



Gambier Island Local Trust Committee

Regular Meeting Revised Agenda

Date: June 28, 2018
Time: 10:45 am
Location: Gambier Island Community Centre
Andy's Bay Road, Gambier Island, BC

	Pages
1. CALL TO ORDER 10:45 AM - 10:45 AM	
"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."	
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS 10:45 AM - 10:55 AM	
4. COMMUNITY INFORMATION MEETING - None	
5. PUBLIC HEARING - None	
6. MINUTES 10:55 AM - 11:00 AM	
6.1 Local Trust Committee Meeting dated May 24, 2018 for Adoption	4 - 9
6.2 Section 26 Resolutions-Without-Meeting Report - None	
6.3 Advisory Planning Commission Minutes - None	
7. BUSINESS ARISING FROM MINUTES 11:00 AM - 11:05 AM	
7.1 Follow-up Action List dated June 20, 2018	10 - 11
8. DELEGATIONS - None	
9. REPORTS 11:05 AM - 11:15 AM	
9.1 Chair's Report	
9.2 Trustee Reports	
9.3 Electoral Area Director's Report	
9.4 Trust Conservancy Report	12 - 13

10. **CORRESPONDENCE - None**
(Correspondence received concerning current applications or projects is posted to the LTC webpage)
11. **APPLICATIONS AND REFERRALS - None**
12. **LOCAL TRUST COMMITTEE PROJECTS** 11:15 AM - 1:45 PM
 - 12.1 **Shoreline Protection - Keats Island - Staff Report** 14 - 19
 - 12.2 **Gambier Island Official Community Plan Review Project - Staff Report** 20 - 116
 - BREAK -- 12:15 - 12:45
 - 12.3 **Gambier Island Riparian Areas Regulation Project - Staff Report** 117 - 153
13. **REPORTS** 1:45 PM - 1:55 PM
 - 13.1 **Work Program Reports**
 - 13.1.1 Top Priorities Report dated June 20, 2018 154 - 154
 - 13.1.2 Projects List Report dated June 20, 2018 155 - 156
 - 13.2 **Applications Report dated June 20, 2018** 157 - 158
 - 13.3 **Trustee and Local Expense Report - None**
 - 13.4 **Adopted Policies and Standing Resolutions** 159 - 160
 - 13.5 **Local Trust Committee Webpage**
 - 13.6 **First Nations Activities**
14. **NEW BUSINESS** 1:55 PM - 2:05 PM
 - 14.1 **Advisory Planning Commission Appointments and Updated Bylaw - Staff Report** 161 - 172
 - 14.2 **New Brighton Dock - Convening a Joint Meeting**
 - 14.3 **Supporting the Howe Sound/Alt'Kitsem Forum Update/Report**
 - 14.4 *Glass Sponge Reefs - for discussion*
15. **UPCOMING MEETINGS** 2:05 PM - 2:10 PM
 - 15.1 **Next Regular Meeting Scheduled for Thursday, July 26, 2018 at 10:45 am at Keats Camp, Keats Island, BC**

15.2 Community Information Meeting Scheduled for Thursday, July 26, 2018 at 4:00 pm at Keats Camp, Keats Island

- | | | |
|------------|------------------------------|--------------------------|
| 16. | TOWN HALL | 2:10 PM - 2:20 PM |
| 17. | CLOSED MEETING - None | |
| 18. | ADJOURNMENT | 2:20 PM - 2:20 PM |



Gambier Island Local Trust Committee

Minutes of Regular Meeting

Date: May 24, 2018

Location: Gibsons Public Market
473 Gower Point Road
Gibsons, BC

Members Present: Susan Morrison, Local Trustee (by telephone, 9:03-11:10 am)
Dan Rogers, Local Trustee, Acting Chair
Kate-Louise Stamford, Local Trustee

Staff Present: Madeleine Koch, Planner 2 (by telephone, 9:58-10:43 am)
Teresa Ritemann, Planner 2 (by telephone, 10:59-11:10 am)
Sonja Zupanec, Island Planner (by telephone, 9:03-11:10 am)

Also Present: Diane Corbett, Recorder
Members of the Public – 2

1. CALL TO ORDER

“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”

Local Trustee Dan Rogers acted as Chair and called the meeting to order at 9:04 a.m. Trustee Rogers acknowledged that the meeting was being held in territory of the Coast Salish First Nations, and particularly the Skwxwú7mesh/Squamish, and introduced trustees and staff in attendance.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

Two gentlemen from South Thormanby Island inquired regarding increasing the number of dwellings on a property beyond what was permitted in the Land Use Bylaw.

The Island Planner outlined related information and urged the owner to contact her office for further discussion. Contact information and website references were provided by Trustees.

4. COMMUNITY INFORMATION MEETING – None

5. PUBLIC HEARING – None

6. MINUTES

6.1 Local Trust Committee Special Meeting dated April 18, 2018

The following amendments to the minutes were presented for consideration:

- Page 3, bullet 3, first sentence: insert “well” between “second” and “report”;
- Page 4, open bullet 1, first sentence: replace “preserves” with “reserves”;
- Page 4, open bullet 1, last sentence: change semicolon to a period after “site”, and change the last word “it” to “them”.

6.2 Public Hearing Record dated April 18, 2018

The following amendments to the Public Hearing Record regarding Proposed Bylaw No. 143 (GM-RZ-2004.1) were presented for consideration:

- Page 1, item 1, add at end of first paragraph: “Chair Morrison introduced staff and trustees in attendance and acknowledged that the meeting was being held in territory of the Coast Salish First Nations.”
- Page 3, bullet 3 should read: “The Campfire Rock field was moved as a concession to the neighbour to try to satisfy some of their concerns, not because it was an error in location.”

GM-2018-039

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee adopt the Local Trust Committee Special Meeting minutes dated April 18, 2018, as amended, and the Public Hearing Record dated April 18, 2018, as amended.

CARRIED

6.3 Local Trust Committee Meeting dated April 19, 2018

The following amendments to the April 19, 2018 minutes were presented for consideration:

- Page 3, under Trustee Rogers’ report:
 - bullet 5: change “Planning Commission” to “Programs Committee”;
 - bullet 7: change “April” to “May”;
- Page 3, item 9.4, first sentence: change “Morris” to “Morrison”.

By general consent the April 19, 2018 minutes were adopted as amended.

6.4 Section 26 Resolutions-Without-Meeting Report dated May 17, 2018

Received for information.

6.5 Advisory Planning Commission Minutes – None

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated May 17, 2018

- The Island Planner announced that staff was looking into dates in July or August for a public information meeting on shoreline protection on Keats. A communications plan would be on the following Local Trust Committee agenda.
- Bylaw No. 143 was approved by Executive Committee the previous week.

8. DELEGATIONS – None

9. REPORTS

9.1 Chair's Report

Chair Morrison attended an Executive Committee meeting the previous week. An output of the meeting was that all of the Regional Districts would be having mail-in ballots this election cycle; this should make a difference in the Local Trust Area. Regarding the upcoming Trust Council meeting on Saturna, efforts were being made to organize a water taxi from Thetis to Saturna; Chair Morrison would keep trustees posted.

Correspondence was received from the Minister indicating that the name "Islands Trust Conservancy" had passed in the Legislature and was awaiting Crown consent.

9.2 Trustee Reports

Trustee Stamford discussed highlights of activities since the previous meeting that included:

- Attendance at Howe Sound Community Forum on May 4 at Furry Creek. Several members of Skwxwú7mesh Nation Council were in attendance. There was learning about the focus and structure of the Nation, and an informal roundtable after the forum that enhanced connections. An elders meeting had been organized with the Skwxwú7mesh Nation on June 19, first day of Trust Council; either Trustee Stamford or Trustee Rogers would attend.
- Gambier Island feasibility study for a national park was released in draft format to a few people. The overall recommendation was that it be a co-managed reserve with the Skwxwú7mesh Nation.

Trustee Rogers reported on:

- Developments planned for the east side of Howe Sound at Furry Creek and Britannia
- New leadership of Squamish Nation
- Meetings on Keats of Roads Committee (and others)
- Trust Programs Committee meeting in Nanaimo

9.3 Electoral Area Director's Report

At a recent Sunshine Coast Regional District (SCRD) Planning and Community Development Committee meeting, the Electoral Area F Director requested that a recommendation be forwarded to the board to consider support for a small trail between the community centre and West Bay Road.

9.4 Trust Fund Board Report

A new report would be available after the meeting of the Trust Fund Board the following week.

10. CORRESPONDENCE – None

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

Trustee Rogers inquired with staff about the type of correspondence that would be included in this section of the agenda. Trustee Rogers reported he would forward to staff an update letter he received from Woodfibre LNG.

11. APPLICATIONS AND REFERRALS – None

The Chair adjourned the meeting at 9:51 am, and reconvened the meeting at 9:58 am.

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Gambier Official Community Plan Review Project

Planner 2 Koch provided an update on the Gambier Official Community Plan (OCP) Review Project that included proposed changes for the Project Charter, discussion of the current technical review of the OCP, and considerations regarding a proposed forest cover workshop. Discussion ensued.

GM-2018-040

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee endorse the draft revised Gambier Official Community Plan Review Project Charter dated May 24, 2018, with the addition of the following objectives for a forest cover workshop:

- a. that there be an educational component on the importance of forest cover in general;
- b. that there be an outline of the specific challenges of forest cover on Gambier, and how we can support continued forest cover on Gambier.

CARRIED

Trustee Stamford noted she would follow up with the Planner 2.

12.2 Greenshores Workshop

The Island Planner announced that a Greenshores workshop, to be presented by the Stewardship Centre for BC, had been scheduled for Friday, July 13, with registration through the University of Victoria website. Staff would send further information to trustees when it was available.

12.3 Riparian Areas Regulation – Gambier/Anvil/Bowyer

Planner 2 Koch reviewed proposed changes to the Gambier Riparian Areas Regulation Project Charter.

GM-2018-041

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee endorse the revised Gambier Riparian Areas Regulation Project Charter, dated May 24, 2018.

CARRIED

13. REPORTS

13.1 Work Program Reports

13.1.1 Top Priorities Report dated May 17, 2018

Received.

13.1.2 Projects List Report dated May 17, 2018

Received.

13.2 Applications Report dated May 17, 2018

Received.

13.3 Trustee and Local Expense Report dated March, 2018

Received.

13.4 Adopted Policies and Standing Resolutions

Received.

13.5 Local Trust Committee Webpage – None

13.6 First Nations Activities

The importance of having the Squamish Nation at Trust Council on Keats in September was noted.

14. NEW BUSINESS

14.1 Support for the Howe Sound Community Forum

Trustees discussed with staff, the possibility of providing some financial support for the Howe Sound Community Forum, to which the Local Trust Committee was signatory and an active participant, which to date had been organized mainly by one volunteer who needed administrative help for that to continue.

Chair Morrison encouraged Trustees to contact the Regional Planning Manager regarding an opportunity to present this topic at Trust Council, and announced she would bring it up at the next Executive Committee meeting as a late item for discussion.

Points raised by Trustees included: desire to see Islands Trust help support the Howe Sound Community Forum, at least making a commitment for a year of support; and importance and benefit of the Forum through information that the Forum provides and the level of status it receives in the region.

14.2 Gambier Island Local Trust Committee Annual Report Submission – Request for Decision

GM-2018-042

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee approve the attached text for inclusion in the 2017-2018 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and Housing.

CARRIED

14.3 Draft Restrictive Covenant to be used for the Purpose of Satisfying Keats Island LUB No. 78, 2002, Regulation 4.4.7

Planner 2 Ritemann reviewed the staff report entitled "Template Covenant for Keats Island Land Use Bylaw No. 78 Regulation 4.4.7 respecting a potential Crown Lease application for a new shared dock in Shoal Channel adjacent to Keats Island (fronting two upland residential Strata Lots). The Planner 2 responded to trustee inquiries.

GM-2018-043

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to work with Islands Trust legal counsel to draft a restrictive covenant to be used for the purpose of satisfying Keats Island Land Use Bylaw No. 78, 2002, regulation 4.4.7 which would limit the maximum area of a shared dock facility to 112 square metres.

CARRIED

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Thursday, June 28, 2018 at 10:45 am at Gambier Island Community Hall, 721 Andy's Bay Road, Gambier Island, BC

15.2 Discussion regarding Rescheduling the November 15, 2018 Regular Meeting to after Swearing in of New LTC on November 16, 2018

By general consent, Trustees deferred this item to the next LTC meeting.

16. TOWN HALL – None

17. CLOSED MEETING – None

18. ADJOURNMENT

By general consent the meeting was adjourned at 11:10 am.

Susan Morrison, Chair

Certified Correct:

Diane Corbett, Recorder

Follow Up Action Report

Gambier Island

27-Apr-2017

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

31-Aug-2017

Activity	Responsibility	Target Date	Status
Staff to prepare a draft bylaw to amend the Gambier Island LUB DPA 3 guidelines	Madeleine Koch	05-Oct-2017	On Going
Staff to notify the MFLNRORD and all First Nations with interests in Gambier Island as noted in the Provincial Consultative Areas Database, of the intent to amend the Gambier Island Land Use Bylaw for the purpose of making minor revisions to DPA 3	Madeleine Koch		On Going

26-Oct-2017

Activity	Responsibility	Target Date	Status
Staff to update Gambier LTC Project webpages to reflect updates to the Gambier OCP and RAR Implementation projects.	Madeleine Koch	15-Dec-2017	On Going

08-Mar-2018

Activity	Responsibility	Target Date	Status
Request staff to Defer consideration of #2 re FN assessment for Keats Island and bring it back to the LTC for a fall 2018 meeting.	Jaime Dubyna	18-Apr-2018	On Going

Follow Up Action Report

19-Apr-2018

Activity	Responsibility	Target Date	Status
LTC requests staff to coordinate a meeting with Trustees and MOTI Sechelt branch staff before October 2018.	Wil Cottingham		On Going
LTC endorsed Keats Island Shoreline Protection project charter. Update and post to project website. Schedule 2 meetings July/Aug on Keats/Van for consultation. Draft communication plan and draft questionnaire. Look into July LTC meeting date on Keats as one CIM opportunity.	Jaime Dubyna		On Going

24-May-2018

Activity	Responsibility	Target Date	Status
LTC endorses the OCP Review revised project charter and clarified objectives for a forest cover workshop on Gambier this summer. Update and post to web.	Madeleine Koch		On Going
LTC endorses revised RAR project charter. Update and post to web.	Madeleine Koch		On Going
Staff to work with legal counsel to draft restrictive covenant re: docks on Keats re: 4.4.7 of the LUB.	Teresa Ritemann		On Going



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality May 2018

Islands Trust Fund Name Change

The TFB is thrilled to have received notice that the name change to Islands Trust Conservancy has been approved. Staff has prepared a Name Change Implementation Plan that outlines a two-staged approach to implement the name change over the next few months.

Medicine Beach Nature Sanctuary Management Plan

The TFB received and approved an updated management plan for the Medicine Beach Nature Sanctuary. The TFB requested that an article be submitted to the Pender Post to provide community awareness about the management issues for this popular location.

Approval of Parks Canada – Sidney Island Forest Restoration Proposal

The TFB reviewed information and provided support in principle for Parks Canada's Sidney Island Forest Restoration Proposal, which includes eradication of fallow deer.

2017-2018 Annual Report Submission

The TFB approved text for inclusion in the 2017-2018 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs and Housing.

Summary of Current Island-by-Island Activities

Denman

Staff are finalizing the revised management plan for Morrison Marsh Nature Reserve, to be completed by July 2018. Invasive species removal and trail clearing, sign installation, tree caging for forest restoration continues at all three TFB nature reserves on Denman.

Gabriola

Construction of a boardwalk around a large western red cedar tree at Elder Cedar

S'ul-hween X'pey Nature Reserve is now complete and volunteers have mulched the area with woodchips.

Gambier

Staff visited Keats Island to view the proposed Sandy Beach Nature Reserve. Restoration continues at Brigade Bay Bluffs and Long Bay Wetland Nature Reserves protecting and planting tree seedlings.

Lasqueti

The Salish View campaign continues, in partnership with the Lasqueti Island Nature Conservancy (LINC). A news release has been issued, and with a recent grant awarded to LINC, the campaign is 40 per cent of the way to a \$250,000 goal.

Thetis

Staff are negotiating a conservation covenant for Fairyslipper Forest Nature Reserve with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust. Ecological information is in the process of being collected to inform the covenant baseline report and the management plan for the protected area.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Fund itfmail@islandstrust.bc.ca



File No.: 6500-20 LTC Projects
(Keats Island Shoreline
Protection)

DATE OF MEETING: June 28, 2018
TO: Gambier Island Local Trust Committee
FROM: Jaime Dubyna, Planner 1
Northern Team
COPY: Ann Kjerulf, Regional Planning Manager
Sonja Zupanec, Island Planner
SUBJECT: Keats Island Shoreline Protection Project (Phase 1) – Draft Communication Plan for
Community Engagement Event

PURPOSE

On April 19, 2018, the Gambier Island Local Trust Committee (LTC) passed the following resolutions:

GM-2018-029

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee endorse the Project Charter v.1 Keats Island Shoreline Protection, dated April 19, 2018.

CARRIED

and,

GM-2018-030

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to prepare a draft communication plan, including a public survey, for Local Trust Committee consideration in advancing the Keats Island Shoreline Protection Project.

CARRIED

Attached is the draft communication plan and draft questionnaire for the LTC's review and comment. Staff seek feedback on the agenda timeline and content, and the community questionnaire.

Submitted By:	Jaime Dubyna, MSc.Pl. Planner 1	June 11, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	June 19, 2018

ATTACHMENTS

1. Draft Communication Plan
2. Draft Community Questionnaire



Communication Plan

Keats Island Shoreline Protection Project – Phase 1 (June 2018 to October 2018)

Creation Date: June 11, 2018

Version: 1.0

PURPOSE

The aim of the 'Phase 1' community consultation events is to engage First Nations, residents and land owners and solicit input regarding community shoreline values on Keats Island.

BACKGROUND

On April 19, 2018, the LTC requested that staff prepare a draft communication plan and a community questionnaire for the advancement of 'Phase 1' of the project.

As part of 'Phase 1' of the Keats Island Shoreline Protection project, two community consultation events will be hosted by the LTC – one on Keats Island and one in North Vancouver. A community questionnaire on marine shoreline values and regulatory options will be distributed at the July event and be available online.

The objectives of the community consultation events are to:

- Explore policy, regulatory and voluntary stewardship options for strengthening shoreline protection on Keats Island,
- Share existing data on significant shoreline ecosystem features and functions, and other information in the context of Keats Island shorelines, and
- Solicit input regarding community shoreline values on Keats Island from First Nations, residents and land owners.

Information materials for the events will include:

- Identification of policy and regulatory options available to the LTC, including:
 - Marine and shoreline protection best practices for policy;
 - Review of setbacks from the natural boundary of the sea,
 - Review of marine zone regulations for docks and structures
 - Overview of development Permit Areas to protect environmentally sensitive areas,
 - Private conservation covenants.
- Shoreline mapping – including Energy Sediment Movement, Shoreline Types, and Values and Vulnerability.
- Mapping that will display zoning, building footprints, and the location of Crown Leases or Crown Tenure.
- Sensitive ecosystem mapping, eelgrass, forage fish, Rockfish Conservation Areas and any other important marine ecosystem and species mapping.
- Information on sensitive ecosystems, eelgrass, forage fish, etc.
- Identification of ownership and jurisdiction in coastal British Columbia (i.e. First Nations, federal, provincial, or local government).
- Green Shores™ for Homes and Green Shores™ for Coastal Development information.

Communication Plan

Following the events and completion of the questionnaire, staff will prepare a report to the Local Trust Committee (LTC) with a summary of the community consultation events and an analysis of the questionnaire results by October 2018. The results will help to inform the scope and objectives of the policy and regulatory review phase of the project.

EVENT DATE & LOCATION

The first event will be held in the Chartroom at Keats Camp, Keats Island, on Thursday, July 26th from 4:00 p.m. to 6:00 p.m.

The second event location and date is yet to be determined. It is anticipated to occur in North Vancouver in September 2018.

EVENT AGENDA

The first event is scheduled to start at 4:00 p.m., following the July 26th Gambier Island LTC regular meeting. Staff anticipate the event will take 2 hours.

Draft Agenda for Keats Shoreline Protection Project – Phase 1 Community Information Meeting

When	What	Who
4:00–4:10 p.m.	- Introduce event and acknowledge First Nations - Outline agenda for event and purpose of meeting	Local Trust Committee
4:10–5:00 p.m.	Staff Presentation - Introduction of project, rationale, etc. - Overview of existing regulatory mechanisms available to local governments in BC - Overview of policy and regulatory options - Discuss context of Keats - Overview of questionnaire	Staff
5:00 – 5:30 p.m.	- Question and Answer period - Final remarks and thanks	Local Trust Committee and staff
5:30–6:00 p.m.	Open House - Public review of information material - Discussions - Refreshments (fresh fruit)	Local Trust Committee & Staff
6:00 p.m.	Adjourn	

NOTIFICATIONS

Public notifications will be conducted by:

- Invitation letter mail-out to First Nations, owners and residents,
- Email distribution through LTC contacts,
- Posting to the Islands Trust website.

Role	Name	Endorsement Date
Project Manager	Jaime Dubyna, Planner 1	
Project Support	Sonja Zupanec, Island Planner	
Local Trust Committee	Gambier Island	



Community Questionnaire

Keats Island Shoreline Protection Project – Phase 1

The Gambier Island Local Trust Committee (LTC) is seeking input from community members and stakeholders on community shoreline protection values, policy and regulatory options that would strengthen protection of marine and shoreline areas on Keats Island.

Your input during this first phase of the project is important to:

- Assist the Local Trust Committee in identifying priority community marine and shoreline values on Keats Island, and
- Inform Phase 2 of the project, which may include potential amendments to the Keats Island Official Community Plan No. 77 (OCP) and/or the Keats Island Land Use Bylaw No. 78 (LUB).

The questionnaire will take less than 10 minutes to complete. The questionnaire is available online at ([link](#)) and hard copies will be distributed at the Thursday, July 26, 2018 community consultation event held at Keats Camp, Keats Island. Paper copies can be mailed, faxed, or scanned and emailed to:

Islands Trust, Northern Office
700 North Road
Gabriola Island, BC V0X 1X3
Fax: 250.247.2209
northinfo@islandstrust.bc.ca

They survey will close on **DATE**.

For more information on the Keats Islands Shoreline Protection Project please visit the [project website](#) or contact Islands Trust planning staff at gambierplanner@islandstrust.bc.ca or [250.247.2063](tel:250.247.2063).

Thank you for your participation!

Susan Morrison, Chair, Gambier Island Local Trust Committee
Kate-Louise Stamford, Gambier Island Local Trustee
Dan Rogers, Gambier Island Local Trustee

Community Questionnaire

Keats Island Shoreline Protection Project Community Questionnaire

QUESTION 1: How important are the following environmental and cultural values on Keats Island?

	Not Important	Somewhat Important	Neutral	Important	Very Important
Protection of known and potential archaeological sites	☐	☐	☐	☐	☐
Protection of natural shoreline vegetation	☐	☐	☐	☐	☐
Preservation of eel grass habitats	☐	☐	☐	☐	☐
Protection of forage fish habitats	☐	☐	☐	☐	☐

QUESTION 2: How important are the following property-related values to you?

	Not Important	Somewhat Important	Neutral	Important	Very Important
Waterfront accessibility (i.e. ramps, stairs)	☐	☐	☐	☐	☐
Private docks	☐	☐	☐	☐	☐
Shared or community docks	☐	☐	☐	☐	☐
Recreation opportunities (swim floats, mooring buoys)	☐	☐	☐	☐	☐
Protection from sea level rise/storm surge	☐	☐	☐	☐	☐
Protection from shoreline erosion	☐	☐	☐	☐	☐
Ocean views	☐	☐	☐	☐	☐
Vegetative buffers, natural shorelines on private property	☐	☐	☐	☐	☐
Maintaining modified shorelines and existing seawalls	☐	☐	☐	☐	☐
Privacy/landscape screening	☐	☐	☐	☐	☐
Maintaining public access to the foreshore	☐	☐	☐	☐	☐
Additional Parks & Protected Marine Areas	☐	☐	☐	☐	☐
Private conservation covenants along the shoreline	☐	☐	☐	☐	☐

Community Questionnaire

QUESTION 3: To what extent do you support strengthening policies in the [Keats Island Official Community Plan](#) and regulations in the [Keats Island Land Use Bylaw](#) to increase protection of the values identified above regarding Keats Island's marine and shoreline areas?

☐	☐	☐	☐	☐
Strongly Oppose	Oppose	Neutral	Support	Strongly Support

QUESTION 4: Do you have specific concerns about the use and development of Keats Island shorelines that have not been mentioned. Please describe:

--

QUESTION 5: Please select the statement/s which best applies to you:

☐	I am a full-time resident on Keats Island
☐	I am a property owner on Keats Island
☐	I am a part-time or seasonal resident on Keats Island
☐	I am a visitor to Keats Island
Other:	

QUESTION 6: Please provide any additional comments or questions you have about Phase 1 of the Keats Island Shoreline Protection Project:

--

THANK YOU FOR YOUR PARTICIPATION!



File No.: GM-6500-20 (Gambier Island
OCP Review)

DATE OF MEETING: June 28, 2018
TO: Gambier Island Local Trust Committee
FROM: Madeleine Koch, Planner 2
Northern Team
COPY: Ann Kjerulf, Regional Planning Manager
Sonja Zupanec, Island Planner
SUBJECT: Gambier Island Official Community Plan Review

RECOMMENDATION

1. That the Gambier Island Local Trust Committee endorse the revised Gambier Official Community Plan Comprehensive Review Project Charter dated June 28, 2018.

REPORT SUMMARY

The purposes of this report are to:

- 1) Summarize for the Gambier Island Local Trust Committee (LTC) the findings of staff's technical review of Gambier Island Official Community Plan No. 73 (OCP); and
- 2) To present an updated project charter to reflect potential priority consultation work during the remainder of this fiscal year and to request the LTC analyse these proposed priorities and provide direction on any different/additional priority topics for community, First Nation, and stakeholder consultation during Phase 1 of the project.

BACKGROUND

A comprehensive review of the OCP has been a top priority project on the Gambier LTC work plan since February 2015. The following is a summary of OCP review activities that have taken place to date:

- Preliminary consultation with First Nations took place in 2016 and early 2017;
- A community survey on targeted OCP review topics was conducted in 2016;
- The LTC collaborated with the Coastal Douglas Fir Conservation Partnership to produce mapping of priority conservation areas in 2017;
- Representatives of the Skwxwú7mesh Úxwumixw (Squamish Nation) met with Gambier Island community members to discuss key OCP topics and respective interests at a Special LTC meeting held February 2017;
- The Advisory Planning Commission (APC) has commented on two referrals regarding the OCP project (2017); and
- Staff have conducted an internal technical review of the existing OCP, which identified opportunities for additions, revisions, and restructuring.

ANALYSIS

Issues and Opportunities

OCP Review Process

The current project charter (Attachment 1) includes three key deliverables/milestones within the workplan section:

- Phase 1: OCP Amendments in response to First Nations engagement, legislative changes, housekeeping, and consideration of initial APC input
- Phase 2: OCP Amendments to address environmental policies (wilderness conservation, shoreline protection, archaeological protection); Community Survey #2; Referral Agencies Consultation; update mapping (CDFCP); DPAs; continued First Nations and APC engagement
- Phase 3: OCP Amendments to address community development Policies (livability, economic development, private institutional policies, advocacy, parks and trails; DPAs); Community Survey #3; continued First Nations and APC engagement

OCP Phase 1 – Technical Review

As part of Phase 1, staff conducted a technical review of the Gambier OCP (Attachment 2). The technical review identified a number of issues with the OCP, which helped to clarify options for priority OCP work. Staff recommend several categories of updates and changes to the OCP to improve its functionality as a policy document to guide growth and development on Gambier.

Following is a summary of the key issues that staff discovered during the technical review:

1) Lack of distinction between goals, objectives, policies and land use bylaw regulations

The OCP includes various sections titled “goals”, “objectives” and “policies”. However, many of these items read like policies – not goals or objectives. Furthermore, many of the items titled “policies” in the plan are worded so that they read like regulation that should be contained in the Land Use Bylaw (LUB). To improve the functionality of the OCP, these elements should be clearly distinguished from one another. Goals articulate the desired outcome for the community; the objectives specify how the goals will be met and the policies identify what the operational actions of the LTC will be and direct the nature of LUB regulations.

2) Excessive Number of Advocacy Policies

The OCP currently contains over 70 advocacy policies, and it is recommended that most of these not be included in the Plan. Advocacy policies should be used sparingly in an OCP, requesting specific and measurable actions by other agencies or levels of government with respect to matters that affect local community planning.

3) Structure/ Ordering of Sections

There is an opportunity to reorder the OCP so that policies and objectives related to environmental protection and First Nations come first, in recognition of the Islands Trust Object and commitment to First Nations. There are also opportunities to restructure the sections/subsections for improved readability.

4) Compliance with *Local Government Act* and Islands Trust Policy Statement

Both the *Local Government Act* (LGA) and the Islands Trust Policy Statement (ITPS) require OCPs to address specific content. The Gambier OCP currently does not address some LGA and ITPS requirements, and there is an opportunity to strengthen the OCP in some sections/subsections to better address LGA and ITPS requirements.

Attachments 3 and 4 demonstrate the current level of compliance with each piece of required OCP content.

5) No Development Approval Information Bylaw

There are a number of parts in the OCP that suggest development approval-type information should be required. To formally require development approval information, of the OCP must identify lands to be designated a development approval information area and a justification statement must be included. A development approval information bylaw would subsequently need to be adopted by Trust Council.

Revised OCP Process/Project Charter

While best practices for community planning suggest that OCPs should be reviewed once every 5-10 years, the existing OCP has been in effect for nearly 18 years. The technical review revealed that there are opportunities to make the OCP a more effective policy document while still honouring the spirit and intent that informed creation of the existing document. To “modernize” and restructure the OCP in such a way that the content effectively influences growth and development on Gambier Island, staff are recommending that the OCP receive a comprehensive rather than targeted review. It is further recommended that the OCP project take place in two phases under a revised Project Charter, with each addressing a suite of consultation topics with the second phase including the legislative review process (bylaw preparation, formal referrals, public hearing etc).

The draft revised project charter (Attachment 5) includes a general, two-phase workplan that includes suggested consultation priorities. While it is recommended that the project charter be endorsed, the LTC is encouraged to carefully consider the proposed workplan, and identify any changes they may wish to see at this time. This workplan can be amended to reflect any differing consultation priorities identified by the LTC, either at the June 28th LTC meeting (if the revisions are minor), at the July 26th 2018 LTC meeting, or by a Resolution Without Meeting (RWM).

The following table is intended to help guide the LTC’s prioritisation of potential consultation topics. It includes existing OCP content headings, suggested new OCP content headings, and suggestions for each section. Staff recommends the OCP be restructured so that the sections follow the same order as listed in the table.

<i>OCP Section (Existing or New)</i>	<i>Staff Comments</i>
Background (new)	• Suggested new section for Phase 1 consultation • Background on community (e.g. history including First Nations history, environment, demographics, geography, etc.) could be added to the beginning of the OCP for context. • Background topics would benefit from First Nations and community consultation
Community Goals (existing)	• Suggest updating this section and changing its name to “Plan Goals” • Many goals are worded as policies; there is an opportunity to represent the intent of the existing “goals” within appropriate policy sections of the plan • In place of existing “goals”, insert 3-5 broad goals, representative of the Islands Trust Object and Islands Trust Policy Statement
General Policies (existing)	• Suggest removing this section as part of Phase 1 work • Intent of general policies can be captured within appropriate OCP policy sections.

<i>OCP Section (Existing or New)</i>	<i>Staff Comments</i>
Environmentally Sensitive Areas and Heritage Resources (existing)	• Suggest environmental topics be a priority area for community consultation in Phase 1 • Suggest separating “heritage resources” out of this section and inserting archaeology-related content into a new “First Nations” section. Other heritage related policies and objectives could be placed into a new “heritage” section. • Broad environmental topics include: Freshwater ecosystems; Marine/ shoreline protection; Forest conservation; and sensitive ecosystems/ species at Risk • Of the broad environmental topics, staff suggest that marine/shoreline protection be prioritized, as this is an area the LTC has strong jurisdiction to manage yet at present there are few regulatory tools in place to support shoreline protection on Gambier. • Develop DAI criteria that achieve the intent of the “criteria for determining land and foreshore use” section.
First Nations (new)	• Suggested new section as a priority area for community consultation in Phase 1 • Opportunity to include objectives and policies regarding archaeological sites and relationship principles for working together
Climate Change Adaptation and Mitigation (existing)	• Defer to Phase 2 consultation • Suggest updating certain parts of this section but keeping much of the content • Opportunity to measure progress towards GHG reduction targets/ set new targets
Residential (existing)	• Clarify the community’s desires for residential density on Gambier via community consultation as part of Phase 1 consultation
Economic Activity (existing)	• Suggest changing name of this section to “Commercial Uses” and include in Phase 2 consultation • Opportunity to consider new Temporary Use Permit Areas, DPAs, and DAI bylaw to regulate certain non-residential land uses on Gambier • Suggest adding an acknowledgement of First Nations Rights and Title as they pertain to hunting and fishing
Resource Lands (existing)	• This part includes subsections for Agriculture, Forestry, and Wilderness Conservation. Staff suggest moving Industrial to this section as well (it currently falls under “economic activity”) • Suggest conducting consultation in Phase 1 regarding Forestry and Wilderness Conservation at the same time as Forest Conservation (under the Environmentally Sensitive Areas section). Consultation regarding forest-related topics must acknowledge limited LTC jurisdiction over this area, especially on “Crown” Land.
Institutional uses, Parks, and Outdoor Recreational (existing)	• Institutional use is a possible consultation topic; Suggest consulting with camp operators and community to determine appropriate uses/vision for the camps into the future as part of Phase 2 consultation • Parks and trails planning is a possible topic for community consultation. This should take place in close collaboration with the Sunshine Coast Regional District parks department and the Province of British Columbia, as they provide parks services on Gambier.
Transportation (existing)	• Minor updates suggested in marked up OCP • Not suggested as a priority consultation topic, as the LTC has limited jurisdiction over transportation
Servicing (existing)	• Suggest updating this section to reflect new legislation affecting sewage disposal and water as part of Phase 2 • Not suggested as a priority consultation topic
Permits and Development Approval Information (DAI) (existing)	• Not suggested as a priority consultation topic • Opportunities to develop DPAs and DAI to address OCP objectives and policies • Opportunity to develop a DAI bylaw

<i>OCP Section (Existing or New)</i>	<i>Staff Comments</i>
Glossary (existing)	Suggest updating at a later stage of the project. Not suggested as a priority consultation topic
Administration (existing)	Suggest this section be moved from the beginning to the end of the document
Schedules G and H (Qualitative criteria for environmentally sensitive areas & Principles of sustainability of environmental features) (existing)	- Incorporate content into DPAs. This would allow the LTC to regulate rather than simply advocate for these environmental objectives. - Include as Phase 2 consultation

Rationale for Recommendation

Staff have conducted a technical review of the existing OCP bylaw, and determined that the OCP is deficient in that it does not comply with certain requirements of the *Local Government Act* and the Islands Trust Policy Statement. The technical review also identified opportunities to improve the OCP's functionality as a policy document by: better distinguishing between goals, objectives and policies; reducing the number of advocacy policies; restructuring the document; and creating a development approval information bylaw as supported by the OCP. Based on the findings, staff have drafted a new project charter (Attachment 5) with suggested priorities for First Nation, community, and agency consultation.

ALTERNATIVES

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

- 1. That the Gambier Island Local Trust Committee endorse the revised June 2018 Gambier Island Official Community Plan Comprehensive Review Project Charter with the following amendments [list].**

NEXT STEPS

If the LTC concurs with the staff recommendation, or, alternatively, amends the proposed workplan to reflect other priorities, staff will submit a workplan for corresponding budget approval and prepare a consultation/communication plan for identified Phase 1 consultation topics for LTC approval.

Submitted By:	Madeleine Koch, MCIP, RPP Planner 2	June 15, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	June 19, 2018

ATTACHMENTS

1. Gambier Island OCP Project Charter, May 24, 2017
2. Gambier Official Community Plan – Staff Technical Review notes
3. Compliance with Local Government Act required content
4. Compliance with Islands Trust Directive Policies
5. Draft revised Gambier Island OCP Project Charter, June 28, 2017

Gambier OCP Review Project Charter

Gambier Island Local Trust Committee

Date: April 20, 2015

Revised: November 19, 2015; July 28, 2016; August 31, 2017; May 24, 2018

Purpose To review the OCP to address topics deemed out-of-date or problematic to better reflect the Gambier community and achieve the object of the Islands Trust.

Background The LTC identified this project as a Top Priority in February 2015.

Objectives

- To adopt policies that advance the stewardship of sensitive ecosystems on Gambier Island
- To address community needs that are within the scope of land use planning
- To engage and collaborate with First Nations
- To revise land use and advocacy policies with the aim to reflect current realities & legislation

In Scope

- Land uses and policies for the Wilderness Conservation lands
- Forest Conservation
- Park and trail prioritization
- Updating OCP schedules with current mapping data
- Protection of archaeological and cultural sites
- Shoreline protection
- Policies to promote economic development
- Policies to promote livability and services for island residents
- Review of advocacy policies
- Review of DPAs
- Review of Private Institutional policies

Out of Scope

- Review of Density/Build-Out
- Review of Land Use Designations outside of WC
- Operational concerns under the authority of other agencies

Workplan Overview

Deliverable/Milestone	Date
First Nations engagement	Ongoing
LTC consideration of OCP technical review and identification of community consultation topic priorities	July 2018
TBD: community consultation activities, based on LTC direction at July LTC meeting	TBD
Forest Cover Workshop	TBD

Project Team

Madeleine Koch	Project Manager
Sonja Zupanec	Project Sponsor
Ann Kjerulf	Project Sponsor
Penny Hawley	Admin Support

Budget

Budget Source: \$ 3,000 (OCP: 2017/2018 Fiscal) and \$500 (First Nations 2017/2018)

Fiscal	Item	Cost
2017-2018	CIM & Public Hearing (Phase 1)	\$ 2,000
2017-2018	Community Survey #2	\$ 1,000
2017-2018	Referral Agencies Consultation	\$ 500
2018-2019	CIM & Public Hearing (Phase 3)	\$2,000

RPM Approval:

Date: May 22 2018

LTC Endorsement:

Resolution: GM-2015-033 (June 18, 2015); GM-2016-050 (July 28, 2016); GM-2017-008 (February 2, 2017); GM-2017-049 (Aug. 31, 2017)



Islands Trust

**Gambier Island
Official Community Plan
TECHNICAL REVIEW NOTES 2018
Bylaw No. 73, 2001**

As amended by the
Gambier Island Local Trust Committee

Consolidated Version: May 30, 2017

This Bylaw is consolidated for convenience only and is not to be
construed as a legal document.

For reference to original bylaw and amendments,
please contact:
Islands Trust - Northern Office, 700 North Road
Gabriola Island, BC V0R 1X3
(250) 247-2063

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

CONSOLIDATED BYLAW AMENDMENTS

This copy is consolidated for convenience only and includes the following **text amendments only**:

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 80	Amendment No. 1, 2002	February 5, 2004
Bylaw No. 85	Amendment No. 1, 2004	September 1, 2005
Bylaw No. 111	Amendment No. 1, 2010	August 4, 2010
Bylaw No. 140	Amendment No. 1, 2016	May 30, 2017

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 73**

**A BYLAW TO ADOPT THE OFFICIAL COMMUNITY PLAN FOR PART OF THE GAMBIER ISLAND
LOCAL TRUST COMMITTEE AREA**

WHEREAS Section 29 of the *Islands Trust Act* gives the Gambier Island Local Trust Committee the same power and authority as a Regional District under Section 694(1)(i), 723 and Part 26, except sections 932 to 937 and 939 of the *Local Government Act*; and

WHEREAS Sections 876 and 882, respectively, of Division (2) of Part 26 of the *Local Government Act* applies to the Committee and authorizes it to adopt an Official Community Plan and outlines procedures for developing and adopting such plans including a public hearing and Ministerial approval; and

WHEREAS Section 27 of the *Islands Trust Act* requires that the Executive Committee of the Islands Trust must approve an Official Community Plan prior to adoption; and

WHEREAS Section 877 of the *Local Government Act* lists the subjects that must be addressed in a Plan; and

WHEREAS Section 884(1) of the *Local Government Act* provides that the adoption of an official community plan does not commit or authorize the Gambier Island Local Trust Committee to proceed with any project that is specified in the Plan; and

WHEREAS Section 884(2) of the *Local Government Act* requires that all bylaws enacted, permits issued, and works undertaken by the Gambier Island Local Trust Committee be consistent with the Official Community Plan;

NOW THEREFORE the Gambier Island Local Trust Committee being the Trust Committee having jurisdiction on and in respect of Gambier Island Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

TITLE

1. This Bylaw shall be cited as the "Gambier Island Official Community Plan Bylaw No. 73, 2001".

APPLICATION

2. This Bylaw applies to:

The Gambier Island Planning Area as outlined in Part 2 of Schedule A to this bylaw.

ORGANIZATION

3. Schedules A, B, C, D, E, F, G, H and I attached to and forming part of this Bylaw, are hereby designated as the Gambier Island Official Community Plan Bylaw No. 73, 2001.
4. The Schedules to this Bylaw are as follows:

Schedule A -	Gambier Island Official Community Plan Policy Document
Schedule B -	Land Use designation Map
Schedule C -	Environmentally Sensitive Area Map
Schedule D -	Roads, Parks and Trails Map
Schedule E -	Hazard Land Areas
Schedule F -	Watersheds and Watercourses
Schedule G -	Qualitative Criteria for Environmentally Sensitive Areas
Schedule H -	Principles of Sustainability of Environmental Features
Schedule I	Development Permit Areas

Comment [MK1]: Update all schedules with most recent mapping data and best practices for increased readability. Consider regulatory tools such as DPAs to replace Schedule G and H.

BYLAW REPEAL

5. The “Gambier Island Official Community Plan Bylaw No. 110, 1976” as amended is repealed, except as it applies to District Lot 5925 and the remainder and south part of District Lot 477 all of Group 1 New Westminster District, upon adoption of the Bylaw.

READINGS

READ A FIRST TIME THIS 24th DAY OF October , 2001

PUBLIC HEARING HELD THIS 17th DAY OF November , 2001

READ A SECOND TIME THIS 17th DAY OF November , 2001

READ A THIRD TIME THIS 17th DAY OF November , 2001

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
5th DAY OF December , 2001

APPROVED BY THE MINISTER OF COMMUNITY, ABORIGINAL AND WOMEN’S SERVICES THIS 20th DAY OF January

ADOPTED THIS 30th DAY OF January , 2002

Secretary

Chairperson

Gambier Island Official Community Plan

Table of Contents

Comment [MK2]: Re-order the OCP headings to prioritize environmental and First Nations related policies, in recognition of the Islands Trust mandate and commitments to First Nations.

PART 1	ADMINISTRATION	674
	Administration	67 4
	Interpretation	67 4
	Implementation	68 2
	Amendment Procedure	68 2
	Review and Further Studies	68 2
	Severability	68 2
PART 2	COMMUNITY GOALS	23
	Purpose of the Official Community Plan	2 3
	Gambier Island Planning Area	3 4
	Community Goals	3 4
	Intergovernmental Considerations and Advocacy Policies	5 6
PART 3	GENERAL POLICIES.....	67
	Criteria for Determining Land and Foreshore Use	6 7
	General and Land Use Policies	7 8
PART 4	RESIDENTIAL.....	940
	Residential Objectives	21 40
	Residential Policies	22 41
	General Residential	22 41
	Settlement Residential	24 43
	Rural Residential	25 45
	Affordable and Special Needs Housing	27 46
	Home Occupations	27 46
PART 5	ECONOMIC ACTIVITY	2918 17
	Economic Activity Objectives	29 18
	Economic Activity Policies	30 19
	General Commercial	30 19
	Commercial Retail and Commercial Service	30 19
	Visitor Accommodation	30 19
	Commercial Marine	31 20
	Industrial.....	36 21
PART 6	INSTITUTIONAL USES, PARKS AND OUTDOOR RECREATIONAL	4024 22
	Institutional, Parks and Outdoor Recreation Objectives.....	40 24
	Community and Institutional Facilities	40 24

Private Institutional	452422
Parks and Recreation	402523
Yachting Outstations	472624
Institutional, Parks and Outdoor Recreation Policies.....	Error! Bookmark not defined.2624
Community and Institutional Facilities	452624
Private Institutional	462725
Parks and Recreation	412725
Yachting Outstations	463128
PART 7 RESOURCE LANDS.....	333330
Resource Lands Objectives	333330
General Objectives	333330
Agriculture	333330
Forestry.....	343330
Wilderness Conservation.....	363431
Marine and Foreshore Areas	123431
Resource Lands Policies.....	Error! Bookmark not defined.3431
Agriculture	333431
Forestry.....	343532
Wilderness Conservation.....	393734
Marine and Foreshore Areas	123835
PART 8 ENVIRONMENTALLY SENSITIVE AREAS AND HERITAGE RESOURCES	94138
Environmentally Sensitive Areas and Heritage Resource Objectives.....	94138
Environmentally Sensitive Areas	94138
Heritage Resources.....	154239
Environmentally Sensitive Areas and Heritage Resource Policies	Error! Bookmark not defined.4239
Environmentally Sensitive Areas	104239
Heritage Resources.....	124542
PART 9 TRANSPORTATION.....	484743
Transportation Objectives	484743
Land Transportation	484743
Water Transportation	494844
Air Transportation	524844
Transportation Policies.....	Error! Bookmark not defined.4844
Land Transportation	494844
Water Transportation.....	515046
Air Transportation	525147
PART 10 SERVICING	535248
Servicing Objectives.....	535248
Servicing Policies	545349
Water Supply	545349
Sewage Disposal	555550
Solid Waste Management	575751

Fire Protection and Safety	575751
Utilities.....	585852
PART 11 CLIMATE CHANGE ADAPTATION AND MITIGATION	175953
Climate Change Adaptation and Mitigation Objectives	185953
Climate Change Adaptation and Mitigation Policies	186054
PART 12 PERMITS AND DEVELOPMENT APPROVAL INFORMATION.....	596357
Development Permit Areas	596357
Development Approval Information	Error! Bookmark not defined.
PART 13 GLOSSARY	646862
SCHEDULE “G”	677165
QUALITATIVE CRITERIA FOR ENVIRONMENTALLY SENSITIVE AREAS	697165
SCHEDULE “H”	727367
PRINCIPLES OF SUSTAINABILITY OF ENVIRONMENTAL FEATURES	727367
OTHER SCHEDULES (MAPS)	70

SCHEDULE "A"
GAMBIER OFFICIAL COMMUNITY PLAN

PART 2 — COMMUNITY GOALS

PART 2 BACKGROUND

Comment [MK3]: Suggest RENAMING this to "Background"

PURPOSE OF THE OFFICIAL COMMUNITY PLAN

The purpose of the Gambier Island Official Community Plan (hereafter referred to as the "Plan") is to officially acknowledge the community's shared goals, objectives and policies for the future.

The Plan provides direction for governmental, corporate, non profit and individual decisions, regarding management of the Gambier Island Planning Area. The Plan sets out, in general terms, the areas for various land and water uses, but does not specify every use, nor define precise boundaries between permitted uses. These details are left to the regulating bylaws of the Gambier Island Local Trust Committee (LTC), such as zoning and subdivision.

The Plan represents a commitment by Islanders to the course of action and should provide the direction to ~~resolve existing and possible future conflicts within the community~~ accomplish community the goals of the Plan.

This is an Official Community Plan within the Islands Trust and as such is guided by the authority of the *Islands Trust Act* and the provisions of the Islands Trust Policy Statement. The Islands Trust Policy Statement is a statement of vision for the future of the Islands Trust and a strategy for land use planning that translates broad goals into actions to preserve and protect the Trust Area. The role of local trust committees is to address certain matters expressed in the Policy Statement in their Plans and regulatory bylaws to achieve the following Policy Statement goals:

1. To foster preservation and protection of the Trust Area's ecosystems;
2. To ensure that human activities and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of Trust Area Ecosystems; and
3. To sustain island character and healthy communities.

Once the Plan has been adopted, all bylaws enacted or works undertaken by the LTC must be consistent with it. The Plan can be amended on the initiative of the LTC or on application by an outside party subject to LTC approval. All amendments require consultation with persons, organizations and authorities that the LTC considers will be affected.

The Local Government Act requires that Official Community Plans ~~must~~ include statements related to such topics as:

- the location, type and density of residential development;
- affordable, special needs and rental housing;
- agricultural, recreational, commercial, industrial, institutional, and public utility land uses;
- restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development;
- the location and phasing of roads sewer and water systems;

- the location of public facilities, including schools, parks and waste treatment sites; and
- sand and gravel deposits suitable for extraction.

~~The Plan~~ Official Community Plans may include policies related to social needs, social well being and social development, the maintenance and enhancement of farming and the regulation of the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity.

GAMBIER ISLAND PLANNING AREA

Gambier Island is approximately X hectares in area and is located in Alt'Kitsem (Howe Sound), within the core territory of Squamish Nation and Tsleil-Waututh Nation. Gambier Island is within the Gambier Island Local Trust Area, which also includes a number of other islands in the vicinity of Gambier Island. However, this OCP only applies to Gambier Island and the smaller islands in the immediate area.

The area covered by this Plan is mapped in Schedule X and includes the following land and water areas:

- Gambier Island except for District Lot 5925 and the Remainder and South part of District Lot 477 all of Group 1, New Westminster District;
- ~~Woolridge Island;~~
- Grace Islands;
- Alexandra Island;
- and unnamed islets, surface water and sea bed within 1000 metres of the shoreline of Gambier Island ~~and Woolridge Island~~ or mid channel between Gambier Island ~~or Woolridge Island~~ and adjacent land areas, whichever is closer, all being part of the Gambier Island Local Trust Committee Area as shown on Schedule B.

Where the terms “Gambier Island Planning Area” or “planning area” or “local trust area” are used in this Plan, these terms shall be interpreted to mean the area covered by this Plan. Where specific geographic references are made (e.g. Gambier Island) then that reference shall be interpreted to mean the specific geographic area .

PART 3 COMMUNITYPLAN GOALS

COMMUNITYPLAN GOALS

The ~~community~~ goals of this Plan are:

Community Goal 2.1 To fulfill the object of the Islands Trust, which is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in co-operation with First Nations, municipalities, regional districts,

Comment [MK4]: This section could include:

- Intro statement
- History – possible community consultation topic
- Environment/ ecology
- Geography
- Access
- First Nations
- Demographic info
- Community character

Comment [MK5]: Opportunity to include this lot as part of the OCP review project.

Comment [MK6]: Many of these community 'goals' are actually better suited as policies that can be re-written and inserted into the appropriate section of the OCP. This section could be pared down considerably to a succinct 3-5 Plan Goals and then ensure the directives are adequately captured in objectives & policies within the appropriate section of the OCP.

improvement districts, other persons and organizations and the government of British Columbia.

~~Community Goal 2.2~~ ~~To preserve, protect and enhance the rural character, peacefulness, natural beauty and views of the Gambier Island Planning Area.~~

Comment [MK7]: Repeats 2.1

~~Community Goal 2.3~~ ~~Community Goal 2.2~~ To foster preservation and protection of the local trust area's ecosystems so as to create a sustainable community which addresses human, plant, aquatic and terrestrial wildlife needs, including:

- ensuring that the waterfronts, beaches and waters surrounding them are preserved and kept free of pollution for the enjoyment of users and the preservation of marine aquatic life;
- protecting all freshwater resources from contamination by effluent of any type;
- preserving ground cover and trees so the local trust area's soils are able to retain moisture and prevent erosion of soil and soft rocks; and
- preserving sufficient land and water areas, including watersheds, in their natural state to enable human activity, wildlife, plant life and aquatic life in the Gambier Island Planning Area to continue to exist and flourish.

Comment [MK8]: This would be more suitable as a policy under the "Environmentally Sensitive Areas" section

~~Community Goal 2.4~~ ~~Community Goal 2.3~~ To promote the conservation or preservation of sites, buildings or natural areas that have historical or archaeological value.

Comment [MK9]: Reword as a policy under a new "First Nations" section

~~Community Goal 2.5~~ ~~To maintain a diversified population in terms of age, income and lifestyles and a neighbourly, respectful and tolerant community.~~

~~Community Goal 2.6~~ ~~Community Goal 2.4~~ To ensure that services essential to the community's health and safety are provided in any future development of land in such a way that they do not detract from the quality of existing services.

Comment [MK10]: Deleted as per APC comment: "Delete as it is too vague to be effective; "existing services" do not exist."

~~Community Goal 2.7~~ ~~Community Goal 2.5~~ To ensure that development in the Gambier Island Planning Area do not exceed the ability of the foreshore to provide for access and recreational opportunities.

Comment [MK11]: Shoreline protection is a potential community consultation topic.

~~Community Goal 2.8~~ ~~Community Goal 2.6~~ To maintain for the immediate future a water access Gambier Island community with sufficient community docking facilities, limited roads and the absence of a car ferry.

Comment [MK12]: This should probably be worded as a much broader goal

~~Community Goal 2.9~~ ~~To maintain flexibility, while planning for a water access community, to provide for road and transportation requirements of a more developed Gambier Island community in the longer term.~~

Comment [MK13]: unclear

~~Community Goal 2.10~~ **Community Goal 2.7** To encourage the provision of trails and country lanes to connect Gambier Island's dispersed settlement nodes and public recreational areas.

Comment [MK14]: Policy under "transportation" section. Opportunity to strengthen this with wording around requiring trail dedication as condition of rezoning applications

~~Community Goal 2.11~~ **Community Goal 2.8** To provide for a variety of quality natural recreational experiences for residents and visitors in a manner that leaves the land in a relatively undisturbed or wilderness condition consistent with maintaining the local trust area's rural tranquility and ecological balance.

Comment [MK15]: Policy under Environmentally Sensitive Areas

~~Community Goal 2.12~~ **Community Goal 2.9** To support local trust area residents and visitors desire to maintain a predominantly ecologically uncompromised natural environment by ensuring Gambier Island Planning Area remains characterized by its low density scale of land development.

Comment [MK16]: Policy under "Residential" section

~~Community Goal 2.13~~ To manage population growth and development consistent with the goals of this plan Carefully manage growth and development-

~~Community Goal 2.14~~ **Community Goal 2.10** To enable and encourage opportunities for employment in the Gambier Island Planning Area. for employment of island residents.

Comment [MK17]: As per APC minutes. "State in general without referencing Gambier Islanders specifically. Remove barriers"

Comment [MK18]: Economic development policy

INTERGOVERNMENTAL CONSIDERATIONS AND ADVOCACY POLICIES

Responsibility for certain matters lie outside the jurisdiction of the Islands Trust and are instead the responsibility of individual property owners or the Provincial Government, the Federal Government, the Sunshine Coast Regional District or the Coast Garibaldi Health Region. In some cases, more than one agency may have overlapping responsibility for a matter addressed in the Plan.

The Local Trust Committee seeks to work cooperatively with and seek the assistance of the public and other government agencies to ensure the orderly and effective management and regulation of the local trust area's land base and resources to the mutual benefit of all.

Comment [MK19]: Should speak to First Nations' jurisdiction and working with other agencies. This section could also cite any protocols/ agreements that are in place with other agencies/ First Nations.

~~The OCP bylaw is not binding upon federal and provincial agencies. As a result, where statements in the form of policies have been provided in the Plan which concern matters beyond the jurisdiction of the Islands Trust, but are within the jurisdiction of other levels of government, these have been identified as Advocacy Policies.~~

~~In the case of Advocacy Policies, other levels of government and the public are requested:~~

- ~~➤ to regard them as stated desires or objectives of the Local Trust Committee and the local trust area community; and~~
- ~~➤ to take them into consideration in making decisions concerning their own land use decision making with respect to the Gambier Island Planning Area.~~

Comment [MK20]: Advocacy policies should be worded to be self-explanatory, so this section is not necessary

COMMUNITY PLAN OBJECTIVES & POLICIES

PART 3 GENERAL POLICIES

The policies in this section are of general application to all parts of the Gambier Island Planning Area.

CRITERIA FOR DETERMINING LAND AND FORESHORE USE

- Policy 3.1 In the review or revision of any Plan, policy, regulation or permit relating to proposed land use the Local Trust Committee should consider the following:
- i. soil conditions with regard to their:
 - stability for development;
 - drainage capability for run-off;
 - slope and topography for building site selection;
 - ability to absorb effluent; and
 - suitability for farming or horticulture;
 - ii. the adequacy of potable water to support the proposed development, including from dug or drilled well, watercourse, cisterns or other water storage devices;
 - iii. the impact of new development on the quality and quantity of water supplies of neighbouring properties;
 - iv. the impact of any new development on existing public services and infrastructure and the ability to accommodate any deficiencies in such services or infrastructure at minimum public cost;
 - v. the location of future land uses so that their appearance and impact are compatible with and do not degrade or otherwise negatively impact the natural environment, community resources, and the character of existing land uses;
 - vi. the protection of sensitive ecosystems, ecological values and wildlife and fisheries habitats, especially in inter-tidal, estuarine, stream and riparian areas, in accordance with the current published guidelines that provide for protection including riparian guidelines as expressed in the Forest Practices Code, the *Fish Protection Act* and other guidelines published by the provincial and federal governments;
 - vii. clustering outside the present areas of settlement development should be encouraged so as to maintain substantial areas of greenbelt between developments;
 - viii. land disturbance, site clearing, or road building that is detrimental to the use or enjoyment of properties or to the environment should be kept to a minimum in any land development;
 - ix. the rate or type of development and the ability to respond to change without significant negative social impacts; and
 - x. other requirements the Local Trust Committee may reasonably deem necessary to adequately review the proposal.

Comment [MK21]: This type of content would be better suited to a Development Approval Information Bylaw, and/ or a Development Permit Area for shoreline protection.

GENERAL AND LAND USE POLICIES

- ~~Policy 3.2~~ Policy 3.1 A public park and a ~~utility use~~ should be permitted in any land use designation without requiring an amendment to this plan.
- Policy 3.3 Any cost associated with the provision of additional local infrastructure required due to land development should be borne by the developer as a condition of development approval.
- Policy 3.4 Section 946 of the *Local Government Act* currently allows for the subdivision of land, notwithstanding requirements of a land use bylaw, to provide a separate residence for an owner or relatives of the owner of land in certain circumstances. In those instances where section 946 would apply such authority to subdivide should be restricted to large lots of at least 8 hectares in the planning area unless such land is within the Agricultural Land Reserve.
- Policy 3.5 Future development should only be permitted to occur at a scale and rate of growth that is respectful of:
- community held values pertaining to the environment;
 - the planning area's rural qualities;
 - consideration of water only access;
 - the local trust area's limited infrastructure; and
 - the requirements of the applicable regulatory land use bylaws.
- Policy 3.6 Upon completion of the crown land profiles for the Gambier Island Planning Area that are currently under preparation, land use policies for the Crown lands should be reexamined and work should be undertaken to provide a master conservation/recreation plan for these lands.
- Policy 3.7 The Land Use Bylaw zoning regulations should establish setbacks for buildings and structures, in accordance with good planning practices, from:
- Policy 3.8 Policy 3.2 lot lines:
- establish adequate setbacks to maintain privacy between individual lots and from road rights of way;
 - to provide space for emergency access to the rear of properties;
 - to minimize nuisances and maintain separation from incompatible land uses;
 - to provide for fire separation between buildings and structures;
 - to maintain the integrity and linkage of rural spaces and allow for continuation of natural processes such as drainage and groundwater recharge; and
 - to maintain terrestrial habitat and migration corridors;
 - i. all watercourses:
 - to protect aquatic and riparian habitat and water quality and quantity; and
 - to protect buildings and structures from any potential floodwaters or streamside erosion; and from
 - ii. the sea:

Comment [MK22]: Utility use should be more clearly defined or removed. A broad interpretation of "utility use" could include intensive/ disruptive uses such as cell towers

Comment [MK23]: Should be moved to parks section of the OCP

Comment [MK24]: Part of development approval information bylaw; should be specific about what counts as "local infrastructure"

Comment [MK25]: This is worded as a regulation which should be contained in the Land Use Bylaw

Comment [MK26]: Each of these points is/ can be addressed in subsequent sections of the OCP

Comment [MK27]: The wilderness conservation lands have been identified as an area for review/ consultation. The profiles can act as a reference during the review. Planning for these lands should be guided by consultation with the public and other agencies with interest/ asserted jurisdiction in the lands – in particular, First Nations – and the limitations of the LTC's jurisdiction over forestry should be recognized

- ~~to~~ protect buildings and structures from floodwaters or coastal erosion;
- ~~to minimize impacts on archaeological sites;~~
- to protect marine and riparian habitat and water quality; and
- ~~to~~ maintain a view of the coastline that is rural in character and relatively pristine in appearance.

Policy 3.8 Land use and development should be protected from hazardous conditions and should generally avoid locating below and on slopes, as indicated on Schedule E, until further studies are completed.

Comment [MK28]: DPAs may be established to protect development from hazardous conditions

Advocacy

Policy 3.9 All property owners shall be encouraged to leave a strip of trees and vegetation along the periphery of their property for reasons of habitat for wildlife, neighbourhood privacy and maintenance of the planning areas' rural character.

Comment [MK29]: Advocates to private property owners. This is something that the LTC has the power to regulate through zoning and / or DPAs

PART 8 ENVIRONMENTALLY SENSITIVE AREAS

Comment [MK30]: Move this section to the beginning of the OCP.

This section contains objectives and policies pertaining to:

- environmentally sensitive areas; and
- Marine and foreshore areas

ENVIRONMENTALLY SENSITIVE AREAS

Environmentally Sensitive Areas Objectives

Objective 8.1 ~~to recognize all known components of the planning area's natural ecosystem and to continue to identify and respect the role of such ecosystems in community planning through ongoing research; To conduct ongoing research on Gambier Island's ecosystems, and to use ecosystem data to inform community planning~~

Comment [MK31]: Significant structural issue: The OCP is currently structured in such a way that many objectives are worded like policies, and there is not always a clear correlation between the objectives and the policies to achieve the objectives. The OCP could be restructured so that the objectives are clearer, and each objective is followed by policies to achieve the objective.

Comment [MK32]: Policy

Objective 8.2 to maintain undisturbed and unique areas in their natural state;

Comment [MK33]: Can be reworded to be more specific/clear.

Objective 8.3 to protect terrestrial, aquatic and marine habitats;

Objective 8.4 ~~Land use planning tools such as zoning, and permit conditions should to~~ encourage the restoration, where possible, of lost biological elements, once native to the Gambier Island Planning Area, such as habitat, flora and fauna;

Comment [MK34]: Policy

Objective 8.5 ~~to Development Permit Area guidelines should address protection of the~~ planning area's wetlands, watercourses, lakes, watersheds and water catchment areas in order to preserve and protect the quality and quantity of both surface and groundwater;

Comment [MK35]: Policy

Objective 8.6 to encourage and support landowners choosing to:

- leave portions of their land in a natural undisturbed state; or to
- bequeath lands for conservation purposes;

Objective 8.7 ~~to adopt regulations that contribute to:~~

- ~~reducing air, water, and visual pollution;~~
- ~~protecting residents from objectionable noise and odour; and~~
- ~~sustaining ongoing supplies of potable water;~~

Comment [MK36]: Points i and ii are outside of the LTC's jurisdiction, and point iii is already supported by Objective 8.5

Objective 8.8 to support local efforts undertaken as a basis for conservation and rehabilitation of sensitive habitat;

Environmentally Sensitive Areas Policies

- Policy 8.1 ~~Environmentally sensitive areas shall include: productive intertidal areas; shallow estuaries; lakes; forests; wetlands; streams and riparian areas; bluffs and herbaceous areas and areas of unique features that meet the Qualitative Criteria for Environmentally Sensitive Areas as outlined on Schedule G.~~
- Policy 8.2 Known environmentally sensitive areas in the Gambier Island Planning Area, as shown on Schedules F and C, should be maintained, preserved and restored. Furthermore, the updating and refinement of identification of environmentally sensitive areas should continue.
- Policy 8.3 With respect to an environmentally sensitive area that is known or identified through further research, the registration of conservation covenants may be required as a matter of public interest prior to rezoning or as a condition of subdivision or ~~other change of status~~ development application. The covenant may provide that land or a specified amenity in relation to it be protected, preserved, conserved, maintained, enhanced, restored or kept in its natural or existing state so as to ensure the land or amenity remains protected in the long term. Development within an environmentally sensitive area may be regulated through the use of development permits.
- Policy 8.4 The impacts of any development proposed in a rezoning application on environmentally sensitive areas should be considered. Any rezoning that would reduce the significance or value of that area below the threshold level for Qualitative Criteria for Environmentally Sensitive Areas as outlined in Schedule G should not be approved.
- Policy 8.5 In all land use designations, provisions should be made by regulations to permit the subdivision of a parcel for the sole purpose of giving the parcel to a conservation organization. The donated parcel should be designated for conservation purposes only.
- Policy 8.6 The Principles of Sustainability of Environmental Features as outlined in Schedule H should guide the Local Trust Committee in consideration of any request for amendment to the land use bylaw.
- Policy 8.7 ~~Rezoning, subdivision, construction or alteration of land adjacent to a watercourse should not be permitted until such time as a watershed management plan or riparian area plan can be developed that addresses appropriate site planning standards for the watercourse.~~
- Policy 8.8 Riparian Areas Regulation applicable water features and water features that are not subject to the Riparian Areas Regulation should both be protected by way of Development Permit Area. ~~Protection of the watersheds of Gambier Lake, Fircom Creek, Gambier Creek, Grennon Creek, MacDonald Creek, Whispering Creek, Mannion Creek and those unnamed creeks flowing into Halkett Bay,~~

Comment [MK37]: This is shown in the OCP schedules so does not need to be included here (and this is not worded as a policy)

Comment [MK38]: This should be reviewed for relevance. There may be an opportunity to replace with a Development Permit Area.

Comment [MK39]: Consider DPA to replace this, to allow for broader applicability (i.e. not just when rezoning proposed, as that is rare)

Comment [MK40]: DP 3 achieves this for RAR water courses (and will soon achieve this for non-RAR water courses as well)

	West Bay, Andys Bay, Centre Bay, Long Bay and Brigade Bay should be considered through zoning regulations.	
Policy 8.9	Zoning regulations should establish a minimum building setback from wetlands, watercourses and the sea.	
Policy 8.10	The retention of existing 20 metre (66 ft.) wide strips of land as Crown Reserve along the coast of Gambier Island is supported where it protects sensitive natural features of the Island's coastline or where it is suitable to provide for park and conservation opportunities. In all other instances the transfer of Crown Reserves to obtain park or conservation opportunities elsewhere on Gambier Island may be considered.	Comment [MK41]: Consultation topic for First Nations
Policy 8.11	At the time of application for rezoning, development permit or for amendment to this official community plan the impact of the proposed development on the natural environment and hazard lands should be considered. As a precautionary principle, these applications should not be approved until such information is obtained.	Comment [MK42]: Essentially says the same thing as Policy 8.4
Advocacy	Policy 8.12 Activities that produce disruptive noises and degrade the peace and tranquility of the planning area are discouraged.	Comment [MK43]: Outside LTC's land use management function
Advocacy	Policy 8.13 Organic agricultural practices are encouraged and the use of chemical fertilizers, pesticides and herbicides is discouraged. Fertilizers, pesticides or herbicides should only be used in a responsible and safe manner.	Comment [MK44]: Outside LTC's land use management function
Advocacy	Policy 8.14 Owners of environmentally sensitive areas are encouraged to examine voluntary stewardship measures such as conservation covenants or other arrangements that may contribute to ongoing natural area protection.	Comment [MK45]: Best achieved through DPA, amenity contribution or Trust Fund advocacy
Advocacy	Policy 8.15 Property owners are encouraged to replant areas that were cleared for development and not to create any unnecessary land clearing.	Comment [MK46]: Best achieved through DPA
Advocacy	Policy 8.16 Protection and retention of riparian habitat is encouraged.	Comment [MK47]: This is now required by DPA 3 for RAR habitat and will soon also be required for non-RAR habitat
Advocacy	Policy 8.17 Trees bearing the nests of marbled murrelets, great blue heron, bald eagle, osprey and other raptors shall not be cut in accordance with the provisions of the Wildlife Act. Where such nest sites are located on private property, property owners are encouraged to ensure the site is protected.	Comment [MK48]: Reiterates existing legislation. Also, the LTC has the power to protect nest trees through DPAs or zoning setbacks.
Advocacy	Policy 8.18 The Ministry of Transportation <u>ministry responsible for roads</u> is encouraged to:	

- i. allow the growth of vegetation along road rights-of-way except where this interferes with ditch drainage and road safety and maintenance;
- ii. prevent siltation or sediment run-off from ditches, culverts and road construction; and
- iii. minimize dust along roadways.

Advocacy

Policy 8.19 — The Ministry of Transportation and BC Hydro are requested to not use toxic chemicals for controlling the growth of vegetation along road, hydro and other rights-of-way.

Comment [MK49]: Outside LTC's land use management function

Advocacy

Policy 8.20 — The Ministry of Water, Land and Air Protection and Transport Canada are encouraged to prohibit the discharge of effluent directly into bays or any other body of water.

Comment [MK50]: Outside LTC's land use management function

Advocacy

Policy 8.21 — The Ministry of Health Services and Coast Garibaldi Health Services are encouraged to require that sewage disposal systems be located and constructed so as not to contaminate groundwater, beaches or watercourses.

Comment [MK51]: The LTC can implement zoning setbacks and DPAs to achieve this (eg – an RAR DP would be required if a property owner wanted to locate their septic within 20 metres of a watercourse). There are also existing provincial septic design standards and siting requirements that manage this.

Advocacy

Policy 8.22 — The appropriate federal and provincial government agencies are encouraged to enforce the required use of mufflers on motorized vehicles, boats and equipment.

Comment [MK52]: Outside LTC's land use management function

Advocacy

Policy 8.23 — The Ministry of Sustainable Resource Management, the Ministry of Water, Land and Air Protection and the Ministry of Health Services are requested to:

- i. provide legislative protection for water supply areas, including designated watersheds, wetlands, groundwater recharge areas and creeks through the development of water protection plans or other similar planning mechanisms; and
- ii. establish a moratorium on the issuance of new water licenses and a buy-back of existing water licenses on fish-bearing streams pending the results of any plan that is prepared.

Comment [MK53]: Water Sustainability Act now in effect and addresses these concerns

Advocacy

Policy 8.24 — The Ministry of Forests is requested to ensure that all forestry activities in the Gambier Island Planning Area are subject to the Forest Practices Code.

Comment [MK54]: It appears this is already Provincial law

Marine and Foreshore Areas Objectives

Comment [MK55]: Shoreline protection is identified as a priority area for OCP review in the current project charter. Possible consultation topic

Objective 7.17 to protect foreshore areas and surrounding waters and their natural life forms, including flora and fauna;

Objective 7.18 to minimize pollution from human use of the foreshore, surrounding waters and adjacent upland;

Objective 7.19 to preserve undisturbed areas on the foreshore and the surrounding waters and to establish marine protected areas;

Objective 7.20 to recognize that the coastline's natural and scenic values are important in giving the Planning area its rural marine character;

Objective 7.21 to ensure that any use of the foreshore does not result in permanent damage to the natural environment;

Objective 7.22 to minimize conflicts between marine and foreshore uses and those on the adjacent upland.

Comment [MK56]: This could be made into a policy – to establish zoning for marine protection. Also, adding an OCP designation for marine conservation should be considered

Comment [MK57]: Some of these could be consolidated.

Marine and Foreshore Areas Policies

Policy 7.32 Except as specifically provided for, the marine and foreshore areas as designated on Schedule B in the Gambier Island Planning Area should be zoned to allow:

Comment [MK58]: Currently there are only two marine OCP designations: "Forestry" and "Marine and Foreshore". Could consider creating a variety of Marine and Foreshore OCP designations as part of shoreline protection (e.g. a Marine Conservation Designation)

Comment [MK59]: Note that shared docks can be made a requirement of zoning to strengthen shoreline protection

- i. Cooperatively owned or operated docks to provide marine access to residential areas as a means of minimizing the need for upland road links between residential communities and to limit the need for multiple dock development along the shoreline;
- ii. boat moorage, where cooperatively owned docks are not feasible, to serve the needs of residents in the immediate area, provided such moorage does not restrict navigation;
- iii. public parks and ecological reserves, and
- iv. marine navigational aids; and
- i. publicly funded and operated boat-launching facilities.

Policy 7.33 ~~The land use bylaw should include provision for zones for each of the following foreshore use categories:~~

Comment [MK60]: Many of these are repeated below, so they have been deleted here and the policies below have been adapted to include all content from this section.

- ~~ii. log storage, sorting and dumping associated with the planning area's forestry requirements;~~
- ~~iii. marine transportation, and yachting outstations where ecologically sound;~~
- ~~iv. dock, moorage and swimming facilities for the non-profit camps;~~
- ~~v. marine conservation in shallow estuaries such as Cotton Bay (Mannion Creek), Douglas Bay, West Bay (Whispering Creek), Brigade Bay, MacDonald Creek/Sir Thomas Lipton Park, Halkett Bay, Long Bay and in fragile inter-tidal or foreshore areas and all other foreshore areas not otherwise alienated for specific uses; and~~
- ii.

Policy XX shellfish aquaculture in West Bay may be considered, provided that:

- the ~~new-proposed~~ sites are identified by ~~BC Fisheries~~ the provincial ministry responsible for fisheries to be of medium or good capability for shellfish aquaculture;
- ~~the proposals for aquaculture are being advanced through a rezoning process;~~
- the proposed aquaculture uses do not preclude the traditional enjoyment of the shoreline by the public or upland owners and the recreational activities traditionally enjoyed by people in the Alt'Kitsem (Howe Sound) area;
- public access to beaches and natural marine resources are retained by the introduction of suitable regulation for locating floating objects and structures.
- Consideration is given to the establishment of a public shellfish reserve, as a condition of bylaw approval; establishment of public shellfish reserve areas can be considered in the aquaculture development in the area;
- The proposed aquaculture sites do not displace local vessels from traditional year round moorage areas; and
- monitoring of impact on other marine resources and the implementation of remedial action should be part of any management plan for an aquaculture site.

Comment [MK61]: This should be clarified .

Policy 7.34 A Marine Conservation Zone should be established in the land use bylaw in biologically significant marine and foreshore areas identified on Schedule C, including Cotton Bay (Mannion Creek), Douglas Bay, West Bay (Whispering Creek), Brigade Bay, MacDonald Creek/Sir Thomas Lipton Park, Halkett Bay, Long Bay. Other fragile inter-tidal or foreshore areas and ~~in any~~ other marine and foreshore area identified through further study as being biologically significant should also be included in the Marine Conservation Designation.

Comment [MK62]: Consider creating a Marine Conservation OCP Designation. This would allow sites of importance to be looked at more closely, and further protection policies and DPAs to be developed. Potential consultation topic under shoreline protection

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

Policy XX The Land Use Bylaw should include zoning to support log storage, sorting and dumping associated with the planning area's forestry requirements;

Policy 7.36 A marine transportation zone should be established, where suitable and ecologically sound, to recognize existing public and community wharves and docks.

Policy 7.37 In foreshore locations where commercial and industrial uses are permitted, adequate provision should be made for public access to the foreshore.

- Policy 7.38 Foreshore and marine areas surrounding Gambier Island which have significant environmental or marine resource values are generally shown on Schedule C.
- Policy 7.39 In a marine conservation area, the biological impacts of any land uses should be considered as part of any rezoning proposal.
- Policy 7.40 Development permit designations should be required for commercial, institutional, and industrial sites adjacent to the natural boundary of the sea to regulate form and character and for protection of the natural environment, its ecosystem and biological diversity.
- Policy 7.41 Natural coastal processes should be left undisturbed to the maximum extent possible.
- Advocacy
Policy 7.42 All property owners are encouraged to retain natural vegetation on any land sloping towards the shoreline.
- Advocacy
Policy 7.43 The Federal Department of Fisheries and Oceans is encouraged to require holding tanks in boats and to designate all bays surrounding Gambier Island as non-discharge areas for purposes of sewage disposal from boats.

Comment [MK63]: This isn't a policy so should be made into an information note or included in an introductory section. This information, in addition to Islands Trust ecological mapping data, could be used in part to inform new Marine OCP designations

Comment [MK64]: The camps represent a significant foreshore use on Gambier

Comment [MK65]: The best way to achieve this would be through a shoreline protection DPA.

Comment [MK66]: Outside LTC's land use management function

PART X FIRST NATIONS

Three First Nations have asserted interest in the Gambier OCP Plan Area – Squamish Nation, Tsleil-Waututh Nation, and Musqueam. This Official Community Plan acknowledges the treaty and aboriginal rights and title of First Nations to harvest land and marine resources in the Local Trust Area for food, social and ceremonial purposes. The plan area contains many recorded and unrecorded archaeological sites which are protected through designation as Provincial heritage sites.

Policy 1 The Gambier Island Local Trust Committee will endeavor to understand the First Nations' connections to the land and waters of the Gambier Island OCP Area, history and current issues from a First Nations' perspective in order to build a genuine and mutually respectful relationship with the First Nations.

Policy 2 The Local Trust Committee acknowledges the diverse range of First Nations rights, title and interest in the Gambier OCP Area, and supports First Nations in their treaty processes, and other formal land-reclamation activities.

Policy 3 The Local Trust Committee respects the First Nations interests in the Gambier Island OCP Area land and marine areas and acknowledges their ability to exercise their traditional activities.

Comment [MK67]: It is recommended that a First Nations section be added which includes policies related to heritage/ archaeological preservation and relationship principles for working with First Nations. This section will need to be further developed with input from First Nations. These additions are a draft starting point.

Policy 4 Zoning regulations should protect marine shoreline function, integrity, ecological and resource values as well as archaeological resources and address cumulative impacts of development on Aboriginal interests.

PART X HERITAGE RESOURCES

Comment [MK68]: Suggested new section

Objective 8.9 to maintain a record of heritage resources in the Gambier Island Planning Area;

Objective 8.10 to identify, protect, preserve and enhance important cultural and historical resources in the Gambier Island Planning Area.

Objective 8.11 to recognize, preserve, and honour First Nations' heritage, sites of significance, and archaeological resources in the plan area

Heritage Resources

Policy 8.25 Significant archaeological, ~~and~~ heritage, and First Nations sites of significance sites and values in the Gambier Island Planning Area should be identified and/or protected.

Policy 8.26 Old growth stands of forest should be considered a heritage feature of the Gambier Island Planning Area and efforts should be made to preserve and protect them.

Policy 8.27 The creation of a Community Heritage Commission should be considered to provide community advice and assistance respecting the protection of the community's heritage features.

Policy 8.28 The restoration of buildings or places with heritage value may be considered an amenity under the terms of an amenity regulation in a land use bylaw.

Policy 8.29 Wharves constructed by the Federal Government for access to Gambier Island should be retained as they also represent an important part of the island's culture and heritage.

Advocacy

~~Policy 8.30 Private land owners shall be encouraged to assist in the preservation of heritage property through the use of voluntary covenants, heritage revitalization agreements, incentives and other strategies that may come available.~~

Comment [MK69]: This should be reconsidered (possibly via community consultation as part of shoreline protection topic) as this suggests that even derelict, non-functioning wharves should be retained in the foreshore. Would be good to find out whether or not that is a broad-reaching public sentiment, as from a shoreline protection standpoint, continuation of structures in the foreshore should be discouraged.

Advocacy

Policy 8.31 Heritage roads, as identified on Schedule D, should not be altered without consultation as part of the Islands Trust agreement with the Ministry ~~of~~ Transportation responsible for roads.

Comment [MK70]: Advocates to private property owners

Advocacy

~~Policy 8.32 The Ministry of Sustainable Resource Management and the Ministry of Community, Aboriginal and Women's Services shall be requested to ensure~~

archaeological and heritage sites are protected from disturbance under the provisions of the *Heritage Conservation Act*.

Advocacy

Policy 8.33 — When the Sunshine Coast Regional District (SCRD) building inspector is advised by the Local Trust Committee or by the Ministry of Sustainable Resource Management of the existence of an archaeological site in a location subject to a building permit application, the SCRD is requested to consult with the Local Trust Committee in accordance with the Letter of Understanding between the Gambier Island Local Trust Committee and the Regional District of Sunshine Coast Board.

Comment [MK71]: Protection of archaeological sites is overseen by the Archaeology Branch of the Province. The LTC could consider identifying heritage features that would be priority candidates for heritage protection, and develop protection policies. This is a potential consultation topic. Archaeological protection is an important heritage conservation topic, but is also sensitive in nature.

Comment [MK72]: Islands Trust staff have the opportunity to check for identified/ potential archaeological sites when reviewing SCRD building permit referrals, and to open a dialogue with the SCRD and building permit applicants at that time.

Comment [MK73]: Parts have not been updated with appropriate numbering

PART X CLIMATE CHANGE

PART 11 – CLIMATE CHANGE ADAPTATION AND MITIGATION

Background

Climate change results from the increasing concentration of heat-trapping greenhouse gases in the atmosphere as the result of human activities— primarily the burning of fossil fuels and large-scale deforestation. A 2007 report from the Intergovernmental Panel on Climate Change reveals that between 1970 and 2004, greenhouse gas emissions ~~have~~ increased by 70%. This dramatic rise in atmospheric greenhouse gas concentrations has in turn triggered an increase in the average temperatures of near-surface air and ocean water, with temperatures projected to rise 1.1° to 6.4° C over the next century. Although seemingly slight, these temperature changes will have dramatic and negative impact on ecological systems around the globe.

In response to climate change issues, the provincial government gave Royal Assent to Bill 27 [*Local Government (Green Communities) Statutes Amendment Act, 2008*] on May 29, 2008. Bill 27 amends the *Local Government Act* and other Provincial regulations to provide new tools for local governments. Most significantly, Bill 27 requires that all local governments include in their Official Community Plans targets to reduce greenhouse gas emissions and policies and actions to achieve these targets.

Many policies and objectives in this plan have the potential to aid in greenhouse gas reduction while also achieving other community goals. This part of the Plan contains objectives and policies specific to the reduction of greenhouse gas emissions and the broader topic of climate change adaptation and mitigation.

The following targets, objectives, policies and actions are the first step to ensuring that the reduction of greenhouse gas emissions specifically and the impact of climate change in general become part of the planning process for Gambier Island.

Comment [MK74]: Consider moving this section to an earlier part of OCP

Comment [MK75]: Structure: Consider adding brief background for each part of the OCP

~~This part of the Plan contains objectives and policies relating to the reduction of greenhouse gas emissions and the broader topic of climate change adaptation and mitigation.~~

This plan sets the following targets:

- To reduce greenhouse gas emissions by **33% by 2020** and 85% by 2050 from 2007 levels. Within the local trust area this reduction will be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations

Comment [MK76]: Evaluate the progress made towards this target and possibly set a new medium term target, seeing as 2020 is just two years away.

CLIMATE CHANGE ADAPTATION AND MITIGATION OBJECTIVES

- | | |
|---------------|---|
| Objective 6.1 | to give consideration to the impacts of climate change when making land use decisions; |
| Objective 6.2 | to support actions in land use, site planning, and construction that will result in the reduction of greenhouse gas emissions; |
| Objective 6.3 | to consider new ways to support alternative transportation that is less impactful on contributes less to climate change; |
| Objective 6.4 | to maintain public docks in their current location to ensure greatest efficiencies in location and use; and |
| Objective 6.5 | to protect our forest resources, both from the impact of forest fires and as places for carbon sequestration. |

CLIMATE CHANGE ADAPTATION AND MITIGATION POLICIES

- | | |
|------------|---|
| Policy 6.1 | The Local Trust Committee should consider the development of new criteria for assessing official community plan or zoning amendment applications from the perspective of climate change adaptation and mitigation. These criteria should address issues such as the impact of proposed density on reducing greenhouse gas emissions, the land use and the form of development, building materials and construction methods, energy efficiency and sources, and the long-term potential for the development to decrease footprint on the landscape. The criteria should also include a comprehensive cost benefit analysis to illustrate the benefits of a green approach to land use and development. |
| Policy 6.2 | Zoning regulations should address. The Local Trust Committee encourages residents to consider the establishment of programs for vegetable exchanges and the expansion of the siting, size and location of local markets for produce. |
| Policy 6.3 | The Local Trust Committee supports renovation, not replacement, as an overall policy for buildings and construction on the Island. |

Policy 6.4 The Local Trust Committee supports the protection of forest resources by reducing fuel loads and putting early succession forests on a faster track toward less fire prone old growth characteristics, both to protect the trees from forest fires and to allow for forests to sequester carbon.

Comment [MK77]: Unclear

Policy 6.5 The Local Trust Committee supports new, shared meeting points that improve the ability of residents to ride share on boat trips.

Comment [MK78]: Docks?

Policy 6.6 The Local Trust Committee encourages the [development of infrastructure to support the](#) use of small, fuel efficient vehicles ~~such as gators,~~ and ~~alternative~~ forms of shared transportation.

Policy 6.7 The Local Trust Committee supports cycling and walking trails that permit non-automobile forms of travel, where they are safe, easy to travel, and can be well maintained.

[Advocacy](#)

Policy 6.8 A number of Climate Change Adaptation and Mitigation Policies have been identified by the community that can only be achieved through initiatives resulting from individuals and the community, the actions of other levels of government, technological changes, and changes to land use policies and regulations. The following actions are encouraged to reduce greenhouse gas emissions:

- i) The Local Trust Committee should develop improved methods of determining and assessing the energy efficiency and climate change impacts of proposed development when it is processing land use applications. Application checklists should be revised to include climate change mitigation and adaptation criteria, such as energy efficiency, renewable energy and carbon sequestration impacts.
- ii) The Local Trust Committee encourages the amendment of Provincial and National Building Codes to include the requirement for water storage with every dwelling unit, and requests that Provincial authorities consider additional methods for recognizing the impacts of climate change within building code regulations.

[iii\)](#) The Local Trust Committee encourages residents to work beyond the requirements of Provincial and National Building Codes and find new ways to incorporate high energy efficiency into building design and construction.

~~iii)iv)~~ [In addition,](#) residents are encouraged to seek out new ways of reducing their own greenhouse gases emissions through alternative transportation methods, reduced use of fossil-fuel burning engines or generators, and increased use of low impact alternative energy sources.

~~iv)~~ [The Local Trust Committee encourages Trust Council to add a “carbon neutral calculator” to the Islands Trust website to assist residents in calculating their personal and household greenhouse gases emissions. Ideally, residents should be provided with a printout that compiles a list of suggested personal actions that could be taken to reduce emissions, tailored to the individual conditions entered into the calculator.](#)

Comment [MK79]: Unrelated to Land Use
(And these kinds of calculators are now readily available online)

- v) The Local Trust Committee encourages the Province to consider property tax credits (as opposed to tax increases or increased assessment value) when residents upgrade their dwelling to reduce carbon emissions.
- vi) The Local Trust Committee encourages insurance companies and provincial regulators to amend regulations in order to encourage green roofs and other alternative forms of construction that contribute to the reduction of greenhouse gas emissions.
- vii) The Local Trust Committee encourages insurance companies to recognize the reduced fire risk on Gambier Island brought about by community actions and consider the reduction to insurance premiums for individuals who have taken effective actions.
- viii) The Local Trust Committee encourages residents and visitors to take all available actions to limit the potential for forest fires. It is encouraged that prior to tree removal, forest ecologists be consulted to provide recommendations on spacing, debranching, and debris removal to create and maintain a fire safe property.
- ix) The Local Trust Committee encourages the Ministry of Forests to implement a “fire smart” public education campaign on Gambier Island on how to maintain a fire safe property within a forested area, and to reinforce the dangers of smoking, open flames, and fireworks in wooded areas.
- x) The Local Trust Committee encourages residents to establish a “boat share” mechanism for shared trips to and from the Island. This may take the form of a website or notice board, to be determined at the discretion of local residents.
- xi) The Local Trust Committee encourages Provincial authorities to examine existing legislation that does not support small fuel efficient vehicles and similar forms of transportation from the perspective of promoting climate change adaptation and mitigation.
- xii) The Local Trust Committee encourages the continued use of the Langdale float by the public in order to maintain efficiencies in travel.

PART 4 RESIDENTIAL

Comment [MK80]: Numbering has not been updated

This part of the Plan contains objectives and policies pertaining to residential development, including with respect to:

- general residential;
- settlement residential;
- rural residential;
- affordable and special needs housing; and

GENERAL RESIDENTIAL OBJECTIVES

Objective 4.1 to ensure that types of housing options are respectful of the environmental carrying capacity and rural character of the Gambier Island Planning Area; To guide and regulate growth and change in a manner that protects sensitive ecosystems, encourages sustainability, protects rural character and adapts to the potential effects of climate change.”

Comment [MK81]: Suggested rewording to make it more achievable/ less ambiguous

Objective 4.2 to promote a form of residential development on Gambier which retains a set/maintain the traditional development patterns of the Plan Area of distinct settlement nodes (or neighbourhoods) physically separated from one another by tracts of undeveloped land retained in its natural state and connected by trails and country lanes;

BL 85

Objective 4.3 to support agencies responsible to require new development to be supported by adequate potable water supply and sewage disposal;

Comment [MK82]: This is regulated by other agencies – outside of LTC jurisdiction

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

Comment [MK83]: Could be consolidated with 4.1

Objective 4.5 to restrict residential development from locating on sites which could be potentially hazardous due to excessive slope conditions or could negatively impact on ecologically unique features;

Comment [MK84]: There are no corresponding policies for achieving these objectives. Options for achieving this objective include:
-Development Permit Areas
-Setbacks

Objective 4.6 to provide for a broad range of residential housing types and allow for a diverse population and community of lifestyles;

Objective 4.7 to support affordable and special needs housing to serve the needs of planning area’s existing residents and it’s future population;

Comment [MK85]: These were grouped together into one objective so they have been separated into two

Objective 4.9 to consider the implications of historical lot development patterns in land use decision making.

Comment [MK86]: Captured in 4.1

Comment [MK87]: This is unclear

Comment [MK88]: Unclear

RESIDENTIAL POLICIES

General Residential Policies

The following policies are of general application to all residentially designated property:

Policy 4.1 Provision shall be made for two residential designations: Settlement Residential and Rural Residential. The location of lands in each designation are shown in the Land Use Designation map and each Settlement Residential area shall be considered a settlement node for the purposes of this plan (Schedule B).

Policy 4.2 Additional residential designations may be developed through more detailed local area planning as amendments to this OCP or additional zone designations may be developed in the land use bylaw in conformance with current policies of the OCP to provide for flexibility in residential densities.

Advocacy
Policy 4.3

~~All residential lots should be serviced by an approved sewage disposal system and have a source of potable water supply suitable for the intended uses permitted on the parcel before any sewage generating use is initiated on the lot.~~

Policy 4.4 Public roads provided to service new subdivision parcels respecting land in proximity to an existing settlement node should, where practical, be connected to the community's existing public road network within that settlement node.

Policy 4.5 In new subdivisions, located in areas outside of the planning area's existing public road network, access by water (from the sea) to upland parcels should only be considered in locations where a public road right-of-way may be constructed to provide each upland lot with access to a location fronting on navigable water which is able to reasonably accommodate a site for boat moorage.

Policy 4.6 ~~When developing land use regulations or development permit guidelines for lots adjacent to or encompassing a fish-bearing stream, the Local Trust Committee shall consider the potential impact on the stream of proposed land uses and in accordance with the Streamside Protection Regulation of the Fish Protection Act the Local Trust Committee shall establish streamside protection and enhancement areas.~~

~~Any water features shall be protected from residential development in accordance with applicable development permit area(s). The Local Trust Committee may consider establishing larger minimum lot areas for proposed subdivisions adjacent to or lots known to encompass a fish-bearing stream sensitive watercourses or wetlands, together with and appropriate setback requirements from the stream watercourses or wetlands to allow for proposed land uses at suitable distances from the stream.~~

Comment [MK89]: Structural change: Suggest the Residential section be broken down like this:

- 1) General residential objectives
- 2) General residential policies
- 3) Settlement residential objectives
- 4) Settlement residential policies
- 5) Rural residential objectives
- 6) Rural residential policies

Community consultation may be required to develop objectives for the settlement residential and rural residential designations (and policies may need to be updated to reflect the objectives)

Comment [MK90]: This supports increasing residential densities. Consideration should be given to removing this, or stipulating under which conditions an increase in density would be considered.

Comment [MK91]: This is already required through the province/ health authority

Comment [MK92]: This one may warrant review in light of shoreline protection objectives, which is a potential community consultation topic

Comment [MK93]: This has been addressed by the adoption of the RAR DPA. However, the LTC may consider adopting larger minimum lot areas for lots known to contain fish bearing streams, to achieve the objective of the last sentence. Larger minimum lot areas would need to be established by zoning, and couldn't be imposed on a case-by-case basis at the time a subdivision is proposed.

Policy 4.7 Trail accesses should be dedicated at the time of subdivision, or other development application, where appropriate to provide for an island trail system. Trails should provide inviting shortcuts and connections within and between neighbourhoods and link access points.

Policy 4.8 At the time of subdivision, any known heritage site, archaeological site, ecological significant feature and environmentally sensitive area should be protected through development permit, covenant, public land dedication or other means as a condition of subdivision.

Comment [MK94]: These considerations are dealt with in other sections of the OCP (First Nations section, environmental section)

BL 85

Policy 4.9 The Local Trust Committee may consider zoning for comprehensive residential development:
as a means of allowing more than one dwelling and one associated secondary dwelling on a parcel in the Settlement Residential or Rural Residential designation; or
to address historical patterns of lot development when policies support the continuation of such development; or
i. as a means to apply a higher lot density than generally applicable to District Lots 1258, 1653, 3201 (Gambier Island Sea Ranch) when applicable conditions provided for in the land use regulations are met, such as conditions relating to the conservation or provision of park and trail amenities.

Comment [MK95]: Like Policy 4.2, this also supports increased density. It should be clear under which circumstances/ in which areas density increase is supported – if it is supported at all. Community consultation topic? But also very dependent on infrastructure capacity, housing needs, environmental concerns etc.

Comment [MK96]: Done

Policy 4.10 In evaluating the suitability of a parcel for comprehensive residential zoning to allow for more than one dwelling and one associated secondary dwelling on a parcel, the Local Trust Committee should examine whether:
the further subdivision of the parcel is impractical for reasons of location, topography or access; parkland or other amenities will be provided equivalent to what would otherwise be provided as part of a subdivision process;
the residential density would exceed the number of dwelling units that would be permitted if the parcel had been subdivided;
the use of a covenant to limit further subdivision of the parcel is required; and
adequate water supply and sewage disposal services are available to support the scale of the intended use.

Policy 4.11 In evaluating a parcel for comprehensive residential zoning to allow for maintenance of historical patterns of residential lot development the local trust committee may consider smaller lot areas than otherwise would be permitted by other policies of this plan subject to lot density being maintained consistent with those policies.

Policy 4.12 The Local Trust Committee may consider zoning to allow subdivision that would create lots that are less than the existing minimum lot area provided for in this Plan:
i. if adjacent to the property there is undeveloped road right of way that in the opinion of the Local Trust Committee is not likely to be developed for road due to terrain or other obstacles; and

- ii. where the proposed development will provide an identifiable public advantage, benefit or amenity.

Comment [MK97]: The topic of increasing residential density through comprehensive zoning should be carefully considered. Policy 4.2 could be expanded to include considerations and conditions for comprehensive residential rezoning, based on further analysis and possibly community consultation related to the topic.

Policy 4.13

Density averaging provisions should be added to the Land Use Bylaw to allow clustering of small lots and retention of large swaths of land in a natural state. In the case of subdivision undertaken by means of density averaging the maximum number of lots that may be created, are equal to the total area of the parent parcel, after road is dedicated and areas for access routes in a bare land strata subdivision are deducted, divided by the average parcel area permitted in the applicable residential designation. Any remainder parcel and new lots created from the parent parcel which are larger than the permitted average parcel area shall be required to have a covenant registered on title limiting the number of additional parcels (if any) which may be created. Further subdivision of large remainder lots should be restricted.

Comment [MK98]: -Reads like a Land Use Bylaw regulation
-Requiring "no further subdivision" covenants when no further subdivision potential exists is redundant and can be onerous.

Policy 4.14

The residential ~~policy policies~~ of this plan shall be equally applicable to:
i. fee simple lots ~~created pursuant to the Land Title Act~~; and
ii. strata lots ~~created pursuant to the Strata Property Act~~.

Comment [MK99]: Consider inserting an "objectives" section to be addressed by the policies

Settlement Residential

The following policies are applicable in the Settlement Residential designation:

Policy 4.15

The principal use in the Settlement Residential designation should be single family residential.

Policy 4.16

Subdivision regulations for this designation should require a Minimum parcel ~~areas should vary within this designation, ranging from approximately~~ size ~~between~~ 0.5 hectares to approximately 2 hectares with an average lot area of approximately 2 hectares. ~~Lot areas should be established in the land use bylaw based upon:~~
~~sufficient area to accommodate a residence and associated secondary dwelling and sufficient area for sustainable potable water supply, on site sewage disposal and sufficient additional area to effectively address cumulative impacts of such development on the area soils and water supply;~~
~~the lot areas in the immediate surrounding area;~~
~~topography of the land, allowing for clustering of lot development and density averaging, to provide open green space between developments and to support a mixture of lot areas that may contribute to a diversity of population and opportunities for affordable housing.~~

Comment [MK100]: These considerations can be addressed by a DPA, or a detailed analysis could be conducted of each lot to consider which should be zoned to allow subdivision and which should not, based on these factors. Minimum lot area cannot be decided on a case by case basis based on these factors.

BL 85

Policy 4.17

Zoning regulations should permit Aan associated secondary dwelling ~~may be a permitted use~~ on existing parcels of 0.4 hectares or greater subject to:
i. the use being accessory to the principal dwelling use;
ii. the use providing for:

- the accommodation of non-paying guests of the principal dwelling residents;
 - ~~housing for affordable or rental purposes;~~ accessory residential use or
 - home occupations;
- iii. the maximum floor area being regulated to ensure the associated secondary dwelling is limited in floor area, secondary in use and smaller in floor area than the principal dwelling and proportionate to the lot area; and

Comment [MK101]: The LTC cannot control affordability/ require rental housing when it comes to secondary dwellings unless new zoning powers under the Local Government Act are used or housing agreements are secured and registered on title.

~~the Local Trust Committee in the zoning regulations may vary policy provisions regarding associated secondary dwellings to address site specific situations provided by the cumulative impacts of development.~~

Comment [MK102]: Unclear. Rezoning would be required to change regulations pertaining to secondary dwelling use

BL 85

Policy 4.18

An associated secondary dwelling of limited floor area may be a permitted use on existing parcels of less than 0.4 hectare subject to:

- i. a principal dwelling unit being constructed on the lot;
- ii. an occupancy permit for the principal dwelling unit having been issued prior to the regulation of the size of secondary dwellings (Bylaw No. 66), or submission of definitive proof that the dwelling was in existence prior to the time that occupancy permits began being issued for Gambier;
- iii. the associated secondary dwelling use being accessory to the principal dwelling use;
- iv. the associated secondary dwelling use providing for:
 - the accommodation of non-paying guests of the principal dwelling residents;
 - ~~housing for affordable or rental purposes~~ accessory residential use; or
 - home occupations;
- v. the maximum floor area of the associated secondary dwelling being regulated to ensure the associated secondary dwelling is limited in floor area, secondary in use and smaller in floor area than the principal dwelling.

Comment [MK103]: Suggest this be added. as there are cases on Gambier where the principal dwelling was constructed prior to the SCRD's establishment and therefore prior to the existence of occupancy permits on Gambier.

Policy 4.19

~~Where sewage and water quality conflicts occur, habitable buildings should be prohibited and consolidation of the lots should be encouraged. Consolidation of lots should be encouraged.~~

Policy 4.20

The Local Trust Committee may consider zoning to allow for alternative forms of residential development in the Settlement Residential designation subject to a Local Area Plan being prepared identifying:

- i. areas for and scale of cluster forms of housing;
- ii. areas for park and green space; and
- iii. long range servicing requirements; and related considerations.

Comment [MK104]: Also part of larger topic of residential density increases and under what circumstances that would be supported.

Comment [MK105]: Insert a section with objective(s) for this designation

Rural Residential

The following policies are applicable in the Rural Residential designation:

Policy 4.21 The principal permitted use in the Rural Residential designation should be single family residential. Agricultural and forestry uses may also be permitted, and minimum parcel areas for the uses may be specified in the zoning regulations, subject to compliance with the minimum parcel area requirements as specified in the zoning regulations for such uses.

Policy 4.22 Parcel areas ~~shall generally be larger than those found in the settlement residential areas and~~ should average ~~approximately~~ 4 hectares in new subdivisions in order to preserve the rural nature and resource values of these areas, ~~with minimum lot areas varying depending upon:~~
~~the proximity of the subdivision to existing settlement residential development, providing minimum lot areas similar to or larger than the average lot area found in adjacent settlement residential areas;~~
~~the proposed uses that would be permitted on the lot, with larger minimum lot areas for agriculture and forestry use;~~
~~the location and type of environmentally sensitive features that may be found in the area, with minimum lot areas of sufficient area to~~ insure the features in question are not divided, where possible, by new property boundaries;
~~the capability of the lot to provide a sustainable potable water supply and sewage disposal in accordance with applicable provincial health regulations.~~

Comment [MK106]: Management of subdivision configuration for environmental protection is best achieved by DPA. Zoning does not allow for flexibility of lot sizes at the time of subdivision based on these factors.

BL 85

Policy 4.23 An associated secondary dwelling may be a permitted use on existing parcels of 0.4 hectares or greater subject to:

- i. the use being accessory to the principal dwelling use;
- ii. the use providing for:
 - the accommodation of non-paying guests of the principal dwelling residents;
 - ~~housing for affordable or rental purposes~~ accessory residential use; or
 - home occupations;
- iii. the maximum floor area being regulated to e-insure the associated secondary dwelling is limited in floor area, secondary in use and smaller in floor area than the principal dwelling and proportionate to the lot area; and
- iv. the Local Trust Committee in the zoning regulations may vary policy provisions regarding associated secondary dwellings to address site-specific situations provided by the cumulative impacts of development.

Policy 4.24 ~~The Local Trust Committee may consider zoning to allow for alternative forms of residential development in the Rural Residential designation subject to a Local Area Plan being prepared identifying:~~
~~i. areas for and scale of cluster forms of housing;~~
~~ii. areas for park and green space; and~~
~~iii. long range servicing requirements; and related considerations.~~

Comment [MK107]: Also part of larger topic of residential density increases and under what circumstances that would be supported.

Affordable and Special Needs Housing

The following policies pertain to affordable and special needs housing:

Policy 4.25 — Due to the planning area's small overall population and limited range of on-island services, requirements for persons with special needs is best addressed on an individual basis within single family or associated secondary dwellings rather than through formalized housing programs.

Comment [MK108]: Potential community consultation topic

Policy 4.26 — Provision for associated secondary dwellings in residential areas may be one of the means of providing for affordable and rental housing in the Gambier Island Planning Area.

Comment [MK109]: APC: "delete 4.25 as it tells people how they should choose to support their families"

Comment [MK110]: APC: "Keep 4.26"

Policy 4.27 — Prior to any consideration of affordable, special needs or rental housing as formalized land use proposals or as specified housing programs, a review should be completed to confirm whether adequate services are available for the occupants of such housing.

Comment [MK111]: APC: "delete as it is vague, or not applicable (lack of services on the island)"

Home Occupations

The following policies pertain to home occupation uses:

Comment [MK112]: APC: add a new policy for housing options such as clustering, coops, etc.

MK: These options should be explored through community consultation

Policy 4.28 — Home occupations are intended:

- i. — to provide a level of service to the community that cannot otherwise be provided at a commercial or industrial level; and
- ii. — to provide a supplemental income to property owners or to act as a location to develop a business until it is of a size or nature that it requires suitably zoned land for the intended use.

Comment [MK113]: APC minutes state "Use the term "home-based business" instead of "home occupation" However, "home occupation" is clearly defined in the LUB. If the term is changed in the OCP, it must change in the LUB as well. Suggest keeping it as home occupation for now.

Comment [MK114]: •APC: "Suggestion that inclusion of a definitions section in the OCP would be helpful, to enhance clarity. There is no definition of "home occupation".

MK: There is a Glossary in the plan, but it does not include a definition of "Home Occupation". However, the Land Use Bylaw does.

Policy 4.29 — A home occupation use should be subject to the following conditions:

- i. — the use is a secondary use to residential use on a parcel;
- ii. — the use is conducted by a resident on the parcel;
- iii. — the use should not involve the exterior storage of any material or equipment used directly or indirectly in the processing of any product unless such materials or equipment are screened from adjacent properties; and
- iv. — there should be no variation to the external residential appearance of the land and premises on which the use is carried out other than a small sign, if necessary, to convey the nature of the business.

Comment [MK115]: APC: "delete as there are existing bylaws that deal with the issue of storage & screening. This part is too specific".

MK: I believe the APC is referring to "nuisance" or "unsightly premises" bylaws (administered by SCRD). Please note it is common for home based business regulations in Land Use Bylaws to regulate the visual impact of Home Based Businesses. This gives the LTC direct enforcement authority over these types of issues.

Comment [MK116]: APC: "Reword: combine the intention of part iii with part iv regarding appearance of the property: low key, respects neighbours and community.

Policy 4.30 — Zoning regulations for home occupations should include:

- i. — definition of the types of uses permitted;
- permitted home occupations;

- parking, screening and signage requirements;
- ii. — maximum floor area and use of accessory buildings and structures;
- iii. — the number of non-resident persons who may be employed on the parcel; and
- iv. — related considerations.

Comment [MK117]: Suggest deleting this whole section, and including one general policy regarding home occupations in the Economic/Commercial section. The detailed regulation of impacts should be included in the Land Use Bylaw.

PART 5 ~~ECONOMIC ACTIVITY~~ COMMERCIAL USES

Comment [MK118]: Move this section to the end of the OCP and consider re-naming

This section presents a set of objectives and policies applicable to ~~the following economic activity~~ commercial use in the following land use designations:

- residential designations (home occupations);
- commercial retail and commercial services;
- visitor accommodation;
- commercial marine; and
- temporary commercial and industrial use.

~~ECONOMIC ACTIVITY~~ COMMERCIAL USE OBJECTIVES

Objective XX to allow a range of home based business uses, as a means of providing supplemental employment opportunities, while maintaining the residential character of such properties without requiring land to be designated for commercial purposes;

Comment [MK119]: Moved here from Residential section

Objective 5.1 to allow appropriate small-scale commercial activity to serve existing local needs provided the activity is located in a manner which does not negatively affect the surrounding neighbourhood or the natural environment;

Comment [MK120]: Policy

Objective 5.2 to support concentrated commercial locations for commercial retail, ~~and~~ commercial services and small scale industrial activities that support the local economy and provide local employment on Gambier Island;

Objective 5.3 to allow a limited number of small scale commercial visitor accommodation outlets catering to the needs of persons visiting the Gambier Island Planning Area provided they are located in a manner which does not negatively affect the surrounding neighbourhood or the natural environment;

Comment [MK121]: Policy

Objective 5.4 to ~~allow a limited number of support~~ low impact, environmentally sensitive or educational tourism-based activities which provide local employment;

~~Objective 5.5~~ to regulate the appearance of commercial buildings and signage so as to ensure their consistency with the planning area's rural coastal character;

Comment [MK122]: Policy – should specify that DPA guidelines should be used

~~Objective 5.6~~ to permit small-scale industrial activities that support the local economy and provide local employment;

~~Objective 5.7~~ to support industrial uses that utilize environmentally sound practices and that are respectful of the planning area's rural character and the serenity enjoyed by neighbouring property owners;

Objective 5.8 to acknowledge the right to access, explore and develop mineral resources in a manner consistent with the object of the Islands Trust and to support the identification of sand and gravel resources in the Gambier Island Planning Area for the future needs of the planning area.

ECONOMIC ACTIVITY COMMERCIAL USE POLICIES

General Commercial

The following policy pertains to general commercial uses:

Policy 5.1 The community plan makes provision for a commercial retail and commercial service use and a yachting outstation designation as shown on Schedule B (the Land Use Designation Map). Policies are also provided for visitor commercial and commercial marine.

Comment [MK123]: APC: "categorize ec. Dev. Policies for easier reading"

MK: Staff suggest a restructure of the OCP for better readability

Comment [MK124]: Not actually a policy. Redundant, as the points it makes are evident in the policies

Commercial Retail and Commercial Service

The following policies pertain to commercial retail and commercial service uses:

Policy 5.2 Permitted uses in the commercial retail and commercial service designation may include retail, restaurant, personal service use, office use and related uses. The Local Trust Committee through zoning regulations may consider a broader range of commercial retail and commercial service uses.

Policy 5.3 The Local Trust Committee may consider the designation of additional sites for commercial retail and commercial service use in response to applications based on compliance with the following criteria:

- ii. the proposed use(s) would be complementary to and not detract from the range of uses already offered in the planning area;
- iii. the design and site layout can be well integrated into the land use pattern within settlement nodes and the site would be easily accessible to occupants of that settlement node;
- iv. sewer and water services shall be provided on the parcel;
- v. the size of development proposed is in keeping with the current scale of development within the settlement node; and
- vi. the envisioned business can reasonably be supported by the planning area's resident and visitor population without adversely affecting the viability of existing uses.

Visitor Accommodation

The following policies pertain to visitor accommodation uses:

Policy 5.4 Temporary overnight accommodation, which is a home occupation use that may be permitted in residential designations, is recognized as the preferred means of providing for the accommodation needs of visitors to the planning area.

Policy 5.5 Locations for potential small-scale commercial visitor accommodation outlets have not been identified on Schedule B. The Local Trust Committee would have to consider the designation of areas, as an amendment to this plan in response to an application, before zoning for small-scale commercial visitor accommodation could be considered. Criteria to be considered for small-scale commercial visitor accommodation should include:

- i. the size of development proposed would be in keeping with the current scale of development in the planning area, but the number of permitted sleeping units would be greater than the number of bedrooms permitted in temporary overnight accommodation;
- ii. the proposed use(s) would be complementary to and not detract from the range of uses already offered on the planning area;
- iii. the design and site layout can be well integrated into the land use pattern;
- ~~iv. sewer and water services shall be provided on the parcel;~~
- ~~iv. the envisioned business can reasonably be supported by the planning area's resident and visitor population; and~~
- vii. the facility is intended to facilitate the visitor's enjoyment of the Gambier Island Planning Area's natural amenities without detracting from those amenities and is not a destination facility in and of itself.

Comment [MK125]: Temporary Use Permits could be considered for this

Comment [MK126]: DPAs could be used

Comment [MK127]: Development Approval Information Bylaw

Comment [MK128]: Should be deleted or re-worked so that it more clearly speaks to land use considerations

Policy 5.6 Wilderness camping, where permitted on the lands commonly referred to as "Crown Land" ~~Crown Land~~, and group accommodations at Gambier Island's existing private camps are recognized as alternative means of addressing the accommodation needs of planning area visitors.

Comment [MK129]: Find better term in collaboration with First Nations

Comment [MK130]: APC: "The APC requested that IT staff clarify the intent and purpose of 5.6 as it is vague as it relates to camps"

MK: permitted uses of the camps are a potential area for community / stakeholder engagement

Commercial Marine

The following policies pertain to commercial marine uses:

Policy 5.7 The community plan makes no provision for the designation of any site(s) for a commercial marine use but consideration for such use can be addressed in response to an application for amendment to this plan.

Policy 5.8 The following guidelines should be considered in any review of a proposed commercial marine use:

- i. public access to the foreshore or an adjacent public recreation site is not reduced;
- ii. proposed development is small in scale, of local and not provincial (or regional) significance and is developed in a manner which is sensitive to the character of surrounding properties;
- iii. existing trails and important natural features on the upland portion of any site and public use of the trails are maintained;

- iv. the site does not provide any negative environmental impact nor lead to the planning area's marine waters being polluted; and
- v. there are no gasoline sales or water motorsport rentals.

Policy 5.9 As an alternative to commercial marinas to serve the needs of planning area residents, the provision of wharves and other forms of moorage which are publicly-owned, community-owned or operated on a cooperative basis can be considered.

Information Note: A number of First Nations have Aboriginal Rights and Title in the plan area, given First Nations' use and occupation of the area from time immemorial. Aboriginal Rights and Title give certain First Nations special rights – such as the right to fish and hunt - which may be considered separately from the Commercial Marine policies of the OCP

Comment [MK131]: Suggest the addition of acknowledgement of First Nations rights and title, as these rights are unaffected by local government land use regulations and include the right to carry out certain economic development activities

PART 7 RESOURCE LANDS

This section contains objectives and policies pertaining to:

- agriculture;
- forestry;
- Industrial; and
- wilderness conservation; and
- marine and foreshore Areas.

Comment [MK132]: Document restructuring: Part 7 has been reordered here so that policies follow objectives for each topic (currently, all objectives for Agriculture, forestry, etc are listed together, then later on come the policies for all topics).

This section could be further refined by reducing the objectives to 2-4 succinct objectives and then listing the corresponding policies after each objective.

Comment [MK133]: The industrial objectives and policies have been moved here from the "Economic Activity" section

Comment [MK134]: Moved to Environmental section

RESOURCE LANDS OBJECTIVES

General Objectives

- Objective 7.1 to support resource use practices that are grounded in ecosystem management and provide for sustainable resource management;
- Objective 7.2 to protect the planning area's surface watercourses, groundwater resource and recharge areas;
- Objective 7.3 to protect habitat for wildlife, especially of threatened or endangered species, and headwaters and wetlands of fish bearing streams;
- Objective 7.4 to retain the natural attributes and scenic visual features of the planning area;

Agriculture Objectives

- Objective 7.5 to ensure land with agricultural capability is retained for farm use;
- Objective 7.6 to encourage small-scale farming as a viable land use activity on Gambier Island;

Agriculture Policies

- Policy 7.1 The Local Trust Committee supports the retention of farmland in the ALR.
- Policy 7.2 Subdivision of land in the ALR is not supported where such subdivision would reduce the long-term viability of the parcel for farm use. Zoning regulations should specify a minimum parcel area in the agricultural zone that does not limit the agricultural potential of the land.
- Policy 7.3 All lands in the ALR shall be designated Agriculture on Schedule B (the Land Use Designation map) wherein the zoning regulations should recognize agricultural use and one single-family residential dwelling use per parcel as principal uses.

Comment [MK135]: Update Schedule B to include all land in the ALR

Advocacy

Policy 7.4 The removal of soil from or the deposition of soil on agricultural land shall be strongly discouraged where it would reduce the agricultural viability of the farm parcel. Soil removal and/or deposition is subject to approval of an application to the Land Reserve Commission for a Soil Conservation Permit.

Comment [MK136]: In the ALC's jurisdiction

Advocacy

Policy 7.5 The Land Reserve Commission is encouraged to retain existing lands in the ALR in parcel areas large enough to support viable farming operations.

Comment [MK137]: ALC jurisdiction- already a large part of the ALC mandate. Also, the LTC can support this by creating large minimum lot sizes (as supported by Policy 7.2), so this does not have to be an advocacy policy since it is within the LTC's jurisdiction.

Policy 7.6 The continuing use of Camp Artaban located on Parcel A, RP1825, DL 1298 and Parcel B, RP2901, DL 1653 Group 1, New Westminster District as a church camp within the ALR is supported.

Advocacy

Policy 7.7 Recreation Park use of the area adjacent to Brigade Bay on Agricultural Land Reserve lands should only be permitted in response to an application that is approved by the Land Reserve Commission

Comment [MK138]: An ALC application would be required for this and any other non-farm use on ALR lands. No need to advocate for that.

Forestry Objectives

Objective 7.7 to retain large contiguous areas of forested land;

Objective 7.8 to support forestry practices which are compatible with and complementary to the values of conservation and sustainability;

Objective 7.9 to support limited small-scale timber production while retaining the environmental and recreational values of forested land;

Objective 7.10 to encourage the use of forested land for recreation, wildlife habitat, biological diversity and cultural resource uses;

Objective 7.11 to support access by area residents to the Gambier Island's crown land-timber supply lands for community forest or woodlot purposes;

Objective 7.12 to support the retention of old growth trees and forests;

Forestry Policies

Advocacy

Policy 7.8 While crown land the land commonly referred to as "Crown Land" in the Gambier Island Planning Area is recognized to be within the Sunshine Coast Timber Supply Area, the Ministry of Sustainable Resource Management ministry responsible for forests is requested to examine means to remove Gambier Island from any annual allowable cut through the Land and Resource Management Plan process and provide that not provide any licensing process for timber harvesting is provided, other than through woodlot tenures or a

Comment [MK139]: Potential community consultation topic

First Nations engagement topic

MFLRORD engagement topic

	community forest. If Gambier Island cannot be removed from any annual allowable cut the Ministry of Forests <u>ministry responsible for forests</u> is requested to treat Gambier Island as a sustainable forest management unit through the Forest Development Plan and allow only sustainable harvesting of trees through its licensing procedures and <u>e</u> nsure that such harvesting should not exceed the rate of re-growth of trees on Gambier Island.
Policy 7.9	In the Forestry designation, large-scale industrial clear-cut operations are strongly opposed. Forest-harvesting operations should be small in scale and undertaken based on appropriate management methods that minimize adverse visual and environmental impacts.
Policy 7.10	The creation of a community forest or a limited number of small privately operated woodlots are the preferred means of forestry activity.
Policy 7.11	This Plan recognizes the importance of old growth trees and old growth forests for historic, cultural and ecological values. Consequently, forestry operations on Gambier Island should ensure old growth timber stands are retained. Priority consideration for retention in their natural state should be given to areas designated as “Old Growth Forest” on Schedule C.
Policy 7.12	Sustainable forest management is advocated <u>encouraged</u> within the Forestry designation.
Policy 7.13	In accordance with the Forest Practices Code, sound forest management practices should be observed at all times in order to prevent erosion, preserve water supplies and ensure healthy renewal of the forest through reforestation.
Policy 7.14	The Local Trust Committee supports the retention of the Forest Land Reserve (FLR) designation on existing lands in the FLR.
Policy 7.15	The Local Trust Committee does not support the approval of subdivisions of land in the FLR <u>forestry lands</u> , where such subdivision would reduce the long-term viability of the parcel for forestry use. The Local Trust Committee through the zoning regulations should specify a minimum parcel area in the forestry zone that supports continuing sustainable forestry activity.
Policy 7.16	Crown land currently under license pursuant to the Forest Act, existing unmanaged forest land pursuant to assessment classification and all lands in the FLR should be designated as Forestry on Schedule B (the Land Use Designation map).
Policy 7.17	The permitted uses in the Forestry designation should include forestry and one single-family residential dwelling use per parcel. The zoning regulations should also specify a range of permitted accessory forestry-related uses, including uses associated with fire suppression.

Comment [MK140]: Should be reviewed for continued relevance. Compare with Sensitive Ecosystem Mapping

Comment [MK141]: This is an advocacy policy that could be strengthened

Comment [MK142]: The Forest Practices Code exists in its own right and does not need to be re-enforced in the OCP

Comment [MK143]: Obsolete: FLR no longer exists

Comment [MK144]: This is contradictory to policies and objectives to protect forests. At least for privately owned forestry lands, there may be some opportunity to create stronger policy to support mixed use forestry zones as per Objective 7.11 (ie. Zoning that allows selective forestry, and also recreational activities, educational activities, limited residential, ecological conservation, etc.) This is a topic that could be explored through community consultation

Comment [MK145]: Designations are in place

Policy 7.18 Protection of environmental resources in the marine-based Forestry designation should be by marine conservation zoning or development permit designation or both where areas are identified as environmentally sensitive through other plan policies or identification on Schedule C or F or both.

Policy 7.19 Access to Forestry designated areas for low impact recreational purposes should be encouraged.

Policy 7.20 Based on an application, temporary industrial use permits may be considered in the forestry designation to permit the processing of timber derived from the planning area's forestlands.

Comment [MK146]: TUP area would need to be designated in OCP

Advocacy

Policy 7.21 The Province should allow community forest and woodlot licensing on Crown landslands commonly referred to as "Crown Land" that are designated as Forestry in cases where this would create locally based economic opportunities for small scale sustainable forestry, including providing logs for local processing.

Advocacy

Policy 7.22 The Ministry of Forestsministry responsible for forests should only consider permitting new woodlots on lands designated as Forestry to be created on a site-specific basis and conditional on undertaking a community review process and environmental assessment of the proposed site.

Advocacy

Policy 7.23 The Province of British Columbia is encouraged to adopt legislation that allows the Gambier Island Local Trust Committee to develop and apply forest management regulations on private land forestry activities outside of the FLR within the Plan area. The Land Reserve Commission is encouraged to work with the local trust committee in addressing issues on private FLR land.

Comment [MK147]: The FLR no longer exists. The LTC may be able to use their DPA and zoning powers to achieve certain forest management objectives for private land

Advocacy

Policy 7.24 Park use of areas on Forest Land Reserve lands should not detract from any forestry values that may exist within the FLR.

Comment [MK148]: FLR no longer exists

Industrial Objectives

Comment [MK149]: Moved here from Economic section

Objective 5.6 to permit small-scale industrial activities that support the local economy and provide local employment;

Objective 5.7 to support industrial uses that utilize environmentally sound practices and that are respectful of the planning area's rural character and the serenity enjoyed by neighbouring property owners;

Comment [MK150]: Could be consolidated into one

Industrial Policies

Comment [MK151]: Moved here from Economic Section

Information Note: The Provincial Government has jurisdiction over mineral extraction activities. The Islands Trust does not have the authority to regulate mineral extraction, but may regulate mineral processing through land use regulation.

The following policies pertain to industrial uses:

Policy 5.10 With the exception of the two existing industrial sites on the west side of Gambier Island at Andy's Bay and at the gravel pit, no other sites shall be designated for industrial use on Schedule B (the Land Use Designation map) and future applications to establish light industrial sites shall be evaluated based on individual merit.

Policy 5.11 Extraction of minerals shall not require an industrial designation on Schedule B or industrial zoning in a land use bylaw, as mineral extraction is managed by the Provincial Government and is outside of the Islands Trust's jurisdiction to regulate, but any processing of such minerals shall require industrial zoning.

Policy 5.12 Future applications to zone sites for industrial use shall be evaluated based on compliance with the following criteria:

- i. the proposed use is small in scale and will serve the needs of planning area residents or the requirements of forestry, agriculture or other planning area land uses;
- ii. there are controls that minimize the pollution of land, water and air;
- iii. it is demonstrated that adequate fire protection, site service (sewer and water) and solid and environmental waste handling can be adequately provided for;
- iv. the site is not located in a residential area and will not cause industrial traffic to be routed along a local road through a residential neighbourhood;
- v. depending on the nature of the use, adequate provision has been made for screening, fencing, buffering and/or landscaping of the proposed use from adjoining properties; and
- vi. there are no apparent conflicts with adjacent areas or the natural environment.

Advocacy

Policy 5.13 ~~Owners of aggregate extraction operations are encouraged to limit their extraction to what is necessary for Gambier Island-based demand.~~

Policy 5.14 Industrial equipment and contractor's vehicles should be screened from view from any public road or adjacent property and should be located on private property when parked.

Policy 5.15 Zoning should permit ~~The incidental, small-scale-~~milling of timber for domestic use on Gambier Island ~~should be permitted~~ without requirement for industrial zoning, ~~but any sawmill that is used on a relatively continuous more than an~~

Comment [MK152]: This one could potentially be removed if the above suggested information note is included. This policy is contradictory to Advocacy Policy 5.19 which indicates the LTC does not support further mining on Gambier

Comment [MK153]: Advocates to private businesses

Comment [MK154]: Written as a regulation. Could be reworded to "Parking and screening regulations should apply to industrial equipment and vehicles..."

	occasional basis and that produces volumes of timber beyond what is typically required for local domestic purposes should be located on industrial zoned property.	
Advocacy Policy 5.16	The Local Trust Committee acknowledges the right of the Ministry of Energy and Mines to allow access, exploration and extraction of mineral resources in the Gambier Island Planning Area. The Ministry of Energy and Mines, ministry responsible for mines is encouraged to adopt the Principles of Environmental Features (Schedule H) in the implementation of their mandate through a Protocol Agreement with the Local Trust Committee.	Comment [MK155]: Suggest information note at beginning of section (drafted above) Comment [MK156]: Should be reviewed for continued relevance
Advocacy Policy 5.17	Known sand and gravel deposits include the gravel pit identified on Schedule B as an industrial site and a small gravel pit located in the New Brighton peninsula. Research may identify additional sites. Sand and gravel extraction in Gambier Island Planning Area is acknowledged as permitted, where appropriate permits have been obtained from the province, but owners are The ministry responsible for mineral extraction is encouraged to limit extraction licenses to what is necessary for requirements of the planning area and the extraction process should be managed in consideration of the Principles of Sustainability of Environmental Features (Schedule H).	Comment [MK157]: Put this in the Plan introduction. Information regarding gravel deposits must be in the plan to meet LGA requirements. Comment [MK158]: Information note content Comment [MK159]: Should be reviewed
Advocacy Policy 5.18	The current “No <u>Registration</u> Reserve” that the province has enacted on Gambier Island, which currently prevents any staking of new mineral tenures, is strongly supported and while such a reserve can be lifted at any time, such removal is discouraged.	
Advocacy Policy 5.19	The Ministry of Energy and Mines ministry responsible for mineral extraction is encouraged not to approve any further mining or mining exploration activity in the Gambier Island Planning Area. The Local Trust Committee supports the position of Trust Council that there should be no extraction of the peat, metals, minerals, coal or petroleum resources of the Trust area. The Local Trust Committee supports this policy in recognition of the incompatibility of such resource extraction with the object of the Islands Trust.	
	Advocacy policy 5.19 is made in full knowledge that local trust committee authority to regulate the use of land does not extend to mines or minerals belonging to the Crown or to the extraction of minerals from privately owned land, and that none of its bylaws can bind or affect the provincial government in the use or development of land.	Comment [MK160]: Information note content

Wilderness Conservation Objectives

- Objective 7.13 to maintain the wilderness and ecological values, the ecosystems and the unique areas of importance in the Gambier Island Planning Area together with the corridors and linkages that help preserve such values, systems and areas;
- Objective 7.14 to preserve large parcels of land in an undisturbed and natural state;
- Objective 7.15 to maintain the natural environment and restore the former biodiversity of the Gambier Island Planning Area;
- Objective 7.16 to maintain the scenic viewscape of the planning area that may be seen by the larger [Alt'Kitsem](#) (Howe Sound) community;

Wilderness Conservation Policies

- Policy 7.25 ~~Large crown land parcels~~ [The large parcels of lands commonly referred to as "Crown Land"](#) are designated Wilderness Conservation. These lands are shown in Schedule B (the Land Use Designation map).

BL 85

- Policy 7.26 The permitted uses in the Wilderness Conservation designation should be:
- i. preservation and conservation of large areas of undisturbed open space;
 - ii. open space to permit water recharge;
 - iii. provincial or regional park;
 - iv. low impact recreation (including hiking and wilderness camping);
 - v. restoration and rehabilitation of natural ecosystems and biodiversity;
 - vi. sustainable harvesting of trees including woodlot and community forest use.
- Policy 7.27 No buildings or structures should be constructed on a parcel in the Wilderness Conservation designation, except those required for fire protection or public recreation purposes.
- Policy 7.28 Land Use Bylaw regulations should limit further subdivision of these lands by the creation of a large minimum lot area.
- Policy 7.29 Development permit requirements for the protection of the natural environment, its ecosystems and biological diversity should be applied to all areas designated Wilderness Conservation to preserve the ecological values derived from old growth forests, and to preserve habitat values and biological diversity associated with area wetlands and the headwaters of planning area streams.

Advocacy

Comment [MK161]: DP 1 applies to these lands, and is focused on preserving aquatic ecosystems and groundwater. It does not speak to old grown forests. Development Permit powers over "Crown" lands are limited

Policy 7.30 Provincial Ministries or Crown Corporations, ~~including Ministry of Sustainable Resource Management, Ministry of Forests, Ministry of Energy and Mines and British Columbia Assets and Land Corporation~~ responsible for resource management, forests, mines, energy, public assets and lands are encouraged to enter into protocol agreements with the Islands Trust regarding consultation processes leading to the issue of any permits or tenures, other than mineral tenures, for lands within the Wilderness Conservation land use designation and to not issue such tenures or permits until such protocols have been established.

Advocacy

Policy 7.31 The ~~Ministry of Forests~~ ministry responsible for forests is requested to prevent any timber harvesting activity within the Wilderness Conservation designation. ~~The Ministry of Forests is requested and~~ to consider the objectives 7.7 to 7.12 and policies 7.8 to 7.23 of this Plan for any lands in the Wilderness Conservation designation, if such lands are licensed for ~~any~~ timber harvesting activity.

PART 6 INSTITUTIONAL USES, PARKS AND OUTDOOR RECREATIONAL

Comment [MK162]: Numbering not updated

This section contains objectives and policies respecting:

- parks and outdoor recreational uses;
- community and institutional uses;
- private institutional uses;
- yachting outstations.

Parks and Recreation Objectives

- Objective 6.9 to place the highest priority on securing park sites which contain unique natural features or prime recreational attributes through land dedication, acquisition, lease or community land stewardship programs;
- Objective 6.10 to involve the community in park planning and the development of a greenway trails systems in the planning area;
- Objective 6.11 to support the acquisition and/or designation of additional park sites by the Province, Sunshine Coast Regional District or other agencies;
- Objective 6.12 to designate, where appropriate, upland sites and foreshore areas with good recreational and conservation attributes for park, greenbelt or conservation purposes and to ensure ~~the provision of~~ reasonable access (by land and/or water) is provided to such sites so they may be enjoyed by area residents and visitors alike;

Comment [MK163]: Potential community consultation topic

Comment [MK164]: These require some work to separate out the objectives that are worded as policies, and to reduce the number of objectives to just a few.

- Objective 6.13 to prevent the use of motorized vehicles other than emergency use and utility vehicles on land-based sites where they would have a detrimental effect on the integrity of the park resource;
- Objective 6.14 to encourage the expansion of the Gambier Island Planning Area community park system to include representative parks in each of the main settlement areas;
- Objective 6.15 to develop a functional community greenway trail system which links different parts of the planning area and provides interconnection between park sites;
- Objective 6.16 to ensure that the range of uses provided for within the community (local) parks are primarily directed toward the needs of community within the planning area;
- Objective 6.17 to work co-operatively with [First Nations](#), provincial ministries and other agencies in acquiring and managing park lands and lands requiring conservation or protection in the Gambier Island Planning Area;
- Objective 6.18 to support the designation of a significant portion of the [lands commonly referred to as "Crown lands"](#) in the Gambier Island Planning Area for park status for recreational use by residents of British Columbia and to retain the land's ecological purposes, [subject to First Nations' support and collaboration](#);
- Objective 6.19 to allow for low impact recreational opportunities in foreshore areas;
- Objective 6.20 to develop additional marine parks where appropriate in the Gambier Island Planning Area as part of an overall marine recreational plan for [Alt'Kitsem \(Howe Sound\)](#);

Parks and Recreation Policies

The following policies pertain to parks and recreation uses:

- Policy 6.11 A park use may be located in any land use designation on Schedule B (the Land Use Designation map) without requiring a plan amendment. Existing and the approximate location of proposed community parks in the planning area are shown on Schedule D.
- [Policy XX](#) Applicants for subdivision should be required to dedicate park land in accordance with the requirements of the *Local Government Act* in the areas identified for proposed community park.
- Policy 6.12 The Local Trust Committee shall support the Letter of Understanding, dated October 2, 1996, between the Gambier Island Local Trust Committee and the Regional District of Sunshine Coast Board regarding the identification of land suitable for park and the acquisition, development, operation and maintenance of park land.

Comment [MK165]: Split into two policies

Policy 6.13 A Parks and Recreation Plan should be prepared with community input, in coordination with the Sunshine Coast Regional District, to help identify any further requirements as to the location and type of future community park land, the location and development of a greenways trail system and the location of strategic beach access locations. The parks plan, once prepared, should become part of this OCP.

~~Policy 6.14 The dedication of land for park and trail purposes or the receipt of cash in lieu (of land dedication), as permitted by the Local Government Act should be required at the time of subdivision.~~

Comment [MK166]: Already required by LGA. No need to re-enforce.

Policy 6.15 In considering proposed park sites, other than sites proposed on Schedule D for park dedication, priority consideration should be placed on locations which consolidate existing smaller park sites into a more functional park unit or which provide opportunities for waterfront access.

Policy 6.16 Rights-of-way dedications provided at the time of subdivision should be aligned so as to fit into an overall greenway trail system for the planning area.

Advocacy

~~Policy 6.17 Crown land areas of particular importance for park and conservation purposes may be protected as park for such purposes. Significant sites include The following are identified as having particular value for parks and conservation purposes:~~

- i. all areas of old growth forest;
- ii. any areas which provide habitat for endangered, threatened or at risk species;
- iii. areas identified on Schedule C as "Recreation" including Gambier Lake and Gambier Creek, Lost Lake, Mannion Creek (conservation of Old Growth Forest), Muskeg Lake, Damsoon Lake, Lilipad Lake, Mount Artaban, Mount Liddell and Mount Killam; and
- iv. the 66-foot wide strips of ~~crown~~ land commonly referred to as "Crown Land" located along portions of the Gambier Island coast where such strips protect sensitive natural features of the island's coastline or where it is suitable to provide for park and conservation opportunities.

Advocacy

Policy 6.18 The interior of Gambier Island should be linked to the shoreline by a system of trails. As shown on Schedule D, these trails should provide access between Camp Artaban (at Port Graves), Douglas Bay, Ekins Point, Andys Bay, West Bay, Halkett Bay, Cotton Bay, Brigade Bay and New Brighton. Trail locations on Schedule D that cross private lands shall be considered proposed community park in the event of future subdivision of these lands, unless the locations are within areas that are dedicated as highways or areas over which the owner grants a statutory right of way for trails.

Advocacy

Policy 6.19 — ~~The traditional use of the crown lands for hiking and free, open and accessible wilderness camping should be retained.~~

Comment [MK167]: Repeats Advocacy Policy 6.22

Advocacy

Policy 6.20

~~The Gambier LTC shall use their land use management tools, and collaborate with the Sunshine Coast Regional District, the Province of BC, Squamish Nation and any subsequent lease holders to retain and maintain Gambier Island's existing inventory of public wharves should be retained and maintained as they represent an important means of accessing the island's trails and crown lands.~~

Advocacy

Policy 6.21

~~Land developers should be encouraged to voluntarily construct trails as part of any trail or park dedication unless such construction has been negotiated as part of the development proposal as a condition in a bylaw.~~

Comment [MK168]: Targets private developers/ individuals

Advocacy

Policy 6.22

~~British Columbia Assets and Land Corporation and the Ministry of Forests~~
The provincial ministr(ies) responsible for parks and/ or forests are encouraged to:

- i. allow free, open and accessible wilderness camping, with limited services, to occur on the lands commonly referred to as "Crown lands" on Gambier Island; and
- ii. allow trail users and volunteer groups to develop and maintain trails on the lands commonly referred to as "Crown Lands" on Gambier Island ~~for recreational purposes~~ provided public safety and ~~respect for~~ environmentally sensitive areas are upheld as values in the development and location of such trails.

Advocacy

Policy 6.23

The ~~Ministry of Forests~~ ministry responsible for forests is encouraged to promote fire safety on Crown lands commonly referred to as "Crown Lands" lands in the planning area ~~through the provision of fire safety literature on the ferries, water taxis and at government docks.~~

Advocacy

Policy 6.24

~~The Parks Branch of the Ministry of Water, Land and Air Protection~~ provincial ministry responsible for parks and the Sunshine Coast Regional District ~~within their respective provincial and regional park jurisdictions should~~ are encouraged to:

- ~~iii.~~ i. allow wilderness camping as a permitted use in future parks, except in the case where such parks are established for reasons of an ecological reserve or for conservation purposes;
- ~~iv.~~ ii. avoid trail development in areas that are ecologically sensitive;
- ~~v.~~ iii. adequately supervise public recreational use and park facilities should be properly maintained particularly where overnight camping is permitted;
- ~~vi.~~ iv. keep the scale of development of park facilities to a minimum, subject to ensuring adequate safety for park users; and
- ~~vii.~~ v. require that park users remove all garbage from the site.

Comment [MK169]: Consider more positive wording, such as: "development of provincial and regional outdoor recreation amenities outside of ecologically and archaeologically sensitive areas is supported"

Advocacy

Policy 6.25

The ~~Parks Branch of the Ministry of Water, Land and Air Protection~~ provincial ministry responsible for parks is encouraged to:

- i. provide a small boat dock or float for boat moorage in marine parks for accessing the upland for uses such as hiking, picnics and low impact wilderness overnight camping;
- ii. consider the following sites as shown on Schedule D, if they are not dedicated as community parks, as potential sites for marine parks:
 - Douglas Bay;
 - Ekins Point;
 - South of Andys Bay;
 - Brigade Bay (as a day use area);
 - East side of Centre Bay (~~Crown lands~~);
 - Halkett Bay - expansion of existing park;
 - Cotton Bay; and
 - ~~Crown land~~ parcel DL3164 between West Bay and Gambier Harbour.
- iii. allow for recreational use of the foreshore of all provincial parks unless such sites are identified as environmentally sensitive areas in Schedule C.

Comment [MK170]: Explore this as part of shoreline protection consultation

Advocacy

Policy 6.26

~~The Sunshine Coast Regional is encouraged to establish~~ Establishment of a Gambier Island Parks and Recreation Commission, ~~in consultation with the local trust committee~~ to develop island-based recreational programming and community park management ~~is encouraged, as a joint initiative between the Gambier Local Trust Committee and the Sunshine Coast Regional District.~~

Community and Institutional Facilities Objectives

Comment [MK171]: Possible consultation topic

Objective 6.1 to encourage the provision of institutional uses which meet the needs of the local community;

Objective 6.2 to ensure community and institutional facilities established in the planning area are provided at a scale appropriate for the planning area;

~~Objective 6.3 to support joint participation between government, the private sector and local community associations in operating community facilities;~~

Comment [MK172]: No corresponding policies.

Objective 6.4 to consider innovative means by which the medical and community care needs of planning area residents may be addressed;

Objective 6.5 to provide for the educational needs of children in the Gambier Island Planning Area ~~through access to facilities outside the planning area and alternative programs provided within the planning area;~~

Comment [MK173]: Too specific, and inconsistent with Policy No. 6.4

Community and Institutional Facilities Policies

The following policies pertain to community and institutional facility uses:

~~Policy 6.1 Existing community and institutional facilities have been designated as the only sites for such purposes on the Land Use Designation map (Schedule B).~~

Comment [MK174]: Unclear. This seems to be saying that more community and institutional facilities should not be developed, but the policies that follow support development of these uses.

Policy 6.2 In considering applications to establish new community and institutional uses in the Gambier Island Planning Area, consideration should be given to:

- the site's accessibility from the various settlement nodes in the planning area;
- the availability of services necessary to operate the facility; and
- ~~the planning area and settlement~~ community benefits of locating the facility in that location.

Policy 6.3 Multi-purpose use of community and institutional facilities will be encouraged.

Policy 6.4 The establishment of a public school on Gambier Island is supported, conditional on a sufficient numbers of children in the planning area to warrant such a facility being provided.

Policy 6.5 Due to the planning area's low overall population, facilities such as a health clinic or a care facility for seniors are not planned for in the foreseeable future.

Policy 6.6 Notwithstanding Policy 6.5, land use regulations should allow for professional caregivers (e.g. doctors, community nurses, counselors) to provide part time services in the Planning area, at locations such as the Community Centre.

Policy 6.7 The provision of community and institutional facilities may be considered an amenity under the terms of a land use bylaw subject to the amenity and land development proposal being:

- in compliance with the object of the Islands Trust;
- reviewed through adequate public consultation; and
- examined in terms of public costs and the financial sustainability of the amenity facility.

BL 80

Policy 6.7a Facilities that are privately owned and used by a strata corporation or other local community area should be designated as "Community and Institutional Facility" whether such facility is made available to the public or only used by the immediate community or strata corporation that it serves.

Information note: Despite local government regulations, the Community Care and Assisted Living Act allows single family dwellings to be used as a daycare for up to 8 children, or as a residence for up to 6 people in care, subject to certain requirements as specified in the Act.

Private Institutional Objectives

Objective 6.6 to support the continued operation of private institutional uses in the form of existing non-profit camps;

Objective 6.7 to recognize that non-profit camps operated on Gambier Island contribute to the planning area's overall character and provide opportunities for year round rustic camping, wilderness experiences and environmental education;

Objective 6.8 to ensure the scale of private institutional uses in the Gambier Island Planning Area remain low impact, nature-based and compatible with residents' vision of the planning area's role in providing recreational-based experiences for visitors;

Private Institutional Policies

The following policies pertain to private institutional uses:

Policy 6.8 The existing private institutional designated sites on Gambier Island are in the following locations: Camp Artaban (at the head of Port Graves Bay), Camp Fircom (near the entrance to Halkett Bay) and the camp owned by the FIRS Fellowship of BC at Ekins Bay Landing (previously known as Camp Latona). These three sites are shown on Schedule B (the Land Use Designation map).

Policy 6.9 In the event that private institutional use of the following properties is discontinued, and similar uses are not reestablished, the local trust committee will consider amendments to this Plan as follows:

- i. Camp Fircom located on District Lot 1533, Group 1, New Westminster District and the camp owned by the FIRS Fellowship of BC (previously known as Camp Latona) located on District Lots 3834 and 2810, Group 1, New Westminster District should be redesignated Rural Residential; and
- ii. Camp Artaban located on Parcel A, RP1825, DL 1298 and Parcel B, RP2901, DL 1653 Group 1, New Westminster District should be redesignated Agricultural.

Policy 6.10 The Local Trust Committee should, through land use regulations, ensure that private institutional uses in the Gambier Island Planning Area are limited to low environmental impact, nature-based facilities which are complementary to their natural setting.

Yachting Outstations Objectives

Objective 6.21 to support the retention of the existing yachting outstations as outdoor recreational sites.

Comment [MK175]: Possible consultation topic

Comment [MK176]: Better content for background section

Comment [MK177]: Background info/information note content

Comment [MK178]: This could get more specific – ie) state that siting, size limitations and buffering should be used. Development Permit Areas should be considered for the camps. Presently, the camps are exempt from at least the RAR DPA and possibly others (but it is recommended that institutional use be subject to the Riparian DPA).

Yachting Outstations Policies

The following policies pertain to yachting outstation uses:

Policy 6.27 The location of existing yacht outstations within the Gambier Island Local Trust Committee area are identified on Schedule B (the Land Use Designation map).

Comment [MK179]: Not a policy. Include as an information note or in a background section

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

Comment [MK180]: If this is still supported, staff would recommend that the OCP designation be expanded to an area that would be considered acceptable for the use, and that this expansion be based on an ecological data/study and First Nations involvement.

Policy 6.29 The Local Trust Committee in zoning regulations should establish a zone for yacht outstation and associated uses ~~so as to regulate conditions of use including:~~
~~minimizing with regulations that minimize~~ upland overnight accommodation and the number and location of upland buildings and structures;
ii. ~~supporting the use of on board holding tanks;~~
iii. ~~minimizing pollution from sewage disposal from boats in the bays and inlets surrounding Gambier Island; and~~
iv. ~~restricting use to members and guests of the yacht club.~~

Comment [MK181]: Outside local government jurisdiction

Comment [MK182]: Discriminatory regulation

Advocacy

Policy 6.30 The operators of the yachting outstations will be encouraged to work cooperatively with other area residents to monitor the pollution caused by the actions of boaters and to assist in a proactive educational program respecting marine pollution during the summers.

Comment [MK183]: Outside of LTC's land use management function, also targets a private organization

PART 9 TRANSPORTATION

This section contains objectives and policies pertaining to:

- land transportation;
- water transportation; and
- air transportation.

TRANSPORTATION OBJECTIVES

Land Transportation Objectives

Objective 9.1 to minimize the need for motor vehicles in the Gambier Island Planning Area as a means of maintaining rural character and quiet and peaceful ambiance;

Objective 9.2 to encourage the use and development of limited of public trails, country lanes, wharves and water transportation as means of providing transportation linkages between parts of the planning area while retaining the island's rural character;

Objective 9.3 to require that adequate off-road parking be provided particularly in proximity to wharves at Gambier Harbour, West Bay and New Brighton;

Objective 9.4 to establish a classification system for local roads and country lanes which is in keeping with Gambier's rural character;

~~Objective 9.5 to minimize the environmental impact of new road construction;~~

Objective 9.6 to ensure that the design and location of trails is sensitive to the natural ecosystem;

~~Objective 9.7 to limit the development of a road system on Gambier Island as a means of retaining the islands peacefulness and unique water access only character, recognizing however the long term public requirements for Right of Ways as development occurs, to allow for appropriate transportation connections;~~

~~Objective 9.8 to encourage the use of forms of transportation which:
have limited fuel requirements;
require minimal parking space;
are not loud when operated;
are suitable for use on gravel or other unpaved roadbeds; and
are of limited impact upon the natural environment;~~

Objective 9.9 to encourage the use of existing undeveloped highway rights of ways for public benefit passive recreation and trail connections;

Comment [MK184]: Possible consultation topic but keep in mind the LTC does not have jurisdiction to manage roads. Water transportation/ access could be explored during analysis of shoreline protection. Trail prioritization can be looked at, in collaboration with the SCRD

Comment [MK185]: Many of the objectives are written as policies.

Structure: Also, the objectives and policies have been reordered so that the policies for each topic directly follow the objectives.

Comment [MK186]: Consolidate or make this an objective (to reduce need for cars) and policy (to develop trails, wharves, etc.)

Comment [MK187]: Policy

Comment [MK188]: Policy

Comment [MK189]: Outside LTC jurisdiction

Comment [MK190]: Policy

Land Transportation Policies

Roads

~~Policy 9.1 — Marine linkages, country lanes or trails are the preferred means of connecting physically separated settled areas on Gambier Island.~~

~~Policy 9.2 — A variety of strategies, including use of the Letter of Administrative Understanding between the Islands Trust and Ministry of Transportation should be considered to develop the lowest safe design speeds and road standards consistent with the existing rural water access character of the Planning area.~~

~~Policy 9.3 — When possible, within a road right of way, ditching should be minimized and natural vegetation should remain undisturbed.~~

Comment [MK191]: Covered in 9.4

Policy 9.4 The Local Trust Committee should work with the [Ministry of Transportation](#) ~~ministry responsible for roads~~ to address the design of roads, at the time of subdivision, to reduce impacts on environmentally sensitive areas, streams and resource lands and to preserve the scenic quality of the area.

Policy 9.5 Development proposals that minimize requirements for motorized transportation are supported.

Comment [MK192]: This should be worded more carefully, as it could be used as an excuse for otherwise poor development.

Policy 9.6 The Local Trust Committee should work with the [Ministry of Transportation](#) ~~ministry responsible for roads~~ at the time of subdivision to provide for trails, linear parks or paths for transportation purposes.

~~Policy 9.7 — New roads should wherever possible:~~
~~i. be located to one side of a road right of way to allow for future development of trails or walkways within the right of way;~~
~~ii. conform to the natural contours of the land to reduce unnecessary cutting and filling;~~
~~iii. be narrow and allow for minimal clearing of the road right of way; and~~
~~i. be constructed or placed in areas that would not be damaged by slippage and erosion and would not undermine cliff sides.~~

Comment [MK193]: Road standards are part of the Letter of Understanding with MOTI

Policy 9.8 Land should be zoned and established for public parking in locations adjacent to wharves used by the public.

Policy 9.9 Existing undeveloped road rights of ways are considered a public benefit for greenspace, trail access and when required for road purposes. Closure of undeveloped road rights of way may be supported only if there [are](#) no identifiable redeeming public benefit to the existing road right of way and alternative proposals provide for relatively increased public benefit.

Advocacy

~~Policy 9.10 — Property owners are encouraged to leave a 5 metre (16.4 feet) strip of vegetation along public rights of way.~~

Comment [MK194]: Repetitive of policy 3.9. Overly regulatory for a policy, and advocates to private property owners. Zoning and/ or development permit area powers can require this so it does not need to be an advocacy policy.

Advocacy

- Policy 9.11 The ~~Ministry of Transportation~~ ministry responsible for roads is requested to:
- consult with the Local Trust Committee on the location of any new road rights-of-way as part of the subdivision review and approval process;
 - not widen or pave any existing roads and not to clear the right-of-way beyond what is necessary for the roadbed;
 - not close any existing road rights-of-way without public consultation;
 - examine and redress any damage being done to fish-bearing streams by culverting and road building; and
 - minimize clearing or construction of any right-of-ways providing access to water or to lands beyond and to permit the right-of-ways to be used for trail access or as narrow country lanes.

Trails

- Policy 9.12 ~~Development Permit guidelines should address trail construction. All new trails should be constructed in a manner that to~~ minimizes the impact on the land and avoids intrusion into environmentally sensitive areas.
- Policy 9.13 The establishment of a network of trails that provides for safe and inviting linkage between neighbourhoods and destination points is supported. Wherever desirable, trails should be acquired as mandatory or voluntary parkland or right of way dedication at the time of subdivision to link with the network.
- Policy 9.14 The development of trails along side of new and existing roads within the road right-of-way and within undeveloped road right of ways, in a manner that does not alter the road's rural character, as a means of providing for safe non-vehicular access on Gambier Island is supported.

Advocacy

- Policy 9.15 ~~Landowners are encouraged to preserve and maintain existing trails on their property for public recreational activity through trail dedication or by opening these private trails to the general public by placing signage in appropriate locations. Formal dedication of existing trails on private property is encouraged.~~

Water Transportation Objectives

- Objective 9.10 to encourage the continued provision of adequate public foot passenger-only ferry service to Gambier Island, which meets the needs of the local community and serves as a principal means of providing water access to and from the planning area;
- Objective 9.11 to ensure water transportation facilities are maintained so they do not adversely affect the natural environment or limit public access to the foreshore;
- Objective 9.12 to protect sheltered bays as suitable locations for temporary moorage;

Comment [MK195]: Policy

~~Objective 9.13 to encourage communal docking facilities;~~

~~Objective 9.14 to support water transportation facilities that meet local requirements;~~

Comment [MK196]: Policy

Water Transportation Policies

Policy 9.16 Existing publicly owned wharves in the planning area, ~~approved for transfer to the Sunshine Coast Regional District by referendum on Oct. 21, 2000~~, should be maintained as public facilities or facilities open and accessible to public use.

Policy 9.17 A car ferry service to Gambier Island is not supported as it is inconsistent with the island's rural character and low population density.

Policy 9.18 Public boat and barge ramps are supported as a means of transporting supplies, equipment and vehicles to the planning area.

Policy 9.19 ~~Zoning regulations and development permit guidelines should address the siting, size and location of wharves, docks, floats, barge loading ramps and boat launch ramps should be sited to minimize their impact on the natural environment and allow public access to the foreshore.~~

Comment [MK197]: Could be explored via community consultation and data analysis when shoreline protection is considered.

Advocacy

~~Policy 9.20 Property owners are encouraged to share the use of docks and wharves with one or more of their neighbours through joint ownership or rental agreements and through the use of easements or other forms of agreed upon access to the facilities rather than erecting individual private docks or wharves.~~

Comment [MK198]: This can be regulated through zoning and should be considered as part of shoreline protection

Advocacy

Policy 9.21 BC Ferry Corporation ~~and the provincial ministry responsible for transportation~~ ~~is~~are encouraged to:

- vi. re-establish passenger ferry service to Gambier Harbour and West Bay to reduce vehicular traffic and associated parking problems on the southwest peninsula
- vii. consult with the public regarding any changes to ferry services and schedules; and
- viii. retain ferry services for emergency evacuation purposes

Advocacy

Policy 9.22 Public wharves are an essential service for planning area residents and, as such, the public wharves in the following locations (shown on Schedule B) should be maintained for public access and use:

- New Brighton
- Gambier Harbour
- Port Graves
- Halkett Bay
- West Bay

~~Transport Canada wharf at New Brighton, the Regional District wharves at Gambier Harbour, Port Graves, and Halkett Bay and the West Bay wharf (transfer to Regional District is pending) should be maintained for public access and use. (wharves are identified in Schedule B)~~

Air Transportation Objectives

~~Objective 9.15 — to limit air transportation service in the planning area to emergency helicopter service and private float planes;~~

Comment [MK199]: Outside LTC jurisdiction

Objective 9.16 to encourage the establishment of helicopter landing pads on Gambier Island for emergency purposes.

Air Transportation Policies

Policy 9.23 Sites on Gambier Island should be identified and established as emergency helicopter landing pads.

Comment [MK200]: Could be a sub-topic during consultation on larger topics

~~Advocacy~~

~~Policy 9.24 — The Federal Department of Transport is encouraged to develop and enforce noise abatement requirements over the planning area by requiring pilots to fly at heights that will minimize noise impacts on the planning area.~~

Comment [MK201]: Outside LTC's land use management function

PART 10 SERVICING

This section presents objectives and policies pertaining to:

- water supply;
- sewage disposal;
- solid waste management;
- fire protection and safety; and
- utilities.

SERVICING OBJECTIVES

Objective 10.1 to protect ~~and manage~~ surface ~~waters~~ and groundwater ~~to provide as a~~ sustainable potable water supplyies;

Objective 10.2 to encourage water conservation in all new and re-development;

Objective 10.3 ~~to promote standards for sewage disposal and drainage that will:~~
~~protect ground water, surface water and marine environments from~~
~~contamination, sedimentation and degradation;~~

~~Objective 10.4 to encourage the use of alternative sewage treatment servicing methods;~~

Objective 10.5 to support efforts to reduce, recycle and reuse waste and encourage
responsible waste disposal options;

~~Objective 10.6 to encourage responsible waste disposal;~~

~~Objective 10.7 to promote the development of effective community fire protection plans~~
~~and effective police protection in the Gambier Island Planning Area for~~
~~reasons of public safety;~~

~~Objective 10.8 to provide public utilities such as hydro and telephone service at a scale~~
~~appropriate for the planning area;~~

~~Objective 10.9 to support the use of effective alternate technologies by property owners in~~
~~satisfying their utility requirements;~~

Objective 10.10 to encourage individual and community responsibility for fire protection
planning and prevention and support the development of an effective
emergency response strategy in conjunction with regional district plans;

~~Objective 10.11 to develop an effective emergency response strategy in conjunction with~~
~~regional district plans;~~

Comment [MK202]: Restructure: reduce the number of objectives and policies and remove sub-headings (other than "objectives" and "policies"). A lot has changed since this section was written, and bringing it up to date would mean removing many of the policies in this section.

Comment [MK203]: The Water Sustainability Act does this.

Comment [MK204]: Provincial regulations apply.

Comment [MK205]: Captured in 10.5

Comment [MK206]: Repetitive of 10.10

Comment [MK207]: Outside LTC land use management function

Comment [MK208]: Outside LTC jurisdiction

Comment [MK209]: Repetitive of 10.4

SERVICING POLICIES

Comment [MK210]: APC: "further aspirational policies around burning and garbage disposal, as these are not currently contained in the OCP"

MK: This is a possible area for community engagement. However, it should be noted that the LTC has limited jurisdiction over these areas.

Water Supply

Policy 10.1 Planning tools such as zoning and Development Permit Areas should be used to require As a means to supplement potable water supply derived from groundwater and surface water, the storage and collection of rainwater through cisterns and ponds is encouraged.

BL 85

Policy 10.2 Proposals to establish a water supply system should be conditional on a water management review being prepared by a Professional Engineer that examines:

- the potential impact on existing water users in the immediate area;
- the recharge capability of the water source relative to anticipated maximum water demand of the proposed system;
- ownership and management of the system;
- remedies available in the event of a water system failure; and
- compliance with the Service Delivery requirements of the Letter of Understanding between the Gambier Island Local Trust Committee and the Regional District of Sunshine CoastSunshine Coast Regional District Board, if the Regional Board provides this service;

until such time as the requirements of the *Drinking Water Protection Act* are applied to such systems.

Comment [MK211]: Water Sustainability Act covers this.

Advocacy

Policy 10.3 The Ministry of Health Services, in consultation with the Ministry of Water, Land and Air Protection is requested to complete a drinking water protection plan, which should provide recommendations on:

- surface and subsurface water resources;
- minimum water flow needs for aquatic and terrestrial habitats; and
- potential community water supply sources and potential volumes available.

Advocacy

Policy 10.4 The Ministry of Sustainable Resource Management and the Ministry of Water, Land and Air Protection are requested to complete a Water Management Plan, prepared pursuant to the *Water Act* that should provide recommendations on:

- surface water resources and groundwater resources when regulations permit;
- minimum water flow needs for aquatic and terrestrial habitats; and
- potential community water supply sources and potential volumes available.

Comment [MK212]: Water sustainability act covers (?)

Advocacy

Policy 10.5 The buy back of existing water licenses on fish bearing streams is encouraged and surface water license applications should not be supported until a Water Management Plan has been completed.

Comment [MK213]: Not sure this is relevant anymore under the WSA.

BL 85

Advocacy

Policy 10.6 — Agencies with jurisdiction should ensure that minimum standards for potable water supply for new buildings and new lots proposed for a single family residence and for changes in use of existing buildings and cumulative impacts of development that can lead to cross contamination of wells and water resource depletion are developed, maintained, implemented and communicated.

Comment [MK214]: Too vague

Sewage Disposal

BL 85

Policy 10.7 — If existing lots cannot achieve the sewage disposal requirements established by regulation, then the proposed land uses should not be permitted and consolidation of the lot with adjacent properties to increase opportunities for soil percolation is encouraged.

Comment [MK215]: With pump out facilities being categorized as an approved sewage disposal system, unlikely someone can't meet the regs.

Policy 10.8 — The use of alternative technology to the traditional septic field and the safe recycling of grey water is supported if methods can provide effective non-polluting and energy efficient means to treat and dispose of effluent and are in compliance with all other government regulations.

Comment [MK216]: Not in LTC jurisdiction

Policy 10.9 — Septic fields shall be set back from any well, spring, stream, lake or high water mark, in accordance with health regulations and Qualified Environmental Professional recommendations, where applicable.

Comment [MK217]: Provincial regs cover this.

Policy 10.10 — Zoning regulations and Development Permit Area guidelines should limit the amount of land area that is developed with impervious materials should be kept to a minimum and natural drainage systems should be maintained to allow for maximum absorption of groundwater and to minimize any increase in sedimentation or contamination of surface water.

Comment [MK218]: Move to Environment Section

Policy 10.11 — The impacts of surface water runoff and septic systems should be addressed when considering a rezoning development application near the natural boundary of the sea.

Advocacy

Policy 10.12 — Property owners are encouraged to maintain their sewage disposal systems to prevent contamination of potable water supplies.

Comment [MK219]: Targeting private property owners

Advocacy

Policy 10.13 — The Ministry of Health Services ministry responsible for public health is encouraged to:
i. investigate and allow innovative, safe, effective, non-polluting alternatives to septic fields; and
ii. ensure that effluent flow from septic fields is monitored and controlled so as not to contaminate surface or groundwater.

Comment [MK220]: Now there are many options for septic systems

Advocacy

Policy 10.14 — The Ministry of Water, Land and Air Protection and Coast Garibaldi Community Health Services are requested to not permit any ocean dumping of untreated sewage.

Comment [MK221]: Outside LTC's land use management function

BL 85

Advocacy

Policy 10.15 Agencies with jurisdiction should ensure that minimum standards for effluent disposal for new buildings and subdivisions and for changes in use of existing buildings and provision of back up of sewage disposal capability to cover the cumulative impacts of development from soil infiltration and cross contamination to adjacent properties are developed, maintained, implemented and communicated.

Comment [MK222]: These standards exist

Solid Waste Management

BL 85

Policy 10.16 ~~Zoning regulations should not permit a managed land fill site should not be established in the Gambier Island Planning Area until the number of permanent residents in the planning area is considered to be sufficient to warrant the associated expense.~~

Policy 10.17 As a means of reducing the need for a land fill site, communities in the planning area should formulate solid waste management strategies such as recycling or other means.

Advocacy

Policy 10.18 The Sunshine Coast Regional District is requested to continue to provide annual removal of large bulk waste such as stoves and refrigerators to be picked up at public wharves and private landings through the establishment of a waste collection service financed within the fiscal policy of the regional district.

Comment [MK223]: This could be re-worded as an advocacy policy directed to the SCRD, or incorporated into Advocacy Policy 10.18. Unless this is trying to encourage "free-store" style recycling? In which case a policy could be developed to support that type of use.

Fire Protection and Safety

Policy 10.19 Community fire protection efforts should be supported as the most effective means of providing fire protection service in the planning area.

Policy 10.20 ~~Zoning regulations and/or Development permit guidelines should require~~ Proposals for new residential development should include provisions for fire fighting equipment and ~~for~~ emergency water storage for new development.

Advocacy

Policy 10.21 ~~Fire protection should be extended as soon as practicable to those residential areas not currently served.~~

Advocacy

Policy 10.22 ~~Residents and visitors are encouraged to work with the RCMP to develop crime prevention strategies.~~

Comment [MK224]: No existing formal fire protection. Is the intent to have Gambier included in a formal fire protection area? In that case, the advocacy policy should target a specific fire service group.

Advocacy

Policy 10.23 ~~The Sunshine Coast Regional District is encouraged to:~~
i. ~~support the development and maintenance of search and rescue services for the Gambier Island Planning Area; and~~

Comment [MK225]: Outside land use management function; targets individuals

- ii. invite residents of the planning area to be involved in the ongoing development of an Emergency Response Program.

Comment [MK226]: Outside land use management function

Advocacy

Policy 10.24 The RCMP, Canadian Coast Guard and search and rescue organizations are requested to be responsive to planning area needs and to set up adequate safety, protection and communication mechanisms for the public.

Comment [MK227]: Outside land use management function

Advocacy

Policy 10.25 Additional police service from the RCMP and fire protection awareness and services from the Ministry of Forests is requested during the peak recreation season, which is approximately from May 15th to September 15th.

Comment [MK228]: Outside land use management function

Utilities

Policy 10.26 Where telephone and hydro are provided, they should where feasible be placed underground within existing hydro or road rights-of-way.

Comment [MK229]: This is an advocacy policy to utility companies.

Policy 10.27 Zoning regulations should address the siting of alternate energy technologies to provide utility services for residential use on the lot. is encouraged as a means of assisting residents in their attempts to be less dependent on traditional sources of power.

PART 12 PERMITS AND DEVELOPMENT APPROVAL INFORMATION

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

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

DEVELOPMENT PERMIT AREAS

12.1 Development Permit Area No. 1: Watershed Areas

12.1.1 Designated Area

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

12.1.2 Justification

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

1. to conserve biological diversity and habitat values of riparian and aquatic ecosystems;
2. to prevent the degradation of existing and future water supplies in the Gambier Island Planning Area; and
3. to maintain groundwater recharge capability in the Gambier Island Planning Area.

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

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

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

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

Land use activities in the higher elevations of Gambier Island can also impact the ability of the island to recharge its groundwater supplies. Large land use activities that accelerate surface water flows or compact the soils decrease the ability of the ground to absorb rainfall. This rainfall in the higher elevations of the island seeps through the soil and ultimately provides the groundwater supply in the lower elevations where much of Gambier Island's groundwater demands exist from residential development.

12.1.3 Development Approval Information

- (a) Development approval information shall be required for the area that is subject to Development Permit Area 1.
- (b) Applicants for a development permit in Development Permit Area 1 must provide development approval information when applying for a development permit.

Comment [MK230]: A Development Approval Information bylaw or section of the OCP should be developed

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

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

12.2.1 Designated Area

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

12.2.2 Justification

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

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

Maintenance of vegetation in upland areas can minimize siltation of shoreline zones and assist in preventing erosion of existing shoreline. Eelgrass beds, rocky shoreline and variable substrate can provide opportunity for fish habitat and protection from predators.

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

12.2.3 Development Approval Information

- (a) Development approval information shall be required for the area that is subject to Development Permit Area 2 (Brigade Bay Area).

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

12.3 Development Permit Area No. 3: Riparian Areas

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

12.3.1 Designated Area

Development Permit Area No. 3 applies to all *streams* as defined in the RAR and encompasses any of the following on Gambier Island that provides fish habitat:

- (a) watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook; or
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

For a stream that is not located in a ravine, the development permit area is a 30 metre strip on both sides of the stream measured from the high water mark;

For a stream located within a ravine that is less than 60 metres wide, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank;

For a stream located within a ravine that is 60 metres wide or greater, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank;

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

12.3.2 Justification

This development permit area contains streams, lakes and wetlands and their associated riparian areas, which have been identified as potential fish habitat. Riparian areas are necessary for stream and watershed health.

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

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

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

Riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Gambier Island.

12.3.3 Development Approval Information

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

PART 13 GLOSSARY

Comment [MK231]: May need to be updated at a later stage

"Affordable Housing" means housing provided for residential use at a rent under a tenancy agreement that is less than the rent for similar types of housing within a geographic area defined by a housing or similar agreement; such rents to be determined through a housing or similar agreement; or alternatively housing, that by design, location or other factors can be purchased at a price that is typically lower than other housing in the immediate area or lower than the average house price in the Gambier Island Planning Area.

"Aquatic" means something of, found in or produced in or upon fresh water.

"Associated Secondary Dwelling" means a single family residential dwelling regulated in the land use bylaw as to use, size and other conditions so as to attribute criteria that insure it is a secondary and associated use and structure to the principle dwelling on a lot.

"Biodiversity" means the diversity of life, including genetic diversity within species, diversity of species, and diversity of ecological communities and ecosystems. Biodiversity also encompasses the diversity of ecological processes and functions.

"Community Forest" means a forest managed pursuant to a community forest agreement established pursuant to the requirements of the *Forest Act*.

"Community – held values" – means the community goals, objectives and policies as expressed within this official community plan.

"Country Lanes" means a narrow, perhaps one lane, constructed unpaved road typically designed for predominantly pedestrian or equestrian and infrequent motor vehicle use.

"Crown Reserve" means the one chain (66 feet or 20 metre) wide strip of crown land bordering part of the coastline of Gambier Island that is not dedicated as highway right of way.

“Cultural and Historical” means any building, structure, area; property, place or thing that is significant in the history, architecture, archaeology or culture of the Gambier Island Planning Area or has been so designated to have such characteristics by statute or bylaw.

“Development” means any activity carried out in the process of preparing a site, erecting structures or providing services for human use, and includes: the cutting and removal of trees; clearing or disturbance of vegetation; grading, removal, deposit or moving of soil or other material; construction of a new structure or expansion of an existing structure; paving, landscaping; installation of drainage or underground services; and the extraction of water.

“Foreshore” means the area of land between the high and low water marks of the sea.

“General Objective” means an objective of this Plan that all policies of this Plan are to be consistent with and is applicable to all activity and regulation implemented pursuant to this Plan.

“Grey Water” means water that has been used for domestic purposes as wash water but does not include water used in water closets (toilet fixtures).

“Groundwater” means water that is found in a subsurface layer or zone of permeable rock or soil that permits the passage of water.

“Marine” means something of, found in or produced in or upon the sea.

“Natural Boundary” means the visible high water mark of any lake, river, stream, or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself; and in the case of a legal surveyed boundary, that boundary must be deemed to be the natural boundary provided the legal surveyed boundary is land-ward of the natural boundary.

“Old Growth Forest” means a slowly changing but dynamic ecosystem, generally including Ministry of Forest ecosystem classifications of age class 7,8 and 9, including climax and other forests that display the following attributes:

- b. large trees for species and site
- c. wide variation in tree sizes and species
- d. accumulations of large size dead standing and fallen trees
- e. multiple canopy layers
- f. canopy gaps and understory patchiness
- g. decadence in the form of broken or deformed tops or boles and root decay.

“Potable Water” means water that meets the standards established by Ministry of Health Services regulations and is safe to drink and fit for domestic purposes without further treatment.

“Rental Housing” means housing provided for residential use under a tenancy agreement for a period of not less than one month.

“Riparian” means the area of the streambank or bank of a lake or wetland, including any side channels and associated banks, and the area of influence, which contains upland areas not normally inundated during high water conditions.

“Road” means an open way of public passage that is designed and commonly used for motor vehicle passage.

“Significant” means something noteworthy or of considerable amount or effect or importance.

“Small-scale visitor accommodation” means a commercial service that provides accommodation services to visitors and tourists to the Gambier Island Planning Area at a scale slightly larger than a temporary overnight accommodation and which may provide meals to the patrons of the accommodation units.

“Special Needs Housing” means housing designed for persons with specific housing requirements such as housing with special design for accessibility or housing to accommodate group residency of persons with similar needs.

“Sustainable Use” means use that is capable of being maintained indefinitely without depleting the diversity, integrity, or productive capacity of any natural system that is subjected to such use.

“Temporary Overnight Accommodation” means a home occupation, that allows for the short term accommodation of paying guests within single family residential dwellings, regulated by land use bylaw as to size, location or number of rooms that may be occupied, meals that may be served and other conditions so as to insure that the use does not detract from the residential character of the property nor become a commercial visitor accommodation outlet.

“Trail” means a pedestrian corridor suitable for walking and which may be suitable for emergency vehicle access.

“Community Water Supply System” or “Community Water System” or “Water Supply System” means a system of water supply including its source, treatment, storage, transmission and distribution facilities, where water is furnished or offered for domestic purposes, but does not include a water supply serving only one single family residence

“Wilderness” means land in a relatively undisturbed state of nature, as distinguished from improved or cultivated land.

“Wildlife” means non-domesticated and native plants and animal species.

PART 1 ADMINISTRATION

Comment [MK232]: Moved from beginning. Numbering has not been updated

ADMINISTRATION

The Executive Director of the Islands Trust or such other officer appointed by the Gambier Island Local Trust Committee shall administer the provisions of this bylaw.

INTERPRETATION

2. The final interpretation as to the precise location of boundaries of any designation or symbol contained in the map schedules, except for development permit and temporary use permit designations, shall be legally defined by the appropriate land use bylaws enacted over time by the Trust Committee or by site survey as required.
3. Symbols or designations used in the map schedules, except for development permit designations, temporary use permit designations or development approval information designations indicate approximate locations of existing or proposed activities, uses or features. The exact extent of such an activity or the overall size is to be determined through more detailed studies, policy decisions, or local bylaws.
4. In interpreting the objectives and policies of the Plan, the term "shall" is used to denote that the indicated measure "must" be taken or applied. The term "should" or "may" indicates that the suggestion is intended as a guideline that is deemed advantageous to apply or implement by the authority having jurisdiction.
5. Any designation or policy for proposed public facilities on private lands including but not restricted to roads, parks, trails, parking facilities, and public and community facilities which are not available for acquisition through dedication, grants, or as an amenity through a zoning regulation and which are not subject to committed funds either through a capital expenditure plan or other budgeting process of the public agency responsible for the proposed facility shall be deemed to be a community goal of this Plan, irrespective of how it is presented in the Plan.
6. Where matters are outside the jurisdiction of the Trust Committee, this Plan states broad community objectives as "advocacy policies". These advocacy policies encourage others to take actions that the Trust Committee believes would contribute to community objectives. This Plan cannot and does not represent a commitment from other agencies to act according to community objectives.
7. The Plan is an interrelationship of policies in different sections. Policies contained in any one section of the Plan are often related to other policies provided elsewhere in the Plan. For example: some policies in the section on Environmentally Sensitive Areas or Land Transportation also have implications for Residential Use. For this reason, the Plan should be read in its entirety to obtain its full meaning.

IMPLEMENTATION

| ~~Section 884 of~~ the *Local Government Act* specifies that:

"An official community plan does not commit or authorize a municipality, regional district (includes a local trust committee pursuant to Section 27 of the *Islands Trust Act*) or improvement district to proceed with any project that is specified in the plan."

and

"All bylaws enacted or works undertaken by a council, board or greater board (includes a local trust committee pursuant to Section 27 of the *Islands Trust Act*), or by the trustees of an improvement district, after the adoption of an official community plan must be consistent with the relevant plan."

AMENDMENT PROCEDURE

This Bylaw may be amended by the Gambier Island Local Trust Committee, at its initiative or in response to an application. Individuals seeking amendment shall submit applications in the form provided for in the bylaws of the Trust Committee that addresses fees and procedures.

REVIEW AND FURTHER STUDIES

The Trust Committee may initiate a review of the Plan at any time. The Plan should be reviewed in its entirety at least every five years from the adoption date.

Further studies may be required as a basis for future reviews. A fundamental approach to this Plan is to require that those who wish to begin a significant development or make a major zoning change provide necessary information.

SEVERABILITY

If any section, subsection, sentence, clause, phrase, plan, map, diagram, table, schedule, or other graphic material or any part thereof of this bylaw is for any reason held to be invalid by the decision of any Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

SCHEDULE “G”

QUALITATIVE CRITERIA FOR ENVIRONMENTALLY SENSITIVE AREAS

Comment [MK233]: DPAs are a much stronger way to address environmental protection than this, which is essentially a request for voluntary participation

Environmentally sensitive areas are areas that meet certain qualitative criteria that suggest that the area would be sensitive to development and should be managed or protected. Quantitative data may also be used to substantiate whether a site qualifies, but policies can be based upon qualitative data. These criteria should be used in the review of any site or development proposal in addition to any good planning practices in order to meet the Community Goals outlined in Part 2 of this Plan. If any area of land within the Plan meets these qualitative criteria, then the objectives and policies of Part 8 of this Plan will apply. These criteria are to be applied in the field as a qualitative assessment of environmental sensitivity on a site-specific basis.

Ecological Criteria

1. **Uniqueness**
These would be unique habitats with limited representation within the Plan area or landscape unit (as defined by the Ministry of Sustainable Resource Management or the Ministry of Water, Land and Air Protection) or is a small remnant of a much larger habitat. In general these would be natural areas that are uncommon in the Gambier Island Planning Area.
2. **Location**
The area is important for its proximity to similar or complementary sites. For example a riparian ecosystem is a potentially important wildlife corridor linking separate geographic areas.
3. **Geological Stability**
The area may be susceptible to erosion or is poorly drained. Development or other disturbances may accelerate erosion or result in instability.
4. **Fragility**
The area is particularly susceptible to disturbance due to the sensitivity of the species that are present. E.g. Bird nesting areas or vegetation that is slow to recover from damage.
5. **Ecological Significance**
These are areas that are significant in a broader geographical context for their contributions to regional ecological structures and processes.

6. Rare and Endangered Species
These are provincially designated yellow/blue/red listed animal, plant and plant communities.
7. Critical Wildlife Habitat
These are habitats of rare and endangered fish and wildlife species and those species that breed in traditional locations, in large concentrations and in scarce habitat or those that are particularly susceptible to disturbance. Important wildlife corridors are also critical wildlife habitat.
8. Diversity of Species
These are areas that provide a diversity of habitat types, which support a diversity of communities and species.

Cultural/Social Criteria

- a. Community Value
An area that contains ecological sites valued by local citizens for their recreational, aesthetic, intrinsic or scenic features. E.g. a local beach.
- b. Cultural Significance
Areas that contain archaeological or historical features that require protection. These areas are often associated with significant natural areas. E.g. abandoned homesteads that provide old field habitat that attracts a diversity of species.
- c. Public Health
Areas that contribute to the protection of public health such as ecological processes that maintain drinking water quality. E.g. community watersheds.

Levels of Sensitivity

A useful but non binding categorization of levels of environmental sensitivity is provided as follows and can be used in any land use or development decision making process. The Local Trust Committee is not bound by this categorization and can make land use decisions that relate to environmentally sensitive areas based simply on a site meeting one of the above criteria. This categorization is useful for comparative assessment purposes.

High Category

An area is in a high category if it fulfills the uniqueness criterion; or the critical wildlife habitat criterion; or meets public health criteria; or four or more ecological criteria; or a community value or cultural significance criteria together with two or more ecological criteria.

Medium Category

An area is in a medium category if it fulfills the fragility criterion; or the geological stability criterion; or fulfills three ecological criterion; or has at least one cultural/social criterion and one ecological criterion.

Low Category

These area areas that fulfill a low number of criterion (1-2) and are areas with low species diversity that are not associated with major hydrological processes.

SCHEDULE “H”

PRINCIPLES OF SUSTAINABILITY OF ENVIRONMENTAL FEATURES

Comment [MK234]: DPAs are a stronger tool.

OBJECTIVES

- | | |
|-------------|--|
| Objective 1 | To protect lands from irreversible disturbance |
| Objective 2 | To protect, restore and enhance existing ecosystems. |

SUSTAINABLE LAND USE PRINCIPLES

ECOLOGICAL

- | | |
|-------------|---|
| Principle 1 | <p>Maintaining Ecosystem Integrity - Sustainable use of land and its resources depends on maintaining the ecological integrity of its ecosystems; that is, maintaining functioning self-sustaining ecosystems. The key requirements for maintaining ecosystem integrity are outlined in principles 2 to 7 in this Section.</p> <p>The more human activities cause conditions and processes to differ from those of a natural state, the more these activities are likely to damage the ecological integrity. The challenge of sustainable land use is to find ways of using land that pose an acceptably low level of risk to ecosystem integrity.</p> |
| Principle 2 | <p>Ecological Limits - Maintaining ecosystem integrity requires that the intensity and frequency of human activities, including the extraction of natural resources from the land, not exceed the capacity of the land to support those resources over long periods of time. Ecosystem integrity can also suffer from the cumulative effects of human activities. While individual initiatives may fall within the thresholds that would allow for sustained resource yields, there are limits to the amount of cumulative impact an ecosystem can absorb, beyond which it can no longer recover its ability to be sustainable. Every ecosystem has limits to its ecological capacity to support human uses. For some ecosystems, these limits are so low that, in a practical sense, no extraction is sustainable.</p> |
| Principle 3 | <p>Ecological Integrity of Natural Resources - The ecological integrity of a natural resource is most likely to be maintained if human alterations of the resource lead to maintenance or, where necessary and feasible, restoration of the following characteristics in a condition similar to those likely to have occurred due to natural processes:</p> <ul style="list-style-type: none">• diversity of resource structure and composition;• productivity and diversity of elements that contribute to the resource, in terms of physical, chemical, and biotic properties; and |

	• atmospheric and hydrologic function.
Principle 4	Ecological Integrity of the Landscape - The ecological integrity of the landscape is most likely to be maintained if the following characteristics are maintained or, where necessary and feasible, restored: • aquatic and wetland ecosystems in natural condition; • all native biodiversity; • the full range of natural habitats in the landscape, including old growth forests and forest corridors, in proportions similar to those typical of a natural landscape; and • connectivity of forest habitats sufficient for the dispersal needs of native species.
Principle 5	Invasive Non-native Species - Protection of native biodiversity may include measures to reduce or eliminate invasive non-native species.
Principle 6	Natural Disturbances and Recovery - Agents of natural disturbance, such as fire, disease, and insects, are important elements of ecosystems, as are the natural processes of recovery from disturbance, such as soil development and the regeneration and growth of plants. Protection of native biodiversity is most likely to be achieved if natural disturbances are allowed to proceed without interference. However, forest fires and other natural disturbances that threaten vital human interests are controlled in the Gambier Island Planning Area. Where actual processes are not maintained, it may be appropriate for management activities to emulate the historical role of natural disturbances in creating habitats for native species.
Principle 7	Reserve Areas - Native biodiversity is most likely to be preserved if adequate areas are designated as reserves in which natural ecosystems are allowed to develop without extractive uses or other intensive activities.

PLANNING AND MANAGEMENT

Principle 8	Ecosystem Priority - The first requirement of sustainable land and resource use is to maintain and, where necessary and feasible, restore the ecological integrity of the ecosystem. Therefore, sustainable use starts by defining what elements of the land and its resources should be maintained or restored, before deciding what resources may be used.
Principle 9	Precautionary Principle - In cases where knowledge of the effects of activities is inadequate, it is better to proceed cautiously, preferring to err on the side of protecting ecosystem integrity.
Principle 10	Learning - Sustainable land use requires the assimilation of new knowledge and understanding, and their application in plans and activities. Valuable insights can be obtained through a variety of

approaches, which are within the constraints of the principles of sustainable use.

- Principle 11 Ecosystem-based Planning and Monitoring - Sustainable use of land requires planning before activities are undertaken and requires ongoing monitoring and evaluation to ensure that all activities meet the goals of sustainable use and ecosystem integrity.
- Principle 12 Time Frame - Planning for sustainable land use requires a long-term perspective, that is, consideration of processes that occur over hundreds of years.
- Principle 13 Stands and Landscapes - Sustainable use of land and its resources requires that human activities are planned and their effects evaluated to maintain and, where necessary and feasible, restore the ecological integrity of the land and its resources
- Some aspects of ecosystem integrity, such as soil productivity, are properties of individual resources or locations. Others, such as the availability of habitat for a broad range of native species, must be considered from a perspective encompassing the whole landscape.
- Principle 14 Restoration - In cases where some vital aspect of an ecosystem has been lost or damaged due to previous human use, sustainable land use may require restoration of ecological integrity. In most cases, restoration is best accomplished through natural processes acting over time with little or no additional intervention.

OTHER SCHEDULES (MAPS)
(ATTACHED TO SCHEDULE A)

Schedule B	Land Use Designations
Schedule C	Environmentally Sensitive Areas
Schedule D	Roads, Trails, Parks and Areas of <u>Land commonly referred to as “Crown Land”</u>
Schedule E	Hazard Lands
Schedule F	Watersheds and Watercourses
Schedule I	Development Permit Areas

S:\LTC\GAMBIER\BYLAWS\Base\OCP\GM BYLAW NO. 73, 2001_OCP.doc

ATTACHMENT #X

SUMMARY OF GAMBIER OCP COMPLIANCE WITH LOCAL GOVERNMENT ACT REQUIRED OCP CONTENT – JUNE 2018

GAMBIER ISLAND OFFICIAL COMMUNITY PLAN – COMPREHENSIVE REVIEW PROJECT	
LOCAL GOVERNMENT ACT SECTION 473 (1) <i>AN OFFICIAL COMMUNITY PLAN <u>MUST INCLUDE STATEMENTS AND MAP DESIGNATIONS FOR THE AREA COVERED BY THE PLAN RESPECTING THE FOLLOWING:</u></i>	STAFF COMMENTS
<i>(a) the approximate location, amount, type and density of residential development required to meet anticipated housing needs over a period of at least 5 years</i>	Residential policies in Part 4 identify location, amount, type and density of residential development on Gambier. Residential map designations are found in Schedule B map. Require policies regarding how the OCP meets anticipated housing needs over a set period of time.
<i>(b) the approximate location, amount and type of present and proposed commercial, industrial, institutional, agricultural, recreational and public utility land uses</i>	- Commercial and industrial policies in Part 5; institutional/recreational/public utility policies in Part 6; agriculture in part 7. - Industrial, institutional, agricultural, recreational and public utility designations are included in Schedule B map. Require commercial and institutional land designations in Schedule B map to be consistent with zoning. Does not contain policies or map designations for proposed locations for these uses. All Agricultural Land Reserve (ALR) lands are not currently included in 'Agricultural' land designation.
<i>(c) the approximate location and area of sand and gravel deposits that are suitable for future sand and gravel extraction.</i>	Complies. Part 5 includes policies pertaining to sand and gravel deposits and extraction.

GAMBIER ISLAND OFFICIAL COMMUNITY PLAN – COMPREHENSIVE REVIEW PROJECT

LOCAL GOVERNMENT ACT SECTION 473 (1) AN OFFICIAL COMMUNITY PLAN <u>MUST INCLUDE STATEMENTS AND MAP DESIGNATIONS</u> FOR THE AREA COVERED BY THE PLAN RESPECTING THE FOLLOWING:	STAFF COMMENTS
<i>(d) restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development</i>	Parts 3 and 4 each contain one policy regarding lands subject to hazardous conditions. Require clearer policy direction on restrictions on the use of land to protect against hazardous conditions. Parts 4, 7 and 8 contain policies regarding lands that are environmentally sensitive to development.
<i>e) the approximate location and phasing of any major road, sewer and water systems</i>	Not applicable at this time.
<i>(f) the approximate location and type of present and proposed public facilities, including schools, parks and waste treatment and disposal sites.</i>	Require clear designation of the present and proposed public facilities or text justification why they are not included.
<i>(g) other matters that may, in respect of any plan, be required or authorized by the minister.</i>	Not applicable at this time.
<i>(2) An official community plan must include housing policies of the local government respecting affordable housing, rental housing and special needs housing.</i>	Complies. Part 4 of the OCP addresses this.
<i>(3) An official community plan must include targets for the reduction of greenhouse gas emissions in the area covered by the plan, and policies and actions of the local government proposed with respect to achieving those targets.</i>	Complies. Part 11 of the OCP addresses this.
<i>(4) In developing an official community plan, the local government must consider any applicable guidelines under section 582 [provincial policy guidelines].</i>	Not applicable at this time.

ATTACHMENT #XX

SUMMARY OF ISLANDS TRUST DIRECTIVE POLICIES – JUNE 2018

GAMBIER ISLAND OFFICIAL COMMUNITY PLAN – COMPREHENSIVE REVIEW PROJECT	
ISLANDS TRUST DIRECTIVE POLICIES	STAFF COMMENTS ON HOW THE GAMBIER OCP ADDRESSES THE DIRECTIVE POLICIES
<i>Directive Policies direct local trust committees to address certain matters in their official community plans and regulatory bylaws under Part 14 of the Local Government Act. Where a policy requires a local trust committee or island municipality <u>to address a particular matter</u>, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy.</i>	
3.1.3 Address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.	Part 8 addresses this Policy.
3.1.4 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.	OCP does not address.
3.1.5 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.	Parts 4, 5, 8 address this policy.
3.2.2 Address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.	Parts 8 and 11 address this policy.
3.3.2 Address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.	Part 8 addresses this policy.
3.4.4 Address the protection of sensitive coastal areas.	Parts 3 and 7 address this policy.
3.4.5 Address the planning for and regulation of development in coastal regions to protect natural coastal processes.	Parts 3 and 7 address this policy.
4.1.4 Address the identification and preservation of agricultural land for current and future use.	Part 7 addresses however not consistent in the Land Use Bylaw (all ALR land not designated 'Agriculture'). Opportunity for OCP to clearly address this policy.
4.1.5 Address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.	Part 7 addresses this policy.

GAMBIER ISLAND OFFICIAL COMMUNITY PLAN – COMPREHENSIVE REVIEW PROJECT

ISLANDS TRUST DIRECTIVE POLICIES <i>Directive Policies direct local trust committees to address certain matters in their official community plans and regulatory bylaws under Part 14 of the Local Government Act. Where a policy requires a local trust committee or island municipality to address a particular matter, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy.</i>	STAFF COMMENTS ON HOW THE GAMBIER OCP ADDRESSES THE DIRECTIVE POLICIES
4.1.6 Address the use of adjacent properties to minimize any adverse effects on agricultural land.	OCP does not address. Justification could be provided due to limited agricultural land base on Gambier.
4.1.7 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.	OCP does not address. Justification could be provided due to limited agricultural land base on Gambier.
4.1.8 Address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.	OCP does not address. Justification could be provided due to limited agricultural land base on Gambier.
4.1.9 Address the use of Crown lands for agricultural leases.	OCP does not address. Justification could be provided due to limited agricultural potential on Gambier.
4.2.6 Address the need to protect the ecological integrity on a scale of forest stands and landscapes.	Although Schedule H ‘Principles of Sustainability of Environmental Features’ addresses this policy, this information should be contained within the body of the OCP in the form of Plan goals, objectives or policies. Opportunity for OCP to more clearly address this policy.
4.2.7 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.	Part 4 addresses this policy.
4.2.8 Address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.	OCP does not address.
4.4.2 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.	OCP does not address.
4.4.3 Address measures that ensure water use is not to the detriment of in-stream uses.	OCP does not address.

GAMBIER ISLAND OFFICIAL COMMUNITY PLAN – COMPREHENSIVE REVIEW PROJECT

ISLANDS TRUST DIRECTIVE POLICIES <i>Directive Policies direct local trust committees to address certain matters in their official community plans and regulatory bylaws under Part 14 of the Local Government Act. Where a policy requires a local trust committee or island municipality to address a particular matter, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy.</i>	STAFF COMMENTS ON HOW THE GAMBIER OCP ADDRESSES THE DIRECTIVE POLICIES
4.5.8 Address the needs and locations for marine dependent land uses.	Part 7 addresses this policy.
4.5.9 Address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.	OCP does not address however the Land Use Bylaw does regulate location and size of marinas.
4.5.10 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.	Development Permit Area No. 2 – Shoreline Protection (Brigade Bay) addresses this policy. This could be expanded to other shoreline areas of Gambier Island. Opportunity for OCP to more clearly address this policy island-wide.
4.5.11 Address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.	Several sections of the OCP address this policy.
4.6.3 Address the protection of productive soils.	OCP does not address.
5.1.3 Address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.	Part 7 addresses this policy.
5.2.3 Address policies related to the aesthetic, environmental and social impacts of development.	Parts 3, 4, 8 address this policy.
5.2.4 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.	Part 4 addresses this policy.
5.2.5 Address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.	Part 4 addresses this policy.
5.2.6 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.	Parts 3 and 4 does address – however no strategies to direct development away from such hazards in the Land Use Bylaw. Opportunity for OCP to more clearly address this policy.

GAMBIER ISLAND OFFICIAL COMMUNITY PLAN – COMPREHENSIVE REVIEW PROJECT

ISLANDS TRUST DIRECTIVE POLICIES	STAFF COMMENTS ON HOW THE GAMBIER OCP ADDRESSES THE DIRECTIVE POLICIES
<i>Directive Policies direct local trust committees to address certain matters in their official community plans and regulatory bylaws under Part 14 of the Local Government Act. Where a policy requires a local trust committee or island municipality to address a particular matter, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy.</i>	
5.3.4 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.	Schedule D addresses – may need to be updated.
5.3.5 Address the impacts of road location, design, construction and systems.	Part 9 and Schedule D address this policy.
5.3.6 Address the designation of areas for the landing of emergency helicopters.	Part 9 addresses this policy.
5.3.7 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.	OCP does not address.
5.4.4 Address the identification of acceptable locations for the disposal of solid waste.	OCP does not address.
5.5.3 Address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.	OCP does not address however Land Use Bylaw prohibits casinos in any zone.
5.5.4 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.	Part 4, 8, 9 address this policy.
5.5.5 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.	Opportunity for OCP to more clearly address this policy.
5.5.6 Address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.	Schedule D – Roads, Trails, Parks addresses this policy.
5.5.7 Address the planning for bicycle, pedestrian and equestrian trail systems.	Schedule D – Roads, Trails, Parks addresses this policy.

GAMBIER ISLAND OFFICIAL COMMUNITY PLAN – COMPREHENSIVE REVIEW PROJECT

ISLANDS TRUST DIRECTIVE POLICIES <i>Directive Policies direct local trust committees to address certain matters in their official community plans and regulatory bylaws under Part 14 of the Local Government Act. Where a policy requires a local trust committee or island municipality to address a particular matter, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy.</i>	STAFF COMMENTS ON HOW THE GAMBIER OCP ADDRESSES THE DIRECTIVE POLICIES
5.6.2 Address the identification, protection, preservation and enhancement of local heritage.	Part 8 addresses this policy. Opportunity to separate from environmental protection or First Nations policies.
5.6.3 Address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.	Part 8 addresses this policy. Opportunity to separate from environmental protection or First Nations policies.
5.7.2 Address economic opportunities that are compatible with conservation of resources and protection of community character.	Part 5 addresses this policy.
5.8.6 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.	Opportunity for OCP to more clearly address this policy.

Gambier OCP Review Project Charter

Gambier Island Local Trust Committee

Date: June 28, 2018

Purpose

To conduct a comprehensive review of the Gambier Island Official Community Plan in a two-phase project.

Background The LTC identified this project as a Top Priority in February 2015.

Objectives

- To review and update goals, objectives, and policies to guide development on Gambier
- To engage and collaborate with First Nations
- Ensure the OCP addresses the Islands Trust Policy Statement and Local Government Act requirements

In Scope

- Technical amendments to streamline the OCP goals, objectives and policies.
- Review options to enhance shoreline protection and marine designations.
- Review of forest conservation related policies.
- Review options to protect archaeological and cultural sites.
- Review of policies regarding: economic development; livability and services for island residents; private institutional policies; parks and trails
- Updating Schedule B to ensure designations reflect intended uses.
- Developing a Development Approval Information (DAI) bylaw.

Out of Scope

- Review of Density/ Build-Out
- Affordable Housing Strategy
- Additional advocacy policies

Workplan Overview

Deliverable/Milestone	Date
First Nations engagement	Ongoing
LTC consideration of OCP technical review	June 2018
Phase One (development of consultation/communication plan; analysis of environmental & archaeological protection topics; DAI bylaw drafting; policy drafting)	2018-2019
Phase one: Development of consultation/ communication plan	Jun– Jul 2018
Phase one: Community information meeting	Fall 2018
Phase one: Community survey	Fall/Winter 2018-19
Phase one: Draft Development Approval Information bylaw	Fall 2018
Phase one: Community information meeting	Winter 2018-19
Phase Two (consultation and analysis regarding “livability” topics, private institutional policies, and interagency topics such as parks; policy drafting and Schedule B updates)	TBD
Bylaw drafting and Legislative Review Process (readings, public hearing, EC and MMAH approval)	TBD

Project Team

Madeleine Koch	Project Manager
Sonja Zupanec	Project Sponsor
Ann Kjerulf	Project Sponsor
Penny Hawley	Admin Support
GIS Mapping	Mapping Support
Andrew Templeton	Communications Support

Budget

Budget Source: Gambier OCP Project

Fiscal	Item	Cost
2018-19	Two CIMs @ \$1000 each	\$2000
2018-19	Community Survey	\$1000
2018-19	First Nations engagement	\$1500
2019-20	Phase 2 and Leg Review (CIM & Public Hearing)	TBD
	Total	\$4500

RPM Approval:

Date:

LTC Endorsement Date:



File No.: 6500-20
(Gambier RAR)

DATE OF MEETING: June 28, 2018
TO: Gambier Island Local Trust Committee
FROM: Madeleine Koch, Planner 2
Northern Team
COPY: Ann Kjerulf, Regional Planning Manager
Sonja Zupanec, Island Planner
SUBJECT: *Riparian Areas Regulation* Implementation

RECOMMENDATION

1. That the Gambier Island Local Trust Committee Bylaw No. 148, cited as “Gambier Island Official Community Plan, Bylaw 73, 2001, Amendment No. 1, 2018” be read a first time;
2. That the Gambier Island Local Trust Committee Bylaw No. 149, cited as “Gambier Island Land Use Bylaw, Bylaw 86, 2004, Amendment No. 1, 2018” be read a first time;
3. That the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 148, cited as “Gambier Island Official Community Plan, Bylaw 73, 2001, Amendment No. 1, 2018” is not contrary to or at variance with the Islands Trust Policy Statement.
4. That the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 149, cited as “Gambier Island Land Use Bylaw, Bylaw 86, 2004, Amendment No. 1, 2018” is not contrary to or at variance with the Islands Trust Policy Statement.
5. That the Gambier Island Local Trust Committee request staff to refer Bylaws No. 148 and No. 149 to: Skwxwú7mesh Úxwumixw (Squamish Nation); Tsleil-Waututh Nation; Musqueam First Nation; Islands Trust Conservancy; Ministry of Transportation and Infrastructure; Ministry of Forests, Lands, Natural Resource Operations and Rural Development; Fisheries and Oceans Canada; Agricultural Land Commission; Sunshine Coast Regional District; School District 46; and Bowen Island Municipality;
6. That the Gambier Island Local Trust Committee request staff to refer Bylaws No. 148 and 149 to the Gambier Island Advisory Planning Commission (APC), and that a planner and trustee attend the APC meeting at which the bylaws are reviewed;
7. That the Gambier Island Local Trust Committee endorse the draft amended project charter dated June 28, 2018.

REPORT SUMMARY

This report accompanies draft Bylaw Nos. 148 and 149, and recommends that the bylaws receive first reading and be referred to agencies and First Nations for comment. The purpose of these bylaws is to amend Development Permit Area (DPA) No. 3: Riparian Areas, applicable to Gambier Island, for the purpose of resolving technical issues, and to bring in protection measures for ecologically important water features that are not protected by the provincial *Riparian Areas Regulation* (RAR). The report outlines the project background, draft bylaws, policy context; and legislative bylaw review process.

Staff will review the draft bylaws at the June 28th Gambier Island Local Trust Committee (LTC) meeting using examples to demonstrate how they would be implemented through the Development Permit (DP) application process.

BACKGROUND

The LTC adopted DPA No. 3: Riparian Areas in April 2017. Following adoption of the new DPA bylaws, staff encountered technical problems. It was also clarified that the LTC had intended for the DPA to protect both *Riparian Areas Regulation* (RAR) applicable streams, *and* watercourses and wetlands that are not applicable to the RAR but have important habitat values. The existing DPA does not include guidelines for “non-RAR” watercourses and wetlands.

The draft bylaws have been developed to address the technical problems with implementation of the DPA. They have also been drafted to include: guidelines for development adjacent to non-RAR watercourses and wetlands; justification for protecting non-RAR watercourses and wetlands; and subdivision design guidelines for lots that contain RAR streams or non-RAR watercourses and wetlands.

The non-RAR development guidelines and revised Official Community Plan (OCP) justification section were developed in consultation with a Qualified Environmental Professional (QEP) with experience in both RAR and non-RAR watercourse and wetland protection.

Draft Bylaws No. 148 and 149 have received legal review, and are considered to be ready for first reading.

ANALYSIS

Draft Bylaw No. 148 (OCP)

Draft Bylaw 148 (Attachment 1) proposes to amend the portion of the DPA found in the OCP in the following significant ways:

- By deleting section 12.3.1, which indicates a “designated area” of applicability based on the RAR. This has been replaced by a new exemption in Bylaw 149 (LUB), which achieves the same intent as 12.3.1 only it includes non-RAR watercourses and wetlands;
- By adding content to the “Justification” section that outlines the importance of protecting non-RAR watercourses and wetlands (developed in collaboration with a QEP);
- By adding a new subsection to the Development Approval Information section, which requires the submission of a QEP report in accordance with the “Part 2” guidelines (applicable to non-RAR watercourses and wetlands) which are contained in the (draft) Land Use Bylaw (LUB) portion of the DPA (Bylaw 149);
- By making minor text amendments to the DPA map for increased clarity.

Draft Bylaw No. 149 (LUB)

Draft Bylaw 149 (Attachment 2) proposes to amend the portion of the DPA found in the LUB in two principal ways. First, the bylaw has been drafted to address technical issues affecting implementation of the DPA. Secondly, the draft bylaw contains new guidelines for protecting non-RAR watercourses and wetlands that are not protected by the *Riparian Areas Regulation*, but have important environmental values. Guidelines for subdivision design have also been drafted.

Technical Amendments

The following summarizes the more notable amendments that have been drafted to address technical issues with the existing DPA, to facilitate implementation of the draft new guidelines for non-RAR watercourses and wetlands, and to achieve the objectives of the DPA:

- A new exemption has been added for development occurring outside of a specified area (to replace the “designated area” provision currently in the OCP);
- A number of definitions have been altered for clarity and consistency;
- The exemption for “all uses that are not residential, commercial or industrial or accessory to such a use” has been deleted so that other potentially impactful land uses, such as institutional uses, can also be subject to the DPA.

Proposed New Non-RAR Water Feature Protection Guidelines

New guidelines have been drafted for the purpose of protecting non-RAR watercourses and wetlands from development.

When a DP is required for a RAR applicable watercourse or wetland, a Riparian Areas Assessment Report is required, and these reports must follow the formal RAR Assessment Methods established by the Province. In the case of non-RAR watercourses and wetlands, the use of these standardized methods is not required (and would not necessarily be appropriate seeing as the RAR methods are specifically designed to assess and protect fish habitat). Because there are not standardized methods for non-RAR watercourses and wetlands, the draft new guidelines have been developed in close consultation with a QEP who is an aquatic/ terrestrial biologist with considerable experience in both RAR and non-RAR watercourse/wetland protection, and experience working with non-RAR watercourse/wetland protection DPAs in other jurisdictions. The draft guidelines are rooted in riparian biology, and as such are quite technical in nature. The guidelines have been developed in this way so that QEPs hired to prepare non-RAR assessment reports can use a consistent and science-based framework for assessing non-RAR watercourses and wetlands (in absence of the formal RAR methods they can rely on for RAR-applicable cases).

In the past, other LTC bylaws that purport to protect non-RAR watercourses have been challenged by some residents for not being provincially required (whereas the RAR requires local governments to protect RAR-applicable streams), and for not following standardized assessment methods (whereas the RAR requires RAR Assessment reports to be prepared in accordance with the RAR Assessment Methods).

It is important to note that Section 488(1)(a) of the *Local Government Act* empowers the LTC to adopt DPAs for the purpose of “protection of the natural environment, its ecosystems and biological diversity”. Section 488 represents one of the LTC’s strongest tools to carry out the Islands Trust’s Object to Preserve and Protect in the Salish Sea, as it allows the LTC to adopt a broad spectrum of DPAs for environmental protection purposes – well beyond simply implementing provincial regulations.

Despite the lack of a standardized provincial methodology for the specific purpose of assessing non-RAR watercourses and wetlands, there is still considerable science associated with these ecosystems, as reflected in the draft DPA justification section and non-RAR guidelines. Non-RAR watercourses and wetlands warrant protection from development, which is why the LTC chose to follow the lead of a number of other local governments by broadening the scope of their Riparian DPA to include protection of non-RAR watercourses and wetlands.

Proposed New Subdivision Design Guidelines

New guidelines have also been drafted to guide subdivision design of lots that contain RAR streams, and lots that contain non-RAR watercourses or wetlands. Both the RAR and the existing DPA are triggered by subdivision proposals. However, the existing DPA bylaw does not include guidelines pertaining to subdivision design. Careful design at the subdivision stage can alleviate the potential for impacts on riparian areas later on, as it allows lots to be laid out in such a way that does not necessitate development near sensitive water features and allows for identification and buffering of sensitive areas.

Bylaw Nos. 145, 146 and 147 (Applicable to Bowyer and Anvil Islands)

It is recommended that Bylaw Nos. 145 (to amend the Associated Islands OCP), 146 (to amend the Bowyer LUB) and 147 (to amend the Anvil LUB) are also revised so that they are consistent with draft Bylaw Nos. 148 and 149 (DPA 3 for Gambier Island). A key difference that would remain is the use of a comprehensive DPA on Gambier and specific DPA mapping on Bowyer and Anvil. For consistency, the guidelines in draft Bylaw No. 149 could be used for Bylaws No. 146 and 147.

If the LTC is amenable to this recommendation, staff could prepare amendments to the bylaws for consideration at the July 26th LTC meeting. Furthermore, there is an opportunity to co-ordinate readings and public hearings for all of the bylaws in question going forward.

Policy/Regulatory

Islands Trust Policy Statement:

The draft bylaws advance the following Directive Policies from the Islands Trust Policy Statement (ITPS):

- 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.*
- 3.3.2 *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.*

The draft bylaws are not contrary to or at variance with any of the ITPS Directive Policies. A Directive Policies checklist is attached to this report (Attachment 7).

Consultation

First Nations

First Nations referrals are required for the draft bylaws. It is recommended that the bylaws be referred to the following First Nations, as they have asserted interest, rights, and title over Gambier Island:

- Skwxwú7mesh Úxwumixw (Squamish Nation);
- Tsleil-Waututh Nation;
- Musqueam Nation.

Agencies

Agency referrals are required for the draft bylaws. It is recommended that the bylaws be referred to the following agencies:

- Islands Trust Fund;
- Ministry of Transportation and Infrastructure;
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development;
- School District 46;
- Fisheries and Oceans Canada;
- Agricultural Land Commission;
- Sunshine Coast Regional District;
- Bowen Island Municipality;

Advisory Planning Commission

It is recommended that the draft bylaws be forwarded to the Advisory Planning Commission (APC) for comment, and that staff and a trustee attend the meeting at which the bylaws are reviewed. There would be an opportunity for the APC to participate in an exercise to review example scenarios to demonstrate how the bylaws would be implemented in practice.

Statutory Requirements: Public Hearing

A public hearing will be required. As per the amended project charter, a public hearing is targeted for winter 2018-19.

Community Information Meeting

As per the amended project charter, it is recommended that a Community Information Meeting (CIM) be held on Gambier Island in August 2018.

Protocols

The LTC has a protocol for working with the Sunshine Coast Regional District (SCRD). The protocol includes the following principle for working together: “cooperation through regular liaison, sharing of information, and notification of significant initiatives that may impact the other Party”. The bylaws would be referred to the SCRD for comment and staff would follow up as required.

Amended Project Charter

A draft amended project charter is attached. The charter has been updated with an amended timeline; and the work plan has been updated with deliverables to make guidelines in the Anvil and Bowyer bylaws consistent with the Gambier Island bylaw. The project charter has also been updated to increase the budget to \$7,000. The increase is necessary to cover the extensive legal review of the draft bylaws, while still accommodating an opportunity for public input through a CIM and statutory public hearing.

Rationale for Recommendation

The bylaws have been developed based on professional and legal input and are considered by planning staff to be ready for consideration of first reading. First Nation and agency referrals are still required, and review by the APC and community would be beneficial. It is recommended that First Nation and Agency referrals be sent out; that the APC review the bylaws; and that a CIM be held in advance of the required public hearing, in accordance with the proposed amended project charter.

ALTERNATIVES

1. Request further information

NEXT STEPS

If the recommendations are adopted, staff would proceed with making referrals and planning a CIM for August. Following receipt of referral responses, a subsequent staff report would be presented to the LTC.

Submitted By:	Madeleine Koch, MCIP, RPP Planner 2	June 13, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	June 15, 2018

ATTACHMENTS

1. Draft Bylaw No. 148 (OCP)
2. Draft Bylaw No. 149 (LUB)
3. Existing Bylaw No. 140 (OCP)
4. Existing Bylaw No. 141 (LUB)
5. Current Project Charter
6. Draft Amended Project Charter
7. Islands Trust Policy Statement Directives Only Checklist

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 148

A BYLAW TO AMEND GAMBIER ISLAND OFFICIAL COMMUNITY PLAN, 2001

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

1. Citation

This bylaw may be cited for all purposes as “Gambier Island Official Community Plan, Bylaw No. 73, 2001, Amendment No. 1, 2018”.

2. Gambier Island Official Community Plan Bylaw No. 73, 2001, is amended as follows:

2.1 Part 12 Permits and Development Approval Information, Section 12.3 Development Permit Area No. 3: Riparian Areas, Subsection 12.3.1 Designated Area is deleted in its entirety

2.2 Part 12 Permits and Development Approval Information, Section 12.3 Development Permit Area No. 3: Riparian Areas, Subsection 12.3.2 Justification is amended by:

- a) Deleting Article 2. To protect the natural environment necessary to conserve productive fish habitat, including both streams and the adjacent land and vegetation; in its entirety and replacing it with the following:

To protect the natural environment necessary to provide productive habitat for fish and other aquatic species, including both fish bearing and non-fish-bearing water features, and the adjacent land and vegetation; and

- b) Following Article 3. To minimize adverse impacts of land use practices on wildlife habitats and plant habitats in riparian areas., Paragraph 4 is deleted in its entirety and replaced with the following:

Both fish-bearing and non-fish-bearing riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a high level of biodiversity, including rare plant and animal species that are adapted to the unique habitat conditions provided by these dynamic ecosystems. Vegetated riparian areas represent important travel corridors for wildlife and can also provide valuable foraging habitat for birds, a range of mammals (including bats), amphibians, and reptiles. Numerous species of wildlife benefit from habitat at the edge of streams and wetlands, as these areas provide cover, nesting areas, roosting areas, and food sources.

Watercourses and wetlands that do not support fish still have high ecological value, particularly because they provide critical breeding habitat for amphibians. Areas that only contain water for part of the year can provide an advantage to native amphibians, as these species are able to

successfully breed in seasonal water, whereas some invasive amphibians – such as American Bullfrogs – require permanent water in order to breed successfully.

An absence of fish eliminates predation, especially related to metamorphosing tadpoles, juvenile newts, and salamanders. Wetlands are a relatively rare ecosystem type on the Gulf Islands and are highly sensitive to disturbance.

Streams, wetlands and surrounding riparian areas provide important ecosystem services in the form of flood risk mitigation, water quality and quantity maintenance, erosion management, and storage of greenhouse gases through carbon sequestration.

Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Gambier Island.

- 2.3 Part 12 Permits and Development Approval Information, Section 12.3 Development Permit Area No. 3: Riparian Areas, Subsection 12.3.3, Article (c) Development Permit Area 3 protects the natural environment and specifically fish habitat values. Development approval information is required to determine under what circumstances and conditions development permits may be issued to manage development that potentially has a significant impact on the natural environment and fish habitat. is deleted in its entirety and replaced with the following new Article (c) and Article (d):

- (c) Development approval information in the form of a report submitted by a Qualified Environmental Professional, developed in accordance with the guidelines in Section 9.3 Development Permit Area No. 3 Riparian Areas, Subsection 5 Guidelines, Articles (k) to (r), of Gambier Island Land Use Bylaw No. 86, 2004, will be required for non-exempt development activities.

- (d) Development Permit Area 3 protects the natural environment and specifically both fish-bearing streams and non-fish-bearing watercourses and wetlands. Development approval information is required to determine under what circumstances and conditions development permits may be issued to manage development that potentially has a significant impact on the natural environment and riparian areas.

2.4 SCHEDULE I - DEVELOPMENT PERMIT AREAS Plan 1, is deleted in its entirety and replaced by new Schedule 1 Development Permit Areas Plan 1 attached to and forming part of this bylaw.

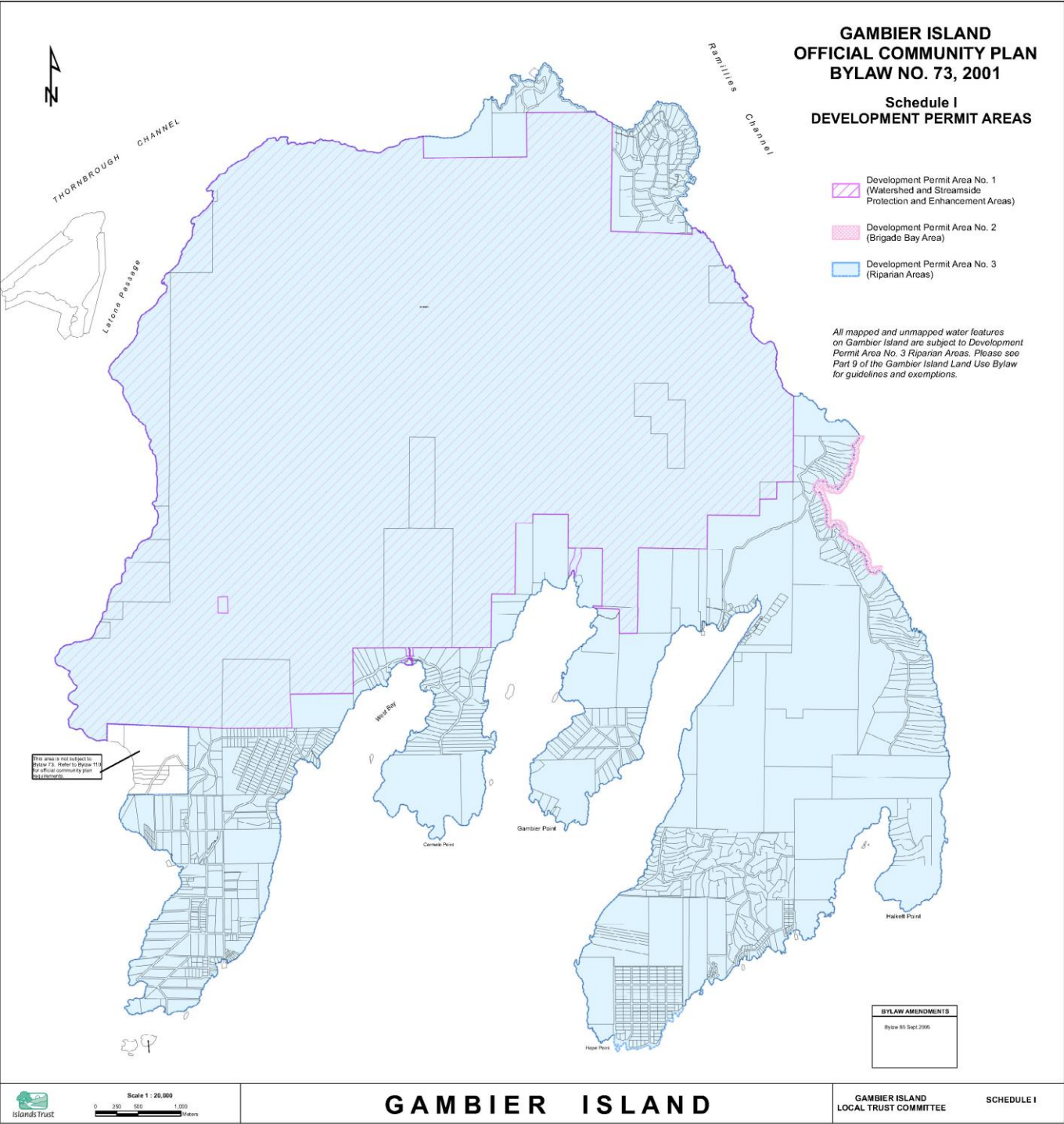
READ A FIRST TIME THIS	DAY OF	
PUBLIC HEARING HELD THIS	DAY OF	,
READ A SECOND TIME THIS	DAY OF	
READ A THIRD TIME THIS	DAY OF	,
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	DAY OF	,
APPROVED BY THE MINISTER OF Municipal Affairs and Housing		
THIS	DAY OF	,
ADOPTED THIS	DAY OF	,

SECRETARY

CHAIRPERSON

GAMBIER ISLAND LOCAL TRUST COMMITTEE

PLAN NO. 1



**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 149**

A BYLAW TO AMEND GAMBIER ISLAND LAND USE BYLAW, 2004

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

1. Citation

This bylaw may be cited for all purposes as “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2018”.

2. Gambier Island Land Use Bylaw No. 86, 2004, is amended as follows:

2.1 PART 1 – INTERPRETATION, Section 1.1 Definitions, is amended by:

- a) replacing the definition of “WATERCOURSE” with the following: “means a lake, pond, river, creek, spring, ravine or gulch, whether or not usually containing water.”
- b) replacing the definition of “WETLAND” with the following: “means a swamp, marsh or fen.”
- c) replacing the definition of “RIPARIAN AREA” with the following: “means an area adjacent to a *watercourse* or *wetland* that links aquatic to terrestrial ecosystems and includes both the riparian vegetation and the adjacent upland vegetation that exerts an influence on the *watercourse* or *wetland*.”
- d) deleting the term and definition of “HIGH WATERMARK or HWM” and replacing it with the following: “HIGH WATER MARK means the point at which the presence and action of the water are so common and usual, and so long continued in all ordinary years, as to mark on the soil or rock of the bed of the *watercourse* or the soil of the *wetland* a character distinct from that of its banks or the adjacent land in the case of a *wetland*, in vegetation as well as in the nature of the soil itself.”
- e) deleting the definition of “CONSTRUCTED DITCH.”
- f) deleting the definition of “RIPARIAN.”
- g) deleting the definition of “STREAMSIDE PROTECTION AND ENHANCEMENT AREA.”

2.2 PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES AND EXEMPTIONS, is amended by removing Section 9.3 Development Permit Area No. 3 (Riparian Areas) in its entirety and inserting the following:

9.3 Development Permit Area No. 3 (Riparian Areas)

Definitions

- (1) Unless otherwise defined in this bylaw, terms used in Section 9.3 that are defined in the *Riparian Areas Regulation* have the same meaning as the definition given in the *Regulation*. Italicized terms (other than legislation) are defined in this bylaw.

Applicability

- (2) The following activities shall require a Development Permit whenever they occur within Development Permit Area No. 3, unless specifically exempted under Subsection 9.3(3):
- (a) removal, alteration or destruction of vegetation
 - (b) disturbance of soils
 - (c) construction of, addition to, or alteration of a building or other structure
 - (d) creation of non-structural, impervious or semi-impervious surfaces
 - (e) subdivision of land

Exempted Activities

- (3) The following activities are exempt from any requirement for a development permit in Development Permit Area No. 3:
- (a) development taking place outside of the areas described below in 9.3(3)(b)(i) through 9.3(3)(b)(iv):
 - (i) For a *watercourse* that is not located in a ravine, a 30 metre strip on both sides of the *watercourse* measured from the *high water mark*;
 - (ii) For a *watercourse* located within a ravine that is less than 60 metres wide, a strip on both sides of the *watercourse* measured from the *high water mark* to a point that is 30 metres beyond the top of the ravine bank;
 - (iii) For a *watercourse* located within a ravine that is 60 metres wide or greater, a strip on both sides of the *watercourse* measured from the *high water mark* to a point that is 10 metres beyond the top of the ravine bank;
 - (iv) For a *wetland*, the area within 30 metres of the *high water mark* of the *wetland*;
 - (b) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing building or structure to an extent that does not alter, extend or otherwise increase the ground floor area of the building or structure including all impermeable accessory structures such as decks and patios
 - (c) repair or replacement of a septic field within the same area of land as the existing septic field;
 - (d) the removal of trees that have been examined by an International Society of Arboriculture Certified Arborist and certified in writing to pose a threat to life or property;

- (e) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 20 metres from a *watercourse* or *wetland's high water mark* or the top of the ravine bank, provided the roots and stumps are left in the ground.
- (f) gardening and yard maintenance activities, within a pre-existing *landscaped area*, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
- (g) manual removal of invasive species and manual planting of native vegetation conducted on the basis of advice from a Qualified Environmental Professional;
- (h) pruning of not more than two trees in one growing season which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
- (i) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
- (j) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - (i) emergency actions for flood-protection and erosion protection;
 - (ii) clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow;
 - (iii) repairs to bridges and safety fences carried out in accordance with the *Water Act*; and
 - (iv) creation of a fire break in accordance with the *Wildfire Act*.
- (k) The construction of a fence if no trees are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence, or 1.5 metres on either side of the fence in agricultural areas;
- (l) The construction of a private trail if all of the following apply:
 - (i) The trail is 1 metre (1.6 feet) wide or less;
 - (ii) No trees are removed;
 - (iii) The surface of the trail is pervious;
 - (iv) The trail is designed and constructed to prevent soil erosion where slopes occur; and
 - (v) Where the trail parallels a *watercourse* or *wetland*, the trail is more than 5 metres away from the *high water mark*.
- (m) Disturbance of soils more than 20 metres from a *high water mark* or the top of the ravine bank if the total area of soil disturbance is less than 5 square metres;
- (n) The construction of a small accessory building more than 20 metres from a *high water mark* or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 square metres;

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Guidelines

- (4) Prior to undertaking any non-exempt development activities within Development Permit Area No. 3, an owner of property shall apply to the Local Trust Committee for a development permit.

A development permit application must include an initial report prepared by a Qualified Environmental Professional that establishes, in relation to any *watercourse* or *wetland* on the parcel that is the subject of the application, whether it is a “stream” as defined in the *Riparian Areas Regulation*. Part 1 of these Guidelines apply to any application related to a “stream” that meets that definition, and Part 2 of these Guidelines apply to all other applications.

Part 1 Guidelines:

General

- (a) Applications for development permits must also include an assessment report prepared by a Qualified Environmental Professional (QEP) in accordance with the assessment methods described in the Riparian Areas Regulation and submitted to the B.C. Ministry of Environment’s Riparian Areas Regulation Notification System. The report must include the QEP’s recommendations regarding development approval conditions including the monitoring of development activities and subsequent reporting by the QEP to the applicant and the Local Trust Committee. The report may be combined with the initial report described above.
- (b) In general, all development in this Development Permit Area should be undertaken in a manner that restores or maintains the proper function and condition of the *riparian area*, water bodies and ecosystems. Where a QEP has, as part of the assessment report, made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the *riparian area* and ecosystems, or monitoring and reporting, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of *riparian areas* and ecosystems is consistent with the measures and recommendations described in the assessment report.
- (c) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified in the assessment report and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term, which measures should be included as conditions of the development permit.

- (d) Where an assessment report describes an area within the DPA as suitable for development, the development permit should only allow the development to occur in that area.
- (e) If the nature of the proposed project within the DPA changes after the RAR assessment report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
- (f) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in accordance with the recommendations in a QEP's assessment report.

Subdivision

- (g) Land should not be subdivided so as to create new parcel boundaries intersecting or within 30 m of the *high water mark* of a stream, unless the boundary is being created for an ecological reserve under the *Ecological Reserve Act* for dedication to the Crown, or the subdivision complies with the recommendations of a QEP.
- (h) A development permit may designate areas of land within a subdivision that must remain free of development in accordance with recommendations of a QEP.
- (i) No subdivision plan should indicate the dedication or construction of a highway, driveway, access route or utility corridor of any kind within 30 metres of a stream, except in accordance with the recommendations of a QEP.
- (j) No subdivision plan should be designed in such a way that activities described in 9.3(2) would be likely to occur within 30 metres of the *high water mark* of a stream, unless the development will comply with the recommendations of the QEP who assessed the impact of the subdivision on the *riparian area*. In such situations, the development permit may stipulate the extent of the area in which development may occur, in accordance with the QEP's assessment report.

Part 2 Guidelines

General

- (k) A Qualified Environmental Professional (QEP) experienced in riparian, stream or wetland ecology must be retained to inspect the development site, identify the location of *watercourses* and *wetlands*, and prepare a report that includes recommendations on the location and width of riparian buffers that will maintain the biological integrity of the *riparian*

area and associated *watercourses* and *wetlands*. The report may be combined with the initial report described above the Part 1 Guidelines.

- (l) The QEP's report must clearly describe the context and inherent value of the riparian area and associated *watercourse* or *wetland* and identify mitigation measures that ensure the long-term protection of the specified buffer from any nearby development activities. Mitigation measures should include (but not be limited to):
 - (i) erosion control during ground disturbance activities to minimize the potential for sediment transportation;
 - (ii) protection of critical tree root zones;
 - (iii) protection of riparian buffers from potential blow-down of trees associated with any increases in exposure to wind;
 - (iv) management of deleterious substances brought onto the land for the purpose of development activities;
 - (v) proper management of storm water from any impermeable surfaces; and
 - (vi) prevention of encroachment into the riparian buffer (e.g. through the implementation of temporary construction-phase and/or long term fencing/signage).

The mitigation measures may be included as conditions of the development permit.

- (m) A QEP should assess and report on the status of the riparian area and *watercourse* or *wetland* with regards to biological integrity and should note the occurrence of invasive species (both plant and animal) where applicable. *Wetlands* should be classified as either bog, fen, marsh, swamp, shallow water or wet meadow. The QEP should also assess for and report on any previous disturbance or constraints imposed on the *riparian area* and associated *watercourse* or *wetland* (e.g. wetland infilling, channelization, bank destabilization, vegetation removal or dam construction) and recommend appropriate restoration where necessary. Where restoration is recommended, prescriptive replanting plans should be included in the QEP's report. Prescriptive invasive species removal, long-term management and disposal methods should also be included in the QEP's report where appropriate.
- (n) The QEP's assessment of the *riparian area* and associated *watercourse* or *wetland* should describe habitat suitability for rare elements including species at risk, provincially red or blue listed plants, animals and ecosystems. The QEP should also report on any documented occurrences of rare elements noted in relevant databases, such as the provincial Conservation Data Centre, and note any confirmed observations of rare elements encountered during the inspection of the site.
- (o) In addition to assessing the general integrity and condition of the *riparian area* and associated *watercourse* or *wetland*, the QEP should assess for any specific habitat attributes such as wildlife trees, raptor nests, coarse woody debris abundance/distribution (influencing

- terrestrial foraging/security habitat values for amphibians), and amphibian breeding habitat potential, especially for rare species.
- (p) The QEP's report should also include appropriate measures for addressing hazard tree management in or nearby the riparian buffer, if applicable. Tree management must be undertaken in such a way that it decreases any potential impacts to the riparian area. Appropriate measures such as topping to remove dangerous tree stems and/or pruning to remove dangerous tree limbs should be considered. Any tree stems and/or large limbs should be left in the riparian area.
 - (q) The QEP should consider recommending the establishment of specific buffers that limit construction activities adjacent to permanent riparian buffers, where necessary to protect the integrity of riparian habitat (e.g. establishing critical root zones around trees where excavations are to be avoided).
 - (r) Any work within the watercourse or wetland (e.g. culverts or bridges) should be done in a way that avoids any negative changes to surface or subsurface hydrology and maintains pre-existing connectivity throughout the *watercourse or wetland*.

Subdivision

- (s) Land should not be subdivided so as to create new parcel boundaries intersecting or within 30 m of the *high water mark* of a *watercourse or wetland*, unless otherwise supported by a Qualified Environmental Professional's report based on the Part 2 general guidelines (k) through (r) of this Development Permit Area, which certifies such parcel boundary creation will not negatively impact riparian habitat or unless the boundary is being created for an ecological reserve under the Ecological Reserve Act for dedication to the Crown.
- (t) A development permit may designate areas of land within a subdivision that must remain free of development, in accordance with recommendations of a QEP.
- (u) No subdivision plan should indicate the dedication or construction of a highway, driveway, access route or utility corridor of any kind within 30 metres of a *watercourse or wetland*, except in accordance with the recommendations of a QEP.
- (v) No subdivision plan should be designed in such a way that activities described in 9.3(2) would be likely to occur within 30 metres of the *high water mark* of a *watercourse or wetland*, unless the development will comply with the recommendations of the QEP who assessed the impact of the subdivision on the *riparian area*. In such situations, the development permit may stipulate the extent of the area in which development may occur, in accordance with the QEP's report.

READ A FIRST TIME THIS	DAY OF	, 201X
PUBLIC HEARING HELD THIS	DAY OF	, 201X
READ A SECOND TIME THIS	DAY OF	, 201X
READ A THIRD TIME THIS	DAY OF	, 201X
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS		
	DAY OF	, 201X
ADOPTED THIS	DAY OF	, 201X

Chair

Secretary

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 140

A BYLAW TO AMEND GAMBIER ISLAND OFFICIAL COMMUNITY PLAN, 2001

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

1. Citation

This bylaw may be cited for all purposes as “Gambier Island Official Community Plan, 2001, Amendment No. 1, 2016”.

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

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

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

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

DEVELOPMENT PERMIT AREAS

12.1 Development Permit Area No. 1: Watershed Areas

12.1.1 Designated Area

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

12.1.2 Justification

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

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

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

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

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

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

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

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

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

12.1.3 Development Approval Information

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

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

12.2.1 Designated Area

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

12.2.2 Justification

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

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

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

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

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

12.2.3 Development Approval Information

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

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

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

12.3.1 Designated Area

Development Permit Area No. 3 applies to all *streams* as defined in the RAR and encompasses any of the following on Gambier Island that provides fish habitat:

- (a) watercourse, whether it usually contains water or not;
- (b) a pond, lake, river, creek or brook; or
- (c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

For a stream that is not located in a ravine, the development permit area is a 30 metre strip on both sides of the stream measured from the high water mark;

For a stream located within a ravine that is less than 60 metres wide, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank;

For a stream located within a ravine that is 60 metres wide or greater, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 10 metres beyond the top of the ravine bank;

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

12.3.2 Justification

This development permit area contains streams, lakes and wetlands and their associated riparian areas, which have been identified as potential fish habitat. Riparian areas are necessary for stream and watershed health.

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

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

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

Riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Gambier Island.

12.3.3 Development Approval Information

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

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

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

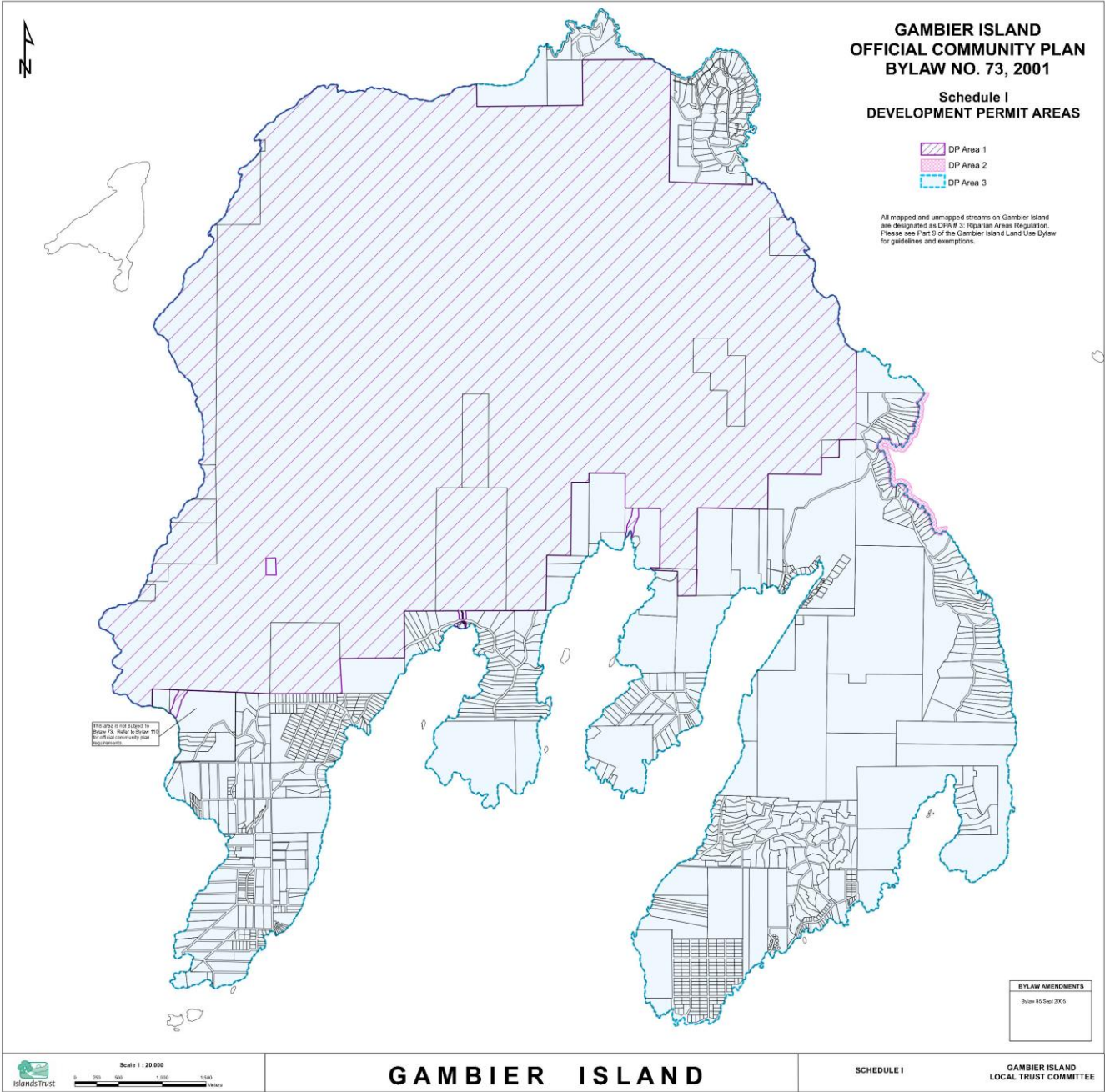
SECRETARY

CHAIRPERSON

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW No.140

PLAN NO. 1



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

A BYLAW TO AMEND GAMBIER ISLAND LAND USE BYLAW, 2004

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

1. Citation

This bylaw may be cited for all purposes as “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2016”.

2. Gambier Island Local Trust Committee Bylaw No. 86, cited as “Gambier Island Land Use Bylaw, 2004,” is amended as follows:

2.1 PART 1 – INTERPRETATION, Section 1.1 Definitions, is amended by inserting the following new definition in alphabetical order:

“LANDSCAPED AREA means an area significantly altered by human activity where there is the continuous maintenance of no vegetation, cultivated vegetation and/or landscape materials, including but not limited to stones, boulders, cobbles, pavers and decorative concrete.”

2.2 PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES AND EXEMPTIONS, is amended by inserting the following:

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

Definitions

- (1) Terms used in Section 9.3 that are defined in the Provincial *Riparian Areas Regulation* have the same meaning as the definition given in the *Regulation*.

Applicability

- (2) The following activities shall require a development permit whenever they occur within Development Permit Area No. 3, unless specifically exempted under Subsection 9.3(3):
- (a) subdivision of land
 - (b) construction of, addition to, or alteration of a building or other structure
 - (c) removal, alteration or destruction of vegetation
 - (d) disturbance of soils
 - (e) creation of non-structural, impervious or semi-impervious surfaces
 - (f) application of artificial fertilizer, pesticides or herbicides
 - (g) any other development, as that term is defined under the Provincial *Riparian Areas Regulation*

Exemptions

- (3) The following activities are exempt from any requirement for a Development Permit No. 3 development permit:
- (a) for certainty, all uses that are not residential, commercial or industrial or accessory to such a use;
 - (b) interior or exterior alterations, renovations, maintenance, reconstruction or repair to a pre-existing permanent building or structure to an extent that does not alter, extend or otherwise increase the footprint;
 - (c) repair or replacement of a septic field in situ;
 - (d) the removal of trees that have been examined by an arborist and certified in writing to pose a threat to life or property;
 - (e) With the exception of trees and vegetation containing nests protected under Section 34 of the *Wildlife Act*, cutting of vegetation and trees more than 20 metres from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, roots and stumps are left in the ground, and the cutting does not result in land alteration;
 - (f) gardening and yard maintenance activities, not involving the application of artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including mowing, pruning, planting, and minor soil disturbance that does not alter the general contours of the land;
 - (g) manual removal of invasive species and manual planting of native vegetation conducted in accordance with best management practices;
 - (h) pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture, which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one growing season, topping, or the pruning or removal of a structural root within the critical root zone;
 - (i) ecological restoration or enhancement projects undertaken or authorized by a public body;
 - (j) work authorized by Fisheries and Oceans Canada under Section 35 of the *Fisheries Act*;
 - (k) emergency procedures to prevent, control or reduce immediate threats to life or property including:
 - i. emergency actions for flood-protection and erosion protection;
 - ii. clearing of an obstruction from a bridge or culvert or an obstruction to drainage flow; and
 - iii. repairs to bridges and safety fences carried out in accordance with the *Water Act*;
 - iv. creation of a fire break in accordance with the *Wildfire Act*.
 - (l) The construction of a fence if no trees are removed and the disturbance of native vegetation is restricted to 0.5 metres on either

side of the fence, or 1.5 metres on either side of the fence in agricultural areas;

- (m) The construction of a private trail if all of the following apply;
 - i. The trail is 1 metre (1.6 feet) wide or less;
 - ii. No trees are removed;
 - iii. The surface of the trail is pervious;
 - iv. The trail is designed to prevent soil erosion where slopes occur; and
 - v. Where the trail parallels the stream, the trail is more than 5 metres away from the high water mark of a stream.
- (n) Disturbance of soils more than 20 metres from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 metres squared;
- (o) The constructing of a small accessory building more than 20 metres from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of small accessory building is less than 10 metres squared.

Information Note: Despite these exemption provisions, owners are required to satisfy any other applicable local, provincial or federal requirements.

Information Note: Activities not listed here that are regulated under other provincial or federal legislation may not require a development permit.

Information Note: For best management practices on manual removal of invasive species and planting of native vegetation, property owners should contact organizations such as the Invasive Species Council of British Columbia and the Coastal Invasive Species Committee.

Guidelines

- (4) Prior to undertaking any applicable development activities within Development Permit Area No. 3, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:
 - (a) In general, all development in this Development Permit Area (DPA) should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) has, as part of the assessment report defined in the RAR, made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the assessment report submitted to the provincial RAR Notification System (RARNS).

- (b) The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified in the assessment report by the QEP and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA.
- (c) Where a QEP's RAR assessment report describes an area within the DPA as suitable for development, that is, where the SPEA is less than the width of the DPA, the development permit should only allow the development to occur in compliance with the measures described in the RAR assessment report. Monitoring and regular reporting by a QEP at the applicant's expense may be required during construction and development phases, as specified in a development permit.
- (d) If the nature of the proposed project within the DPA changes after the RAR assessment report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.
- (e) The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report."

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

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

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

Chair

Secretary

Riparian Areas Regulation Implementation - Project Charter

Gambier Island Local Trust Committee

Date: May 24, 2018

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

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

Objectives

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

Scope & Deliverables

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

Workplan Overview

Deliverable/Milestone	Date
Legal review of preliminary bylaw draft	May– June 2018
Draft amendments to Bowyer and Passage LUB, Gambier Associated Islands LUB, and the Associated Islands OCP for DPA No. 2; LTC consideration	February—March 2018
Draft amendments to Gambier Island Land Use Bylaw and Official Community Plan DPA No. 3 (Gambier Island); LTC consideration	June 2018
First Nations and Agency Referrals for Gambier OCP/LUB amendments	June—July 2018
First Nations and Agency Referrals for amendments to Bowyer and Passage LUB, Gambier Associated Islands LUB, and the Associated Islands OCP	Ongoing
LTC consideration of First Nations, agency, and public input	Ongoing
Public Hearing and LTC consideration of input	August 2018
Statutory approvals	August—September
Implement RAR declarations (with SCRD)	Completed as of Oct. 2017
Public Education	Ongoing

Project Team

Madeleine Koch, Planner 2	Project Manager
Ann Kjerulf	Project Sponsor
Sonja Zupanec	Project Sponsor

LTC Endorsement/Amendments:

May 22, 2014 (GM-2014-034)
 June 18, 2015 (GM-2015-031)
 November 19, 2015 (GM-2015-059)
 August 31, 2017 (GM-2017-044)
 October 26, 2017 (GM-2017-066)
 January 25, 2018 (GM-2018-006)

RPM Approval:

Date:

Budget

Budget Source: Gambier RAR (\$5000)

Fiscal	Item	Cost
2017-18	Legal Review	\$3000
2018-19	Public Hearing/Notice	\$2000 (est.)
	Total	\$5000

Riparian Areas Regulation Implementation - Project Charter

Gambier Island Local Trust Committee

Date: June 28, 2018

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

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

Objectives

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

Scope & Deliverables

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

Workplan Overview

Deliverable/Milestone	Date
Implement RAR declarations (with SCRD)	Completed Oct. 2017
Legal review of preliminary draft Gambier bylaws	Completed June 2018
Draft amendments to Gambier Island Land Use Bylaw and Official Community Plan DPA No. 3 (Gambier Island); LTC consideration	June 2018
Draft amendments to Bowyer & Passage LUB, Gambier Assoc. Islands LUB, for consistency with draft guidelines in Gambier DPA 3; LTC consideration	June– July 2018
First Nations and Agency Referrals for Gambier OCP/LUB amendments	June—July 2018
First Nations and Agency Referrals for amendments to Bowyer and Passage LUB, Gambier Associated Islands LUB, and the Associated Islands OCP	July– August 2018
Community Information Meeting/ public education	August 2018
Second reading	Fall 2018
Public hearing/ Statutory approvals	Winter 2018-19

Project Team

Madeleine Koch, Planner 2	Project Manager
Ann Kjerulf	Project Sponsor
Sonja Zupanec	Project Sponsor

LTC Endorsement/Amendments:

May 22, 2014 (GM-2014-034)
June 18, 2015 (GM-2015-031)
November 19, 2015 (GM-2015-059)
August 31, 2017 (GM-2017-044)
October 26, 2017 (GM-2017-066)
January 25, 2018 (GM-2018-006)
May 24, 2018

RPM Approval:

Date:

Budget

Budget Source: Gambier RAR (\$7000)

Fiscal	Item	Cost
2018-19	Legal Review	\$3000
2018-19	CIM/Public Hearing/Notice	\$2000 (est.)
	Total	\$7000



Islands Trust

POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw and File No: 148 (OCP) & 149 (LUB)
6500-20 (Gambier RAR)
LTC Endorsement:**

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ONLY CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

CONSISTENT	NO.	DIRECTIVE POLICY
	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
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	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
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	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.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

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

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
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
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
	IN COMPLIANCE WITH TRUST POLICY

**Top Priorities****Gambier Island**

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Riparian Areas Regulation	Implement RAR and protect all watercourses across the Gambier Island Local Trust Area	26-Oct-2011	Ann Kjerulf Madeleine Koch	
2	Gambier OCP Comprehensive Review	Includes developing a "Shared Narrative of Place" with First Nations	12-Feb-2015	Fiona MacRaild Madeleine Koch	
3	Keats Island OCP/LUB Amendments	Consideration of amendments to policies and regulations regarding docks and other foreshore development on Keats Island	27-Jul-2017	Sonja Zupanec Jaime Dubyna	
4	OCP Advocacy Policies - Implementation & Support	Supporting the advocacy policies of the Gambier, Keats, and Associated Islands OCPs, and Islands Trust Strategic Plan (e.g. woodlots, industrial facilities, Howe Sound)	24-Oct-2013	Kate-Louise Stamfor Dan Rogers Susan Morrison	

**Projects****Gambier Island**

Description	Activity	R/Initiated
Development Approval Information Bylaw	Develop and adopt a D.A.I bylaw for the Gambier Trust Area.	
Squamish First Nation Consultation	Scope interim strategies pending completion of a possible protocol agreement to address protection of archaeological and heritage resources.	31-Jan-2012
Gambier LUB Review	Review Gambier LUB to address: - definition of breakwater - trams (currently silent) - advocacy policies around pump out stations - review of title Wilderness Conservation - 2013: REVIEW KEATS AND GAMBIER LUBS FOR ACCOMMODATION of OCEAN LOOP GEO-EXCHANGE SYSTEMS - 2010: GHG Emissions (a more proactive approaches to plan for GHG reductions especially in relation to Policies 6.1 and 6.2 in consultation with SCRD.) Initiative arises from recommendation of SCRD in comments about bylaws 111 & 112.	22-May-2014
Gambier Site-specific Water Zones	Staff to research the history of Site-Specific water zones on Gambier.	26-Sep-2013
Recreational Camp and Private Institutional Regulation Review	Review Recreational Camp and Private Institutional regulations in all Local Trust Area land use bylaws. Review to ensure that regulations properly balance ecological protection with current realities re: rentals as income source for rec camps.	28-Jul-2016

Projects

Gambier Island

Description	Activity	R/Initiated
Keats Island LUB review	review definition of "structure" to ensure adequate regulation of the siting of underground sewage disposal systems with setbacks to lot lines and the natural boundary of the sea -review regulations for accessory uses, buildings and structures occurring on parcels where no principal use exists (April 2018 LTC resolution).	11-Dec-2017



Islands Trust

Print Date: June 20, 2018

Applications

Development Variance Permit

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

Planner: Sonja Zupanec

Planning Status

Status Date: 10-Apr-2008
still on hold pending rezoning

Status Date: 13-Aug-2007
on hold pending rezoning application

Status Date: 16-May-2006
Met with applicant. Outstanding items forwarded for attention. May be add'l fees.

Rezoning

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

Planner: Sonja Zupanec

Planning Status

Status Date: 25-May-2017
CIM scheduled for July 27th to provide draft bylaw amendments to enable a comprehensive development zone; transfer LUC provisions and enable subdivision.

Status Date: 20-Apr-2017
Revised draft ToR for hydro.assessment sent to applicant for review.

Status Date: 10-Mar-2017
Draft Terms of Reference for hydrogeological assessment sent to applicant for review



Islands Trust

Print Date: June 20, 2018

Applications

Subdivision

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2013.1	Creus Engineering	09-Dec-2013	PID: 014-385-694 The Convention of Baptist Churches of BC\nKeats Island\n9 Lot Subdivision

Planner: Sonja Zupanec

Planning Status

Status Date: 20-Apr-2017

New drawings January 20, 2017 endorsed by MOTI staff

Status Date: 06-Oct-2016

New drawings submitted to MOTI September 9, 2016.

Status Date: 01-Aug-2016

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

Gambier Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: January 25, 2018

No	Meeting Date	Resolution No.	Issue	Policy
1.	October 6, 2010	GM-082-2010	Guidelines for the appointment of members to the advisory planning commission	It was MOVED and SECONDED that the Gambier Island Local Trust Committee endorses the following guidelines for the appointment of members to the advisory planning commission and requests that such guidelines be posted on the Islands Trust website and are used in any posting to solicit expressions of interest from candidates for advisory planning commission membership: “The Gambier Island Local Trust Committee shall make all reasonable efforts, in the consideration of appointments to the advisory planning commission that members are: - Representative of a broad cross section of the geographical areas of the Gambier Island Local Trust Committee area; - Representative of a range of backgrounds and expertise that is supportive to each other in the consideration of matters referred to the advisory planning commission; - Where feasible and practical of a balanced representation of gender and age groups. Consideration shall be given to the following criteria in any appointment: • Previous experience as a member of a Board of Variance; • Experience on a local government council, board, local trust committee, commission or other body; • Experience with other volunteer boards, commissions or committees; • Experience and credential in a planning, design or related profession; • Experience and credentials in a building or design trade; • Educational background; • Length of residency in the local trust area; • Availability, and willingness to travel between local trust areas.
2.	March 26, 2015	GM-2015-018		It was MOVED and SECONDED, that the Gambier Island Local Trust Committee amend the APC appointment guidelines to allow for representation of members to be weighted to a geographic area subject to a current top priority project.

3.	October 26, 2017	GM-2017-065	Development Permit Area (DPA) No. 3: Riparian Areas administration	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt a Standing Resolution which directs staff to administer Development Permit Area (DPA) No. 3: Riparian Areas in the interim before formal amendments are made to the DPA, as follows: a. The “Designated Area” provisions of Section 12.3.1 of Gambier Island Official Community Plan No. 73 should be used to determine whether or not a proposed development is subject to DPA No. 3: Riparian Areas; b. When development is proposed within the “Designated Area”, applicants shall be required to have a Qualified Environmental Professional assess the water feature to determine whether or not it is subject to the Riparian Areas Regulation; c. When development is proposed within the “Designated Area” of a water feature which is determined to be subject to the Riparian Areas Regulation, a DPA No. 3: Riparian Areas Development Permit shall be required; d. When development is proposed within the “Designated Area” of a water feature which is determined not to be subject to the Riparian Areas Regulation, a DPA No. 3: Riparian Areas Development Permit shall not be required.
4.	December 11, 2017	GM-2017-078	Adding item to agenda	GM-2017-078 It was MOVED and SECONDED that the Gambier Island Local Trust Committee request staff to add to each agenda “First Nations Activities” under the Reports section.
5.	January 25, 2018	GM-2018-009	First Nations Words, Phrases and Place Names	GM-2018-009 It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt the following standing resolution: a) That staff incorporate First Nations’ words, phrases, and place names in Local Trust Committee communications, as appropriate.

DATE OF MEETING: June 28, 2018
TO: Gambier Island Local Trust Committee
FROM: Sonja Zupanec, RPP, Island Planner
Northern Team
SUBJECT: Advisory Planning Commission Term and Bylaw

RECOMMENDATION

1. That the Gambier Island Local Trust Committee request that staff advertise for expressions of interest for the Gambier Island Advisory Planning Commission.
2. That the Gambier Island Local Trust Committee request that staff send letters to members of the Advisory Planning Commission whose terms will expire on August 25, 2018, inviting their expressions of interest for reappointment to the Advisory Planning Commission.
3. That Gambier Island Local Trust Committee Bylaw No. 150 cited as "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2018" be given first reading.
4. That Gambier Island Local Trust Committee Bylaw No. 150 cited as "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2018" be given second reading.
5. That Gambier Island Local Trust Committee Bylaw No. 150 cited as "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2018" be given third reading.
6. That Gambier Island Local Trust Committee Bylaw No. 150 cited as "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2018" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

The Gambier Island Local Trust Committee (LTC) is asked to consider recruitment for its Gambier Island Advisory Planning Commission (APC). The LTC is also asked to consider updating the APC Bylaw to be consistent with the current *Local Government Act* [RSBC 2015] and the format of APC Bylaws recently adopted by other local trust committees, which more clearly articulate the roles and responsibilities of APC members and procedures for APC meetings.

BACKGROUND

The current APC Bylaw No. 113 (attached) was adopted in 2010 and provides for nine members appointed to serve two-year terms, and procedures for holding APC meetings. The Advisory Planning Commission (APC) currently has seven members appointed with terms expiring August 25, 2018. The LTC currently has two major projects advancing on Gambier Island (Official Community Plan Review and *Riparian Areas Regulation* implementation) and one for Keats Island (Shoreline Protection).

ANALYSIS

Policy/Regulatory

Local Government Act

The authority to establish Advisory Planning Commissions is granted to LTCs through the *Islands Trust Act* and section 461(2) of the *Local Government Act (LGA)*.

Advisory planning commission

461 (2) A board may, by bylaw, establish an advisory planning commission for one or more electoral areas or portions of an electoral area to advise the board, or a regional district director representing the electoral area, on all matters referred to the commission by the board or by that director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit that may be enacted or issued under this Part.

Islands Trust Policy Statement

A guiding principle of the Islands Trust Policy Statement is that *“open, consultative public participation is vital to effective decision making for the Trust Area.”* Moreover, commitments of Trust Council include:

- *5.8.1 Trust Council holds that public participation should be part of the decision-making processes of all levels of government.*
- *5.8.2 It is the position of Trust Council that local trust committees and island municipalities should, in establishing their official community plans and regulatory bylaws, provide opportunities for public input.*
- *5.8.3 Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust.*

Issues and Opportunities

LTCs have a responsibility to ensure that members of the public can participate in planning processes, yet they have the freedom to determine the framework best suited to a particular Local Trust Area. Through an APC Bylaw, LTCs can establish an APC to receive referrals on any of the matters specified in s. 461(2) of the LGA, the number of members, the duration of the terms served by individual members, and meeting procedures.

Islands Trust administration have encouraged standardized APC bylaws for consistency across the Islands Trust with respect to the roles and responsibilities of APC members (including the Chair, Vice-Chair and Secretary), and procedures for scheduling, advertising, and holding APC meetings, and responding to LTC referrals. It is recognized that individual islands may face unique situations and challenges with respect to holding APC meetings. However, the proposed Bylaw No. 150 (attached) should accommodate any unique cases.

CONSULTATION

Bylaw No. 150 can be given first, second and third readings consecutively, and does not require public consultation or a public hearing.

Openings for the APC membership should be advertised in the local paper, on the LTC website, and through trustee communication networks.

NEXT STEPS

Should the LTC pass the recommended resolutions, staff will proceed with advertising and bring forward expressions of interest to the September LTC business meeting.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	June 20, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	June 20, 2018

ATTACHMENTS

1. Gambier APC Bylaw No. 113
2. Draft Gambier APC Bylaw No. 150

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 113

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

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

1. **Establishment**

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

2. **Appointment of Members**

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

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

“resident” means a person who:

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

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

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

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

3. **Roles**

(a) **Secretary**

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

(b) **Chairperson**

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

4. Referrals to the Commission

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

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

5. Notice of Meeting

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

6. Conduct of Meeting

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

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

7. Notice of Recommendation

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

8. Transition

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

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

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

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

ADOPTED THIS 28th DAY OF October , 2010

SECRETARY

CHAIRPERSON

GAMBIER ISLAND TRUST COMMITTEE BYLAW NO. 150

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

The Gambier Island Trust Committee, being the Local Trust Committee having jurisdiction on and in respect of the Gambier Island Local Trust Area in the Province of British Columbia, pursuant to the *Islands Trust Act*, enacts as follows:

1. Establishment

- a) The Gambier Island Local Trust Committee may appoint one or more Advisory Planning Commissions to advise the Local Trust Committee on all matters referred by the Local Trust Committee respecting land use, the preparation and adoption of an Official Community Plan or a proposed bylaw or permit that may be enacted or issued under Part 14 of the *Local Government Act*.

2. Appointment of Members

- a) The Local Trust Committee may, by resolution, appoint up to nine members to an Advisory Planning Commission (APC) to serve consecutive two year terms.
- b) At least two thirds of APC members must be residents of the Local Trust Area.
- c) The Local Trust Committee may, by resolution, remove a member of an APC at any time.
- d) If a member is removed or resigns from an APC, the Local Trust Committee may, by resolution, appoint a new member to serve the balance of the term of the appointment.

3. Roles

- a) The APC members must, from among the members, elect a Chairperson, a Deputy Chairperson and a Secretary, during the first meeting after their appointment.
- b) The Chairperson will:
 - i) Receive referrals from the Local Trust Committee and, in response, determine when and where meetings will be held;
 - ii) Ensure that meetings are conducted in accordance with the requirements of this Bylaw and the *Local Government Act*;
 - iii) Sign meeting minutes to certify that they are true and correct following approval by the APC.
 - iv) Record a member's declaration of conflict of interest or potential conflict of interest, once a member has declared it;
 - v) In the absence of the Secretary, act in the role of Secretary or appoint another member of the APC to act in the role of Secretary.
- c) The Deputy Chairperson will:
 - i) Undertake the duties listed in 3b) above, in the Chairperson's absence.

- d) The Secretary will:
 - i) Assist the Chairperson, as needed, to arrange meetings;
 - ii) Ensure that public notice is posted or public advertisements are placed in advance of APC meetings;
 - iii) Except where the Islands Trust has retained a professional minute taker to support the APC, record and maintain legible minutes of all APC meetings; forward copies of draft minutes to the Islands Trust office; ensure minutes are approved by the APC at a subsequent meeting; and provide copies of adopted minutes to the public upon request;
 - iv) Inform the Local Trust Committee of the resignation of any APC member, within thirty (30) days of the resignation.

4. Referrals

- a) An APC will receive referrals on matters respecting land use, community planning or proposed bylaws and permits under Part 14 of the *Local Government Act*, which are referred directly to the Commission by the Local Trust Committee.
- b) A meeting on any particular referral must be held not more than (40) days after the date of receipt of that referral unless the Local Trust Committee has requested a response by an earlier specified date.
- c) Although the recommendations must be received by the Local Trust Committee, the Local Trust Committee is not bound by the recommendations.

5. Notice of Meeting

- a) An employee of the Islands Trust must provide documentation associated with any referral from the Local Trust Committee to all members of the APC.
- b) The Secretary must send a notice of meeting including a description of all referrals to be discussed to each member at least five (5) calendar days prior to the meeting.
- c) The Secretary must ensure an applicant is notified of the date, time and place of the meeting at which his or her application or proposal will be discussed, at least five (5) calendar days prior to the meeting.
- d) The Secretary must ensure the Local Trustees and the employee of the Islands Trust noted in 5a) are notified of each meeting at least five (5) calendar days prior to the day of the meeting.
- e) The Secretary must post the notice of meeting indicating the date, time, and place of any APC meeting at least five (5) calendar days prior to the meeting on a bulletin board on Gambier Island that is accessible to the public; such bulletin board to be the same as is used by the Local Trust Committee for the posting of any scheduled Local Trust Committee meeting.

6. Conduct of Meeting

- a) All deliberations of the APC must take place in a meeting, and all meetings must be held in a public facility and must be open to the public.
- b) A quorum is the lessor of three members or 50% of those appointed.
- c) The Chairperson is to convene the meeting and may adjourn the meeting from time to time.
- d) If the APC is considering an amendment to an Official Community Plan or a bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend the meeting and to be heard.

DRAFT

- e) If an applicant or agent fails to appear, despite being duly notified, deliberations and recommendations may be made in the applicant's absence.
- f) At the request of any APC member, the Chairperson must invite an elected official, Islands Trust staff, or member of the public present at the meeting to comment on the matters before the Commission.
- g) The APC must not receive development proposals or other applications directly from applicants.
- h) The APC must not consult directly with other government agencies or organizations.
- i) If the Chairperson considers that another person at the meeting is acting improperly and in a manner that is disrupting the deliberations of the APC, the Chairperson may order that person expelled from the meeting.

7. Notice of Recommendation

- a) If the Local Trustees did not attend an APC meeting, they may request a verbal report from the Chairperson at a subsequent meeting of the Local Trust Committee.
- b) All APC recommendations shall be recorded as part of the meeting minutes, and may be recorded as resolutions, provided that where requested by any member, all dissenting opinions are also recorded.
- c) Where the Islands Trust has retained a professional minute taker to support the APC, the draft minutes will be forwarded directly to the Islands Trust office within seven (7) days of an APC meeting. An Islands Trust staff member will then forward them to the Chair and Secretary for inclusion in the next APC agenda for review and adoption.
- d) Where a professional minute taker has not been retained, all APC recommendations must be forwarded by the Secretary to the Local Trust Committee and to the Islands Trust Office, within seven (7) days of an APC meeting.

8. Transition

- a) "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2010", is repealed.

9. Citation

- a) This Bylaw may be cited as "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2018".

READ A FIRST TIME THIS	-	DAY OF	-	, 2018
READ A SECOND TIME THIS	-	DAY OF	-	, 2018
READ A THIRD TIME THIS	-	DAY OF	-	, 2018
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
	-	DAY OF	-	, 2018
ADOPTED THIS	_____	DAY OF	_____	, 2018

SECRETARY

CHAIRPERSON