



## Gambier Island Local Trust Committee

### Minutes of Regular Meeting

**Date:** June 20, 2023

**Location:** Electronic Meeting

**Members Present:** Peter Luckham, Chair  
Kate-Louise Stamford, Trustee  
Joe Bernardo, Trustee

**Staff Present:** Marlis McCargar, Island Planner  
Sonja Zupanec, Island Planner  
Stephen Baugh, Planner 2 (part)  
Warren Dingman, Bylaw Enforcement Officer (part)  
Wil Cottingham, Office Administrative Assistant  
Diane Corbett, Recorder

**Others Present:** There were approximately seven (7) members of the public in attendance.

#### 1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:02 am. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations. Trustees, Staff and the recorder were introduced.

#### 2. APPROVAL OF AGENDA

**By general consent** the agenda was approved as presented.

#### 3. REPORTS

##### 3.1 Trustee Reports

Trustee Bernardo reported on the following activities:

- Participation on the Governance Committee's review of the Islands Trust mandate;
- Participation as Chair of the Financial Planning Committee that is working in conjunction with staff to develop the corporate planning process.

Trustee Stamford reported on the following activities:

- Attendance at Howe Sound Community Forum in Gibsons in April
- Rural Economic Diversification and Infrastructure Program grant for more than \$80,000 received by Gambier Island Community Association (GICA); GICA will send out a survey to islanders this summer inviting input on how they view the island communities and challenges faced on Gambier;

- Attendance at Islands Forest Classification workshop, primarily focused on Coastal Douglas Fir ecosystems in the southern Gulf Islands;
- Queen of Tsawwassen, moored in one of the bays on western side of Gambier, currently for sale.

**3.2 Chair's Report**

Chair Luckham reported on the following:

- Trust Council adopted a budget in March that is now enabling work in this term to advance;
- The governance review is underway;
- Trust Council meeting to be held on Gabriola June 27-29;
- Looking forward to the Community Information Meeting in July in Gibsons.

**3.3 Electoral Area Director's Report**

Director Stamford reported on the following:

- SCRD's biggest priority is water. Dry summer expected. For Islanders, the planning for both short term and long term water management is very important. With regional discussions around water, there has been growth in the relationship building with shishálh Nation.
- Eastbourne well: waiting for results of well stress test to present to the board;
- Rebuilding the Keats Landing ramp and float area is ongoing;
- Hopkins Landing wharf was determined to be unsafe, needing significant repairs; final decision will come to the board this week regarding closing the facility for repairs. Cost is about half a million dollars for basic fixes. It is occasionally used for emergency services;
- SCRD continues to be challenged by escalating costs of the nine docks in its ports, exacerbated by lack of successful grant funding for maintenance from other levels of government;
- Work with the GICA dock subcommittee: aims to find a resolution to the long-term ownership of the New Brighton port facility. There is a possibility of meeting directly with representatives of Nch'kay Development Corp. The managers, Squamish Nation Marine Group, are currently working on a fix for the deteriorating ramp. A recent inspection did indicate it is still structurally safe;
- Attended a Rural Transportation Meeting held by Island Coastal Economic Trust (ICET) on behalf of the Provincial Government. A range of Regional challenges were reviewed. Director focused on marine transportation issues, including docks.
- BC Ferries Sunshine Coast Engagement last Saturday.

**4. DELEGATIONS – none**

**5. PUBLIC COMMENTS**

Chair Luckham invited comments from members of the public in attendance.

A neighbour of a Temporary Use Permit applicant, referenced her correspondence that is included on the agenda and discussed concerns about Gambier Resort and its application for a Temporary Use Permit (TUP).

Concerns included:

- expansion of the project which is contrary to the Official Community Plan and Land Use Bylaw;
- Islands Trust policy that, so long as you make an application to bring yourself into compliance, you can continue to operate. Concern: the applicant is continuing to expand. It is unfair to the community.
- The island is not set up in terms of infrastructure (such as the condition of the dock) to provide this kind of expanded commercial use.

A member of the public expressed support for the Gambier OCP version 2.0 as noted in the staff report on the Gambier Island OCP, and inquired where in the process consideration would be given to the engagement summary report dated January 12, 2023 on the results of the survey.

Staff responded that the project charter does not work out specific details regarding the substance of the draft bylaws. The draft bylaws will be partially based on, input from First Nations, public and the engagement reports. After this phase of First Nations engagement has concluded, all correspondence, public input, the engagement summary report, and data would be brought forward for reconsideration by the LTC to determine which elements they wish to see incorporated into the draft bylaws. Then the LTC goes through the information to determine what they want to see in the draft bylaws for the Official Community Plan and in the Land Use Bylaw, and that is taken forward as a draft for consideration of first reading.

A member of the public announced that the Howe Sound Biosphere Region Initiative was in the process of recruiting new directors. Thanked Trustees and staff for arranging the Community Information Meeting in Gibsons in July. Inquired about SCRD test drilling on Keats for new water sources. One of the wells was in a streamside protection zone; would there be any permission sought from Islands Trust or rectification of that?

Staff reported there was staff to staff conversation a few months earlier. The SCRD intend to apply for a retroactive Development Permit, but have not done so yet.

## **6. MINUTES**

### **6.1 Local Trust Committee Meeting Minutes dated March 14, 2023 - for adoption**

The following amendment to the minutes was presented for consideration:

- Page 5, item 8.1, bullet 5: delete “the community lot, and the community dock that already exists.”

An update was noted regarding item 3.3, paragraph four: the scheduled meeting with the Ministry of Transportation and Infrastructure (MoTI) in April did not happen; staff was asked to follow up to reschedule the meeting.

Staff was asked to follow up to clarify regarding public access to Cotton Bay.

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

**6.2 Section 26 Resolutions-Without-Meeting Report dated June 13, 2023**

Received for information.

**6.3 Advisory Planning Commission Minutes – none**

**7. BUSINESS ARISING FROM MINUTES**

**7.1 Follow-up Action List dated June 13, 2023**

Received.

Island Planner McCargar noted that staff had tried to arrange with MoTI regarding an introductory meeting and had not received a response; staff would follow up with Trustee Stamford regarding a contact at MoTI to help set up a meeting.

Trustee Stamford reported she had interacted with water specialist William Shulba on an update regarding the groundwater recharge mapping project. He reported staff had received the deliverables from GW Solutions and would provide this to the Regional Planning Committee, and then to the LTC once it is completed.

**8. APPLICATIONS AND REFERRALS**

**8.1 GM-DVP-2022.4 (Staats) – 900 Keats Road – Staff Report**

The Planner introduced an application to reduce the minimum setback to the natural boundary of the sea from 7.5 meters to 0 meters for a rock wall revetment, intended to protect an existing dwelling located less than two meters from the present natural boundary of the sea. The application was referred to the Islands Trust Conservancy Board, who found their interests were unaffected.

The agent, representing the owner of a leasehold lot and home, made the following points: It is an old home built before the regulations were in place. Has been in the same family for many generations. In last few years, the house has been impacted by tidal events. Purpose of the revetment is to protect the house as it is and to lessen the impact of tidal activity. Environmental and engineering reports give recommendations and the revetment would be built to latest standards and best practices. Materials would be brought in by barge since there is little road access. Applicant would have to remove live wooded debris from the foreshore.

Trustees offered feedback and questions on the application that included:

- It looks straightforward; have no objections. Need for revetment seems straightforward. It is a rational solution to a difficult problem, and to not have an adverse impact on the environment or neighbours.
- When is best time of year to put this kind of structure in?

- The applicant was not given a timeline of recommendations as to when to build. August 15 to January 29 is recommended through the *Fisheries Act*. The project is not in the intertidal zone, just above. There would be an environmental monitor onsite during construction. The intention was to proceed as soon as approval to proceed was received.
- Why would the applicant want to include “associated structures” in the variance?
  - The owner did not want some of the decks or other wood structures included in the application.
- Now that DL 696 cabins can start making changes and fixing cabins, is there any indication we are getting more of these types of applications, with properties being fixed up?
  - Staff had not seen a high volume of applications for these.

There was discussion of referring the application to First Nations. Staff noted that the application did not appear to require any permitting from the BC Archaeological Branch, but could be referred to First Nations for comment. Staff advised it was not for staff to refer the DVP to First Nations prior to bringing it to the LTC.

Comments from Trustees included:

- Because that area has quite a bit of archaeological finds, request comment from staff regarding any further details on how we can support First Nations engagement in that area for things like a rock wall.
- Need to be sensitive to the archaeological question, part of a large issue about being sensitive and wise in addressing the relationship with First Nations. Notwithstanding that, there is also a balancing issue: the applicant has gone to a lot of trouble so far. Based on the information in the staff report, it seems the odds of there being something of archaeological interest are remote; if this is referred to First Nations, are we imposing hardship on the applicant?
  - The applicant acknowledged the project was on Squamish territory, and that he consulted with the Heritage Conservation Branch on projects. He had received a map of known sites, and none were near this one.
- Trustee noted this was near Conservancy property, and expressed appreciation for the work that went into the proposal.

**GM-2023-015**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee approve issuance of Development Variance Permit GM-DVP-2022.4.

**CARRIED**

## 9. LOCAL TRUST COMMITTEE PROJECTS

### 9.1 Keats Shoreline Protection Project – Memorandum

Island Planner McCargar gave an overview of the memo on the status and next steps of the Keats Shoreline Protection Project, providing more context and rationale behind proposed changes in Bylaw Nos. 153 and 154 that would establish a Shoreline Development Permit Area (DPA) for the purposes of protecting the natural environment, its ecosystems and biological diversity, and protecting development from hazardous conditions.

- In response to the Local Trust Committee request that staff provide annotated bylaws, staff added further information and also worked with a Qualified Environmental Professional to review the bylaws and provide information regarding functions of marine shore habitat.
- Proposed Bylaw No. 153 would amend the Keats Island Official Community Plan Bylaw No. 77 (OCP). The primary proposed change to the OCP is the creation of a Shoreline Development Permit Area (DPA), measured 15 meters upland and 100 meters seaward from the foreshore. This would require that a Development Permit (DP) be obtained for certain types of new development in the DPA.
- Proposed Bylaw No. 154 would amend the Keats Island Land Use Bylaw No. 78 (LUB). Land use bylaws facilitate implementation of OCP policies and establish what is allowed on specific lots. The amendments to the Land Use Bylaw No. 78 (LUB) leave the setback for a development at 7.5 meters, except on two large undeveloped lots in the center of the island, where it is proposed that the setback be 15 meters. Highlights of the Land Use Bylaw changes are:
  - a) reduction in the size of “platforms” in the setback from the natural boundary of the sea from 10 square meters to 5 square meters;
  - b) removal of some structures from “permitted” structures in the setback from the natural boundary of the sea including boat houses;
  - c) increase in the setback from the natural boundary of the sea to 15 meters in the Rural Comprehensive Zone (Lots 876 and 1829);
  - d) introduction of a minimum distance between docks of 10 meters;
  - e) reductions in the maximum size of docks and ramps to docks;
  - f) introduction of guidelines for the Development Permit Area.

The Island Planner acknowledged the work of a co-op student on the project.

A Trustee commended the planner for the thoroughness and quality of the memo, and commented on how this information would make the project more accessible and intelligible to members of the public.

The timing of the Community Information Meeting, Public Hearing, and third reading of the proposed bylaws were discussed, as well as the meaningfulness, transparency, and responsiveness of the process for the public.

Trustees offered some minor editing suggestions to the text. The Island Planner would accommodate the edits of the memorandum as discussed within the week and forward to the LTC for distribution to the public. It was suggested that a link to the memo be posted on the website announcing the upcoming Community Information Meeting.

Bylaw Enforcement Officer Dingman joined the meeting at 11:56. Discussion ensued until 12:12pm on item 10.1 regarding a “glamping” operation on Gambier Island.

Chair Luckham called for a break at 12:12pm and recalled the meeting to order at 12:45pm.

**9.2 Official Community Plan and Land Use Bylaw Targeted Review Project – Endorsement of Revised Project Charter – Staff Report**

Island Planner Zupanec noted the purpose of the staff report was to provide the Gambier Island Local Trust Committee with an updated draft Project Charter and status update for the Official Community Plan and Land Use Bylaw Targeted Review project. Staff sought project charter endorsement and direction from the LTC. Island Planner Zupanec had taken over the project from Island Planner McCargar and would use the LTC meeting schedule to provide memos or updates. The Project Charter is a living document that will need to be updated as the process goes forward.

The Island Planner noted the top priority for this fiscal is First Nations participation and funding. Since the staff report was drafted, staff followed up with Squamish Nation to confirm that they were still available; they were not able to provide an update on that. Staff will work through summer and with the policy advisor to provide options at the August meeting or additional approaches. No additional information was available at this time.

Discussion ensued on the background work done to date on this project, the current context of this project, and moving forward:

- A grant was received recently by the Gambier Island Community Association (GICA) around community development.
- Hope to develop a communications strategy around work covered by the LTC in the OCP process to date.
- The LTC had a survey and community engagement meeting over a year ago, and has not talked to the community about them. The community is wondering what happened with the survey, and what were perceived as limitations and results of the process. Need to include that part of the process with communication out to the community. Topics for public engagement were deliberately large, but complex. That is what went out to the community and a survey and was the basis for in person and Zoom public meetings. There was some good information.
- There are some concerns regarding First Nations engagement, how it is different from community engagement. Would like something to send to the community on how these are unique.

- To illustrate work done to date, a timeline could be valuable as a standalone piece that can continue to be built on, to help people understand where public input opportunities are. There have been no legislative changes or amendments; this is still at a beginning stage.
- Continue to use the website as an accessible depository for information in one place.
- When we go to the public, have something they can comment on. That becomes a vehicle for identifying their concerns. Have a helpful overview in accessible language. Have everything in one place. Put rationale up front in plain language, and justifications for it, as part of the public engagement. Focus on evidence and facts.
- The discussion papers are still out there about why we are updating the OCP. Would like to be able to respond to that to the community.
- A few years ago there was a technical review, to modernize the wording and the original concept of the OCP.... We were looking at a new way of managing these OCPs across the Trust.
- Perhaps a letter from the LTC would be supportive, on work done in 2022 and a progress update on where this project is.

**GM-2023-016**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee request staff to provide a public communication that reviews to date and future opportunities for input by community members, as well as an outline of the First Nations engagement, to be sent out via email to Gambier residents.

**CARRIED**

Discussion ensued on reaching out to the public using email address lists. People need to subscribe via the website for email updates from Islands Trust. Trustee Stamford noted she had permission to use an up-to-date email list used by community groups on Gambier.

A letter could also be posted to the website regarding opportunities for input. Trustee Stamford indicated she would work with Island Planner Zupanec to develop a letter for posting and distribution.

There was discussion on appointing an advisory planning commission for Gambier Island.

**GM-2023-017**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee request staff to advertise for expressions of interest to residents of Gambier Island to be appointed to an advisory planning commission for the purposes of the Official Community Plan and Land Use Bylaw Targeted Review project.

**CARRIED**

**GM-2023-018**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee endorse the revised Project Charter version 2.0, dated June 16, 2023 for the Official Community Plan and Land Use Bylaw Targeted Review project.

**CARRIED**

**10. CORRESPONDENCE**

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

**10.1 Email correspondence dated April 12 from C. Allevato regarding unauthorized glamping business operation**

Correspondence dated April 12, 2023 from C. Allevato regarding an unauthorized glamping business operation on Gambier Island was received for information.

Bylaw Enforcement Officer Dingman addressed the concern of the sender regarding policy followed by bylaw staff. The concern of the sender was that the owner was continuing with an activity that had not been approved. The owner was given ninety days to comply with the Land Use Bylaw and cease operation or move forward with a planning application to make the operation lawful; this was a longstanding policy that had worked well and was considered a best practice. Other LTCs had adopted a policy where the applicant has to go to the LTC and ask permission to proceed; otherwise they are supposed to cease the use. That addresses unlawful land uses that may be continuing while the application is being processed and put before the LTC.

On a site visit on May 31, the Bylaw Enforcement Officer observed that two tents and two platforms had been put up, and that the impact on the property at that time was minimal.

Points raised by Trustees included:

- Generally bylaw infractions on Keats and Gambier have been around setbacks; this is the first Temporary Use Permit (TUP) this LTC has come across, so the impact on this community would be different. The concern in the correspondence is about an ongoing activity that is not compliant, is continuing, and seems to be expanding. This concern and questions about the operation are also arising within the community. Would like to consider options.
- Am seeing more and more activities not within the bylaw, not just continuing but increasing.
- The correspondence raises a legitimate question at the policy level as to whether to amend the 90-day rule to give bylaw enforcement staff time to address noncompliance issues that might require more urgent attention and require more prompt action, such as situations when there is rapid development in land use that

may be noncompliant, with potential for irrevocable impact on neighbours and land. At the policy level, this deserves close attention and needs to be examined.

- Have staff look at the existing policy and consider what other Local Trust Areas have done, and see if we want to build in the flexibility that we currently do not have.

The Bylaw Enforcement Officer pointed out that it is within Trust Council policy that if there is immediate threat to environment, health and safety that legal action can be taken immediately.

**GM-2023-019**

It was **MOVED** and **SECONDED**

that the Gambier Island Local Trust Committee request staff to review Island Trust policies regarding bylaw infraction stop work options to come back at a future meeting this year.

**CARRIED**

**11. NEW BUSINESS**

**11.1 Freedom of Information Bylaw - request for decision**

Island Planner McCargar gave an overview on the request for decision on the Freedom of Information and Protection of Privacy Bylaw, received from the Director of Legislative Services, dated June 8, 2023.

A Trustee was unclear on the background of this administrative bylaw and requested further information for clarity on what was being decided. Other trustees consented to postponement of advancement of this item at this meeting.

**GM-2023-020**

It was **MOVED** and **SECONDED**

that the Gambier Island Local Trust Committee defer the presentation of the bylaw request for decision and ask staff to make a presentation to the Local Trust Committee for our fall meeting.

**CARRIED**

**12. REPORTS**

**12.1 Trust Conservancy Report – none**

**12.2 Applications Report dated June 13, 2023**

Received for information.

Discussion ensued on introductory information about the planning process that is received by applicants when an application is made. Staff was asked to forward a sample copy of this information to trustees.

**12.3 Trustee and Local Expense Report dated April 2023**

Received for information.

**12.4 Adopted Policies and Standing Resolutions**

Received for information.

**12.5 First Nations Activities**

Activities were outlined in the Electoral Area Directors Report, item 3.3.

**12.6 Local Trust Committee Webpage**

Trustees commented on challenges encountered and questions they received from the public on the use of the Islands Trust website and information accessibility. Chair Luckham urged trustees to forward comments and suggestions for improvements to Trust Area Services Director Frater.

**12.7 Approval of Gambier Island's LTC Section for 2022/23 Annual Report**

**GM-2023-021**

**It was MOVED and SECONDED**

**that the Gambier Island Local Trust Committee approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.**

The Gambier Island Local Trust Committee (GM LTC) held four regular business meetings in the 2022/23 fiscal year, two Community Information Meetings (CIM), two special meetings and one virtual Community Engagement Session.

Work for this period focused on advancing the Gambier Island LTC priorities and key projects, including a targeted review of the Gambier Island Official Community Plan and Land Use Bylaw, and a continuation of the work initiated in 2019 to implement shoreline protection measures as part of the Keats Island Shoreline Protection project.

From April 1, 2022 to March 31, 2023, the Gambier Island LTC received and considered applications for three development variance permits, two development permits, 23 building permit referrals, three Crown lease referrals, and two subdivision referrals.

**CARRIED**

**13. WORK PROGRAM**

**13.1 Active Projects Report dated June 13, 2023**

Received for information.

**13.2 Future Projects Report dated June 13, 2023**

Received for information.

**14. UPCOMING MEETINGS**

**14.1 Community Information Meeting Scheduled for Friday, July 21, 2023 at 1:00pm at Gibsons Public Market, Coastal Room, 473 Gower Point Road, Gibsons, BC**

**14.2 Next Regular Meeting Scheduled for Tuesday, August 29, 2023 at 11:00am at Gambier Island Community Centre**

**15. ADJOURNMENT**

**By general consent** the meeting was adjourned at 2:00pm.

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Peter Luckham, Chair

Certified Correct:

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Diane Corbett, Recorder