



# Islands Trust

A NOTICE OF A BUSINESS MEETING OF **THE GAMBIER ISLAND LOCAL TRUST COMMITTEE**  
to be held at 10:30 am on Thursday, March 20, 2014  
at Gibsons Library,  
470 South Fletcher Road, Gibsons, BC

## AGENDA

	<b>Page No.</b>	<b>*Approx. Time*</b>
<b>1. CALL TO ORDER</b>		10:30 am
<b>2. APPROVAL OF AGENDA</b>		
<b>3. MINUTES</b>		
3.1 Local Trust Committee Meeting Minutes dated January 30, 2014 – <i>for adoption</i>	1	
3.2 Section 26 Resolutions Without Meeting - <i>none</i>		
3.3 Gambier Island Advisory Planning Commission Minutes - <i>none</i>		
<b>4. BUSINESS ARISING FROM MINUTES</b>		10:50 am
4.1 Follow-up Action List dated March 10, 2014 - <i>attached</i>	12	
<b>5. CHAIR'S REPORT</b>		11:00 am
<b>6. TRUSTEES' REPORT</b>		
<b>7. DELEGATIONS</b>		
<b>8. TOWN HALL SESSION</b>		
<b>9. CORRESPONDENCE</b> <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>		
<b>10. LOCAL TRUST COMMITTEE PROJECTS</b>		11:30 am
10.1 Riparian Areas Regulation Implementation		
10.1.1 Staff Report dated February 14, 2014 - <i>attached</i>	14	
<b>11. APPLICATIONS AND PERMITS</b>		
11.1 GM-RZ-2004.1 (Convention of Baptist Churches) – <i>verbal update</i>		
11.2 GM-RZ-2013.2 (Gambier Island Sea Ranch) – <i>verbal update</i>		
11.3 GM-RZ-2013.1 (Trident Foreshore Lands - Burrard Yacht Club)		
11.3.1 Memorandum dated March 10, 2014 - <i>attached</i>	19	
<b>BREAK</b>		12:30 pm
<b>12. BYLAWS</b>		

<b>13.</b>	<b>REPORTS</b>	12:50 pm
<b>13.1</b>	<b>Work Program Reports</b>	
	13.1.1 Top Priorities Report and Projects List dated March 10, 2014 - <i>attached</i>	21
<b>13.2</b>	<b>Applications Log</b>	
	13.2.1 Report dated March 10, 2014 - <i>attached</i>	24
<b>13.3</b>	<b>Trustee and Local Expenses</b>	
	13.3.1 Expenses posted to January, 2014 – <i>attached</i>	29
	13.3.2 Expenses posted to February, 2014 – <i>attached</i>	30
<b>14.</b>	<b>NEW BUSINESS</b>	
14.1	Sunshine Coast Regional District Referral for Response regarding Woodlot Licences Protocol Agreement - <i>attached</i>	31
14.2	Amendments to Gambier Island Local Trust Committee Procedure Bylaw No. 87 Staff Report dated March 5, 2014 - <i>attached</i>	50
<b>15.</b>	<b>ISLANDS TRUST WEBSITE</b>	
15.1	Gambier pages – <i>for discussion</i>	
<b>16.</b>	<b>CLOSED MEETING:</b> The Gambier Island Local Trust Committee closes the next part of the March 20, 2014 business meeting to discuss matters pursuant to Section 90(1)(a) of the <i>Community Charter</i> to consider appointments to the Advisory Planning Commission and that staff be invited to attend this meeting.	
<b>17.</b>	<b>OPEN MEETING RESOLUTION</b>	
	The Gambier Island Local Trust Committee re-opens this meeting to the public subject to Section 89 of the Community Charter.	
<b>18.</b>	<b>RECALL TO ORDER</b>	
	17.1 Rise and Report from Closed Meeting	
<b>19.</b>	<b>NEXT MEETING</b>	
	Thursday, April 10, 2014 at 10:30 am at Gleneagles Community Centre, 6262 Marine Drive, West Vancouver, BC	
<b>20.</b>	<b>ADJOURNMENT</b>	2:30 pm

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




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## Gambier Island Local Trust Committee Minutes of a Regular Meeting

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- Date of Meeting:** January 30, 2014  
**Location:** Gleneagles Community Centre,  
 6262 Marine Drive, West Vancouver, BC
- Members Present:** David Graham, Chair  
 Jan Hagedorn, Local Trustee  
 Kate-Louise Stamford, Local Trustee
- Staff Present:** Aleksandra Brzozowski, Island Planner  
 Kate Emmings, Ecosystem Protection Specialist, Islands Trust Fund  
*(via teleconference, 11:00 to 11:06 a.m.)*  
 Diane Corbett, Recorder
- Media and Others Present:** Russ Black, Belkorp Environmental Services Inc. – a.m.  
 Nancy Grenier, Belkorp Environmental Services, Inc. – a.m.  
 One (1) member of the public

### 1. CALL TO ORDER

Chair Graham called the meeting to order at 10:31 a.m.

Chair Graham acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 14.1 Update to attach to item 14.1: SCRD Staff Report dated January 10, 2014 regarding Temporary Use Permit F-01 for a Concrete Batch Plant
- 14.6 Add maps from Trustee Hagedorn regarding Sensitive Ecosystems
- 14.7 Howe Sound Community Forum Request

**By general consent** the agenda was approved, as amended.

### 3. MINUTES

#### 3.1 **Gambier Island Local Trust Committee Meeting Minutes dated October 24, 2013**

The following amendments to the minutes were presented for consideration:

- Page 3, paragraph 2: insert at end of sentence “once the tenures have been issued”;
- Page 3, paragraph 3, end of line 3: replace “is” with “could be”;
- Page 4, paragraph 3: after the phrase “Howe Sound area”, insert “called *101 Things to Do in Howe Sound*”, and delete text from the comma on line 2 to end of the sentence, retaining the period.

**By general consent** the minutes were adopted as amended.

#### 3.2 **Gambier Island Local Trust Committee Meeting Minutes dated November 29, 2013**

The following amendments to the minutes were presented for consideration:

- Page 8, paragraph 2, sentence 2: replace fourth word “it” with “her concern”;
- Page 8, paragraph 3: delete second sentence beginning with “Examples”;
- Page 8, paragraph 5, end of line 4: replace “property” with “applicant’s lack of process”
- Page 8, paragraph 6, last sentence: insert “permit” before “process” and insert at end of sentence “by the applicant originally”.

**By general consent** the minutes were adopted as amended.

#### 3.3 **Section 26 Resolutions Without Meeting** – none

#### 3.4 **Gambier Island Advisory Planning Commission Minutes** – none

### 4. BUSINESS ARISING FROM MINUTES

#### 4.1 **Follow-up Action List dated January 28, 2014**

Island Planner Brzozowski provided an update on the Follow-up Action List dated January 28, 2014. The item under April 11, 2013 regarding a letter to Minister Terry Lake was removed from the list as the action was considered no longer required.

#### 4.2 **Eelgrass Mapping for the Gambier Associated Islands**

The following documents were received for information:

##### 4.2.1 Islands Trust Fund Briefing Memorandum dated January 21, 2014

- 4.2.2 Final Report – Nearshore Eelgrass Inventory 2012-2013
- 4.2.3 Gambier Associated Islands eelgrass mapping – Map 3a and 3b

Island Planner Brzozowski gave a brief overview of the Nearshore Eelgrass Inventory report. The author of the report, Kate Emmings, briefly joined the meeting via teleconference to discuss the mapping methodologies utilized. Those islands in the Metro Vancouver Regional District, Bowyer and Passage, received more extensive mapping as more funds were available for those islands than within the remainder of the Local Trust Area, which received a simpler linear projection of the eelgrass bed.

The Ecosystem Protection Specialist responded to questions. Thanks were expressed to her by trustees for the mapping work done.

## 5. CHAIR'S REPORT

Chair Graham discussed recent work done by the Executive Committee in reviewing the work of the Trust Council. Trust Council will meet in March and Chair Graham remarked that it appeared there would be an interesting program.

## 6. TRUSTEES' REPORT

Trustee Stamford had distributed her report via email. Meetings and other activities attended since the last meeting included:

- November 30 – Attended Gibsons ferry information meeting and spoke as a Gambier Islander of Islands Trust concerns about the process of service reductions. There was a huge turnout. Information on Island Trust advocacy work regarding BC Ferries is available at: [www.islandstrust.bc.ca/trust-council/advocacy/bc-ferries-advocacy.aspx](http://www.islandstrust.bc.ca/trust-council/advocacy/bc-ferries-advocacy.aspx).
- December 3-5 – Trust Council meeting in Victoria.
- December 10 and 12 – attended early SCR D budget meetings, especially regarding Parks discussions as Gambier Island is organizing its Parks initiatives.
- There is some concern about the future of the SCR D community docks. Eight of nine are in the Local Trust Area.
- January 6 – Met with MLA Jordan Sturdy regarding issues in the Gambier Island Local Trust Area.
- January 16 – Howe Sound Community Forum: There was excellent representation of different jurisdictions. The Forum seems to be moving forward on a planning structure. The trustee talked about the New Brighton dock with Chiefs-in-Council of the Squamish Nation at the Forum, and hopes to arrange for them to speak with Gambier Island residents.

Trustee Hagedorn began her report with a concern that the LTC, and likely other agencies, do not get information in advance about community information meetings held by external agencies (pertaining to industrial applications) so that Trustees can give constituents enough notice to attend those community meetings.

The Trustee outlined recent activities as follows:

- December 3-5 – At Trust Council, discussion included:
  - BC Ferries regarding its process of implementation of service reductions;
  - Concern about Kinder Morgan pipeline expansion and whether to get staff to examine that;
  - Metro Vancouver’s Roberts Bank Terminal 2 project environmental impacts; and
  - Advocacy for foreshore protection.
- January 6 – Met Jordan Sturdy regarding issues in the Trust Area and will hold a follow-up meeting.
- January 6 – Gave input as individual to the Canadian Environment Agency regarding using the highest standards possible when assessing the proposed Liquid Natural Gas (LNG) project in the Howe Sound Area.
- January 11 – Attended a public awareness meeting in Squamish regarding the future of Howe Sound.
- January 14 – Participated in Howe Sound Community Forum. There were seven First Nations representatives there, four of whom were elected officials. They have offered Totem Hall in Squamish to be used for the next forum. Will look at a collective vision for the group during a webinar on February 21. Elected officials and staff members will work with the Province to look at a cumulative effects framework.
- January 25 – Attended another meeting regarding public awareness at Squamish Public Library.
- January 26 – Attended a Keats Island Conservation meeting about a 33-acre park on Keats.
- Trustee Hagedorn will follow up regarding an issue of a shelter on Keats Landing dock. Eastbourne Community Association was not interested.

## 7. DELEGATIONS

### 7.1 Nancy Grenier for Belcorp Environmental Services Inc. regarding Garbage Incineration and Potential Port Mellon Site

Russ Black, a specialist in the waste management industry and Vice President, Corporate Development, Belcorp Environmental Services Inc., gave a presentation on recycling and the three processes of garbage incineration: the incineration process, the landfill process, and the advanced waste-separation process. The presentation discussed the potential facility at Port Mellon proposed by Aqualini Group.

**By general consent** the meeting was recessed at 11:55 a.m. and reconvened at 12:05 p.m.

## 8. TOWN HALL SESSION

**Eoin Finn, Bowyer Island**, stated he was not in favor of the current efforts to reindustrialize Howe Sound. He is particularly concerned about the Woodfibre Liquid

Natural Gas (LNG) plant proposal that would carry LNG by Anvil, Bowyer and Passage Islands. He is not in favour of the Provincial government carrying out the environmental assessment for the LNG proposal and would like the federal agency to conduct the assessment.

He is more in favor of the approach of Howe Sound Community Forum, with a planned approach to the various competing uses: recreation, industry, tourism, residential.

Mr. Finn is also concerned with the lack of disclosure by industrial proponents to the general public in the Trust Area and to agencies with interest in the matter (regarding community meetings advertised over the Christmas break or in the New Year with little notice).

Trustee Hagedorn remarked that she had noticed the lack of time given for input on these proposed projects.

Chair Graham thanked Mr. Finn for his comments.

**9. CORRESPONDENCE – none**

**10. LOCAL TRUST COMMITTEE PROJECTS**

**10.1 Sustainability Guide**

Islands Planner Brzozowski gave a verbal update on developments pertaining to the Sustainability Guide.

Trustee Hagedorn thanked staff for the work done and urged the Island Planner to use the guide as a tool for building relationships, suggesting that copies of the Sustainability Guide be forwarded to Directors Maria Harris of Metro Vancouver Regional District and Lee Turnbull of Sunshine Coast Regional District.

**10.2 Foreshore Protection**

The following documents were received for information:

- 10.1 Staff Report dated January 20, 2014
- 10.2 Draft Project Charter
- 10.3 Staff Report dated November 16, 2013

Islands Planner Brzozowski reviewed the January 20, 2014 Staff Report and discussed the draft Project Charter.

Feedback and questions from Trustees on the Project Charter were discussed. Staff recorded proposed additions and changes to the Charter. Trustees were supportive of this opportunity to educate the public. Trustees discussed potential topics for the educational event in July 2014.

Comments from trustees included:

- This process would serve as a good purpose for the Advisory Planning Commission; the APC should be involved to learn of the detail and objectives.
- There is a lot of information available, including shoreline types, eelgrass mapping, and current regulations. What people seem to want is to do something, to do it right, and right away. Could have a shoreline architect stand at the beach and look at the values, forces, what climate change will bring, potential ways to mitigate factors. Show how to do foreshore protection on properties.
- Bring information together. It is very complicated. There are different kinds of shorelines with different considerations, and different levels of readiness to accept foreshore protection. Follow through with education to build groundwork for regulation.
- Look at types of shorelines with examples of different challenges.
- Look at best practices on engineered foreshore protection for landowners.

**GM-2014-001**

**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee:

- Review and revise the draft Project Charter for Foreshore Protection; and
- That the Gambier Island Local Trust Committee endorse the Project Charter for Foreshore Protection as amended.

**CARRIED**

### **10.3 Official Community Plan Advocacy Policies Implementation**

Islands Planner Brzozowski provided an update on Official Community Plan advocacy policies implementation and responded to trustee inquiries and concerns.

Woodlots on Gambier Island were discussed and the lack of community engagement was seen as an issue to be addressed.

**GM-2014-002**

**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee request staff to write a letter to the Sunshine Coast District Forestry Officer requesting a meeting to discuss a public consultation process prior to the issuance of wood lot licenses on Gambier Island.

**CARRIED**

**GM-2014-003**

**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee request the Chair to write a letter to Maria Harris, Director, Area A, Metro Vancouver, stating:

- that the consideration of the Port Mellon site for a Metro Vancouver incinerator plant contravenes policies in the Islands Trust Policy Statement;
- that the Gambier Island Local Trust Committee opposes the consideration of Port Mellon as a site for Metro Vancouver garbage disposal; and
- that the Gambier Island Local Trust Committee looks forward to meeting with Maria Harris to discuss this further.

**CARRIED**

The trustees urged that residents of the Gambier Trust Area support the Islands Trust in advocacy.

**10.4 Riparian Areas Regulation Implementation and Use of Brochure**

Islands Planner Brzozowski responded to trustees' inquiries pertaining to the implementation of the Riparian Areas Regulation (RAR) in the Gambier Island Trust Area. There was concern that RAR was being triggered in one instance because of a subdivision application, and not being triggered in another situation where a stream was being disturbed. On Gambier Island, none of the watersheds have been verified for RAR-applicability, which has complicated the mapping needs for RAR.

**GM-2014-004**

**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee request staff to prepare a report exploring options to implement the Riparian Areas Regulation in the Gambier Island Trust Area.

**CARRIED**

**11. APPLICATIONS AND PERMITS – none**

**12. BYLAWS – none**

**13. REPORTS**

**13.1 Work Program Reports**

**13.1.1 Top Priorities Report and Projects List dated January 28, 2014**

Staff noted that a staff report regarding electronic meetings would likely be on the March agenda.

**13.2 Applications Log**

13.2.1 Report dated January 28, 2014

Received for information.

**13.3 Trustee and Local Expenses**

13.3.1 Expenses posted to November 2013

13.3.2 Expenses posted to December, 2013

The expense reports were received for information.

**14. NEW BUSINESS**

**14.1 Sunshine Coast Regional District Referral regarding Temporary Use Permit for Concrete Batch Plant**

Comments from trustees on the application included:

- Makes more sense to make the concrete there than to truck it.
- Issue: consideration of noise – There is a camp directly across from there; noise travels farther on water.
- Foreshore and docks – How will they get the equipment in?
- Environmental monitoring – What is being done?
- Because it is a wilderness area and Gambier Island residents use it and the outstations and the camp, is the work going to be limited to weekdays?

**By general consent** the meeting was recessed at 1:38 p.m. and reconvened at 1:45 p.m.

**14.2 Sunshine Coast Regional District Referral regarding Agricultural Area Plan**

The referral of the Sunshine Coast Regional District Draft Agricultural Area Plan of November, 2013 was received.

Trustee Hagedorn noted one of the goals for the Agricultural Area Plan was more supportive government policies and regulations for agriculture. The trustee pointed out a number of agricultural initiatives that had started up in the Local Trust Area, such as at Camp Fircom on Gambier Island and Barnabus on Keats Island.

**GM-2014-005**

**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee request staff to amend the Projects List and add to the Food Security Project a reminder to refer to the Sunshine Coast Agricultural Area Plan objectives 6.1 and 6.2, as follows:

- 6.1 Ensure that land use policies and bylaws reflect and support the Sunshine Coast's agricultural vision and this Plan.
- 6.2 Consider changes to Official Community Plans and zoning bylaws to establish more clear and defined goals and objectives to recognize and support agriculture and food production.

**CARRIED**

**14.3 Hunting Issues, Southwest Corner of Gambier Island**

Trustee Stamford explained there were issues of hunters coming onto the populated southwest area of Gambier Island and shooting randomly. Several examples were described. The Trustee had received requests from constituents to get that area of Gambier Island removed from the hunting profile. The area is primarily zoned single family residential, allowing domestic agriculture, agriculture and accessory uses.

Trustee Stamford indicated she would talk to the Conservation Officer and Bylaw Enforcement Coordinator about this issue.

**14.4 Meeting with Members of Legislative Assembly**

Trustee Hagedorn and Trustee Stamford met with MLA Jordan Sturdy at Horseshoe Bay on January 6, 2014 at his constituency office regarding Trust Area issues.

**14.5 Advisory Planning Commission Terms Expire March 1, 2014**

14.5.1 Memorandum dated January 17, 2014

The memorandum was received for information.

Island Planner Brzozowski explained she had emailed all the current Advisory Planning Commission members inquiring about their interest in continuation with the APC. There also was an advertisement in *The Coast Reporter*. The deadline for receipt of expressions of interest is February 14, 2014.

**14.6 Sensitive Ecosystem Maps**

Trustee Hagedorn spoke briefly about maps she had displayed containing information on sensitive ecosystems in the Trust Area, and suggested that Trustees bring large informative maps to meetings.

**GM-2014-006**

**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee request planning staff to work with the Trust Area Services staff in creating a map that highlights sensitive ecosystems, marine and land, in the Gambier Island Trust Area for discussion at the Local Trust Committee meeting, for future planning purposes.

**CARRIED**

**14.7 Howe Sound Community Forum Request**

Trustee Hagedorn described a request she received from Ruth Simons of the Howe Sound Community Forum for help to support a webinar on February 21. The Provincial government agreed to share information about the Cumulative Effects Framework. Discussion ensued.

**GM-2014-007**

**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee request staff to provide technical support for a Cumulative Effects Framework webinar on February 21, 2014 hosted by the Gambier Island Local Trust Committee for the Howe Sound Community Forum.

**CARRIED**

**15. ISLANDS TRUST WEBSITE**

**15.1 Gambier Pages**

Island Planner Brzozowski announced she had been carrying out a thorough review and update of numerous web pages as part of her spring cleaning.

**16. NEXT MEETING**

Thursday, March 20, 2014 at 10:30 a.m. at Gibsons and District Public Library, 470 South Fletcher Road, Gibsons, BC.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 2:28 p.m.

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David Graham, Chair

**CERTIFIED CORRECT:**

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Diane Corbett, Recorder



# Islands Trust

## Follow Up Action Report w/ Target Date

### Gambier Island Jul-11-2013

No.	Activity	Responsibility	Target Date	Status
1	Staff to review the North Pender Shoreline brochure and modify it for either Gambier LTA or all Northern Islands. Update (Sept 26): Staff arrange to remove the two areas in the "Sharing Our Shorelines" document where it says "North Pender" and to add "Gambier Trust Area", and that staff print twenty-five copies.	Aleksandra Brzozowski	Apr-10-2014	On Going

### Sep-26-2013

No.	Activity	Responsibility	Target Date	Status
1	Staff to research the history of Site-Specific water zones on Gambier.	Aleksandra Brzozowski	Apr-10-2014	On Going

### Nov-29-2013

No.	Activity	Responsibility	Target Date	Status
1	Staff to revise draft Bylaws No. 100 and No. 101, amending the Land Use Bylaw No. 78 and the Land Use Contract, Keats Island Bylaw No. 4, respectively.	Sonja Zupanec	Mar-20-2014	On Going
1	Staff to provide Trustees with possible shoreline protection strategies for DL 696.	Aleksandra Brzozowski Sonja Zupanec	Mar-20-2014	On Going

### Jan-30-2014

No.	Activity	Responsibility	Target Date	Status
1	Staff to respond to SCRD on TUP application for the Concrete Batch Plant, outlining concerns and questions noted at the Jan 30, 2014 LTC meeting.	Aleksandra Brzozowski	Feb-07-2014	Done
1	Staff to write letter to the Sunshine Coast District Forester requesting a meeting to discuss possible public consultation prior to the issuance of woodlot licenses on Gambier Island.	Aleksandra Brzozowski	Feb-07-2014	On Going

1	Respond to SCRD Agricultural Area Plan referral.	Aleksandra Brzozowski	Feb-07-2014	Done
1	Planning and operations staff to provide technical and logistic support for the February 21, 2014 CEF webinar to be hosted by the Gambier LTC.	David Beeston Aleksandra Brzozowski	Feb-21-2014	Done
1	Staff to prepare letter from Chair to Maria Harris (Metro Vancouver Board) outlining how the consideration of the Port Mellon site for the Metro Van incinerator project contravenes the Islands Trust policies, that GMLTC does not find it appropriate site, and that the GMLTC looks forward to meeting with Ms. Harris to discuss further.	Aleksandra Brzozowski	Feb-21-2014	On Going
1	Staff to prepare a report outlining the options available to become RAR compliant in the Gambier LTA bylaws.	Aleksandra Brzozowski	Mar-20-2014	Done
1	Staff to establish status of shoreline development brochure for one of the Penders.	Aleksandra Brzozowski	Mar-20-2014	On Going
1	Source the revised 2013 Principles of Cooperation for the Howe Sound Community Forum.	Aleksandra Brzozowski	Mar-20-2014	On Going
1	Planning and Trust Area Services staff to prepare streamlined version of sensitive ecosystems in the Gambier Local Trust Area, to use for future planning work and share with external bodies and members of the public.	Aleksandra Brzozowski Kate Emmings	Jul-10-2014	On Going

# STAFF REPORT

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**Date:** February 14, 2014                      **File No:** 6500-20  
(Gambier RAR Implementation)

**To:** Gambier Island Local Trust Committee  
**For the meeting of March 20, 2014**

**From:** Aleksandra Brzozowski  
Island Planner

**CC:** Courtney Simpson, Regional Planning Manager

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**Re: Gambier Island Riparian Areas Regulation Implementation**

**PURPOSE:**

The purpose of this report is to provide the Gambier Local Trust Committee (LTC) with a status update on the implementation of the provincial Riparian Areas Regulation (RAR) in the Gambier Island Local Trust Area, and provide the LTC with information to guide decisions on implementation options.

**BACKGROUND:**

Please refer to the April 5, 2012 Staff Report for background information regarding the Riparian Areas Regulation and general options for the Islands Trust local trust areas. The following is the excerpt of the report that addresses Gambier specifically:

**Gambier**

The Ministry of Environment, Vancouver Island Region, was not able to verify which watersheds on Gambier Island are RAR applicable. Without that information or a Qualified Environmental Professional (QEP) assessment report, all streams on Gambier Island are considered RAR applicable until proven otherwise.

The Gambier Island Official Community Plan, Schedule F contains a map of watersheds and watercourses (Schedule I illustrates development permit area designations). The text of the OCP states that streamside protection and enhancement areas should be established by a Development Permit Area. This provides a basis from which to consider implementing RAR.

It may be that some of these streams are not RAR applicable. This can be determined by a QEP. However, funding was not allocated for such work this fiscal year. As an interim measure, implementing DPA guidelines for the watershed and watercourse mapping already within the OCP would bring LTC bylaws into compliance with RAR.

*Staff recommends that the Gambier Island LTC direct staff to proceed with:*

- *establishing a northern working group made up of northern trustees and staff in order to develop community consultation options and education materials for RAR implementation;*

- *reviewing the current Gambier Island Official Community Plan, Schedules F and I, and drafting development permit area provisions for LTC review that would be in accordance with the provincial Riparian Areas Regulation; and,*
- *exploring other methods that could be used to determine RAR applicability to Gambier Island Local Trust Area watersheds and watercourses.*

On April 12, 2012, the LTC passed a motion requesting staff to establish a northern working group to develop community consultation options and education materials for RAR implementation. To prepare for upcoming implementation, the LTC contracted the preparation of a double-sided factsheet communicating the details of the RAR and its upcoming implementation on Gambier. This brochure was completed in July 2013. On January 30, 2014, the LTC passed a motion requesting staff to prepare a report exploring options to implement the *Riparian Areas Regulation* in the Gambier Trust Area.

### **STATUS OF RAR IMPLEMENTATION ON GAMBIER ISLAND:**

The LTC has had implementation of the RAR as a Work Program top priority since 2009. The barrier to pursuing compliance has been the need to secure funding to have RAR mapping done for the Gambier watersheds. When the Vancouver Island office of the Ministry of Forests, Lands, and Natural Resource Operations conducted mapping to verify the RAR-applicability of watersheds in the Islands Trust Area, Gambier Island was not included. As a result, all of the 96 watersheds on Gambier are technically applicable to the RAR; excluding Crown Land, 81 watersheds remain to be mapped on Gambier Island to ascertain applicability to the RAR.

Please note that the Associated Islands in the Gambier Local Trust Area have also not received any RAR-specific mapping to date. As part of the 2013 Murdoch de Greef shoreline mapping project, mapping staff identified 10 unverified watersheds on Keats Island and 37 unverified watersheds on the Thormanby Islands.

The Director of Local Planning Services (DLPS) has requested that Trust Council approve a \$30,000 budget for the 2014/2015 fiscal year to contract with a QEP to determine which watersheds in the Gambier LTA are RAR-applicable. Regular reports to Trust Council from the DLPS have explained that this budget for the Gambier LTA was deferred from the previous fiscal years to the 2014/2015 in order to spread out the cost of RAR implementation for the Islands Trust Area over several fiscal years.

### **IMPLEMENTATION OPTIONS FOR GAMBIER ISLAND:**

At March, 2010 Trust Council, the following options on how to comply with RAR were provided in a briefing dated February 10, 2010 from Mac Fraser, (then) Director of Local Planning Services. Planning staff has modified these options to reflect the current situation for Gambier Island, and notes in italics at the end of each description whether the option would require mapping.

1. Amend the Land Use Bylaw (LUB) to establish both a 30 metre setback and a landscape strip for all watercourses within the RAR-identified watersheds. This approach is possible but strongly not recommended as it does not establish any certainty with respect to the actual location of streams. Any development within 30 metres of a watercourse would require a variance which could only be approved once a QEP assessment is provided, and conditions cannot be incorporated into the variance.

*Would not require stream mapping but would require report-based determination of which watersheds are applicable to the RAR.*

2. Amend the Official Community Plan (OCP) to designate all lands within 30 metres of watercourses in RAR-identified watersheds as DPAs. This approach requires the Islands Trust to map the Gambier watersheds for RAR applicability. The advantage of this approach is that it limits reviews and applications to work within 30 metres of RAR-applicable watersheds. The disadvantage is that such a DPA does not provide certainty with respect to which streams would be mapped as RAR-applicable streams. For example, a number of streams in a RAR-applicable watershed may have barriers that deem the stream itself non-applicable; this non-applicability would need to be proved by the applicant.

*Would require further study by a QEP to determine RAR-applicable watersheds.*

3. Amend the Official Community Plan (OCP) to designate all lands within 30 metres of watercourses in RAR-identified watersheds as DPAs. This approach requires the Islands Trust to map both the Gambier watersheds for RAR applicability and then map the watercourses in RAR identified watersheds. The advantage of this approach is that it provides greater certainty with respect to actual watercourse locations and limits reviews and applications to work within 30 metres of fish-bearing or potential fish-bearing streams. The disadvantage is that such a DPA will require time and money to ensure accuracy of stream identification.

*Would require further study to determine RAR watersheds as well as stream mapping of the applicable watersheds.*

4. Exceed the RAR by:
  - a. Designate entire islands (all watershed areas) under a DPA, regardless of RAR designation. This would result in comprehensive regulation of all watercourses and not require verification of RAR watersheds or further mapping of watercourses, but would present a significant impact on land owners and planning staff to administer such a DPA.

*Would not require stream mapping or any further investigation of RAR-applicability by a QEP.*

- b. Designating a DPA within 30 metres of ALL watercourses, regardless of fish habitat status. A similar DPA map currently exists in the Gambier Island OCP (DPA #3) but is set at 15 metres of a watercourse and does not contain any text guidelines. Taking this approach for RAR would require RAR-complying text guidelines as well as updating of Schedules F & I, but would not require verification of RAR applicability.

The advantage of this approach is that all values associated with watercourse protection are addressed, not just fish habitat. The disadvantage of this approach is that the RAR requires a 30 metre Riparian Assessment Area; while adding slightly more specificity and clarity to the situation, the resulting impact on landowners and staff processing applications would be similar to the previous option.

*Would require improved surface water mapping to update what currently exists, but RAR watersheds would not need to be determined.*

- c. Designating one DPA for within 30 metres of RAR watercourses and a second DPA with different requirements over the remainder of the land in RAR-identified watershed. This would require both verification of RAR-applicable watersheds and mapping of the RAR-verified watercourses, but may be preferred if there is evidence that activities permitted more than 30 metres from a watercourse could affect fish habitat and thus require regulation.

*Would require both determination of which watersheds are applicable to the RAR as well as stream mapping in those watersheds.*

## **STAFF COMMENTS:**

The LTC is required, like all local governments, to protect riparian areas by implementing the Riparian Areas Regulation; indeed, the LTC has expressed interest in complying with the RAR as expediently as possible to ensure protection of these sensitive areas.

Many local trust areas received a pre-determination of which watersheds were RAR-applicable, with the exception of several northern local trust areas. Of these other northern local trust areas with “unverified” watersheds, Gambier has by far the most, placing it at a distinct disadvantage regarding implementation of RAR. In order for all of Gambier LTA’s 100+ watersheds to be mapped using the same methods that have been used in the other LTAs, the cost is estimated at more than \$500,000, which is much higher than the Islands Trust could reasonably accommodate. In order to efficiently implement RAR, the Gambier LTC must find a way to reduce either the scale of the mapping required, or reduce the types of mapping required to become RAR compliant.

Of the above six possible RAR implementation options available to the LTC, only one option would not require the LTC to wait for any mapping; this option, making 30 metres from all watercourses applicable to the RAR by way of a DPA, is a cumbersome choice for both landowners and planning staff processing applications.

The LTC has requested \$30,000 for mapping in 2014/2015, which is likely to be approved in March. Staff advises that a Request for Proposals be sent out to Qualified Environmental Professionals to provide an outline and anticipated budget for mapping services for the following:

- a. Verification of RAR applicable watersheds on Gambier
- b. Both verification of RAR applicable watersheds and then mapping of RAR-applicable streams on Gambier.

It is staff’s opinion that the most expedient approach to obtaining RAR compliance is to contract a Qualified Environmental Professional to conduct a determination of RAR-applicable watersheds, and then scope options and alternatives for subsequent stream mapping. Once the RAR watersheds are determined, the LTC and planning staff can assess the most appropriate development permit area and guidelines be drafted to bring the LTA’s bylaws into RAR compliance as soon as possible. It may be that the number of RAR-applicable watersheds will be very high, in which case Option 2 might be the most appropriate choice, to place all watercourses in RAR-applicable watersheds in a 30 metre DPA. If the number of RAR-applicable watersheds identified is relatively low, perhaps Option 3 could be easily pursued at a more reasonable cost estimate of \$5,000 per watershed. (Larger watersheds with many

tributaries would have a higher cost, and a small watershed with short stream length could be less.)

Staff notes, however, that it may be that the proposals from QEPs will show that even just the verification of RAR watersheds will require only slightly less time and money than pursuing both verification and mapping of RAR-applicable streams at the same time. If that proves to be the case, it may be reasonable to set a priority list of the most vulnerable watersheds in the Local Trust Area and pursue comprehensive RAR mapping over time.

**RECOMMENDATIONS:**

THAT the Local Trust Committee pursue the determination of RAR-applicable watersheds in the Gambier Island Local Trust Area, pending approval of requested budget; and,

THAT the Local Trust Committee convey to Staff any goals related to RAR implementation or riparian protection in the Local Trust Area.

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Prepared and Submitted by:

*Aleksandra Brzozowski*

*February 14, 2014*

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Island Planner

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Date

Concurred in by:

*Courtney Simpson*

**February 24, 2014**

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Courtney Simpson, RPP, MCIP,  
Regional Planning Manager

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Date



# Memorandum

11.3.1

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Date March 10, 2014 File Number GM-RZ-2013.1 (Trident  
Foreshore Lands Ltd.  
Burrard Yacht Club)

To Gambier Island Local Trust Committee  
From Marnie Eggen, Planner 1

Re Rezoning application for the marine water adjacent to the Burrard Yacht Club, Gambier Island

---

The Gambier Island Local Trust Committee at their September 26, 2013 meeting made the following resolutions:

## **GM-051-2013**

It was MOVED and SECONDED, that the Gambier Island Local Trust Committee:

1. Give first reading to draft Bylaw No. 125, cited as "Gambier Island Land Use Bylaw No. 86, 2004, Amendment No. 2, 2013";
2. Direct staff to proceed with bylaw referrals, public notification, scheduling of a community information meeting and public hearing for Proposed Bylaw No. 125 in West Vancouver; and
3. Request staff to post the supplemental staff report for GM-RZ-2013.1 (Trident Foreshore Lands Ltd.) and Proposed Bylaw No. 125 to the Gambier website.

**CARRIED**

Agency and First Nation referrals were sent out October 4, 2013. Two referral responses were received to date:

### Bowen Island Municipality

Interests unaffected. Wanted to make us aware that they were commencing a clean-up of Mannion Bay between December 2013 and March 2014 and thought it is likely that some problem vessels may relocate to Ekins Point, Yacht Club area.

### Squamish First Nation

In October, the First Nation expressed concerns about the archaeological and environmental impacts of the breakwater use in this particular location. The LTC was advised that the CIM and Public Hearing should be postponed until the applicant has moved forward towards an application that is received more positively by the First Nation. The applicant met with the First Nation to discuss concerns. On February 3, 2014 Squamish First Nation informed staff that the First Nations concerns were alleviated. No changes were made to the rezoning application.

### Islands Trust Fund

Interests unaffected. Suggested checking eelgrass mapping. Eelgrass mapping showed no eelgrass presence at Ekins point.

The LTC has already directed staff to proceed with public notification, scheduling of a community information meeting and a public hearing for Proposed Bylaw No. 125 in West Vancouver. A community information meeting and a public hearing are being tentatively scheduled for April 10<sup>th</sup> at Gleneagles Community Centre, West Vancouver.



# Islands Trust

## Top Priorities

### Gambier Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	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	Aleksandra Brzozowski	Nov-27-2014	On Going
2	OCP advocacy policies - implementation & support	Work related to supporting the advocacy policies stated in the Gambier, Keats, and Associated Islands OCPs and in the IT Strategic Plan. Ex. Woodlots, industrial facilities, cross-jurisdictional management of Howe Sound	Oct-24-2013	Aleksandra Brzozowski	Nov-03-2014	On Going
3	Sustainability Guide	Customize the southern islands' "Guide to Environmentally Friendly Building and Renovating" for the northern trust area.	May-23-2013	Aleksandra Brzozowski	Jul-11-2013	On Going
4	Riparian Areas Regulation Implementation Project for Gambier Island Local Trust Area.		Oct-26-2011	Aleksandra Brzozowski	Dec-31-2012	On Going



**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	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.	Please make note to consider Objectives 6.1 & 6.2 in the new Agricultural Area Plan for the Sunshine Coast Regional District.		On Going

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
1	REVIEWING KEATS AND GAMBIER LUBS FOR ACCOMMODATION of OCEAN LOOP GEO-EXCHANGE SYSTEMS		Apr-11-2013	On Going
1	Allow electronic meetings of the Gambier LTC	Amend the meeting procedures bylaw	May-23-2013	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. <b>Planner:</b> 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 <b>Planner:</b> 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:** Jan-17-2014

no change

**Status Date:** Sep-13-2013

no change

**Status Date:** Oct-19-2012

New owners working with planning staff to provide further information

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2013.2	Jim Green	Apr-08-2013	027-998-967 Jim Green (Reel 17 Investments) Gambier Island A variance to site a rock retaining wall and to authorize additional width for a walkway pier

**Planner:** Aleksandra Brzozowski

### Planning Status

**Status Date:** Oct-25-2013

Staff advised applicant of outstanding information required for application.

**Status Date:** Aug-14-2013

Applicant submitted application and some supplemental information.

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2013.4	Silverspan Trams Inc. (Grayson Syryda)	Dec-10-2013	013-386-581 1010 Taki-Te-Si Road (Gambier Island - Farrokh Elmieh) Variance for setbacks and in order to bring lift down to dock level. One pre-existing deck included in this variance.

**Planner:** Linda Prowse

### Planning Status

## Forest Land Reserve

File Number	Applicant Name	Date Received	Purpose
GM-FLR-2013.1			

**Planner:**

### Planning Status

## Rezoning

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

**Planner:** Sonja Zupanec

### Planning Status

**Status Date:** Jan-20-2014

File transferred to S. Zupanec - staff in contact with applicant to ensure timely review of their consultation strategy and cost recovery deposit for 2014 planning work.

**Status Date:** Oct-08-2013

Applicant wishes to continue with contract planner until Dec 2013

**Status Date:** Sep-26-2013

Status report presented to LTC

File Number	Applicant Name	Date Received	Purpose
GM-RZ-2012.1	Jim Green	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

**Planner:** Aleksandra Brzozowski

### Planning Status

**Status Date:** Nov-29-2013

Amending Bylaw Adopted

**Status Date:** Nov-06-2013

Executive Committee Approval

**Status Date:** Oct-24-2013

Second and Third Reading

File Number	Applicant Name	Date Received	Purpose
GM-RZ-2013.1	Rob Langford	Mar-20-2013	007-041-616 Trident Foreshore Lands (Burrard Yacht Club) to rezone from P3 to YCO to allw the placement of two floating breakwaters to protect our existing facilities at Ekins Point from strom damage

**Planner:** Marnie Eggen

### Planning Status

**Status Date:** Nov-15-2013

Applicant working with Squamish FN to address concerns

**Status Date:** Sep-26-2013

First Reading given

**Status Date:** Jul-11-2013

Amendment Bylaw requested to be drafted

File Number	Applicant Name	Date Received	Purpose
GM-RZ-2013.2	Lynn Roxburch	May-23-2013	Strata Lots 1-33 & Common Prop. Gambier Island Sea Ranch Strata Lot 1 PID: 005-188-016 Amendment of the Gambier Island Sea Ranch Comprehensive Develop. Zone of the Gambier LUB

**Planner:** Aleksandra Brzozowski

### Planning Status

**Status Date:** Jan-20-2014

Draft SROW prepared and reviewed by SCRCD and GISR solicitor. Draft changes to be reviewed by GISR Strata late Feb prior to LTC review and comment.

**Status Date:** Sep-26-2013

Prelim report to LTC

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## Subdivision

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File Number	Applicant Name	Date Received	Purpose
GM-SUB-2000.1	LANDPLAN GROUP INC.	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

**Planner:** Sonja Zupanec

### Planning Status

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

On hold pending rezoning application.

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

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

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

MOT issues Prelim Layout NOT APPROVED with conditions.

---

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

**Planner:** Sonja Zupanec

### Planning Status

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**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	Jul-21-2011	014-111-888 and 014-111-896 Lot Line adjustment on Gambier Island

**Planner:** Marnie Eggen

### **Planning Status**

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**Status Date:** Jan-17-2014

no change

**Status Date:** Sep-16-2013

no change

**Status Date:** Oct-12-2012

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

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2012.2	Reel 17 Investments Ltd. <b>Planner:</b> Sonja Zupanec	Jun-29-2012	4 lot subdivision

### **Planning Status**

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**Status Date:** Oct-03-2012

Referral response sent to MOTI and applicant

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2013.1	Creus Engineering <b>Planner:</b> Sonja Zupanec	Dec-09-2013	PID: 014-385-694 The Convention of Baptist Churches of BC Keats Island 9 Lot Subdivision

### **Planning Status**

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File Number	Applicant Name	Date Received	Purpose
GM-SUB-2014.1	Mary & Richard Potter <b>Planner:</b> Linda Prowse	Jan-16-2014	028-117-000 & 012-825-034 (2220 Maple Rd, Gambier Is) Boundary adjustment

### **Planning Status**

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**Islands Trust**  
 LTC EXP SUMMARY REPORT F2014  
 Invoices posted to Month ending January 2014

13.3.1

630 Gambier	Invoices posted to Month ending January 2014	Budget	Spent	Balance
65000-630	LTC "Trustee Expenses"	1,200.00	2,179.00	-979.00
<b>LTC Local</b>				
65200-630	LTC - Local Exp - LTC Meeting Expenses	3,000.00	3,021.60	-21.60
65210-630	LTC - Local Exp - APC Meeting Expenses	1,000.00	0.00	1,000.00
65220-630	LTC - Local Exp - Communications	500.00	0.00	500.00
65230-630	LTC - Local Exp - Special Projects	2,000.00	1,352.00	648.00
65240-630	LTC - Local Exp - Miscellaneous	250.00	0.00	250.00
<b>TOTAL LTC Local Expense</b>		6,750.00	4,373.60	2,376.40
<b>Projects</b>				
73001-630-2003	Gambier Associated OCP/LUB	2,000.00	1,992.72	7.28
73001-630-4024	Gambier Foreshore Protection and Stewardship	0.00	1,000.00	-1,000.00
<b>TOTAL Project Expenses</b>		2,000.00	2,992.72	-992.72

**Islands Trust**  
 LTC EXP SUMMARY REPORT F2014  
 Invoices posted to Month ending February 2014

13.3.2

630 Gambier	Invoices posted to Month ending February 2014	Budget	Spent	Balance
65000-630	LTC "Trustee Expenses"	1,200.00	2,500.24	-1,300.24
<b>LTC Local</b>				
65200-630	LTC - Local Exp - LTC Meeting Expenses	3,000.00	3,325.10	-325.10
65210-630	LTC - Local Exp - APC Meeting Expenses	1,000.00	147.00	853.00
65220-630	LTC - Local Exp - Communications	500.00	0.00	500.00
65230-630	LTC - Local Exp - Special Projects	2,000.00	1,352.00	648.00
65240-630	LTC - Local Exp - Miscellaneous	250.00	0.00	250.00
<b>TOTAL LTC Local Expense</b>		6,750.00	4,824.10	1,925.90
<b>Projects</b>				
73001-630-2003	Gambier Associated OCP/LUB	2,000.00	1,992.72	7.28
73001-630-4024	Gambier Foreshore Protection and Stewardship	0.00	1,000.00	-1,000.00
<b>TOTAL Project Expenses</b>		2,000.00	2,992.72	-992.72

**Sunshine Coast Regional District**

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February 27, 2014

Islands Trust  
Northern Office  
700 North Road  
Gabriola Island, BC V0R 1X3

via email: [lwebstergibson@islandstrust.bc.ca](mailto:lwebstergibson@islandstrust.bc.ca)

Dear Lisa Webster-Gibson:

**Re: Woodlot Licences on Gambier Island**

---

Please be advised that the following Planning and Development Committee recommendation regarding woodlot licenses on Gambier Island was made at the February 20, 2014 meeting:

**Recommendation No. 26**     *Woodlot Licences on Gambier Island*

The Planning and Development Committee recommended that the correspondence from Steve Thomson, Minister, Ministry of Forests, Lands, and Natural Resource Operations, dated January 23, 2014 regarding Woodlot licences on Gambier Island be received;

AND THAT the protocol agreement with Islands Trust be distributed and brought back to the next meeting of the Planning and Development Committee;

AND THAT a letter be sent to Islands Trust and the Squamish Nation to find out what their positions are on the wood lots;

AND THAT this issue be referred to the next Planning and Development Committee;

AND FURTHER THAT staff be authorized to act on this recommendation prior to adoption.

This recommendation is scheduled to be adopted by the Board at its meeting this evening. The protocol agreement between the Islands Trust and the SCR D is attached as Attachment A.

The SCR D would like to know what the Islands Trust position is on the Gambier Woodlots. Would the Islands Trust like help from the SCR D on this matter? If so, please let us know how we can help.

Respectfully,

Lesley-Ann Staats  
Planning Technician  
/enclosed

**REGIONAL DISTRICT BOARD /  
LOCAL TRUST COMMITTEE  
PROTOCOL AGREEMENT**

---

This Protocol Agreement ("Agreement") dated for reference October 2, 1996 is

AMONG:

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

AND:

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

(referred to as the "Parties")

WHEREAS:

A. Under Section 22(2) of the *Islands Trust Act*, a local trust committee may enter into an agreement with municipalities, regional districts and boards of school trustees respecting the coordination of activities in a local trust area;

B. The Gambier Island Local Trust Committee is a local trust committee established under s.21 of the *Islands Trust Act* for the purpose of preserving and protecting the Gambier Island Local Trust Area and has the authority to regulate the development and use of land in this local trust area;

C. The Regional District of Sunshine Coast Board is a regional district established by letters patent, dated the 4th day of January, 1967 and continued under s.767 of the *Municipal Act*, R.S.B.C. 1979, c. 290, and has the authority to provide services in this local trust area; and

D. The Parties met to discuss respective areas of responsibility and to develop principles, processes and conditions for the coordination of activities within the Gambier Island Local Trust Area.

NOW THEREFORE, the Local Trust Committee and the Regional District Board agree as follows:

**1.0 PRINCIPLES**

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

1. Recognition of each others' jurisdictions and capabilities with a commitment to promoting a spirit of partnership through joint legislative, policy, program and communication initiatives;

2. Coordination of planning, servicing and growth management activities that is responsive to the needs of the local trust area and the electoral area of which they are a part;
3. Commitment to share a mutual interest in the preservation and protection of the object of the Islands Trust and the respective land use planning authority of both Parties;
4. Cooperation through sharing of information and notification of significant initiatives that may impact the other Party and through regular liaison.

## **2.0 COOPERATION**

1. The Parties agree to cooperate with respect to the implementation, coordination and administration of each Party's legislative authority that may impact the other Party.
2. The Parties agree to coordinate the following activities:
  - (a) community planning;
  - (b) parkland and school site acquisition;
  - (c) servicing arrangements; and
  - (d) administrative arrangements.
3. It is the intent of the Parties to formalize their cooperation by way of letters of understanding as required for specific matters.
4. Both Parties agree to notify and consult the other Party on legislative, municipal incorporation and boundary restructure initiatives.

## **3.0 COMMUNICATIONS**

1. The Parties agree to schedule regular meetings of the regional director, the local trustee committee and appropriate staff to review the implementation of the protocol and letter of understanding.
2. Neither Party is obligated to convey information to the other Party that is protected from disclosure under the *Freedom of Information and Protection of Privacy Act*, any other legislation protecting information from disclosure, or that is subject to solicitor-client privilege.
3. Both Parties agree to pursue alternate methods of dispute resolution before initiating legal proceedings directed at the other Party.



# **LETTER OF UNDERSTANDING**

between staff for the

**THE GAMBIER ISLAND LOCAL TRUST COMMITTEE**

and the

**REGIONAL DISTRICT OF SUNSHINE COAST BOARD**

## **SUBJECTS:**

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

Updated: October 2, 1996

## **LETTER OF UNDERSTANDING**

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

AMONG:

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

AND:

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

(referred to as the "Parties")

---

### **I PURPOSE**

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

### **II PRINCIPLES**

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

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

### III CONSULTATIVE PROCESS

1. The Parties agree to the establishment of a regular consultative process to foster understanding among respective staff and elected officials.
2. The intent of this Agreement is for both Parties to use best effort, rather than to oblige either Party, to affect interagency cooperation within mutually agreeable terms and time-frames.
3. Responsibility for the coordination of this Agreement by the respective Parties is assigned to the Administrator of the Regional District Board and the Executive Director of the Islands Trust.
4. An annual meeting of respective staff will be established by the Administrator and the Executive Director at the request of the Executive Director.
5. A meeting of respective staff to review any current issues or Agreement matters may be arranged at the request of either the Administrator or Executive Director.
6. Where anything is required or permitted to be delivered, or otherwise sent to the Parties or the Islands Trust Council, it shall be delivered to:  
  
Local Trust Committee: 2nd Floor, 1627 Fort Street  
and Islands Trust Council Victoria, BC V8R 1H8  
Attention: Executive Director  
  
Regional District Board: Box 800  
Sechelt, BC V0N 3A0  
Attention: Administrator
7. Both Parties will bear the full cost of their own requirements to implement this Agreement unless otherwise provided for in this Agreement or otherwise agreed to, in writing, by both Parties.
8. This Agreement may be amended by agreement, in writing, by the Regional District Board and Local Trust Committee.

## **IV IMPLEMENTATION**

### **A. COMMUNITY PLANNING**

#### **1.0 Official Community Plans (OCPs)**

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

#### **2.0 Land Use Bylaws**

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

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

### **3.0 Bylaw Enforcement**

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

## 4.0 Building Permits

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

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

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

## B. PARKLAND AND SCHOOL SITE ACQUISITION

### 1.0 Parkland Acquisition

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

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

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

## **2.0 Parks Planning**

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

## **3.0 School Site Acquisition**

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

#### **4.0 Parks and Recreation Commission**

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

### **C. SERVICING**

#### **1.0 Service Delivery**

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

## **2.0 Regional Growth Strategy**

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

## **3.0 Service Coordination Agreements**

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

## **4.0 Servicing Plans**

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

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

## **D. ADMINISTRATIVE ARRANGEMENTS**

### **1.0 Interagency Agreements**

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

### **2.0 Information Sharing**

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

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

### **3.0 Legislative Initiatives**

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

### **4.0 Conduct of Elections**

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

Therefore, both Parties commit to respect this Letter of Understanding, dated this  
2nd day of October, 1996.

1. Approved by the **Gambier Island Local Trust Committee** this  
5th day of October, 1996.



Gordon McIntosh  
Executive Director  
Islands Trust

2. Approved by the **Regional District of Sunshine Coast Board** this  
14<sup>th</sup> day of NOVEMBER, 1996.



Larry Jardine  
Administrator  
Regional District of  
Sunshine Coast

# STAFF REPORT

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**Date:** March 5, 2014

File No: 3040-20-01  
LTC Open Meetings - General

**To:** Gambier Island Local Trust Committee  
For meeting of March 20, 2014

**From:** Carmen Thiel, Legislative Services Manager, Executive Services

**Re:** **Amendments to Gambier Island Local Trust Committee Procedure Bylaw No. 87**

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## PURPOSE

The purpose of this report is to provide a draft option for consideration of inclusion in the Gambier Island Local Trust Committee (GMLTC) Procedure Bylaw to allow for electronic participation by members at a Local Trust Committee meeting and to further clarify who can chair a meeting, including an electronic meeting.

## BACKGROUND

The GMLTC, at its meetings on May 23, 2013 and October 24, 2013, requested the following respectively:

- *That the Gambier Island Local Trust Committee put "Electronic Meetings" on the Projects list; and*
- *That the Gambier Island Local Trust Committee request staff to renumber the Top Priorities list as follows: 1. Electronic meetings.*

Appendix 1: provides an option for amendments to the GMLTC Procedure Bylaw No. 87: 1) to address electronic meetings; and 2) to clarify and provide for all possibilities regarding who can chair a meeting.

Appendix 2: is a copy of the Islands Trust Electronic Meetings Regulation.

Appendix 3: contains excerpts from the *Local Government Act* and the *Community Charter* which apply to local trust committees regarding topics referenced in the option (Appendix 1), e.g. notice of special meetings and electronic meetings.

Appendix 4: is a sample Special Electronic Meeting Notice which must be given when a "special" local trust committee is being conducted entirely by electronic means.

The proposed draft wording in Appendix 1, regarding electronic meetings, comes from review of the following example procedures bylaws: Islands Trust Council, and Model Bylaw from the Ministry of Community, Sport and Cultural Development, and is in accordance with the Islands Trust Electronic Meetings Regulation and related legislation.

On the matter of who can chair a meeting, including an electronic meeting, there is currently no mention in any of the Local Trust Committee (LTC) procedures bylaws about the alternate chair. Advice was received that this section should cover all possibilities and amendments to all LTC procedures bylaws were recommended to clarify who can chair and what happens when both the chair and alternate chair are absent.

## LEGISLATIVE CONTEXT:

## 1. ISLANDS TRUST ELECTRONIC MEETINGS REGULATION

The definition for a "trust body" in the Regulation includes a local trust committee.

Section 2, provides that:

(1) If the requirements in subsection (2) are met,

- (a) a special meeting of a trust body may be conducted by means of electronic or other communication facilities, or
- (b) a member of a trust body who is unable to attend at a meeting of the trust body may participate in the meeting by means of electronic or other communication facilities.

The following conditions are required under Section 2(2) of the Regulation:

- Where any meeting participant is participating in a meeting through electronic communication facilities, the facilities must enable all meeting participants to hear, or watch and hear, each other and must provide notice when participants join or leave the meeting.
- Where any meeting participant is participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at a place specified in the meeting notice, unless the meeting has been properly closed to the public.
- For the duration of an electronic meeting that is open to the public, a designated staff member must attend at the place specified in the meeting notice for the public to hear, or watch and hear, the participants.

Section 3 deems that members of a local trust committee who are participating under this section in a meeting conducted in accordance with this section are deemed to be present at the meeting.

## 2. LOCAL GOVERNMENT ACT

Section 794 (1) and (2) establish general requirements for what must be included in procedures bylaws and state that at least 5 days' notice in advance of a meeting must be given to trustees where a procedures bylaw amendment is being introduced.

## 3. COMMUNITY CHARTER

Section 127(2) sets out how notice of special meeting must be given and applies to notice of special *electronic* meetings as well. Sections 6 and 7 of GMLTC Bylaw No. 87 provide details on how such notice must be given.

### **STAFF COMMENTS:**

This report presents an option for draft wording to address the GMLTC's requests to make provision for electronic meetings. Staff are seeking consideration from the GMLTC on proposed amendments to the LTC's procedure bylaw as presented in this report.

**RECOMMENDATION:**

1. THAT the Gambier Island Local Trust Committee direct staff to prepare a draft bylaw to amend "Gambier Island Local Trust Committee Meeting Procedure Bylaw No. 87, 2004" in order to incorporate requested amendments as presented.

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Respectfully submitted by:

Date: March 5, 2013

Carmen Thiel, Legislative Services Manager

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Concurred by:

Date: March 10, 2014

Courtney Simpson, Regional Planning  
Manager

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**Appendices:**

Appendix 1: Option - Draft Wording for Amending GMLTC Procedure Bylaw

Appendix 2: Islands Trust Electronic Meetings Regulation

Appendix 3: Applicable Sections of the *Local Government Act* and the *Community Charter* –  
bolded sections apply to Local Trust Committees

Appendix 4: Sample of Notice of Special Meeting

Link to GMLTC Bylaw No. 87: <http://islandstrust.bc.ca/ltc/gm/pdf/gmbylbaseadmmtg0087.pdf>

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APPENDIX 1 – OPTION

**D R A F T**

**MEETINGS AND NOTICE OF MEETINGS**

- Existing section 10 of Bylaw 87 contains the clause referenced below:
  - In the event that the Chairperson is not present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services or his or her designate shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson.
- The following wording is recommended to replace the existing section, in order to clarify and reflect all possibilities about the Chair/Alternate Chair of the Local Trust Committees:
  - In the event that **neither** the Chairperson **nor any alternate member of the local trust committee appointed by the Executive Committee** is present within one half hour of the scheduled time of a regular or special meeting, the Director of Local Planning Services or his or her designate shall call the meeting to order and the remaining trustees shall determine which of them shall act as Chairperson.

**ELECTRONIC MEETINGS**

- A special meeting of the Local Trust Committee to deal with urgent new business may be conducted entirely by means of audio or audio and visual electronic communication facilities if a majority of the members of the Local Trust Committee have agreed by resolution that the meeting may be conducted in this way and provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
- An individual Local Trust Committee member who is not at the physical location of a special Local Trust Committee meeting or a regular Local Trust Committee meeting may choose to participate by means of audio or audio and visual electronic communication facilities, provided the Deputy Secretary has received sufficient notice and can make the necessary arrangements.
- At a regular Local Trust Committee meeting, not more than one Local Trust Committee member, who may not be the person presiding, may participate by means of electronic communication facilities.

**OR**

At a regular Local Trust Committee meeting, not more than one Local Trust Committee member may participate by means of electronic communication facilities.

- An individual member of the Local Trust Committee may not participate by means of electronic communication facilities in two consecutive regular meetings of the Local Trust Committee.

**Comment [CT1]:** With this wording the person presiding (the Chair) would have to be physically present at the site of the **regular** meeting. Reasons for this might include meeting logistics and because there may be public assembled. If this is **not** the intent of the GMLTC, and the Committee wishes to allow for the Chair to participate in a regular meeting, electronically, then section 19 could be reworded as per *the alternate wording* below.

**Comment [CT2]:** *This alternate wording* is less restrictive and **would allow the Chair or another member to participate electronically** but would mean that the other two members would be required to be physically present at a **regular** meeting.

21. The Local Trust Committee may waive the restrictions in sections 19 and 20 by unanimous resolution, provided the waiver does not conflict with provincial legislation and regulation that enables electronic meetings.
22. Local Trust Committee members who use electronic communication facilities to participate in a meeting conducted in accordance with this bylaw are deemed present at the meeting.
23. A member of the Local Trust Committee may begin participation in a meeting by electronic communication facilities after the meeting has been called to order.
24. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable all meeting participants to hear, or watch and hear, each other and must provide notice when participants join or leave the meeting.
25. Where a member of the Local Trust Committee is participating in a meeting through electronic communication facilities, the facilities must enable the public to hear, or watch and hear, all meeting participants at a place specified in the meeting notice, unless the meeting has been properly closed to the public.
26. For the duration of an electronic meeting that is open to the public, a designated staff member must attend at the place specified in the meeting notice for the public to hear, or watch and hear, the participants.
27. Cell phone or satellite connections may be used for open Local Trust Committee meetings.
28. If communication is lost to one or more electronic participants during a meeting:
  - 28.1 the participant affected will attempt to reestablish the link and, in the interim, will be deemed to have left the meeting and this will be recorded in the minutes;
  - 28.2 if there is not a quorum, the Local Trust Committee Chair or person presiding will call a recess until the link is reestablished; and
  - 28.3 if, after 15 minutes, a link cannot be reestablished and there is not a quorum of Local Trust Committee members, the meeting will be deemed adjourned and the item under discussion at the time of loss of communication will be added to the next agenda.
29. The costs of electronic participation in a Local Trust Committee meeting will be borne by the Gambier Island Local Trust Committee if the Local Trust Committee member is participating from a location within Canada or has received the approval of the majority of Local Trust Committee members.

## APPENDIX 2

B.C. Reg. 283/2009

Deposited November 27, 2009

O.C. 620/2009

### *Islands Trust Act*

## ISLANDS TRUST ELECTRONIC MEETINGS REGULATION

### Definitions

1 In this regulation:

**"special meeting"** means a meeting other than a regular meeting or an adjourned meeting;

**"trust body"** means the trust council, the executive committee, a local trust committee and the trust fund board.

### Electronic meetings authorized

2 (1) If the requirements in subsection (2) are met,

(a) a special meeting of a trust body may be conducted by means of electronic or other communication facilities, or

(b) a member of a trust body who is unable to attend at a meeting of the trust body may participate in the meeting by means of electronic or other communication facilities.

(2) The following apply in relation to a meeting of a trust body referred to in subsection (1):

(a) a procedure bylaw under section 794 (1) (a) and (b) [procedure bylaws] of the Local Government Act, as that section applies to the trust body, must authorize the matters set out in subsection (1) (a) or (b) of this section;

(b) the meeting must be conducted in accordance with the applicable procedure bylaw;

(c) the facilities must enable the meeting's participants to hear, or watch and hear, each other;

- (d) for a special meeting referred to in subsection (1) (a),
- (i) the notice under section 127 (2) [*notice of council meetings*] of the *Community Charter*, as that section applies to the trust body, must include notice of the way in which the meeting is to be conducted and the place where the public may attend to hear, or watch and hear, the proceedings that are open to the public, and
  - (ii) except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the meeting at the specified place, and an officer or employee designated by the trust body must be in attendance at the specified place;
- (e) for a meeting referred to in subsection (1) (b), except for any part of the meeting closed to the public, the facilities must enable the public to hear, or watch and hear, the member participating by means of electronic or other communications facilities.

(3) Section 128 (3) [*participants deemed present*] of the *Community Charter* applies in relation to a trust body.

[Provisions of the *Islands Trust Act*, R.S.B.C. 1996, c. 239, relevant to the enactment of this regulation: sections 53 and 54]

### APPENDIX 3

**Excerpt from the *Local Government Act*, which applies to Local Trust Committees (bolded sections apply to Local Trust Committees):**

#### **Procedure, bylaws and enforcement**

**794 (1) A board must, by bylaw, do the following:**

**(a) establish the general procedures to be followed by the board and by board committees in conducting their business, including the manner by which resolutions may be passed and bylaws adopted;**

**(b) provide for advance public notice respecting the time, place and date of board and board committee meetings and establish the procedures for giving that notice;**

(c) identify places that are to be public notice posting places for the purposes of the application of section 94 [*requirements for public notice*] of the *Community Charter* to the regional district.

**(2) A procedure bylaw must not be amended unless notice of the proposed amendment is mailed to each director, at the address given by the director to the corporate officer for that purpose, at least 5 days before the meeting at which the amendment is to be introduced.**

**Excerpts from the *Community Charter*, which apply to Local Trust Committees (bolded sections apply to Local Trust Committees):**

#### **Notice of council meetings**

**127 (1) A council must**

(a) make available to the public a schedule of the date, time and place of regular council meetings, and

(b) give notice of the availability of the schedule in accordance with section 94 [*public notice*] at least once a year.

**(2) Subject to subsection (4), notice of a special council meeting must be given at least 24 hours before the time of meeting by**

**(a) posting a copy of the notice at the regular council meeting place,**

(b) posting a copy of the notice at the public notice posting places,  
and

**(c) leaving one copy for each council member at the place to  
which the member has directed notices be sent.**

**(3) The notice under subsection (2) must include the date, time and  
place of the meeting, describe in general terms the purpose of meeting  
and be signed by the mayor or the corporate officer.**

(4) Notice of a special council meeting may be waived by unanimous vote of all  
council members.

### **Electronic meetings and participation by members**

**128** (1) If this is authorized by procedure bylaw and the requirements of subsection  
(2) are met,

(a) a special council meeting may be conducted by means of  
electronic or other communication facilities, or

(b) a member of council or a council committee who is unable to  
attend at a council meeting or a council committee meeting, as  
applicable, may participate in the meeting by means of electronic or  
other communication facilities.

(2) The following rules apply in relation to a meeting referred to in subsection  
(1):

(a) the meeting must be conducted in accordance with the applicable  
procedure bylaw;

(b) the facilities must enable the meeting's participants to hear, or  
watch and hear, each other;

(c) for a special council meeting referred to in subsection (1) (a),

(i) the notice under section 127 (2) [*notice of special  
meetings*] must include notice of the way in which the  
meeting is to be conducted and the place where the public  
may attend to hear the proceedings that are open to the  
public, and

(ii) except for any part of the meeting that is closed to the  
public, the facilities must enable the public to hear, or watch

and hear, the meeting at the specified place, and a designated municipal officer must be in attendance at the specified place;

(d) for a meeting referred to in subsection (1) (b), except for any part of the meeting that is closed to the public, the facilities must enable the public to hear, or watch and hear, the participation of the member.

**(3) Members of council or a council committee who are participating under this section in a meeting conducted in accordance with this section are deemed to be present at the meeting.**

**APPENDIX 4**

**S A M P L E**

**Islands Trust Council  
Financial Planning Committee  
Notice of Special Electronic Meeting  
(Preliminary Discussions – Budget 2010-2011)**

Notice is hereby given that the Financial Planning Committee of the Islands Trust Council will hold a special electronic meeting to consider further recommendations regarding the Islands Trust Council's draft budget for the 2010-2011 fiscal year.

Members of the Financial Planning Committee will participate in the meeting by means of a teleconference call which will occur on (day, date, at time).

Members of the public who wish to listen to the electronic committee meeting may do so by attending the Islands Trust office at 1627 Fort Street, Victoria, BC at the time noted above.

For further information on the meeting, please contact \_\_\_\_\_ at 250 405-5150.

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Signed by the Chair or Deputy Secretary