstrust.bc.ca>>

Sincerely, Jan

Jan Hagedorn
Gambier Island Trustee
jhagedorn@islandstrust.bc.ca
1 604 815 7339

Jan Hagedorn
Gambier Island Trustee
jhagedorn@islandstrust.bc.ca
1 604 815 7339

Sonja Zupanec

From: Jan Hagedorn <jhagedorn@islandstrust.bc.ca>
Sent: October-24-12 8:22 AM
To: Sonja Zupanec
Cc: Frank Ingham
Subject: Re: Islands Trust Bylaw Amendment - Vaucroft Beach - North Thormanby Island

Sonja would you please ensure Frank's email is included in the Oct 25th meeting for consideration. Thanks Jan.

On 12-10-23 9:55 PM, "Frank Ingham" <frankoingham@gmail.com> wrote:

Good Day Jan

My name is Frank Ingham and I am writing in response to the proposed Bylaw Amendment and the SRR zoning proposed for the Vaucroft Beach area of North Thormanby Island. My in-laws have been residents of Vaucroft for over 30 years and we have all enjoyed the amazing beauty of the island and wish to protect it as much as possible....Approximately 9 years ago, my wife and I were able to purchase our own lot 1 in the "BC Tel cabin" area and had a 500 square foot cabin built to accommodate us and our three children. Prior to building, we submitted a septic tank permit showing our proposed future cabin of approximately 1,100 square feet plus the 500 square foot one and upon receiving approval, installed the correct size of septic tank and field that was required to handle the two buildings. Upon reviewing the proposed new Bylaw Amendments, I was surprised to find that the proposed front yard setbacks would in fact not allow us to build the cabin that we have proposed and that our existing septic tank would be affected as well....In addition, the proposed side yard setbacks, reduced maximum density and reduced maximum lot coverage would also not be possible to build what we had intended to all along. We have already outgrown our one bedroom cabin of 500 square feet and have plans to build a new structure in the near future.....We strongly feel that your board needs to carefully review the affects that such changes would have on families such as ours and our future generations as we did when we first planned to buy the lot, build the small cabin to start and then to eventually build a larger but reasonable size cottage to accommodate our growing family....Since we do not plan to sell the lot, the reduced value that such changes may not affect us in the near future but one never knows what can happen in tough economic times or to our children and their families....We have since planted fruit trees and installed a large garden area as well that would all have to disappear if the bylaws are changed as proposed. I realize that your purpose is to preserve and protect the islands but you also need to take the time to review various areas on these islands such as ours as opposed to passing general bylaws meant as a catch all but are not practical or realistic in certain circumstances.....I understand that you have allowed for Site Specific Zones in other areas and perhaps you will consider the same for us....

I thank you for your time and consideration and I invite your comments.

Yours Truly,
Frank Ingham

Jan Hagedorn
Gambier Island Trustee
jhagedorn@islandstrust.bc.ca
1 604 815 7339

Sonja Zupanec

From: Jan Hagedorn <jhagedorn@islandstrust.bc.ca>
Sent: October-23-12 6:11 PM
To: Sonja Zupanec; Kate-Louise Stamford; David Graham
Cc: John Wark; Mary-Lou Ralston; herb_evers@telus.net; Susan Wark; McGregor Wark; jamie.wark1@gmail.com; Karl Gustavson; Jay M. Munsie; Peter Evans; Russ Hacking; Rick & Terri Minchin; RobertVBurns@shaw.ca; The Coyles; frankoingham@gmail.com; Ione Smith; Doug Wark
Subject: Re: Status of Associated Draft Land Use By Law - Lot 8 of 9 Original 9 BC Tel Cabins, Vaucroft Beach, North Thormanby Island BC

Sonja, Please ensure Douglas's email is brought forward for consideration at our 25Oct 2012 business meeting. Thanks
Jan

On 12-10-23 11:21 AM, "Doug Wark" <dwark@vanpaccorp.com> wrote:

Jan, regarding the comments in your email below, "giving your Gambier planner specific and technical details of what we would like to see"; these were detailed in our email of September 30th 2012 that Karl Gustavson forwarded to you. The email attached above (September 18th 2012) was a collaborative effort with myself and two other owners in the row of nine cabins, the Hackings and the Evans. The subsequent email of September 30th went further to discuss our concerns regarding the proposed changes to the bylaw.

In the September 18th 2012 email, we specifically spoke to each section of the proposed by law changes, why it negatively impacted us, and the proposed changes that would render the changes acceptable to us. Our sole purpose is **not to negotiate some benefit** resulting from the changes but to actually prevent our properties from being put in a disadvantaged position as a result of the changes you propose. We are not the culprits for taking advantage of the current bylaws and if the changes you propose are to be approved unchanged then indeed we will become the unwilling victims and the likely result will be a windfall for the home owners that created this issue and that prompted the changes you now propose. These same property owners that took advantage of the current bylaws will, as a result of the restrictions proposed in the new by law, enjoy the benefit of increased value in their properties while we will suffer the effects of down zoning our properties and the degrading of our property values. While I understand life's not fair, you as the Trustees are in a position to do something about this inequity before approving the changes.

Jan, I cannot speak for all cabin owners on North Thormanby however I am sure that, other than the 28 large 10 acre lots on the upper portion of the island, these changes will negatively impact the majority of the 48 lot owners in the Vaucroft Improvement District (in addition to our nine lots). These owners in the VID probably have not woken up to the impact these changes will have on their value of their properties. Similar to the original 9 lots, most of the 48 lots in the VID are small lots, in fact half the size of the lot you used in your example (15% site coverage based on a 15,000 sq.ft. lot).

Please re-read the attached emails which detail section by section the specific technical details that we would like to see changed to preserve what many of us have enjoyed over the past many decades. I suggest that you slow down the process and give the property owners of North Thormanby the opportunity to understand clearly the implications of the changes you propose. I humbly suggest you defer the timing of the approval process for this new by law, certainly as it applies to North Thormanby, until you have a more thoughtful response from the majority of owners. This would likely work in your favour and avoid the backlash that is sure to follow an approval of the new bylaw, as currently proposed.

Regards,

Douglas Wark
Cell: (604) 551-2606
Email: dwark@vanpaccorp.com

From: Jan Hagedorn [<mailto:jhagedorn@islandstrust.bc.ca>]
Sent: October-22-12 4:17 PM
To: Doug Wark
Cc: John Wark; Mary-Lou Ralston; herb_evers@telus.net; Susan Wark; McGregor Wark; jamie.wark1@gmail.com
Subject: Re: Status of Associated Draft Land Use By Law - Lot 8 of 9 Original 9 BC Tel Cabins, Vaucroft Beach, North Thormanby Island BC

Thanks Doug for your email and putting your request in writing. I will be forwarding your email to my fellow trustees and be asking the planner to ensure this correspondence is included and considered at our Gambier Island Local Trust Committee(LTC) business meeting, Oct 25 in Gibsons. At this business meeting we will be considering all correspondence at that time and making amendments of the current draft of the Sunshine Coast draft Associated Land Use Bylaw. The new draft will be up on the website early in Nov. and we will be encouraging further input.

You mentioned below in your email below that the lots are small and the desire of the owners of the cabins on the nine lots is to preserve what we have for future generations, resist change and preserve design integrity of the original nine BC Tel cabins. It would help if you specifically could give our Gambier planner the technical details of what you would like to see in the future to preserve what you do have so we as trustees have a clear idea when we make decisions at our next LTC meeting. Sincerely Jan

On 12-10-21 5:36 PM, "Doug Wark" <dwark@vanpaccorp.com> wrote:
Ms. Hagedorn

I am writing this email letter on behalf of the owners of Lot 8 Cabin, my siblings, my wife and children, to strenuously object to the changes proposed for the land use bylaws for the Islands trust. The changes will result in a negative impact to the future use and value of our property noted above. The new bylaw changes will render most of the buildings on the nine lots non conforming, it would render it impossible to replace what improvements we have now and undermine the value of our properties. I am sure that it is not the intention of the Trustees to negatively impact specific properties and we therefore request that these nine lots be exempted from the proposed by law changes

As background, these cabins were purchased from BC Tel by my parents in the late 1940's and have been enjoyed for the summer months and weekends by my family. Indeed at times we had three generations of my family all enjoying the beach and the cabin.

The BC Tel lots similar to city lots and are substantially smaller than most rural properties within the jurisdiction of the Islands Trust and therefore require zoning bylaws specifically tailored to these nine lots (Spot Zoning). In fact all nine lots are similarly small lots and should be specifically exempted from the bylaw changes proposed. Other areas such as Buccaneer Bay Community, South Thormanby Island have received a special exemption from the new bylaws and we at Vaucroft original nine cabins expect the same exemption.

The exemption will result in little if any changes to the nine lot cabins as has been the case for decades, with the only changes being some auxiliary building for sleeping, storage, tool sheds and water towers. The nine lots seldom change hands and the desire of the owners of the cabins on the nine lots is to preserve what we have for future generations, resist change and preserve design integrity of the original nine BC Tel cabins.

Please accept this email letter as our strenuous objection to the new proposed bylaw changes and we request that all the nine lots including our lot 8 receive an exemption and be grandfathered permanently and regulated under the current bylaws.

Douglas Wark
On behalf of the Owners and Family Members of
Lot 8, of Nine Original BC Tel Cabins
Vaucroft Beach, North Thormanby Island, BC

Cell: (604) 551-2606
Email: dwark@vanpaccorp.com

Jan Hagedorn
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Green Shores/Integrated Watershed & Shoreline Mapping

REQUEST FOR A PUBLIC EDUCATION/CONSULTATION EVENT

External funding for the public outreach and education is currently only available until December 31. Once the participating LTC's and possible dates for events are known, we will revisit the funding timelines and amounts with funders.

All LTC's are asked to decide whether to participate, find possible dates, and complete and return the preliminary project plan to their Regional Planning Manager

Goal:

Using the completed shoreline mapping products and funding for engaging expert consultants:

- Provide opportunities for engagement with the public in order to:
 - increase awareness about shoreline issues,
 - identify the issues of most concern to the community, and
 - receive input on mapping products to improve the level of accuracy.
- Work in partnership with other stakeholders and to ensure professional experts are involved with the community dialogue.
- To provide the Local Trust Committees with a comprehensive source of technical and science based knowledge of shoreline dynamics and features, and with consideration of community input, determine an implementation strategy appropriate for each Local Trust Area.

Content of workshops/presentations, messages:

- Introduction and Overview of Integrated Watershed & Shoreline Mapping, and of the Green Shores for Homes Program.
- Mapping component, show shoreline features and the interrelationships between them.
- Where is the shoreline most vulnerable? Understanding the conditions that make one type of shoreline more sensitive than others. Where are the critical areas locally?
- What are the aspects or shoreline features of most importance to individual community members?
- What has history taught us? Experience that has resulted in the Green shores movement to a softer, more effective method of dealing with coastal forces when necessary. Understanding of why past practices have often had untoward impacts with unexpected results.
- How can we continue to use the shoreline and marine environment with minimal impacts?
- What can we do as a community to provide better understanding of coastal processes and provide protection of the shoreline? Depending on local priorities, refer to stewardship measures or related regulations.
- Receive feedback, including critique and additions to maps.

PLEASE COMPLETE AND RETURN THIS SECTION TO YOUR REGIONAL PLANNING MANAGER

LTC _____

Planner: _____

Has a resolution been passed to hold the workshop? _____

Target Audience: _____ **Yes/No**

- All residents – foreshore is public land/shoreline as community amenity.
- Waterfront property owners – impacts of upland development.
- Builders and Developers – advise clients of best practises
- The boating community – impacts of marine activities
- Fishers – impacts on fisheries from alterations to shoreline.....
- Regional Districts & Municipalities – responsibilities in adjacent areas.....
- First Nations –aboriginal rights / archaeological sites.

Outreach and Education Methods (funding available) _____ **Yes/No**

Community information meeting and presentation by consulting experts -
education for the public and input from the public. (posters/mapping provided)

Consultant preferences:

Murdoch de Greef (mapping consultants).....
 Will Marsh (UBC School of Architecture).....
 Both, if possible (pending availability and funding).....
 Other (pending availability and funding).....

Informing Target Audiences of the Event

Check preferred method:

- _____ News release to local paper (depending on publication dates)
 _____ E-mail only
 _____ E-mail & news release
 _____ Paid advertising (no external funding)
 _____ Mail out – targeted invitation to attend meeting
 _____ Other: _____

A generic news release can be developed by TAS, describing the shoreline mapping program and the importance of shoreline stewardship. Local versions for each island can be done locally or in cooperation with TAS (pending confirmation by Lisa/Laura).

Possible Locations for the Event: _____**Timing of Event**

Possible dates before December 15: _____

Possible dates before February 28*: _____

(*pending funder approval of extension of deadline)



STAFF REPORT

Date: October 10, 2012

Application No.: GM-RZ-2012.2 (Reel 17 Investments, Gambier Island)

To: Gambier Island Local Trust Committee

From: Sonja Zupanec, Island Planner

Copy: Chris Jackson, Regional Planning Manager

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

Owner: Reel 17 Investments

Applicant: Jim Green

Location: Cotton Bay, Gambier Island

THE PROPOSAL:

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

SITE CONTEXT:

Lot 1 is 12.6 hectares in size and was part of a subdivision in 2007 that resulted in a five lot subdivision of District Lot 477. The applicant is proposing to subdivide and rezone a 0.18 hectare land based lot for private community access, as well as rezone a 0.32 hectare water based lot to support an existing float, ramp and pier for private community access to the foreshore. The water access is intended to service the four lots to the north as well as up to an additional 11 proposed lots currently under subdivision application, by way of a reciprocal easement. The title of the land based private community lot is proposed to be transferred to a yet-to-be-formed community association representing property owners of Cotton Bay.

A rezoning application is required as the current marine zoning does not permit a neighbourhood dock and the proposed land based lot size and dimensions do not comply with the requirements of the Gambier Island Land Use Bylaw (LUB).



Figure 1. Subject Property – Lot 1 Cotton Bay, Gambier Island.

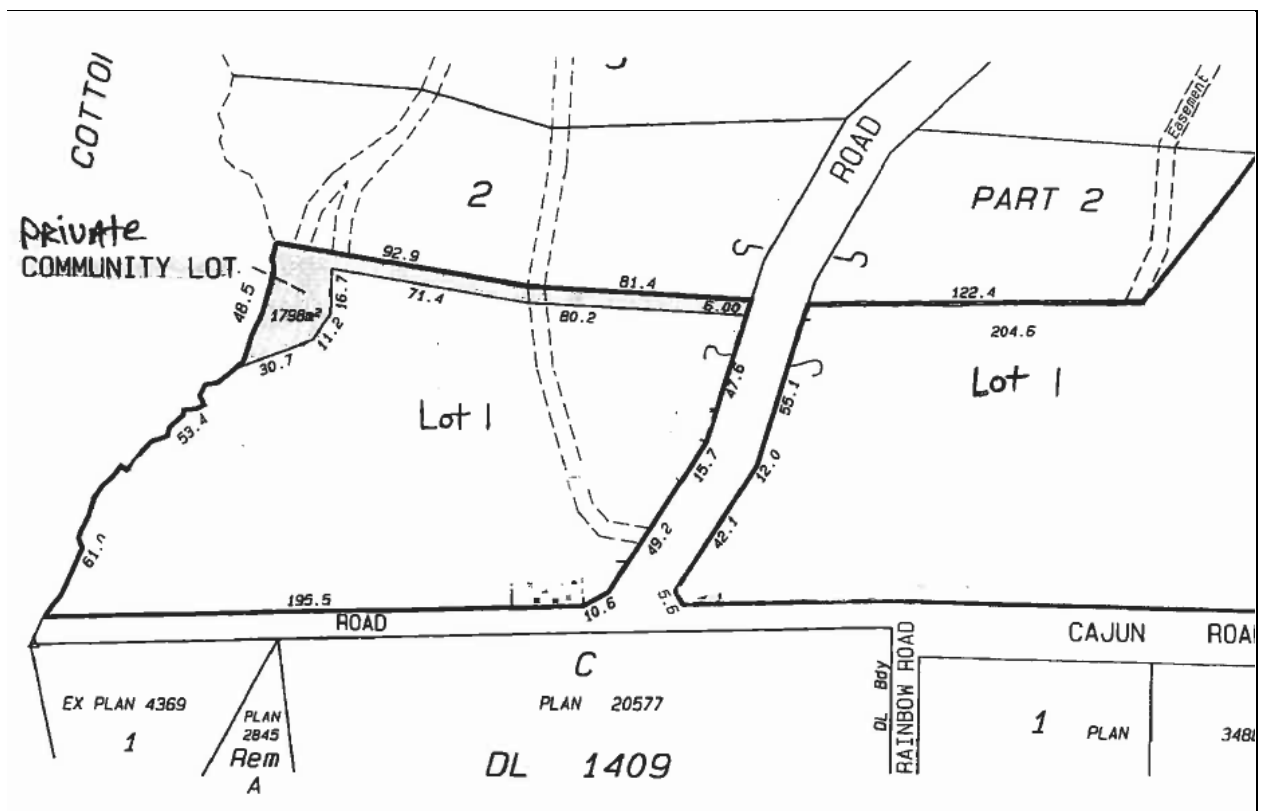


Figure 2. Location of proposed private community lot.

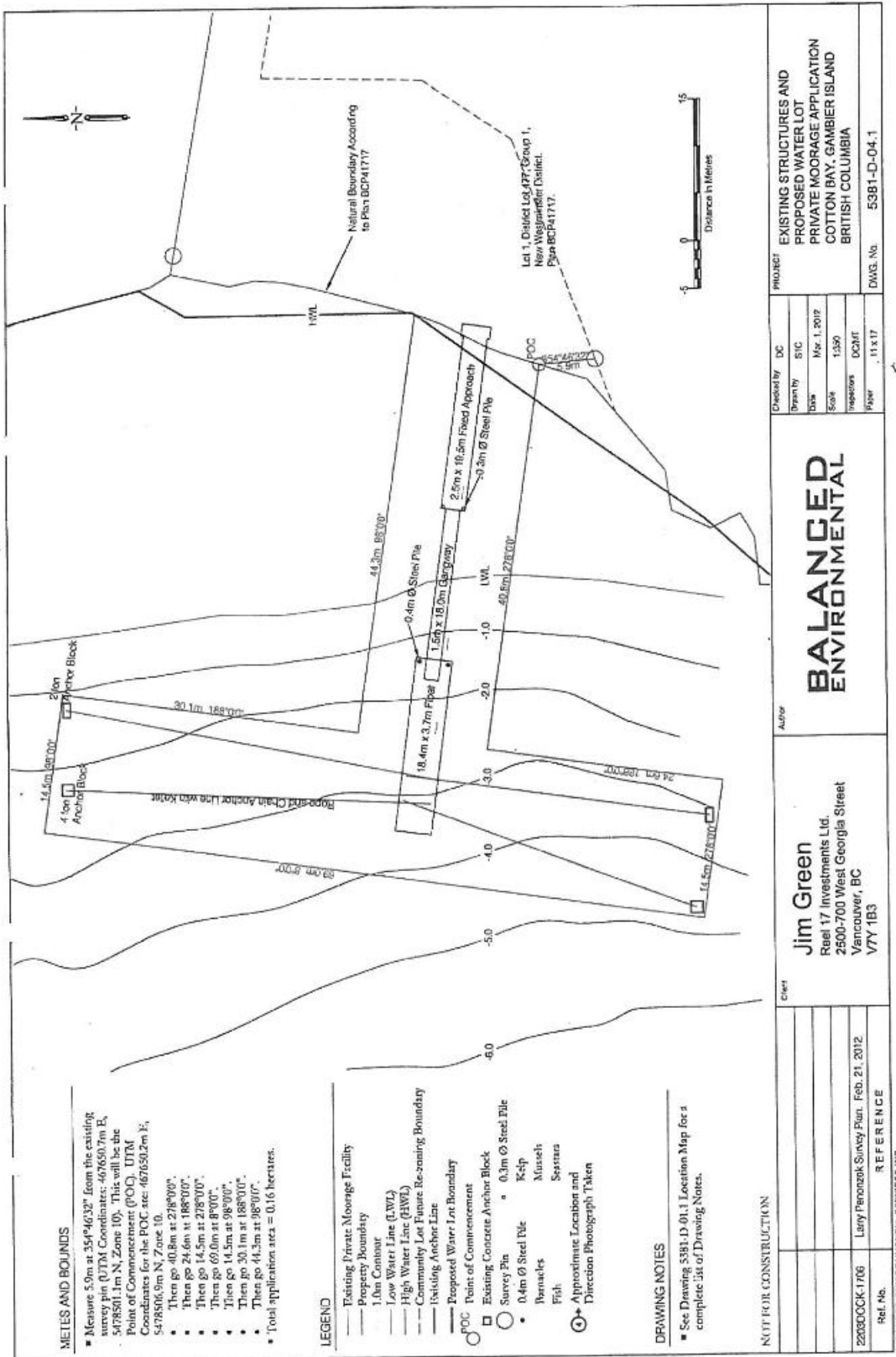


Figure 3. Proposed dimensions of new W1 water lot.

Staff completed a referral from FrontCounter BC in April 2012 for an application for private moorage for the site plan outlined in Figure 3. Staff indicated the proposal did not comply with the W3 zone requirements and that a rezoning for use and a variance for siting and size would be required. For the purposes of this report the location of the moorage is being considered based on the existing siting and size. Further clarification of shoreline structures, including any existing shoreline stabilization and parking site plan is required from the applicant.



Figure 4. Aerial photo of subject property 2011 including location of existing dock.

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

The proposal complies with the Islands Trust Policy Statement. A copy of the checklist is attached. Relevant policies that support the intent of this application include:

- 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.*
- 4.5.10 *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.*

Official Community Plan

The property is exempt from the Gambier Island Official Community Plan (OCP) Bylaw No. 73, 2001 and the policies, objectives and Development Permit Areas. OCP Bylaw No. 110, 1977 is still in effect and provides limited policy direction that is relevant to this application. The subject property is designated “Residential” and the foreshore is undesignated. An OCP amendment is not required.

Land Use Bylaw

The property is zoned Rural Residential (RR) in the land use bylaw. The application is not consistent with the regulations of the land use bylaw in terms of minimum lot size or lot dimensions. The applicant is seeking a rezoning to S2 (Local Service) to permit the intended use as access to a neighbourhood dock and subdivision from the parent parcel. The applicant is not intending the lot for parking purposes. A concurrent subdivision application has been received by the Ministry of Transportation and a subdivision referral from staff has been completed (attached).

The foreshore of the subject property is zoned W3 (Marine Log Storage) and does not permit a neighbourhood dock. The applicant is requesting a rezoning to the W1 (Marine General) zone which regulates the siting, size and construction of a neighbourhood dock facility. A copy of the W1 zone is attached. Conditions of use of the W1 zone include:

Conditions of Use

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

If the LTC chooses to proceed with the preparation of draft bylaws, staff recommends that the applicant be required to submit detailed plans and documentation for the existing moorage demonstrating compliance with the W1 zone regulations and conditions of use. This supplemental information can be reviewed by the LTC prior to consideration of draft bylaws. In the future, if a Cotton Bay Community Association wishes to expand the moorage facility to accommodate new property owners, the expansion will be subject to these regulations.

Regional Conservation Plan:

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

Sensitive Ecosystems, Riparian Areas and Hazard Areas:

There are no sensitive ecosystems remaining on the subject property as it has been significantly cleared and altered by logging activity and the installation of a road network. There are no riparian areas according to the Islands Trust mapping. Sensitive shoreline mapping is unavailable for Cotton Bay. Geotechnical hazard areas have been addressed via restrictive covenants with the provincial government at the time of the previous subdivision was approved.

Archaeological Sites:

There are no archaeological sites on the subject property.

Covenants:

There are a number of easements registered on the subject property and two restrictive covenants which do not impact proposed parking or road access on the subject property:

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

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

Bylaw Enforcement:

There are no bylaw enforcement files associated with the subject property and no referrals to the Bylaw Enforcement Coordinator are required at this time.

Climate Change Mitigation and Adaptation

Staff are unable to comment on any potential GHG emission changes resulting from approval of this application or on any potential impacts on the proposed development from anticipated or possible climate change induced hazards.

COMMUNITY INFORMATION MEETING(S):

The applicant held a community information meeting at the Gambier Community Hall on July 20, 2012 to solicit preliminary input on the proposed private neighbourhood dock. Two members of the general public were in attendance and no concerns were noted with the proposal. A Local Trust Committee sponsored CIM is recommended should the LTC direct staff to proceed with preparation of a draft bylaw. The CIM can be scheduled after first reading and prior to a public hearing.

STAFF COMMENTS:

The applicant is proposing a small neighbourhood moorage facility to service the existing and proposed future lots in Cotton Bay. Public support for this proposal is anticipated as it could alleviate marine traffic to the New Brighton dock, as well as vehicular traffic to the congested dock parking area. Although the new OCP is not applicable to the subject property, it does contain supporting policies for cooperatively owned or operated docks (Policy 7.32) to provide marine access to residential areas.

The rezoning application is part of a larger subdivision application to further subdivide Lot 1 into four lots; one Local Service lot and three residential lots. The potential for further subdivision of Lot 1 technically should not have been permitted; however a no-further-subdivision covenant was never required by the Islands Trust at the time of original subdivision in 2007. The applicant therefore can request further subdivision but requires a rezoning application to permit the use and configuration of the neighbourhood moorage facility. Additional information is required from the applicant to verify the existing moorage facility complies with the W1 zone regulations and conditions of use. Staff recommends the applicant provide documentation on the location, siting and size of the existing dock, as well as verification from a qualified professional that the structures associated with anchorage and moorage meet or exceed the conditions of use stipulated in the W1 zone.

Upon receipt of supplemental information from the applicant, staff recommends proceeding to the draft bylaw stage as the proposal complies with the Islands Trust Policy Statement objectives to support shared marine access in residential areas.

RECOMMENDATIONS:

THAT the Gambier Island Local Trust Committee request:

- 1) The applicant for GM-RZ-2012.2 (Reel 17 Investments Ltd., Gambier Island) provide staff with: 1) documentation illustrating compliance of the existing dock with the regulations of the proposed W1 (Marine General) zone; 2) documentation from a qualified professional verifying the existing dock meets and exceeds each of the conditions of use within the W1 (Marine General) zone; and 3) a survey showing the extent of the shoreline stabilization features installed prior to 2007 and any supporting documentation authorizing works below or above the natural boundary of the sea from provincial and federal agencies.
- 2) That upon receipt of supplemental information from the applicant, that staff prepare a draft bylaw to rezone a portion of Lot 1 from RR (Rural Residential) to S2 (Local Service) to permit parking and ramp access to a proposed private neighbourhood moorage facility; and rezone the adjacent water area from W3 (Marine Log Storage) to W1 (Marine general) to accommodate a proposed private neighbourhood moorage facility as per the site plan submitted by the applicant; and
- 3) Return the draft bylaw to the LTC at a future meeting date for further consideration.

Prepared and Submitted by:

Sonja Zupanec

October 10, 2012

Sonja Zupanec, RPP
Island Planner

Date

Concurred in by:

Courtney Simpson

October 10, 2012

Courtney Simpson, RPP
A/Regional Planning Manager

Date

Attachments:

1. Islands Trust Policy Statement Checklist
2. Subdivision Referral Report for GM-SUB-2012.2 (Reel 17 Investments Ltd., Gambier Island)



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

Bylaw and File No: GM-RZ-2012.2 (Reel 17 Investments, 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 a matters in their official community plans in a way that implements the policy of Trust Council.

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

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

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

		protection of productive soils.
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PART V: Policies for Sustainable Communities

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

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	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	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

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



Islands Trust

SUBDIVISION REFERRAL REPORT

700 North Road
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Phone: (250) 247-2063
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E-mail: northinfo@islandstrust.bc.ca
WWW: <http://www.islandstrust.bc.ca>

Date: October 9, 2012

To: Kirsten Fagervik
District Development Technician

MOT File #: 2012-02749
IT App. #: GM-SUB-2012.2

MOT District Office: Sechelt Area Office

From: Sonja Zupanec, Island Planner

Re: Proposed Conventional Subdivision Application for PID 027-998-967, Lot 1, DL 477,
Gp 1, NWD, Plan BCP41717

Referral Response Summary:

Islands Trust recommends that the following be made conditions precedent of any Preliminary Layout Approval, based on Gambier Island Land Use Bylaw (LUB) No.86.

1. The Local Trust Committee must approve a rezoning application for the use and dimensions of the proposed private community lot and associated foreshore area.
2. The applicant must meet the road standards requirements for Residential Rural/Local classification set out by the Ministry of Transportation. If any of these requirements are exceeded, the applicant must consult the LTC.
3. Prior to final approval, the applicants must obtain written confirmation from the Islands Trust that the proposed subdivision meets the above conditions and conforms to all Gambier Island LTC bylaws.

This referral response is based upon the attached **REVISED** subdivision layout plan dated **October 2012**. Details of the application's compliance or non-compliance with specific bylaw regulations are provided on the attached pages.



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1. General Information:

Applicant:	Jim Green
Land Owner:	Reel 17 Investments
Legal Description:	Lot 1, DL 477, Group 1, NWD, Plan BCP 41717
Area:	12.6 hectares
Details of Proposal:	To subdivide the lot into four parcels; three residential and one private community service.

2. Property Title Information: LTC Covenant/Easement/Right-of-Way/Permits

Legal Notations:	BB0954467 - Restrictive Covenant prohibiting land clearing in creek covenant area. BB0954468 – Restrictive covenant for siting of buildings and structures within identified geotechnical hazard areas. BB0672564 – Telus Communications and BC Hydro easement BB1964543 – Access and utilities easements
Comments:	N/A

3. OCP Information:

OCP Designation:	OCP Bylaw 110 applies to the subject property
Development Permit Area:	None
Development Permit Required:	No
Comments:	N/A

4. Zoning Information:

Zone Classification:	Land is Rural Residential (RR) and foreshore water is W3
Average lot area:	4.0 hectares
Minimum lot area:	0.5 hectares
Comments:	Rezoning for the proposed private community service lot



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and foreshore is required.

5. Lot Sizes and Density:

Proposed lot areas:	Lot 13 – 2.39 ha Lot 14 – 6.5 Lot 15 – 6.01 Private Community lot – 1798 m ²
Compliance with lot area:	Lots 13-15 do. Private Community Lot does not and requires a rezoning prior to subdivision.
Compliance with lot density:	Yes
Covenant required:	Private Community lot requires rezoning to permit use of the lot to the intended purpose to provide water access to private community dock.
Comments:	N/A

6. Section 946, Subdivision for a Relative:

Local Government Act requirements:	N/A
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7. Depth/Width Ratio:

Depth/width ratios of new lots:	The lot depth cannot be greater than 5 times the lot width, excluding panhandle strips (Section 8.6 (2)).
Comments:	Lots 13, 14 and 15 comply. Proposed private community lot does not comply.

8. Park Dedication:

Park dedication required:	N/A
If Yes, Amount required:	
Comments:	

9. Ten Percent Waiver:

Lots Requiring Exemption:	N/A
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Comments: | N/A

10. Agricultural Land Reserve:

Proposed Lots within ALR: | N/A

Comments: | N/A

11. Servicing Requirements:

Proof of Potable Water: | Pursuant to Section 8.11, the applicant must obtain approval from the Vancouver Coastal Health Authority that there is sufficient water quantity (volume) and quality (potability) requirements for proposed lots served by individual wells.

Sewage Disposal:

Comments: | N/A

12. Road Standards:

Roads to be Constructed: | The road standards agreement, under the Ministry of Transportation, states that all residential rural roads must have/be the following: 20 m wide, designed for speeds of 50 km/hr, cleared width of 13.9 m, driving lanes 5.5 m wide, constructed top width of 6.7 m, and gravel shoulder 0.6 m. If any of these requirement are exceeded, the applicant must consult the LTC.

Road Classification: | Residential Rural/Local

Heritage Designated Road in vicinity: | N/A

Comments: | N/A

13. Buildings and Structures:



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Does subdivision create non-conformity with Bylaws:	N/A
Existing non-conforming buildings or structures	
Comments:	N/A

14. Environmental Features, Islands Trust Ecosystem Mapping:

Sensitive ecosystems identified:	None.
Raptor/Heron Nests identified:	Unknown.
Watercourses:	None.
Riparian Areas Regulation – applicable stream or watershed:	None.
Steep Slope Hazard Classification:	Unknown.
Comments:	N/A

15. Intrinsic Groundwater Susceptibility Mapping:

Susceptibility:	Unknown
Comments:	N/A

16. Cultural Features:

Archaeological Sites Identified:	None
Comments:	N/A

17. Boundary Adjustments Only:

Complies with regulations:	N/A
Comments:	N/A



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18. Panhandle Lots Only:

Complies with regulations:	Yes.
Comments:	N/A

19. Split (Hooked) Lots Only:

Complies with regulations:	Yes.
Comments:	N/A.

Name: Sonja Zupanec, RPP, MCIP

Title: Island Planner

Signature: *S Zupanec*

Date October 9, 2012

cc: Gambier Island Local Trust Committee

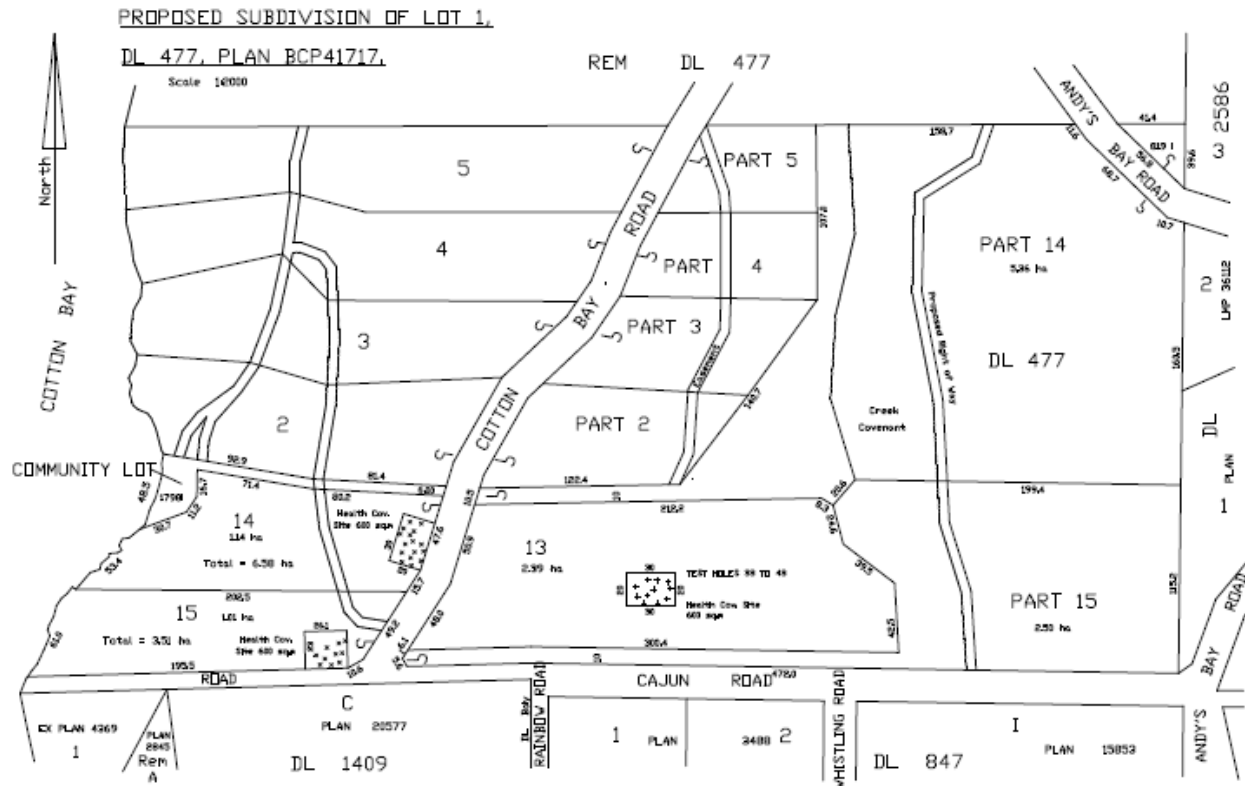


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Attachment 1: Revised October 2012 Subdivision Layout Plan



erry W. Penzance
C. Land Surveyor
No. 2008, O.C.A.S.B.C.
DL 1409 Pk. 886-2551

REVISED OCTOBER 4, 2012
February 10, 2012.
2203PS - 1604