



A NOTICE OF A BUSINESS MEETING OF **THE GAMBIER ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:30 AM on Thursday, December 13, 2012
at West Vancouver Seniors Centre,
695-21st Street, West Vancouver, BC

AGENDA

		Page No.	*Approx. Time*
1.	CALL TO ORDER		10:30 am
2.	APPROVAL OF AGENDA		
3.	MINUTES		
3.1	Local Trust Committee Meeting Minutes dated October 25, 2012 – <i>for adoption</i>	1-11	
3.2	Section 26 Resolutions Without Meeting Log dated December 4, 2012 – <i>attached for information</i>	12	
3.3	Gambier Island Advisory Planning Commission Minutes - <i>none</i>		
4.	BUSINESS ARISING FROM MINUTES		10:40 am
4.1	Follow-up Action List dated December 4, 2012 - <i>attached</i>	13-14	
4.2	Riparian Areas Regulation Communications Project – <i>verbal update</i>		
4.3	Shoreline Mapping – Keats and Thormanby Islands – <i>verbal update</i>		
4.4	Greenshores for Homes Project – <i>for discussion</i>		
5.	CHAIR'S REPORT		
6.	TRUSTEES' REPORT		
7.	DELEGATIONS		
7.1	Ruth Simons of Future of Howe Sound Society regarding Burnco Letter (Background Material) – <i>attached for information</i>	15-19	
8.	TOWN HALL SESSION		11:00 am
9.	CORRESPONDENCE <i>Correspondence specific to an active development application and/or project will be received by the Gambier Island Local Trust Committee when that application and/or project is on the agenda for consideration.</i>		
10.	LOCAL TRUST COMMITTEE PROJECTS		11:30 am
10.1	GM-LUB-2011.2 (Associated Islands Land Use Bylaw Review Project)		
	10.1.1 Staff Report dated December 3, 2012 – <i>attached</i>	20-87	
	10.1.2 Correspondence Package up to and including December 3, 2012 - <i>attached</i>	88-108	

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|-------------|--|---------|---------|
| 11. | APPLICATIONS AND PERMITS | | |
| 12. | BYLAWS | | |
| 13. | REPORTS | | |
| 13.1 | Work Program Reports | | |
| | Top Priorities Report and Projects List dated December 4, 2012 - <i>attached</i> | 109-111 | 1:00 pm |
| 13.2 | Applications Log | | |
| | Report dated December 4, 2012 - <i>attached</i> | 112-115 | |
| 13.3 | Trustee and Local Expenses | | |
| | 13.4.1 Expenses posted to October 31, 2012 - <i>attached</i> | 116 | |
| | 13.4.2 Expenses posted to November 30, 2012 - <i>attached</i> | 117 | |
| 14. | NEW BUSINESS | | |
| 14.1 | Web Based Community Information Meetings – <i>for discussion</i> | | |
| 14.2 | Local Trust Committee Meeting Agenda Formats for 2013 – <i>for discussion</i> | | |
| 15. | ISLANDS TRUST WEBSITE | | |
| 15.1 | Gambier page – <i>attached</i> | 118 | |
| 16. | CLOSED MEETING: The Gambier Island Local Trust Committee closes the next part of the December 13, 2012 business meeting to discuss matters pursuant to Section 90(1)(d) of the <i>Community Charter</i> to consider adoption of Closed Meeting Minutes and that Staff be invited to attend this meeting | | |
| 17. | RECALL TO ORDER | | |
| | Rise and Report from Closed Meeting | | |
| 18. | NEXT MEETING | | |
| | Thursday, January 31, 2013 at 10:30 am at Gibsons Library, 470 South Fletcher Road, Gibsons, BC | | |
| 19. | ADJOURNMENT | | 2:30 pm |

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

Note:

A Special Meeting to hold a Community Information Meeting will follow at 5:00 pm to 6:30 pm

The Community Information Meeting is to provide information about the Bylaw Enforcement Notice & Dispute Adjudication Bylaw and to give interested persons an opportunity to ask questions about the Bylaw Enforcement Notice & Dispute Adjudication processes. More information about this bylaw can be found at <http://www.islandstrust.bc.ca/lup/pdf/benbrochure.pdf>

DRAFT

**MINUTES OF THE GAMBIER ISLAND LOCAL TRUST COMMITTEE MEETING
HELD ON THURSDAY, OCTOBER 25, 2012 AT 11:00 AM
AT GIBSONS & AREA COMMUNITY CENTRE
700 PARK ROAD, GIBSONS, BC**

<u>PRESENT:</u>	David Graham	Chair
	Jan Hagedorn	Local Trustee
	Kate-Louise Stamford	Local Trustee
	Sonja Zupanec	Island Planner
	Vicky Bockman	Recorder

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

1. CALL TO ORDER

Chair Graham called the meeting to order at 11:00 am. He welcomed the public and introduced trustees and staff. He acknowledged that the meeting is being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The agenda was adopted by consensus with the following amendment:

- Add item 10.3: Shoreline Education Workshop Discussion

3. MINUTES

3.1 Local Trust Committee Meeting Minutes dated September 20, 2012

The minutes were adopted by consensus with the following amendments:

- page 1, item 1, second paragraph, second line: change "2:45" to "10:45"
- page 3, item 6, sixth paragraph, second line: change "Stewart" to "Stu"
- page 13, item 16: replace "Gleneagles Community Centre, 6262 Marine Drive, West Vancouver, BC" with "Gibsons & Area Community Centre, 700 Park Road, Gibsons, BC"

3.2 Section 26 Resolutions Without Meeting – None.

3.3 Gambier Island Advisory Planning Commission Minutes – None.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated October 15, 2012

Planner Zupanec summarized the Follow-Up Action List dated October 15, 2012 and responded to questions that arose.

4.2 *Bylaw Enforcement Notification Bylaw (BEN)*
Staff Report dated September 27, 2012

There was discussion on the options for communication of the Bylaw Enforcement Notification Bylaw to Gambier Trust area residents and property owners. The following points were raised:

- it was suggested that edits to the proposed information for distribution be forwarded to the Bylaw Enforcement Coordinator;
- a meeting with the Bylaw Enforcement Coordinator in attendance to explain the bylaw Enforcement Notice & Dispute Adjudication System and to answer questions from the community was considered;
- providing information by email on the new system and the proposed meeting with the Bylaw Enforcement Coordinator was regarded as an effective communication approach for the Gambier Trust area. This could be supplemented with information received through the latest news subscriber system.

GM-055-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee request Miles Drew, the Bylaw Enforcement Coordinator, to provide his availability for early spring, 2013 to hold a meeting to explain the Bylaw Enforcement Notice & Dispute Adjudication System Bylaw and answer questions and to report back his availability to the Gambier Island Local Trust Committee before December 13, 2012.

CARRIED

5. CHAIR'S REPORT

Chair Graham reported that he will be attending a Financial Planning Committee meeting next week and that work will begin on consideration of the budget cycle for the next fiscal year.

6. TRUSTEES' REPORT

Trustee Hagedorn reported on various activities and meetings attended since the last Local Trust Committee meeting. These included the Stewardship celebration and award to Stu Watson, a site visit to Tiki Island, a Keats Island Road Committee meeting, a Foreshore Mapping telephone meeting, a Shoreline Stewardship workshop on Pender Island, a protocol meeting with Metro Vancouver, and a group "holly pull" on Keats Island. She advised that Richard Beard has offered assistance to anyone requiring support in getting started in the removal of invasive plants, and that she will forward emails from those interested to him.

Trustee Hagedorn commented on upcoming events, noting that a copy of the Fall 2012 Draft Associated Islands Land Use Bylaw will be posted to the website and

encouraged further input from the community. She advised that technical questions and comments on the draft or the review process can be directed to Planner Zupanec, and that background information on the project can be found on the website. She reported that she will be attending a meeting with Sunshine Coast Regional District Area F Director and staff to review the 2012 island cleanup program and to review coordination of park projects on the islands.

She advised that BC Hydro's wood pole test and treat program will begin on Keats and Gambier Islands on November 12, 2012 and reminded residents that they can obtain flags for wells and organic gardens that may be within ten metres of treated poles by contacting herself or Trustee Stamford by email.

Trustee Stamford reported that she attended her first Public Wharves Advisory Committee meeting and encouraged input from boat owners on the question of user fees for commercial vessels on Sunshine Coast Regional District docks. She commented that there is no new information on the divestiture of the New Brighton dock at this time. Trustee Stamford noted that she has been following the efforts to replace the pay phone at New Brighton and that it remains unresolved. Trustee Stamford advised that she attended a protocol meeting with the Greater Vancouver Regional District, discussing the Horseshoe Bay access issue and the Howe Sound strategic plan which is starting to move forward.

Trustee Stamford reported that upcoming events include two meetings with Sunshine Coast Regional District Area F Director and staff, an Islands Trust Programs Committee meeting, and a meeting with Friends of Howe Sound for continued advocacy regarding the proposed BURNCO mine project.

7. **DELEGATIONS** – None.

8. **TOWN HALL DISCUSSION**

Bill Sievwright – asked for an update on the BURNCO project in Howe Sound.

Trustees and Planner Zupanec responded, advising that the public consultation round on the parameters of the environmental assessment is complete and now BURNCO must prepare a report to identify the issues within those parameters. It was noted that both federal and provincial agencies will be involved and that a rezoning application is being considered by the Sunshine Coast Regional District.

Lynn Leboe, East Trail Island – asked why geothermal exchange equipment and wind turbines are permitted on lots with dwellings but not on vacant land where a centrally located windmill could be more efficient and provide energy for several properties, encouraging community participation in a conservation effort.

Planner Zupanec explained the regulations and clarified that a rezoning application would be necessary to consider the placement of geothermal exchange equipment and wind turbines on a vacant lot for community energy distribution.

9. **CORRESPONDENCE** – None.

10. **LOCAL TRUST COMMITTEE PROJECTS**

10.1 *GM-LUB-2011.2 (Associated Islands Land Use Bylaw Review Project)
Staff Report dated October 11, 2012*

Planner Zupanec summarized the staff report which includes the status of the draft Associated Islands Land Use Bylaw, status of receipt of information from specific property owners, recommendations on a process to address Sunshine Coast Regional District building permits at variance with what is permitted in the draft Land Use Bylaw, next steps and timeline.

Discussion ensued as follows:

- in reference to the expansion of M1 zone, concern was expressed regarding the number of mooring buoys and options were considered. The question arose whether this can be included in regulations if not enforceable and it was suggested that a comment from bylaw enforcement on the issue would be helpful;
- concerns, benefits and size of a second community dock requested in zone M2(b) were deliberated;
- density, siting and size considerations for PI1 zone caretaker and accessory buildings were discussed.

GM-056-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee request staff to update the draft Land Use Bylaw as follows:

- Schedule A-1: insert site plan;
- Marine Foreshore Zone (M1): expand the zone adjacent to Buccaneer Holdings;
- Rural Residential Two Zone (RR2): limit the maximum combined dock area to 7,800 square feet;
- Rural Residential Two Zone (RR2): limit the maximum floor area for accessory buildings for jeep sheds to 1,300 square feet;
- Private Institutional One Zone (PI1): limit the maximum floor area to 22,037 square feet;
- Private Institutional One Zone (PI1): limit the total accessory building floor area to 48,760 square feet; and
- Private Institutional One Zone (PI1): limit the maximum number of caretaker buildings to 4.

CARRIED

GM-057-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee request staff to refer a copy of the Fall 2012 draft Associated Islands Land Use Bylaw (GM-LUB-2011.2) to the Sunshine Coast Regional District Board for review prior to Local Trust Committee consideration of first reading, as per the Letter of Understanding between the Sunshine Coast Regional District Board and the Gambier Island Local Trust Committee.

CARRIED

GM-058-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee request staff to advise the Sunshine Coast Regional District Board in writing that:

- 1) the content of the draft Land Use Bylaw may affect the Regional District Board's right to issue a building permit; and
- 2) after first reading has been given to the draft land use bylaw, the Local Trust Committee may direct the Sunshine Coast Regional District Board to withhold the issuance of building permits which contravene the intent of the proposed land use bylaw, as per the Letter of Understanding between the Sunshine Coast Regional District and the Gambier Island Local Trust Committee.

CARRIED

Prior to the vote, Trustee Hagedorn requested clarification of the advantages of notifying the Sunshine Coast Regional District after first reading versus after second reading. Planner Zupanec explained that a public hearing would be held after first reading and provided an overview of the effects of the public hearing on the process.

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

- Email dated October 23, 2012 from Robert Burns
- Email dated October 22, 2012 from Jay Munsie
- Email dated October 19, 2012 from Karl Gustavson
- Email dated October 23, 2012 from Frank Ingham
- Emails dated October 21, 2012 and October 23, 2012 from Douglas Wark

Lynn Leboe, East Trail Island - explained that she holds workshops that include overnight stays of guests and expressed concern that the draft Land Use Bylaw restricts the number of guests to four at any one time, a reduction from the prior maximum of six guests. She requested the number of bedrooms being used to accommodate guests be deleted from the draft bylaw and that the maximum number of permitted guests remain at six.

Planner Zupanec confirmed that the draft had reduced the maximum number of guests to reflect a lower impact and limited commercial benefit in a residential zone. She clarified that an existing use under the Home Occupation

regulations can continue after the adoption of the bylaw and the status would be considered to be legal, non-conforming.

Chair Graham recessed the meeting at 1:15 pm and reconvened the meeting at 1:25 pm.

The Local Trust Committee agreed by consensus to consider items 11.2, 11.3, 11.4, 12.1, 12.2 and 12.3.

11.2 *GM-DVP-2012.2 (Liebenberg – Douglas Bay Development, Gambier Island)
Staff Report dated October 10, 2012*

Planner Zupanec presented the staff report which outlines a proposed Development Variance Permit requesting a reduction of the setback to the rear lot line from 7.5 metres to 0 metres. The permit is requested in order to address the existing deck that has been built at or over the rear lot line which abuts the 20 metre-wide Crown Reserve.

The proposal and the applicant's argument for allowing the variance were reviewed. Possible options available to the applicant to meet the 7.5 metre setback requirement were discussed.

GM-059-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee not approve GM-DVP-2012.2 (Liebenberg).

CARRIED

11.3 *GM-DVP-2012.4 (Reel 17 Investments Ltd. - Cotton Bay, Gambier Island)
Staff Report dated September 28, 2012*

Planner Zupanec presented the staff report, outlining the application for a Development Variance Permit to relax section 3.3 of Gambier Island Land Use Bylaw No. 86 to allow the siting of a twenty-seven metre long bridge over Manion Creek within the 15-metre setback to the natural boundary of Manion Creek.

She advised that the applicant has hired a Qualified Environmental Professional to conduct a Riparian Areas Regulation assessment. She noted that the memorandum from the Qualified Environmental Professional proposes a compensatory Streamside Protection and Enhancement Area further north along the creek in lieu of the adjusted area around the proposed bridge abutment structure footprints, however the memorandum was inadvertently omitted from the agenda package for the trustees review.

Jim Green, the proponent, commented that the setback for the bridge footings were determined by the engineer and that the compensatory Streamside Protection and Enhancement Area that has been proposed results in a larger area of protection than would otherwise be required. He added that crossing the creek with a bridge has less impact than a culvert placed mid-stream.

The Riparian Areas Regulation assessment process was discussed including the timing of submission of the Qualified Environmental Professional's report. The Trustees indicated that due diligence would include viewing the Qualified Environmental Professional's documentation and receiving assurance that the condition for the compensatory protection area would be required through the subdivision process.

GM-060-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee issue GM-DVP-2012.4 (Reel 17 Investments Ltd., Gambier Island) subject to the receipt of the documentation of the expanded Streamside Protection and Enhancement Area and the additional condition in the Ministry of Transportation and Infrastructure subdivision that the final Riparian Areas Regulation submission to Fisheries and Oceans Canada and Ministry of Environment include the compensatory Streamside Protection and Enhancement Area.

CARRIED

11.4 *GM-RZ-2012.1 (Reel 17 Investments Ltd. – Cotton Bay, Gambier Island)
Staff Report dated October 10, 2012*

Planner Zupanec summarized the staff report, outlining the request to rezone and subdivide a portion of Lot 1 from Rural Residential to Local Service to permit ramp access to a proposed private neighbourhood moorage facility. The application also requests the adjacent water area be rezoned from Marine Log Storage to Marine General. She advised that an existing dock would remain in place and that should the preparation of draft bylaws proceed, detailed plans and documentation for the existing moorage would be required from the applicant.

There was discussion and the following points were raised:

- verification has been received from the province that the water tenure has been approved;
- no provision for parking is being considered at the site;
- the creation of a community dock would not prohibit other property owners from creating single family docks.

Jim Green, the proponent, noted that because of the extensive mud flat at low tide in the area, it is anticipated that property owners would use the community dock rather than construct individual docks. He explained the history and background of the water lease.

GM-061-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee request the applicant for GM-RZ-2012.2 (Reel 17 Investments Ltd., Gambier Island) provide staff with:

- 1) documentation illustrating compliance of the existing dock with the regulations of the proposed W1 (Marine General) zone;
- 2) documentation from a qualified professional verifying the existing dock meets and exceeds each of the conditions of use within the W1 (Marine General) zone; and
- 3) a survey showing the extent of the shoreline stabilization features installed prior to 2007 and any supporting documentation authorizing works below or above the natural boundary of the sea from provincial and federal agencies.

CARRIED

In further discussion, it was confirmed that:

- the public will be able to walk along the foreshore;
- this will be a coming-and-going dock and mooring block with no parking space available there or at the easement as the space is limited;
- there are no plans to expand the dock;
- the area will be managed, enforced and regulated by community bylaws and majority vote of the landowners;
- staff suggested that the dimensions of the water map in the draft zoning map be flagged to accommodate for some margin of future growth and expansion.

Trustees requested that a future staff report addresses of which lots can have private docks so that the potential full build-out can be considered.

12. BYLAWS

12.1 *GM-RZ-2011.1 (Camp Fircom – Gambier Island)
Memorandum dated October 3, 2012*

Planner Zupanec presented the memorandum advising of a clerical error in Bylaw 118 to be corrected at fourth reading.

12.2 *Proposed Bylaw No. 117 cited as “Gambier Island Official Community Plan Bylaw No. 73, 2001, Amendment No. 1, 2012”*

GM-062-2012

It was **MOVED** and **SECONDED** that the proposed Bylaw No. 117 cited as “Gambier Island Official Community Plan Bylaw No. 73, 2001, Amendment No. 1, 2012 be adopted.

CARRIED

- 12.3 *Proposed Bylaw No. 118 cited as “Gambier Island Land Use Bylaw No. 86, 2004, Amendment No. 1, 2012”*

GM-063-2012

It was **MOVED** and **SECONDED** that the proposed Bylaw No. 118 cited as “Gambier Island Land Use Bylaw No. 86, 2004, Amendment No. 1, 2012” be adopted as amended.

CARRIED

- 10.2 *Riparian Areas Regulation
Memorandum dated October 11, 2012*

Planner Zupanec summarized the memorandum, outlining options for Riparian Areas Regulation communication in the Gambier Local Trust Committee area.

Various options were discussed as follows:

- combining resources with the Northern Region would not be effective for reaching the diverse communities of this area;
- adding material to the website, customized for the Gambier area, would be an effective part of a communication strategy;
- using the allocated funds to hire a consultant to create communication material and a delivery strategy for the Gambier Local Trust Committee area was considered to be the most effective approach.

GM-064-2012

It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee request staff to hire an appropriate communication consultant to create Riparian Areas Regulation communication material specific to the Gambier Trust area and to make recommendations for distribution and community engagement, with \$3,000 used for production and \$1,000 for distribution to the community.

CARRIED

- 10.3 *Shoreline Education Workshop Discussion*

Planner Zupanec reported that funding is available to engage expert consultants for public outreach and education workshops using the completed shoreline mapping products, to increase awareness of shoreline issues and to determine an implementation strategy for each individual Local Trust area. She requested input to gauge interest in participation.

There was discussion on the proposal and the following points were raised:

- there is high interest in this program;
- a recorded web conference would be more effective than a workshop;
- consultant preferences would be Will Marsh and Murdoch de Greef;
- foreshore structures would be an important subject to address;
- the use of posters would be useful to advertise the event;
- date to be determined at the consultants' convenience.

Planner Zupanec will complete the request for the public education/consultation event and return the preliminary project plan to the Acting Regional Planning Manager.

11. APPLICATIONS AND PERMITS

11.1 GM-DVP-2011.2 (Corin/Larouche – 1250 Taki-Te-Si Rd. Gambier Island)

Planner Zupanec reported that this application has been deferred due to a change in ownership and that it will be brought back to the Local Trust Committee for consideration at a future date.

Chair Graham recessed the meeting at 2:57 pm and reconvened the meeting at 3:03 pm.

13. REPORTS

13.1 Strategic Plan for Local Trust Committees

The Strategic Plan for Local Trust Committees was received for information.

13.2 Work Program

Top Priorities Report and Projects Report dated October 15, 2012

Planner Zupanec summarized the Top Priorities Report and Projects Report dated October 15, 2012.

13.3 Applications Log

Report dated October 15, 2012

Planner Zupanec provided updates to the Applications Log and responded to questions.

13.4 Trustee and Local Expenses

Expenses posted to September 30, 2012

Trustees reviewed and discussed the above noted Expense Summary Report and questioned the spent Official Community Plan category amount.

14. NEW BUSINESS

14.1 Local Trust Committee Budget Request for 2013/2014

Memorandum dated September 20, 2012

Trustees reviewed the 2013-2014 Budget Proposals memorandum.

GM-065-2012 It was **MOVED** and **SECONDED** that the Gambier Island Local Trust Committee approve and forward funding requests for Projects Proposed for Next Fiscal, 2013/14 to the Financial Planning Committee as presented.

CARRIED

15. ISLANDS TRUST WEBSITE

15.1 Gambier Page

The following changes to the Gambier Page of the website were requested:

- Add a new heading: Shoreline Stewardship;
- Add under the new Shoreline Stewardship heading: Coastal Shore Stewardship;
- Add under the new Shoreline Stewardship heading: Greenshores.

16. NEXT MEETING DATE

The next meeting of the Gambier Island Local Trust Committee is scheduled for Thursday, December 13, 2012 at 11:00 am at Gibsons Area Community Hall, 700 Park Road, Gibsons, BC.

17. ADJOURNMENT

Chair Graham adjourned the meeting at 4:03 pm.

Recorder

Chair



RWM From: September 13, 2012 To: December 04, 2012

Gambier Island

Resolution #	Action	Resolution Description	Resolution Date
2012-03	In Favour	"THAT the Gambier Island Local Trust Committee Chair write a letter to Minister of Environment asking environmental questions and requests for reports/permits concerning the proposed sinking of former HMCS Annapolis for distribution to the public."	Oct 17, 2012



Islands Trust

Follow Up Action Report w/ Target Date

Gambier Island Jun-23-2010

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

Feb-03-2011

No.	Activity	Responsibility	Target Date	Status
4	Draft LUB - SCRD Islands - Planners to continue work on draft LUB and consult with individual property owners.	Sonja Zupanec		On Going

May-12-2011

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

Jul-05-2012

No.	Activity	Responsibility	Target Date	Status
1	GMLTC Resolution: That the GMLTC request the Northern Regional Planning Manager investigate the options to customize the southern islands' "Guide to Environmentally Friendly Building and Renovating" for the northern trust area and report back to the GMLTC.	Courtney Simpson	Aug-31-2012	On Going

Oct-25-2012

No.	Activity	Responsibility	Target Date	Status
1	Update draft LUB and post to website; refer revised draft to SCRD and notify of intent to request withholding building permits for applications at variance with proposed draft bylaw after first reading is given.	Sonja Zupanec	Oct-31-2012	Done
1	<i>RESOLUTION: DIRECT STAFF TO HIRE COMMUNICATIONS CONSULTANT TO CUSTOMIZE RAR COMMUNICATIONS SPECIFIC TO GAMBIER TRUST AREA AND MAKE RECOMMENDATIONS FOR DISTRIBUTION AND COMMUNITY ENGAGEMENT, WITH \$3000 FOR PRODUCTION AND \$1000 FOR DISTRIBUTION.</i>	Sonja Zupanec	Oct-31-2012	Done
1	GM-DVP-2012.4 staff to work with applicant on bringing forward supplemental information for LTC consideration at a future LTC meeting.	Sonja Zupanec	Dec-13-2012	On Going
1	<i>Resolution: requesting Miles to indicate his availability for a CIM for Gambier residents on the BEN bylaw and report back to the LTC for the December LTC meeting.</i>	Miles Drew	Dec-13-2012	Done



c/o 1079B Roosevelt Crescent
North Vancouver
V7P 1M4

November 30, 2012

To: SCRD Chair Mr. Gary Nohr, Planning and Development Committee Members,
David Rafael, Senior Planner
Teresa Fortin, Planner

Re: Staff Report – Burnco Rock Product Rezoning Application.

Dear Members of the Planning and Development Committee:

In reference to Burnco's application for re-zoning their lands at McNab Creek, we would appreciate an opportunity to enter into the initial discussion and work with staff to address each of the Core Values of the "We Envision " Regional Sustainability Plan. We understand at this point that the issue of land is the first consideration for staff, and ' We Envision ' may provide a ' sustainability test ' for the proposed zoning change. We cannot do full justice to each of the points addressed in the staff report here, but the highlights of our concerns are:

1. Economic Vitality:

The staff report leaves the impression that there will be job creation and indirect benefits to existing businesses such as motels and water taxis. What this fails to address, is the extremely limited number of full time equivalent jobs this Burnco Mine would create, versus the corresponding negative impacts it will have upon other economic/employment sectors. The impacts to the Howe Sound region need to be assessed thoroughly, in particular, the McNab Strata community and other neighbouring communities that will have the greatest impacts imposed upon them. Because the communities of the Howe Sound region have similar value systems, it has led us to be a vibrant and diverse community. These impacts will also extend on a broader basis to tourism, eco-tourism operators, the film industry, commercial and recreational fisheries, etc. These affects will very significantly affect the income currently derived from outside sources that currently stimulates this area of Howe Sound's economic vitality. We are gathering more information on the negative economic impacts that a major mining operation in the heart of Howe Sound will have on the region.

The ongoing economy of this area would be significantly damaged, in favour of an extremely limited number of resource extraction jobs, based on relatively low skilled labour. Provided, we will be consulted thoroughly, we anticipate that we will be able to

have additional input on the economic vitality aspects of the project components that may impact the communities potentially affected.

2. Environmental Responsibility:

For the most part, the statements made in this section of the report appear to be conjured up by the proponent, and not being inclusive of the broader meaning of having some form of environmental responsibility. This may be because other stakeholders in the area have not yet had the opportunity to provide additional input in your report. To call this mine in one of the only remaining, relatively intact, natural watersheds, and estuary areas left in the Howe Sound region, "not a sensitive activity" is a gross understatement. The proposed development will definitely impact the environment in significant ways, beyond the communities that are based on the principals of sustainability. At least 20 species covered by the Species at Risk legislation will be impacted. To re-zone the subject lands to the highest Industrial degree, is a step backwards in protecting the current and future overall environmental interests of the region.

Operating a clam shell dredge in an open pit / pond is a very economically attractive way of extracting aggregate from this site. When the proponent is finished extracting their valuable aggregate they will then leave the open pit (hopefully) filled with water and thereby minimize any land reclamation costs or responsibilities.

How is it even possible to compensate the communities involved, and to deliver an improved ecology? In the past few years, the millions of taxpayer's dollars that have been spent cleaning up previous industrial damage to Howe Sound are finally showing signs of a significant recovery. A pod of dolphins have recolonized Howe Sound, Gray Whales (for the first time in 100 years) and Orca Whales have returned. The sea life is coming back. Now that Canadian taxpayers have invested significantly to repair previous environmental damage in Howe Sound it is now time to maintain the current best use of this environment. Far more sustainable value can be gained from continued improvement of the existing environment including uses such as residential, recreational, tourism, eco-tourism, the film industry, commercial and recreational fisheries, etc. These uses will provide maximum long term benefits for all Canadians rather than allowing another gravel pit that will provide relatively short term profits for the proponent but offer very little if any ongoing benefits to Canadian society.

Shortening the distance to market for a gravel mine operator is NOT a green initiative. With that logic in mind, the beaches of Vancouver should also be utilized as raw materials for construction to further reduce the distance to market. The change in gravel pit locations will directly benefit the proponent's costs and should make them more competitive or profitable in the marketplace but there is no guarantee or evidence provided that greenhouse gas emissions will be decreased. It is only logical that other existing gravel pit operators such as Burnco's existing suppliers in Port McNeil will continue to transport and/or export equal or larger volumes of aggregates over long distances. Gravel is not a scarce resource in the Province of BC.

During Burnco's recent presentation to the SCRD it also became evident that the proponent wished to attain an I5 zoning rather than the I4 recommended by Staff. This difference would also allow for log sorting and log booming. This would appear to indicate that the proponent may intend at some time in the future to use their rezoned property for other industrial uses that should also be taken into account when assessing their Rezoning Application, as well as in the ongoing Environmental Assessment. Although booming off McNab Creek was done in the past this activity is extremely damaging to the marine environment principally due to reduced sunlight and the buildup of organic material below the booming grounds. When there is intermittent logging in the area, we are in favour of on-site sorting and grading of the logs, before going into the foreshore log sorting area.

3. Cultural Vitality: The staff report indicates that there would be little to no impact to the area's cultural vitality. Additional information is needed here. There is a strong culture in the area shared by thousands of young people attending summer camps. Boating enthusiasts flock to the area for its abundant quiet natural attributes. Ecotourism, canoeing, kayaking, commercial and recreational fishing, and hunting wild game, are all strong cultural activities presently occurring in the region. Biodiversity and opportunities to experience nature are part of our identity and values. Also, First Nations remain the stewards of the land and their land use plans should be referred to, and integrated into, regional land use strategies. The impact on culture should not be dismissed quickly. Much more information is needed at this point.

4. Health and Social Well-being: The impact is by no means limited to just the McNab Strata community, but to all communities in the Howe Sound region, not just to the nearby property owners. The proposal will have significant impacts on communities in the area, in addition to others that frequent the area. We live in the area, so how can our community be easily replaced? Re-industrialization of the region will have a ripple effect that needs to be studied and understood. The proposal is not compatible with other activities in the area. Noise and dust are only some of the potential health effects, but enjoyment of the whole region will be substantially reduced.

Please keep in mind that Camp Potlatch is one of the local community organizations that will be directly affected by this potential rezoning. As the Carolyn Tuckwell, CEO and President of the Boys and Girls Club of BC, South Coast Region has said:

"Camp Potlatch is one of Canada's premiere wilderness summer camps—due in large part to their natural wilderness location. Every year since 1941, 1,000's of children and youth have had transformative experiences challenging themselves while learning about wildlife, ecology and the environment. This organizations commitment to preserving Camp Potlatch's pristine surroundings is motivated by the knowledge that the wilderness setting is a critical element to the ultimate success of our work with youth."

Land Use Strategic Directions

1. Focus Growth: Developments are to have the “least impact on biodiversity “. Allowing industrial activity in the McNab Creek Valley will definitely have negative impacts on growth in the surrounding areas due to the loss of well-known natural attributes. The adjacent community of McNab Creek Estates focuses on preserving biodiversity, clustering the residential development, in order to embrace biodiversity and share common resources and services.
2. Concentrate new development: The current site will need extensive foreshore infrastructure development (crushing, stock-piling, and loading facilities). The impact of these changes needs to be studied and understood clearly, including the maximum allowable processing and shipping capacity of this development.
3. Provide a variety of transportation choices: This area is currently used for hiking, mountain biking, cross country skiing, and snow shoeing. The foreshore is used for boating activities, including canoeing and kayaking. The impact of the mine activities on these transportation choices needs to be studied and understood.
4. Create diverse housing opportunities: There are already a number of long term unique growing communities in this area that are vibrant, diverse and inclusive. The impacts of the requested rezoning upon these surrounding communities needs to be studied and understood.
5. Celebrate the unique attributes of different communities: As previously mentioned there are a large number of communities that will be impacted by the mine project. This is far from not being relevant. We rely heavily on the other communities to be cohesive, and to support each other in smart sustainability practices for our survival.
6. Preserve and enhance biodiversity: The mine will have an enormous impact on the biodiversity of the region (20 species at risk so far), and have a long term direct impacts on the natural environmental beauty of the region. The open pit mine, and processing equipment, and barge loading terminal will be visible from many local communities throughout McNab Valley, Howe Sound, and the Sea to Sky corridor, including Lions Bay.
7. Discourage development and resource extraction: As previously mentioned, this is a sensitive area and permanent damage will be done. This needs to be studied further.
8. Protect and enhance...conserves and provides food security: The impact on the commercial and recreational fishery (including prawning and crab harvesting) needs to be examined. The impact of a gravel mine in this region will likely impact food resources and habitat. This should not be limited to purely land based food production.

Hunting and gathering natural foods is important to both local residents and to First Nations.

9. Enhance our marine and freshwater resources: Significant impact here and the staff report correctly identifies that more studies are needed.

Impact on We Envision

In our view, this is an enormous step away from the We Envision for the future of the Sunshine Coast. We Envision cannot be limited to impacts of urban sprawl. Non-renewable resource depleting activities and re-introducing degrading industrial activities back to the region, is in our view, counter to the vision for the future of Howe Sound area of the Sunshine Coast. It is fundamentally against the Howe Sound Community Forum principles of cooperation, which the SCRD is a signatory to. The vision is to preserve a healthy and natural environment and support the best sustainable use of resources. The extraction and processing of sand and gravel in such an environmentally sensitive area of Howe Sound fails the WE ENVISION sustainability test. We urge the SCRD to seriously take into consideration the concerns of the surrounding communities and to seek out the full information on the significant and irreversible long term impacts that this re-zoning would have on the local area, and the broader regions.

Thank you for taking the time to review our comments.

Sincerely,

Jeff Gau,
Spokesperson,
The Future of Howe Sound Society
info@futureofhowesound.org
604 985-5562



STAFF REPORT

Date: December 3, 2012

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

To: Gambier Island Local Trust Committee
For meeting of December 13, 2012

From: Sonja Zupanec
Island Planner

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

Re: Proposed Land Use Bylaw – Associated Islands within the Sunshine Coast Regional District (SCRD)

THE PROPOSAL:

This report summarizes suggested revisions to the Fall 2012 draft Land Use Bylaw (LUB) based on a comprehensive review by staff and legal counsel prior to LTC consideration of first reading. The Local Trust Committee (LTC) may also consider revisions to the draft Land Use Bylaw based on public submissions and input received since the release of the Fall 2012 draft bylaw in early November. Consideration of first reading of the draft bylaw is not being proposed at this time as there are a number of revisions being recommended by staff.

STAFF AND LEGAL REVIEW:

Attached is a comprehensive markup of the Fall 2012 draft LUB based on planning staff and legal counsel review over the last 20 days. The number of minor and administrative recommended revisions are numerous and have not been itemized in a table format. Instead they are illustrated as tracked changes and staff recommends that all revisions as indicated in the attached draft be endorsed by the LTC. Should the LTC endorse the recommended revisions, staff can proceed to update and prepare the draft bylaw for consideration of first reading in late January.

PUBLIC INPUT ON DRAFT LAND USE BYLAW:

A compilation of written public comments has been included in the meeting agenda for LTC review.

The attached table outlines public comments received to date on the draft LUB and the corresponding edits which staff recommend be endorsed by the LTC.

A copy of the Fall 2012 draft LUB was sent to the Sunshine Coast Regional District Board for early referral in November. No comments have been received to date; however it is more typical to receive comments after first reading referral unless significant issues have been identified.

NEXT STEPS:

The LTC is being asked to endorse a number of revisions to the Fall 2012 draft land use bylaw prior to consideration of first reading. Staff recommends the updated draft land use bylaw be considered for first reading at the January 31, 2013 regular business meeting. Upon first reading, the proposed bylaw will be sent to all referral agencies and First Nations for comment. A community information meeting and public hearing can then be scheduled for spring 2013.

RECOMMENDATION:

THAT the Gambier Island Local Trust Committee:

- 1) Endorse the proposed amendments to the draft land use bylaw (GM-LUB-2011.2) for the Associated Islands as outlined in the attachments to the staff report dated December 2, 2012; and
- 2) Request staff to prepare the draft bylaw for consideration of first reading at the next LTC regular business meeting.

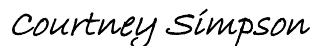


December 3, 2012

Sonja Zupanec, MCIP, RPP
Island Planner

Date

Concurred in by:



December 4, 2012

Courtney Simpson, MCIP, RPP
A/Regional Planning Manager

Date

Attachment:

1. Draft LUB Revisions Worksheet
2. Draft LUB – Fall 2012 draft with staff and legal review markup and annotations



Table of Recommended Revisions for Draft Gambier Associated Islands Land Use Bylaw

December 2012

No.	Section or Regulation	Identified Issues and Potential Revisions
1	Entire document	(See 'track changes' in draft LUB). Comprehensive planning and legal review has resulted in the identification of several necessary revisions to clarify definitions, regulations, and administrative inconsistencies. Staff recommends all identified revisions identified throughout the document by 'track changes' be incorporated into the draft bylaw.
2	5.1(5) SRR Zone	Permit 2 accessory buildings, exclusive of utility and woodsheds for all properties within the SRR zone.
3	5.1(8) SRR zone	Increase maximum height for any accessory building or structure within the SRR zone to 5.2 metres (17 feet) and one storey.
4	5.1(8) SRR zone	Decrease the setbacks for lots 1 – 9 of District Lot 1017, Plan 5972 (BC Tel cottages) to 4.5 metres from any front or rear lot line. Maintain 1.5 metre setback from interior or exterior side lot line.
5	5.2(10) RR1(a) Tiki Island	Decrease maximum lot coverage to 6.33% for each dwelling, associated buildings and structures. Delete floor area regulation. Include a 20 metre setback for any dwelling from any other dwelling.
6	5.2(10) RR1(b) Jack Tolmie Island	Re-establish the 2 dwelling density provision for Jack Tolmie Island.
7	5.2(10) RR1(f) Sand Island, Buccaneer Bay	Include a new site specific zone to recognize historic density of 2 dwellings on the 4.3 acre subject property.
8	5.7(5) PI1 – Daybreak Point Bible Camp, Anvil Island	Amend the PI1 zone setback regulations to include a new interior setback of 30 metres to create a buffer between the camp and adjacent residential uses. Maintain 7.5 metres to the natural boundary of the sea.



Islands Trust

**GAMBIER ASSOCIATED ISLANDS
LAND USE BYLAW No. __, 2012**

DRAFT FOR COMMENT

Consolidation as of: __, 20__

Note: Marginal "Comments" in italics are explanatory and are not intended to form part of the Bylaw

Draft for Comment: Fall 2012

This draft has been annotated with tracked changes based on a comprehensive planning and legal review, for consideration by the LTC on December 13, 2012.

Preserving **Island** communities, culture and environment

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PART 1 INTERPRETATION

1.1 Definitions

Comments

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

Standard Islands Trust bylaw definition
Modified from bylaw 96

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

Keats LUB

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

Standard Islands Trust bylaw definition

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

Keats LUB, modified based on Passage island input.

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

North Pender Associated Islands LUB

"building" means a roofed structure, ~~but does not include a mobile home or recreational vehicle,~~ used or intended to be used for supporting or sheltering any use or occupancy.

Standard Islands Trust bylaw definition, modified to exclude mobiles.

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

Standard Islands Trust bylaw definition. Modified from definition of "commerce" in bylaw 96

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

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

Keats LUB

"dock" means a marine-based structure, or set of structures, generally consisting of a pier or wharf, ~~and that~~ may include a ramp, float, and

North Pender Associated Islands LUB (modified).

Comments

supporting structures, ~~which and that~~ is used for the non-commercial mooring of vessels in association with the permitted use of the adjacent upland.

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

Standard Islands Trust bylaw definition
Modified from Bylaw 96

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

Standard Islands Trust bylaw definition

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

North Pender Associated Islands LUB

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

Standard Islands Trust bylaw definition, with provision of wording confirming that fully enclosed decks (etc.) are considered floor area.

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

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

Standard Islands Trust bylaw definition

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

Applicable to Pasley Island only due to existing Land Use Contract.

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

Standard Islands Trust bylaw definition. Structures on surface of water still addressed. Modified from definition of "ground level" in bylaw 96

Comments

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

Standard Islands Trust bylaw definition, from Highways Act. Modified from definition of "street" in bylaw 96

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

Standard Islands Trust bylaw definition. Modified from definition of "domestic industry" in bylaw 96.

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

Standard Islands Trust bylaw definition

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

Standard Islands Trust bylaw definition

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

Standard Islands Trust bylaw definition. Modified from bylaw 96

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

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

Standard Islands Trust bylaw definition. Modified from bylaw 96

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

Standard Islands Trust bylaw definition, modified to exclude ground level decks. Some definitions expand lot coverage to the drip line

"lot line" means the boundary of a lot as shown on a plan of survey registered with the BC Land Titles Office or ~~is the~~ boundary of a lot as ~~is~~ otherwise described ~~as authorized by under~~ the *Land Title Act*, ~~and~~.

Standard Islands Trust bylaw definition modified to address methods of lot line definition other than a survey

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

Standard Islands Trust bylaw definition Modified from bylaw 96

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

Standard Islands Trust bylaw definition. On an island community with no highway a lot lines are interior side lot lines. Similar to bylaw 96 definition with added reference for strata Standard Islands Trust bylaw definition Modified from bylaw 96

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

"rear lot line" means the lot line that is opposite the front lot line in the case of a lot having four sides, and where the rear portion of a lot is bounded by

Standard Islands Trust bylaw definition.

Comments

intersecting side lot lines the point of intersection is deemed the rear lot line.	<i>Similar to Bylaw 96</i>
"mobile home" means a dwelling designed, constructed or manufactured to be moved from one place to another by being towed or carried.	<i>Standard Islands Trust bylaw definition. Modified from bylaw 96</i>
"moorage" means the tying or securing of a vessel to a fixed structure, float, dock or mooring buoy.	<i>Standard Islands Trust bylaw definition. Added float and dock for certainty.</i>
"natural boundary" means the visible high water mark of any lake, river, stream or other body of water where the presence and action of water are so common and usual, and so long continued in all ordinary years, as to mark upon the soil of the bed of the body of water a character distinct from that of its banks, in vegetation, as well as in the nature of the soil itself.	<i>Standard Islands Trust bylaw definition, consistent with definition in the Land Act. Similar to bylaw 96</i>
"natural watercourse" means a naturally formed place that perennially or periodically contains surface water, including a lake, river, creek, spring, ravine, wetland, salt water marsh, and bog, but does not include a constructed ditch, or surface drain, or the sea.	<i>Standard Islands Trust bylaw definition</i>
"panhandle lot" means a lot that fronts on a highway, or where there is no highway, that gains access at the natural boundary of the sea, by means of a strip of land, known as the access strip, that is narrower than the main portion of the lot.	<i>Standard Islands Trust bylaw definition amended using Gambier LUB to address islands without highways.</i>
"park" means any land dedicated as park under the <i>Park Act</i> , the <i>Land Title Act</i> or the <i>Local Government Act</i> , which is open to the general population public and reserved for outdoor recreational, scenic, or nature conservation purposes, and may include undesignated Crown islets within the planning area covered by this Bylaw.	<i>Keats LUB</i>
"personal watercraft" means a vessel less than 5 metres (16 feet) in length that is propelled by machinery, commonly a jet pump, and designed to be operated by a person standing, kneeling or sitting on the vessel rather than standing or sitting inside the vessel.	<i>Standard Islands Trust bylaw definition</i>
"pier" means a fixed structure constructed over the foreshore and the water and that abuts the shoreline, is generally perpendicular to the shoreline, and is used to provide access to a float or as a landing or moorage place for marine transport or for recreational purposes.	<i>Standard Islands Trust bylaw definition</i>
"principal" in relation to a use, building or structure means the main or primary use, building or structure, as the case may be, conducted or constructed on a lot.	<i>Standard Islands Trust bylaw definition</i>
"private institutional camp" means a use conducted by a non-profit society or other non-commercial organization which provides for public or private assembly and overnight accommodation of persons for recreational, educational and religious purposes.	<i>Keats LUB amended.</i>

Comments

"~~accessory~~ recreational uses" means private leisure activities such as camping, picnicking and the playing of outdoor games, carried out on individual RR zoned lots or collectively by the owners or occupiers of neighbouring lots, performed either singly or collectively, through forms of play, amusement, or relaxation, and may include structures such as picnic benches, shelters, storage buildings, and washroom facilities.

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

Standard Islands Trust bylaw definition – REVISED November 2012.

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

Keats LUB amended to reflect that February is less than 30 days.
Modified from definition of "residence" in bylaw 96

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

Standard Islands Trust bylaw definition

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

Standard Islands Trust bylaw definition

"sleeping cabin" means an accessory ~~dwelling unit~~ building, which is not a dwelling unit, despite the definition of "dwelling unit" and "residential" in this bylaw includes only sleeping quarters and washroom facilities and does not contain a kitchen facilities for food preparation or eating, and is used for the temporary sleeping accommodation of ~~non-non~~ paying guests of the occupants of a dwelling on the same lot.

Keats LUB. Sleeping cabins would be permitted as part of the calculation of accessory buildings permitted per lot or per residence.

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

Definition from Islands Trust Renewable Energy Technology Report – June 2012

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

Modified Islands Trust bylaw definition.

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

From Bowyer/Passage Bylaw

"temporary" means, in relation to a period of occupancy or use by any

Keats LUB

Comments

particular individual: not exceeding 45 days in a calendar year, not more than 30 of which are continuous.

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

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

Standard Islands Trust bylaw definition with added reference of structures for certainty.

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

Keats LUB and standard Islands Trust bylaw definition modified to exclude reference to ‘licensed by government.’

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

Standard Islands Trust bylaw definition of ‘pumphouse’ modified to limit floor area and include other electrical and communications equipment.

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

Modified from definition of “stream” in bylaw 96. There are a few definitions used in provincial legislation for “stream” or “watercourse” depending upon the purpose of the legislation. A definition in a LUB must address multiple objectives. The proposed definition for “watercourse” and the definition for “stream” from the Private Managed Forest Land Council Matters regulation (without clause (b) are certain and either definition could be used.

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

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

(b) flows directly into

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

(ii) a licensed waterworks intake; ~~(from Private Managed Forest Land Matters Regulation 372/2004).~~

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

Standard Islands Trust bylaw definition modified in accordance with Riparian Area Regulations Modified from definition of “lake” in bylaw 96

“wharf” means a structure, usually consisting of a pier, ramp~~(s)~~, ~~and or~~ float~~(s)~~, which is connected to an upland lot by a ramp or walkway.

Standard Islands Trust bylaw definition

“zone” means a zone established by Part 5 of this Bylaw.

Standard Islands Trust bylaw definition

1.2 Referencing

Comments

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

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

Standard Islands Trust bylaw organization

1.3 Units of Measure

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

1.4 ~~Enacting Clauses~~ Information Notes

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

Information Note:

The *Interpretation Act*, being a Provincial Statute defines a number of commonly used terms ~~(e.g. how to measure "time"~~ and is applicable in the interpretation of this bylaw).

PART 2 ADMINISTRATION

2.1 Application

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

2.2 Conformity

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

2.3 Inspection

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

2.4 Violation

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

2.5 Penalty

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

2.6 Covenants

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

This would apply to the form of any future s.219 covenants granted to the LTC as a condition of a rezoning or subdivision. Note" LPC is reviewing the management of conservation covenants and may require costs for monitoring of such covenants to be paid by the applicant as well.

2.7 Owner's Cost

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

2.8 Siting Compliance

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

PART 3 GENERAL REGULATIONS

3.1 Permitted in All Zones

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

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

These are uses, buildings or structures that would be permitted outright in all zones without being explicitly permitted in the zone regulations. There are currently no uses permitted in all zones in Bylaw 96

Many of these uses and structures would be considered accessory to a permitted principal use, however allowing them outright would permit them to be constructed prior to a principal use being commenced.

Equestrian use is not included due to ecological impacts of such use on trail areas. Discussion suggested re need for equestrian use.

For discussion - additional permitted uses

3.2 Prohibited in All Zones

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

All uses are prohibited unless specifically permitted in 3.1 or Part 5. This section is for certainty only.

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

While mobile homes were permitted in bylaw 96, they are not proposed as a practical residence on small islands and are not readily removed or deconstructed when they are at end of usable state.

Islands Trust policy statement – exemption for Echo, Jack Tolmie Tiki and Turnagain Islands in Part 5

Limited to same island rather than the same lot

3.3 Siting and Setback Regulations

- (1) All siting measurements must be made on a horizontal plane from the natural boundary, lot line or other feature specified in this Bylaw to the nearest portion of the building or structure in question.
- (2) No building or structure greater than 1 metre (3.28 ft.) in height, except a fence, utility line, utility pole, navigational aid, at-grade

Standard to Islands Trust Land Use Bylaws

Standard to Islands Trust Land Use Bylaws, with inclusion of at-grade steps

steps, driveway or path, or utility shed, may be constructed, reconstructed, moved, extended or located within the minimum setback areas established in the regulations in Part 5 ~~of this Bylaw.~~

and buildings/structures less than 1 metre in height.. Bylaw 96 granted exemption for buildings/structures less than 1 metre in height and fences

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

Setback in Bylaw 96 is 7.5 m.. OCP policy 3.9.9.- Exceptions are structures related to permitted marine use and those necessary for access to foreshore or docks.

- (a) a permitted boathouse, including accessory ramps;
- (b) propane tanks;
- (c) utility lines;
- (d) lifting devices associated with permitted marine uses, including cranes and hoists;
- (e) stairs, ramps or walkways, ~~required to access the foreshore or a permitted dock~~ not exceeding a width of 2.5 metres (8.2 feet), required to access the foreshore or a permitted dock; and
- (f) decks or platforms which do not exceed a height of 1.2 metres (4 feet) above natural grade, exclusive of railings, and which do not exceed an area of 10 m² (108 ft²) per lot within the setback area.

Ramp width is wider than on larger islands due to lack of barge ramps and other access facilities on smaller islands

- (4) No building or structure, except a fence or utility shed, may be constructed, reconstructed, moved, extended or located within 30 metres (100 feet) of the natural boundary of any watercourse or wetland. Septic fields, septic tanks, absorption fields and related appurtenances below ground, concrete and asphalt paving or similar surfacing of the land, and retaining structures are considered structures for the purposes of this subsection.

30 metres for watercourses subject to the provincial Riparian Area Regulations. 20 metres in bylaw 96.

- (5) Steps, eaves gutters, cornices, sills, chimneys, retaining walls, balconies, decks and sunshades ~~or and~~ similar features may project into a required setback area, except a setback from the natural boundary of the sea, a watercourse or a wetland, provided they do not project more than 0.6 metres (2 feet) into the required setback area.

Standard to Islands Trust Land Use Bylaws, Continues siting exception from Bylaw 96 for eaves in interior side yard.

- (6) Private floats and docks shall be located within the seaward projection of the boundary boundaries of the upland property served and shall be set back 3.0 metres (9.8 feet) from the projection of those ~~lot lines boundaries~~. This setback regulation does not apply to a shared lot boundary between residential lots served by the same private float ~~and or~~ dock.

3.4 Height Regulations

- (1) The height regulations for buildings and structures specified in Part 5 ~~of this Bylaw~~ do not apply to radio, telecommunications and television antennas and towers, chimneys, flag poles,

Standard to Islands Trust Land Use Bylaws . Bylaw 96 did not include such exemptions. REVISED –

lightning poles, fire and hose towers, utility poles, attic vents, solar collectors and water catchment and water storage facilities.

November 2012 to include water catchment/storage.

- (2) ~~The~~ Despite any height regulation in Part 5, height of wind turbines ~~shall not exceed~~ may have a height of up to 15 metres (50 feet).

For discussion. Initial proposal to prevent high intrusive turbine

3.5 Accessory Uses, Buildings and Structures

- (1) A building or structure accessory to a dwelling may not be used as a residence but may be used as a sleeping cabin.

Provision is standard, Does not preclude use for sleeping.

- (2) Accessory recreational uses are permitted on RR-zoned lot whether or not a principal residential use is occurring on the lot.

This provision would allow certain accessory structures on a lot prior to commencing construction of principal dwelling. Bylaw 96 prevents some of these uses unless principal use is in place.

- (2) _____ The following accessory buildings or structures may be constructed and placed on a lot prior to the construction of a principal building or the commencement of a principal use on the same lot:

(a) a permitted boathouse;

(b) picnic shelters and benches and washroom facilities required for accessory recreational use of an RR-zoned lot;

~~(b)~~ (c) a utility shed;

~~(c)~~ (d) one accessory building ~~for the purposes of~~ used for storage of building materials and personal effects; and

~~(d)~~ (e) steps and structures accessory to and supporting a dock.

- (3) Any accessory building or structure, other than those ~~cited~~ specified in subsection 3.5(2), may ~~only~~ be constructed or placed on a lot prior to the construction of a principal building, or the commencement of a principal use, on the same lot ~~provided that only if a valid building permit has been issued for any principal building on the same lot~~ and the building permit has not expired, and subject to the issuance and maintenance of a building permit for a principal dwelling on the same lot.

This establishes that only those accessory structures explicitly permitted prior to construction of a principal dwelling. Similar to s. 2.5.9 of Bylaw 96

- (4) Unless a building or structure, ~~excluding an attached deck and patio,~~ is structurally attached to a principal building by a structure having walls, a roof, and a floor, it is for the purposes of this Bylaw, deemed not to be part of the principal building, but is deemed to be an accessory building or structure.

This is intended to prevent the construction of over-height accessory buildings by connecting the accessory building to a principal building with tenuous connections.

3.6 Home Occupation Regulations

- (1) Permitted accessory home occupations, unless otherwise prohibited in this bylaw, include any of the following:

Standard Islands Trust Land Use Bylaws provisions for home occupations. OCP permits temporary overnight

accommodation in policy 3.3.3 but impacts could be significant with 6 guests. Suggest disallow or limit to 2 to 4 guests. Home occupation must be incidental to residential use.

- (a) home craft;
 - (b) repairing of goods;
 - (c) professional practice;
 - (d) service to a client;
 - (e) creation of a product; and
 - (f) Commercial visitor accommodation, subject to the following additional regulations:
 - (i) not more than 4 guests may be accommodated at any one time;
 - (ii) not more than 2 bedrooms may be used to accommodate guests; and
 - (iii) a commercial visitor accommodation use must be conducted solely within a principal dwelling.
- (2) For certainty home occupations do not include any of the following uses:
- (a) ~~rental of a dwelling for less than thirty (30) continuous days;~~
 - (b) commercial campgrounds;
 - (c) rentals, except rental of a dwelling for thirty (30) or more continuous days, ~~or charters;~~ and
 - (d) food service or the ~~retail or wholesale~~ sale of goods or products unless the goods or products are produced, processed or repaired as part of the home occupation.
- (3) Home occupations must be conducted entirely within a dwelling or a permitted accessory building on a lot ~~where there is on which~~ a permitted principal residential use is occurring.
- (4) The combined floor area used in all home occupations on a lot must not exceed 47 m² (500 ft²).
- (5) The owner or at least one employee of a home occupation must reside on the property.
- (6) Not more than one person per property may be employed in any home occupation in addition to any residents of the premises in which such business is carried on.

Existing regulations in Bylaw 96 do not provide for any employees. Home occupation must be conducted in interior of dwelling, no noise or nuisance, no exterior storage, no sales of product not produced on property.

- (7) No storage of materials, commodities or finished products is permitted in connection with the operation of a home occupation other than within a permitted building.
- (8) No ~~noise resulting from any~~ home occupation may cause any sound that is audible ~~be heard~~ at a lot line of the lot on which the home occupation is conducted, including ~~or~~ the natural boundary of the sea.

3.7 Fences

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

Standard to Islands Trust Land Use Bylaws,

Allows a higher fence to protect water supply areas, gardens etc from animals if needed.

3.8 Landscape Screening

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

Standard to Islands Trust Land Use Bylaws. These provisions would apply only if landscape screening is required within the zone regulations.

3.9 Use of Recreational Vehicles

- (1) A recreational vehicle may not be placed on a lot, ~~nor~~ used as a residence.

Bylaw 96 only allowed RVs in campsites. Since campsites do not exist on the islands, this regulation is consistent.

3.10 Storage of Junk and Derelict Vehicles

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

Standard to Islands Trust Land Use Bylaws. Bylaw 96 has similar restrictions for scrap vehicles.

3.11 Lots Divided by a Zone Boundary

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

*Standard to Islands Trust
Land Use Bylaws.*

3.12 Use of Common Property

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

*Standard to Islands Trust
Land Use Bylaws*

PART 4 ESTABLISHMENT OF ZONES

4.1 Division into Zones

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

<u>Zone Name</u>	<u>Zone Abbreviation</u>
Small Lot Rural Residential One	SRR
Rural Residential One	RR1
Rural Residential Two	RR2
Rural Residential Three	RR3
Rural Residential Four	RR4
Rural Residential Five	RR5
Rural Residential Six	RR6
Park	P
Private Conservation	PC
Community Service	CS
Forestry	F
Private Institutional One	PI1
Marine Foreshore 1	M1
Marine Foreshore 2	M2
Marine Protection	M3
Marine Industrial	M4
Public Wharf	M5

4.2 Zone Boundaries

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

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

PART 5 ZONES

5.1 Small Lot Rural Residential –(SRR)

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

Permitted Uses

Comments

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

Differs from current A-1 zoning in removing 'Agriculture', 'Two-family residential', 'Boarding', and 'Forestry' as principal uses.

Density

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

Current density in Bylaw 96 is 2 per any sized lot.

Existing is 33%. 25% is more common for lots under 2 acres in size, and lot coverage would include accessory structures as well as the principle dwelling.

REVISED – FAR increased from 0.15 to 0.20 November 2012

~~Information Note: A floor area ratio is the ratio of the floor area of the dwelling to the lot area. A lot area of 1400 square metres (15000 sq. ft.) with a floor area ratio of 0.15 may have a dwelling of up to 210 square metres (2260 sq. ft.).~~

- (5) The maximum number of accessory buildings permitted in the SRR zone is two (2) per lot (exclusive of utility and woodsheds for properties on East Trail Island only).

Limits proliferation of accessory buildings. No current limits on accessory buildings. REVISED – November 2012 to exclude utility and woodsheds on East Trail.

Siting and Size

- (6) The minimum setback for any building or structure in the SRR

zone is:

- (a) 6.0 metres (19.6 feet) from any lot line abutting a ~~road allowance~~ highway or private road;

Differs from Bylaw 96 provisions allowing 5 metres to front lot line if abutting a street. REVISED November 2012

- (b) 7.5 metres (24.6 feet) from any rear lot line; and

- (c) 1.5 metres (5 feet) from any interior or exterior side lot line.

REVISED November 2012

- (7) The maximum height for any dwelling in the SRR zone is 9 m (29.5 feet).

Long established height in SCRD area is 11 metres, this seems excessive for small lot areas, 9m is more typical.

- (8) The maximum height for any accessory building or structure in the SRR zone is one storey to a maximum of 3.7 metres (12 feet).

Conditions of Use

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

Would implement screening of tanks. REVISED November 2012

Subdivision Lot Area Requirements

- (10) ~~No lot in the SRR zone having an area less than 4.0 hectares (10 acres) shall be created by subdivision in the SRR zone.~~ Land in the SRR zone may not be subdivided.

Provincial CPA 24 regs established a 4.047 ha (10 ac) min. No lots currently in this proposed zone have subdivision potential.

Site-Specific Regulations

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

Table 5.1		
Site-Specific Zone	Location Description	Site Specific Regulations
SRR(a)	LOT 17 DISTRICT LOT 1388 PLAN 13161 (1603 Trail Road, East Trail Island)	1. Despite 5.1(2) the maximum number of dwellings permitted in SRR(a) zone is two (2).

This density is based on the existing build out on the lot under Bylaw 96.

5.2 Rural Residential One – (RR1)

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

Permitted Uses

- (1) The following uses are permitted in the RR1 zone ~~and in any zone labelled RR1 followed by a lower case letter~~, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential use of a Dwellings;

Only permitted principal use. Differs from current A-1 zoning in removing 'Boarding', and 'Forestry' as principal uses.

(c) Accessory uses, buildings and structures, including but not limited to home occupations and accessory recreational uses;

~~(d) Recreational uses, buildings and structures; and~~

~~(e)~~(d) Agriculture.

Density

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

Density is consistent with OCP.

Basic density control – existing under Bylaw 96 is 33%.

REVISED November 2012

Siting and Size

- (5) The minimum setback for any building or structure in the RR1 zone is 7.5 metres (24.6 feet) from any lot line.
- (6) The maximum height for any dwelling in the RR1 zone is 11 metres (36 feet).

Differs from Bylaw 96 provisions which allow 5 metres from front lot line if abutting a street; 3 metres from exterior lot lines.

Consistent with Bylaw 96.

- (7) The maximum height for any accessory building or structure in the RR1 zone is one storey to a maximum of 5.2 metres (17 feet).

Subdivision Lot Area Requirements

- (8) The minimum average lot size for subdivision in the RR1 zone is 4.0 hectares (10 acres). *Provincial CPA 24 regs established a 4.047 ha (10 ac) min.*
- (9) The minimum lot size for subdivision in the RR1 zone is 1 hectare (2.4 acres). *Would permit lot clustering of any future subdivision.*

Site-Specific Regulations

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

Site-Specific Zone	Table 5.2 Location Description	Site Specific Regulations
RR1(a)	PARCEL 12 (EXPLANATORY PLAN 7978) DISTRICT LOT 2309 GROUP 1 NEW WESTMINSTER DISTRICT, <u>Tiki Island</u>	1. Despite 5.2(2) the maximum number of dwellings permitted in the RR1(a) zone is three (3). 2. Despite 5.2(3) the maximum lot coverage for each dwelling and associated accessory buildings is 8.3%. 3. The maximum floor area of a dwelling permitted is 232 m2 (2,500 square feet).
RR1(b)	DISTRICT LOT 4553 GROUP 1 NEW WESTMINSTER DISTRICT, <u>Echo Island</u>	Despite 5.2(2) the maximum number of dwellings permitted in the RR1(b) zone is one (1) unless water and sewer infrastructure connections from the island to the mainland along established easements or rights-of-way are in place at the time of issuance of a building permit(s) and then <u>in which</u>

REVISED
November 2012

Site-Specific Zone	Table 5.2 Location Description	Site Specific Regulations
		case the maximum number of dwellings is a maximum of two (2) dwellings are permitted.
RR1(c)	DISTRICT LOT 2081, SOUTH THORMANBY ISLAND, NEW WESTMINSTER DISTRICT	Despite 5.2(2) the maximum number of dwellings permitted in the RR1(c) zone is eight (8).
RR1(d)	BLOCK B (REFERENCE PLAN 2132) DISTRICT LOT 845 GROUP 1 NEW WESTMINSTER DISTRICT <u>Anvil Island</u>	Despite 5.2(2) the maximum number of dwellings permitted in the RR1(d) zone is two (2).
RR1(e)	DISTRICT LOT 845, GROUP 1 NEW WESTMINSTER DISTRICT EXCEPT PORTIONS IN REFERENCE PLANS 622 AND 2698 <u>Anvil Island</u>	Despite 5.2(2) the maximum number of dwellings permitted in the RR1(e) zone is eleven (11).

5.3 Rural Residential Two – (RR2)

Information Note: The purpose of the Rural Residential Two Zone is to provide for the regulation of the development of LOT 1 DISTRICT LOT 1539 GROUP 1 NEW WESTMINSTER DISTRICT PLAN LMP30490 and BLOCK 1 DISTRICT LOTS 1018 AND 1019 PLAN 11122, Buccaneer Bay, South Thormanby Island (*Buccaneer Bay Holdings*) where a Land Use Contract has been in place since the 1970's.

Permitted Uses

- (1) The following uses are permitted in the RR2 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential use of a Dwellings;

Based on Buccaneer Bay Land Use Contract – removed Public Assembly, Public service.

(b) Accessory uses, buildings and structures, including home occupations and accessory recreational uses, but excluding commercial visitor accommodation; ~~and~~

~~(c) Recreational uses, buildings and structures.~~

Density

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

Density is based on the Buccaneer Bay Land Use Contract.

Siting and Size

- (3) Dwellings must be sited as shown on Schedule A-1.

- (4) Floor area in the RR2 zone ~~is defined as means~~ any enclosed floor area of the main floor of the dwelling or structure but also including any floor area (exceeding 6 m²) of the second floor of any dwelling, which has an average ceiling height in excess of 1.8 metres (6.1 feet) measured from the inside walls.

Varies from general reg definition to reflect site specific circumstance in LUC.

- (5) The maximum floor area of a dwelling is 74.3 m² (800 ft²).

- (6) Despite section 5.3(5), for ~~three~~ dwelling sites numbered 1A, 22 and 56 on Schedule A, the maximum floor area of a dwelling is 120.7 m² (1300 ft²).

Consistent with the Land Use Contract

- (7) Despite section 5.3(5) for ~~sixteen~~ dwelling sites numbered 3, 5, 8, 10, 15, 21, 31, 37, 39, 45 through 47, 50, 52, 62 and 68 on Schedule A the maximum floor area of a dwelling is 102.2 m² (1100 ft²).

- (8) The maximum height for any dwelling in the RR2 zone is 9.1

Consistent with Land Use Contract.

- metres (30 feet).
- (9) The maximum height for any accessory building or structure in the RR2 zone is one storey to a maximum of 4.5 metres (15 feet).
- (10) The maximum number of accessory buildings in the RR2 zone is three (3) per dwelling, exclusive of woodsheds, with a total combined floor area per dwelling not exceeding 27.8 m² (350 ft²).
- (11) Despite subsection 5.3(10), the accessory buildings ~~referenced identified~~ in Schedule A-2 may exceed the maximum permitted floor area ~~and/or~~ maximum number of accessory buildings ~~as noted to the extent specified~~ on Schedule A-2.
- (12) One accessory building with a maximum floor area not to exceed 120.7 m² (1300 ft²) is permitted in the RR2 zone in addition to those referenced in subsections 5.3(10) and 5.3(11). ~~for the purposes of storing storage of~~ up to 10 motor vehicles ~~with a maximum floor area not to exceed 120.7 m² (1300 ft²)~~.
- (13) The maximum ~~combined~~ number of boat houses on Lot 1 District Lot 1539, Block 1 District Lots 1018 and 1019 is five (5) with a maximum floor area for each boathouse ~~not exceeding of~~ 16.2 m² (175 ft²).

As per LUC.

Subdivision Lot Area Requirements

- (14) ~~The minimum lot size in the RR2 zone is 45 hectares (113 acres)~~ Land in the RR2 zone may not be subdivided.

No subdivision potential for the Buccaneer Bay Holdings jointly owned lots.

5.4 Rural Residential Three– (RR3)

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

Permitted Uses

- (1) The following uses are permitted in the RR3 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential use of a Dwellings;

Only permitted principal use. Differs from current A-7 zoning in removing 'Public Service' as principal use.

(b) Accessory uses, buildings and structures, including home occupations and accessory recreational uses, but excluding commercial visitor accommodation; and

~~(c) Recreational uses, buildings and structures.~~

Density

- (2) The maximum number of dwellings permitted ~~on Lot 2, District Lot 845 in the RR3 zone~~ is eight (8).

Based on Bylaw No. 49 which permits maximum of one dwelling per 3.8 ha..

- (3) The maximum lot coverage in the RR3 zone is 2 percent.

Equivalent to 1.5 acres

Siting and Size

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

Subdivision Lot Area Requirements

*Provincial CPA 24 regs
established a 4.047 ha (10
ac) min.*

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

*Would permit lot clustering
of any future subdivision.*

5.5 Rural Residential Four– (RR4)

Information Note: The purpose of the Rural Residential Four Zone is to provide for the regulation of the development of District Lot 697, Pasley Island ~~and District Lot 2813, Group 1, New Westminster District.~~

Permitted Uses

- (1) The following uses are permitted in the RR4 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

- (a) Residential use of a Dwellings;
- (b) Guest houses;
- (c) Caretaker Residence;
- (d) Accessory uses, buildings and structures, including home occupations and accessory recreational uses, but excluding commercial visitor accommodation; ~~and~~

Only permitted principal uses. Differs from current A-6 zoning in removing 'Public Service' as principal use.

~~Recreational uses, buildings and structures.~~

Density

- (2) The maximum number of dwellings, ~~on District Lot 697 in the~~ RR4 zone is one per 3.33 ha to a maximum of thirty (30).
- (3) The maximum number of guest houses ~~on District Lot 697 in the~~ RR4 zone is one per dwelling to a maximum of thirty (30).
- (4) One caretaker residence ~~on District Lot 697 in the~~ RR4 zone is permitted in addition to the dwellings ~~regulated in~~ permitted by subsections 5.5(2) and 5.5(3).

Based on Bylaw No. 40 which permits maximum of 61 dwellings on the island.

Siting and Size

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

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feet).

Subdivision Lot Area Requirements

- (9) ~~The average lot size in the RR4 zone is 100 hectares (247 acres)~~Land in the RR4 zone may not be subdivided.

No subdivision potential

5.6 Rural Residential Five– (RR5)

Information Note: The purpose of the Rural Residential Five Zone is to provide for the regulation of the development of District Lot 840, Worlcombe Island, where a Land Use Contract has been in place since the 1970's.

Permitted Uses

- (1) The following uses are permitted in the RR5 zone subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

(a) Residential use of a Dwellings;

Consistent with the Land Use Contract

(b) Accessory uses, buildings and structures, including home occupations and accessory recreational uses, but excluding commercial visitor accommodation; ~~and~~

~~Recreational uses, buildings and structures.~~

Density

- (2) The maximum number of dwellings in the RR5 zone is seven (7), one of which may be used as a lodge and for assembly purposes.

Consistent with the Land Use Contract.

~~(3) One dwelling used as a lodge and a commonly owned assembly area is permitted.~~

- (4) A maximum of three (3) accessory buildings is permitted for each dwelling (exclusive of utility and woodsheds).

Siting and Size

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

Subdivision Lot Area Requirements

- (10) ~~The average lot size in the RR5 zone is 11 hectares (27 acres)~~Land in the RR5 zone may not be subdivided. *No subdivision potential*

5.7 Private Institutional– (PI1)

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

Permitted Uses

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

Density

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

Siting and Size

- (3) The maximum floor area of all dwellings, dormitories, cabins and accommodation units in the PI1 zone is 2050 m² (20,066 ft²). *REVISED November 2012*
- (4) The total accessory building floor area per dwelling in the PI1 zone shall not exceed 4530 m² (48,760 ft²).
- (5) The minimum setback for any building or structure in the PI1 zone is 7.5 metres (24.6 feet) from any lot line.
- (6) The maximum height for any building or structure in the PI1 zone is 11 metres (36 feet).

Subdivision Lot Area Requirements

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

5.8 Park (P)

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

Permitted Uses

- (1) The following uses are permitted in the P zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

This zone is intended to provide for limited uses on parkland on North Thormanby, South Thormanby, East Trail Island.

- (a) Protection and maintenance of natural features and habitat;
- (b) Nature interpretation;
- ~~(c) Informational signs and interpretive structures;~~
- ~~(d) Accessory uses, buildings and structures; and~~
- (e) Natural area parks and conservation.

Permitted Structures

- (2) The following structures are permitted in the P zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:

- (a) Pedestrian trails;
- (b) Fences;
- (c) Stairs, boardwalks; outhouses; camping platforms;
- (d) ~~Structures Buildings and structures~~ accessory to a permitted natural area protection, conservation or interpretation use; and
- (e) ~~Signs~~Informational signs, subject to Part 6.

Siting and Size

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

5.9 Private Conservation (PC)

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

Permitted Uses

- (1) The following uses are permitted in the PC zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:

This zoning would apply to the western tip of Worlcombe Island and a portion of Buccaneer Bay.

- (a) Protection and maintenance of natural features and habitat; and
- (b) Conservation.

Permitted Structures

- (2) The following structures are permitted in the PC zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:

- (a) pedestrian trails;
- (b) fences;
- (c) stairs, boardwalks; and
- (d) signs, subject to Part 6.

Siting and Size

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

5.10 Forest (F)

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

Permitted Uses

- (1) The following uses are permitted in the F zone, subject to the regulations set out in this Section and the general regulations, and all other uses are prohibited:

This zone is intended to provide for limited uses on the portion of the island outside of the existing developed areas.

- (a) Silviculture;
- (b) Trails, stairs and walkways;
- (c) Informational signs and interpretive structures; and
- (d) Accessory uses, buildings and structures.

- (2) For certainty accessory uses, buildings and structures may include wells, pumphouses, water storage tanks ~~or~~ and utility sheds.

Density

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

Siting and Size

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

5.11 Community Service (CS)

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

Permitted Uses

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

Revised November 2012

Density

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

Siting and Size

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

5.12 Marine Foreshore 1 (M1)

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

Permitted Uses

- (1) The following uses and structures are permitted in the M1 zone ~~and in any zone labelled M1 followed by a lower case letter~~ subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:

This zone is intended to regulate the use of the water around the islands and to regulate the siting and size of private docks. There is currently no water zoning in Bylaw 96.

- (a) Mooring buoys, for the purpose of mooring a private vessel accessory to the residential use of an upland lot; and
- (b) Docks accessory to the residential use of an adjacent upland lot.

Density

- (2) The maximum number of docks that may be constructed in the M1 zone adjacent and accessory to any upland lot in the M1 zone shall be one ~~unless additional docks are permitted by subsection 5.12(6).~~

Siting and Size

- (3) The maximum area of any accessory dock in the M1 zone ~~and in any zone labelled M1 followed by a lower case letter~~, excluding ramps and walkways, ~~shall not exceed is~~ 40 m² (430 ft²).

Floats are often 400 sq ft but added area allows for some flexibility.

Conditions of Use

- (4) ~~No dock in the M1 zone and in any zone labelled M1 followed by a lower case letter shall use foam floatation devices that are not completely encapsulated. The use permitted in 5.12(1)(b) does not include any dock constructed with foamed polystyrene flotation components that are not completely encapsulated to prevent such components from escaping into the marine environment.~~
- (5) No building, including a boathouse, ~~in the M1 zone and in any zone labelled M1 followed by a lower case letter~~ may be constructed or erected on any float or wharf dock in the M1 zone.

Site-Specific Regulations

- (6) The following table 5.3 ~~denotes indicates~~ locations for reference, with zone boundaries defined on Schedule B, where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the

notation on Schedule B. The second column is an information note and the third column ~~cites~~ specifies the ~~specific~~ regulations that apply:

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

5.13 Marine Foreshore 2 (M2)

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

Permitted Uses

This zone is intended to accommodate community docks in pre-designated locations

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

Density

- (2) One community dock or wharf may be constructed ~~and in any zone labelled M2 followed by a lower case letter~~ or installed at each location specified in 5.13(1)(b).

Conditions of Use

- (3) ~~No dock in the M2 zone and in any zone labelled M2 followed by a lower case letter shall use foam flotation devices that are not completely encapsulated~~ The use permitted in 5.13(1)(b) does not include any dock constructed with foamed polystyrene flotation components that are not completely encapsulated to prevent such components from escaping into the marine environment.
- (4) No building, other than one storage building not exceeding 10 m² ~~and or~~ 4 metres in height ~~in the M2 zone and in any zone labelled M2 followed by a lower case letter~~, may be constructed or erected on any dock in the M2 zone.

One storage shed per dock

- (5) The following table 5.4 ~~denotes~~indicates locations for reference, with zone boundaries defined on Schedule B, where, despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on Schedule B. The second column provides an information note and the third column ~~cites~~specifies the ~~specific~~ regulations that apply:

Discuss whether size limits should be imposed for community docks if private docks are not permitted as policy encourages community docks.

Table 5.4		
Site-Specific Zone	Information Note: General Location	Site Specific Regulations
M2(a)	LOT 2 DISTRICT LOT 845 PLAN 10910 <u>Anvil Island</u>	Despite subsection 5.14 (2) one additional dock with a maximum area of 18 m ² (194 ft ²) is permitted below the natural boundary of the sea.
M2(b)	South Thormanby Island	Despite subsection 5.14 (2) a maximum of two docks are permitted with a combined maximum area of 725 m ² (7800 ft ²) are permitted below the natural boundary of the sea.

5.14 Marine Protection (M3)

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

Permitted Uses

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

Permitted Structures

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

5.15 Marine Industrial (M4)

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

Permitted Uses

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

~~Private log dump; and~~

- (a) log handling, sorting and storage, ~~including movement of log booms.~~

Permitted Structures

- (2) The following structures are permitted in the M4 zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:

- (a) Buoys, floats, dolphins and pilings necessary for the establishment or operation of a ~~use permitted in this zone~~ log handling, sorting or storage use;
- (b) Marine navigational aids; and
- (c) Signs, subject to Part 6.

5.16 Public Wharf (M5)

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

Permitted Uses

- (1) The following uses are permitted in the M5 zone, subject to the regulations set out in this section and the general regulations, and all other uses are prohibited:

~~(a) Navigational uses;~~

~~(b)(a)~~ Public service utility uses;

~~(c)(b)~~ Loading, unloading and temporary storage of freight;

~~(d)(c)~~ Temporary docking and mooring facilities for passenger ~~ferry~~ferries, charter vessels, water taxis, pleasure craft, fishing boats and sea planes; and

~~(e)(d)~~ Non-commercial boat moorage.

Permitted Structures

- (2) The following structures are permitted in the M5 zone, subject to the regulations set out in this section and the general regulations, and all other structures are prohibited:

(a) Public wharf or barge;

(b) Buoys, floats, wharves, wharf ramps, walkways, piers, floating breakwaters, dolphins and pilings, and buildings necessary for the establishment or operation of a use permitted in this zone;

(c) Marine navigational aids; and

(d) Signs, subject to Part 6.

Height

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

Floor Area

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

PART 6 SIGN REGULATIONS

6.1 Permitted Sign Types

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

6.2 Prohibited Signs

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

6.3 Exempt Signs

The following signs are exempt from the regulations in this ~~part~~Part:

- (1) Directional, traffic control, safety, interpretive, address and navigational signs;
- (2) Signs of duly nominated candidates for public office, ~~who are recognized as candidates by the public agency in which they seek office,~~ provided they are removed within 14 days of the date of election;
- (3) Signs pertaining to the lease, sale, or name of owner or property, or the use or status of a lot or building ~~are permitted,~~ provided that no ~~one~~ sign exceeds a ~~total~~ dimension of 0.75 metres by 0.75 metres (2.5 feet by 2.5 feet); and
- (4) Signs erected and maintained by a public agency.

6.4 Siting and Height

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

6.5 Obsolete Signs

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

6.6 Sign Number and Area

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

PART 7 PARKING REGULATIONS

7.1 Application

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

PART 8 SUBDIVISION REGULATIONS

8.1 Lot Area Calculations

- (1) Subdivisions shall comply with the minimum and minimum average lot area regulations set out in Part 5. For the purposes of this bylaw, the average lot area is the sum of the areas of the proposed lots divided by the number of proposed lots.
- (2) If an owner of land being subdivided dedicates as parkland more than 5 percent of the land being subdivided, the area greater than 5 percent may, for the purpose of determining compliance with minimum average lot area regulations set out in Part 5, be included in the total area of lots being created, ~~and the park or parks are deemed not to be lots.~~
- (3) ~~If a lot proposed to be subdivided is divided by a zone boundary, a separate calculation of the number of lots permitted shall be made for each portion, and no lot is to be created in respect of any fractional area resulting from such a calculation.~~

8.2 Exemptions from Average and Minimum Lot Area Requirements

The average and minimum lot areas specified in Part 5 ~~—Zone Regulations~~ do not apply to:

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

8.3 Covenants Prohibiting Further Subdivision and Development

- (1) Where a subdivision is proposed that yields the maximum number of lots permitted by the applicable minimum average lot area specified by this Bylaw, and one or more of the lots being created has an area equal to or greater than twice the applicable minimum average lot area, the owner must grant a restrictive covenant in respect of every such lot prohibiting further subdivision of the lot and prohibiting construction, erection, or occupancy on the lot of more than the applicable zone's permitted number or size of dwellings, quest houses and accessory buildings.
- (2) If a subdivision is proposed that ~~is to yield~~ fewer than the maximum number of lots permitted by the applicable minimum and minimum average lot sizes specified by this bylaw, and:
 - (a) one or more of the lots being created has an area equal to or greater than twice the applicable minimum average lot size; and
 - (b) one or more of the lots being created has an area less than the applicable minimum average lot size
 the applicant shall grant a restrictive covenant ~~complying with Section 2.6~~ in respect of every lot prohibiting:
 - (i) the subdivision of the lot so as to create a greater total number of lots by subdivision and re-subdivision of the original lot than would have been created had the first subdivision created the maximum number of lots permitted by the applicable minimum and minimum average lot sizes specified by this Bylaw; and
 - (ii) the construction, erection, or occupancy on the lot of dwellings, quest houses and accessory buildings so as to create greater density of such development on the original lot than would have been created had the original lot been developed to the greatest density permitted by this Bylaw without subdivision.
- (3) If the approval of a bare land strata plan would create common property, the applicant must grant a restrictive covenant in respect of the common property prohibiting the further subdivision of the common property and the disposition of the common property separately from the strata lots.

8.4 Boundary Adjustment Subdivisions

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

8.5 Section 946 Subdivisions (Residence for a Relative)

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

8.6 Lot Frontage and Lot Shape

- (1) The frontage on a highway of any lot in a proposed subdivision and having highway frontage shall be at least 10% of its perimeter, unless exempted by the Local Trust Committee pursuant to ~~requirements of~~ the *Local Government Act*.
- (2) No lot in a proposed subdivision may have a lot depth greater than three times its lot width, excluding the width of any panhandle access strip.
- (3) If a panhandle lot proposed to be created has sufficient area to be further subdivided under ~~the provisions of~~ this Bylaw, the minimum width of the access strip ~~of land~~ shall be 20 metres.
- (4) If a panhandle lot proposed to be created has insufficient area to be further subdivided, the minimum width of the access strip ~~of land~~ shall be 10 metres.

8.7 Split Zoned Lots

~~(1) (1)~~ — The creation of an additional lot lying within two or more zones is prohibited unless the subdivision consolidates lots or adjusts property lines.

~~(1)(2)~~ Where a lot lying within two or more zones is subdivided, each proposed lot must comply with the largest minimum lot area specified in Part 5 for any zone in which the proposed lot lies, and with the largest of any minimum average lot areas specified for each such zone.

8.8 Split or Hooked Lots

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

8.9 Water Access Subdivisions

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

8.10 Highway Standards

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

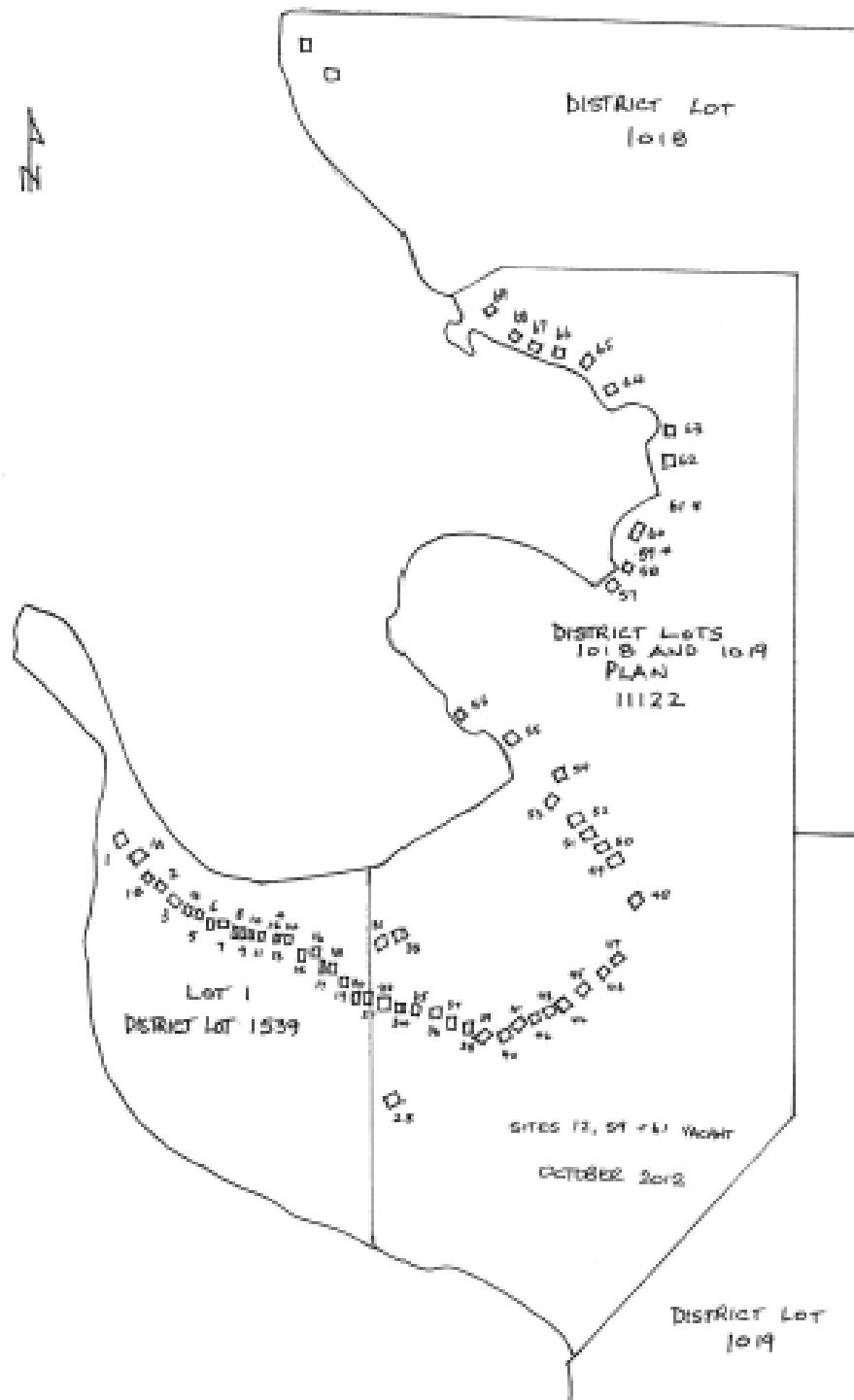
8.11 Water Supply

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

DRAFT

Schedule A-1 -Site Plan for Buccaneer Bay

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



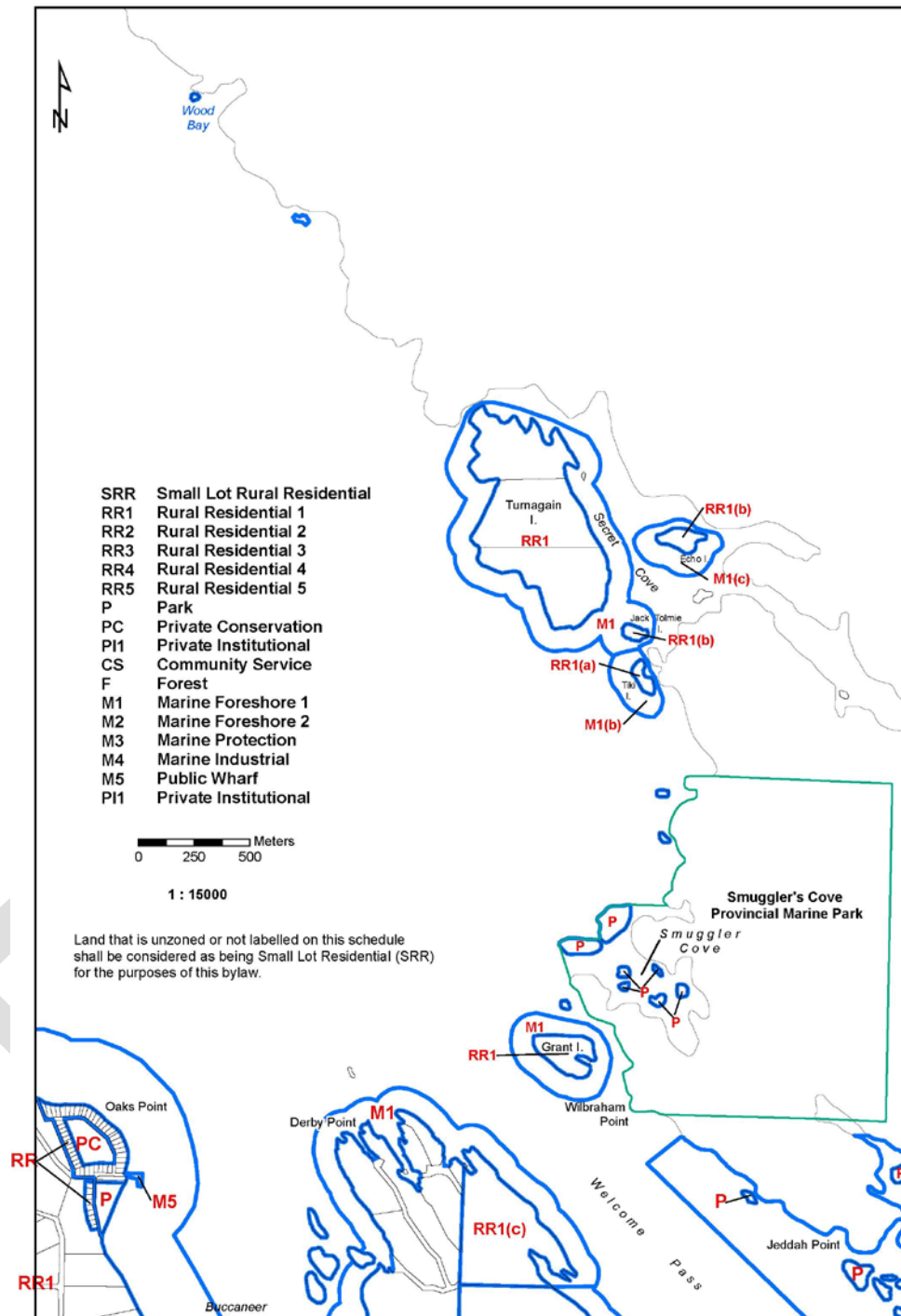
Schedule A-2 -Accessory Buildings in Buccaneer Bay

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

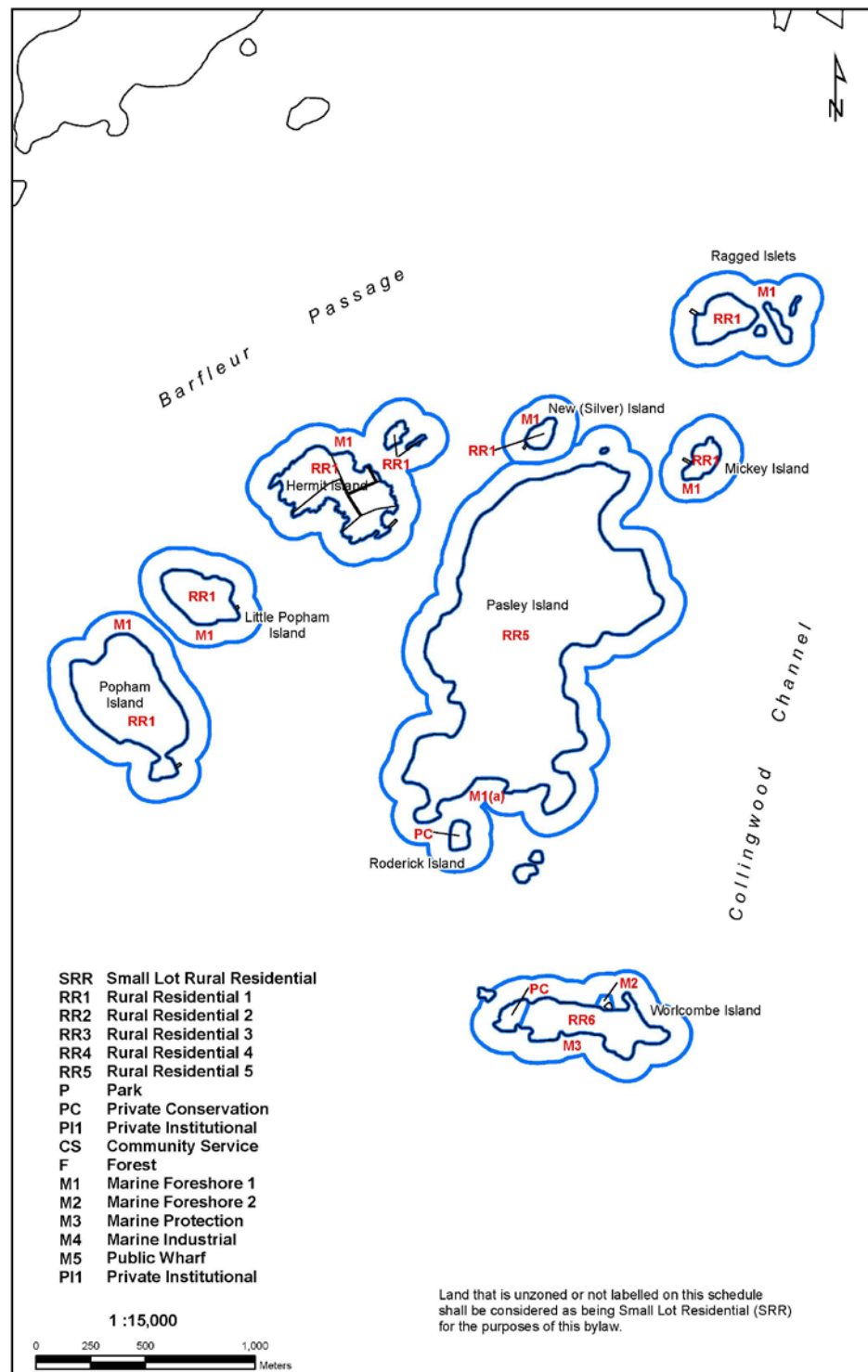
Principal dwellings with accessory buildings in the RR2 zone numbering more than three (3) and/or whose total square footage is more than 32.5 m² (350 ft²).

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

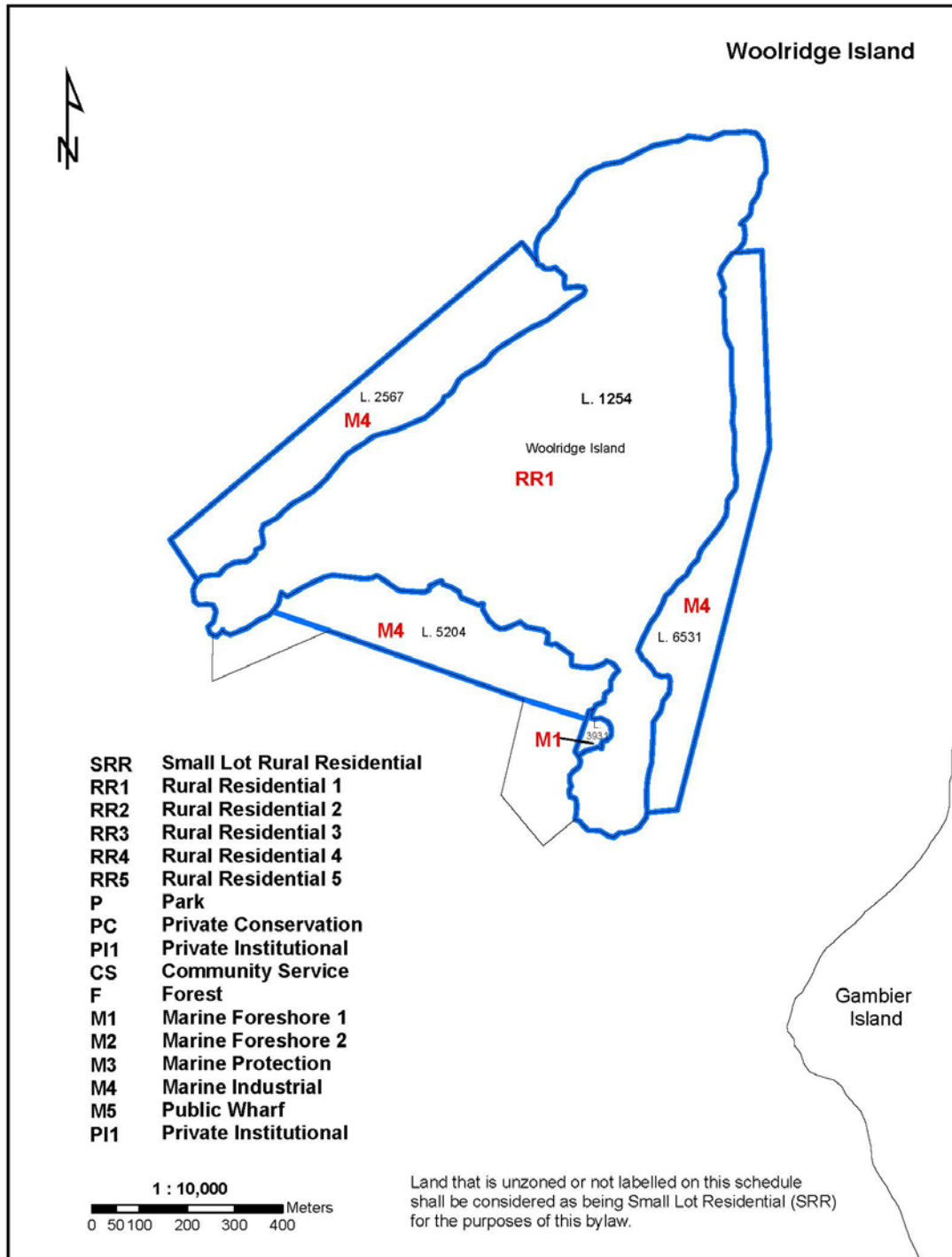
Schedule B - Zoning Map A



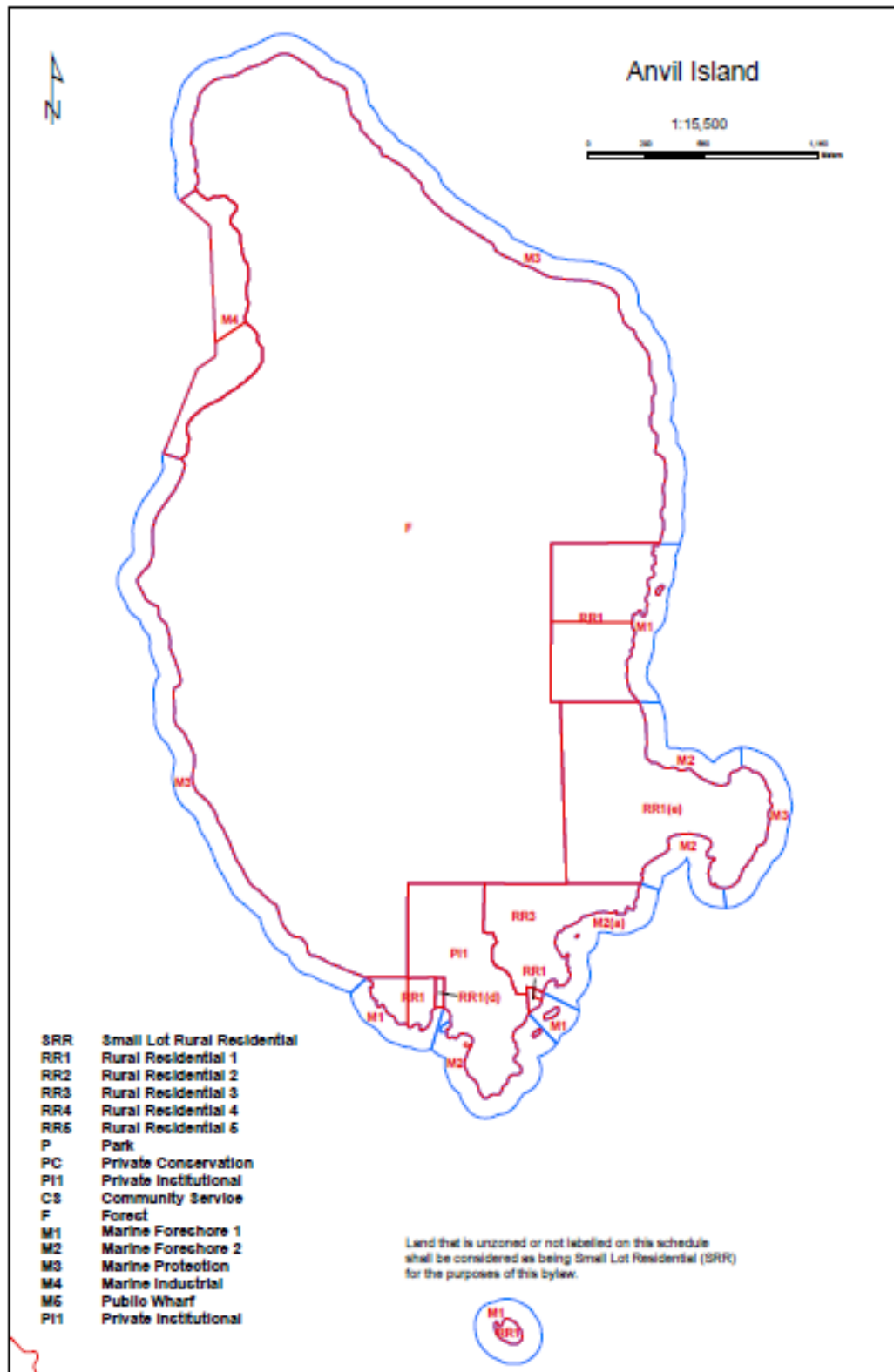
Schedule B - Zoning Map D



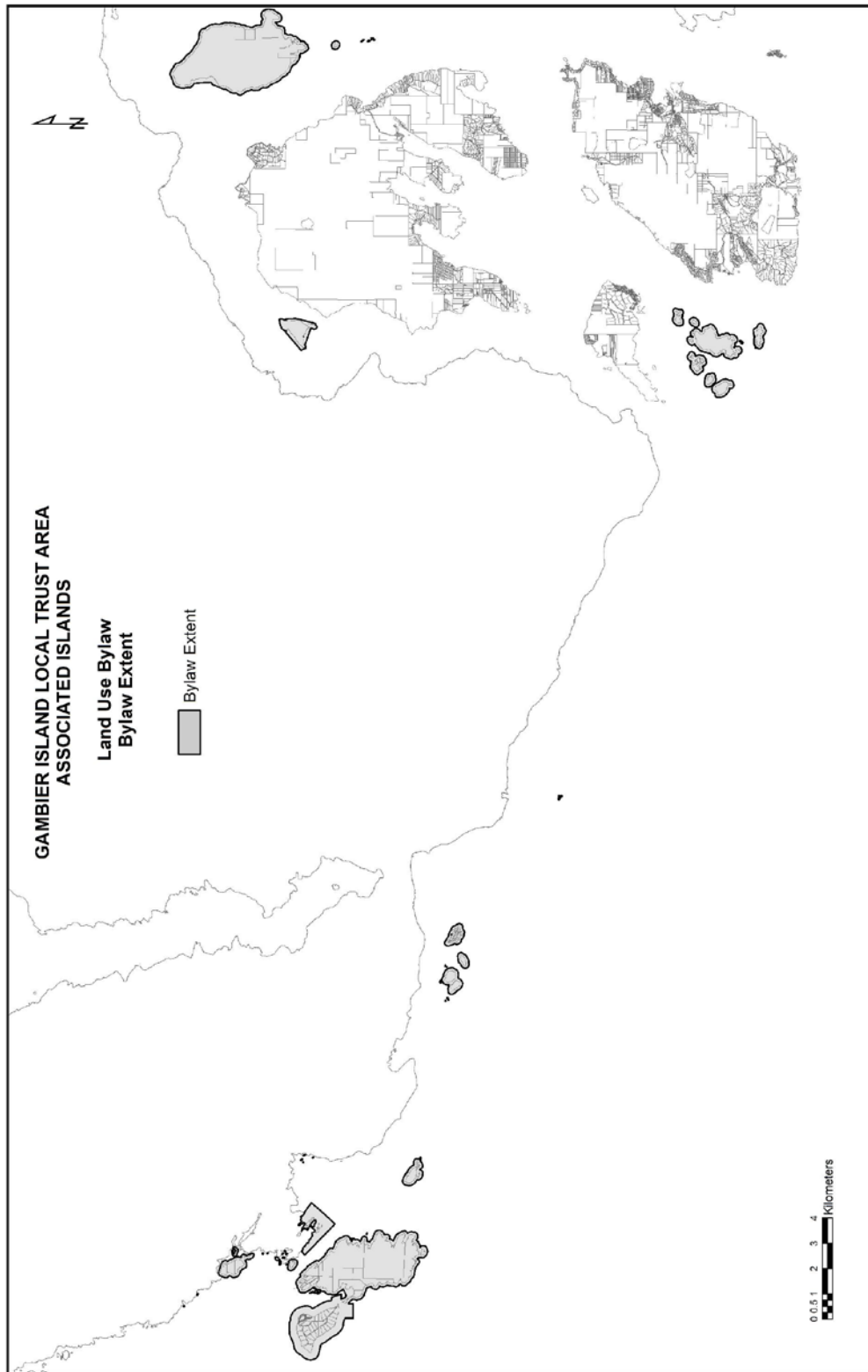
Schedule B - Zoning Map E



Schedule B - Zoning Map F



Schedule C – Bylaw Area of Application Map



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

Correspondence Package up to and including December 3, 2012

From: [LynnLeboe](#)
To: [Sonja Zupanec](#); [David Graham](#); [Kate-Louise Stamford](#); [Jan Hagedorn](#)
Cc: [Eunice Robinson](#); [Paul Meyer](#); [Rob Toohey](#); [valerie & thor Hugdahl](#); [peter hall](#); [Adrian Franke](#); [Allan Meyer](#); [Chip Lang](#); [Karl Lang](#); [Heather Scott](#); [life4sail53@aol.com](#)
Subject: Accessory building heights
Date: November-08-12 10:57:12 AM

Dear Sonja,

Can you please clarify how accessory building height is measured in the draft bylaw?
In the current draft bylaw for East Trail island accessory height is the lowest of any island at 12'.

We: East Trail Island are requesting:

- a) 18' or
- b) equality with Bowyer island since our building sites are similar or
- c) a method of measuring ie. from the interior floor to the interior ceiling height to account for less ground disturbance on uneven terrain.

To simplify math calculations, I am providing a link to solar-roof-pitch-angles.

NR Can and the BC Building code has ramped up Solar readiness guidelines with: 1.3 Provide a roof pitch in the design location with no less than 5/12 and no more than 12/12

www.solarbc.ca/sites/.../Solar_Ready_Builders_Specs_NRCan.pdf

FYI:

<http://greencredential.com/solar-roof-pitch-angles/>

Factors to consider:

- A structure must be 18" above grade for drainage (BC Building code).
- An interior ceiling 7.5 preferably 8'. ' at the lowest
- Add minimum 12" for 2x12 truss, attic airflow and roofing material (summary of BC Building code)
- Thus the structure exterior height would be 10' 6" before pitch is applied.
- Each accessory structure is most likely energy independent with its own solar and battery bank (most efficient)
- Same slope for rainwater runoff. Accessory buildings are used rainwater catchment and without a 4/12 or 5/12 pitch the debris (leaves, needles) considering run off and best practices for cistern sanitation.

Rather than penalizing communities like East Trail island who have clearly demonstrated their commitment to solar, and other renewable energies, the summary of global best practices (*in the link below*) cites policy instruments such as density bonus, relaxing of requirements etc. for communities like ours.

http://www.solarbc.ca/sites/solarbc.ca/files/images/Solar_BC_Policy_Report_Final.pdf

Your thoughts?

Lynn Leboe,

East Trail island

Site-Specific Regulations

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

Table 5.1

Site-Specific Zone	Location Description	Site Specific Regulations	Comments
SRR(b)	Lots 1 through 9 inclusive of District Lot 1017, Plan 5972 (BC Tel cottages Row North Thormanby Island	1. Despite 5.1(2) the maximum lot coverage in the SRR(b) zone is 210 m ² (2,260 square feet)	
		2. Despite 5.1(4) the maximum floor area of a dwelling permitted is 210. m ² (2,260 square feet).	<i>This is the amount shown in the example which, while less than the current zoning permits, is appropriate. In the alternative, the amount of 2,500 in the site specific Zoning for RR1(a) would be OK</i>
		3. Despite 5.1(4) the maximum number of accessory buildings permitted in the SRR(b) zone is two (2) per lot exclusive of utility, woodsheds and water towers	<i>This is consistent with Trail Island</i>
		4. Despite 5.1(6) the minimum setback for any buildings or structure in the SSR(a) zone is: (a) For Lot 8, 2 metres, (b) For Lot 9, 1 metre from any lot line abutting a road allowance.	<i>To be determined depending upon the siting of the existing cabins.</i>
		5. Despite 5.1(6) (b) the minimum setback for any buildings or structure in the SSR(a) zone is 1 metre from any rear Lot line.	<i>The front of many of the properties is subject to tidal flooding and there is a tendency, if possible to want to build further back on the lots. Some of lots slope upwards at the back as they near the bank. Except for the northerly most lots, the properties abut or actually are partially on the Bank and no one can build behind them. The lot behind is a 10 Acre parcel and can make its own buffer.</i>
		6. Despite 5.1(7) and 5.1(8) there shall not	<i>Except for the northerly most lots, the properties abut or actually are on the Bank and no one can build behind them. The lot behind is a 10 Acre</i>

		be any maximum height for any dwelling or accessory building or structure in the SRR(b) zone.	<i>parcel and can make its own buffer. No views will be impacted by high structures . Because of the bank it may be safer and more environmentally sound and neighbourly to build up rather than flat. Building on the slope can cause the actual height of a structure to be high on the downhill end while sitting on the ground at the uphill end.</i> <i>The front of many of the properties is subject to tidal flooding and there is a tendency, if possible, to want to build further back on the lots. Some of lots slope upwards at the back as they near the bank.</i> <i>Given a 7 or so foot drop over 30 feet of property, fairly unattractive flat roofed structures would evolve if this restriction is kept in force.</i> <i>This will avoid the need for those building on a sloped lot from building a skinny home lot line to lot line</i>

From: [Jay M. Munsie](#)
To: [Sonja Zupanec](#)
Cc: "Rob Burns" (robertvburns@shaw.ca); Frank Ingham (frankoingham@gmail.com); russell.hacking@shaw.ca; Karl Gustavson; Moira Gustavson; rick.minchin@gmail.com; Peter Evans; The Coyles (coyles@shaw.ca); Nancy Munsie; Doug Wark; John Wark; Mary-Lou Ralston; herb_evers@telus.net; Susan Wark; McGregor Wark; jamie.wark1@gmail.com; Greg Gardiner; jevansartist@harbourair.ca
Subject: Islands Trust Draft Land Use By-Law [RBS-Active.FID1000807]
Date: November-13-12 2:37:47 PM
Attachments: [Site Specific Zone.DOCX](#)

Dear Sonya

I am writing on behalf of the owners, unanimously, of Lots 1 through 9 inclusive, of District 1017, Plan 5972 of North Thormanby Island, being the nine cabins lying south of the Government wharf originally known as the BC Tel cabins.

Because, inter alia, these lots sit at the base of a steep embankment and for historical reasons, we would like our nine lots to have site specific zoning which suits the needs of the owners. Many of these lots have been affected by slides over the years and are subject to winter tidal flooding. Nothing developed on these lots will affect anyone other than ourselves so we believe our proposal is fair and reasonable.

Attached is a draft of the site specific zoning which we would like.

I would like to arrange a telephone conference with you, another owner, Doug Wark, and myself in the near future to discuss our proposed site specific zoning.

Yours truly,

Jay M. Munsie,

Direct Tel: 1.604.661.9207 | Email: jmunsie@rbs.ca

700 - 401 West Georgia Street, Vancouver, BC Canada V6B 5A1

Tel: 1.604.682.3664 | Fax: 1.604.688.3830 |

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Thursday, November 29, 2012
Property Owners of East Trail Island

To the Gambier Local Trust Committee: planner: Sonja Zupanec,
Cc: David Graham (chair), Jan, Hagedorn, Kate-Louise Stamford,
Cc: Garry Nohr (SCRD representative)

Regarding **Fall 2012 Draft Land Use Bylaw** for East Trail Island.

We have serious concerns about the inequality and unfairness of E. Trail Island compared to the other Islands in the GIT. We were repeatedly told during the OCP that inequalities would be addressed. When Planner Brody Porter, along with Trustee Jan Hagedorn, and Trustee Louise Bell visited East Trail Island, he noted that it was the most sustainable of all the small islands. He told us our concerns would be addressed and he saw no reason why flexibility could not be applied. Therefore we list our most serious concerns with the Draft 2012 Land Use Bylaw.

1. Dwellings, accessory building and height
2. Water zoning which affects safe access / moorage
3. Fines up to \$2000.

As in the preamble of the OCP, it is evident that E Trail Island is the most sustainable of all the small associated islands, practicing solar power, rainwater collection and property owners practice environmentally sustainable lifestyles. Best practices for planning cite these types of communities should be rewarded, not punished.

The OCP incorporates advocacy policies: ***3.16.1 As islands in the plan area are mostly self sufficient with respect to power, water and septic disposal, the LTC shall recognize the challenges associated with providing services on the islands.***

Dwellings, accessory buildings

- a) There is an eclectic mix of cabins on East Trail Island; but none overbuilt, simply by the nature and cost of unserviced island building. The draft bylaw currently calls for 1 dwelling per lot with 2 accessory buildings no more than 12' in height. This is unfair and inequitable as East Trail Island lots average 2 acres. Historical precedents on the established community indicate 2 dwellings, one larger than the other, and multiple accessory buildings with heights of 17'

These are not small lots as in Thormanby SRR, and coverage at 20% is grossly unacceptable, we can do better.

Therefore: we are proposing a simple flexible solution density similar to Pasley Island and Bowyer Island. We notice that Anvil Island has also received consideration for such a proposal.

Please note, our community solution will save 16 acres to permanent conservation from Bylaw 96. That is four times the land mass of the center lot on East Trail Island.

Our solution will conserve and protect 9 acres more than the Fall 2012 Draft LUB.

We request a maximum 15% coverage or maximum 3,200 sq ft. for flexible build out:

- 1 dwelling, plus
- 1 guest cabin or caretaker cabin of 17', plus
- 2 accessory, exempt woodshed & utility,
- Exclusive of decks and stairs.

Bylaw 96 - 33%	Potential av coverage = $91,476 \times .33 \times 26 = 784,862 \text{ sq ft}$
Draft 2012 LUB: 20% cov	Potential coverage = $91,476 \times .20 = 475,675 \text{ sq ft}$
Proposed: max 15% coverage, max 3200 sq ft buildings	Max. 3,200 sq ft per lot (not including stairs & decks)=83,200 <i>A permanent conservation averaging 701,662 sq ft or 16 acres from Bylaw 96</i>

1 Acre = 43,560 sq ft. 2 Acres = 87,120 sq ft
 Max. 3,200 sq ft per lot
 3200 x 26 lots = 83,200

Water zoning:

No zoning is better than bad or incorrect zoning. Transportation policies in the OCP 3.10.2 clearly state, "Zoning should permit and encourage the construction and use of common, community, or communal docks where feasible in order to limit the need for multiple private dock development along the shoreline"

Therefore we are requesting the entire bay Lot 23 to lot 20, or all the way from Lot 23 to Lot 16 have a special flexible multipurpose designation for communal dock, barge access, marine service and breakwater, to be decided with the community and marine consultants. This should be indicated in the bylaws and not at the expense of E. Trail islanders to request a variance at a further cost to the property owners.

Fines:

From time to time, we may be all guilty of some small oversight. However, given the remoteness of East Trail Island, the weather conditions, no services, and only access to a garbage barge once a year. We, East Trail Island property owners request violations be addressed:

- 1) first with a reminder,
- 2) and the property owner should have until the next scheduled garbage barge to rectify a situation before any fine is levied.

We have now offered concrete solutions to what should have been a simple Rural Bylaw with flexibility for the future within a sustainable envelope.

References:

OCP 3.10 TRANSPORTATION POLICIES

3.10.1 in its bylaw provisions and decision-making, the LTC should recognize the challenges associated with accessing, living on and constructing on the islands in the plan area.

3.10.2 Zoning should permit and encourage the construction and use of common, community, or communal docks where feasible in order to limit the need for multiple private dock development along the shoreline; however, individual private docks accessory to residential uses should be permitted where required for access, but may be regulated by zoning.

3.10.3 Zoning may provide for facilities for float plane and emergency helicopter access in appropriate locations.

3.10.4 Zoning may provide for barge ramps in appropriate locations.

Advocacy Policies

The LTC should support efforts by residents, local governments and agencies to ensure that reasonable access including safe passage and moorage is provided to the plan area from adjacent regional districts and municipalities.

Signed:

Heather Scott Lot 6 east trail



From: [Dan Grice](#)
To: [Sonja Zupanec](#)
Cc: [Jan Hagedorn](#); [Kate-Louise Stamford](#)
Subject: Re: Updated Fall 2012 Draft Land Use Bylaw-SCRD Associated Islands
Date: November-23-12 10:52:07 AM

Thanks Sonja,

We are just working to ensure the by-laws apply equivalent height standards across the GIT, and don't unreasonably discriminate against one island. I don't believe any of the residents of East Trail Island are Hobbits.

Comparatively, I also noticed that a one story accessory building on Gambier is allowed to be 7m high and Keats allows 11m.

As quoted by the Chief Justice MacLachlin in Catalyst Paper Corp. v. North Cowichan (District),
2012 SCC 2, [2012] 1 S.C.R. 5:

"I do not mean to say that there may not be cases in which it would be the duty of the Court to condemn by-laws, made under such authority as these were made, as invalid because unreasonable. But unreasonable in what sense? If, for instance, they were found to be partial and unequal in their operation as between different classes; if they were manifestly unjust; if they disclosed bad faith..."

Single Story Accessory Building Heights by region:

Keats: 11m
Gambier: 7M
RR1/3/4/5/F is 5.2m.
RR2 is 4.5m

Park land: 3.7m
East Trail Island: 3.7m.

Dan Grice
mail@dangrice.com
204.963.8320

JD Candidate - 2013.
Robson Hall, University of Manitoba.

On 2012-11-22, at 11:36 AM, Sonja Zupanec wrote:

Hi Dan,

Thank you for your email. The draft regulations for the SRR zone do have a reduced building height for accessory buildings as compared to the zones of the larger lots, or where a land use contract is in place stipulating maximum height (4.5 m as an example). Where an increased height is being proposed, the owners could apply for a development variance permit, at which point adjacent property owners have a chance to provide input on any adverse impacts.

The LTC will be discussing accessory building heights and setbacks at their regular business meeting on December 13th and your correspondence will be included as part of the agenda package. Thanks for your input.

Sonja Zupanec, M.C.I.P., R.P.P.
Island Planner (Gambier and Hornby Island Local Trust Committees)
Islands Trust
700 North Road, Gabriola Island, B.C. V0R 1X3
Ph: [250.247.2211](tel:250.247.2211) or toll free [1.800.663.7867](tel:1.800.663.7867)
Fx: [250.247.7514](tel:250.247.7514)
www.islandstrust.bc.ca

Preserving **Island** communities, culture and environment



Please consider the environment before printing this email

From: Jan Hagedorn [mailto:jhagedorn@islandstrust.bc.ca]
Sent: November-07-12 2:07 PM
To: Dan Grice; Sonja Zupanec
Cc: Kate-Louise Stamford; David Graham
Subject: Re: Updated Fall 2012 Draft Land Use Bylaw-SCRD Associated Islands

Hi Dan thanks for your question and for your input regarding the Draft Land Use Bylaw. I will request that Sonja answer your technical questions. Jan
Sonja would you kindly address Dan's questions below. Thanks Jan

On 12-11-06 8:55 AM, "Dan Grice" <dan@vanalive.ca> wrote:

Hi Jan, David & Kate-Louis.

I was reading over the by-laws for Small Lot Rural Residential –(SRR), section 5.1 and noticed that the building height for accessory buildings is set for the same as park (3.7m) , rather than the two standard and functional heights set in every other region. Was there any reason why SRR has been assigned a non-functional height for accessory use?

The accessory buildings in other areas are:

RR1/3/4/5/F is 5.2m.

RR2 is 4.5m

The 4.5 M is the minimum needed to accommodate a standard 45' gable on a 8' high, 100 square foot accessory building with proper ventilation. Although 5.2M would be more likely to accommodate traditional accessory building size.

For fairness, the accessory building height on East TRail Island should be 5.2m, which is the standard on Anvil Island, North and South Thormanby Islands, Turnagain Island, Jack Tolmie Island, Echo Island, Tiki Island, Grant Island, North, South, West Trail Islands, Surrey Islets, Bertha Islet, Merry Island, Franklin Island, Woolridge Island, Popham Island, Hermit island and Forest Land.

Dan Grice

mail@dangrice.com

204.963.8320

JD Candidate - 2013.

Robson Hall, University of Manitoba.

On 2012-11-05, at 9:25 PM, Jan Hagedorn wrote:

Updated Fall 2012 Draft Land Use Bylaw-SCRD Associated Islands

Hello All,

A revised and updated draft Land Use Bylaw (LUB) for the SCRD(Sunshine Coast Regional District) associated islands has been posted to the Gambier webpage on the Islands Trust

website: <http://www.islandstrust.bc.ca/ltc/gm/pdf/gmassocscrddraftlubfall2012.pdf>

Please review the most recent Fall 2012 draft and provide your suggestions or comments to the Gambier Local Trust Committee in writing before December 13, 2012, and the earlier the better. The LTC will be considering public input, staff recommendations for revisions and consideration of first reading of the draft bylaw at that time. A community information meeting and public hearing may be scheduled in early 2013. Referrals to over 30 agencies and First Nations would be made only after

first reading of the bylaw. After First Reading, changes to the draft Land Use Bylaw concerning land use and density will not be considered however other input and suggested changes will continue to be welcome and considered.

A letter to the SCRD was send on November 1, 2012 notifying the Board of the revised draft LUB as well as giving notice that the content of the draft may affect the SCRD's right to issue building permits for applications that contravene the provisions of the draft LUB. After first reading of the bylaw has been given, the LTC may request that the SCRD withhold the issuance of building permits which conflict with the provisions of the LUB.

This is a courtesy notice and there is a formal notification service you can sign up for on the Islands Trust Webpage. <http://www.islandstrust.bc.ca/meetingnotify.cfm>

Sincerely Jan

Jan Hagedorn
Gambier Island Trustee
jhagedorn@islandstrust.bc.ca <x-msg://260/jhagedorn@islandstrust.bc.ca>
1 604 815 7339

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

From: [Barry Drummond](#)
To: [Jan Hagedorn](#)
Cc: [Sonja Zupanec](#)
Subject: Draft Land Use Bylaw - Associated Islands Jack Tolmie Island
Date: November-13-12 4:41:29 PM

After studying and inquiring about the newly proposed Land Use Bylaw, we found that it would only allow an “accessory” unit which did not include any kitchen facility {sleeping unit}. This situation is not satisfactory to accommodate the nature of our family structure.

Therefore, we formally request that the proposed language of the new Bylaw be reverted back to the existing Site-Specific Regulations Table 5.2 which includes a maximum of 2 dwellings.

We thank you for your interest in our original inquiry and for your effort to achieve a satisfactory resolution.

Barry Drummond

From: [Eva Kleinman-Eckert](#)
To: [Sonja Zupanec](#)
Cc: [george.ritco](#); [wendy@westvanflorist.com](#); [robertharrington@telus.net](#); [randy eckert](#)
Date: November-23-12 3:22:42 PM

TIKI ISLAND OWNERS PROPOSED DRAFT BY-LAW CHANGES.

November 23, 2012

Hello Sonja,

Thank you for your understanding of the challenges the Owners of Tiki Island would face in renovating or renewing their dwellings, particularly given the uneven terrain of the island, and geotechnical requirements.

With regard to our teleconference Thursday, November 22, 2012 at 2:30PM. Page 26 of the Draft for Comment – Fall, 2012 under Site-Specific Regulations (10), Site-Specific Regulation item 2. Despite 5.2(3) the maximum lot coverage for each dwelling and associated accessory buildings is 8.3%. The Owners of Tiki Island have agreed to reduce the 8.3% to 6.33%.

Regarding item 3. The maximum floor area of a dwelling permitted is to be **deleted** in its entirety from the Site-Specific Regulations for Tiki Island.

We welcome any further comments you may have regarding the above. Thank you.

Eva Kleinman
Randy Eckert

From: [LynnLeboe](#)
To: [Jan Hagedorn](#)
Cc: [Rob Toohey](#); [Heather Scott](#); [Eunice Robinson](#); [Paul Meyer](#); [Adrian Franke](#); [Dianne & jonathan Ehling](#); [Valerie Hugdahl](#); [Chip Lang](#); [life4sail53@aol.com](#); [Christoph](#); [peter hall](#); [Brunhild Halm](#); [andes_concrete@hotmail.com](#); [Bruce & Laura Rae](#); [Leif Pedersen](#); [Sonja Zupanec](#); [Kate-Louise Stamford](#); [David Graham](#)
Subject: Re: Community Dock East Trail Island
Date: November-24-12 9:33:26 AM

We really don't see the trustees looking for solutions for the uniqueness of each island. in our case East Trail island.

Our lots range from around one acre to over 4 acres. That's 3 times the size of lots on Passage island, and even more like times 10 times the size of Thormanby lots. We have no problem with view corridors as each lot is waterfront. We see inequities applied willy nilly which affect safe access, deny green building practices and even fly in the face of best practices for small green communities like ours.

Rather than a simple rural bylaw, the proposed changes are unreasonable. Yes, that narrow area at the end of the MOT road is proposed to be suitable for what length of dock? Then where would even one mooring buoy be allowed? Where is marine service?

Why should any bylaw be passed if all or a majority residents would need to pay for a variance? We pay enough taxes with no services. Uncertainty will plummet property values.

The proposed bylaw is unreasonable, inequitable and unacceptable to the property owners.

Best,
Lynn Leboe

On 2012-11-24, at 8:13 AM, Jan Hagedorn <jhagedorn@islandstrust.bc.ca> wrote:

Hi Rob, The 1st step is to have zoning in place for the use of a community dock, and after requests from your community, our Local trust Committee at a recent business meeting made a decision to Zone water just below the upland Ministry of Transport(MOT) right of way, as suitable for a community dock on East Trail Island. So in the current draft land use bylaw there is the provision for a community dock on East Trail Island. Sonja has the specific technical info on the water zoning below MOT right of way found on p 42 and 57 of the draft Land Use Bylaw. Once the Bylaw is in place it will allow your community the ability to go ahead and work with MOT and to procure foreshore leases and start the planning of the community dock. Our planner is available for you to contact at anytime during her working hours to work with you and your community on the steps needed to work towards this. She will support you in providing information and contact info and direct you to the appropriate offices. Witnessing other community leaders initiatives in this area, collective community input positively working together with MOT/other agencies, and patiently working on a win win solution has had the greatest effect. As trustees we have yearly protocol meeting with MOT and I am happy to consider your specific requests regarding the MOT right of way and access to a community dock off the MOT right of way and bring them forward

advocating at that meeting.

At this time I believe the land upland from the moorage you currently use is private and therefore approval from the upland owner is required if there is to be a change in water zoning below the private upland property. If the owner is willing to offer water zoning below his/her private land for community use and a community dock, then the local trust committee needs that formally in writing and it technically would have to be worked out with the planner. That water zoning would have to link with the MOT right of way or indeed the upland owner would have to offer land specifically for a community right of way, and Sonja, the Gambier Trust Area planner, will provide the formal technical info that will support you in procuring the necessary info and is a great resource as your community planner with technical expertise. Her contact info is in the cc bar and there is a toll free number using inquiry bc to phone her. She usually works very early mornings and finishes work around 3:30 daily.

Sonja Zupanec, M.C.I.P., R.P.P.

Island Planner (Gambier and Hornby Island Local Trust Committees)

Islands Trust

700 North Road, Gabriola Island, B.C. V0R 1X3

Ph: 250.247.2211 <tel:250.247.2211> or toll free 1.800.663.7867 <tel:1.800.663.7867>

Fx: 250.247.7514 <tel:250.247.7514>

www.islandstrust.bc.ca <<http://www.islandstrust.bc.ca>>

Hope this helps and please continue to ask for clarity. I am away until Dec 10 and ask that you contact Kate my fellow trustee if I have not answered your questions.

Sincerely Jan

On 12-11-22 5:05 AM, "Rob Toohey" <rtoohey@xplornet.com> wrote:

Dear Jan, we are trading emails (again, still), regarding lumping of East Trail into other islands with much larger populations, in the OCP Draft bylaws. I am in agreement with my neighbours that the draft regulations are not in our best interests, and will serve to diminish our property values whilst not allowing us to have some basic amenities, such as safe moorage for our boats. Karl Lang had a major health event this summer, and through years of personal investment, he basically controls access to our island for many of us. We see the writing on the wall that this may all change quickly if Karl or his family were to sell his properties. Now in the bylaws we see that our ability to construct a community dock is severely restricted. We need IT's help, not obstruction.

We pay you guys a significant portion of our taxes, for what?

This is me asking on behalf of East Trail Islanders to give us some of your planner's time, your connections with DFO, the provincial government, the Feds, whomever will be needed to assist us with a plan

to get us the access and secure boat storage foreshore leases we need in order to secure access to our properties. This is a great opportunity for IT to show that they actually speak *for* their tax base.

thanks

Rob Toohey
Lot 9
East Trail Island

Rob Toohey
Robert Toohey Locations Ltd.
604 989 3310
www.rtllocations.com <<http://www.rtllocations.com>>

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

From: [Jan Hagedorn](#)
To: [Sonja Zupanec](#)
Cc: [David Sheffield](#)
Subject: Re: Updated Fall 2012 Draft Land Use Bylaw-SCRD Associated Islands
Date: November-20-12 11:42:39 AM

Hi Sonja, Would you please capture David's requests in your staff report for the 13th Dec meeting and could you please respond to David's technical questions below. With thanks Jan

On 12-11-17 3:53 PM, "David Sheffield" <sheff3@telus.net> wrote:

Dear Jan,

Thanks for passing along the latest draft of the Land Use bylaws for the SCRD and associated islands. My comments are specific to North Thormanby Island where we have a summer residence. In general, I am supportive of the bylaws being developed pertaining to the Island. The Vaucroft subdivision was done in the late 50s and as the weather conditions can be quite harsh some of the cottage stock is at the point where it needs to be replaced or has recently been replaced. The trend has been to replace 600 to 1000 sq. ft cottages with city style homes, some upwards of 2000 sq. ft. The upgrading of cottages is inevitable and fine providing that the building conforms with regulations and bylaws. The problem is that in recent years the customary site coverage and setbacks have been circumvented by applying for variances and road encroachment permits that have generally been granted despite the concerns of a considerable number of residents. The results of this are plain to see and the feedback forms submitted by residents in the OCP review clearly highlight this as one of the biggest island concerns. Again, I respect the right of lot owners to build what they want in accordance with regulations and bylaws but am surprised that variances were granted that produce the results that the proposed bylaws seem to be designed to prevent. If you visit Vaucroft, you can see that these bylaws are a few years too late and the credibility of the regulatory processes has been compromised.

Some specific comments:

- many cottages heat with wood and woodsheds of some form are found on most lots. They are typically open-sided and minimal in construction. It appears that with the exception of East Trail Island they may be considered an accessory building of which only 2 are allowed per lot. Is the intent that any woodshed or shelter be considered an accessory building? There are also boatsheds that may be no more than a roof over some kayaks - is this also an accessory building? If so, perhaps the definition of accessory building needs to be tightened up to exclude minor structures. I understand that the intent is to control the proliferation of structures on the smaller lots but most residents manage to make these minor structures quite unobtrusive and an "off the grid" existence requires more storage area for fuels, wood etc.

- the provision that all buildings and structures be 5 feet back from side lot lines may not make sense with utility sheds and wood sheds where they may also function as privacy fences. This is a small lot zone and such setbacks create awkward dead waste spaces. Certainly significant buildings that are lived in should be set back but it doesn't seem necessary that small storage buildings or wood sheds be set 5 feet inwards from the side lot lines. The small lots at Vaucroft are offset by the central community-owned field designated as a private conservation area so density has not really become an issue except where large buildings have been accommodated on small lots with variances. I strongly support the PC designation on the central community land as the private covenant that protects it for community recreational use is not being diligently enforced. It is important that the conservation element of this land be high-lighted and respected.
- Parking regulations - it is not clear to me whether this refers to parking on individual private lots or available parking areas adjacent to public roads. On most islands, vehicles are the mode of transport to lots removed from the landing area so they need to be accommodated somewhere relatively near the dock. This has been a problem at Thormanby and there is a general consensus that the assortment of trucks not be parked where people's views and the general natural ambience are impacted so certainly there needs to be provisions for suitable parking near the island access points.

Thank you for the opportunity to comment and please forward this to the appropriate person if it is not meant to come to you.

Sincerely,

David Sheffield
604 922-9732

----- Original Message -----

From: Jan Hagedorn <<mailto:jhagedorn@islandstrust.bc.ca>>

Cc: Kate-Louise Stamford <<mailto:kstamford@islandstrust.bc.ca>> ; David Graham <<mailto:dgraham@islandstrust.bc.ca>>

Sent: Monday, November 05, 2012 7:35 PM

Subject: Updated Fall 2012 Draft Land Use Bylaw-SCRD Associated Islands

Hello All,

A revised and updated draft Land Use Bylaw (LUB) for the SCRD(Sunshine Coast Regional District) associated islands has been posted to the Gambier webpage on the Islands Trust website:

<http://www.islandstrust.bc.ca/ltc/gm/pdf/gmassocscrddraftlubfall2012.pdf>

Please review the most recent Fall 2012 draft and provide your suggestions or comments to the Gambier Local Trust Committee in writing before December 13, 2012, and the earlier the better. The LTC will be considering public input, staff recommendations for revisions and consideration of first reading of the draft bylaw at that time. A community information meeting and public hearing may be scheduled in early 2013. Referrals to over 30 agencies and First Nations would be made only after first reading of the bylaw.

After First Reading, changes to the draft Land Use Bylaw concerning land use and density will not be considered however other input and suggested changes will continue to be welcome and considered.

A letter to the SCRD was sent on November 1, 2012 notifying the Board of the revised draft LUB as well as giving notice that the content of the draft may affect the SCRD's right to issue building permits for applications that contravene the provisions of the draft LUB. After first reading of the bylaw has been given, the LTC may request that the SCRD withhold the issuance of building permits which conflict with the provisions of the LUB.

This is a courtesy email and there is a formal notification service you can sign up for on the Islands Trust Webpage.
<http://www.islandstrust.bc.ca/meetingnotify.cfm>

Sincerely Jan

Jan Hagedorn

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

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



Islands Trust

Top Priorities

Gambier Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	LUB for SCRD Islands	Initiate new LUB review process for SCRD islands.	Feb-02-2006	Sonja Zupanec	Apr-07-2011	On Going
2	Riparian Areas Regulation Implementation Project for Gambier Island Local Trust Area.		Oct-26-2011	Sonja Zupanec	Dec-31-2012	On Going
3	Foreshore protection/stewardship and clarity; implementation of Development Approval Information Bylaw (DAI) or Development Permit Areas (DPA's).	Investigate and recommend options for protection/stewardship within the local trust area through the use of existing land use planning tools.	Jan-31-2012			On Going



Projects

Gambier Island

No.	Description	Activity	Received/Initiated	Status
1	Keats Island OCP Map Amendment - add trail map used during public process developing OCP.		Mar-08-2007	On Going
1	Staff to prepare an issues outline with respect to Gambier Island Comprehensive Land Use Planning Project. (Address community planning and environmental protection issues) Gambier dp and comprehensive planning - subject to alternate funding and resources. To include: 1. Road issues - road network, and parking issues 2. Gambier forest tenure and reallocation - Gambier Island Crown lands. Gambier LUB follow-up: Definition of recreation in Area 3, CD1 Zone. Subdivision and use of common property in a bare land strata plan. Legal non-conforming - information note. ssociated secondary dwelling - definition and use. Potable water requirements.		Jun-23-2010	On Going
1	Consider a mechanism to recognize authorizations of additional dwellings as permitted by s. 4.4.10 of Keats LUB		Aug-04-2010	On Going
1	GHG Emissions - examine as part of next OCP reviews more proactive approaches to plan for GHG reductions especially in relation to Policies 6.1 and 6.2 in consultation with SCRD. Initiative arises from recommendation of SCRD in comments about bylaws 111 & 112.		Oct-06-2010	On Going
1	Sustainability Checklist in consultation with Sunshine Coast Regional District.		Feb-03-2011	On Going

1	Food Security: Based on the November 2010 'Exploring Food Security in the Islands Trust Area' - explore opportunities to implement policies and regulations to address food security in the Gambier Trust Area.		On Going
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1	Development Approval Information Bylaw	Develop and adopt a D.A.I bylaw for the Gambier Trust Area.		On Going
1	Consultation with Squamish First Nation	Scope interim strategies pending completion of a possible protocol agreement to address protection of archaeological and heritage resources.	Jan-31-2012	On Going
1	Strategic Planning Review for Howe Sound		Jan-31-2012	On Going



Applications w/ Status - Gambier Island Status: Open

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2002.1	Land Plan Group Inc. Planner: Sonja Zupanec	Jan-24-2002	PID: 014-385-694 Keats Island - Keats Camp cottage lots - siting variances DL 696

Planning Status

Status Date: Apr-10-2008

still on hold pending rezoning

Status Date: Aug-13-2007

on hold pending rezoning application

Status Date: May-16-2006

Met with applicant. Outstanding items forwarded for attention. May be add'l fees.

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2011.2	Elena and France Corin and Larouche Planner: Marnie Eggen	Mar-22-2011	PID: 024-212-041 1250 Taki-Te-Si Road, Gambier Island vary the setback to the natural boundary of the sea for retaining wall

Planning Status

Status Date: Oct-19-2012

New owners working with planning staff to provide further information

Status Date: Jan-06-2012

No change.

Status Date: May-04-2011

Awaiting further info from applicant.

Rezoning

File Number	Applicant Name	Date Received	Purpose
GM-RZ-2004.1	LandPlan Group Inc. Planner: Sonja Zupanec	Jun-16-2004	PID: 014-385-694 Keats Island - Keats Camp rezoning application DL 696

Planning Status

Status Date: Oct-23-2009

Representative provided verbal update at LTC meeting

Status Date: Sep-18-2009

Email to applicant and owner sent re: request for status update in time for Oct. 23,2009 GMLTC meeting.

Status Date: Nov-24-2008

Letter sent to applicant with LTC resolution and requesting status update

File Number	Applicant Name	Date Received	Purpose
GM-RZ-2012.1	Jim Green Planner: Sonja Zupanec	Jun-27-2012	Rezoning a portion of Lot 1 from Residential to S2 zone and rezoning a portion of the marine area from W3 to W1

Planning Status

Subdivision

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2000.1	LANDPLAN GROUP INC. Planner: Sonja Zupanec	May-04-2000	PID: 014-385-694 Keats Island - 111 bare land strata subdivision, 2 camp lots, and remainder(Keats Camp); nature reserve, park dedication, parking lot. DL 696

Planning Status

Status Date: Jun-06-2007

On hold pending rezoning application.

Status Date: May-16-2006

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

Status Date: Dec-21-2005

MOT issues Prelim Layout NOT APPROVED with conditions.

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2009.1	Don Smith	Aug-10-2009	2 lot subdivision. District Lot 847, Gambier Island.

Planner: Linda Prowse

Planning Status

Status Date: May-01-2012

Applicant is disputing the requirement for a RAR report or a 30 metre covenant. e-mails being sent between applicant and staff planner, with cc's to Island Planner and LTC.

Status Date: Apr-10-2012

Applicant's legal counsel is drafting a 30 metre no build and no soil disturbance covenant to satisfy RAR

Status Date: Feb-24-2012

Was contacted by applicant's legal counsel asking about the subdivision process. They were advised that the Islands Trust requires receipt of the FINAL plan of subdivision to review for compliance with Gambier bylaws prior to sending a letter to the Ministry of Transportation and Infrastructure stating the proposed subdivision meets our requirements

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2010.1	Venture Management Ltd Planner: Sonja Zupanec	May-25-2010	PID: 015-980-324 7 residential lots

Planning Status

Status Date: Jan-06-2012

No further action until applicant finalizes final plan of subdivision.

Status Date: Mar-16-2011

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

Status Date: Feb-23-2011

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

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2011.2	EDWARD TRAFF Planner: Marnie Eggen	Jul-21-2011	014-111-888 and 014-111-896 Lot Line adjustment on Gambier Island

Planning Status

Status Date: Oct-12-2012

Requires DVP to permit lot size; awaiting further info from MOTI and Health Authority

Status Date: Oct-31-2011

Referral Report to MOTI

File Number	Applicant Name	Date Received	Purpose
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GM-SUB-2012.2

Reel 17
Investments Ltd.
Planner: Sonja Zupanec

Jun-29-2012

4 lot subdivision

Planning Status

Status Date: Oct-03-2012

Referral response sent to MOTI and applicant

From: Nicole Ranger
Sent: October-25-12 11:10 AM
To: David Graham; Jan Hagedorn; Kate-Louise Stamford; Sonja Zupanec; Becky McErlean; Theresa Warren
Cc: Nancy Roggers
Subject: Gambier LTC Expenses - Oct 31/12

Islands Trust

LTC EXP SUMMARY REPORT F2012

Invoices posted to October 31, 2012

630 Gambier	Invoices posted to October 31, 2012	Budget	Spent	Balance
65000 630	LTC "Trustee Expenses"	1,200.00	1,223.35	(23.35)
65200 630	LTC Local Exp LTC Meeting Expenses	4,000.00	1,496.20	2,503.80
65210 630	LTC Local Exp APC Meeting Expenses	200.00	-	200.00
65220 630	LTC Local Exp Communications	200.00	-	200.00
65230 630	LTC Local Exp Special Projects	400.00	-	400.00
65240 630	LTC Local Exp Miscellaneous	700.00	-	700.00
TOTAL LTC Local Expense		5,500.00	1,496.20	4,003.80
73001 630 2003	Gambier Associated OCP/LUB	8,000.00	-	8,000.00
73001 630 3003	Gambier RAR	4,000.00	135.26	3,864.74
TOTAL Project Expense		12,000.00	135.26	11,864.74

Nicole Ranger

Finance Clerk
 Islands Trust
 200-1627 Fort Street
 Victoria, BC V8R 1H8
 Phone: (250) 405-5152
 Fax: (250) 405-5155

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From: Nicole Ranger
Sent: November-28-12 11:17 AM
To: David Graham; Jan Hagedorn; Kate-Louise Stamford; Sonja Zupanec; Becky McErlean; Theresa Warren
Cc: Nancy Roggers
Subject: Gambier Expense Report Nov/12

Islands Trust

LTC EXP SUMMARY REPORT F2012

Invoices posted to November 30, 2012

630 Gambier		Invoices posted to November 30, 2012	Budget	Spent	Balance
	65000 630	LTC "Trustee Expenses"	1,200.00	2,660.10	(1,460.10)
	65200 630	LTC Local Exp LTC Meeting Expenses	4,000.00	2,059.82	1,940.18
	65210 630	LTC Local Exp APC Meeting Expenses	200.00	-	200.00
	65220 630	LTC Local Exp Communications	200.00	-	200.00
	65230 630	LTC Local Exp Special Projects	400.00	-	400.00
	65240 630	LTC Local Exp Miscellaneous	700.00	-	700.00
	TOTAL LTC Local Expense		5,500.00	2,059.82	3,440.18
	73001 630 2003	Gambier Associated OCP/LUB	8,000.00	-	8,000.00
	73001 630 3003	Gambier RAR	4,000.00	135.26	3,864.74
	TOTAL Project Expense		12,000.00	135.26	11,864.74

Nicole Ranger

Finance Clerk
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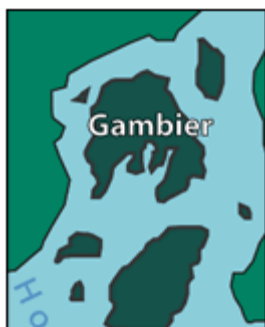


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Population (2011):

Approximately 275

Size:

6,893 hectares (17,032 acres)

Location:

10 kilometres north of Horseshoe Bay in Howe Sound.

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Gambier Island Local Trust Committee

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

December 2012

- [Gambier Island Local Trust Committee Meetings - December 13, 2012](#)

November 2012

- [Release of Fall 2012 Draft Land Use Bylaw for Public Review](#)

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Gambier Island Local Trust Committee Projects

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

- [Project Charter – April 2012](#)
- [Communications Plan – April 2012](#)
- [Letter to Property Owners – May 2012](#)

Staff Reports

- [Staff Report dated October 11, 2012](#)
- [Staff Report dated August 29, 2012](#)
- [Staff Report dated June 29, 2012](#)
- [Staff Report dated September 2011](#)
- [Staff Report dated January 2011](#)

Draft Land Use Bylaw

- [Fall 2012 Draft Land use Bylaw](#)

Advisory Planning Commission - Minutes

- [May 23, 2012](#)

Applications

GM-RZ-2012.1 (Reel 17 Investments Ltd., Cotton Bylaw, Gamier Island)

- [Staff Report -October 10, 2012](#)

Trustee Newsletters

- [Trustee Newsleterr - July 2012](#)
- [Trustee Newsletter - February 2012](#)

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