



Gambier Island Local Trust Committee

Regular Meeting Agenda

Date: December 13, 2018
Time: 12:00 pm
Location: John Braithwaite Community Centre
145 West 1st Street
North Vancouver, BC

	Pages
1. CALL TO ORDER	12:00 PM - 12:00 PM
“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. MINUTES	12:10 PM - 12:15 PM
3.1 Local Trust Committee Meeting Minutes dated October 3, 2018 - for adoption	4 - 9
3.2 Local Trust Committee Special Meeting Minutes dated October 3, 2018 - for adoption	10 - 15
3.3 Section 26 Resolutions-Without-Meeting Report dated December 3, 2018 - for receipt	16 - 16
3.4 Advisory Planning Commission Minutes for Receipt - none	
4. BUSINESS ARISING FROM MINUTES	12:15 PM - 12:25 PM
4.1 Follow-up Action List dated December 4, 2018	17 - 18
5. DELEGATIONS	12:25 PM - 12:35 PM
5.1 Howe Sound BiosphereRegion Initiative Society - Ruth Simons and Fiona Beaty	
6. TOWN HALL	12:35 PM - 12:45 PM
7. APPLICATIONS AND REFERRALS	12:45 PM - 1:30 PM
7.1 GM-DVP-2018.1 (1113300 B.C. LTD, - 668 Walkabout Road, Keats Island) - Staff Report	19 - 75
7.2 GM-DP-2018.1 (McConnell - New Brighton, Gambier Island) - Staff Report	76 - 106
8. LOCAL TRUST COMMITTEE PROJECTS	1:30 PM - 1:50 PM
8.1 Riparian Areas Regulation Project - Staff Report	107 - 136

8.2 Keats Shoreline Protection Project - discussion

9. CORRESPONDENCE

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

10. NEW BUSINESS

1:40 PM - 2:00 PM

- 10.1 Local Trust Committee (LTC) Meeting Schedule - 2019 - Memorandum** 137 - 138
- 10.2 Incorporating the Regional Conservation Plan into Land Use Planning - Briefing** 139 - 142
- 10.3 Coastal Douglas-fir & Associated Ecosystems Toolkit - Staff Report** 143 - 145
<http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf>
- 10.4 Howe Sound Community Forum's Ocean Watch Task Force** 146 - 148
<http://oceanwatch.ca/howesound/>

11. REPORTS

2:00 PM - 2:30 PM

- 11.1 Trustee Reports**
- 11.2 Chair's Report**
- 11.3 Trust Conservancy Report dated September, 2018** 149 - 150
- 11.4 Electoral Area Director's Report**
- 11.5 First Nations Activities**
- 11.6 Applications Report dated December 4, 2018** 151 - 153
- 11.7 Trustee and Local Expense Report dated September, 2018** 154 - 154
- 11.8 Adopted Policies and Standing Resolutions** 155 - 156
- 11.9 Local Trust Committee Webpage**

12. WORK PROGRAM

2:30 PM - 3:00 PM

- 12.1 List of Top Priorities** 157 - 157
- 12.2 List of Projects** 158 - 159

13. CLOSED MEETING 3:00 PM - 3:10 PM
- 13.1 Motion to Close the Meeting
- That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1) (d) and (f) for the purpose of considering Adoption of In-Camera Minutes dated October 3, 2018 and Bylaw Enforcement.*
- 13.2 Recall to Order
- 13.3 Rise and Report
14. UPCOMING MEETINGS 3:10 PM - 3:15 PM
- 14.1 Next Regular Business Meeting - TO BE DETERMINED
15. ADJOURNMENT 3:15 PM - 3:15 PM

Gambier Island Local Trust Committee Minutes of Regular Meeting

Date: October 3, 2018
Location: Gleneagles Community Centre
6262 Marine Drive, West Vancouver, BC

Members Present: Kate-Louise Stamford, Local Trustee, Acting Chair
Dan Rogers, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
Jaime Dubyna, Planner 1
Diane Corbett, Recorder

Regrets: Susan Morrison, Chair

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."

Acting Chair Stamford called the meeting to order at 1:30 pm. She acknowledged that the meeting was being held in territory of the Skwxwú7mesh / Squamish and other Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 11.1 Water Sourcing Policy and Regional Growth Strategy
- 14.3 Membership fees for Stewardship Centre of British Columbia Green Shores Working Group

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS – None

4. COMMUNITY INFORMATION MEETING – None

5. PUBLIC HEARING – None

6. MINUTES

6.1 Local Trust Committee Meeting dated July 26, 2018

The following amendments to the minutes were presented for consideration:

- 14.4, page 5, line 3: replace "region" with "Regional District";
- 13.6, page 4, first line of second paragraph: replace "staff" with "elders".

By general consent the minutes of July 26, 2018 were adopted as amended.

Point of information regarding item 14.3 Passage Island Access: Trustee Rogers noted the marina has now been taken over by the West Vancouver Yacht Club.

6.2 Local Trust Committee Special Meeting dated July 26, 2018

The following amendments to the minutes were presented for consideration:

- page 3, bullet 5, sub-bullet, second sentence should read: "If a property owner has the ability to drive to their property where there is road access, generally there are no docks."
- page 3, bullet 7: replace "island-wide" with "Islands Trust-wide"
- page 3, bullet 8, sub-bullet should read: "Rules have changed, but if there is an existing dock, you can continue to use it but may not be able to extend or repair it. If it were removed completely, you may not be able to replace it. To replace the dock, the owner would have to comply with restrictions. If it was legal at the time it was put in, it would be legal nonconforming now."
- page 4, bullet 3, sub-bullet 1, line 5: replace "Regarding a law on ramps" with "Regarding a bylaw on ramps or docks"
- page 4, bullet 3, sub-bullet 2, line 4 after "15 metre setback": insert "versus a 7.5 metre setback for Keats Island"
- page 5, bullet one, lines 13 to 15: delete sentence "My concern...the belief."
- Page 6, bullet one: delete last sentence ("There are...get there?").

By general consent the Special Meeting minutes of July 26, 2018 were adopted as amended.

6.3 Section 26 Resolutions-Without-Meeting Report – None

6.4 Advisory Planning Commission Minutes dated August 9, 2018

The Gambier Advisory Planning Commission draft minutes dated August 9, 2018 were received for information.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated September 25, 2018

Received.

It was noted that Madeleine Koch, Planner 2 is no longer on staff and her files have been re-assigned to other Planning staff. Discussion ensued.

Regarding District Lot 696 on Keats Island, the Island Planner clarified that staff is waiting for the subdivision referral to be sent to the Islands Trust.

Trustee Stamford reported she would be meeting with the Ministry of Transportation and Infrastructure Sechelt before the end of October.

7.2 Gambier Island Local Trust Committee APC Bylaw No. 150 for Adoption

GM-2018-064

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 150, cited as "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2018", be adopted.

CARRIED

8. DELEGATIONS – None

9. REPORTS

9.1 Chair's Report – None

9.2 Trustee Reports

Trustee Rogers reported on recent activities, which included:

- Trust Council meeting on Keats Island that included trustee visits to a new Islands Trust Conservancy property at Sandy Beach and to Salmon Rock;
- Howe Sound Sustainable Development Forum on September 28, hosted by the BC Council for International Cooperation and the Howe Sound Biosphere Region Initiative.

Trustee Stamford reported on the following:

- Attended a Welcome Statue ceremony at Camp Fircom that highlighted the Squamish Canoe Family who does the ceremonial aspects of certain cultural events. The event was directed by the United Church, part of their reconciliation process.

9.3 Electoral Area Director's Report

Trustee Stamford reported that Director Winn would not be returning for the next electoral term.

9.4 Trust Conservancy Report

The Islands Trust Conservancy Report to Local Trust Committees (LTCs) and Bowen Island Municipality dated July, 2018 was received.

Trustee Stamford reported on the following:

- Linda Adams is a new Conservancy Board Member.
- The trustee and the Chair are working on a one-page orientation for new trustees.
- The resignation of Island Trust Conservancy Chair, Susan Morrison, was noted. She was involved with the Islands Trust Conservancy (previously Trust Fund Board) over two terms.

10. CORRESPONDENCE

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

10.1 Howe Sound Sustainable Development Forum, September 28, 2018

The invitation to the Howe Sound Sustainable Development Forum of September 28, 2018 was received. Both trustees Stamford and Rogers attended the event, sponsored by Howe Sound Biosphere Region Initiative and BC Council for International Cooperation. It was well attended by the Squamish Nation.

Trustee Stamford expressed interest in adding, as part of the overall approach and way of looking at visions and directions for Gambier OCP review, a framework of sixteen "Sustainable Development Goals" as noted on page 2 of the invitation.

11. APPLICATIONS AND REFERRALS

11.1 Water Sourcing Policy & Regional Growth Strategy

The memorandum of October 3, 2018 from the Regional Planning Manager (Northern Team), with attachments regarding Sunshine Coast Regional District Water Sourcing Policy & Regional Growth Strategy, was received for information.

GM-2018-065

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to review the existence of a water pipe to any Associated Islands for the purposes of Sunshine Coast Regional District water sourcing policy and potential impacts.

CARRIED

- A trustee inquired about being involved in community consultations when part of a Sunshine Coast Regional District (SCRD) regional growth strategy affects the Local Trust Area (LTA), such as transportation and docks
 - Staff clarified that the LTC would have access to the information through the SCRD referral of bylaws.

12. LOCAL TRUST COMMITTEE PROJECTS – None

13. REPORTS

13.1 Work Program Reports

13.1.1 Top Priorities Report dated September 25, 2018

Received.

Trustees were given an update on the status of the two top priority projects.

There was discussion about organizational restructuring as it pertained to staff support for the priority projects.

13.1.2 Projects List Report dated September 25, 2018

Received.

13.2 Applications Report dated September 25, 2018

Received.

13.3 Trustee and Local Expense Report dated July 2018

Received.

13.4 Adopted Policies and Standing Resolutions

Received.

13.5 Local Trust Committee Webpage – None

13.6 First Nations Activities

Trustee Rogers commented on and praised a presentation regarding reconciliation, delivered at the Howe Sound Sustainable Development Forum on September 28, 2018.

Squamish Chief Bill Williams conducted the opening at Trust Council in September.

14. NEW BUSINESS

14.1 Connected Coast Program – for Discussion

Trustee Rogers reported on the Connected Coast Program that was presented at the recent Trust Council and noted that, while there are two high-speed fibre cable locations on Gambier, there are no locations on Keats or North Thormanby Islands.

GM-2018-066

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee write to the Strathcona Regional District or the appropriate authority to request that Keats Island and North Thormanby Island be added as landing locations for the high speed fibre cable as part of the Connected Coast Program, under the signature of Trustee Rogers.

CARRIED

Trustee Rogers will draft the letter.

14.2 Local Trust Committee 2014 – 2018 Term Summary Report

Discussion ensued on the LTC 2014-2018 Term Summary Report. The challenge to meaningful consultation posed by geographic barriers in the LTA was mentioned.

GM-2018-067

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee endorse the 'Top Priorities List' and 'Projects List' as presented for further consideration by the incoming Local Trust Committee.

CARRIED

14.3 Membership Fees for Stewardship Centre of British Columbia Green Shores Working Group

An invoice from the Stewardship Centre of British Columbia, regarding membership in the Green Shores Local Government Working Group, was received. Discussion ensued on the two-year agreement to share membership with Bowen Island in Green Shores Working Group, and what that entailed. As clarity was needed regarding whether the invoice was for membership in the current or the following year, the Island Planner will follow up with the Stewardship Centre.

15. UPCOMING MEETINGS

15.1 Special Meeting to hold a Community Information Meeting Scheduled for Wednesday, October 3, 2018 at 6:30 pm at Gleneagles Golf Course Club House, Fairway Room, 6190 Marine Drive, West Vancouver, BC

15.2 Next Regular Meeting Scheduled for Thursday, November 15, 2018 at 10:45 am at John Braithwaite Community Centre, Harbourview Room, 145 West 1st Street, North Vancouver, BC

16. TOWN HALL – None

17. CLOSED MEETING**17.1 Motion to Close the Meeting****GM-2018-068****It was MOVED and SECONDED**

by the Gambier Island Local Trust Committee that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a) and (d) for the purpose of consideration of appointments to the Advisory Planning Commission and adoption of In-Camera Meeting Minutes Dated April 19, 2018, and that the recorder and staff attend the meeting.

CARRIED

The meeting moved to in-camera at 3:15 pm.

17.2 Recall to Order

Acting Chair Stamford recalled the meeting to order in open meeting at 3:20 pm.

17.3 Rise and Report

Acting Chair Stamford reported that the LTC had discussed the following items:

- Adoption of April 19, 2018 in camera minutes;
- Appointment of Gambier Advisory Planning Commission members for 2018-2020 term;
- Request for bylaw enforcement update at next LTC meeting, November 15, 2018.

18. ADJOURNMENT

By general consent the meeting was adjourned at 3:25 pm.

Kate-Louise Stamford, Acting Chair

Certified Correct:

Diane Corbett, Recorder



Gambier Island Local Trust Committee Minutes of Special Meeting

Date: October 3, 2018
Location: Gleneagles Golf Course, Great Hall
 6190 Marine Drive, West Vancouver, BC

Members Present: Dan Rogers, Local Trustee, Acting Chair
 Kate-Louise Stamford, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
 Jaime Dubyna, Planner 1
 Diane Corbett, Recorder

Also Present: Fiona Beaty, Sea Change Marine Conservation Society
 Members of the Public – approximately 17

Regrets: Susan Morrison, Chair

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.”

Acting Chair Rogers called the meeting to order at 6:30 pm and announced that this is a community information meeting related to the Keats Island Shoreline Protection Project.

The Acting Chair acknowledged that the meeting was being held in the un-ceded land of the Squamish and Coast Salish First Nations. The Squamish name for Keats Island is “Lehk’tines”.

2. Introductions – Chair, Gambier Island Local Trust Committee

Acting Chair Rogers introduced staff and trustees in attendance and gave an overview of the program for the evening.

3. Opening Remarks - Dan Rogers & Kate-Louise Stamford, Trustees, Gambier Island Local Trust Committee

Trustee Rogers announced that the Keats Island Shoreline Protection Project is a project of the Gambier Island Local Trust Committee (LTC). The trustee explained that the project has no specific agenda yet, and outlined reasons why the project was started:

- Keats Official Community Plan and Land Use Bylaws are fifteen years old, last renewed in 2003, and need to be updated. Since that time there has been zoning for the foreshore and nearshore as well as the land of Keats.
- During the process of working with District Lot 696, the LTC determined to proceed by including a number of the unresolved DL 696 foreshore issues in a larger foreshore review.
- Increased number of dock applications, especially on Eastbourne, and including properties not water access only.

Trustee Rogers remarked that it is time to do a review of the foreshore and see what the community feels about the development. The Local Trust Committee is at the initial stages of this project; there is nothing on the table, no specific direction on this. The first steps are to do a series of community consultations. This is the second meeting. The survey is another part of that.

Trustee Stamford remarked on how, in her work outside the Trust that was focused more on Howe Sound as a whole, she had observed that the foreshore is a common topic of discussion. First Nations interests are related to the foreshore. The trustee emphasized the importance of community input and discussion, and planning for and having a vision for the foreshore, the area between private properties and the marine environment.

4. Keats Island Shoreline Protection Project – Presentations & Community Engagement

4.1 Fiona Beaty, Sea Change Marine Conservation Society, regarding Nearshore Restoration

Fiona Beaty of Sea Change Marine Conservation Society gave a presentation on nearshore restoration and the Salish Sea Nearshore Habitat Recovery Project, which aims to recover ecosystem health and increase the resiliency of nearshore habitats for salmon at numerous sites within the Salish Sea region. The ecological value of the nearshore, the stretch of land from the high water mark down to the intertidal zone, was highlighted; this ecosystem provides habitat for hundreds of invertebrates, birds and fish species.

4.2 Background of Project

The Planner 1 announced that the Keats Island Shoreline Protection Project is a Local Trust Committee priority project, now in phase one. This has included two community information meetings, and a community survey/questionnaire.

The presentation from this meeting was posted to the Islands Trust website:
http://www.islandstrust.bc.ca/media/346552/gm-ltc_2018-10-03_keats-shoreline_cim-presentation-final.pdf

4.3 Identification & Protection of Shoreline Values

The Island Planner described features of shorelines on Keats Island including:

- The interface between the upland and marine environment;
- Sensitive ecosystems;
- Important marine features (including kelp beds, eelgrass beds, rockfish habitat, forage fish habitat);
- Access issues;
- Shoreline hardening and structural altering;
- First Nations considerations and reconciliation;
- Islands Trust First Nations engagement policy;
- Threats to shoreline ecosystems;
- New flood protections and guidelines;
- Setback from the natural boundary of the sea.

The Island Planner asked the public to consider what marine shoreline features and functions they wished to protect and how they would like these protected.

4.4 Options for Policy & Regulatory Changes

The Planner 1 gave an overview pertaining to ownership and jurisdiction on shorelines in BC and reviewed:

- Shoreline protection measures available to the Local Trust Committee;
- Zones in Keats Island Land Use Bylaw that do not permit docks or wharves;
- Setback regulations;
- Dock regulations in marine zones;
- Development permit areas; and
- Heritage Conservation Areas.

4.5 Options for Voluntary Stewardship

The Planner 1 outlined opportunities for voluntary stewardship on Keats that included:

- Conservation covenant and the Natural Area Protection Tax Exemption Program through the Islands Trust Conservancy (see www.islandstrustconservancy.ca); and
- Green Shores approach to shoreline development (see http://stewardshipcentrebc.ca/Green_shores).

4.6 Introduction & Distribution of Questionnaire

- The Planner 1 noted that the community questionnaire could be accessed through the Gambier Island webpage, and
- Gave a brief summary of responses to date.

4.7 Question & Answer Session

Chair Rogers invited questions from members of the public.

Questions included:

- If an old retaining wall and backfill installed by previous owner had to be removed, who would pay for that?
 - Staff explained that currently it is up to private property owners to make and finance changes to their property.
- How would existing licenses for docks through the Ministry of Forests, Lands, Resource Operations and Rural Development, that have been paid for and have no term, fit in with what is being discussed?
 - Staff explained that applications for those licenses are referred to Islands Trust. The referrals undergo a technical assessment to make sure the dock is permitted in that zone. If what was built was legal at the time it was constructed, it can continue to be used. If the owner applies to build it again, they would be subject to the rules in existence.
- Why was a 7.5-metre setback picked?
 - It was inherited by the Local Trust Committee from old SCRD zoning that applied to all the islands in Howe Sound in 1971. It was brought in when Keats got its first Land Use Bylaw.
- Concern about imposing blanket regulations in light of the variety of shoreline types on the island. Is there something in place that actually looks at different things to

see if what is happening in that area is actually detrimental? Concern about throwing out generalities.

- Staff noted there are opportunities to create regulations to take different shorelines into consideration.
- Regarding survey results, is this something to reassess, based on people's input?
 - Trustee noted the LTC would decide in November whether to continue on the project, and that the community survey was not closed at this time.
 - Trustee announced today was the last meeting as the Local Trust Committee in this term. As both trustees were re-elected by acclamation, they would be looking at this again in November, when they would consider what direction to go. It is a question of community input, scientific evidence and what the Province is starting to require.
- Was that survey something that is used on all Islands Trust islands, or designed specifically for Keats or Gambier?
 - The Planner 1 replied it was designed specifically for this project to reach out to the community and get feedback.

4.8 Comments:

Acting Chair Rogers invited comments.

- Feedback on survey: use of jargon, so member of the public did not understand what was being talked about. Questioned the validity of the survey.
 - Trustees suggested that the member take the opportunity to write their views and send to the LTC. It was suggested filling in the survey pointing out issues with questions.
- Everyone is talking about recreation, using land to fulfill quality of life. A dock would be beneficial to owners with rocky shorelines. There are not enough public docks; they need to be more convenient, with places to park.
- Agree about the survey; some questions seemed leading and worded in such a way as to elicit a response that was desired. Sewage outflow is an issue that is a bigger concern than anything else. Recommended working together as a community group, to speak as one voice and stand together, with somebody leading that group.
- Concern about septic outflows hitting the beach.
- If an owner is asked to have a retaining wall removed, who pays for that? What about where the wall goes beyond the property? What if an application for variance is denied?
 - Trustee responded that a landowner is responsible for it if it is on their land. Where the wall goes beyond their land the owner would have to remove at their own cost. The individual was urged to contact a planner for further information.
- Owner of property next to West Beach lost about thirty feet of land in a corner due to continual erosion. Has letter from government office in Surrey noting owner was entitled to protect their property and build a sea wall. There are no facilities at West

Beach; owner was concerned about the numbers of people at the beach and that people at the beach were using his property as a toilet.

- This hit us all fast and hard. You have covered a lot of territory for people who don't like change. All of a sudden it seems overwhelming. Agree there's a huge amount of people using West Beach; there is no regulation; it is eating away at that bank. Wonder if you need more focus on various aspects.
- This feels like a process from outside coming down with negatives, like "we are going to stop docks". And the way the survey is designed ... having those kinds of things coming at people makes people get their back up, because they are not part of the process. Residents are really concerned about abandoned boats and sewage. Rather than 'let's help or work together through education' there is a sense of Islands Trust taking away things or rights. People are on Keats because they love it, the marine environment and hiking. It should be more educational and working together.
 - Trustee acknowledged many of the concerns mentioned are valid and big issues...vessels, sewage outfall. The LTC is looking at this because they have received comments from people on Keats. The LTC cannot have an impact on derelict vessels using regulations. LTC works on those bigger issues at an advocacy level; that is one of the reasons LTC is looking at foreshore protection. It is part of the bigger picture. The LTC is trying to find out where peoples' concerns are about the foreshore, and is at the early stages of the process.
 - Trustee acknowledged the issue of sewage outfall, and that the LTC does not have that mandate. However, land use planning and marine use planning is within LTC authority. Trustee inquired if there is a way to have a community dialogue that is more inclusive of people.
 - Trustee Rogers would be available to come and meet with community members.
- Promoting more of a volunteer environment is a better way to go. Concern that a lot of work has already been done and that there is a clear path moving forward toward something...like attacking docks: that is the fabric of enjoyment of peoples' property, jumping off the dock. Unless it is having a severe impact on the environment, docks are a good thing. It would be a better environment asking people to volunteer to understand this and to learn to protect their shoreline.
 - Trustee clarified that the mapping work on display was done independently of this project.
- Lives next to Sandy Beach. Concern about possibility of running into the same situation as at West Beach, with more people visiting the beach. There are no people to manage it or police it. Worried that the attitude feels like (Islands Trust) wants to take something away.
 - Trustee explained that Sandy Beach is an ecological reserve, not a park for off island access, and that Islands Trust Conservancy would be keeping it as quiet as it can. It would not be advertised in any way.
- Pebble Beach is on the Kayakers of BC guide; there is no policing or regulations; users think they can do anything they want.

- Trustee Rogers remarked that all of the comments would be taken back to the LTC for consideration, especially the feedback of a process being forced upon people; that was neither his perspective nor his intention. It will be necessary for the LTC to re-think this. Members of the public can contact him.

The Recorder left the meeting at 8:32 pm, at which time the Island Planner assumed recording.

4.7 Staff Report

The Local Trust Committee discussed the community questionnaire and next steps.

GM-2018-069

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to keep the community questionnaire open until Wednesday, October 17, 2018.

CARRIED

Staff clarified that the community questionnaire results will be included in a future staff report to the LTC with options for the LTC on advancing the Shoreline Protection Project.

5. Open House

6. Closing Statements & Adjournment – Chair

Chair Rogers adjourned the meeting at 8:37 pm.

Dan Rogers, Acting Chair

Certified Correct:

Diane Corbett, Recorder



Islands Trust

Gambier Island

Print Date: December 3, 2018

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2018-05	In Favour	"THAT the Gambier Island Trust Local Trust Committee regular business meeting scheduled for November 15, 2018, be rescheduled for a date to be determined prior to December 15, 2018."	25-Oct-2018

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	Sonja Zupanec	31-Aug-2017	On Going

08-Mar-2018

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

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

28-Jun-2018

Activity	Responsibility	Target Date	Status
Gambier Official Community Plan Comprehensive Review Project: -post revised, endorsed project charter to project website with June 2018 staff report -prepare budget work plan for Director's approval -notify LTC of status of budget approval and commence Phase 1 work. -incorporate Howe Sound Sustainable Development Framework (ie goals)	Sonja Zupanec		On Going

Follow Up Action Report

03-Oct-2018

Activity	Responsibility	Target Date	Status
SCRD Water Sourcing Policy: LTC requests staff to investigate the existence of a water pipe to any Associated Islands for the purposes of the responding to the SCRD water sourcing policy on potential impacts.	Sonja Zupanec		On Going
LTC resolution to write (under signature of Trustee Rogers) to the Strathcona Regional District or appropriate authority to request that Keats and North Thormanby be added as landing locations for high speed fibre cable as part of the connected coast program.			On Going
LTC resolution requesting a Bylaw Enforcement update on November 15th, 2018.	Miles Drew		On Going
LTC resolution requesting staff close the Keats Shoreline Protection project community questionnaire on Wednesday October 17, 2018. Staff to prepare a report summarizing results and options for next steps.	Jaime Dubyna		On Going



File No.: GM-DVP-2018.1 (AJIA)

DATE OF MEETING: December 13, 2018

TO: Gambier Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Team

SUBJECT: Development Variance Permit Application
Applicant: AJIA Canadian Building Systems Inc.
Owner: Yari Kieken and David Greenway
Location: PID 010-090-266 (668 Walkabout Road, Keats Island)

RECOMMENDATION

1. That the Gambier Island Local Trust Committee deny issuance of application GM-DVP-2018.1 for the following reasons:
 - a) The proposal is inconsistent with several policies in the Keats Island Official Community Plan to ensure the protection of the integrity of foreshore features and shorelines and sufficient setbacks for new structures from the natural boundary of the sea;
 - b) The proposed siting of a new dwelling within the sloped area along the shoreline would eliminate future potential for the shoreline to be re-vegetated or restored, or allow for current or future natural processes and functions to occur without posing further risk to upland residential development;
 - c) An assessment report from an Authorized Person under the *Sewerage System Regulation* was not provided as part of the application to indicate whether or not the design and siting of a new sewage disposal field could be accommodated on the proposed site plan consistent with the Keats Island Land Use Bylaw and *Sewerage System Regulation*; and
 - d) Any variance requests for the maintenance, upgrading or additional engineering of the concrete retaining wall along the shoreline of the subject property should be accompanied by an assessment report and plans prepared by a coastal engineer, and address the feasibility of green shore alternatives.
2. That the Gambier Island Local Trust Committee request the owner(s) for PID 010-090-266 remove the existing unauthorized floating dock structure, and that the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, Land Tenures Branch, be copied on this request.
3. That the Gambier Island Local Trust Committee notify the owner that as per Development Procedure Bylaw No. 50, 1992, a substantially similar application may not be submitted in respect of the same development less than one year from the date of refusal of a previous application unless the Local Trust Committee has agreed to such reconsideration.
4. That the Gambier Island Local Trust Committee request staff to update the project charter for the 'Keats Shoreline Protection Project' in-scope list to include the following item "consider floodplain regulations and updated land use bylaw regulations based on Province of BC predicted sea level rise for the year 2100."

REPORT SUMMARY

The Gambier Island Local Trust Committee (LTC) is asked to consider application GM-DVP-2018.1 for a Development Variance Permit (DVP) to authorize the siting of a new 236 m² (2,542 ft²) single family dwelling and attached 90 m² (965 ft²) deck within 0.7 metres from the natural boundary of the sea. The proposed siting is not consistent with the 7.5 metre setback required by Keats Island Land Use Bylaw No. 78 (LUB). Staff does not recommend approval of the requested variance for reasons outlined in this staff report. Staff also recommends that the LTC request the immediate removal of an existing floating dock structure in the foreshore as it is not authorized through a Crown tenure or permission and may be adversely impacting the marine foreshore environment.

BACKGROUND

The existing cabin (Attachment 1 – Figure 1) is approximately 93 m² (1000 ft²) in size and estimated to have been constructed in the early 1970s. It is unclear if it was constructed prior to Sunshine Coast Regional District (SCRD) Zoning Bylaw No. 96, 1974, which required a minimum setback of 7.5 metres from the natural boundary of the sea. The existing dwelling and deck are sited directly above the current natural boundary of the sea with support structures protected from shoreline erosion by a concrete retaining wall (Attachment 1 – Figure 2.) The applicant wishes to remove the existing dwelling and replace it with a new single family dwelling in the same location. There is an unauthorized dock and float structure in the marine area.

ANALYSIS

Policy/Regulatory:

The proposed residential development on the subject property is consistent with the residential land use designation in the [Keats Island Official Community Plan Bylaw No. 77](#) (OCP), but inconsistent with several policies pertaining to protection of the natural foreshore environment (see Attachment 1 – Site Context).

The proposed siting of a new single family dwelling does not comply with the setback provisions of the [Keats Island Land Use Bylaw No. 78](#) (LUB), which require a minimum of 7.5 metres from the natural boundary of the sea (Attachment 1 – Site Context). Staff note that the current LUB setback regulations, inherited from the SCRD bylaw, are also not consistent with 2018 provincial flood hazard area land use management guidelines. The Province of BC requires local governments to update setbacks regulations in order to reflect the predicted year 2100 natural boundary, incorporating projected sea level rise.

The applicant provided a 'georisk assessment' report as part of the application to support the requested variance (Attachment 3). The author of the report recommended the following:

"4) The old concrete sea wall protecting the piers is founded below and encroaches on the HWM and is vulnerable to high tide, storm surge and wave action. With climate change and sea level rise, these processes are only expected to become more extreme and vigorous. This wall appears critical to the safety of the cabin supporting piers...

5) In the case of new building, the building approval process would likely require geotechnical advice for foundation design, greater setback from the HWM and a higher construction elevation to account for sea level rise to year 2100 as per coastal planning guidelines."

Issues and Opportunities:

Setbacks to the Natural Boundary of the Sea:

The challenging topography in this area of Keats Island (Attachment 3) and the historic subdivision layout in this neighbourhood has resulted in a concentration of residential development along the shoreline. In many cases dwellings appear to be within 7.5 metres of the current natural boundary of the sea. Redevelopment of a property is an opportunity to apply updated setback regulations or in the case of variance requests, considerations such as sea level rise, shoreline habitat restoration and the potential for a smaller scale of development to be considered. The applicant has identified in their application that the impacts of moving the proposed 236 m² (2,542 ft²) dwelling and 90 m² (965 ft²) deck to a different location on the subject property are adverse, both financially and ecologically, as it would involve additional excavation and tree removal.

As noted in Attachment 1 – Site Context, new January 2018 Provincial Flood Hazard Area Land Use Management Guidelines require local governments to incorporate sea level rise into the determination of building setbacks and flood construction levels in coastal areas. Setbacks are to be determined based on the year 2100 natural boundary of the sea (incorporating projected sea level rise). The Keats Island LUB setbacks are a carry-over from 1974 SCRD Zoning Bylaw No. 96, and do not reflect progressive coastal land use planning or inform thoughtful development to preserve the integrity of natural shoreline buffers that support coastal processes and functions. Despite current policies in the OCP to protect foreshore and shoreline habitats, the LUB regulations can be considered outdated and ineffective by coastal planning standards within the Islands Trust or in other BC local governments. Staff note that adjacent properties also appear to have dwellings and retaining wall structures sited within the setback to the natural boundary of the sea.

The subject property does have several ‘benches’ of flat topography which are well beyond the 7.5 metre setback, could accommodate building sites, and potentially allow for the foreshore area to be restored and rehabilitated with natural vegetation. An existing 3 metre wide trail used by adjacent properties is shown on the site plan (Attachment 2) in a relatively flat section of the topography. At the time of report writing, the applicant was not able to provide documentation that this trail was registered on the subject property and could not be relocated to accommodate the siting of new dwelling.

Staff do not recommend approval of the proposed variance for the siting of a new single family dwelling and attached deck within 0.7 metres from the natural boundary of the sea as it conflicts directly with the intent of the Keats Island Shoreline Protection Project and opportunity to implement adequate setbacks for buildings and structures from the future natural boundary of the sea.

Proposed Sewage Disposal System and Water Supply:

The siting of a proposed sewage disposal system and details of the current or proposed water supply system were not available at the time of report preparation. When considering a DVP application, Section 2.9 of the LUB applies, and requires every applicant of a DVP to provide a plan signed by a BC Land Surveyor showing the location on the lot of all current and proposed structures and sewage disposal fields in relation to the sea. This ensures that requested variances are supported by the proposed siting of critical infrastructure, and the professional reports can address any design or engineering requirements to mitigate adverse effects of such systems on the natural environment.

Illegal Dock and Float structure:

An existing, floating dock structure (Attachment 1 – Figures 2 and 3) in the marine area directly adjacent to the subject property has been constructed without provincial approvals for private moorage. The existing structure does not appear to comply with provincial constructions standards (as set out in the [Private Moorage Policy](#))

and the structure may be adversely impacting the marine environment through scouring at low tide and risk of break up during storm events. Provincial policy specifies that walkways and access ramps should be a minimum of 2.0 meters above the highest high water and have a minimum clearance of 2.0 meters above the seabed to allow unimpeded pedestrian passage along the foreshore at low tide. The bottom of floats should be a minimum of 1.5 meters above the seabed during the lowest tide to prevent scouring of the seabed.

The applicant has applied to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) for permission of a new dock in this location (Attachment 5). The existing structure should be removed as it may be adversely impacting the marine environment. Although the OCP encourages shared docks to reduce to proliferation of docks in the marine environment, marine zoning in this location allows for a private dock up to a maximum of 65 m² (700 ft²) in size with a ramp up to 2.4 metres (8 feet) wide.

Consultation:

The applicant received letters of support from adjacent property owners for the requested variances. Notification of this DVP application was distributed to neighbouring property owners and tenants within 100 metres in accordance with statutory requirements. Two public submissions were received at the time of report writing and are also included in Attachment 4.

Rationale for Recommendation

Staff recommends that the LTC deny issuance of the requested variance; request removal of the unauthorized dock and float; and update the Keats Shoreline Protection Project charter to include consideration for floodplain regulations and updated land use bylaw regulations, particularly as these relate to the location of buildings and structures with respect to the natural boundary of the sea. The staff recommendation is noted on page 1 of the report.

ALTERNATIVES

1. Approve Issuance of Permit

The LTC may decide to approve the variance and issue the DVP (Attachment 2). The resolution may be worded as follows:

That the Gambier Island Local Trust Committee approve issuance of Development Variance Permit GM-DVP-2018.1.

2. Request additional information

The LTC may defer further consideration of the requested variance and request additional information from staff or the applicant. The resolution may be worded as follows:

That the Gambier Island Local Trust Committee request the following information be provided prior to further consideration of Development Variance Permit GM-DVP-2018.1 (specify requested information).

NEXT STEPS

If the LTC concurs with the staff recommendations, the applicant will be advised to revise the building plans to ensure the proposed development meets or exceeds the setback regulations in the LUB, prior to submission to the SCR. Front Counter BC will be notified of the unauthorized floating dock structure in the marine foreshore and that the applicant has been asked to remove it.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	November 27, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	November 29, 2018

ATTACHMENTS

1. Site Context
2. Draft Development Variance Permit
3. Geo-risk Assessment – October 2016
4. Public Correspondence Package
5. Balanced Environmental Dock Application Report

ATTACHMENT 1 – SITE CONTEXT GM-DVP-2018.1

LOCATION

Legal Description	Lot 12, Plan 8397, District Lot 1468
PID	010-090-266
Civic Address	668 Walkabout Road, Keats Island, BC

LAND USE

Current Land Use	Single Family Residential
Surrounding Land Use	Single Family Residential

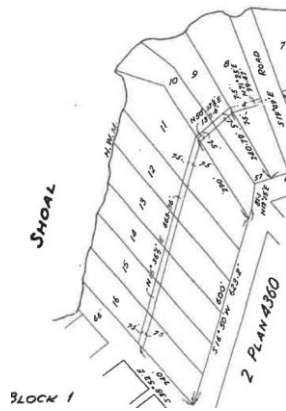
HISTORICAL ACTIVITY

N/A	
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POLICY/REGULATORY

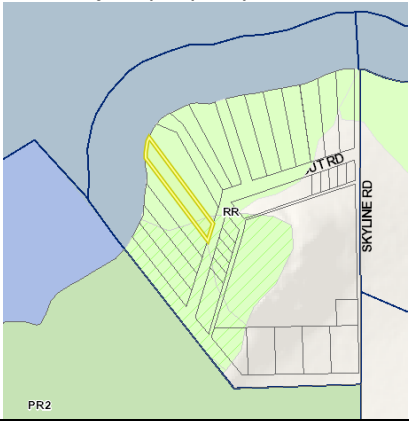
Official Community Plan Designations	'Residential (R)' in the Keats Island Official Community Plan Bylaw No. 77 Relevant policies include: <i>P 3.19 In order to protect the island's foreshore and beaches from pollution, environmental degradation, and inappropriate development or use, zoning regulations for coastal areas should be designed to ensure protection of natural coastal processes and features.</i> <i>P 3.7 New development detrimental to environmentally sensitive features and areas is discouraged. Setbacks for all buildings and structures shall be designed to protect significant riparian and wildlife habitat and encourage maintenance of indigenous vegetation within these areas.</i> <i>P 4.20 The integrity of foreshore features, shoreline features, and intertidal processes should be maintained by: a) discouraging uses that disrupt natural features and processes, and encouraging owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas sloping towards the foreshore; b) supporting the prohibition of filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing wharfage areas; c) land use regulations should provide for waterfront developments to be setback sufficiently to allow for natural erosion and accretion processes, without endangering structures; d) where land use regulations provide for private docks, the use of communal or shared docks is encouraged, where feasible, to limit the need for multiple dock development along the shoreline.</i>
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	<i>P 4.21 The location of new buildings and structures should be regulated so as to protect public access to, from and along the marine shoreline and to minimize negative impacts on sensitive coastal environments.</i> <i>P 4.22 Foreshore and adjacent coastal water area land use regulations should place emphasis on retaining natural characteristics.</i> <i>P 5.8 Provisions pertaining to lot site coverage, building or structure setbacks, heights, floor area regulations, screening, and water-only access or parking requirements shall be included in the land use regulations and should be developed with regard to maintenance of residential privacy, and with regard to retaining the unique rural character, historical character of distinctive settlement neighbourhoods, and natural landscapes of Keats Island.</i> <i>P 5.85 Waterfront property owners are encouraged to consider sharing the use of private docks and wharves with one or more of their neighbours, including upland neighbours (if any), through joint ownership or non-commercial cooperative 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.</i>
Land Use Bylaw	'Rural Residential (RR)' in the Keats Island Land Use Bylaw No.78 Relevant regulations include: Section 2.7 <i>.2 retaining walls may be located in any required setback area except the setback from the natural boundary of the sea.</i> <i>.3 No building or structure except platforms not exceeding a combined floor area of 10 square metres, a permitted boathouse, pump/utility house, or stairs, or walkways required to access the foreshore or a permitted float, dock, wharf, or other permitted marine related structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (24.6 feet) of the natural boundary of the sea.</i> <i>.5 Private floats and docks shall be located within the seaward boundary of the upland property served and shall be setback 3.0 metres from the projection of those lot lines. This setback regulation does not apply to a shared lot boundary between residential lots served by the same private float and dock.</i> Section 2.8 <i>.1 Unless specified elsewhere in the bylaw, no part of any building or structure may exceed 11.0 metres (36.10 feet) in height unless otherwise specified in this bylaw.</i> Section 2.9 <i>.1 Every applicant for a development variance permit must provide a plan signed by a B.C. Land Surveyor showing the location on the lot of all existing</i>

	<i>and proposed buildings, structures and sewage disposal fields in relation to lot and zone boundaries, lakes, wetlands, watercourses, wells and the sea, and in relation to other buildings on the lot, unless the Local Trust Committee determines that the provision of such a plan is not reasonably necessary to establish whether the proposed buildings, structures and sewage adsorption fields comply with the siting requirements of the Bylaw.</i> Section 4.4. <i>.2 The following uses of land, buildings and structures are permitted in the marine-based area: • non-commercial anchorage and moorage of private vessels, where such use is accessory to a permitted residential use on the adjacent upland.</i> <i>.6 The maximum area that may be covered by dock floats in the marine-area is 65 square metres (700 square feet).</i> <i>.7 Despite Subsection 4.4.6, the maximum float area may be increased by 47 square metres (500 square feet) per residential lot served up to a maximum float size of 158 square metres (1,700 square feet), provided a restrictive covenant subject to Subsection 1.2.4 is registered.</i> <i>.8 The maximum width of a ramp associated with a dock is 2.4 metres (8 feet).</i>
Other Regulations	<u>Public Health Act – Sewage System Regulation</u> is applicable to redevelopment of the subject property. The applicant has not provided written verification from an approved person under the regulation regarding the details of the proposed system. New January 2018 Flood Hazard Area Land Use Management Guidelines amendment incorporates sea level rise into the determination of building setbacks and flood construction levels in coastal areas. Setbacks are to be determined based on the year 2100 natural boundary of the sea (incorporating projected sea level rise).
Covenants	There is a BC Hydro right-of-way registered on title of the subject property and adjacent lots as shown in this figure: 

Bylaw Enforcement	N/A
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SITE INFLUENCES

Islands Trust Conservancy	The proposal does not directly affect an Islands Trust Conservancy Board (ITC) -owned property or conservation covenant, nor directly affects a property adjacent to an ITC-owned property or conservation covenant. Referral to ITC for comment is not required.
Regional Conservation Strategy	The Islands Trust Conservancy - Regional Conservation Plan identifies this region of Keats Island as medium priority for conservation purposes. The foreshore of the subject property is identified as suitable surf smelt spawning habitat. A condition of the DVP if approved should include  professional assessment and recommendations pertaining to the concrete seawall and restoration of the foreshore.
Species at Risk	Federal Recovery Strategies for species at risk do not apply to this parcel.
Sensitive Ecosystems	The subject property falls within completely within the 'mature forest' sensitive ecosystem as shown in green polygons. A condition of a DVP if approved could include removal of the concrete seawall; restoration of the shoreline and re-vegetation of foreshore slope/bank with native trees and shrubs. 
Hazard Areas	The Keats Island OCP does not designate this area as a steep slopes or hazardous development permit area.

	A 'georisk assessment' was conducted on the subject property in October 2016 to assist in the sale of the subject property (Attachment 3). The findings/recommendations from the report author include greater setbacks from the HWM and flood protection levels for any new construction (page 6). The existing concrete seawall is apparently significant in protecting the existing structural supports for the existing cabin. Should redevelopment in this location be approved, a detailed assessment of the removal/replacement or mitigation of the sea wall should be requested as a condition of the DVP.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) mapping does not indicate an archaeological site on the subject property, nor archaeological potential on the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Tree and vegetation planting and restoration is anticipated to mitigate greenhouse gas emissions associated with the residential development.
Groundwater Vulnerability	Islands Trust mapping does not cover Keats Island.
Shoreline Data in TAPIS	Islands Trust mapping does not cover Keats Island.



Figure 1 Existing dwelling and rock retaining wall



Figure 2 Existing dock and float structure



Figure 3 Existing dock and float structure

TO: 1113300 B.C. LTC, Inc. No. BC1113300

 Islands Trust	GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT GM-DVP-2018.1 – 1113300 B.C. LTD.
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1. This Development Variance Permit applies to the land described below:

PID 010-090-226
Lot 12 of Lot X District Lot 1468, Plan 8397, Keats Island
2. Pursuant to Section 498 of the *Local Government Act*, the *Keats Island Land Use Bylaw No. 78, 2002* is varied as follows:

“Part 2 – General Land Use Regulations, Section 2.7.3 Measurement of Setbacks, Buildings and Structures No building or structure except platforms not exceeding a combined floor area of 10 square metres, a permitted boathouse, pump/utility house, or stairs, or walkways required to access the foreshore or a permitted float, dock, wharf, or other permitted marine related structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (24.6 feet) of the natural boundary of the sea.”
 - Is varied in order to reduce the natural boundary of the sea setback from 7.5 metres to 0.7 metres for the siting of a proposed single family dwelling, as shown in Schedules “A1”- through “A6” attached to and forming part of this permit.
3. All buildings and structures shall be consistent with Schedules “A1” through “A6” which are attached to and form part of this permit. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of the Keats Island Land Use Bylaw No. 78, 2002 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF _____, 2018.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF 2020, THIS PERMIT AUTOMATICALLY LAPSES.

NIEKEN & GREENWAY RESIDENCE

668 WALKABOUT RD, KEATS ISLAND, BC

GM-DVP-2018.1 (1113300 BC LTD)
SCHEDULE "A1" PERSPECTIVE PLAN

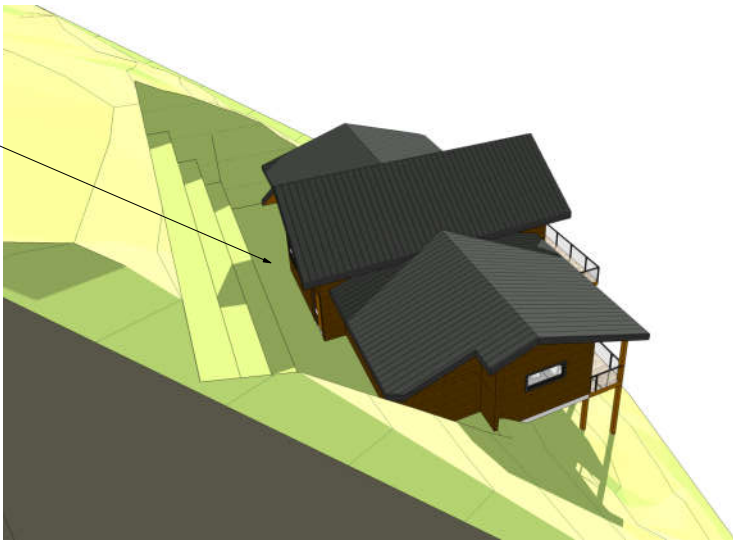


PERSPECTIVE



PERSPECTIVE (Showing contour)

Cut portion at rear
of house





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ENGINEER:
MALCOLM MACQUARRIE/AJIA
ADDRESS: 1367 CROWN ST.
N. VANCOUVER, BC V7J 1G4
TEL: 604-495-1123, FAX: 604-495-1153

Cover

SITE ADDRESS:
668 Walkabout Rd

LEGAL DESCRIPTION:
Lot 12, D.L., 1468, PLAN 8399

LOCAL AUTHORITY:
Lot 12, D.L., 1468, PLAN 8399

SQ. FOOTAGE: As shown
DESIGN BY: HS
DRAWN BY: HS
ISSUED FOR: CLIENT REVIEW

SHEET:
A0.1

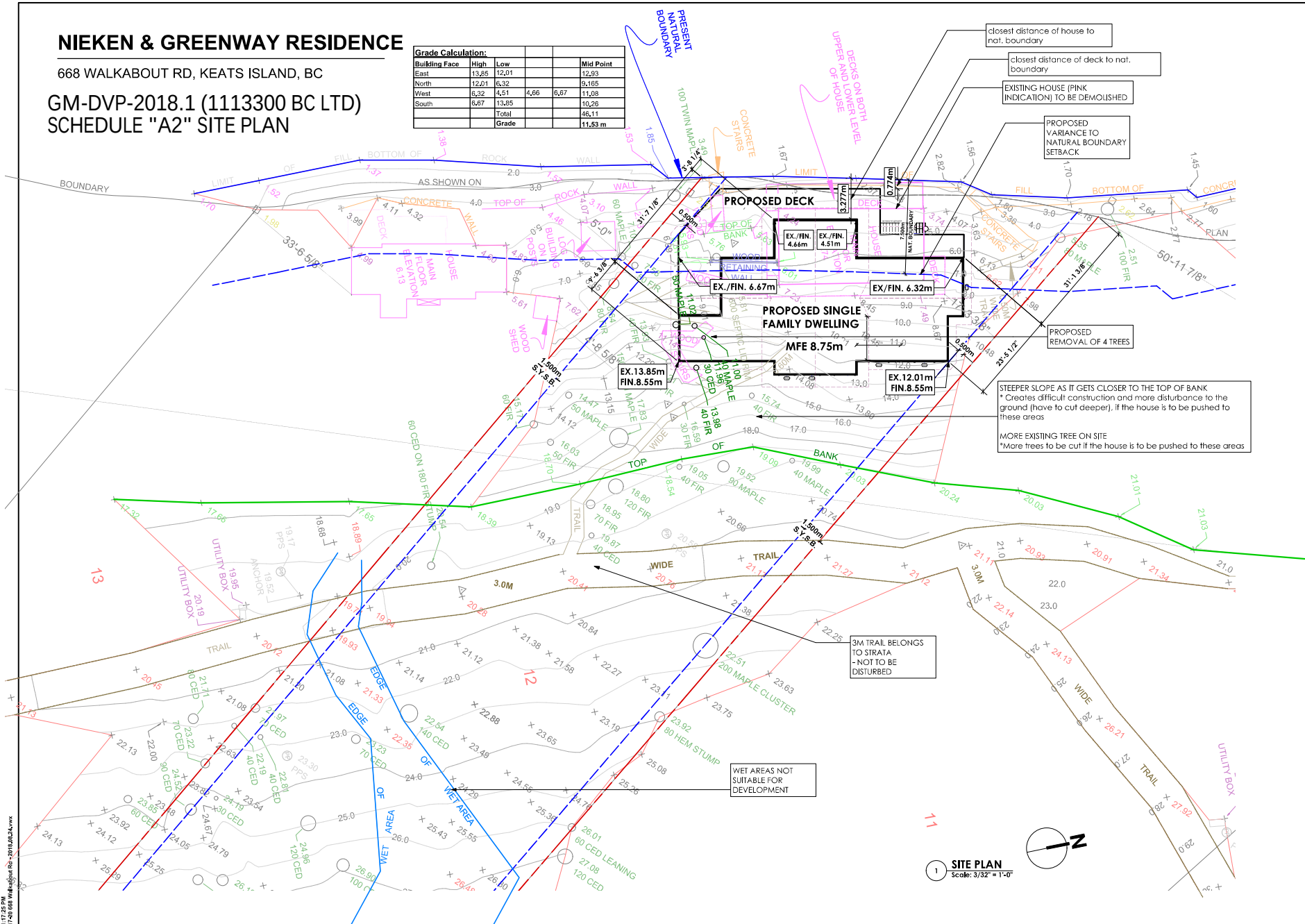
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NIEKEN & GREENWAY RESIDENCE

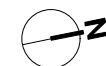
668 WALKABOUT RD, KEATS ISLAND, BC

GM-DVP-2018.1 (1113300 BC LTD)
SCHEDULE "A2" SITE PLAN

Grade Calculation:				
Building Face	High	Low		Mid Point
East	13.85	12.01		12.93
North	12.01	6.32		9.165
West	6.32	4.51	4.66	6.07
South	9.67	13.85		10.26
Total				46.11
Grade				11.53 m



1 SITE PLAN
Scale: 3/32" = 1'-0"



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Site Plan

SITE ADDRESS:
668 Walkabout Rd

LEGAL DESCRIPTION:
Lot 12, D.L. 1468, PLAN 8397

LOCAL AUTHORITY:
Lot 12, D.L. 1468, PLAN 8397

SQ. FOOTAGE: As shown

DESIGN BY: HS

DRAWN BY: HS

ISSUED FOR: CLIENT REVIEW

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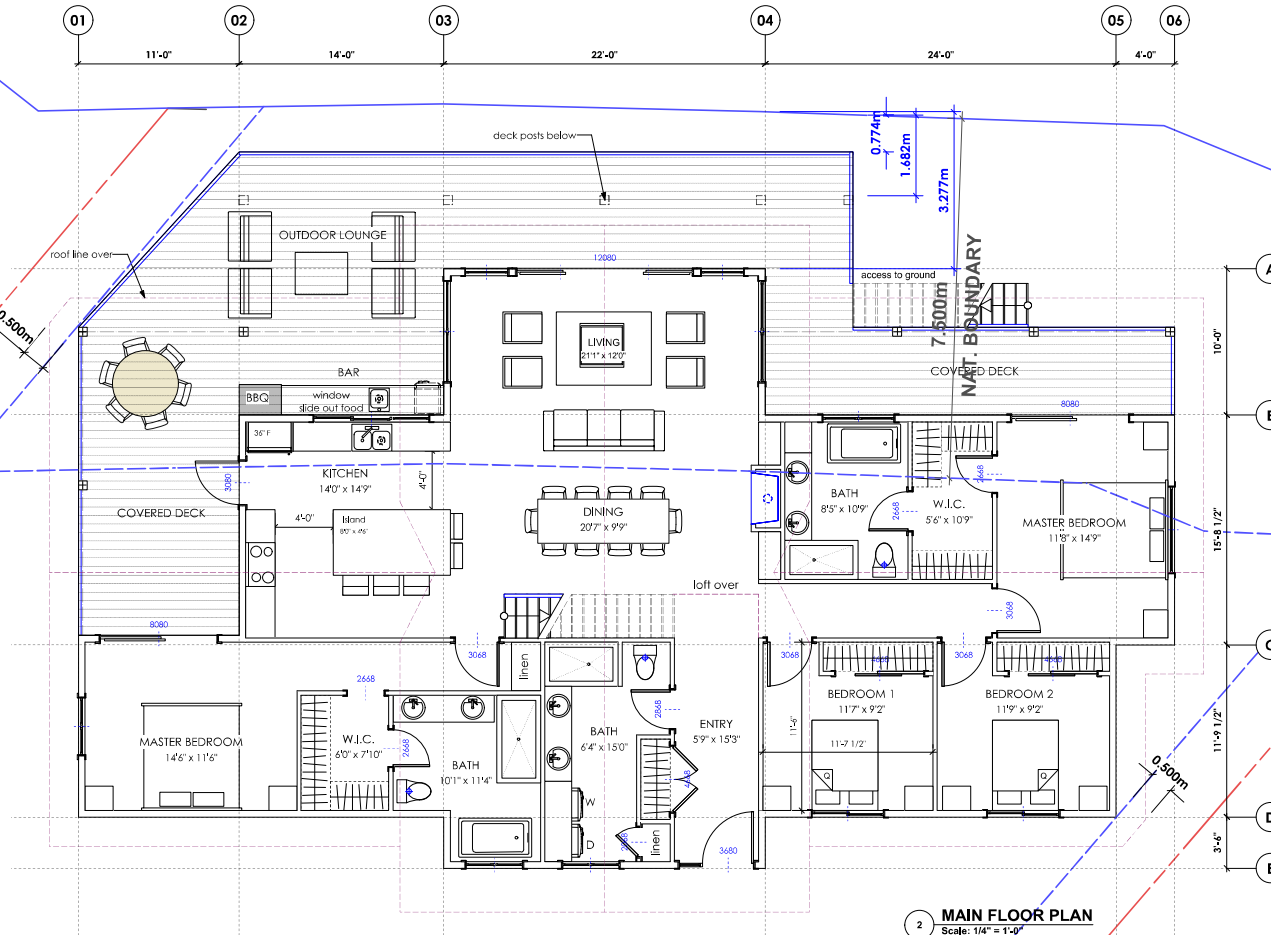
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NIEKEN & GREENWAY RESIDENCE

668 WALKABOUT RD, KEATS ISLAND, BC

GM-DVP-2018.1 (1113300 BC LTD) SCHEDULE "A3" FLOOR PLAN



MAIN FLOOR
Includes Stairs & Foyer
2146.4 sq ft



NOTE: ALL FRAMED WALL DIMENSIONS ARE SHOWN TO FACE OF STUD

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ADDRESS: 1367 CROWN ST.
N. VANCOUVER, BC V7J 1G4
TEL: 804-695-1122 FAX: 804-695-1153

Main /
Main Floor
Plans

SITE ADDRESS:
668 Walkabout Rd

LEGAL DESCRIPTION:
Lot 12, D.L. 1468, PLAN 8397

LOCAL AUTHORITY:
Lot 12, D.L. 1468, PLAN 8397

SQ. FOOTAGE: As shown

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ISSUED FOR: CLIENT REVIEW

SHEET:

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JOB No.:

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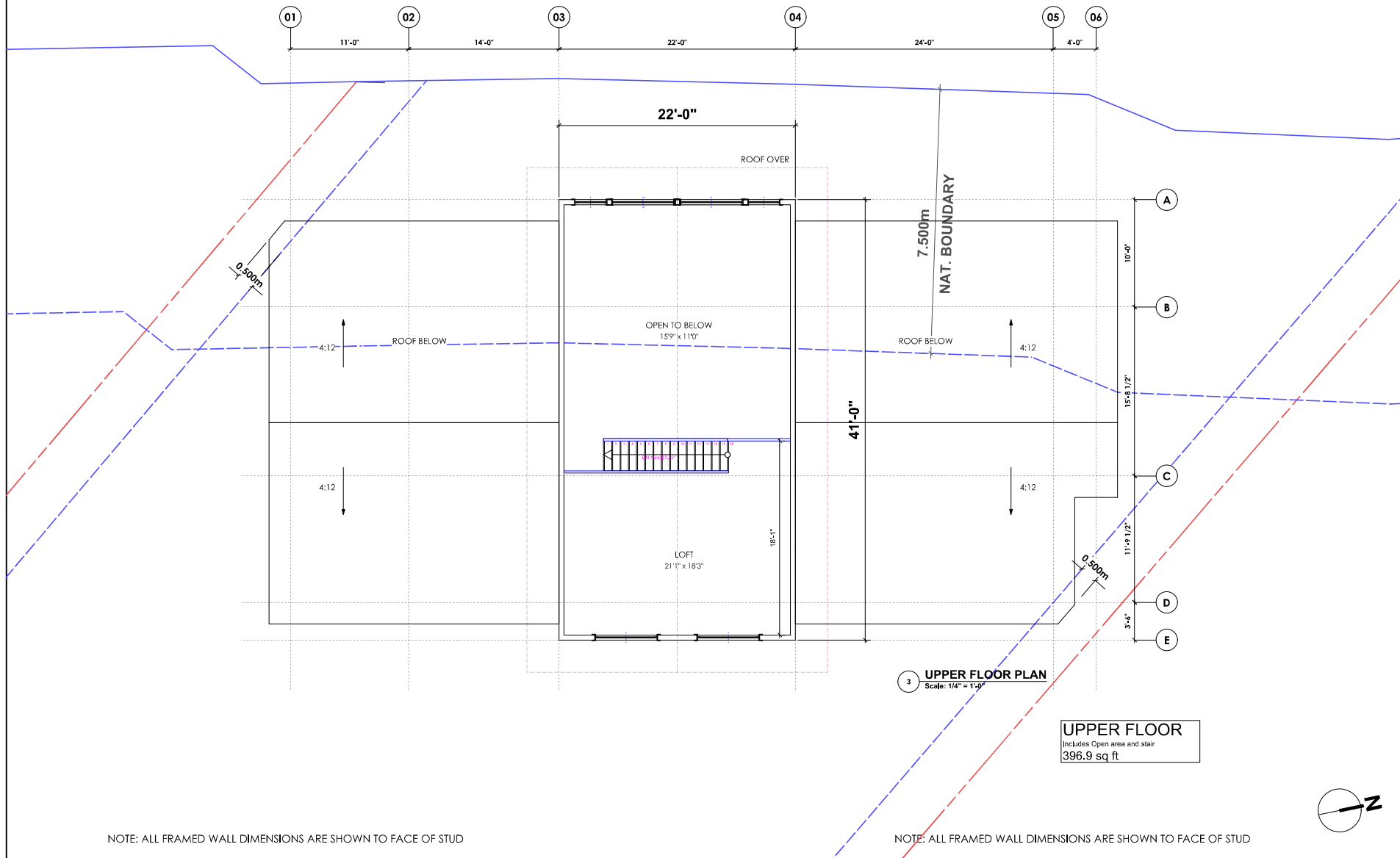
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17-20 668 Walkabout Rd - 20180624.dwg

NIEKEN & GREENWAY RESIDENCE

668 WALKABOUT RD, KEATS ISLAND, BC

GM-DVP-2018.1 (1113300 BC LTD)
SCHEDULE "A4" UPPER FLOOR PLAN



3 UPPER FLOOR PLAN
Scale: 1/4" = 1'-0"

UPPER FLOOR
Includes Open area and stair
396.9 sq ft



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N. VANCOUVER, BC V7J 1G4
TEL: 604-495-1122, FAX: 604-495-1123

Upper Floor /
Roof Plans

SITE ADDRESS:
668 Walkabout Rd

LEGAL DESCRIPTION:
Lot 12, D.L. 1468, PLAN 8397

LOCAL AUTHORITY:
Lot 12, D.L. 1468, PLAN 8397

SQ. FOOTAGE: As shown

DESIGN BY: HS

DRAWN BY: HS

ISSUED FOR:
CLIENT REVIEW

SHEET:
A2.3

JOB No.:
17-20

Date: 11/27/18
Time: 1:17:26 PM

NOTE: ALL FRAMED WALL DIMENSIONS ARE SHOWN TO FACE OF STUD

NOTE: ALL FRAMED WALL DIMENSIONS ARE SHOWN TO FACE OF STUD

NIEKEN & GREENWAY RESIDENCE

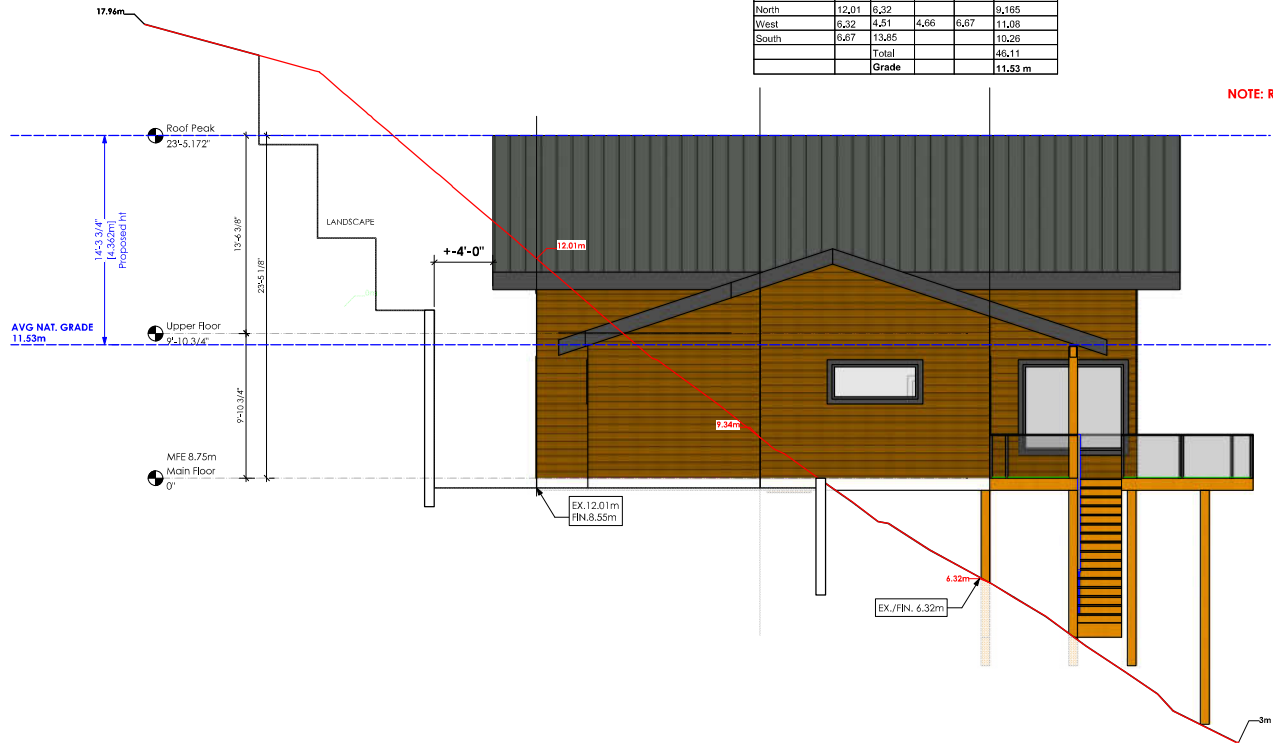
668 WALKABOUT RD, KEATS ISLAND, BC

GM-DVP-2018.1 (1113300 BC LTD)
SCHEDULE "A5" EAST AND NORTH ELEVATION PLAN



Grade Calculation:				
Building Face	High	Low		Mid Point
East	13.85	12.01		12.93
North	12.01	6.32		9.195
West	6.32	4.51	4.66	11.08
South	6.67	13.85		10.26
		Total		46.11
		Grade		11.53 m

NOTE: RED LINE INDICATES EXISTING GRADE IN METERS



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Elevations

SITE ADDRESS:
668 Walkabout Rd

LEGAL DESCRIPTION:
Lot 12, D.L. 1468, PLAN 8397

LOCAL AUTHORITY:
Lot 12, D.L. 1468, PLAN 8397

SQ. FOOTAGE: As shown

DESIGN BY: HS

DRAWN BY: HS

ISSUED FOR: CLIENT REVIEW

SHEET:

A3.1

JOB No.: 17-20

Date: 11/27/18
Time: 1:17:26 PM

NIEKEN & GREENWAY RESIDENCE

668 WALKABOUT RD, KEATS ISLAND, BC

Grade Calculation:				
Building Face	High	Low		Mid Point
East	13.85	12.01		12.93
North	12.01	6.32		9.165
West	6.32	4.51	4.66	6.67
South	6.67	13.85		10.26
		Total		46.11
		Grade		11.53 m

GM-DVP-2018.1 (1113300 BC LTD)
SCHEDULE "A6" SOUTH AND WEST ELEVATION PLAN



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Greg Patterson, M.Sc., P.Eng.
President
Technicraft Product Design Inc.
Ph: 1 866 827-8711
Cell: 705 441-2368

September 30, 2016
Revised/updated October 4, 2016

Re: Georisk assessment, 668 Walkabout Road, Keats Island, near Gibsons, BC (Figure 1).

Legal: Plan VAP8397, Lot 12, Block X DL, 1468 LD 36

Mr. Greg Patterson has requested Cordilleran Geoscience provide a geohazard assessment of the property (Figure 2) identified above to support its anticipated sale. In the words of Mr. Patterson, "We have an approximately 60-80 foot high earthen bank behind the cabin. It is treed and well covered in vegetation and has been completely stable in the 52 years that we have had the cabin. We need to have a geotechnical report done on this bank stating if it is stable and if not, what is required to make it so. We have several buyers interested but the question of the stability of the slope has been raised. We wish to have an answer for this question based upon good, scientific investigation."

Experience

Pierre Friele, P.Geo., dba Cordilleran Geoscience, is a terrain specialist focusing in natural hazards and risk assessment. In this capacity he has worked locally in the Sea to Sky and throughout British Columbia since 1990.

Methods

Lot 12 and the terrain encompassing Lots 3-Lot 14 was examined September 29, 2016 (Figure 2). The field investigation consisted of collecting anecdotal information from locals, digging shovel test pits and examining natural exposures to characterize surficial materials, characterizing topography with the aid of hand held clinometer and laser range finder, and making terrain observations that provide insight into slope stability, such as degree of soil development, age of forest and the presence/size of first growth stumps. Also, any recent damage or repair work on human made features (sea walls, foundations, etc) was documented that might yield clues to natural processes.

All observations were plotted on a geotif map derived from the iMapBC website using the Avenza PDFmaps application on an iPad mini. Waypoint observations are included in Appendix 1. Photographs from select waypoints are provided in Appendix 2.



Geodetic elevations of key features were estimated (± 25 cm) by reference to the most recent high watermark (HWM) on the beach (4.1 m chart datum at 5.05 am, Sept, 29)(Note that at Gibsons, the relation between chart datum and geodetic datum is 5.1 m CD = 2.15 m geodetic).

Hazard & Risk Guidelines

A hazard is a phenomenon with the potential to cause harm; it is usually represented by a magnitude and recurrence interval (see Table 1). Consequence is a product of factors, including whether a given hazard will reach a site, whether elements at risk will be present when the site is affected by the hazard, how vulnerable the elements at risk are to the hazard affecting the site, and the value of the elements at risk or the number of persons exposed. The product of the factors Hazard and Consequence equals Risk.

No activity is free of risk, and the concept of safety embodies risk tolerance. In Canada and BC there is no legislated guidance for risk tolerance to landslides and associated phenomenon, and the term “safe” has not been defined. In considering risk tolerance, an important concept is that risk of loss of life from natural hazards should not add substantially to those that one is typically subject to (driving, health, recreation, etc) combined. For reference, the risk of death and injury from driving in Canada is approximately 1/10,000 and 1/1000 per annum, respectively (Transport Canada 2011).

Table 1. Qualitative hazard frequency categories.

Qualitative frequency	Annual return frequency	Comments
Very high	>1/20	Hazard is well within the lifetime of a person or typical structure. Clear fresh signs of hazard are present.
High	1/100 to 1/20	Hazard could happen within the lifetime of a person or structure. Events are identifiable from deposits and vegetation, but may not appear fresh.
Moderate	1/500 to 1/100	Hazard within a given lifetime is possible, but not likely. Signs of previous events may not be easily noted.
Low	1/2500 to 1/500	The hazard is of uncertain significance.
Very low	<1/2500	The occurrence of the hazard is remote.

Herein, the definition of safe follows the hazard acceptability threshold guidelines outlined by Ministry of Transportation and Infrastructure (2009), whereby the Qualified Professional must distinguish between damaging and life-threatening events:

- Where the damaging event is a flooding hazard, a probability of occurrence of 1 in 200 years should be used.
- Where the damaging event is a snow avalanche hazard, a probability of occurrence of 1 in 300 years should be used.
- Where the damaging event is a landslide hazard, a probability of occurrence of 1 in 475 years should be used.

- Where life-threatening events or catastrophic events are identified, a probability of occurrence of 1 in 10,000 years should be used.

With respect to coastal flooding, the BC Provincial government (Ausenco Sandwell 2011) has recently indicated that future planning should account for sea-level rise to year 2100, plus factors such as storm surge, wave attack and freeboard to account for uncertainty. Coastal planning measures included setback (15 m) from the predicted year 2100 shoreline position and a predicted year 2100 HWM FCL.

The recommended FCL for Vancouver Harbour was given as:

Coastal Flood Level Components (in metres GSC):

High Tide: 1.9 m

Sea level rise to year 2100: +1.0 m

500 Year Storm Surge: +1.4 m

Wave effect: +0.6

Interim Freeboard: +0.6 m

Total FCL: 5.6 m (GSC)

Note that for building permit approval, a proposed new structure has to be designed to year 2100 sea level with consideration for geomorphic effects and uncertainty. The 5.6 m geodetic estimate was provided as guidance, but developers were advised to assess onsite coastal FCL based on local conditions and new information as it arises. It is noted that not all adverse sea level conditions may occur simultaneously, or if they do, it would be a rare occurrence, with a probability $\gg 1/200$ per annum. Thus 5.6 m geodetic is likely excessive/conservative assuming the SLR to 2100 is correct. Reducing storm surge frequency, the FCL is adjusted as such: on the HWM of 1.9 m, add 1 m sea level rise, 60 cm storm surge, 60 cm wave effect and 60 cm freeboard, then the estimated HWM is 4.7 m geodetic for minimum construction elevation. However, in contrast, arising from recent rapid ice sheet and glacier decay rates, the recommended 1.0 m for SLR 2100 may be too low. These factors counterbalance one another to some degree, and suggest a cautionary approach to shoreline planning would be prudent.

Detailed natural hazard planning guidelines are prepared for many communities within Sunshine Coast Regional District (SCRD). A typical example is KWL (2013). The reader of this report is referred to such SCRD planning documents for more detail and full understanding of the issues.

Bedrock Geology

Bowen Island Group: Tuffaceous sandstone, tuffaceous siltstone, argillite, graphitic siltstone with minor interbedded carbonate, lapilli tuff, andesite flows and/or sills (argillite, greywacke, wacke, conglomerate turbidites). Downloaded online (<http://maps.gov.bc.ca/ess/sv/imapbc/>).



Site Description and Slope Stability

A schematic topographic cross section of the Lot 12 escarpment slope and cabin location is shown on Figure 2. From the HWM the shore rises steeply (80% slope) for 17 m height to a break to 25% slopes which then continue well back into the forest. The steep shoreline slope is evidently a marine cut scarp. The materials underlying the scarp consist of sandy cobble pebble gravel overlain by poorly sorted muddy gravel; the capping material is till and the underlying material is glacial outwash; the soils are highly compact, over-consolidated by glacial over-riding (WP6 & WP13). The Quaternary sequence represented by the materials is proglacial outwash (Quadra Sand) overlain by lodgment till (Vashon). The Vashon Ice Sheet, locally up to 6 km thick, over-consolidated sediments, increasing their strength. Such over-consolidated materials can stand at 150% slope. There is a loose veneer of sandy gravel, perhaps 50 cm thick, on the slope, formed by weathering and bioturbation (WP1 & WP19). Loose surficial soils consist of well developed podzol, the zonal soil for the region, with orange oxidation taking to centuries to millennia to develop, and there are mature trees and old stumps on the scarp and crest.

In Cordilleran's opinion there is nothing inherently suspect or unstable with the natural slope; given the coarse grained materials and over-consolidation, it can confidently be stated a properly founded structure would be stable and the slope not vulnerable to landslide. Tree topple and small sloughs of soil veneer could occur, and these may be damaging but not lethal or catastrophic if affecting a well-founded building.

Coastal Processes

Sites located within influence of coastal processes require special consideration. Arising from climate change, shoreline erosion potential (setback) and building height above mean sea level (FCL) have become important planning considerations (Ausenco Sandwell 2011). Climate is getting stormier, storms more intense and sea level rising (Vadeboncoeur & Matthews, 2014).

The rock wall in front of the house and retaining the fill supporting the front row of structural piers encroaches on the high water mark and is vulnerable to attack. The existing wall does not show any obvious cracks, adverse lean or coastal undermining.

On Lot 13 part of the old sea wall has been recently replaced with angular stacked rock (WP5), and the rest of the frontage armoured by riprap (WP6); according to Greg Patterson, this recent work was conducted by the owner of Lot 13 as part of an upgrade, and was not triggered by any recent erosion. This was a prudent course of action considering climate change and the possibility of rising sea levels and other considerations previously mentioned.

The base and crest elevations of the existing sea wall is estimated as 4.5 m & 5.5 m chart datum (1.55 m and 2.55 m geodetic); while HHW at Gibsons is 5.1 m chart datum (2.15 m geodetic). The elevation of the top of the concrete piers supporting the floor system appears to be about



6.8-7.0 m CD (3.85-4.05 m geodetic); and the base of the joist box is 8.0 m CD (5.05 m geodetic).

Thus, the cabin main floor at 5.0 m geodetic is above present HHW at 1.9 m geodetic, but below the year 2100 planning horizon at 5.0-5.6 m. Significantly, the old concrete sea wall is within tide and wave effect and is vulnerable to shoreline erosion. The sea wall appears to protect the structural front piers from undermining and erosion. The erosion of the sea wall could threaten the structural support of the cabin.

Historic Instability

There is anecdotal evidence that two cabins have slipped off the slope. Greg Patterson, who has been associated with the subdivision since the late 1960s recounted the history of these events. In the 1970s a community water tank on the bench above drained rapidly and the overland flow affected the previous Cabin on Lot 13 causing it to fail. Within the last 10 years trail construction on Lot 14 caused misdirected water to affect the foundation on Lot 14, causing the previous building on that site to slide several feet, where it was arrested by a large tree.

In both cases these instabilities have been attributed to misdirected water from human caused factors. This is an important distinction. First, natural slope conditions did not lead to cabin failure. Second, failures were not deep-seated bank failures in the natural slope, rather they were foundation-related. The third and final point is that in Canada it typically has not been possible to get insurance for flood damage caused by natural causes; whereas if it can be demonstrated that water related damages can be attributed to system failure (water line breach, etc), then damages may be insured.

There is some evidence that there may have been a third cabin that slide off the slope in the vicinity of lots 3-4 (WP13, 15). At that site the marine cut scarp is underlain by very compact lodgment till standing at 150% slope (WP13), and there is a jumble of cabin piers and chimney brick at the base of slope (WP15). Greg Patterson assures Cordilleran that he knows nothing about this event, and that if it occurred it must have been before the late 1960s. Since the details are unknown it cannot be surmised what the issues were.

An example of a well-founded cabin is that recently reconstructed on Lot 14. There the bench cutslope is retained by a concrete retaining wall (WP6) and the new cabin founded on undisturbed parent material.

The cabin on Lot 12 is founded on a narrow bench cut into the toe of slope, with three main beams supported by sono tube concrete piers (front & back) and pads (centre). There is no evidence of any lean or distress. The back cutslope appears stable. In the front wall of piers only the 2 right piers are visibly concrete, while the 3 left piers only treated wood is visible. It is not possible to tell what the sono tube or wood piles are founded on: fill or till. The front row of



cabin piers is protected by an old cobble/concrete seawall at about the HWM. If this sea wall were to become damaged, the front piers would be vulnerable to undermining.

Clarification of Scope

Note that Cordilleran's training and experience is with natural slope stability and not foundation stability. Whereas, the slope is judged to be safe according to MoTI safety standards (slide hazard <1/500 per annum: soils are developed podzol with orange oxidation taking to centuries to develop, and there are mature trees and old stumps on the scarp and crest), the certification of the existing cabin's foundation stability is a geotechnical specialty and not Cordilleran's. The Cordilleran report does not pertain to foundation stability of the existing cabin on Lot 12, Melody Point.

Conclusions

- 1) Cordilleran Geoscience certifies the "land may be used safely for the use intended" on the condition that residence conforms to shoreline setbacks, coastal flood construction elevation and has properly constructed bench cut and foundations.
- 2) The cabin at Lot 12 is an existing cabin. Its main floor elevation conforms to present day flood construction elevation, and structural supports are protected from erosion by a concrete sea wall. Visual observation did not reveal any signs of existing slope distress in the cabin's bench cut and retaining/sea wall. The cabin and many others on the beach are not set back from the shoreline natural boundary; it is presumed this was the standard at time of construction.
- 3) Although Cordilleran Geoscience could see no issues with the stability of the foundation piers, it cannot be determined from visual inspection how well they are founded on the slope. It is not in Cordilleran's scope to sign off on foundation stability of Lot 12 cabin, especially when site preparation before construction is not known. There are two well documented examples of cabins sliding of the slope, with instability attributed misdirected water from human error.
- 4) The old concrete sea wall protecting the piers is founded below and encroaches on the HWM and is vulnerable to high tide, storm surge and wave attack. With climate change and sea-level rise, these processes are only expected to become more extreme and vigorous. This wall appears critical to the safety of the cabin supporting piers. While there is no imminent sign of this wall being undermined, Cordilleran Geoscience would consider it prudent, given the importance of the sea wall to the integrity of the home, that the condition of the wall be closely monitored (after every significant storm), and upgraded if any distress noted, or As Soon As Possible if financially practicable.
- 5) In the case of new building, the building approval process would likely require geotechnical advice for foundation design, greater setback from the HWM and a higher construction elevation to account for sea level rise to year 2100, as per coastal planning guidelines.



References

- Ausenco Sandwell 2011. BC Ministry of Environment Climate Change Adaptation Guidelines for Sea Dikes and Coastal Flood Hazard Land Use Guidelines for Management of Coastal Flood Hazard Land Use.
- KWL 2013. Geotechnical Hazards Report: Roberts Creek. Final Report, May 2013, KWL Project No. 724.022-300. Prepared for Sunshine Coast Regional District. Accessed online at <http://www.scrd.ca/files/File/Community/Planning/2013-May-KWL%20RobertsCreek-GeotechReport.pdf>
- Vadeboncoeur, N., & Matthews, R., 2014. Canada Caribbean Coastal Climate Change Strategies (C-Change). Institute for Resources, Environment and Sustainability, Department of Sociology, The University of British Columbia. Downloaded online at <http://www.gibsons.ca/include/get.php?nodeid=662>

Closure

This report was prepared for use by Greg Patterson, including distribution as required for purposes for which the report was commissioned. The report cannot be distributed to other third parties without prior written consent by Cordilleran Geoscience. The work has been carried out in accordance with generally accepted geoscience practice. Judgment has been applied in developing the conclusions stated herein. No other warranty is made, either expressed or implied to our clients, third parties, and any regulatory agencies affected by the conclusions.

If you have any questions please call,



Pierre Friele, M.Sc., P.Geo.
Professional Geoscientist

Appendix 1. Waypoint Observations, September 29, 2016, Melody Point.

Title	Latitude	Longitude	Description
1	49.40950	-123.46424	60 cm Soil pit top of first flight stairs. Toe of short 80% slope, marine cut bank. Oxidized sandy, cobble pebble gravel. Upper 5-10 cm black humic
2	49.40937	-123.46441	Standing on most recent high tide line: 5:06 am, 4.1 m CD. Toe of concrete wall 0.4 m above (4.5 m CD, 1.55 m geodetic) and 3 m in from HWM. Top of concrete wall 1.4 m above HWM (5.5 m CD, 2.55 m geodetic), base of main floor joist box 3.9 m above HWM (8.0 m CD, 5.05 m geodetic), and 5 m in, base of piers supporting joist box ~2.7-2.9 m above HWM (6.8-7.0 m CD, 3.85-4.05 m geodetic). Two right ones are poured concrete soon tube piers dug in, cannot see how well founded but appear vertical, no lean. Three left ones are treated wood posts extending into soil, cannot see how they are founded, again no lean.
3	49.40950	-123.46469	Present w/l, 12% beach slope to HWM, cobble pebble gravel beach. HWM for Gibson is 5.1 m chart datum, or 2.15 m geodetic. Storm surges to 5.5 m CD, 2.55 m geodetic.
4	49.40920	-123.46454	Lot 13 recent repair of shoreline wall using stacked rock. Settlement and cracking of old staircase is evident, possibly because of shoreline attack. Also new toe slope riprap to protect against shore erosion.
5	49.40894	-123.46461	Lot 14 wall recent repair
6	49.40870	-123.46451	Lot 14. Anecdotal evidence describes event in last 10 years as "old house slide downhill and was stopped by large cedar tree." Old house torn down and new house built to replace. Site prep includes deep excavation and construction of concrete retaining wall behind house allowing for breezeway behind building. Materials in bank are sandy pebble cobble gravel, massive to weakly stratified capped by compact muddy diamict veneer (Dmm). Materials represent advance outwash (Quadra Sand) capped by till (Vashon).
7	49.40861	-123.46436	Crest of oversteep shoreline slope, Mb, +25%,-80%
8	49.40920	-123.46411	Crest of oversteep shoreline slope, Mb, -80%, +25%, scarp height 17.2 m from HWM.
9	49.40944	-123.46409	Slope crest
10	49.40999	-123.46203	Localized area 20-30 m diameter of apparently jack straw trees, mature cedar hemlock and D fir. Some rock fragment material, 25% slopes. No apparent instability, maybe wet area, but dry at present.
11	49.40957	-123.46177	Rock outcrop, 25% slopes.

12	49.40993	-123.46152	Till in spoil from power line construction.
13	49.41055	-123.46094	Toe of steep shoreline slope, recently excavated exposes highly compact lodgement till, standing at 150% slope.
14	49.41081	-123.46037	Rock at toe of slope
15	49.41062	-123.46096	Several old concrete piers jumbled at base of slope, anecdotally from house that slid off slope, >20 yrs ago. Slope is not unstable - rather piers were poorly founded.
16	49.41054	-123.46195	Rock at toe of slope
17	49.41036	-123.46322	Rock bluff shoreline
18	49.40986	-123.46441	End of shoreline rock outcrop
19	49.40928	-123.46410	On slope behind house. 50 cm of loose sandy gravel on highly compact till.
20	49.40941	-123.46414	Right side of house. House is founded on bench excavated at toe of slope. Back of house is on sonotube piers, centre of house on beam on concrete pads, front wall as described previously. There is no foundation. It is not possible to judge how well founded piers and pads are, however there is no apparent sign of instability. A 2 by 8 lumber wall retains loose fill at the back keeping soil away from first floor back wall. There is no pressure or bulging forcing the retaining wall outward toward house wall.

Appendix 2. Annotated photos.

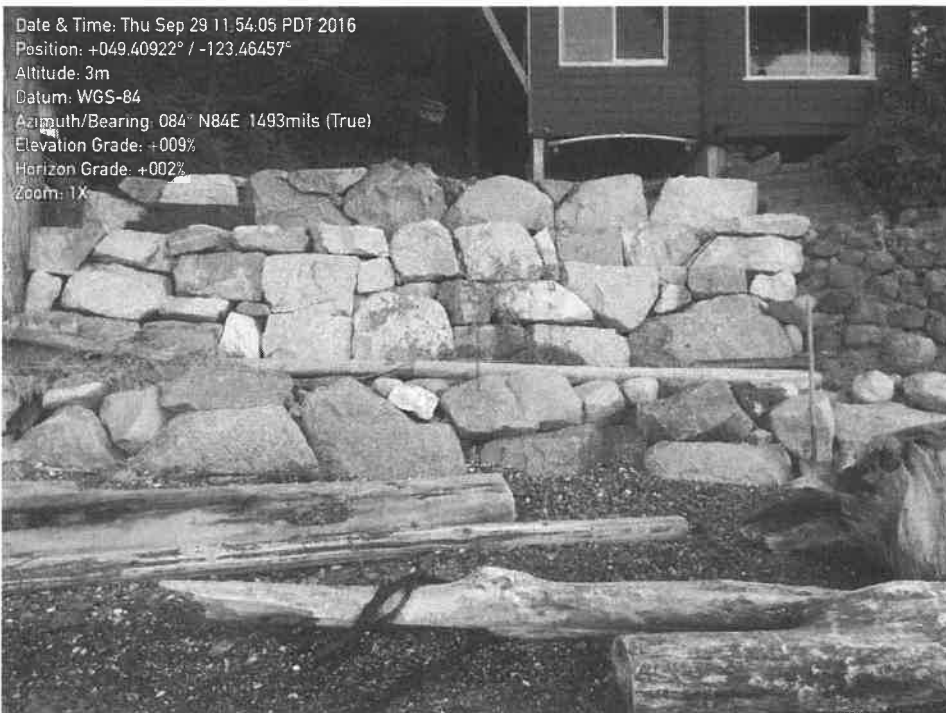


Waypoint 1. Shallow soil pit on escarpment slope shows well developed podzol soil, with 10 cm humic soil on loose oxidized sandy gravel.



Waypoint 3. Lot 12, beach foreshore, logline at high tideline, sea wall at HWM, and cabin on toe of escarpment slope.





Waypoint 4. Recent sea wall repair, Lot 13.



Waypoint 6. Concrete retaining wall supporting cutslope, Lot 14.



Waypoint 13. Marine cut scarp composed of over-consolidated lodgment till, Lot 3/4, standing at 150% slope.



Waypoint 15. Jumbled concrete foundation piers and chimney brick on beach at base of slope, Lot 3/4.

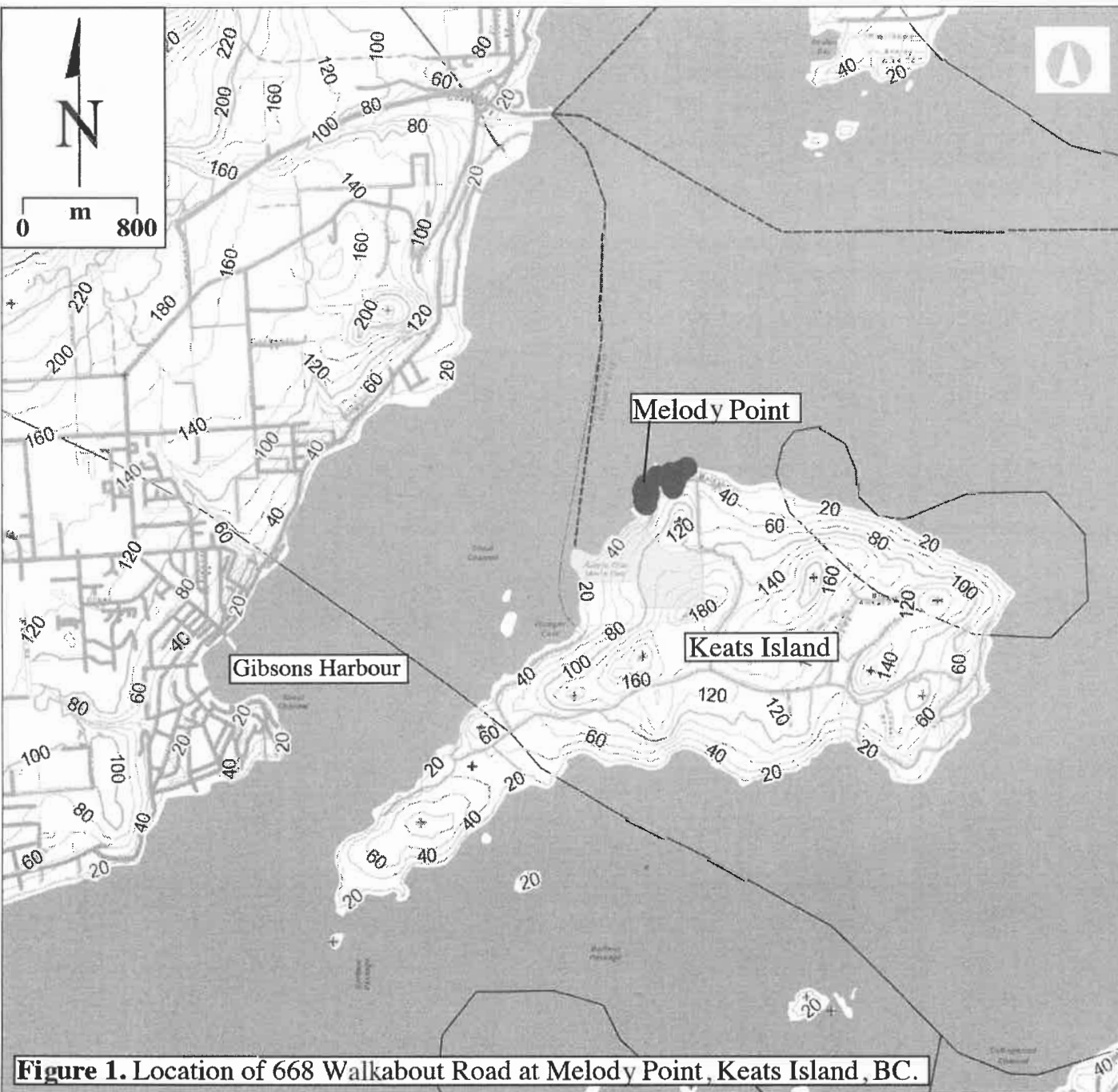


Figure 1. Location of 668 Walkabout Road at Melody Point, Keats Island, BC.



iMapBC Mapping

Legend

Elevation - Points (1:20,000)

FCODE

Spot Height

Mountain Peak

Transportation - Roads, Rail
(1:20,000)

FCODE

Airfield

Airport

Airstrip

Airport Abandoned

Ferry Route

Road

Road (Gravel Undivided) - 1 Lr

Road (Gravel Undivided) - 2 Lr

0 0.81 1.63 km

1:40,000

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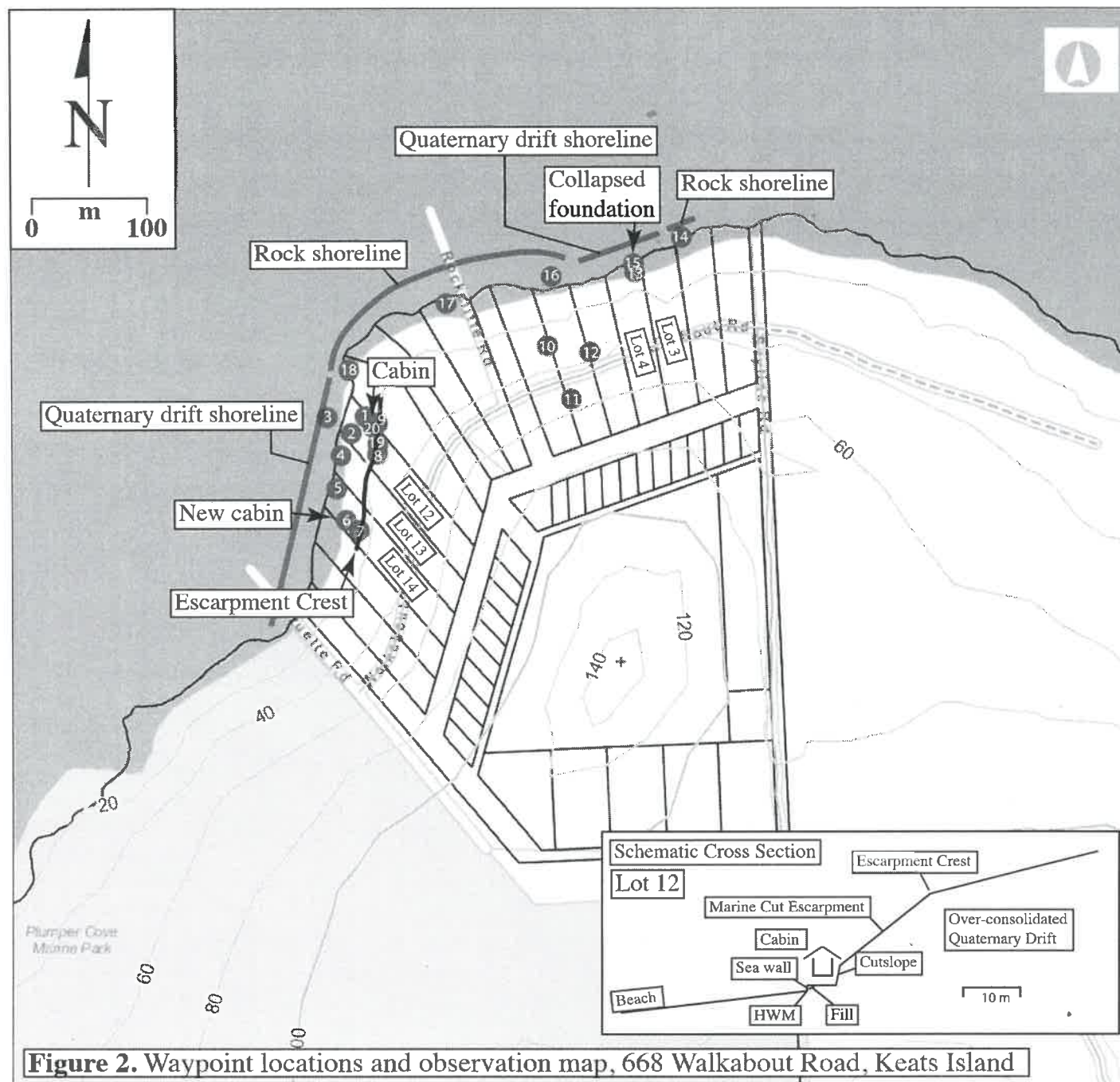
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Datum: NAD83

Projection: NAD_1983_BC_Environment_Albers

Key Map of British Columbia





iMapBC Mapping

Legend

Elevation - Points (1:20,000)

FCODE

+ Spot Height

• Mountain Peak

Transportation - Roads, Rail (1:20,000)

FCODE

--- Airfield

--- Airport

--- Airstrip

--- Airport Abandoned

--- Ferry Route

--- Road

--- Road (Gravel Undivided) - 1 Lar

--- Road (Gravel Undivided) - 2 Lar

0 0.10 0.20 km

1: 5,000

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Datum: NAD83

Projection: NAD_1983_BC_Environment_Albers

Key Map of British Columbia



ATTACHMENT 4. PUBLIC CORRESPONDENCE PACKAGE

Please see attached letter requiring the attention of our fellow neighbours on Keats. Any and all feedback is appreciated and I look forward to seeing you all in the very near future. Regards, Yari

Yari Nieken, MBA, CIM
Foremost Capital Inc.

Hi Neighbor!

I'd be supportive of grandfathering in your current structure.

Should I sign and return?

Now that there's more activity would love to see if we can somehow solve the boat transport problem -we don't own a boat and the regular ferry goes to Keats Point or Eastbourn which is a hike away. Maybe we can have a melody point shared boat eventually!

Anyways, hope to meet you at your new home one day!

Sincerely,
Wilson Tang

Hi Yari,

I'd like to chat with you about your project. We're looking to do something similar on Lot 15 (but for our secondary cabin). I've done Geotech and am meeting a structural engineer in a couple of weeks (as we need to build a big wall). I'm hoping to have all work done this winter as well. There is likely some decent savings on logistics if we use some of the same trades (and we can leave our main cabin as a sleeping cabin for the trades if needed).

Let me know a good time to chat.

I'd also like to get your feedback on Ajia Homes.

Chat soon,

JEREMY MILLER | Principal

I support your application to the Islands Trust referenced in the attached letter and drawings.

Graeme Matthews

ATTACHMENT 4. PUBLIC CORRESPONDENCE PACKAGE

Hello David and Yari,

This is Glen from Lot 4. I met you both at our latest AGM.

I'm currently building on Lot 3 and Lot 4 on MP and Lot 7 on Cotton Point... and I appreciate the struggles with IT policies. I do agree that the main cottage should be set back 7.5 m from the PNB. I'm very familiar with your property having been on MP for 26 years and also my friend and your new neighbours Martin and Trudy almost bought that lot.

In your case, so long as your immediate adjacent neighbours don't have a problem with building within

xs://mail.google.com/mail/u/0?ik=541ca394b9&view=pt&search=...msg-f%3A1603823301852827919&simpl=msg-f%3A1607902559112007516 Page 4 of

ail - Letter from Yari Nieken and David Gree...way re Keats

2018-08-27, 12:02

the waterfront setback, I would support your application.

That is, for sure, a challenging building site.

My friends on Cotton Point are using Ajia and are very happy with them. It's a good thing you are avoiding the local island trades. As far as concrete footings and retaining walls... I would recommend Nick at Gibsons Readymix. I had a very bad and very expensive experience with Ross concrete and would advise you stay clear of them. With a new building... you will probably need a septic upgrade. On that site, it could be challenging. Bert Telder is the go-to guy and he can probably save you alot of \$\$ devising a system for that site, hopefully avoiding pumping effluent way up the hill. I bought all my new septic supplies at Canwest for \$8,000 and installed it myself on Lot 4. Again... stay away from the island locals. Bert is a qualified engineer on the Sunshine Coast and will advise you accordingly. The application is about \$3K.

Anyway... I can advise you on building on Keats Island building if you have any questions.

I'm using LifeTec for two cottages. It is about \$24 per sqft for all the framing above the platform. It's light, strong, zero waste and takes one week to install. Keep an eye on Lot 4 over the next few weeks and watch that system go up.

Here is a link... <http://www.lifetecgroup.ca/> It's pretty cool!

Good luck on your application,

best,

Glen

Glen McMillan

Hi Yari,

attached is a scan of our approval.

next time we are both up at Keats, we should share our experience with obtaining a variance from the Islands Trust with you guys.

good luck, sam...

ATTACHMENT 4. PUBLIC CORRESPONDENCE PACKAGE

Hi Yari,

Thanks for all of this.

I know you required a retaining wall. How far behind the building will that be. From what I can see, the building is already at the set back on the north east corner.

Best regards

Martin

Hello Yari and David,

Please find attached a scan of our approval signatures. We really liked your architectural drawings. We look forward to a happy hour on your deck one day. Good luck with approvals!

Regards,

Tim, Kristina, Jon and Andrea

Dear Yari,

There is only one registered owner of lot 15, which is me. Do you want to send a revised list of owners or should I just draw a line through the others mentioned for lot 15? I don't have the ability to sign on line so I guess the best bet is to print the letter, sign it, try to scan it and send it back. I'll give it my best shot.

Good luck with your application. As I think our son Jeremy mentioned to you we are also planning to build a small secondary cabin and there may be some saving involved if we worked together with some of the necessary pre construction requirements like the retaining walls.

I look forward to meeting you soon, We hope to be up the second week of July.

Yours,

Marilyn Miller

In general I do not object to a redevelopment on your property that puts the front of the new place at the same position as the existing dwelling. However I do not know enough about your plans and have seen too many cases of redevelopments getting approved only to be contentious when it is too late to turn back.

To start with please let me know the plans for:

1. Excavation/final grading/location of retaining walls on the hillside and elevation of the main floor of the proposed house
2. Since the property line is so skewed the rear of your proposed excavation/structure will be well below the existing slope on our property. How do you propose to manage that?
3. How do you plan to do the excavation? where is all the dirt going?
4. What is the plan for additional tree removal?
5. What is the plan for water supply as the excavation will remove the existing water to our cabin.

I will be there this weekend, if you are around I would like to discuss it.

Regards

Steve Noble

From: Martin Spring [REDACTED]
Sent: Saturday, November 24, 2018 3:27 PM
To: Sonja Zupanec <szupanec@islandstrust.bc.ca>
Subject: Melody Point , Keats Island Development Variance Permit application GM-DVP 2018.1

Good day,

We are property owners (lot 11) adjacent to the north of this subject property (lot 10).

Please note that Schedule "A1" Site plan, incorrectly show the property line between these two lots.

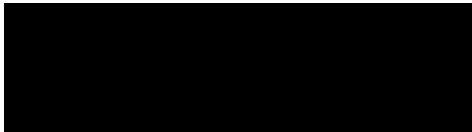
Compare the lot line on the right hand side of the site plan against the actual lot line shown on bottom of page one, of the notice. As well, you may compare to the attached copy of a recent survey of this subject property that was provided to me last spring by the owner. The two lot lines should be nearly parallel to each other.

Please have the applicant correct this error so that we may properly consider this application.

We look forward to your further advice on this application.

Best regards

Martin Spring
Owner Lot 11 of Lot X District Lot 1468 Plan 8397



From: Martin Spring [REDACTED]
Sent: Monday, November 26, 2018 10:48 AM
To: Sonja Zupanec <szupanec@islandstrust.bc.ca>
Subject: FW: Keats Variance Submission - 668 Walkabout Rd

Good morning Sonya

Thanks for your prompt action on this.

We do have a good relationship with both Yari and David. However, I believe on this issue it is best present our concerns directly to you so that they are dealt with orderly and properly and that the good neighbour relationship will remain intact.

The building site plan meets the minimum set back on the north west corner. There will be a considerable excavation along the property line as deep as ten feet I estimate. There is no proposed retaining along this line only at the back (east side) of the building. I assume that there would be a retaining wall but would like that confirmed and see that plan. I would also like it confirmed that the retaining wall could be constructed without disturbing our property.

I hope this can be cleared up prior to the meeting on Dec 13th

Best regards

Martin

**PRIVATE MOORAGE MANAGEMENT PLAN
METRO VANCOUVER REGIONAL DISTRICT**

**ELECTORAL AREA 'F'
WEST HOWE SOUND
KEATS ISLAND,**

668 Walkabout Road
VON 1V1

Date: 2018-10-11

BALANCED File: 5846

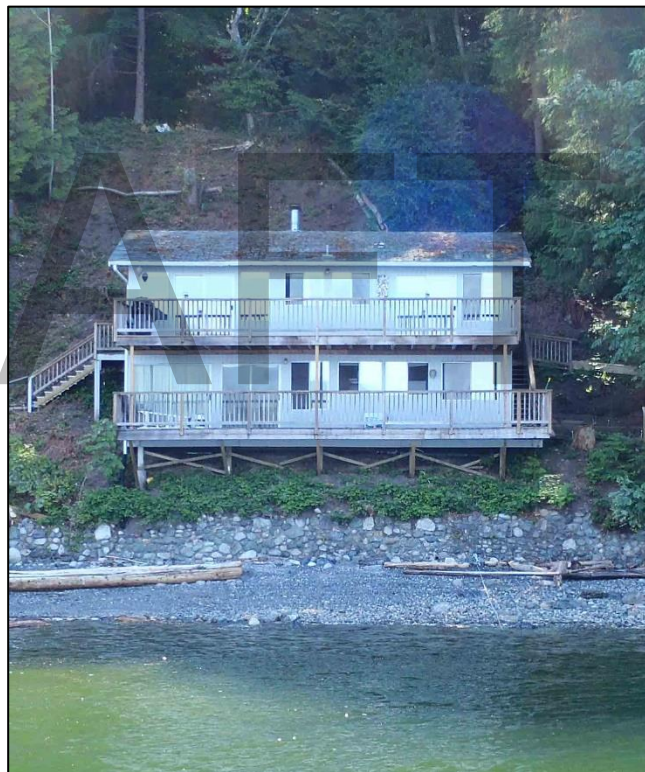
PREPARED FOR:

David Greenway
North Vancouver, B.C.

PREPARED BY:

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ABOUT THIS REPORT

SUMMARY OF SCOPE

Balanced Environmental Services Inc. (Balanced) has been retained by David Greenway (Proponent) to create a Private Moorage Management Plan as part of an application for a Crown Land Specific Permission for Residential Private Moorage at 668 Walkabout Road on Keats Island in Howe Sound, British Columbia. The scope of work includes the completion of the following:

- a crown land application form;
- site plan drawings as required for private moorage applications in marine waters;
- aquatic environmental effects determination and management plan;
- photographs of the site.

CLARIFICATIONS REGARDING SERVICES/FINDINGS

This report has been prepared by Balanced Environmental Services Inc. (Balanced) in accordance with generally accepted Qualified Environmental Professional (QEP) practices and is intended for the exclusive use of the Proponent. The contents, implied or written, of this document and related media may not be utilized in part or in whole by parties other than the Proponent without the signed written authorization of Balanced.

The information contained within this report reflects Balanced's best judgment in light of the information available to it at the time of preparation and has been developed in a manner consistent with that level of care and standard normally exercised by QEPs currently practicing under similar conditions and is accurate and complete to the best of Balanced's knowledge.

SIGNATURES:

Reviewed by



Scott Christie, R.P.Bio
Senior Biologist

Author



Greg McCullagh (MSc) BIT
Project Biologist

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PRIVATE MOORAGE MANAGEMENT PLAN 668 WALKABOUT ROAD, V0N 1V1 KEATS ISLAND, HOWE SOUND, B.C.

SECTION 1 – PROJECT OVERVIEW

1.1 PROJECT AND PURPOSE

The project involves an application for a Crown Land Specific Permission for a private moorage facility along the waterfront of the Proponent's property located at 668 Walkabout Road on Keats Island in Howe Sound, British Columbia.

1.2 LOCATION, SIZE, AND MAIN FEATURES OF THE PROJECT

- Description of Land:
 - PID: 010-090-266
 - Lot 12 of Block X
 - District lot 1468
 - Plan 8397
 - Sunshine Coast Regional District

The proposed water lot boundary and infrastructure are located along the western shoreline of the property. Work will involve installation of a fixed aluminum approach, gangway and a float held in place using anchors and lines.

1.3 ACCESS PLANS

The proposed near shore improvements are located within Howe Sound on an exposed shoreline and not located within any vessel channels. Vessel traffic will not be affected by the proposed structures.

1.4 CONSTRUCTION SCHEDULE

The construction schedule will be determined once a decision on the application has been made and could occur as early as April 2019.

SECTION 2 – PROJECT DETAILS

2.1 DESCRIPTION OF EXISTING STRUCTURES

An existing boulder and cobble embedded concrete retaining seawall (1.5m height x 18.6m length) runs along the property's high-water line, see Photo 1 & 2 in Drawing 5846-D-10.3 Section View. A set of concrete stairs are located on each end of the retaining seawall that enable beach access from the waterfront house.

2.2 SIZE AND DIMENSIONS OF PROPOSED IMPROVEMENTS

In order to reach navigable waters, the proposed private moorage facility will be made up of the following components:

- approachway - 40m x 1.4m aluminum truss;
- gangway - 15.2m x 1.4m aluminum truss; and,
- float - 30m x 3.0m treated timber.

The open truss and grate approachway will be supported on three pairs of 0.305m diameter steel piles driven into the seabed. The open truss and grate gangway will be hinged to the approachway and supported midspan with two 0.305m diameter steel piles driven into the seabed. A counterweighted pulley system will allow the gangway to be raised up during periods of rough seas. The float will be constructed of treated materials approved for use in the marine environment. Floatation will be provided by plastic compartments. The float will be secured in place using anchor chains and ropes connected to concrete anchors placed at the sea bed, see Drawings 5846-D-10.2 Plan View and 5846-D-10.3 Section View in Appendix 1.

2.3 DISTANCES FROM ADJACENT PROPERTY LINES

The proposed water lot lease boundaries are located within the boundaries of the property lines projected 90 degrees from the shore, see Drawing 5846-D-10.2 Plan View in Appendix 1. The offshore end of the proposed float and water lot lease boundary are 63m and 80m, respectively, from the shore line.

2.4 DOCKS LOCATED WITHIN 25 METRES OF THE SITE PLAN

There are no fixed docks, floats or moorage facilities within 60 metres of the proposed water lot lease boundary. The closest fixed moorage facility is approximately 60 metres to the north of the proposed water lot lease boundary and the next closest fixed moorage facility is located approximately 70 metres to the south of the subject. A timber float, approximately 9m x 4m, is moored 10 metres to the south of the proposed moorage facility gangway, see Drawing 5846-D-10.2 Plan View.

2.5 MAINTENANCE OF PUBLIC ACCESS ALONG THE BEACH

The site is located to the north of Plumper Cove Marine Park and does not have any known public accessibility to the waterfront areas within or surrounding this property. Sand, pebble, cobble and the occasional boulders occupy the upper intertidal and immediate riparian areas resulting in the proposed moorage facility approach walkway being accessible by the public at lower tidal exchanges. The approach walkway will be constructed 1.5m above the high water line (6.5m CD), thus allowing free access along the foreshore beneath the structure. The structures will not restrict public access along the foreshore.

2.6 TYPE OF USE

The proposed moorage facility is for the private use of the upland resident/proponent. The number of boats expected to utilize the facility will vary between one and two. The peak activity window will be during the summer months, but moorage will be required throughout the entire year.

SECTION 3 – POTENTIAL PROJECT IMPACTS

3.1 UPLAND

The near shore upland area is developed with a concrete/rock retaining seawall and private residential dwelling (see section 2.1 above). A wooden deck is located above the retaining wall and all existing structures are located at or above high water, see Photo 1 & 2 in Drawing 5846-D-10.3 Section View in Appendix 1. The existing infrastructure will be utilized to secure the shoreward end of the approach walkway and therefore no project related impacts to upland areas are anticipated. The proposed moorage infrastructure will not extend beyond the natural boundary onto the upland.

3.2 ATMOSPHERIC

Fuel emissions from vessels utilizing the proposed float will be minimal and are not expected to be any greater than, or contribute significantly to, existing impacts caused by:

- vessels travelling or temporarily mooring along the shoreline;
- landscaping tools including lawn mowers, blowers, trimmers, chainsaws and generators; and,
- motorized vehicles used to access the project site, adjacent properties or travelling along Walkabout Road, Keats Island.

3.3 MARINE

Works in and around marine waters have the potential to harm fish and fish habitat. The following project components have the potential to impact the marine environment:

- anchors can crush marine life or change substrate function;
- anchor lines can drag across the seabed causing mechanical damage to marine life and habitat;
- floats, gangways and trestles can cause shading impacts to light sensitive species and limit public access to foreshore areas;
- piles can cause physical damage to the seabed and change local hydraulic conditions,
- driving of piles can create pressure waves harmful to fish; and,
- operation of the proposed moorage facility creates the potential for impacts to water quality as a result of fuel spills and anthropogenic materials entering the marine environment and physical impacts to the seabed by propeller wash.

SECTION 4 – BIOPHYSICAL ASSESSMENT

4.1 METHODOLOGY

On June 19th, 2018, a Balanced SCUBA equipped Qualified Environmental Professional (QEP) and WCB accredited dive team conducted an above and below-water biophysical survey of the intertidal and subtidal zones within the proposed water lot and adjacent areas. A hydrographic survey was also performed at that time.

The hydrographic survey was conducted using depth soundings from a 6.7 metre long aluminum vessel and from physical depth measurements recorded by divers along transects that ran perpendicular to the shoreline, see Drawings 5846-D-01.1 Substrate Conditions or 5846-D-02.1 Biological Conditions in Appendix 1. All elevations were corrected to metres Chart Datum (m CD) using actual tides recorded by the Canadian Hydrographic Point Atkinson tide station.

The biophysical survey consisted of recording detailed observations and photographs along two underwater 2m wide belt transects. The transect lines (zero metre mark) were secured onshore near the high water line at approximately +3.5m CD. The two transects were extended 80m perpendicular offshore and reached depths ranging between -10.0m CD and -12.0m CD.

A reconnaissance diving survey was conducted throughout the proposed water lot and adjacent areas to collect general biophysical information and confirm that the transects were representative of the site's biophysical conditions.

Representative still photographs were recorded with substrate conditions identified on the basis of the following guidelines (Table 1; Fisheries and Oceans Canada, 1990), which is similar to the Wentworth grain size classification:

Table 1. Substrate Type and Size Criteria.

Substrate Type	Diameter (mm)
mud	<0.0625
sand	0.0625 to <2
pebble	2 to <64
cobble	64 to <255
boulders	>255
rip rap (angular rock)	>255

Additional substrate conditions noted during the survey included any significant build-up of shell hash, woody debris and/or anthropogenic materials. For purposes of clarity substrate "tags" on the drawings are limited to positions along either side of the transect lines. Unless noted, the tags shown along the transects are assumed to be contiguous with those of the next adjacent transect.

Species and biota classifications chosen for surveying and mapping purposes were selected by the QEP, at the time of the survey, that best represented the environmental and habitat conditions. A list of species observed is provided in Table 3 in Appendix 2. Abundance levels of selected biota were based on the following criteria (Table 2):

Table 2. Biota Abundance Categories.

Abundance		
Amount	% Areal Coverage	Individuals Along Transect
Rare	<5%	1
Sparse	5% to 25%	2 to 5
Few	26% to 50%	6 to 10
Common	51% to 75%	11 to 30
Abundant	>75%	>30

4.2 GENERAL CONDITIONS

The above water conditions consist of a gentle sloping shoreline (approximately 1 Vertical : 10 Horizontal) comprised with pebble, cobble, boulder and sand substrate. A cobble and boulder embedded concrete retaining seawall runs along the property's high water line (1.5m height x 18.6m length) with trees and shrub growth above the retaining seawall, see Photo 1 & 2 in Drawing 5846-D-10.3 Section View in Appendix 1.

4.2 SUBSTRATE CONDITIONS (see Drawing 5846-D-01.1)

A general overview of the substrate distribution relative to elevation is provided below:

<u>Elevation (m)</u>	<u>Slope (h:v)</u>	<u>Substrate Type</u>
+3.0 to -1.7	1.0 : 10.0	pebble, cobble, sand, boulder;
-1.0 to -6.5	1.0 : 7.0	sand, mud, pebble, shell hash;
-6.5 to -12.0	1.0 : 4.0	mud, sand, pebble.

4.4 BIOLOGICAL CONDITIONS (see Drawing 5846-D-02.1 and Table 3)

Acorn barnacles (5% to 50% coverage) were the dominant species observed throughout the intertidal zone (3.0m to 0.2m CD). A swath (0.5m) of sea lettuce (10% coverage) was also found in the intertidal zone between 0.5m and 0.1m CD. Laminarian kelp, sargassum, red and filamentous algae were surveyed between 0.2m and -3.0m CD as well as a sparsely distributed patch of eel grass (-0.9m and -2.0m CD; approximately 2-4 shoots/m²). Ochre, leather, mottled and vermilion sea stars and red rock crabs were randomly located throughout the lower intertidal and subtidal zones. Horse clams and scalyhead sculpins were found between -2.8m and -4.7m CD and giant sea cucumbers, feather stars and starry flounders were observed at depths beyond -4.5m CD, see Table 3. Observed Biota, Abundances, and Elevation Ranges in Appendix 2.

As the substrate shifted to a primarily mud and sand-based subtidal habitat, the abundance and diversity of organisms decreased to rare observations of sea stars, sea cucumbers, red rock crabs and starry flounders were surveyed.

4.5 SUMMARY

The substrate and biota conditions observed at 668 Walkabout Rd. on the western shoreline of Keats Island are typical of habitats found within lower energy foreshore habitats of Howe Sound. The highest levels and diversity of biota were observed within the intertidal zone amongst the stable rock substrates and within the initial few metres of the substrate transition zone (shallow subtidal).

4.6 REFERENCES

Fisheries and Oceans Canada. 1990. Coastal/Estuarine Fish Habitat Description and Assessment Manual. Habitat Description Procedures, Part II. Vancouver, BC. 61p.

Wentworth, C.K. 1922. A Scale of Grade and Class Terms for Clastic Sediments. The Journal of Geology 30(5):377-392.

SECTION 5 – PROJECT IMPACT MITIGATION

5.1 DESIGN MEASURES TO REDUCE IMPACTS

The proposed moorage facility has been designed to minimize impacts to fish and fish habitat including destruction of riparian vegetation, shading, loss of water column, propeller wash from boats, and permanent loss of intertidal or subtidal surface area. The mitigating design features include:

Float and Boats

- positioned in greater than 2m water depth at all tides to reduce shading impacts and prevent propeller wash damage to the seabed;
- minimum size that provides safe moorage for intended uses; and,
- located to avoid impacts to macro algae or eel grass.

Gangway and Approach

- connected to existing shore structures to avoid disturbance of backshore upland and/or riparian vegetation;
- dimensions have been minimized while still maintaining safe pedestrian use to reduce shading impacts;
- use of grating and open trusses allows light penetration through the structure reducing shading impacts;
- elevated 1.5m above the high water line allows passage under the structures;
- structures run perpendicular to shore minimizing overall length and shading footprint; and,
- support for approach and gangway is shared between two driven steel piles to minimize seabed footprint.

Anchors and Anchor Lines

- offshore anchors constructed of precast concrete to provide surfaces suitable for colonization by marine invertebrates and algae;
- inshore anchors are to be buried to maintain beach function;
- minimum anchor size required to hold the floats in place without dragging; and,
- anchor ropes or chains tensioned to minimize contact with the seabed.

5.2 CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs)

During the work a variety of equipment and procedures will be employed to avoid impacts to fish and fish habitat. These BMPs include:

- anchors will be placed to avoid aggregations of marine macro-organisms (barnacles, bivalves, algae etc) to the extent practicable;
- anchors shall be lowered into position on the seabed and not dragged into position;
- precautions will be taken to ensure the seabed is not disturbed by the operation of vessels or barges during the construction phase of the project;

- in-water works have been minimized and are limited to the placement of precast concrete anchors;
- where tides permit, works will be carried out in the dry;
- no fueling of equipment will take place over water;
- no uncured concrete will be allowed to come into contact with marine waters;
- all petroleum products will be contained and handled in a manner that prevents their release into the aquatic environment;
- a stocked spill kit will be on hand whenever heavy machinery such as cranes, used for lifting or pile driving are used. Heavy equipment will be inspected prior to use for any leaks or damaged hoses or fittings. Damaged equipment will not be used;
- any water-based equipment or machinery (for example, pile driver on a barge) moored or used during the project must not ground on the intertidal foreshore or subtidal seabed. The only exception to this condition is that use may be made of vertical spuds or other anchors to hold the water-based machinery or equipment in place;
- work in least risk timing windows for fish and employ silt or bubble curtains to prevent harm to fish or fish habitat;
- environmental monitoring of pressure waves is not required if appropriate vibratory hammer equipment is employed;
- if pile driving results in pressure waves above 30 kpa bubble curtains or other mitigation measures be employed to reduce or pressure wave values or maintain marine life at a distance where pressure waves do not exceed 30 kpa.
- best management practices are guidelines only and additional measures may be required at time of construction;
- all permits, authorizations, laws and regulations take precedence over this document.

5.3 SPECIES AT RISK

The federal *Species at Risk Act* (SARA), the federal *Migratory Birds Convention Act*, and the provincial *Wildlife Act* all apply to the Project and the Project site. These Acts provide for the protection, and management, of species of conservation concern (SOCC), including SARA schedule 1 species designated as endangered or threatened, and Wildlife Act BC List red and blue listed species.

The Acts include management requirements, and specific prohibitions, including prohibitions against disturbing individual animals, disturbing their residences (including bird nests and nest trees), and disturbing critical habitat.

The Proponent and their project team, including project environmental monitors, are aware of the provisions and prohibitions in place for the protection of species of concern. Project construction activities will adhere to the measures laid out in the EMP.

Balanced relied on the BC Species and Ecosystems Explorer internet site for the identification of SOCC relevant to the Project. The Explorer includes species information from the Acts referred above, and allows for species searches by geo-political area, and by habitat types. Some species of concern have been recorded within Howe Sound (i.e., the general vicinity of the project site), or have the potential to reside there, including marine mammals, fish, and migratory birds. However, it is unlikely that project construction activities will have any adverse effect on any species of concern.

Project construction activities in-water are limited to anchor placement and driving piles and therefore limited in physical extent and duration.

The various marine mammal species found in Howe Sound are typically found in open water, in waters much deeper than the project footprint. There are no apparent records of any marine mammal species of concern within the proposed water lot. No marine mammals of concern were observed during the onsite biophysical survey. It is unlikely that any marine mammal species of concern will be at the site or in the vicinity of the site during project construction activities.

Some bird species of concern have been recorded within Howe Sound, including Pacific Great Blue Heron (PGBH) and Marbled Murrelet. However, there are no apparent records of any nests or nesting trees of species of concern in the vicinity of the project site. Marbled Murrelet is typically found on open water, and is unlikely to be found in the vicinity of the project site. PGBH is known to frequent the shores of Howe Sound and the vicinity of the project site, foraging along the shore. However, PGBH is an opportunistic forager, not dependant on any one type of food source, or foraging site. It is unlikely the PGBH will choose to forage at the project site, or in the immediate vicinity, during project construction activities. In any case, measures will be taken to prevent any disturbance of any bird species of concern due to project construction activities.

Given their respective habitat requirements and preferences, it is unlikely that any fish species of concern, including Northern Abalone, will be found in the vicinity of the project site.

An environmental monitor (EM) will be onsite whenever there is the potential for a project-related significant adverse environmental effect. The EM will advise workers involved in project construction activities of the measures for the protection of species of concern, and will engage workers in monitoring the presence of species of concern during construction activities. In the event species at risk or mammals of significance approach the site all work will stop until the animals leave the area. A record of the encounter will be recorded.

5.4. SOCIO-COMMUNITY

The site is located to the north of Plumper Cove Marine Park but not located adjacent to any dedicated public beach access. The fixed approach will be constructed high enough above the high water line to avoid impacting public access along the foreshore. All structures will be located more than five metres away from property lines projected 90 degrees to the shore to minimize impacts to neighbours.

The project is not expected to affect or influence existing community land uses, services, infrastructure or public health.

5.5 FIRST NATIONS

First Nations consultation will occur through the referral stage of the Crown Land application process. The project is not expected to negatively affect First Nations interests. No contact regarding this project has been made with First Nations at this stage.

SECTION 6 ENVIRONMENTAL IMPACT STATEMENT/CONCLUSIONS

If the identified BMPs and mitigation measures included in this management plan are applied, the proposed project works are not expected to result in significant temporary or permanent harm to fish or fish habitat. Qualified Environment Professional (QEP) advice is:

- *The proposed structures will not cause serious harm to fish, and need not be submitted for Fisheries and Oceans review in relation to the Fisheries Act.*
- *The proposed structures are unlikely to have any adverse effect on any species of conservation concern.*

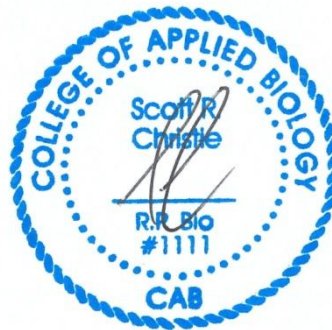
SECTION 7 SIGNATURE

This report has been duly prepared by qualified environmental professionals with knowledge and experience in performing marine aquatic effects determinations. The information presented in this report is accurate and complete to the best of Balanced's knowledge. This assessment does not alleviate the Proponent from their obligation to comply with the requirements of the *Fisheries Act* or any other municipal, provincial, or federal rules or regulations.

Balanced Environmental Services Inc.



Scott Christie, R.P.Bio
Senior Biologist



Original Signed and Sealed

APPENDIX 1
PROJECT DRAWINGS

DRAFT



Photo 1. Property shoreline consisting of pebble, cobble and boulder sized substrate. View looking south.



Photo 2. Property retaining wall and shoreline. View looking north.

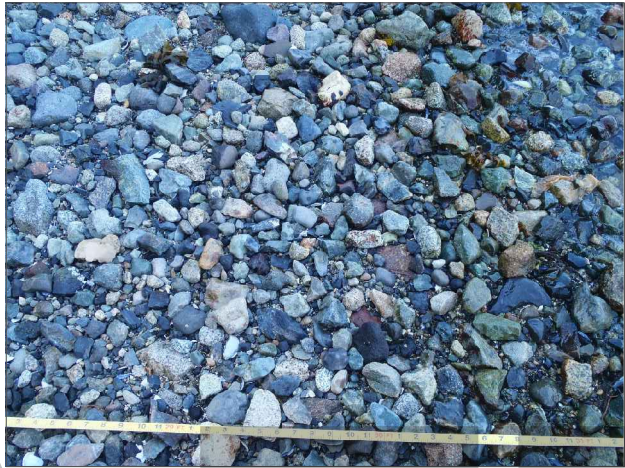


Photo 3. Pebble substrate found along the shoreline in the upper intertidal zone.



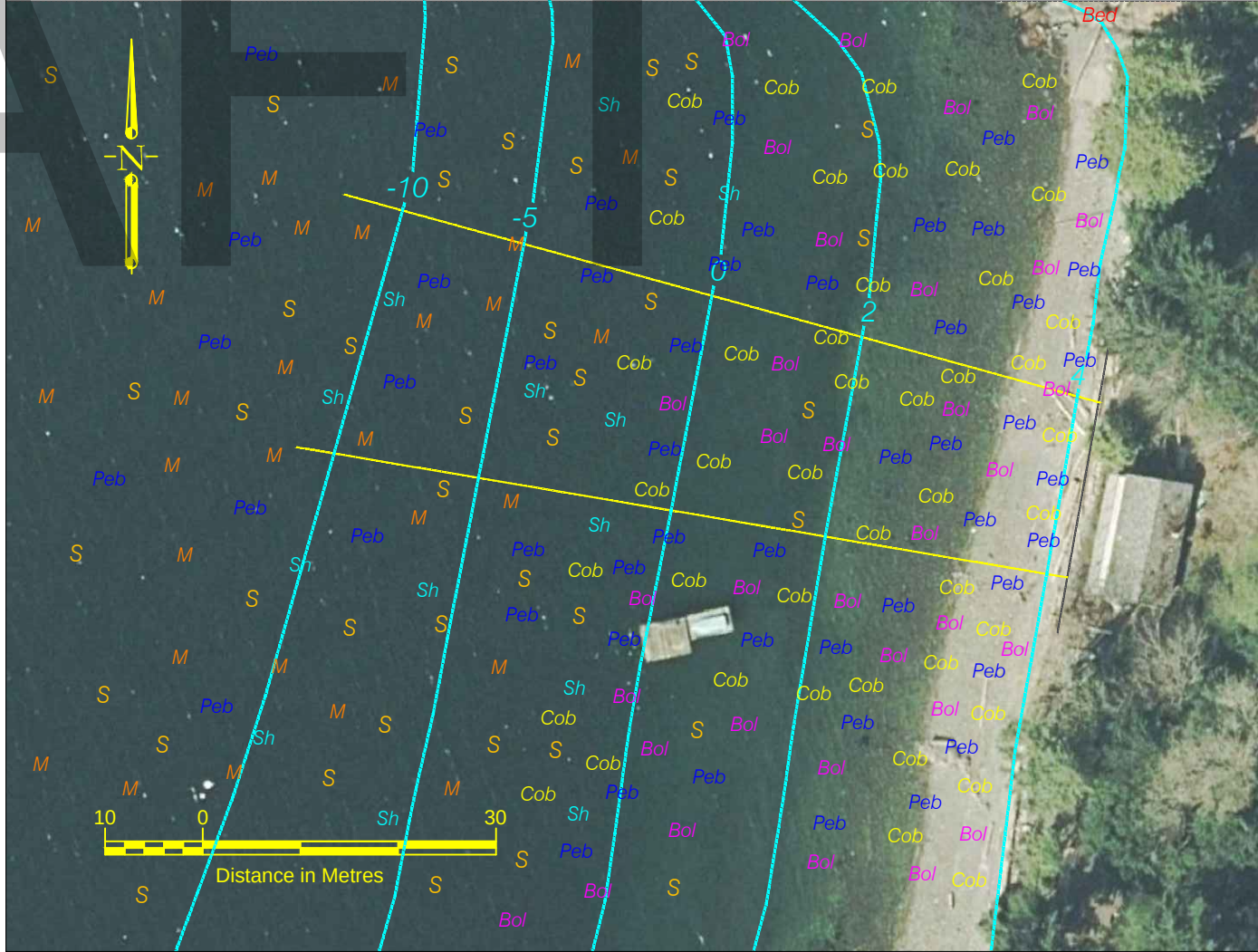
Photo 4. Substrate transition zone from boulder and cobbles to sand and mud at approximately -1.5m CD.



Photo 5. Typical sand and mud substrate found into elevation depths beyond -3.0m CD.



Photo 6. Sand and mud substrate at -6.0m CD.



DRAWING NOTES

- Transect location positions are approximated and based on local geographical features.
- Biophysical survey was conducted on June 19, 2018.
- All elevations are in metres and related to Canadian Hydrographic Service Chart Datum and taken from identified reference drawings listed.
- The information, including bathymetric and survey data, presented on the drawings may vary from current conditions due to the passage of time or seasonal changes in substrate and biota.
- Substrate and biota are mapped on the basis of "presence" (not density), however, the number of tags/symbols present in a given area can provide, in relative terms, an indication of abundance and uniformity. Where tags/symbols are grouped together in an area, the tagged substrate or biota can be assumed to be contiguous.

LEGEND

- Contours in Metres Chart Datum
- Transect Locations
- Retaining Seawall

SUBSTRATE KEY

- Bed Bedrock
- Bol Boulders (>255mmØ)
- Cob Cobble (64mm to 255mmØ)
- Peb Pebble (2mm to 64mmØ)
- S Sand (0.0625mm to 2mmØ)
- M Mud (<0.0625mmØ)
- Sh Shell Hash

		Client:	This document contains restricted and/or privileged information and has been prepared solely for use by the party with whom Balanced Environmental Services Inc. has entered into a contract. This document is to be used only for the purpose to which it refers and none of the information in this document may be used, reproduced or transmitted, in any form or by any means, electronic or mechanical, without written permission of Balanced Environmental Services Inc.	Author:	Checked by	PROJECT
		Greenway Property		BALANCED ENVIRONMENTAL	SC	Proposed Structures and Waterlot for Private Moorage Application at 668 Walkabout Road, Keats Island, British Columbia, V0N 1V1
		668 Walkabout Road		120 GARDEN AVE, NORTH VANCOUVER	Drawn by	
		Keats Island, British Columbia		BRITISH COLUMBIA, V7P 3H2	GM	
		V0N 1V1		T: 604.988.3033 F: 604.983.3454 W: WWW.BALANCED.CA	Date	
					October 3, 2018	
					Scale	
					See Barscale	
					Inspectors	
					GM, LG	
					Paper	
					11 x 17	
Ref. No.	REFERENCE					DWG. No. 5846-D-01.1 Substrate Conditions



Photo 1. Barnacles attached to cobble and boulder sized substrate in the lower intertidal zone.



Photo 2. Eel grass found at approximately -1.5m CD on the northern transect.



Photo 3. Mottled sea star on laminarian kelp.



Photo 4. Giant sea cucumber found at depths beyond -4.5m CD.



Photo 5. Feather star amongst mud and pebble substrate at -9.0m CD.

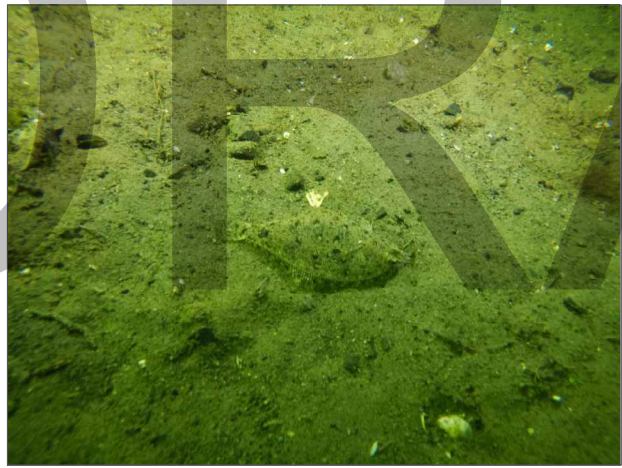
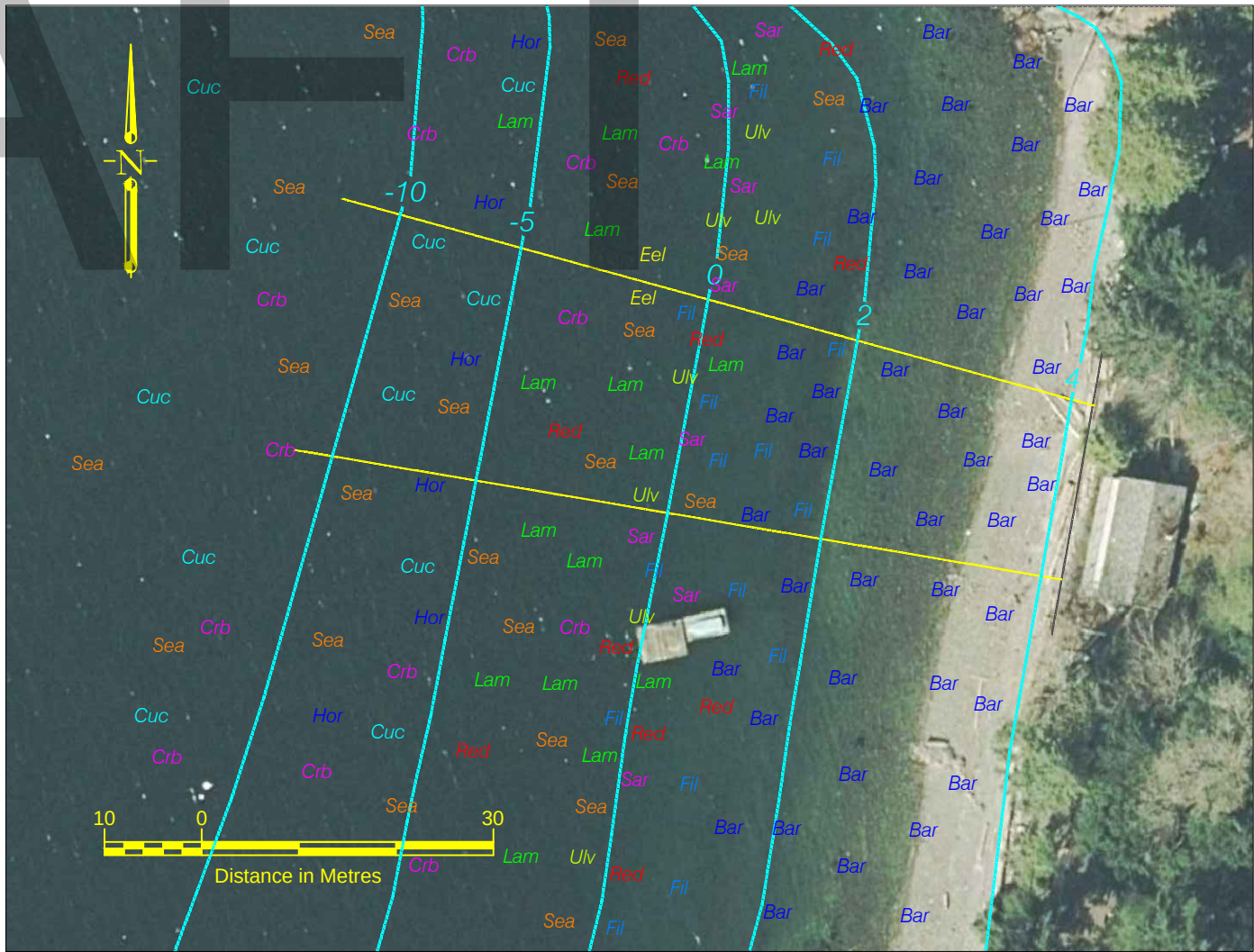


Photo 6. Cryptic starry flounder amongst mud and sand substrates.



DRAWING NOTES

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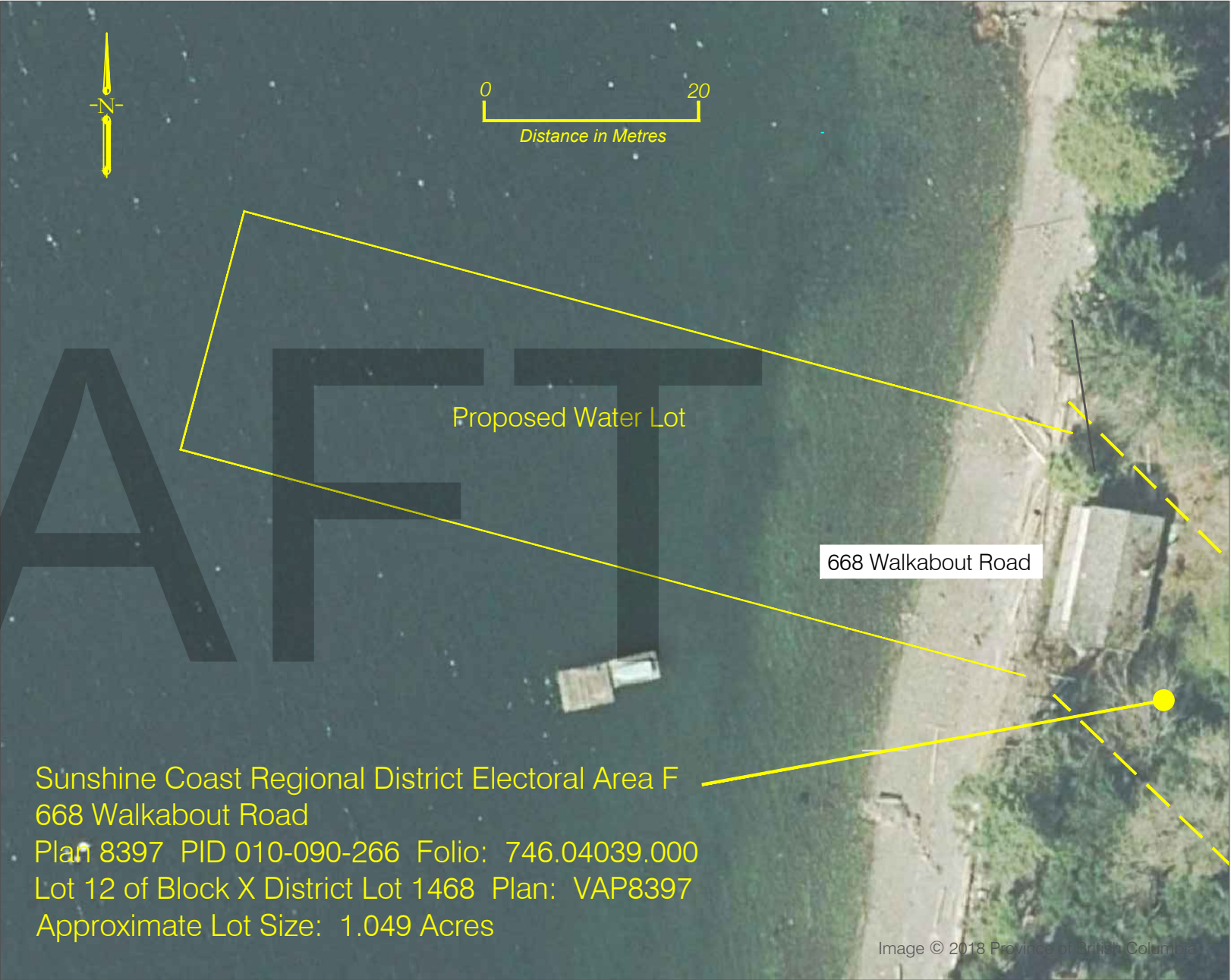
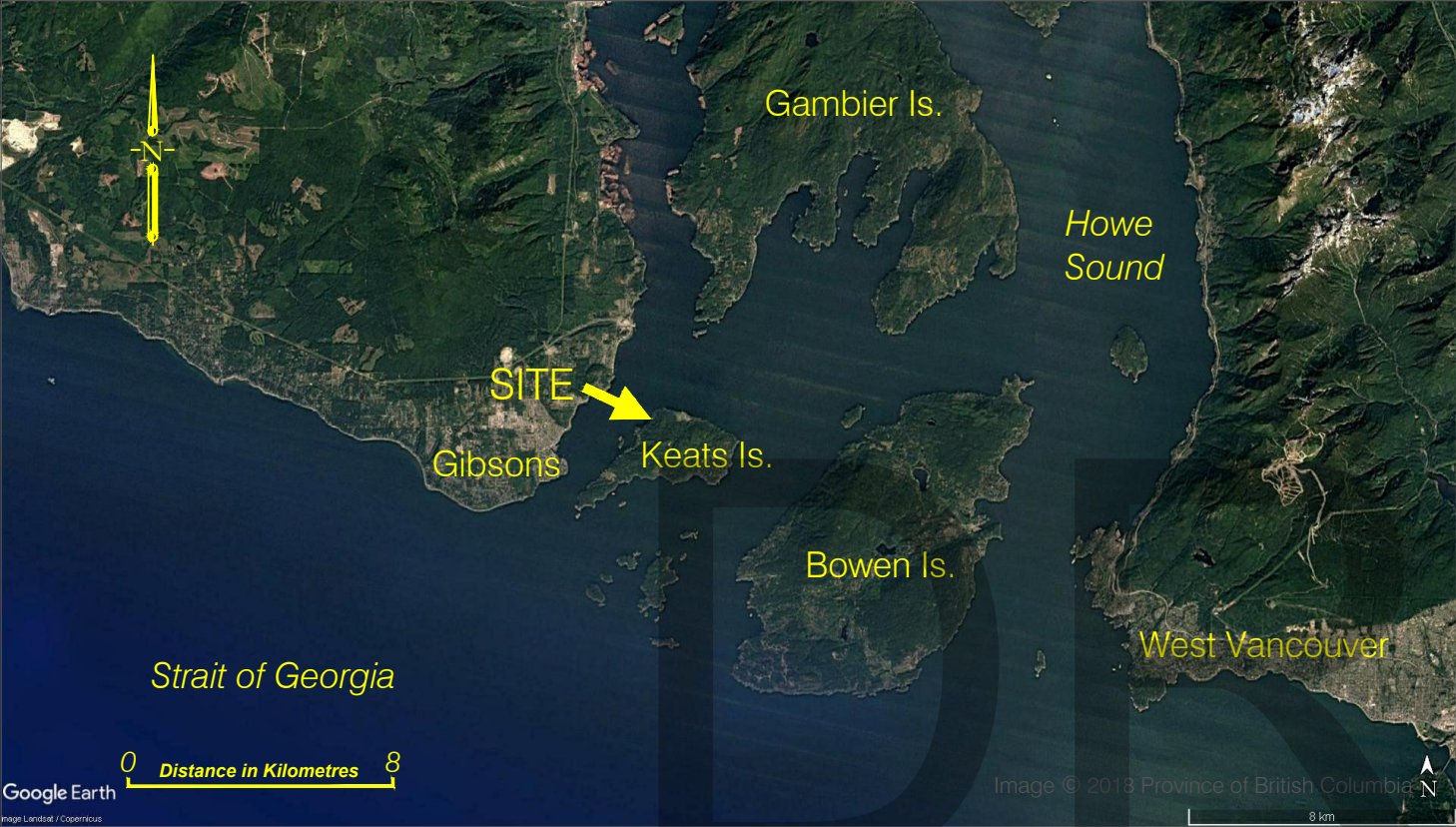
LEGEND

- Contours in Metres Chart Datum
- Transect Locations
- Retaining Seawall

BIOTA KEY

- Bar Barnacles
- Red Red Algae
- Lam Laminarian kelp
- Hor Horse Clams
- Sar Sargassum
- Eel Eel Grass
- Sea Sea stars
- Crb Red rock crab
- Cuc Sea cucumber
- Ulv Sea lettuce
- Fil Filamentous algae

		Client:	Greenway Property 668 Walkabout Road Keats Island, British Columbia V0N 1V1	This document contains restricted and/or privileged information and has been prepared solely for use by the party with whom Balanced Environmental Services Inc. has entered into a contract. This document is to be used only for the purpose to which it refers and none of the information in this document may be used, reproduced or transmitted, in any form or by any means, electronic or mechanical, without written permission of Balanced Environmental Services Inc.	Author:	BALANCED ENVIRONMENTAL 120 GARDEN AVE, NORTH VANCOUVER BRITISH COLUMBIA, V7P 3H2 T: 604.988.3033 F: 604.983.3454 W: WWW.BALANCED.CA	Checked by SC Drawn by GM Date October 3, 2018 Scale See Barscale Inspectors GM, LG Paper 11 x 17	PROJECT Proposed Structures and Waterlot for Private Moorage Application at 668 Walkabout Road, Keats Island, British Columbia, V0N 1V1 DWG. No. 5846-D-02.1 Substrate Conditions
Ref. No.	REFERENCE	NOT FOR CONSTRUCTION						



LOCATION NOTES

- The site is located approximately 2.3 kilometres east of Gibsons, on the northwestern shoreline of Keats Island..
- The property is located within Sunshine Coast Regional District's Electoral Area F, West Howe Sound, British Columbia.
- UTM Coordinates generally for the property are:
Zone 10 U, 466309.0 m E, 5473067.0 m N.

LEGEND

- Property Lines
- Proposed Water Lot Lines

Image © 2018 Province of British Columbia

		Client	Author	Checked by	SC	PROJECT
		Greenway Property 668 Walkabout Rd. Keats Island, British Columbia V0N 1V1	BALANCED ENVIRONMENTAL 120 Garden Ave., North Vancouver, B.C. V7P 3H2 T. 604-988-3033 F. 604-983-3454 www.balanced.ca	Drawn by	GM	Proposed Structures and Waterlot for Private Moorage Application at 668 Walkabout Rd., Keats Island, Howe Sound, British Columbia, V0N 1V1
				Date	Sept, 28, 2018	
				Scale	As Noted	
				Inspectors	GM, LG	
				Paper	11 x 17	
Ref. No.	REFERENCE					DWG. No. 5846-D-10.1 Location Plan



Photo 1. Looking east at 668 Walkabout Rd.

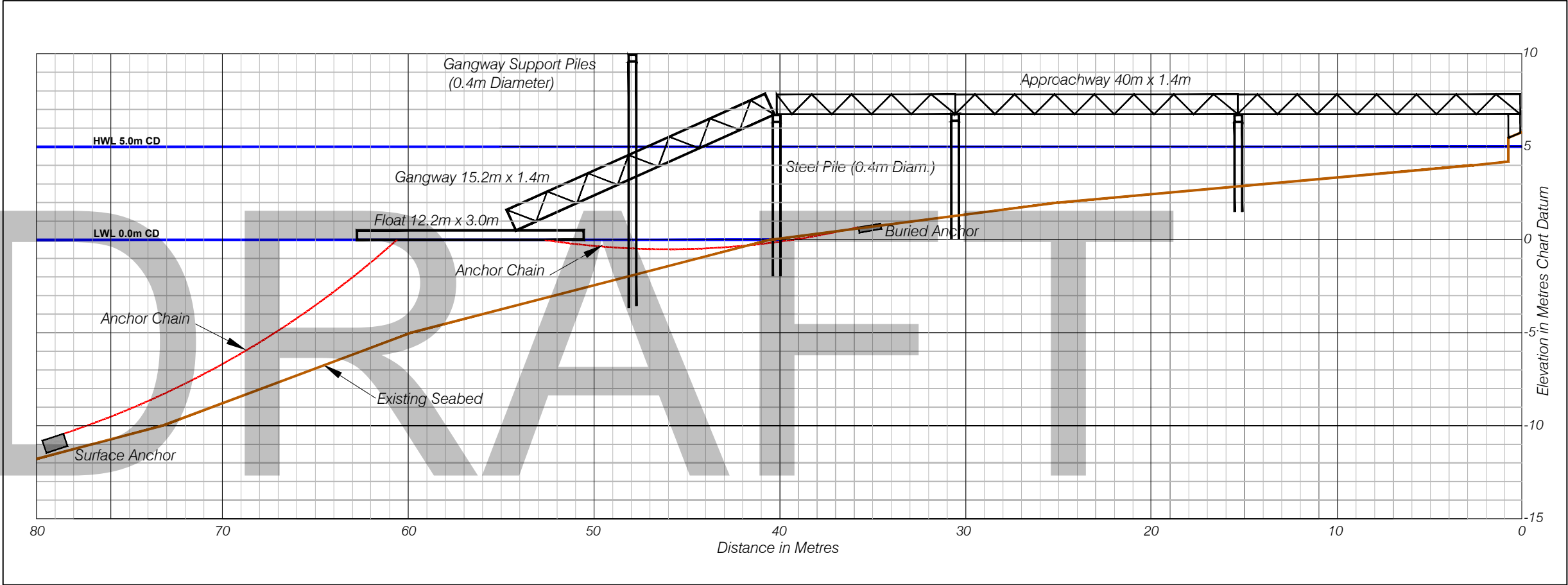


Photo 2. Looking North along shoreline fronting 668 Walkabout Rd.



Photo 3. Looking South along shoreline fronting 668 Walkabout Rd.

Section A



DRAWING NOTES

- Not an as-built drawing. For planning purposes only.
- All units are in metres.
- Elevations corrected to metres, chart datum.

LEGEND

 Anchor Block



Photo 4. Typical intertidal substrate.



Photo 5. Typical subtidal substrate.

		Client Greenway Property 668 Walkabout Road Keats Island, British Columbia V0N 1V1	Author BALANCED ENVIRONMENTAL 120 Garden Ave., North Vancouver, B.C. V7P 3H2 T. 604-988-3033 F. 604-983-3454 www.balanced.ca	Checked by	SC	PROJECT Proposed Structures and Waterlot for Private Moorage Application at 668 Walkabout Road, Keats Island, British Columbia, V0N 1V1 73
				Drawn by	GM	
				Date	Sept 28, 2018	
				Scale	As Noted	
				Inspectors	GM, LG	
Ref. No.	REFERENCE			Paper	11 x 17	DWG. No. 5846-D-10.3 Section View

DRAFT

APPENDIX 2

**TABLE 3 – OBSERVED BIOTA, ABUNDANCES AND ELEVATION
RANGES**

Table 3. Observed biota, abundances and elevations ranges.

Names		Abundance*		Elevation Range (m) Chart Datum	
Common	Scientific	Description	Method	Upper	Lower
Algae - Brown					
Sargassum	<i>Sargassum muticum</i>	Rare	PAC	0.7	0.0
Sugar Kelp	<i>Saccharina latissima</i>	Sparse	PAC	0.7	-2.3
Algae - Green					
Sea Lettuce	<i>Ulva fenestrata</i>	Rare	PAC	0.5	0.1
Filamentous Green	<i>unidentified</i>	Rare	PAC	0.7	0.0
Algae - Red					
Bladed Red	<i>Neodilsea borealis</i>	Rare	PAC	-2.3	-2.9
Filamentous Red	<i>unidentified</i>	Rare	PAC	0.7	0.0
Sea Grass					
Eel Grass	<i>Zostera marina</i>	Sparse	PAC	-0.9	-2.0
Barnacles					
Acorn	<i>Balanus glandula</i>	Few	PAC	3.2	0.7
Bivalves/Limpets					
Horse Clam	<i>Tresus spp.</i>	Rare	PAC	-3.1	-4.7
Limpets	<i>unidentified</i>	Rare	PAC	2.2	1.2
Crab					
Red Rock	<i>Cancer productus</i>	Rare	IOT	-2.1	-9.0
Fish					
Starry Flounder	<i>Platichthys stellatus</i>	Sparse	IOT	-9.0	-11.8
Scalyhead Sculpin	<i>Artedius harringtoni</i>	Sparse	IOT	-2.8	-4.7
Echinoderms					
Leather Sea Star	<i>Dermasterias imbricata</i>	Sparse	IOT	-2.3	-2.9
Ochre Sea Star	<i>Pisaster ochraceus</i>	Sparse	IOT	0.7	-4.7
Mottled Sea Star	<i>Evasterias troschelii</i>	Sparse	IOT	-3.5	-11.8
Vermilion Sea Star	<i>Mediaster aequalis</i>	Rare	IOT	-9.0	-9.5
Velcro Sea Star	<i>Stylasterias forreri</i>	Rare	IOT	-10.0	-10.0
Rainbow Sea Star	<i>Othasterias koehleri</i>	Rare	IOT	-8.2	-8.2
Giant Sea Cucumber	<i>Parastichopus californicus</i>	Sparse	IOT	-4.5	-11.8
Feather Star	<i>Florometra serratissima</i>	Rare	IOT	-9.0	-11.8

Note: * see abundance definitions in Report.

File No.: GM-DP-2018.1
(McDonnell)

DATE OF MEETING: December 13, 2018

TO: Gambier Island Local Trust Committee

FROM: Jaime Dubyna, Planner 1
Northern Team

SUBJECT: **Development Permit Application GM-DP-2018.1 - Riparian Areas**
Applicant: Greg McDonnell and Carole Barlow
Location: LOT C, BLOCK 4, DISTRICT LOT 847, PLAN 11658 (PID 008-993-831)

RECOMMENDATION

1. That the Gambier Island Local Trust Committee approve issuance of Development Permit GM-DP-2018.1

REPORT SUMMARY

The Gambier Island Local Trust Committee (LTC) is asked to consider a development permit application for the construction of a proposed single family dwelling with an attached deck on the subject property, which are located within Development Permit Area (DPA) No. 3 – Riparian Areas. Pursuant to Section 9.3 (2) of the Gambier Island Land Use Bylaw No. 86 (LUB), a development permit is required to be issued by the LTC prior to development occurring within DPA No. 3.

The applicant has submitted a *Riparian Areas Regulation* (RAR) assessment report prepared by Coastal Raintree Consulting, dated July 11, 2018, which forms part of the proposed permit (see Attachment 3). The RAR report has been assessed and approved for methodological compliance by Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRO) staff. The RAR report contains recommendations intended to meet the DPA No. 3 guidelines for development, and these recommendations have been included as conditions in the proposed Development Permit.

BACKGROUND

This application precedes a building permit application to the Sunshine Coast Regional District (SCRD) for the proposed single family dwelling.

The 0.22 hectare (0.54 acre) subject property is located on the corner of Bay View Road and Andys Bay Road, as shown on Figure 1. Kingstone Creek runs adjacent to the west side of the subject property. The siting of the proposed single family dwelling and attached deck are within the 30-metre Riparian Assessment Area (RAA), therefore a development permit is required to be issued by the LTC prior to development occurring. The RAR report has established a 10-metre Streamside Protection and Enhancement Area (SPEA), of which no development will occur.

The proposed development is shown on the site plan attached to the proposed Development Permit in Attachment 3, and includes a single family dwelling with attached deck and septic field.

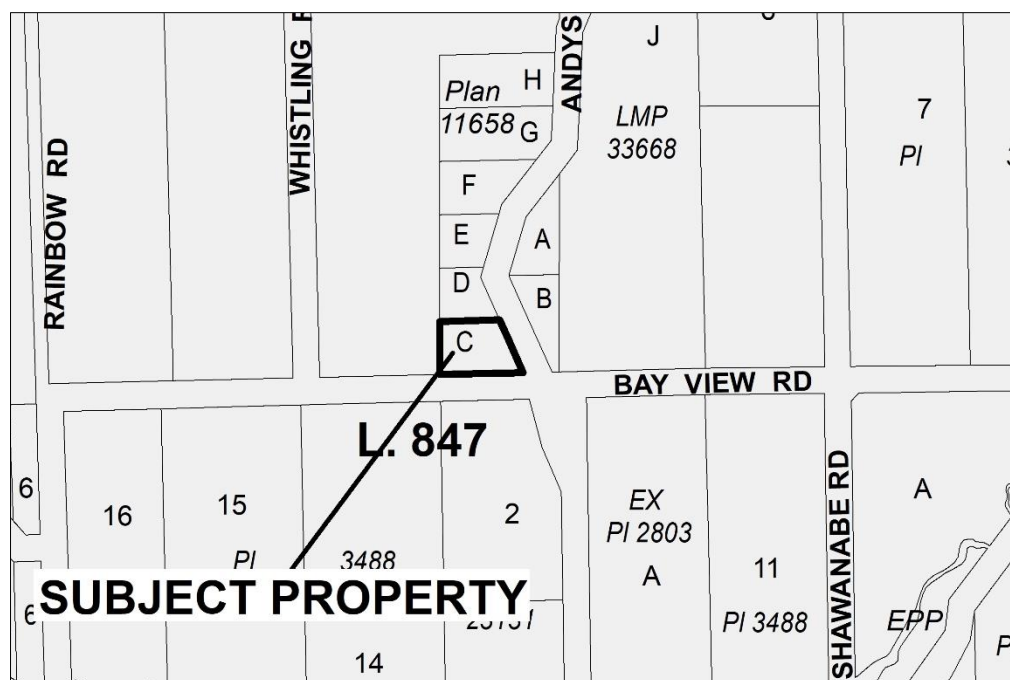


Figure 1. Subject property map.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The following Islands Trust Policy Statement (ITPS) directive policy is relevant to this application and is addressed through DPA No. 3 – Riparian Areas:

- 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 to protect aquatic wildlife.*

This application is not contrary to the ITPS.

Official Community Plan:

The subject property is currently designated as Settlement Residential (SR) in the Gambier Island Official Community Plan (OCP) Bylaw No. 73, and located within DPA No. 3 – Riparian Areas. For streams within a ravine that is less than 60 metres wide, the OCP specifies a development permit area that is measured from the high water mark to a point that is 30 metres beyond the top of the ravine bank.

The objectives of DPA No. 3 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.

Land Use Bylaw:

The subject property is zoned Settlement Residential (SR) under the LUB. The guidelines for DPA No. 3 are contained within Section 9.3 of the LUB.

The proposed development complies with applicable development permit guidelines (see Attachment 2). The proposed development appears to meet all other LUB requirements.

Issues and Opportunities

Protection Measures and Environmental Monitoring

Staff have reviewed the RAR report and recommend that all measures and environmental monitoring recommended by the Qualified Environmental Professional (QEP) form part of the proposed Development Permit. These include:

- No encroachment within the SPEA;
- A silt fence be installed and maintained on the perimeter of the SPEA;
- Stormwater drainage be directed to an appropriate discharge area, and no discharge into the ravine slopes or crests; and,
- Ensure QEP site inspections during construction and the submission of a post-development assessment report within 60 days of completion.

Requirement for a Survey Plan

Section 2.8 (1) of the LUB, provides,

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

The applicant has provided a survey plan with the submission of the application, however staff note that this plan did not include the location of the sewage absorption field and the existing shed was within the front lot line setback. At the request of staff, the applicant has provided an updated site plan that includes the location of the sewage absorption field and the updated location of the existing shed, however this plan is not signed by a B.C. Land Surveyor. Staff note that the amended site plan shows the location on the lot of all existing and proposed buildings, structures and sewage absorption fields in relation to lot boundaries and watercourses, and in relation to the stream and SPEA identified by the QEP. There has been no change to the location of the proposed single family dwelling and deck, and the sewage absorption field is outside of DPA No. 3 on the subject property. The amended site plan has been attached to and forms part of the permit (see Attachment 3).

Staff consider the amended site plan to be sufficient for staff's analysis, and therefore recommend that the requirement for a plan signed by a B.C. Land Surveyor be waived.

Consultation

A community information meeting and/or public consultation and notification are not required for development permit applications.

Rationale for Recommendation

Staff advises that the guidelines for DPA No. 3 – Riparian Areas appear to be satisfied through the recommendations of the RAR report completed by Coastal Raintree Consulting. This report has been approved for consistency with the prescribed RAR methodology by FLNRO. The RAR report contains recommendations intended to meet the DPA No. 3 guidelines for new development, and these recommendations have been included in the proposed Development Permit. In order to ensure protection of the biological diversity and habitat values of this riparian ecosystem, regular monitoring of this development permit should be conducted by planning staff. Within 60 days of completion of the project, the applicant has a responsibility to have a QEP complete and file a post-development report to ensure that the construction is in keeping with the RAR report.

Staff recommends issuance of the Development Permit as noted in the recommendation listed on page 1 of the staff report.

ALTERNATIVES

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

1. Request submission of a plan signed by a BC Land Surveyor

The LTC may deem it necessary for the applicant to submit a plan signed by a B.C. Land Surveyor, pursuant to Section 2.8 (1) of the LUB. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee request that the applicant submit to the Islands Trust a survey plan signed by a B.C. Land Surveyor, which identifies the location on the lot of all existing and proposed buildings, structures and sewage absorption fields in relation to lot and zone boundaries, watercourses, wells and the sea, and in relation to other buildings on the lot.

NEXT STEPS

If the LTC resolves to issue the Development Permit, the permit will be issued and the applicant may commence with the building permit application process.

Submitted By:	Jaime Dubyna, MSc.Pl. Planner 1	November 28, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	November 30, 2018

ATTACHMENTS

1. Attachment 1 – Site Context
2. Attachment 2 – Development Permit Area Guidelines Checklist
3. Attachment 3 – Proposed Development Permit (including Schedules “A” – Site Plan, Schedule “B” – Building Plans and Schedule “C” – RAR Assessment Report, Coastal Raintree Consulting, dated July 11, 2018)

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT C BLOCK 4 DISTRICT LOT 847 PLAN 11658
PID	008-993-831
Civic Address	None.

LAND USE

Current Land Use	Residential (existing shed)
Surrounding Land Use	Residential, Community Centre, Bare land

HISTORICAL ACTIVITY

File No.	None
----------	------

POLICY/REGULATORY

Official Community Plan Designations	Land Use Designation: Settlement Residential (SR) Development Permit Area 3 – Riparian Areas
Land Use Bylaw	Zone: Settlement Residential (SR) 5.1 (1) Permitted Uses (1) The following uses are permitted, subject to the regulations set out in this Section and Part 3, and all other uses are prohibited: (a) Single family residential use; (b) Associated secondary dwelling use; (c) Domestic agriculture; (d) Agriculture; (e) Accessory uses including but not limited to home occupations. 5.1 (9) Siting and Size (9) The minimum setback for any building or structure: (a) 7.5 metres from any front or rear lot line; (b) 3 metres from any interior side lot line; (c) 4.5 metres from any exterior side lot line. The Land Use Bylaw provides the following definitions: RIPARIAN AREA means the area adjacent to a stream that may be subject to temporary, frequent or seasonal inundation, and supports plant species that are typical of an area of inundated or saturated soil conditions, and that are distinct from plant species on freely drained adjacent upland sites because of the presence of water.

	STREAMSIDE PROTECTION AND ENHANCEMENT AREA means an area adjacent to a stream that links aquatic to terrestrial ecosystems and includes both the riparian area vegetation and the adjacent upland vegetation that exerts influence on the stream. STRUCTURE means anything that is constructed or erected and that is fixed to, supported by or sunk into land or water, excluding fences, surfaced areas of gravel, concrete or other similar material comprising driveways, uncovered patios, uncovered parking areas. WATERCOURSE means any natural or man-made depression with well defined banks and a bed 0.6 metres or more below the surrounding land, serving to give direction to a current of water at least six months of the year, or having a drainage area of two (2) square kilometres or more upstream from the point of consideration, and excludes a constructed ditch. 3.3 Siting and Setback Regulations (1) No building or structure shall be sited within 15 metres of the natural boundary of the sea, lake, wetland or watercourse, or constructed with the underside of any floor system or the top of any pad supporting any space or room that is used for dwelling purposes, business or the storage of goods less than 1.5 metres above the natural boundary of the sea, lake or watercourse unless otherwise provided for in this Bylaw. (4) Buildings or structures accessory to residential buildings that do not exceed 2.5 metres in height and 10 square metres in floor area may be sited as close as two metres from any lot line, except where the lot line abuts a highway, in which case regulation 3.3(6) or the zone regulation, which ever is greater, shall apply. 3.4 Siting and Setback Exceptions (3) Structures which at no point extend more than 0.6 metres above grade level, including wellheads and parking spaces may be sited on any portion of a lot, except that the siting of sewage disposal systems and fields shall comply with Provincial regulations. 9.3 (2) Development Permit Area No. 3 (Riparian Areas) (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): (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 (g) any other development, as that term is defined under the Provincial <i>Riparian Areas Regulation</i> See the DPA Guidelines in Attachment 3.
Other Regulations	Section 3.1 (2) of the Sewerage System Regulation requires,

	(2) Subject to subsections (3) and (4) (b), a person must not construct (a) a holding tank less than 15 metres from a well, or (b) a sewerage system less than 30 metres from a well.
Covenants	None.
Bylaw Enforcement	None.

SITE INFLUENCES

Islands Trust Conservancy	This proposal does not directly affect any Islands Trust Conservancy Board (ITC) owned property or conservation covenant, nor directly affect a property adjacent to an ITC owned property or conservation covenant. Therefore referral to the ITC for comment is not required.
Regional Conservation Strategy	Map 6 of the Regional Conservation Plan 2018-2027 estimated importance of habitat composition as LOW/MEDIUM for this property. The Gambier Island Local Trust Area has been identified as being a HIGH priority for conservation, and is a secondary focus for ITC outreach based on ecosystem values, threats and current levels of conservation (after the very high priority areas – Salt Spring Island, Lasqueti).
Species at Risk	The subject property is within an area identified as critical habitat for the Marbled Murrelet (<i>Brachyramphus marmoratus</i>). The Marbled Murrelet is listed under the <i>Species at Risk Act</i> (SARA) and is subject to protections under the <i>Migratory Birds Convention Act</i> and <i>BC Wildlife Act</i> . Terrestrial threats to Marbled Murrelets include fragmentation and loss of old-growth nesting habitat due to human activity; predation at nest sites; and potential threats related to energy infrastructure development. The Recovery Strategy for the Marbled Murrelet in Canada provides that, “the primary threats to the species or its habitat can be avoided or mitigated through a combination of; habitat management, stewardship, communications and outreach, and additional research.” More information can be found at: http://ibis.geog.ubc.ca/biodiversity/factsheets/pdf/Brachyramphus_marmoratus.pdf
Sensitive Ecosystems	“Schedule C” – Environmentally Sensitive Areas of the OCP identifies the watercourse and surrounding area (including the subject property) as having “Fisheries Value”.
Hazard Areas	None.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) does not indicate any recorded archaeological sites on the property or areas of archaeological potential within 100 metres of the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and	Staff do not anticipate any greenhouse gas emission changes resulting from approval of the proposed permit. Staff do not anticipate any climate change induced hazards

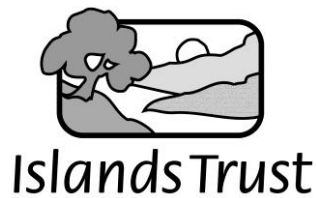
Mitigation	arising from permit approval.
Shoreline Classification	n/a
Shoreline Data in TAPIS	n/a

ATTACHMENT 2 – DEVELOPMENT PERMIT AREA GUIDELINES

GAMBIER ISLAND DPA 3 – RIPARIAN AREAS

Guideline	Complies	Planner Comments
9.3 (4) (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).	yes	The RAR Assessment Report provided by the QEP has indicated measures to protect and maintain the riparian area and stream. Staff have included as a condition of the proposed permit that a QEP be retained following completion of the proposed development to certify that all conditions set out in the RAR Assessment Report have been properly implemented to protect the SPEA. The Local Trust Committee (LTC) may impose further permit conditions including the requirement for security in the form of irrevocable letter of credit.
9.3 (4) (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.	yes	The RAR Assessment Report has identified the SPEA to be a maximum of 10 metres from the top of the ravine bank. The site plan indicates that the proposed single family dwelling and attached deck and sewerage system are located outside of the SPEA identified by the QEP. The QEP has recommended the following measures to protect the SPEA: • A QEP should be consulted and a permit obtained prior to any tree removal (including danger trees and windthrow); • No activity associated with motor vehicles and machinery (including parking, storing or service equipment) should occur within the SPEA or its vicinity; • A protective barrier (i.e. a silt fence) be installed and maintained along the boundary of the SPEA during construction of the proposed development; • Stormwater drainage not be discharged into the ravine, and that the stormwater management system be designed to drain to an appropriate area. Staff have included the measures identified in the

		RAR Assessment Report as conditions in the proposed permit.
9.3 (4) (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.	yes	The RAR Assessment Report recommends that a QEP be retained as project environmental monitor. The RAR Assessment Report recommends that a post-development report by a QEP be submitted within 60 days of completion of the project. Staff have included a condition in the permit that requires a QEP be retained as project environmental monitor during the duration of the project, and that a post-development report by a QEP be submitted within 60 days upon completion of the project.
9.3 (4) (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.	yes	Staff have recommended that a post-development report by a QEP be submitted to certify that development has been undertaken in accordance with the RAR Assessment Report. Development is to occur in accordance with the site plan and RAR Assessment Report, attached to and forming part of the proposed permit. Staff have included as a condition of the permit that any alterations not specifically authorized by the permit may require a development permit or amendment to the development permit.
9.3 (4) (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.	n/a	



**GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GM-DP-2018.1**

To: Gregory McDonnell and Carole Barlow

1. This permit applies to:
LOT C, BLOCK 4, DISTRICT LOT 847, PLAN 11658
PID 008-993-831
2. Whereas the subject property as described above lies within “Development Permit Area No. 3 – Riparian Areas” designated under the Gambier Island Official Community Plan Bylaw No. 73, this development permit is issued under the Gambier Island Land Use Bylaw No. 86 and authorizes the **construction of one single family dwelling with attached deck** in accordance with Schedules “A” – Site Plan, Schedule “B” – Building Plans, and Schedule “C” – Riparian Areas Regulation (RAR) Assessment Report, dated July 11, 2018, by Coastal Raintree Consulting, Ltd., attached to and forming part of this permit.
3. The Permit is subject to the following conditions:
 - 3.1 No development or development activity, including activity associated with motor vehicles and machinery, is to occur within the Streamside Protection and Enhancement Area (SPEA) identified in the RAR Assessment Report.
 - 3.2 A Qualified Environmental Professional (QEP) shall be retained to monitor site preparation and construction of the proposed development to ensure that all measures identified in the RAR Assessment Report are followed.
 - 3.3 A silt fence shall be installed and maintained during construction on the perimeter of the identified SPEA.
 - 3.4 Stormwater drainage shall not discharge into the ravine slopes or crests, and shall be designed to drain through gutters and closed pipes to an appropriate discharge area.
 - 3.5 The property owner is required to submit a post-development assessment report by a Qualified Environmental Professional (QEP) that confirms the development has occurred in accordance with the recommendations contained in the RAR Assessment Report which forms part of this permit, within 60 days of project completion.
 - 3.6 Any alterations requiring a Development Permit and not specifically authorized in this Permit may require a new Development Permit or a Development Permit Amendment.

This permit does not relieve the applicant from complying with the provisions of *the Gambier Island Official Community Plan Bylaw No. 73, 2001*, and the *Gambier Island Land Use Bylaw No. 86, 2004*,

nor does it provide permission to construct any works without other lawfully required approvals and permits.

AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS__ th
DAY OF _____, 2018.

Deputy Secretary, Islands Trust

Date Issued

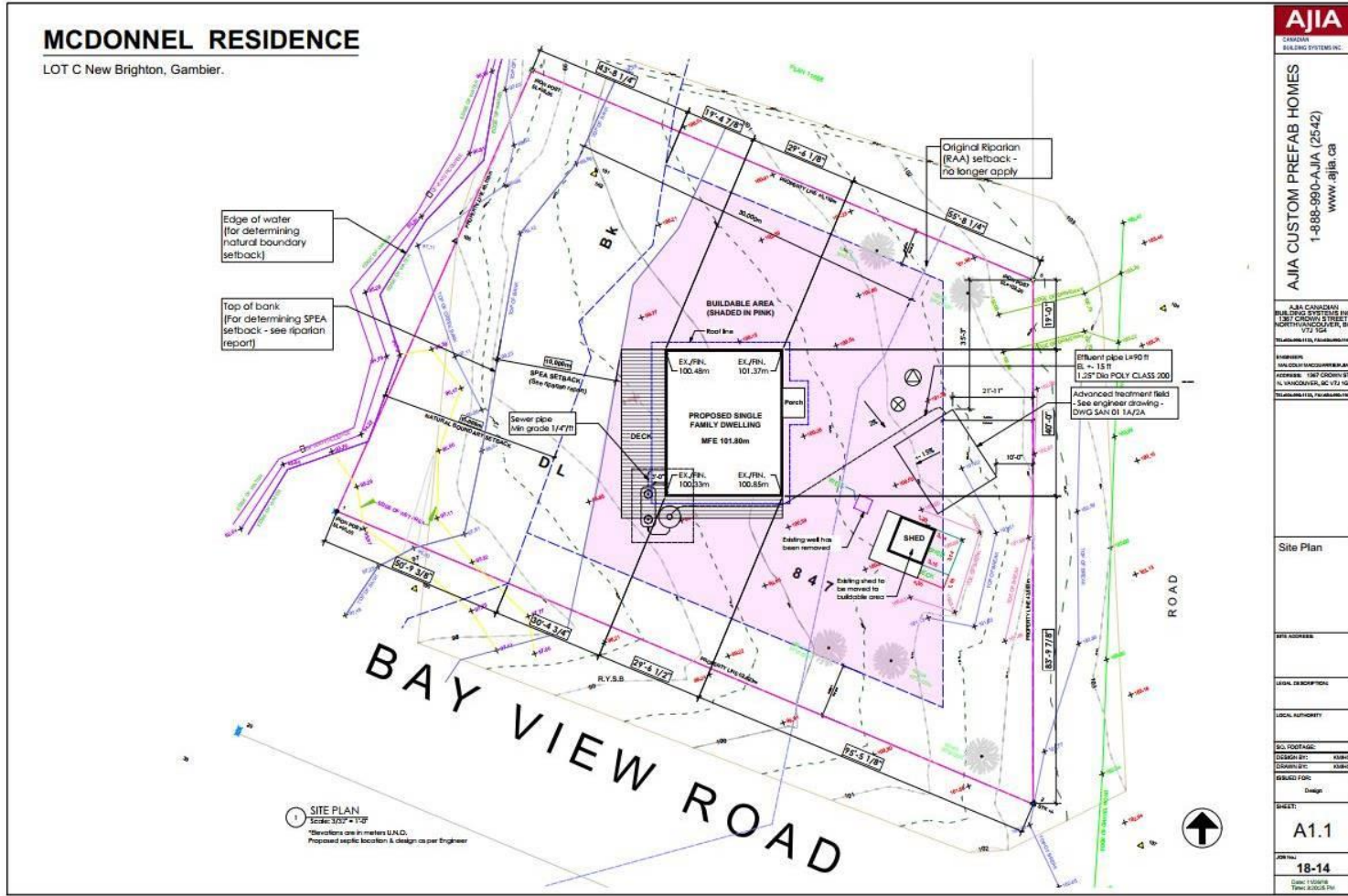
IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE __th DAY OF _____, 2020 THIS PERMIT
AUTOMATICALLY LAPSES.



Islands Trust

GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GM-DP-2018.1

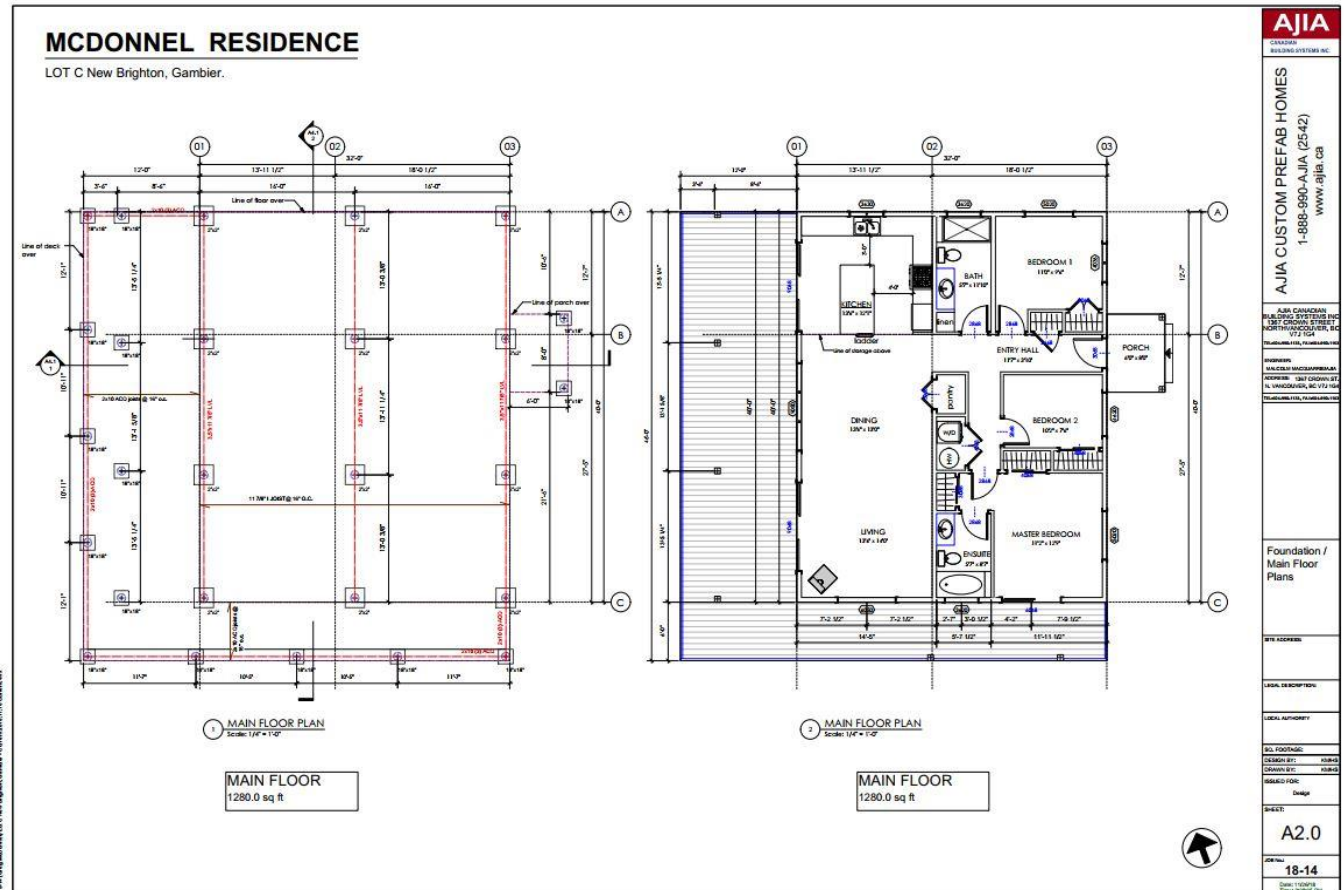
Schedule "A" – Site Plan





GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT GM-DP-2018.1

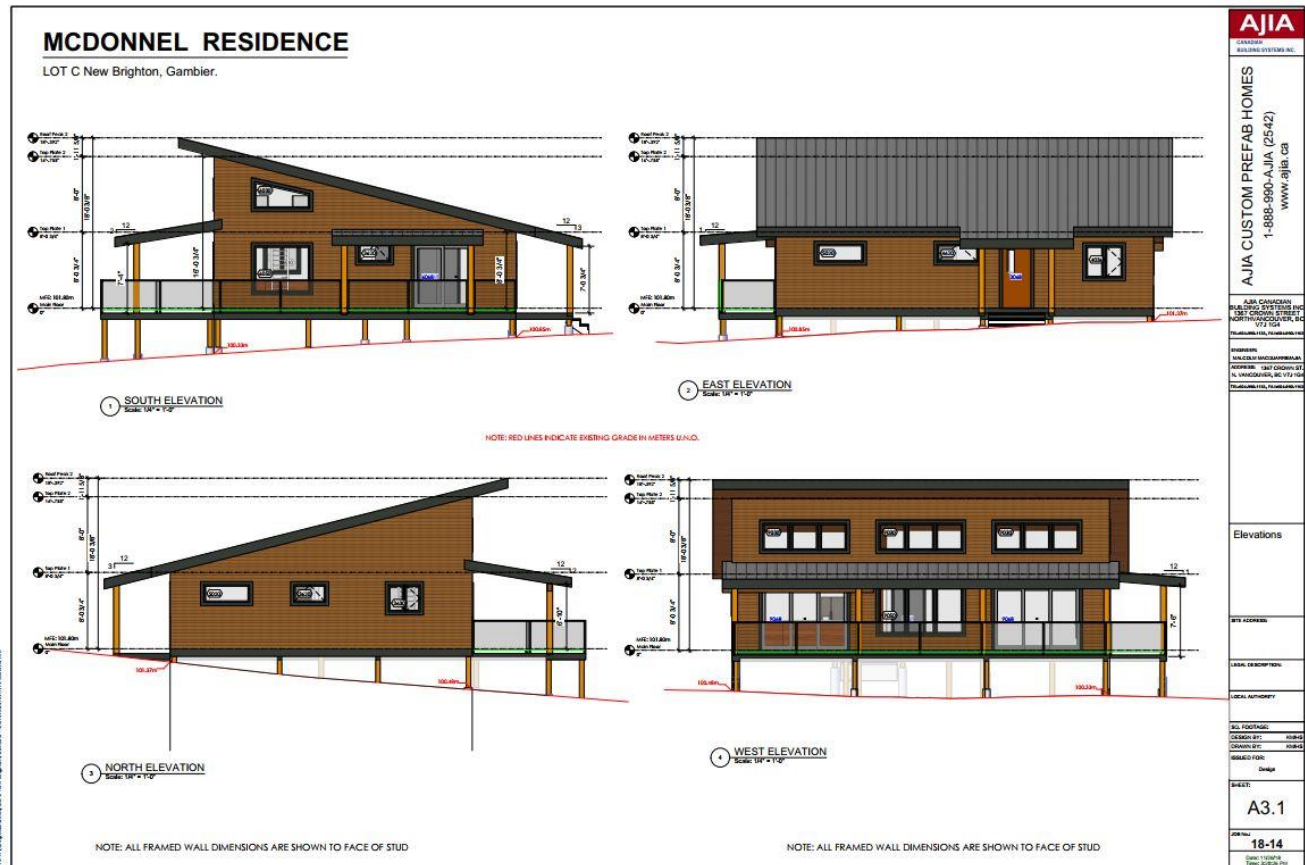
Schedule "B" – Building Plans





GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT GM-DP-2018.1

Schedule "B" – Building Plans cont...





**GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GM-DP-2018.1**

**Schedule "C" – The Riparian Areas Regulation Assessment Report,
dated July 11, 2018**

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date July 11, 2018

I. Primary QEP Information

First Name	Anayansi	Middle Name	Cecilia
Last Name	Cohen Fernandez		
Designation	RP Bio	Company: Coastal Raintree Consulting, Ltd	
Registration #	2702	Email: anayansi@coastalraintreeconsulting.ca	
Address	1034 Marine Drive		
City	Gibsons	Postal/Zip	V0N 1V1
Prov/state	British Columbia	Country	Canada
Phone #	778-239-9231		

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name	N/A	Middle Name	N/A
Last Name	N/A		
Designation	N/A	Company N/A	
Registration #	N/A	Email N/A	
Address	N/A		
City	N/A	Postal/Zip	N/A
Prov/state	N/A	Country	N/A
Phone #	N/A		

III. Developer Information

First Name	Norman	Middle Name	N/A
Last Name	Morrison		
Company	Ajia Custom Prefab Homes		
Phone #	604-990-1133	Email: Norman@ajia.ca	
Address	1367 Crown St.		
City	North Vancouver	Postal/Zip	V7J 1G4
Prov/state	British Columbia	Country	Canada

IV. Development Information

Development Type	Construction: Single Family Residential		
Area of Development (ha)	0.012	Riparian Length (m)	40.5
Lot Area (ha)	0.22	Nature of Development	New
Proposed Start Date	Aug, 2018	Proposed End Date	Jan, 2019

V. Location of Proposed Development

Street Address (or nearest town)	Lot C, Block 4, DL 847, Plan VAP11658 - No civic address		
Local Government	Sunshine Coast Regional District	City	Gambier Island
Stream Name	Kingstone Creek		
Legal Description (PID)	008-993-831	Region	Lower Mainland
Stream/River Type	Stream	DFO Area	Lower Fraser
Watershed Code	905-079000-48200, UTM Z-10 E-468191.31 N-5478019.38		
Latitude	49	27	14
Longitude	123	26	18

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

Description of the Fishery Resource Values

Kingston creek runs adjacent to the West side of the subject property (hereafter referred as the Property). Kingston creek's headwater is located approximately 892m Northeast of the Property. The creek flows in a relatively straight line in a Southwest direction for approximately 162m where it joins Joker creek. The combined arms run for approximately 103m discharging into the Thornbrough Bay (**Figure 1**). This small bay is located on the Southwest side of Gambier Island. Gambier Island is part of Howe Sound, a small sound situated immediately Northwest of Vancouver, BC.

Kingston creek runs on a relatively flat area with an average elevation of 50m. Its channel dries in several sections during the dry season. During the preparation of this assessment several 1-2m long segments were observed almost dry. The ravine area within and immediately North and South of the Property has an average width of 15m crest to crest and 6 to 5m in depth. Topographic gradients were observed to vary along the ravine slopes, however the ravine bank was generally observed to contain 2H:1V gradients. The observed sections of the ravine were classified as to be relatively well-preserved with abundant large woody debris (LWD).

Neither Kingston nor Joker creeks are identified as salmon spawning streams or inlets or as habitat for protected reptiles or amphibians in Schedule C – Environmentally Sensitive Areas of Gambier Island Official Community Plan (Bylaw 73, 2001). Neither fish nor amphibians were observed during the field visits to the site. Nonetheless, for the purposes of this assessment the creek is considered to be fish bearing since no protocol was followed to conclusively determine a non-fish bearing status. Following the RAR assessment methodology, a single 100m reach was measured for Kingston creek at 10m intervals, five intervals upstream and five intervals downstream. The reach was categorized as riffle-pool with a predominant sand and gravel streambed. Small cobbles and functioning LWD was observed.

The vegetation in the ravine of Kingston creek belongs to the CWHxm1 bioclimatic zone (Coastal Western Hemlock Very Dry Maritime Variant Subzone) of the Georgia Lowlands Ecoregion of British Columbia. Common plant species observed on the ravine slopes were sword (*Polystichum munitum*) and bracken (*Pteridium aquilinum*) ferns, salmonberry (*Rubus spectabilis*) and horsetails (*Equisetum* sp.). Tree species common to second-growth forested areas were observed (e.g., western red cedar (*Thuja plicata*) and Douglas fir (*Pseudotsuga menziesii*)) (**Figures 3 and 4**).

Description of the Development Proposal

The subject property is a 2,185m² (0.22 ha) rectangular polygon with an average width of 40m and an average length of 50m (**Figure 1**). The proposed development is a single-family dwelling and deck with a footprint of approximately 118 m² (1,273 ft²). The Northwest corner of the proposed deck will be located adjacent to the boundary line of the SPEA. The East side of the Property is adjacent to Andy's Bay Rd, a small gravel road with North to South orientation. The North and West sides of the Property are adjacent to lots D and I, respectively. The South side of the Property is adjacent to a future extension of Bay View Rd.

A professional survey to verify the water course of Kingston creek and its Top of Bank was completed by the developer and confirmed by Coastal Raintree Consulting, Ltd. (**Figure 2**). The East side of the proposed dwelling will be located approximately 21m from the Property line parallel

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Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

to Andy's Bay Rd. while the West side will be approximately 10m and 19m from the ravine's Top of Bank and property line, respectively.

The flat area of the Property where the proposed dwelling will be developed is mostly vegetated by grasses and sword (*Polystichum munitum*) and bracken (*Pteridium aquilinum*) ferns as well as few horsetails (*Equisetum* sp.) and salmonberries (*Rubus spectabilis*). Incipient establishment of the invasive plant species Himalayan blackberry (*Rubus armeniacus*) was observed (**Figure 5**). Two large western red cedar (*Thuja plicata*), Western Hemlocks (*Tsuga heterophylla*) and young tree saplings are present near or on the Property line. A 10m² shed is located on the East side of the Property near Andy's Bay Rd (**Figure 5**).

Section 2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: 2018-June-26

Description of Water bodies involved (number, type)

1, Stream

Stream	XXX
Wetland	
Lake	
Ditch	
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)	
starting point	3.1		I, <u>Anayansi Cohen Fernandez RPBio</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
Upstream	2.7	6	
	4.8		
	2.7		
	2.2		
	2.1	6	
Downstream	2.0		
	2.4		
	2.0		
	2.1		
	1.8	5	
Total: minus high /low	20.0		
mean	2.0	5.6	
	R/P	C/P	
Channel Type	XXXX		

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		XXX	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
I, <u>Anayansi Cohen Fernandez RPBio</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u> ;			

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Polygon No: N/A		Method employed if other than TR N/A
SPVT Type: LC SH TR XXX		

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	10						
Litter fall and insect drop ZOS (m)	10						
Shade ZOS (m) max	6	South bank	Yes		No	XXX	
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)					N/A	
Ditch Fish Bearing	Yes	N/A	No	N/A	If non-fish bearing insert no fish bearing status report		N/A
SPEA maximum	10m	(For ditch use table3-7)					

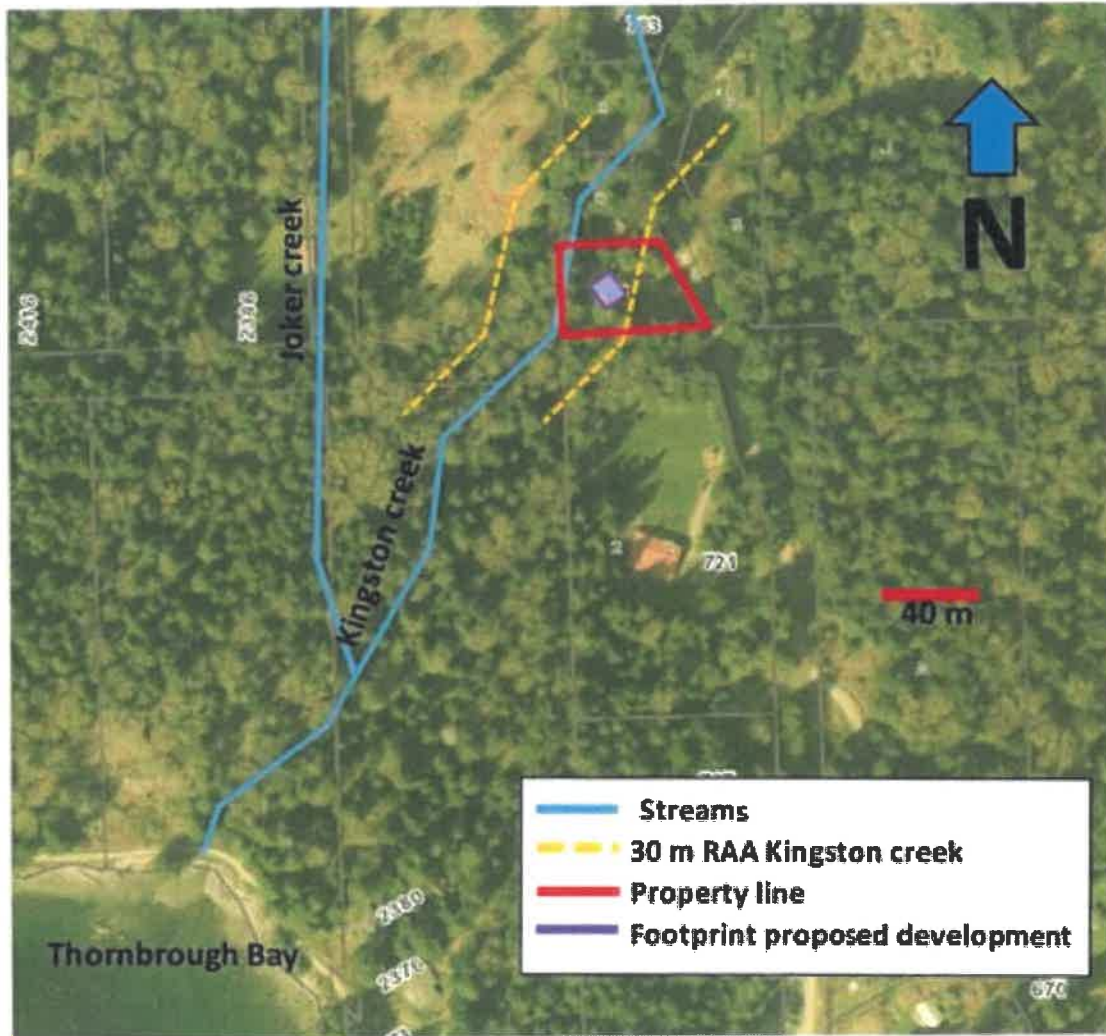
I, <u>Anayansi Cohen Fernandez RPBio.</u> , hereby certify that:	
a)	I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <u>Fish Protection Act</u> ;
b)	I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u> ;
c)	I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
d)	In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

Reach 1 is 100m long. Five measurements were done upstream and five downstream from the starting point. Activities associated with the proposed development will not occur near or within neither the 10m SPEA of Kingston creek (**Figure 2**).

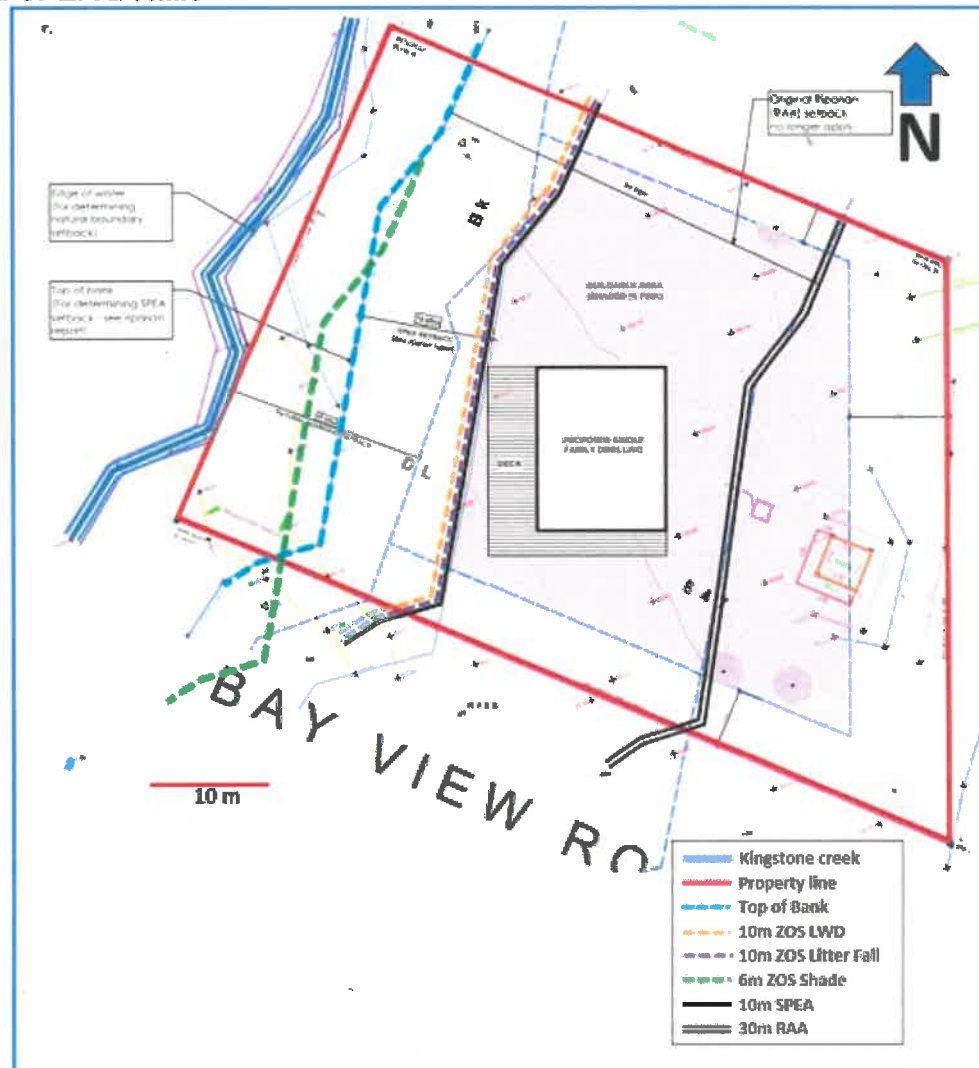
Section 3. Site Plan

Figure 1. Site Plan and Riparian Area Assessment



Base Image modified from: SCRD Maps (Accessed July 2, 2018)

Figure 2. Site Plan and SPEA Details



Site plan and land survey lines. Base Image modified from Ajia Custom Prefab Homes.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF before inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

1. Danger Trees	The proposed development is outside the 10m SPEA of Kingston creek. There are no Danger Trees within the SPEA that could be considered a major or obvious risk to the proposed development. The area adjacent to the proposed development is vegetated with herbaceous vegetation and few invasive plant species (e.g., Himalayan blackberries) (Figure 5). Few large western red cedar (<i>Thuja plicata</i>) and Western Hemlock (<i>Tsuga heterophylla</i>) are near or on the property line and the Top of Bank of Kingston creek. If, after the footprint design for the proposed development is finalized, these trees or other trees outside the SPEA are suspected to be a potential danger to the structural integrity of the proposed development, a QEP should be consulted and a permit obtained prior to any tree removal. There are several trees on unstable terrain within the ravine of Kingston creek (i.e., the slope between the creek and the Top of Bank, including the Top of Bank). These trees are not considered a major or obvious risk to property or human safety since they are not on the immediate vicinity of the proposed development and no activities associated with the proposed development will occur within the SPEA. Therefore, no removal of Danger Trees in the SPEA is likely required.
I, <u>Anayansi Cohen Fernandez RPBio</u>, hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u>; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	The proposed development is outside the 10m SPEA of Kingston creek. Trees within the SPEA are not a major or obvious windthrow risk for the proposed development. Trees on the Top of Bank of Kingston creek could become a windthrow risk to the proposed development if surrounding trees within and/or outside the Property are removed or pruned. The risk of windthrow is expected to increase as future development involving removal of trees occurs on adjacent properties and other areas near the Property. If, after the footprint design for the proposed development is finalized, trees on the Top of Bank of Kingston creek or other trees outside the SPEA are suspected to be a potential danger to the structural integrity of the proposed

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	development, a QEP should be consulted and a permit obtained prior to any tree removal.
I, <u>Anayansi Cohen Fernandez RPBio</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	Neither the Property lot, the proposed development, Kingston creek, its ravine nor the SPEA are located within areas identified on Schedule E – Hazard Land Areas of Gambier Island Official Community Plan (Bylaw 73, 2001). Although the ravine slopes of Kingston creek appear to be dynamic this is not a cause of concern since the proposed development is outside the 10m SPEA of Kingston creek.
I, <u>Anayansi Cohen Fernandez RPBio</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	The proposed development and the building activities associated with it must not affect or disturb any tree or other vegetation within the SPEA of Kingstone creek or its ravine. Precautions should be taken to ensure the root area of the trees located near or on the SPEA boundary are protected during the construction phase of the project (e.g., the immediate vicinity of trees near or on the SPEA boundary should not be used to park, store or service equipment used during the development of the proposed development).
I, <u>Anayansi Cohen Fernandez RPBio</u> , hereby certify that:	
a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u> ; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
5. Encroachment	The proposed development and the building activities associated with it must not encroach the SPEA of Kingstone creek or its ravine. Although the proposed development is outside the 10m SPEA of Kingston creek, the Northwest corner of the proposed deck is adjacent to the SPEA, increasing the potential risk for encroachment. It is highly recommended a flexible plastic barrier (e.g., a silt fence) is installed on the perimeter of the identified SPEA to ensure contractors do not enter into the SPEA. It is also highly recommended that activities associated with motor vehicles and machinery used during the construction of the proposed development (e.g., parking, storage or service equipment) do not occur on the immediate vicinity of the SPEA to reduce the risk of accidental or unintentional encroachment.
I, <u>Anayansi Cohen Fernandez RPBio</u> , hereby certify that:	

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a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
6. Sediment and Erosion Control	Although the proposed development is outside the 10m SPEA of Kingston creek, the Northwest corner of the proposed deck is adjacent to the SPEA, increasing the potential risk for accidental or unintentional deposition of sediment on the SPEA of Kingstone creek. A flexible plastic barrier (e.g., a silt fence) should be properly installed and maintained during construction on the perimeter of the identified SPEA to ensure contractors do not enter the SPEA. This fence should serve as a barrier to mitigate the risk of eroded soil entering the SPEA causing sedimentation in Kingstone creek. Best construction practices should be implemented to limit soil erosion and prevent sedimentation.
I, <u>Anayansi Cohen Fernandez RPBio</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
7. Stormwater Management	The rainwater/stormwater management system for the proposed development should be designed to drain through gutters and closed pipes to an appropriate discharge area. Stormwater drainage should not be discharged into the ravine slopes or crests.
I, <u>Anayansi Cohen Fernandez RPBio</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
8. Floodplain Concerns (highly mobile channel)	None of the activities associated with the proposed development will occur within the SPEA of Kingstone creek. As the ravine channel of the Kingstone creek is situated at 6 to 7m below the ground level of the proposed development, and 10m from the Top of Bank, the site is not considered to be susceptible to hazard due to potential flooding of the ravine channel.
I, <u>Anayansi Cohen Fernandez RPBio</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>AJIA Custom Prefab Homes</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen. Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

Although the proposed development is outside the 10m SPEA of Kingston creek, the deck of the project will be adjacent to the SPEA, therefore it is suggested a QEP could be retained as project environmental monitor. The environmental monitor should be available for quick response emergencies, such as sediment control, especially during heavy rainfall events. The QEP should have the authority to stop work, if necessary, to protect the SPEA.

Environmental monitoring could be carried out to ensure:

- * All development activities remain outside the SPEA;
- * Protective structures (i.e. fencing and silt barriers) are in good working order;
- * All machinery is in good working order, free of leaks and contaminants.
- * Neither the SPEA or its immediate vicinity is used to park, store or service equipment used during the development of the proposed development.
- * Landscaping work does not alter the vegetation (by removal or introduction of plants) within or in the immediate vicinity of the SPEA

Site visits could be scheduled to occur on weekly basis when site preparation and utility installation work occurs. After foundations are backfilled, site visits will occur in coordination with key construction activities (e.g., landscaping, paving and planting) and based on weather conditions (periods during and after high rainfall).

The developer should be informed of the recommended practice to have a QEP complete and file with local authorities a post- development report within 60 days of project completion. This report will indicate whether the above measures were implemented and how effective they were in protecting the integrity of the SPEA.

Section 6. Photos

Figure 3. Characteristic elements observed on the ravine of Kingston creek included plant species such as sword (*Polystichum munitum*) and bracken (*Pteridium aquilinum*) ferns, limited running water and a sand and pebbles streambed. Dominant tree species include western red cedar (*Thuja plicata*) and Douglas fir (*Pseudotsuga menziesii*).

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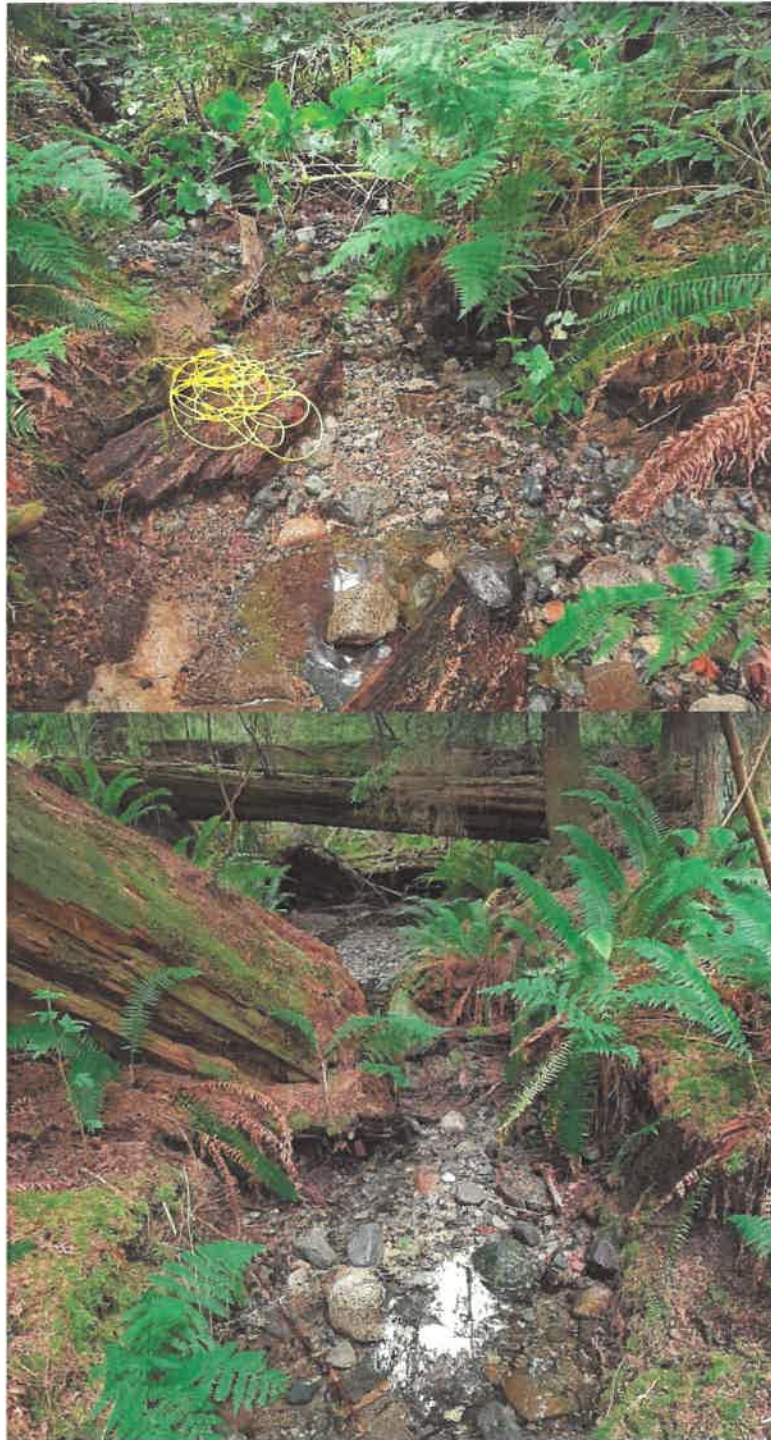


Figure 4. Characteristic elements observed on the ravine of Kingston creek included functioning LWD, limited running water and a sand and pebbles streambed.

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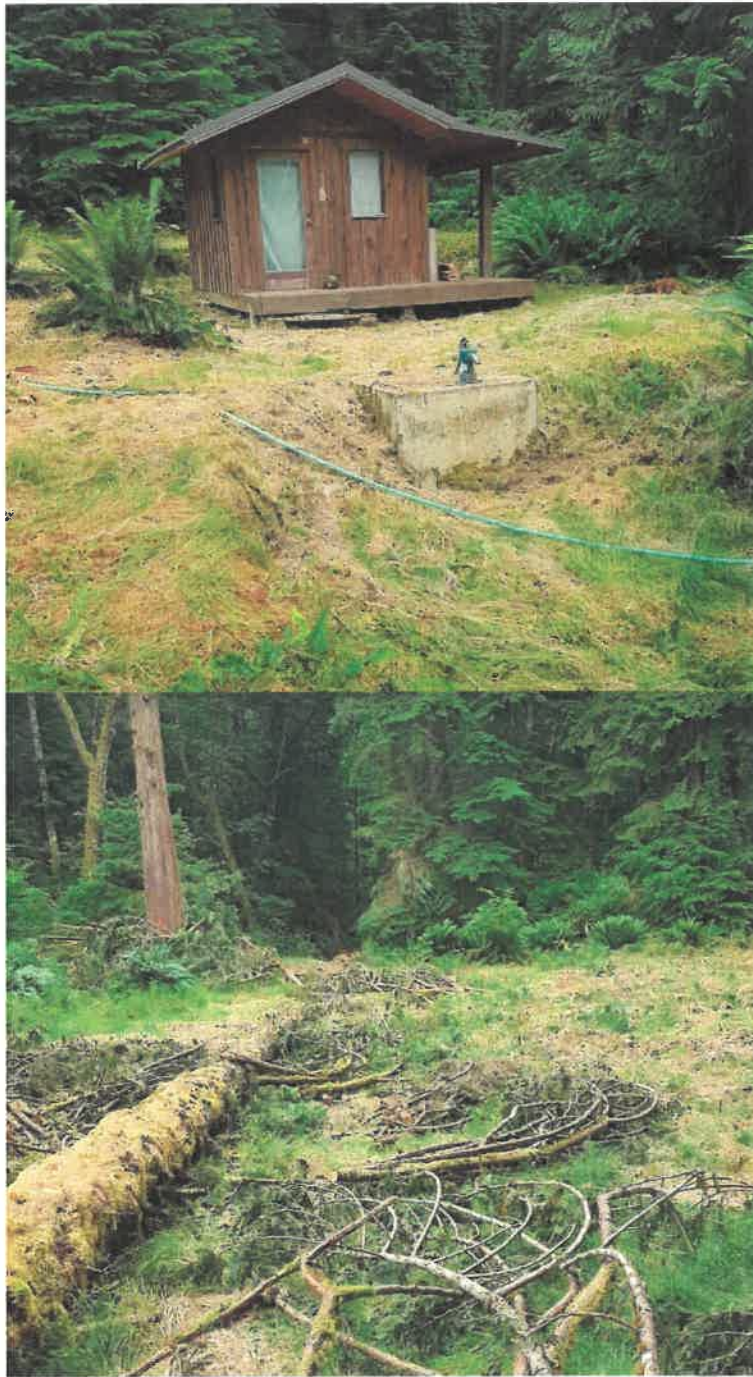


Figure 5. A 10 square meters unoccupied shed is located on the East side of the Property near Andy's Bay Rd. The flat area where the proposed dwelling will be developed is devoid of trees and is vegetated by grasses and few invasive plant species.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date

1. I Anayansi Cohen-Fernandez, RPBio

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

- a) I am qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am qualified to carry out the assessment of the proposal made by the developer AJIA Custom Prefab Homes, which proposal is described in Section 3 of this Assessment Report (the "development proposal");
- c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I hereby provide my professional opinion that:

- a) ☒ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

- b) ☐ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: "qualified environmental professional" means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise.]



File No.: 6500-20
(Gambier RAR)

DATE OF MEETING: December 13, 2018
TO: Gambier Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
COPY: Ann Kjerulf, Regional Planning Manager
SUBJECT: *Riparian Areas Regulation* (RAR) Implementation on Gambier Island

RECOMMENDATION

1. That the Gambier Island Local Trust Committee request staff to schedule and develop a webinar on Proposed Bylaw Nos. 148 and 149 in early 2019.
2. That the Gambier Island Local Trust Committee request staff to schedule a Community Information Meeting on Proposed Bylaw Nos. 148 and 149, during a regularly scheduled Local Trust Committee Meeting.
3. That the Gambier Island Local Trust Committee request staff to prepare and distribute a mail out package to residents and property owners, including a webinar/Community Information Meeting notice and a plain language guide to Proposed Bylaw No. 148 and 149.
4. That the Gambier Island Local Trust Committee endorse the amended project charter dated December 13, 2018.

REPORT SUMMARY

This report summarizes bylaw referral responses received to date for Proposed Bylaw Nos. 148 (OCP) and 149 (LUB), and recommends that public consultation on both bylaws be scheduled for early 2019, in advance of consideration of second reading or a Public Hearing.

BACKGROUND

Proposed Bylaw No. 148 (OCP) and No. 149 (LUB) were given First Reading on June 28, 2018 and referred to several First Nations, agencies and the Gambier Advisory Planning Commission (APC) for comment. Staff have been following up with agencies and First Nations so that input on the proposed bylaws can be included in a comprehensive public consultation process. All background materials relevant to the development of the proposed *Riparian Areas Regulation* (RAR) bylaws can be found in the June 2018 [Staff Report](#) posted to the project webpage.

ANALYSIS

Consultation

First Nations and Agency Referral Responses

Three agency referrals responses have been received and are included in Attachment 4. No proposed changes to either of the bylaws are recommended at this time. Staff will continue to follow up with remaining agencies and First Nations to solicit input on the proposed bylaws to ensure responses are available for inclusion in public presentation materials for the Community Information Meetings (CIM). The LTC can then consider all public input and referral responses, which may inform amendments at second reading.

Advisory Planning Commission Referral Response

The Proposed Bylaws were referred to the Advisory Planning Commission (APC) for comment and minutes from the meeting are included in Attachment 3. No proposed changes to the bylaws are recommended at this time.

Statutory Requirements: Public Hearing

As per the amended project charter, a public hearing is targeted for spring 2019 after the CIM and consideration of second reading.

Community Information Meeting

As per the amended project charter, it is recommended that instead of relying on a traditional format CIM to be held in several locations (Gambier Island, Gibsons or the lower mainland), that broader public participation be sought through a webinar format. A CIM can also be built into a future LTC meeting to allow for non-technological public participation. Staff also recommend that a plain language guide be developed and mailed to residents and property owners in advance to clarify the participation options and describe what the proposed bylaw amendments entail. A second CIM could be scheduled as part of the public hearing process.

Amended Project Charter

A draft amended project charter is attached (Attachment 6). The charter has been updated with an amended timeline for public input through a webinar, CIM and statutory public hearing.

Bylaw Nos. 145, 146 and 147 (Applicable to RAR for Bowyer and Anvil Islands)

Proposed Bylaw No. 145 (to amend the Associated Islands OCP) was given first reading in July 2017. Draft Bylaw No. 146 (to amend the Bowyer LUB) has not yet been given first reading, and Proposed Bylaw No. 147 (to amend the Anvil LUB) was given first reading in October 2017. All three bylaws will need to be revised so that they are consistent with Proposed Bylaw Nos. 148 and 149 (DPA 3 for Gambier Island). Staff will be preparing amendments to the bylaws for consideration in early 2019. There may be an opportunity to co-ordinate readings and public hearings for all of the bylaws in question going forward.

Rationale for Recommendation

The bylaws have been developed based on professional and legal input, and reviewed by several agencies and First Nations; they are considered by planning staff to be ready for public consultation, in accordance with the proposed amended project charter. The staff recommendations are noted on page 1 of the report.

ALTERNATIVES

1. Request additional information

The LTC may defer the public consultation process until additional information is provided. The resolution may be worded as follows:

That the Gambier Island Local Trust Committee request the following information be provided prior to scheduling a Community Information Meeting for Proposed Bylaws No. 148 and No. 149 (specify requested information).

NEXT STEPS

If the recommendations are adopted, staff would proceed with scheduling two CIMs in early 2019 and preparing the mail-out package for Trustee review prior to distribution. The LTC can then consider all public input, and agency, First Nation and APC referral responses, before considering second reading or proceeding to a Public Hearing.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	December 3, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	December 4, 2018

ATTACHMENTS

1. Proposed Bylaw No. 148 (OCP)
2. Proposed Bylaw No. 149 (LUB)
3. Advisory Planning Commission Minutes
4. Referral Response Package
5. Current Project Charter
6. Draft Amended Project Charter

PROPOSED

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.

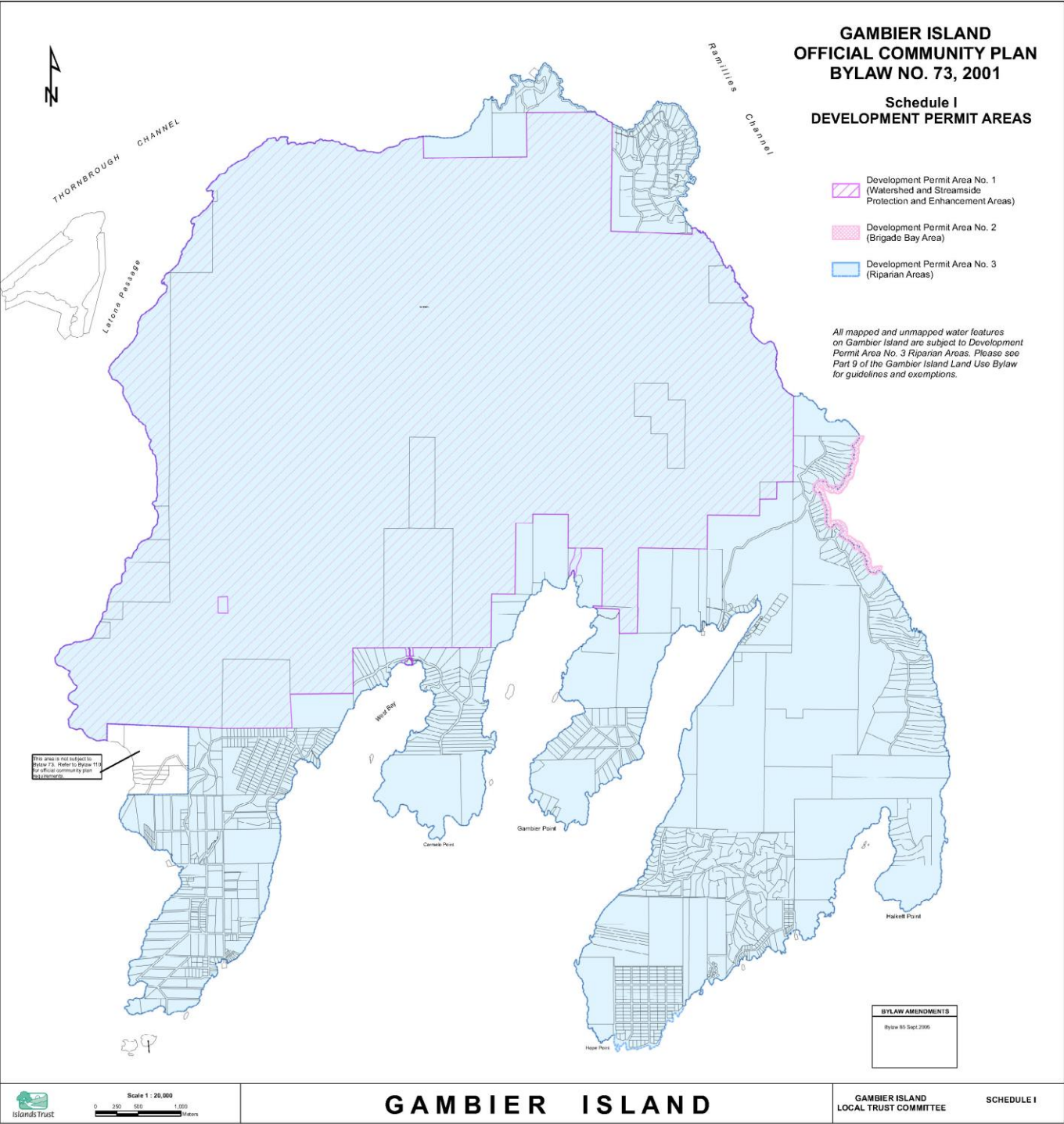
READ A FIRST TIME THIS	28 TH	DAY OF	JUNE	, 2018
READ A SECOND TIME THIS		DAY OF		
PUBLIC HEARING HELD THIS		DAY OF		,
READ A THIRD TIME THIS		DAY OF		,
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS		DAY OF		,
APPROVED BY THE MINISTER OF Municipal Affairs and Housing				
THIS		DAY OF		,
ADOPTED THIS		DAY OF		,

SECRETARY

CHAIRPERSON

GAMBIER ISLAND LOCAL TRUST COMMITTEE

PLAN NO. 1



PROPOSED

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 28TH DAY OF JUNE, 2018

READ A SECOND TIME THIS _____ DAY OF _____, 201X

PUBLIC HEARING HELD 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



Minutes of the Gambier Island Advisory Planning Commission

Date of Meeting: August 9, 2018

Location: Gambier Island Community Centre,
Andy's Bay Road, Gambier Island, BC

APC Members Present: Boris Gorgitza, Chair
Peter Scholefield, Deputy Chair
Camilla Berry, Secretary
Ruth Simons
Barney Taylor

Staff Present: Madeleine Koch, Planner 2
Ann Kjerulf, Regional Planning Manager
Diane Corbett, Recorder

Others Present: Kate-Louise Stamford, Local Trustee
Members of the Public – 4

1. CALL TO ORDER

Chair Gorgitza called the meeting to order at 1:00 pm.

Chair Gorgitza thanked Trustee Stamford for assisting with the printing of the agenda and Notice of Meeting and forwarding the minutes of the last meeting.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved.

There was discussion of Gambier APC membership criteria, and advertising for new members in light of the end of the current two-year term on August 25, 2018. Staff planned to follow up on posting an advertisement online and in newspapers. Chair Gorgitza requested that Ruth post an ad at Brigade Bay and Trustee Stamford send out to the community email list.

3. MINUTES

3.1 Gambier Advisory Planning Commission Draft Minutes dated December 18, 2018

Meeting locations were discussed. Horseshoe Bay was identified as a convenient location.

By general consent, the minutes of December 18, 2017 were adopted.

4. BYLAWS 148 AND 149 TO AMEND DEVELOPMENT PERMIT AREA 3 - RIPARIAN AREAS

Chair Gorgitza read aloud to the public from the referral report on Draft Bylaws No. 148 and 149 and offered background information.

Planner Presentation

Planner 2 Koch thanked APC members for coming to review the bylaws, and gave a presentation that included: background information on the proposed bylaws; overview of the sections of the bylaws; and explanatory examples and a flow chart to describe how the bylaws would be applied in various situations. The bylaws would address technical issues that had been experienced by staff in the application of the current RAR bylaw, and included new guidelines to protect sensitive non-RAR watercourses and wetlands, and guidelines for subdivision.

Discussion

Issues and concerns that were raised in discussion of the draft bylaws included:

- Definition of “watercourse” in Land Use Bylaw No. 86, 2004 and challenges in its application
 - There are many ditches adjacent to properties that collect seasonal run-off; how would that be impacted by the bylaws?
 - Need to refine definition of watercourse, with more clarity about what is or is not a watercourse.
- Expense of a Qualified Environmental Professional (QEP) report, with potential for push back from the public and non-compliance with regulations
- Awareness of property owners regarding the regulations, and buy-in regarding possible need for a development permit and QEP assessment
- Extent of impact of the regulations on new owners, such as the possibility of needing a QEP report to build a road to access property
 - Purchasers of new properties may not know what they will be subject to.
- That the public be able to access a website showing detail of watercourses
 - MapIT is a way to view known watercourses and property lines.
- Enforcement
 - There would be more instances of people reporting on others.
 - Perhaps have a penalty if an owner who is developing property does not make a declaration regarding RAR.
 - Question on ramifications if a lot is logged and it is discovered there is a stream.

Comments

- The stricter it is, the better, but I can see a problem that people just aren’t aware.
- Sounds like it will be better, but a lot more expensive.
- Interest in looking at the technical review of Gambier Island Official Community Plan.

- The enhanced features are wonderful.
- Where and how roads will be built is where I see it apply. If it isn't done, then it is constant problems. We do this because the road will wash out; if it isn't accounted for, it creates huge problems afterwards.
- Am pleased with the bylaws. Previous subdivisions at Brigade Bay and Fircom Plateau involved construction in riparian areas; the bylaws would bode well in future developments.
- We have been talking about fresh water; a bigger concern is the shoreline. Would like to see more shoreline protection areas in all the W4 zones around Gambier.

Planner 2 Koch advised she would send out more information about the technical review of the OCP to APC members, as well as Development Permit Area maps.

Chair Gorgitza thanked Planner 2 Koch for the comprehensive presentation.

The Chair recognized comments of a member of the public about encouraging the Trust to not just publish but to send out in the mail any information regarding proposed changes to the OCP and related matters.

Trustee Stamford thanked members for their comments and questions.

5. ADJOURNMENT

By general consent, the meeting was adjourned at 2:56 pm.

Boris Gorgitza, Chair

Certified Correct:

Diane Corbett, Recorder

Claire Olivier

✓
entered To the database
Sept 24/18

From: Barker, Amy TRAN:EX <Amy.Barker@gov.bc.ca>
Sent: Wednesday, September 19, 2018 11:55 AM
To: Becky McErlean
Subject: RE: Bylaw Referral - Gambier Island - Bylaw Nos. 148 & 149 (RAR and Non-RAR) - MOTI

Sanya will save in
directory

Hi Becky,

Apologies for the delay.

The Ministry's interests are unaffected by this bylaw, as MoTI follows provincial and federal laws within the right of way.

Regards,

Amy Barker

Senior District Development Technician | Howe Sound & Sunshine Coast

Ministry of Transportation and Infrastructure

604.527.2224

Amy.Barker@gov.bc.ca

From: Becky McErlean [<mailto:bmcerlean@islandstrust.bc.ca>]
Sent: Wednesday, July 25, 2018 8:54 AM
To: Midgley, Colin TRAN:EX
Subject: Bylaw Referral - Gambier Island - Bylaw Nos. 148 & 149 (RAR and Non-RAR) - MOTI

Attention: Colin Midgley, Area Manager, Sunshine Coast, Ministry of Transportation and Infrastructure

Please find attached a bylaw referral package on behalf of the Gambier Island Local Trust Committee of the Islands Trust for bylaw nos. 148 (OCP) and 149 (LUB).

The purpose of the bylaws is to amend and supplement Gambier Island's Riparian Areas Development Permit Area (DPA) by:

- 1) Resolving technical issues that currently affect implementation of the development permit area; and
- 2) Incorporating new guidelines to protect sensitive watercourses and wetlands on Gambier Island that do not support fish habitat (and are therefore not subject to the Provincial *Riparian Areas Regulation* (RAR)) but that have important environmental values.

Proposed Bylaw No. 148 will, if adopted, amend the Gambier Island Official Community Plan Bylaw No. 73, 2001 to include language that justifies protection of "non-RAR" watercourses and wetlands via DPA 3 – Riparian Areas. Other OCP amendments include minor changes to address technical issues with the existing DPA, and an addition to the development approval information section to require a QEP report when development is proposed adjacent to "non-RAR" watercourses and wetlands.

Proposed Bylaw No. 149 will, if adopted, amend the Gambier Island Land Use Bylaw No. 86, 2004 so that DPA 3 – Riparian Areas:

- includes guidelines for development proposed near "non-RAR" watercourses and wetlands;
- includes guidelines for subdivision design that is sensitive to riparian areas;
- is amended to address technical issues with the existing DPA;
- is triggered by a broader range of proposed development types (beyond only residential, commercial, and industrial development);

For background information please see webpage: <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/projects-initiatives/riparian-areas-protection/>

From: Becky McErlean
Sent: Wednesday, July 25, 2018 10:30 AM
To: Madeleine Koch
Subject: FW: Bylaw Referral - Gambier Island - Bylaw Nos. 148 & 149 (RAR and Non-RAR) - Bowen Is

fyi

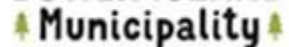
Becky McErlean
Legislative Clerk
Northern Office, Islands Trust
700 North Road
Gabriola, BC V0R 1X3
250-247-2206
Enquiry BC Toll-free call 1-800-663-7867
or from the lower mainland 604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca
Preserving Island communities, culture and environment since 1974

From: Daniel Martin [<mailto:DMartin@bimbc.ca>]
Sent: Wednesday, July 25, 2018 10:27 AM
To: Becky McErlean
Cc: Sara Huber
Subject: RE: Bylaw Referral - Gambier Island - Bylaw Nos. 148 & 149 (RAR and Non-RAR) - Bowen Is

Hi Becky,
Thank you for the referral. I will send it to our next Council meeting on September 4th, so we will have a response following that meeting.

Daniel Martin
Manager of Planning & Development
Bowen Island Municipality
981 Artisan Lane, Bowen Island, BC V0N 1G2
dmartin@bimbc.ca
[604-947-4255](tel:604-947-4255)
www.bowenislandmunicipality.ca

BOWEN ISLAND
 **Municipality**

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From: Becky McErlean [<mailto:bmcerlean@islandstrust.bc.ca>]

Sent: July 25, 2018 8:56 AM

To: Daniel Martin <DMartin@bimbc.ca>

Subject: Bylaw Referral - Gambier Island - Bylaw Nos. 148 & 149 (RAR and Non-RAR) - Bowen Is

Attention: Daniel Martin, Island Community Planner

Please find attached a bylaw referral package on behalf of the Gambier Island Local Trust Committee of the Islands Trust for bylaw nos. 148 (OCP) and 149 (LUB).

The purpose of the bylaws is to amend and supplement Gambier Island's Riparian Areas Development Permit Area (DPA) by:

- 1) Resolving technical issues that currently affect implementation of the development permit area; and
- 2) Incorporating new guidelines to protect sensitive watercourses and wetlands on Gambier Island that do not support fish habitat (and are therefore not subject to the Provincial *Riparian Areas Regulation* (RAR)) but that have important environmental values.

Proposed Bylaw No. 148 will, if adopted, amend the Gambier Island Official Community Plan Bylaw No. 73, 2001 to include language that justifies protection of "non-RAR" watercourses and wetlands via DPA 3 – Riparian Areas. Other OCP amendments include minor changes to address technical issues with the existing DPA, and an addition to the development approval information section to require a QEP report when development is proposed adjacent to "non-RAR" watercourses and wetlands.

Proposed Bylaw No. 149 will, if adopted, amend the Gambier Island Land Use Bylaw No. 86, 2004 so that DPA 3 – Riparian Areas:

- includes guidelines for development proposed near "non-RAR" watercourses and wetlands;
- includes guidelines for subdivision design that is sensitive to riparian areas;
- is amended to address technical issues with the existing DPA;
- is triggered by a broader range of proposed development types (beyond only residential, commercial, and industrial development);

For background information please see webpage: <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/projects-initiatives/riparian-areas-protection/>

To access the Gambier Island Official Community Plan and related land use bylaws, please click <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/bylaws/>

Please review the proposed regulations and indicate how your agency's interests in the proposed regulations are affected. A referral response form is included for your convenience and we would appreciate your comments by **September 7, 2018**.

For more information or if you should have questions on the proposed bylaw, please contact Madeleine Koch, Planner 2, at (250) 247-2207 or by email to mkoch@islandstrust.bc.ca.

Please contact the undersigned to acknowledge your receipt of this email.

Sincerely,

Becky McErlean

Legislative Clerk
Northern Office, Islands Trust
700 North Road
Gabriola, BC V0R 1X3
250-247-2206
Enquiry BC Toll-free call 1-800-663-7867
or from the lower mainland 604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca
Preserving Island communities, culture and environment since 1974

From: Becky McErlean
Sent: Wednesday, July 25, 2018 10:30 AM
To: Madeleine Koch
Subject: FW: Bylaw Referral - Gambier Island - Bylaw Nos. 148 & 149 (RAR and Non-RAR) - DFO

fyi

Becky McErlean
Legislative Clerk
Northern Office, Islands Trust
700 North Road
Gabriola, BC V0R 1X3
250-247-2206
Enquiry BC Toll-free call 1-800-663-7867
or from the lower mainland 604-660-2421

Websites: www.islandstrust.bc.ca | www.islandstrustfund.bc.ca
Preserving *Island* communities, culture and environment since 1974

From: Gravelle, Kristin [<mailto:Kristin.Gravelle@dfo-mpo.gc.ca>]
Sent: Wednesday, July 25, 2018 10:04 AM
To: Becky McErlean
Subject: RE: Bylaw Referral - Gambier Island - Bylaw Nos. 148 & 149 (RAR and Non-RAR) - DFO

Hi Becky,

The role of the DFO's Fisheries Protection Program (FPP) is to protect and conserve fish and fish habitat in support of Canada's coastal and inland fisheries resources, and to make regulatory decisions under the fisheries protection provisions of the Fisheries Act. The FPP is specifically responsible for reviewing projects for which a s.35(2) Fisheries Act Authorization is required.

DFO does not have a regulatory role related to the proposed Bylaws (148 (OCP) and 149 (LUB)) outlined by the Gambier Island Local Trust Committee because it does not directly propose works, undertakings or activities that may result in serious harm to fish.

DFO's Projects Near Water website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) includes information for proponents on how to comply with the *Fisheries Act*, request a DFO review of a project, and request a *Fisheries Act* authorization.

If you have any further questions about DFO's regulatory process or need general information, contact DFO's Fisheries Protection Program toll free: 1-866-845-6776 or email: EnquiriesPacific@dfo-mpo.gc.ca.

Regards,

Kristin Gravelle

Fisheries Protection Biologist, Fisheries Protection Program
Fisheries and Oceans Canada/Government of Canada
Kristin.Gravelle@dfo-mpo.gc.ca/Tel: 250-756-7292

From: Becky McErlean [<mailto:bmcerlean@islandstrust.bc.ca>]
Sent: July-25-18 8:56 AM
To: FPP.PAC / PPP.PAC (DFO/MPO)
Subject: Bylaw Referral - Gambier Island - Bylaw Nos. 148 & 149 (RAR and Non-RAR) - DFO

Attention: Referrals

Please find attached a bylaw referral package on behalf of the Gambier Island Local Trust Committee of the Islands Trust for bylaw nos. 148 (OCP) and 149 (LUB).

The purpose of the bylaws is to amend and supplement Gambier Island's Riparian Areas Development Permit Area (DPA) by:

- 1) Resolving technical issues that currently affect implementation of the development permit area; and
- 2) Incorporating new guidelines to protect sensitive watercourses and wetlands on Gambier Island that do not support fish habitat (and are therefore not subject to the Provincial *Riparian Areas Regulation* (RAR)) but that have important environmental values.

Proposed Bylaw No. 148 will, if adopted, amend the Gambier Island Official Community Plan Bylaw No. 73, 2001 to include language that justifies protection of "non-RAR" watercourses and wetlands via DPA 3 – Riparian Areas. Other OCP amendments include minor changes to address technical issues with the existing DPA, and an addition to the development approval information section to require a QEP report when development is proposed adjacent to "non-RAR" watercourses and wetlands.

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Please review the proposed regulations and indicate how your agency's interests in the proposed regulations are affected. A referral response form is included for your convenience and we would appreciate your comments by **September 7, 2018**.

For more information or if you should have questions on the proposed bylaw, please contact Madeleine Koch, Planner 2, at (250) 247-2207 or by email to mkoch@islandstrust.bc.ca.

Please contact the undersigned to acknowledge your receipt of this email.

Sincerely,

Becky McErlean
Legislative Clerk
Northern Office, Islands Trust
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Preserving Island communities, culture and environment since 1974



Islands Trust

BYLAW REFERRAL FORM

700 North Road
Gabriola Island BC V0R 1X3
Ph: (250) 247-2063
Fax: (250) 247-7514
northinfo@islandstrust.bc.ca
www.islandstrust.bc.ca

Island: Gambier Island Local Trust Area – **Bylaw** 148 (OCP) and **Date:** July 24, 2018
Gambier Island **Nos.:** 149 (LUB)

You are requested to comment on the attached Bylaw for potential effect on your agency's interests. We would appreciate your response within 60 days by **September 7, 2018**. If no response is received within that time, it will be assumed that your agency's interests are unaffected.

APPLICANTS NAME / ADDRESS:

Gambier Island Local Trust Committee

PURPOSE OF BYLAWS:

The purpose of the bylaws is to amend and supplement Gambier Island's Riparian Areas Development Permit Area (DPA) by:

- 1) Resolving technical issues that currently affect implementation of the development permit area; and
- 2) Incorporating new guidelines to protect sensitive watercourses and wetlands on Gambier Island that do not support fish habitat (and are therefore not subject to the Provincial *Riparian Areas Regulation* (RAR)) but that have important environmental values.

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- includes guidelines for subdivision design that is sensitive to riparian areas;
- is amended to address technical issues with the existing DPA;
- is triggered by a broader range of proposed development types (beyond only residential, commercial, and industrial development);

GENERAL LOCATION:

Gambier Island

OTHER INFORMATION:

In 2017, the Gambier Island Local Trust Committee adopted Bylaws 140 and 141 to bring in a new Riparian Areas Development Permit Area (DPA) for Gambier Island. The principal purpose of this DPA was to bring Gambier Island into compliance with the provincial *Riparian Areas Regulation* (RAR) which requires local governments to protect riparian areas that support fish habitat from development. Since adoption, a number of technical issues affecting implementation of the DPA have been discovered. Furthermore, the Local Trust Committee decided to expand applicability of the DPA so that it also protects watercourses and wetlands that are not subject to the RAR, but have important ecological and habitat values for other species, such as native amphibians.

Please direct any communications regarding this referral to Madeleine Koch, Planner 2, at (250) 247-2207 or by email to mkoch@islandstrust.bc.ca.

Please fill out the Response Summary on the back of this form for each bylaw. If your agency's interests are "Unaffected", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Name: Madeleine Koch
Title: Planner 2

PLEASE TURN OVER

This referral has been sent to the following agencies:

Federal Agencies

N/A

Provincial Agencies

Ministry of Forests, Lands, Natural Resource Operations and Rural Development
Fisheries and Oceans Canada
Agricultural Land Commission
Ministry of Transportation and Infrastructure
School District 46

Non-Agency Referrals

Islands Trust Conservancy
Gambier Island Advisory Planning Commission

Regional Agencies

N/A

Adjacent Local Trust Committees and Municipalities

Bowen Island Municipality
Sunshine Coast Regional District

First Nations

Skwxwú7mesh Úxwumixw (Squamish Nation)
Tsleil-Waututh Nation
Musqueam First Nation

BYLAW REFERRAL FORM RESPONSE SUMMARY

☐

Approval Recommended for Reasons Outlined Below

☒

Approval Recommended Subject to Conditions Outlined Below

☐

Interests Unaffected by Bylaw

☐

Approval Not Recommended Due to Reason Outlined Below

Please be aware that the bylaws as written will require the Islands Trust Conservancy to issue contracts for assessment of trail work and habitat restoration work in and around streams and watercourses. This added requirement will add cost to ITC property management in the event that we need to do trail maintenance or restoration. The ITC respectfully requests that the bylaws be edited to provide an exemption from these requirements for the purpose of conducting management on our conservation lands. ITC staff are happy to work with the Islands Trust planners on bylaw language as needed.

Gambier Island Local Trust Area – Gambier Island

(Island)

Bylaw No. 148 (OCP) and Bylaw No. 149 (LUB)

(Bylaw Number)

(Signature)

(Title)

(Date)

(Agency)

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	Fall/ Winter 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	Fall/ Winter 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

Riparian Areas Regulation Implementation - Project Charter

Gambier Island Local Trust Committee

Date: Dec 13, 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.

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Draft amendments to Bowyer & Passage LUB, Gambier Assoc. Islands LUB, for consistency with draft guidelines in Gambier DPA 3; LTC consideration	2019
First Nations and Agency Referrals for Gambier OCP/LUB amendments	June—December 2018
First Nations and Agency Referrals for amendments to Bowyer and Passage LUB, Gambier Associated Islands LUB, and the Associated Islands OCP	2019
Webinar and Community Information Meeting	Feb-March 2019
Consideration of Second reading	Spring 2019
Public hearing/ Statutory approvals	Spring-Summer 2019

Project Team

Island Planner	Project Manager	Budget		
Regional Planning Manager	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 and June 28, 2018		Budget Source: Gambier RAR (\$7000)		
		Fiscal	Item	Cost
		2018-19	Legal Review	\$3000
		2018-19	Webinar hosting, CIM, mail out packages/possible PH notice	\$2000 (est.)
RPM Approval:			Total	136000
Date:				

MEMORANDUM

File No.: 3026-10 (LTC General –
Meeting Logistics)

DATE OF MEETING: December 13, 2018
TO: Gambier Island Local Trust Committee
FROM: Ann Kjerulf, Regional Planning Manager
Northern Team
SUBJECT: 2019 Local Trust Committee Meeting Schedule

RECOMMENDATION

1. That the Gambier Island Local Trust Committee schedule its regular business meetings on the following dates in 2019: January 31, March 21, May 2, June 13, July 25, October 10, and November 21.

DISCUSSION

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular business meeting schedule for 2019. Tentative dates have been identified in relation to anticipated project commitments, application volumes, trustee availability, ferry schedules, statutory holidays, conferences, Trust Council, Trust Council Committees, Trust Fund Board, and available staff and financial resources. Tentative meeting dates are identified in Attachment 1.

If alternative dates are proposed, LTCs should avoid scheduling meetings on dates which may conflict with other planned meetings or events. Key dates are noted for reference in Attachment 1. Note, LTCs do not need to identify the planned start times or locations for meetings. Meeting details will be advertised in accordance with legislated notification requirements.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	November 28, 2018
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ATTACHMENT

1. Tentative 2019 Northern Local Trust Committee Meeting Schedule

ATTACHMENT 1 – TENTATIVE 2019 NORTHERN LOCAL TRUST COMMITTEE MEETING SCHEDULE

LTC	Denman	Gabriola	Gambier	Hornby	Lasqueti	Thetis	Ballenas-Winchelsea
	- February 7 March 7 April 4 - June 6 July 4 - - October 3 November 7 -	January 24 February 28 - April 11 May 16 June 27 July 11 - September 12 October 24 November 28 -	January 31 - March 21 - May 2 June 13 July 25 - - October 10 November 21 -	- February 8 - April 5 - June 14 July 12 - September 13 - November 8 -	- February 25 - April 8 May 27 - July 22 - September 30 October 28 - -	- February 19 - April 16 - June 25 July 16 - - October 8 November 19 -	- - March 6 - - - July 10 - - October 16 - -
Total	7	9	7	6	6	6	3

Day	Thursday	Thursday	Thursday	Friday	Monday	Tuesday	Wednesday
Time	12:30 pm	10:15 am	10:30 am	11:30 am	11:00 am	9:30 am	10:00 am
Location	Denman Activity Centre	Gabriola Arts & Heritage Ctr	Various	Community Centre	Judith Fisher Centre	Thetis Community Centre	Various

Key Dates

Stat Holidays	Jan. 1; Feb.18; Apr 19, 22; May 20; July 1; Aug.5; Sept.2; Oct.14; Nov.11; Dec.25, 26
Trust Council	Jan. 15-16 (Nanaimo), Mar. 12-14 (Galiano), June 18-20 (Gabriola), Sept 17-19 (Bowen), Dec. 3-5 (Victoria)
Executive Committee (TENTATIVE)	Jan 30, Feb 13,27, Mar 6,27, Apr 17,May8, Jun5,18,Jul3,24, Aug14, Sep4, 17, Oct 2, 30, Nov27, Dec3, 18
Financial Planning Committee (TENTATIVE)	Jan. 21; Feb. 20; May 29; Aug. 28; Oct. 23; Nov. 20
Trust Fund Board	TBD
Trust Programs Committee (TENTATIVE)	Jan. 23; May 15; Aug. 21;
Local Planning Committee (TENTATIVE)	Feb. 6; Aug. 22; Nov 13
SD 79 (Cowichan) Spring Break	Mar 11-22
SD 46 (Sunshine Coast) Spring Break	Mar 18-29
SD 68 (Nanaimo) Spring Break	Mar 18-29
SD 71(Comox) Spring Break	Mar 18-29
LGLA Conference	February 12-14 or 13-15
Salish Sea Ecosystem Conference	N/A
AVICC Conference	April 12-14
LGMA Conference	June 11-13
PIBC Conference	May 8-10
CIP Conference	July 3-6
UBCM Conference	Sept. 23-27



BRIEFING

To: Local Trust Committees and Bowen Island Municipality **For the Meeting of:** August 7, 2018

From: Islands Trust Conservancy **Date Prepared:** July 17, 2018

SUBJECT: Incorporating the Regional Conservation Plan into Land Use Planning

PURPOSE: The Islands Trust Conservancy is providing all local trust committees and Bowen Island Municipality with a briefing to provide information on the ways the Islands Trust Conservancy's 2018-2027 Regional Conservation Plan and associated mapping and data can be incorporated into Official Community Plans, Land Use Bylaws and local planning initiatives and projects.

BACKGROUND:

In March, Trust Council endorsed the Islands Trust Fund's Regional Conservation Plan. At its April 2018 meeting, the Trust Fund Board (now Islands Trust Conservancy) passed the following resolution:

That the Trust Fund Board direct staff to provide a briefing to all local trust committees and Bowen Island Municipality requesting that consideration be given to incorporating elements of the 2018-2027 Regional Conservation Plan (including associated data and mapping) into Official Community Plans.

The Regional Conservation Plan contains significant information about regional conservation priorities that could be considered when making land use planning decisions. This information is informed by conservation area modelling, which uses multiple data sets regarding biodiversity priorities and threats to ecosystems. The information is available by local trust area/island municipality.

Why do we have a Regional Conservation Plan?

The rich diversity of life in the Islands Trust Area makes the region ecologically significant, not only locally, but globally. Most of the region is within the Coastal Douglas-fir zone, one of the rarest of British Columbia's 16 biogeoclimatic zones. The Douglas-fir ecosystems of this zone, including Garry oak and associated ecosystems, are globally rare – in the entire world they occur only on the east coast of southern Vancouver Island, the islands of the Georgia Basin, and a small area of the mainland. The Islands Trust Area is also home to several other sensitive and rare ecosystems and hundreds of rare terrestrial and marine plants and animals.

Despite its ecological significance, biodiversity in the Islands Trust Area is exposed to significant threats. With over 68% of the Islands Trust Area in private land ownership and over 3.3 million people living in the surrounding areas, the pressures to develop and change the natural landscape in the islands are substantial.

Because of the significance of the ecosystems found in the Islands Trust Area and the threats they are under, conservation planning is an important tool to ensure that the natural beauty that draws so many to the region is not lost. Since 2005, the work of the Islands Trust Conservancy has been guided by regional conservation plans. These plans have also, in some cases, supported the planning work of the Islands Trust.

What's in the Regional Conservation Plan?

The Regional Conservation Plan provides background on the ecosystems in the Islands Trust Area, evaluates their current status, identifies priorities and threats, and sets goals and objectives for the Islands Trust Conservancy for the next ten years. The goals identified in the 2018-2027 Regional Conservation Plan are:

1. Identify, investigate and communicate about important natural areas to generate action on conservation priorities
2. Strengthen relationships with First Nations to identify and collaborate on shared conservation goals
3. Continue to secure and manage Islands Trust Conservancy lands and conservation covenants to maximize ecological integrity
4. Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

There are island profiles in Appendix II of the RCP with information specific to each local trust committee area and Bowen Island.

How can the Regional Conservation Plan support land use planning?

The Regional Conservation Plan can help trustees and planners identify opportunities and inform priorities for land use planning activities across the Islands Trust. During the 2018-2022 local government term, each Islands Trust LTC/IM will identify top priorities for land use planning activities and should ensure that existing Official Community Plans and Land Use Bylaws meet the goals of the Islands Trust Policy Statement and support the goals of the Regional Conservation Plan.

LTCs and BIM can use the following table to identify land use planning projects to initiate during the 2018-2022 term to advance the Islands Trust Policy Statement Goal: *to Foster preservation and protection of the Trust Area's ecosystems* and the directive policies:

Directive Policy	Available resources (Regional Conservation Plan, mapping, etc.):	What can LTCs/IM do with this information?
3.1 Ecosystems		
3.1.3 LTCs/IMs shall, in their OCPs and regulatory bylaws <i>address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.</i>	The Regional Conservation Plan highlights the following as biodiversity priorities for the region: • Sensitive ecosystems • Healthy forests • Species and ecosystems at risk • Marine shorelines and nearshore areas • Islets and small islands • Size, corridors and connectivity to other protected areas Available information and data/mapping to support these directive policies: • updated Sensitive	Development of maps; Official Community Plan (OCP) policy language and Land Use Bylaw (LUB) regulations that: • Identify and protect environmentally sensitive areas • Identify and protect significant natural sites/features/landforms • Support the development of protected area networks (or "greenways") • Identify contiguous forest cover Designate Development Permit Areas (DPAs) to protect environmentally sensitive areas
3.1.4 LTCs/IMs shall, in their OCPs and regulatory bylaws <i>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.</i>		

	Ecosystem Mapping • Species at Risk/Critical Habitat Mapping • Ecosystem Disturbance Mapping • Priority Lands for Conservation (regional scale)	and significant natural features Prioritize bylaw investigation and enforcement on matters negatively impacting ecosystem health
3.2 Forest Ecosystems		
3.2.2 LTCs/IMs shall, in their OCPs and regulatory bylaws: <i>address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development and land-use.</i>	Available information and data/mapping to support this directive policy: • Mapping of Forested Ecosystems, including forest type and age • Regional Conservation Plan: Biodiversity Priorities; Forest Ecosystem descriptions and statistics • RCP Island Profiles: Sensitive Ecosystems, Forest Ecosystems and Ecosystem Disturbance for each LTA/BIM	Designate DPAs to protect unfragmented forest ecosystems Reduce site coverage density in land use bylaws Negotiate covenants to protect contiguous forest as conditions of rezoning Integrate conservation subdivision principles into land use bylaw requirements for subdivision (lot clustering, density transfer, conservation planning) Prioritize bylaw investigation and enforcement on matters negatively impacting forest ecosystems Adopt Tree Protection Bylaws (for municipalities)
3.3 Freshwater and Wetland Ecosystems and Riparian Zones		
3.3.2 LTCs/IMs shall, in their OCPs and regulatory bylaws: <i>address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.</i>	Available information and data/mapping to support this directive policy: • Mapping of Sensitive Ecosystems, including wetlands, freshwater and riparian • RCP: Island Profiles - Sensitive Ecosystems • Watershed mapping • Water courses mapping (TRIM) • Riparian Areas Regulation data/mapping in select areas	Designate DPA's to protect sensitive freshwater, wetland and riparian areas Implement the <i>Riparian Areas Regulation (RAR)</i> including protection of non RAR watercourses Develop LUB setbacks from water bodies Develop LUB landscape buffers along water bodies Implement freshwater planning tools and regulations available in the <i>Water Sustainability Act</i> Develop aquifer mapping and water budgets

		Designate DPAs for water conservation for all new construction/development Prioritize bylaw investigation and enforcement on matters negatively impacting freshwater, wetland and riparian ecosystems
3.4 Coastal and Marine Ecosystems		
3.4.4 LTCs/IMs shall, in their OCPs and regulatory bylaws: <i>address the protection of sensitive coastal areas.</i>	Available information and data/mapping to support these directive policies: • Eelgrass mapping • Forage fish habitat mapping (for some islands) • Species at Risk Critical Habitat Mapping – Southern Resident Orca • Shorezone mapping • New Sand Ecosystems Mapping • Dock mapping (point data)	Include mapping of marine ecosystems in OCPs and policies for regulation of development in sensitive coastal areas Designate DPAs to protect sensitive coastal areas and the intertidal zone Include DPA guidelines that address fragmentation of the coastline by subdivision Amend LUBs to create landscape buffers along the shoreline Increase LUB setbacks from the natural boundary of the sea based on the provincial 2100 sea level rise predictions Amend LUBs to limit development of private docks/structures in the marine zones Prioritize bylaw investigation and enforcement on matters negatively impacting coastal and marine ecosystems
3.4.5 LTCs/IMs shall, in their OCPs and regulatory bylaws: <i>address the planning for and regulation of development in coastal regions to protect natural coastal processes.</i>		

ATTACHMENT(S):

No attachments. For reference, the 2018-2027 Regional Conservation Plan is available online [here](#).

FOLLOW-UP:

- Consider this briefing when establishing work program priorities
- Request planning advice on how to integrate conservation data and mapping resources when considering applications, projects, etc.
- Local trust committees/island municipalities wishing to create specific maps using conservation modeling (land prioritization based on multiple data sets) or ecosystem mapping should request assistance from ITC and GIS staff.

Prepared By: Jennifer Eliason, Islands Trust Conservancy Manager

Reviewed By/Date: Regional Planning Managers and Director of Local Planning Services/July 3, 2018
Clare Frater, Director of Trust Area Services/July 9, 2018
Islands Trust Conservancy Board/July 17, 2018



DATE OF MEETING: December 13, 2018
 TO: Gambier Island Local Trust Committee
 FROM: Justine Starke, Island Planner
 COPY: Ann Kjerulf, Regional Planning Manager

RECOMMENDATION

THAT the Gambier Island Local Trust Committee consider implementation of the report *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)* as a top priority work program item.

REPORT SUMMARY

This report presents, *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)* for consideration of implementation by the Local Trust Committee. Local Planning Committee (LPC) has developed the attached tool kit for protection of the Coastal Douglas Fir zone and associated ecosystems. There are a number of recommendations for implementation of the tool kit throughout the Islands Trust Area. LPC has requested distribution of the Coastal Douglas Fir Tool Kit to local trust committees with a recommendation to add it as a top priority long range planning project.

BACKGROUND

[Local Planning Committee](#) is a subcommittee of Islands Trust Council with the responsibility for addressing planning needs applicable throughout the Islands Trust Area.

On November 9, 2017, Local Planning Committee moved Coastal Douglas-fir and associated ecosystems as a top priority in accordance with the Trust Council Strategic Plan (2015-18):

- L.1.6.1 Amend land use bylaws to improve protection of high biodiversity areas (LTCs)
- T.1.7.1 Develop a planning tool kit to illustrate how to protect Coastal Douglas-fir and associated ecosystems (LPC).
- L.1.7.1 Use land use planning tools to protect Coastal Douglas-fir and associated ecosystems through land use planning (LTCs).

Staff developed the tool kit and the final report was received by Local Planning Committee on October 11, 2018 when the following resolutions were passed:

LPC-2018-015 It was MOVED and SECONDED, that Local Planning Committee accepts the final Coastal Douglas-fir Toolkit and directs staff to bring the report to Trust Council for consideration of implementation by the 2019-2023 Islands Trust Council. **CARRIED**

LPC-2018-016 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:
 a) distribute the Coastal Douglas-fir Toolkit to local trust committees with a recommendation to add it as a top priority long-range planning project;

b) prioritize protection of the Coastal Douglas-fir and Associated Ecosystems and implementation of the Islands Trust Conservancy Regional Conservation Plan in the Islands Trust Council strategic plan for 2019-2023. **CARRIED**

LPC-2018-017 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

c) direct Local Planning Committee to commission mapping of contiguous tracks of the Coastal Douglas-fir zone and associated ecosystems across the Islands Trust Area. **CARRIED**

LPC-2018-018 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

d) request staff to create a strong communications program that will support Islands Trust Conservancy conservation initiatives for Coastal Douglas-fir protection as well as support the land use planning process, with a special focus on communicating the role of Development Permit Areas as a tool for Coastal Douglas-fir protection that permits development.

LPC-2018-019 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

e) request staff to bring recommendations as to how the Natural Areas Property Tax Exemption Program (NAPTEP) can be strengthened to prioritise contiguous tracks of the Coastal Douglas-fir zone and options for increasing communications about NAPTEP. **CARRIED**

LPC-2018-020 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

f) request Trust Area Services staff to continue participating in the Coastal Douglas-fir Conservation Partnership. **CARRIED**

LPC-2018-021 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

g) advocate to the Province for additional land use orders protecting Coastal Douglas-fir in the Islands Trust Areas. **CARRIED**

LPC-2018-022 It was MOVED and SECONDED, that Local Planning Committee requests staff undertake mapping of the Coastal Douglas-fir zone and associated ecosystems within the existing budget this term. **CARRIED**

ANALYSIS

The tools available to the Islands Trust can advance protection of the Coastal Douglas-fir zone and associated ecosystems across the Trust Area. Islands Trust and the Islands Trust Conservancy together have the authority to regulate land use, act as a land conservancy, and coordinate with other levels of government. Islands Trust can also work collaboratively with community groups, conservation groups, and individuals to advance a broader set of tools for protection of the CDF Zone. The land use planning powers of local trust committees can be much more effectively used to protect this vulnerable ecosystem.

Objectives for CDF Protection

The policy, regulatory, and legal powers of Islands Trust are nested and can be designed to achieve the following recommended objectives:

- Maintain Contiguous Forest Cover
- Protect and Restore Functioning Ecosystems
- Protect Watershed Ecology
- Honour the Cultural Heritage of Coast Salish Stewardship

The biggest threat to the CDF zone in the Islands Trust is the incremental fragmentation of the forest through rural and residential development. The report suggests a path for Trust Council, the Islands Trust Conservancy, and local trust committees to protect the CDF zone (see the “Ten Essential Steps for Islands Trust to Protect the CDF Zone.” These recommendations are suggested from the position that the best tools are the ones that are easiest to use and are most squarely within the jurisdiction of Islands Trust.

ALTERNATIVES

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

- 1. Add implementation of the report, Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018), to the LTC project list.**

NEXT STEPS

Request staff to bring forward a project charter that proposes scope, timelines, and budget for this work.

Submitted By:	Justine Starke, RPP, MCIP Island Planner	November 27, 2018
Concurrence:	David Marlor, RPP, MCIP Director, Local Planning Services	November 29, 2018

ATTACHMENTS

- Coastal Douglas Fir Zone Tool Kit: <http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf>

December 3, 2018

Gambier Island Local Trust Committee
c/o 710 North Road
Gabriola Island, BC V0X 1X0

Dear Chair Fast,

Congratulations on the formation of the new Gambier Island Local Trust Committee.

I am writing to you on behalf of the Ocean Watch Task Force to provide background into the work we are doing on your behalf and to request the continuing participation of your Committee.

The Ocean Watch Task force (OWTF) is a multi-representative group that was created by the members of the Howe Sound Community Forum to advance the recommended actions summarized in the Ocean Watch Howe Sound report published by the Coastal Ocean Research Institute and the David Suzuki Foundation in 2017. See the executive summary attached.

Its primary objectives as outlined in the attached Terms of Reference are to:

- Identify which actions in the Ocean Watch: Howe Sound Action Plan are within the mandate and reach of member communities.
- Focus on the identifying selected actions by Local Governments for implementation and highlight potential actions that include policy integration and collaboration between member Local governments and First Nations;
- Contribute information on what action local governments and Squamish Nation are already undertaking toward the goals.
- Recommend a process through which the selected actions get done

One of the most significant actions has been to support the development of the **Marine Reference Guide**, a comprehensive, one-stop, live dataset that will be available for local planning, research and the general public to access online about Howe Sound/Atl'Kitsem. The Islands Trust Conservancy donated \$500.00 to cover a three-year commitment to Tides Canada in the development of the Marine Reference Guide.

Other action we are focusing on is derelict or abandoned vessels and associated marine structures and what tools are available to local governments to effect change for this complex issue.

The Ocean Watch Task Force are requesting that your Committee continue to support our work by sending one locally elected member and a member of your planning staff to attend our meeting (generally at Gleneagles Golf Club) on a monthly basis.

We look forward to continuing our work with your local government to support the ongoing transformation of this special area.

Regards,

Kate-Louise Stamford, Gambier Island Trustee
Co-chair

Doug Race, District of Squamish
Co-chair

OceanWatch – Howe Sound Edition Action Plan

Task Force

Terms of Reference

Background: The Vancouver Aquarium's Coastal Ocean Research Institute produced in February 2017 the OceanWatch-Howe Sound Edition. This report was a collaborative and comprehensive project that provides a valuable assessment of the ongoing recovery of the health of Howe Sound. The report lists seven action items with recommendations that need to be supported in order to maintain the recovery and health of Howe Sound.

In 2002, the _____ signed the Principles for Cooperation as members of the Howe Sound Community Forum. Among a number of shared values is Stewardship. To support the stewardship of the Action Plan items, it is recommended a Task Force with participation from each Howe Sound community be established to identify the short, medium and long term contributions to each of the seven action items resulting from the plan.

Responsibilities:

- Identify which actions in the Ocean Watch: Howe Sound Action Plan are within the mandate and reach of member communities.
- Focus on the identifying selected actions by Local Governments for implementation and highlight potential actions that include policy integration and collaboration between member Local governments and First Nations;
- Contribute information on what action local governments and Squamish Nation are already undertaking toward the goals.
- Recommend a process through which the selected actions get done
- .

Deliverables:

Bring forward recommendations and processes to Howe Sound Community Forum members that target selected actions for local governments to achieve.

Report at the Howe Sound Community Forums on recommendations, timelines and progress to-date on the Action Plan.

Representation:

The task force is open to representation from Squamish and Tsleil Waututh Nations and one Council member and/or staff member with relevant portfolios from Local Governments (see table) directly adjacent to Howe Sound. Non-government organizations are invited to attend to provide input and support.

This is intended to be a Working Group. Meeting coordination and facilitation will be with the volunteer assistance as needed.

Local Governments:

Squamish Nation
Tsleil Waututh
Village of Lions Bay
District of Squamish
Bowen Island Municipality
District of West Vancouver
Town of Gibsons
Gambier Island Local Trust
SCRD Area F
SLRD Area D
Metro Vancouver Area A

Support:

Members of the Vancouver Aquarium's Coastal Ocean Research Institute, Suzuki Foundation and Howe Sound Biosphere Region Initiative will provide technical/background support to the Task Force and help develop agendas.

Expertise and/or the Authors of various chapters in the Report may be asked to attend specific meetings to provide perspective, context and expertise.

Meeting procedures:

Frequency: The task force shall meet once a month in person or by teleconference as arranged by the Volunteer coordinator.

Costs: No commitment of money to the task force other than staff time.

Duration: 120 minutes each meeting.

Notice of meeting: As far as practicable, notice of meetings and supporting documentation shall be available three working days in advance of the meeting date.

Notes/Actions: Minutes of actions will be circulated to all Howe Sound Community Forum members, working groups and sub-committees.

Task Force Process:

Meetings will be co-chaired by Howe Sound Community Forum representatives and a member of the Squamish Nation, subject to the desire and availability to participate.



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality September 2018

Islands Trust Conservancy Staff Changes

Kate Emmings stepped into the role of acting Manager for the Islands Trust Conservancy, filling in for Jennifer Eliason, who is on a temporary assignment with BC Parks until the end of March 2019. Nuala Murphy stepped into the role of acting Ecosystem Protection Specialist, backfilling for Kate Emmings until the end of February 2019. The role of Property Management Specialist is currently vacant and will hopefully be filled by the end of the year. ITC administrative assistant Corlynn Strachan took a temporary assignment with the Ministry of Forests, Lands, Natural Resource Operations and Rural Development; filling in for her until April 2019 is Alexandra Trifonidis.

New Islands Trust Conservancy Board Member

The Islands Trust Conservancy (ITC) board is thrilled to welcome Linda Adams, former Islands Trust Chief Administrative Officer, as a newly appointed board member. Appointed members are selected by the Crown Agency and Board Resourcing Office.

2018-2019 Budget Request

The ITC board considered a business case for ITC staffing and recommended to the Islands Trust Council that the 2019-2020 budget include funding for one new auxiliary Covenant Monitoring and Outreach Specialist position and that financial planning for the 2020-2021 budget include a vision for a new fundraising position.

Approval of Lasqueti Islands Nature Conservancy (LINC) Opportunity Fund Grant

The ITC board awarded a \$4,500 Opportunity Fund grant to LINC for a matching fundraising campaign for the purchase of Salish View on Lasqueti Island. The campaign is set to close in December and approximately \$90,000 is required to complete the protection of 11.61 ha of Coastal Douglas-fir forest.

Regional Conservation Plan Reporting

The ITC board discussed ways to communicate the Regional Conservation Plan to local trust committees, Executive Committee and the Trust Council after the October 2018 election.

New Name: Islands Trust Conservancy

ITC staff provided a verbal update about the Islands Trust Conservancy name change. The new website is active at www.islandstrustconservancy.ca and staff are updating print publications.

Summary of Current Island-by-Island Activities

The ITC board reviewed information and approved the annual covenant and nature reserve monitoring reports.

Denman

Staff finalized the revised management plan for Morrison Marsh Nature Reserve. Invasive species removal and trail clearing, sign installation, and tree caging for forest restoration continue at three ITC nature reserves on Denman.

Lasqueti

The Salish View campaign continues, in partnership with the Lasqueti Island Nature Conservancy (LINC). The ITC board granted LINC a \$4,500 Opportunity Fund grant for a matching fundraising campaign.

Link Island (Gabriola Island Local Trust Area)

The ITC board authorized the Chair to sign a NAPTEP covenant with the landowner and the Nanaimo & Area Land Trust Society for the creation of a new NAPTEP covenant. The 19.3 ha covenant has significant ecological value and is a good model of land conservation under the NAPTEP program.

North Pender Island

The ITC board approved a request from the landholder of the Wallace Point NAPTEP Covenant to widen the driveway to allow for the safe passage of large vehicles.

South Pender Island

The ITC board approved a request from Pender Islands Parks and Recreation Commission to grant a covenant waiver to create new trail sections and close other trail sections to reduce overall trail length. The waiver also permits maintenance of a waterfall viewing platform.

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 and a public open house will be held on Thetis Island October 13, 2018.

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

Tony Law, Chair tlaw@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca



Islands Trust

Print Date: December 4, 2018

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GM-DP-2018.1	GREGORY R MCDONNELL/CAROL BARLOW Planner: Jaime Dubyna	30-Aug-2018	PID: 008-993-831 Encroachment into RAR DPA.
Planning Status			
Status Date: 27-Nov-2018 Applicant submitted updated site plan and building plans.			
Status Date: 15-Nov-2018 Requested updated site plan and building plans.			
Status Date: 01-Nov-2018 Engineer to provide plans for placement of septic.			

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.			

File Number	Applicant Name	Date Received	Purpose
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Applications

GM-DVP-2018.1 AJIA Canadian 05-Sep-2018 PID: 010-090-266 Building new SFD, require changes to set backs. Civic
Building Systems Inc. address 668 Walkabout Road, Keats Island, BC
Planner: Sonja Zupanec

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2018.2	Treloar, DEBRA	15-Oct-2018	PID: 009-414-649 Adding on to cabin, need to vary set backs Civic address: 460 Vaucroft Road, Thormanby Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 16-Oct-2018

Planner requested current plan signed by a BC Land Surveyor in accordance with Section 2.8 (1) of the Gambier Associated Islands Land Use Bylaw.

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: December 4, 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.

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2018.1	Gambier Island Sea Ranch c/o Miller Thomson	08-Nov-2018	PIDs: Various (29) Subdivision application - Gambier Island Sea Ranch

Planner: Sonja Zupanec

Planning Status

Status Date:

Islands Trust
 LTC EXP SUMMARY REPORT F2019
 Invoices posted to Month ending September 2018

630 Gambier	Invoices posted to Month ending September 2018	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-630	LTC "Trustee Expenses"	3,000.00	2,498.03	501.97
LTC Local				
65200-630	LTC - Local Exp - LTC Meeting Expenses	4,750.00	2,496.96	2,253.04
65210-630	LTC - Local Exp - APC Meeting Expenses	500.00	414.14	85.86
65220-630	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-630	LTC - Local Exp - Special Projects	500.00	2,500.00	-2,000.00
TOTAL LTC Local Expense		<u>6,000.00</u>	<u>5,411.10</u>	<u>588.90</u>
Projects				
73001-630-2016	Gambier OCP/LUB	3,000.00	863.38	2,136.62
73001-630-2019	Gambier Keats Island OCP/LUB	3,500.00	0.00	3,500.00
73001-630-3003	Gambier RAR	5,000.00	3,903.24	1,096.76
73001-630-4094	Gambier Keats Island Shoreline Protection Review	3,500.00	1,718.41	1,781.59
TOTAL Project Expenses		<u>15,000.00</u>	<u>6,485.03</u>	<u>8,514.97</u>

Gambier Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy
1.	October 6, 2010	GM-082-2010	Guidelines for the appointment of members to the advisory planning commission	It was MOVED and SECONDED that the Gambier Island Local Trust Committee endorses the following guidelines for the appointment of members to the advisory planning commission and requests that such guidelines be posted on the Islands Trust website and are used in any posting to solicit expressions of interest from candidates for advisory planning commission membership: “The Gambier Island Local Trust Committee shall make all reasonable efforts, in the consideration of appointments to the advisory planning commission that members are: - Representative of a broad cross section of the geographical areas of the Gambier Island Local Trust Committee area; - Representative of a range of backgrounds and expertise that is supportive to each other in the consideration of matters referred to the advisory planning commission; - Where feasible and practical of a balanced representation of gender and age groups. Consideration shall be given to the following criteria in any appointment: • Previous experience as a member of a Board of Variance; • Experience on a local government council, board, local trust committee, commission or other body; • Experience with other volunteer boards, commissions or committees; • Experience and credential in a planning, design or related profession; • Experience and credentials in a building or design trade; • Educational background; • Length of residency in the local trust area; • Availability, and willingness to travel between local trust areas.
2.	March 26, 2015	GM-2015-018	Amend APC appointment guidelines	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	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	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.

**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	Sonja Zupanec	
2	Gambier OCP Comprehensive Review	Revised Project Charter endorsed June 2018	12-Feb-2015	Sonja Zupanec	
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 Stamford 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
Thormanby Islands Foreshore Protection Pilot Project		26-Jul-2018