



Gambier Island Local Trust Committee

Regular Meeting Revised Agenda

Date: October 10, 2019
Time: 12:00 pm
Location: John Braithwaite Community Centre
145 West 1st Street
North Vancouver, BC

Pages

- | | | | |
|-----|---|---------------------|---------|
| 1. | CALL TO ORDER | 12:00 PM - 12:00 PM | |
| | "Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change." | | |
| 2. | APPROVAL OF AGENDA | | |
| 3. | REPORTS | 12:00 PM - 12:15 PM | |
| 3.1 | Trustee Reports | | |
| 3.2 | Chair's Report | | |
| 3.3 | Electoral Area Director's Report | | |
| 4. | TOWN HALL | 12:15 PM - 12:25 PM | |
| 5. | MINUTES | 12:25 PM - 12:30 PM | |
| 5.1 | Local Trust Committee Meeting dated July 25, 2019 - for adoption | | 4 - 12 |
| 5.2 | Local Trust Committee Special Meeting Minutes dated July 25, 2019 - for adoption | | 13 - 17 |
| 5.3 | Local Trust Committee Public Hearing Record dated July 25, 2019 - for receipt | | 18 - 20 |
| 5.4 | Section 26 Resolutions-Without-Meeting Report dated October 1, 2019 | | 21 - 21 |
| 5.5 | Advisory Planning Commission Minutes - none | | |
| 6. | BUSINESS ARISING FROM MINUTES | 12:30 PM - 12:45 PM | |
| 6.1 | Follow-up Action List dated October 1, 2019 | | 22 - 25 |
| 6.2 | Meeting Participation Guidelines - Memorandum dated June 13, 2019 and suggested changes - for discussion | | 26 - 31 |

7.	APPLICATIONS AND REFERRALS	12:45 PM - 1:30 PM	
7.1	GM-RZ-2019.1 (South Keats Investments Ltd. - 255 Esplanade Rd, Keats Island) - Staff Report		32 - 59
7.2	GM-DVP-2019.3 and GM-DP-2019.1 (McDonnell and Barlow - Andy's Bay Road, Gambier Island) - Staff Report		60 - 95
7.3	GM-BP-2019.18 (Spindrift Properties (Keats) Inc. - 477 and 479 Skyline Road, Keats Island) - Staff Report		96 - 107
8.	LOCAL TRUST COMMITTEE PROJECTS	1:30 PM - 1:40 PM	
8.1	Keats Shoreline Protection Project - verbal report		
	----- BREAK 1:40 PM TO 2:10 PM -----		
9.	DELEGATIONS		
10.	CORRESPONDENCE		
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>		
11.	NEW BUSINESS	2:10 PM - 2:40 PM	
11.1	Climate Change Mitigation and Adaptation		
11.1.1	<u>Climate Change Adaptation and Mitigation Strategies Memorandum</u>		108 - 126
11.2	District of Sechelt - Request for Support for Union of BC Municipalities (UBCM) Community to Community Funding		127 - 132
11.3	<i>Request to Support the Alt'kat7sem/Howe Sound Biosphere Initiative</i>		133 - 139
11.4	2020 Local Trust Committee Meeting Schedule - Memorandum		140 - 141
11.5	Metro Vancouver Regional District Protocol Meeting - for discussion		
12.	REPORTS	2:40 PM - 2:50 PM	
12.1	Trust Conservancy Report - none		
12.2	Applications Report dated October 1, 2019		142 - 145
12.3	Trustee and Local Expense Report dated August, 2019		146 - 146
12.4	Adopted Policies and Standing Resolutions		147 - 148
12.5	First Nations Activities		

12.6 Local Trust Committee Webpage

- 13. WORK PROGRAM** 2:50 PM - 3:10 PM
- 13.1 Top Priorities Report dated October 1, 2019 149 - 149
- 13.2 Projects List Report dated October 1, 2019 150 - 151
- 14. CLOSED MEETING - none**
- 15. UPCOMING MEETINGS**
- 15.1 Next Regular Meeting Scheduled for Thursday, November 21, 2019 at 4:30 pm at
Delbrook Community Centre, Oak Room, 851 West Queens Road, North Vancouver,
BC
- 16. ADJOURNMENT** 3:10 PM - 3:10 PM



Gambier Island Local Trust Committee Minutes of Regular Meeting

Date: July 25, 2019

Location: Keats Camp – Pilot House
Keats Island, BC

Members Present: Sue Ellen Fast, Chair
Kate-Louise Stamford, Local Trustee
Dan Rogers, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
Jaime Dubyna, Planner 1 (by telephone, 11:55 am-12:01 pm)
Diane Corbett, Recorder

Others Present: Members of the Public - 3

1. CALL TO ORDER

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

Chair Fast called the meeting to order at 10:32 am. She acknowledged that the meeting was being held in traditional territory of the Squamish people.

Chair Fast introduced trustees and staff in attendance, and noted that a planner would be joining the meeting by telephone later in the meeting. She encouraged the public to provide input to the elected officials during the Town Hall session.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

11.4 Climate crisis action steps in the Local Trust Area

11.5 Letter of support: expansion of protection for Brigade Reef

GM-2019-027

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee approve the agenda as amended.

CARRIED

3. REPORTS

3.1 Trustee Reports

Trustee Rogers reported on the following items:

- Keats Landing dock was damaged by a barge in June and closed to vehicle traffic; there is no indication as to when the Sunshine Coast Regional District (SCRD) will do the repair.
- The bear has gone from the island; there was no sighting for at least four weeks.
- In the last six weeks, two new docks have been put in in Eastbourne. Three of the docks damaged in winter are being repaired.
- Is working with local contractor and barge operator to remove wrecked vehicles from the island; about eight more are on the list. Hope to complete by early fall.
- Recommended to a few people replacing their wharf not to use Styrofoam. Found a recycling place for Styrofoam in Delta. Trustee Rogers encourages people not to use the blown Styrofoam; it is hard to clean out.
- Trust Council held on Galiano included motions on climate change and reconciliation. There will be a project underway over the next few years to revisit the Trust Policy Statement, which has not been updated since 2002. There will probably be a community outreach process.
- The Executive Committee has charged a small working group of trustees and staff to do some deep learning on reconciliation issues, to enhance understanding and to be able to reach out to the public.

Trustee Stamford reported on the following items:

- Gambier Island Community Fair scheduled for August 3.
- Public hearing for bylaws for streamside protection for Gambier to be held in the evening on this date.
- The conservation officer will come to the island to try to catch a cougar that was reported howling under someone's porch.
- Attended West Howe Sound Advisory Planning Commission meeting by telephone. There has been a regional request to BC Timber Sales (BCTS) for better planning on a regional basis. SCRD would like a land and resource management process. There is recognition that the ad hoc way in which BCTS puts out lots for logging is causing a lot of problems on the Sunshine Coast.
- Attended SCRD Ports Committee. Several docks are in bad shape due to age related issues, and not strong enough to handle vehicle traffic. Number one priority is to get Keats Landing fixed. They have someone able to do it; it is just a question of getting supplies together. Trustee Stamford had advocated for getting another ramp for Keats Landing.
- Islands Trust has appointed a special projects committee to look at the best way to respond to climate change within Islands Trust's authority.

3.2 Chair's Report

Chair Fast reported that Trust Council met in June on Galiano, where climate emergency and First Nations reconciliation declaration were key topics. Islands Trust is looking at changes towards online meetings, trying to move to reduce emissions and costs. Recently an update of the office space in Victoria was done that includes a technologically ready bigger board room to host meetings. Islands Trust will also be looking at webinars for public participation.

3.3 Trust Conservancy Report dated May, 2019

Trustee Stamford reported on the following:

- Islands Trust Conservancy (ITC) held a joint meeting with the Executive Committee two weeks earlier. There will be research conducted on fire protection for conservation areas. There was discussion about how ITC can work more actively with climate change emergency responses.
- The Fund Development Advisory Committee will be looking at planned giving and major gifts.
- ITC are looking at hiring a new manager.

Trustee Rogers remarked that the Islands Trust Conservancy has been successful at conserving properties across the Trust Area. Sandy Beach will have a conservancy covenant coming through ITC. If people on the island want to work with the Conservancy regarding protecting part of the island, there has to be an organized group prepared to be active and work with the Conservancy. ITC has resources and knowledge, but will not be leading the conservation effort. Property owners can preserve land through NAPTEP (Natural Area Protection Tax Exemption Program).

Trustee Stamford noted that the Ocean Watch Task Force would meet the following day. Marine debris continues to come up as a topic of discussion. Trustee Stamford had invited a government representative to attend the meeting to hear what it is like in Howe Sound, and discuss how to get rid of the debris. The clean-up days for the islands will not accept Styrofoam.

Chair Fast pointed out that Sechelt First Nation has good guidelines for Styrofoam in docks.

3.4 Electoral Area Director's Report

3.4.1 Sunshine Coast Regional District Protocol Meeting - for discussion

Chair Fast moved item 3.4 to after item 6.2.

4. TOWN HALL

An individual requested clarification as to whether the conservation land beside a wetland increased in its value because there is a wetland next to it, to which Trustee Stamford provided an explanation of this item that recently was in the news.

Trustee Rogers responded to a question about bears on the island.

An individual inquired how Islands Trust interacts with BC Parks, relating the question to the water part of the park around Plumper Cove. In that area there are a number of issues, including dumping and people mooring there permanently, which also affects eelgrass issues or other types of issues. The questioner noted there are competing water leases.

Trustee Rogers explained that Islands Trust is not asked for input on the way BC Parks operates. The Province takes the view that it has control and Islands Trust does not have regulatory power over the park. He perceived the relationship with BC Parks as being an advocacy one, and advised the questioner of his willingness to work to try to find ways to advocate.

The Island Planner noted Islands Trust has contact with BC Parks contractors that do the work, like security, waste management, etc., and directs comments to them. There would be a

contractor that has that park under their purview. There is potential to influence service contracts regarding users, use, environment and adjacent land users.

Trustee Stamford advised that at the Ocean Watch Task Force meeting, a representative would be present from BC Parks, whom she would ask these questions of and start building that relationship.

The Island Planner pointed out that all the marine areas are regulated. It is necessary to fill out a formal bylaw enforcement complaint for things breaching the land use bylaw; an investigation would determine if it is not a permitted use, in which case a file would be activated.

Kim Benson, Keats Island, explained that Keats is 1500 acres, 94% private lands, so properties for parks are very limited. Only about three more lots can be subdivided. Keats Island is a third bigger than Stanley Park. Keats camp is 93 years old. It is the largest single visitor accommodation facility in the Local Trust Area. Keats is a water access only island; aging ports are very important to Keats islanders. Ms. Benson discussed the historical presence of animals on the island, the removal of derelict vehicles, and commented on the use of electronic meetings, noting that public accessibility is important. She discussed a recent water issue at Keats Camp and pointed out the reduced water levels this summer, highlighting the vulnerability of the aquifer on the island.

Chair Fast reported that saltwater intrusion mapping would be done through the whole Islands Trust area, including Howe Sound; there may be information regarding vulnerabilities.

An individual encouraged face-to-face participation for meetings (as compared to virtual meetings), and encouraged the LTC to meet when other people who aren't retired can attend, whether evenings or weekends.

5. MINUTES

5.1 Local Trust Committee Meeting dated June 13, 2019

The following amendments to the June 13, 2019 minutes were presented for consideration:

- Page 1, item 3.1, bullet 2: delete last sentence
- Page 2, item 3.3, paragraph 2: should read "Association of Canadian Land Trusts"
- Page 3, item 4.2, paragraph 3: replace "It was discovered in 2017 that the" with "It was recognized that the provincially mandated"
- Page 3, item 4.2, paragraph 3, sentence 2: insert "all" before "riparian"
- Page 4, item 4.2, paragraph 1: add to the end of sentence 1 "for a complex subdivision"; and replace sentence 2 with "The goal is to minimize or eliminate negative impacts on watercourses from development."
- Page 5, item 4.2, paragraph 7: replace "streamside" with "riparian area"

GM-2019-028

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

that the Gambier Island Local Trust Committee Minutes of June 13, 2019 be adopted as amended.

CARRIED

5.2 Section 26 Resolutions-Without-Meeting Report dated July 17, 2019

Received.

5.3 Advisory Planning Commission Minutes – none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated July 17, 2019

Received.

6.2 Meeting Procedures Regarding Public Input – update for discussion

Chair Fast will bring points from discussion back to the next meeting.

(Moved from after 3.3:)

3.4 Electoral Area Director's Report

3.4.1 Sunshine Coast Regional District Protocol Meeting - for discussion

GM-2019-029

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to arrange a protocol meeting with the Sunshine Coast Regional District at the earliest opportunity.

CARRIED

7. APPLICATIONS AND REFERRALS – none

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Keats Shoreline Protection Project - verbal update

Planner Dubyna gave an overview of the recent virtual meeting of the Keats Shoreline Protection Project working group, which included staff and Trustee Rogers, where introductions were conducted, and an overview of the Islands Trust and the history of land use planning on Keats Island and the project were discussed. Staff is currently organizing a boat trip around the island as well as a working group meeting on August 15.

Trustee Rogers invited the other trustees to attend as observers. He noted everyone on the committee lives on the waterfront.

9. DELEGATIONS – none

10. CORRESPONDENCE

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

11. NEW BUSINESS

11.1 Board of Variance Appointments

A memorandum was received from the Regional Planning Manager regarding Board of Variance appointments.

GM-2019-030

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee appoint Jack Woodward, Laurie Jackson and Sheila Ray to the Board of Variance for the Gambier Island Local Trust Area for a three-year term effective July 27, 2019.

CARRIED

11.2 Model Cell Tower Consultation Process

Trustees discussed the briefing from the Director, Local Planning Services, on Model Radio Antenna Strategy.

Trustee Rogers noted Keats local bylaws prohibit radio antennas on Keats Island, where cell service is received from Bowen Island and Gibsons and coverage is intermittent. Gambier also accesses connection through external services.

It was noted that adoption of the strategy would leave a public consultation in place if an application were received.

GM-2019-031

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee adopt the model strategy for antenna systems.

CARRIED

11.3 Resolution Only Minutes – for discussion

Following upon a meeting of the Executive Committee the previous day, Chair Fast commented on a presentation from the Islands Trust legislative specialist about Islands Trust principles, policies and guidelines around minutes. Chair Fast pointed out how much staff time it takes to review the minutes, and wondered what trustees thought about resolution only minutes, omitting summaries of discussion and debate. Would it save staff time? Would it save time in meetings? How would we know if it were better?

Points from ensuing discussion, which included input from the public, included:

- Do not like resolution only; minutes should also reflect enough of what has occurred so someone who has not attended has a level of indication of what the debate was and what ideas were considered, an accurate reflection.
- Resolution only means nothing. Have a sense of why decisions were made.
- It is important to have a record to know what the discussion was.
- Not a fan of resolution only. Have a contextual basis for what happened, for the historic record. When people go back to the minutes, they get a context of what happened.

Chair Fast, not hearing support from trustees, suggested revisiting this topic when Islands Trust gets to the point of recording meetings. She thanked trustees for their frank comments.

Chair Fast called for a recess at 12:25 pm and recalled the meeting to order at 12:55 pm.

11.4 Climate Crisis Action Steps in the Local Trust Area

Trustee Rogers referred to a discussion at Trust Council regarding a report from the Director, Local Planning Services, that identified what the various Local Trust Committees were and were not doing to address the climate crisis, and that included items from Official Community Plans (OCP) that had been committed to.

The Director had noted that Keats and Gambier have objectives for reducing greenhouse gas emissions (GHGs), but do not have a way to measure that. The LTC have committed to reduce GHGs by a third by 2020, one of a series of actions that had not been taken since being put in the OCP.

Trustee Rogers suggested the LTC should have a project that involves work on some of these items, and take leadership. There are some specific tools that the LTC had not yet utilized around land use planning that would be useful. The trustee suggested having this as a standing item on the agenda so the LTC could talk about it at every meeting.

Trustee Stamford commented on the OCP, noting that there was a lot of community support for protecting forest resources, a common denominator throughout the OCP. This would be an area that could be worked on more actively.

Trustee Rogers noted Keats has a fairly low footprint, partly from necessity. People do not tend to build out because it is difficult. He did not feel the LTC had done enough to respond to the climate issue.

Trustee Stamford concurred that islanders are lower carbon footprint out of sheer necessity, and are doing a great job.

GM-2019-032

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee add "Climate change mitigation and adaptation" as a standing item on agendas.

CARRIED

GM-2019-033

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to address and make recommendations on climate change adaptation and mitigation in any report on a project or application.

CARRIED

11.5 Letter of Support: Expansion of Protection for Brigade Reef

Trustee Stamford discussed a request that the Local Trust Committee provide a letter of support for a Brigade Bay property owners' initiative to include Brigade Reef in an extension of the Pam Rocks Rockfish Conservation Area, to help protect the declining rockfish population in Howe Sound/Atl'ka7tsem. Discussion ensued.

Trustee Stamford will draft a letter to forward to the Local Trust Committee members, to be discussed online, for consideration for a Resolution-Without-Meeting.

12. REPORTS

12.1 Applications Report dated July 17, 2019

Received.

12.2 Trustee and Local Expense Report dated May, 2019

Received.

12.3 Adopted Policies and Standing Resolutions

Received.

12.4 First Nations Activities

12.4.1 Squamish Nation Support for the At'l'ka7tsem Biosphere Initiative - for discussion

Trustee Stamford reported the Howe Sound Regional Biosphere Initiative had received verbal confirmation from Squamish First Nation that they were looking into more support for the Biosphere Initiative. To facilitate trust-wide support for the initiative, the trustee had suggested that Ms. Simons bring this to Trust Council on Bowen Island. The initiative application is scheduled for submission at the end of October.

Trustee Rogers will follow up with the Executive Committee and the First Nations Advisor about rescheduling the protocol meeting between the Local Trust Committee and the Squamish Nation.

12.5 Local Trust Committee Webpage

None.

Chair Fast advised trustees that she was keeping a file on LTC web pages, and would be interested in trustee thoughts on the website, what they would like to see, what would be helpful to the community, and what changes are needed with the upcoming website redesign.

13. WORK PROGRAM

13.1 Top Priorities Report dated July 17, 2019

Received.

13.2 Projects List Report dated July 17, 2019

Received.

14. UPCOMING MEETINGS

- 14.1 Special Meeting - Thursday, July 25, 2019 at 7:00 pm at the Gambier Island Community Centre, Andy's Bay Road, Gambier Island, BC regarding Gambier Island Riparian Areas Regulation**
- 14.2 PUBLIC HEARING -Thursday, July 25, 2019 at 7:30 pm at the Gambier Island Community Centre, Andy's Bay Road, Gambier Island, BC - Proposed Bylaw Nos. 148 and 149**
- 14.3 Next Regular Meeting - Thursday, October 10, 2019 at 10:30 am at John Braithwaite Community Centre, Harbourview Room, 145 West 1st Street, North Vancouver, BC**

A member of the public advocated holding LTC meetings in the evening or on weekends, to encourage public attendance at meetings.

GM-2019-034

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to explore moving the November 21 meeting to a late afternoon-early evening meeting to be held in North Vancouver, and that staff explore attending electronically.

CARRIED

15. ADJOURNMENT

By general consent the meeting was adjourned at 2:05 pm.

Sue Ellen Fast, Chair

Certified Correct:

Diane Corbett, Recorder



Gambier Island Local Trust Committee Minutes of Special Meeting

Date: July 25, 2019
Location: Gambier Island Community Centre
 Andy's Bay Road, Gambier Island, BC

Members Present: Sue Ellen Fast, Chair
 Dan Rogers, Local Trustee
 Kate-Louise Stamford, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
 Diane Corbett, Recorder

Others Present: Members of the Public – 8

1. CALL TO ORDER

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

Chair Fast called the meeting to order at 7:04 pm. She acknowledged that the meeting was being held in territory of the Squamish people. Chair Fast introduced the Island Planner, Local Trustees and Recorder.

Trustee Stamford thanked the members of the public for attending and explained rationale for the proposed bylaws to protect the island water sources.

Chair Fast invited members of the public to express their views on the proposed bylaws at the public hearing that would ensue part way through the current meeting, and pointed out related documents available by the room entrance.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. PLANNER PRESENTATION – Gambier Island Riparian Area Regulations Project

3.1 Proposed Bylaw Nos. 148 and 149

The Island Planner announced that there would be a brief summary of the proposed bylaws. There had been two community information meetings previously; slides had been posted to the website for several months. Bylaw No. 148 would amend the Gambier OCP; Bylaw No. 149 would amend the land use bylaw.

The Island Planner identified issues that would be addressed by the proposed bylaws:

- There are no guidelines for development within 30 metres of a non-RAR (Riparian Areas Regulation) watercourse to give a level of protection for those streams. A

solution is to introduce specific guidelines for those watercourses that are not under RAR but still worth protecting.

- There have been no guidelines directing those lots with freshwater streams regarding a good subdivision layout respecting the riparian areas. The proposed land use bylaw subdivision guidelines direct that development cannot intersect within 30 metres of the high water mark of a stream. A development permit may designate areas that must remain free of development in accordance with recommendations in a detailed assessment prepared by a Qualified Environmental Professional (QEP). No subdivision plan should be designed in such a way that development, including roads, driveways, and utility corridors, would take place within 30 metres of a stream unless supported by a detailed assessment report.
- There is no methodology to determine whether a watercourse is subject to RAR. The proposed bylaws include a requirement for a QEP to make the determination.

The development permit applies to the whole island; there are unmapped streams that need to be captured for this.

The Island Planner described the process of application, review and approval for a development permit. Examples of QEP recommendations were given, such as: no build or restricted development for areas with environmental sensitivities or functions that could be adversely impacted; invasive species removal; fencing to protect the 30-metre setback; species at risk protection; tree protection/removal; address wind throw issues; address potential drainage, driveway access, or septic location.

In summary: development outside the 30-metre setback is okay; within the 30-metre setback, a development permit is required; within 15 metres, a development permit or development variance permit is required.

For next steps, the Local Trust Committee could consider second and third reading after the close of the public hearing.

The Island Planner noted one minor change to proposed Bylaw No. 149, to be considered by the LTC after the close of the public hearing, based on the referral to Islands Trust Conservancy: to remove the word “private” from the proposed exemption “...the construction of a private trail if all of the following apply” (Section 9.3(3)(l)).

Chair Fast thanked the Island Planner for the presentation and inquired of the public if there were any questions. (*Questions itemized by bullet points.*)

- As some developments have occurred, not just streams have been impacted but also wet areas. Should this be broadened to include marshes, for example? Some marshes have been lost.

The Island Planner referred to the definitions section in Bylaw No. 149.

- Would the Ministry of Transportation and Infrastructure be able to overrule at the time of a subdivision application?

The Island Planner explained that the proposed bylaws would change the current process. Right now the owner just has to meet the minimum lot size and requirements of the Ministry. There is nothing to help Islands Trust staff evaluate the subdivision layout with respect to freshwater features. With the proposed guidelines, a Qualified

Environmental Professional would survey and map watercourses and provide recommendations to say what is significant or needs to be protected, or how to mitigate impacts.

- If there is an infraction what do we do?

The same process applies with any land use bylaw infraction. If there is a complaint made, it is one way for staff to get information. An investigation is made; if the bylaw enforcement officer decides it is an infraction of the land use bylaw, a file is opened that may involve legal action or fines. Another way staff obtains information is in an application. With a development permit, if a site visit is conducted, staff might be aware of the infraction. Islands Trust staff often work in cooperation with Sunshine Coast Regional District building inspectors. There are a few different avenues where information is brought forward to the bylaw enforcement team.

If damage has been done, then a QEP has to figure out how to mitigate the damage.

- If there is some sort of plan where there are roads that have not been developed or may not be possible to develop, or if there is already a road on that plan, does that trump this?

The Island Planner explained that you have a public right to access road designations that have been approved. Trail construction, if it meets new guidelines, is acceptable, but for road construction MOTI is responsible for that. Development has to be consistent with any Provincial regulations for any fish supporting streams; you cannot build roads and ignore RAR regulations. What is different is now we have non-fish bearing streams; the Province is not obligated to apply. It would only be for new subdivisions; then the Province would be made aware. For historic circumstances, the Province will not be adhering to guidelines for non-fish supporting streams, but would for fish bearing.

- Will you be adding the streams to that map as time goes on?

There is a project intended to review the Gambier Island Official Community Plan; better mapping might be a part of the OCP review, but not as part of these two bylaws.

The Island Planner described the riparian identification form to be submitted by owners for development applications in or near water features.

Chair Fast recommended the digital mapping program MapIt that can be accessed through the Islands Trust website.

The Local Trust Committee moved to public hearing at 7:35 pm.

4. PUBLIC HEARING - PROPOSED BYLAW NOS. 148 (OCP) AND 149 (LUB)

The Special Meeting reconvened at 7:49 pm.

5. PROPOSED BYLAW NOS. 148 AND 149 - for Consideration of Second and Third Readings

The Islands Planner recommended a minor correction to the citation of Bylaw No. 148, and one amendment to be considered before second reading to proposed Bylaw No. 149, based on the

referral to Islands Trust Conservancy: to remove the word “private” from the proposed exemption “...the construction of a private trail if all of the following apply” (Section 9.3(3)(l)).

Trustee Rogers noted the Agricultural Land Commission (ALC) asked for a specific reference in the bylaw that ALR land is excluded from the regulations, and inquired of staff as to their response.

The Island Planner explained that, where agricultural land is very prevalent, there may be the inclusion of an information note. On Gambier, there is such a small percentage of land in the ALR that this is not necessary.

GM-2019-035

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee that Bylaw No. 148, cited as “Gambier Island Official Community Plan, Bylaw No. 73, 2001, Amendment No. 1, 2018” be amended by correcting Section 1. Citation to read “Gambier Island OCP, 2001, Amendment No. 1, 2018”.

CARRIED

GM-2019-036

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee that Bylaw No. 149 cited as “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2018” be amended by removing the word “private” from section 9.3 (3)(l) so that it reads “The construction of a trail if all of the following apply:”.

CARRIED

Trustees noted their support for the proposed bylaws:

- This is an important step forward, a broader protection. Gambier is a particularly difficult place to regulate, and has very complicated topography.
- Protecting these areas is crucial to providing carbon sinks.
- This step is bringing us into line with the SCRD, which already has regulations in place providing protection of wetlands.
- It is encouraging to be able to make the steps towards protecting what we already have.
- The important part is that new subdivisions will be part of this.
- Support for anything that supports the Islands Trust mandate “to preserve and protect”.

GM-2019-037

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee that Bylaw No. 148, cited as “Gambier Island Official Community Plan, 2001, Amendment No. 1, 2018” be given second reading, as amended.

CARRIED

GM-2019-038

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee that Bylaw No. 148, cited as “Gambier Island Official Community Plan, 2001, Amendment No. 1, 2018” be given third reading.

CARRIED

GM-2019-039

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee that Bylaw No. 148, cited as “Gambier Island Official Community Plan, 2001, Amendment No. 1, 2018” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

GM-2019-040

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee that Bylaw No. 149 cited as “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2018” be given second reading, as amended.

CARRIED

GM-2019-041

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee that Bylaw No. 149 cited as “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2018” be given third reading.

CARRIED

GM-2019-042

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee that Bylaw No. 149 cited as “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2018” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

The Chair advised that the Local Trust Committee could not receive further input about the bylaws, but the public could talk to staff. Chair Fast thanked the public for their participation.

6. ADJOURNMENT

By general consent the meeting was adjourned at 8:03 pm.

Sue Ellen Fast, Chair

Certified Correct:

Diane Corbett, Recorder



**Gambier Island
Local Trust Committee
Public Hearing Record**

**REGARDING PROPOSED BYLAW NO. 148 (GAMBIER ISLAND OFFICIAL COMMUNITY PLAN) CITED AS
“GAMBIER ISLAND OFFICIAL COMMUNITY PLAN, BYLAW NO.73, 2001, AMENDMENT NO. 1, 2018”**

AND

**PROPOSED BYLAW NO. 149 (GAMBIER ISLAND LAND USE BYLAW) CITED AS “GAMBIER ISLAND LAND
USE BYLAW, 2004, AMENDMENT NO. 1, 2018”**

Date: July 25, 2019
Time: 7:30 pm
Location: Gambier Island Community Centre
Andy’s Road, Gambier Island, BC

Members Present: Sue Ellen Fast, Chair
Dan Rogers, Local Trustee
Kate-Louise Stamford, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
Diane Corbett, Recorder

Others Present: Eight (8) members of the public were in attendance.

1. CALL TO ORDER

Chair Fast called the meeting to order at 7:35 pm. She acknowledged that the meeting was being held in the territory of the Coast Salish First Nations, welcomed the public, and introduced Trustees, Staff and Recorder.

2. PROPOSED BYLAW NOS. 148 (OCP) AND 149 (LUB)

Chair Fast read aloud from a prepared statement that explained that the Public Hearing was being convened pursuant to Section 465 of the *Local Government Act* in order to consider:

- Proposed Bylaw 148 cited as “Gambier Island Official Community Plan, Bylaw No.73, 2001, Amendment No. 1, 2018”; and
- Proposed Bylaw 149 cited as “Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2018”.

Chair Fast outlined the process pertaining to the conduct of the public hearing, and noted that documents received by the Local Trust Committee in consideration of the proposed bylaws were available for review on a table at the side of the room. Written submissions would be received by the Local Trust Committee prior to the close of the hearing; no further submissions to the Local Trust Committee could be received after the close of the hearing.

Chair Fast introduced Island Planner Zupanec to summarize the public hearing notice, key points of the bylaw and referral agency responses.

The Island Planner announced that a copy of the public hearing notice was advertised in two consecutive editions of the **COAST REPORTER** on **July 12, 2019** and **July 19, 2019**. All notification requirements under the *Local Government Act* had been completed.

The purpose of Proposed Bylaw No. 148, if adopted, is to amend the Gambier Island Official Community Plan Bylaw No. 73, 2001 to:

- include language that justifies protection of watercourses and wetlands on Gambier Island that are not classified as fish bearing streams under the provincial Riparian Areas Regulation (RAR);
- address technical issues with the existing Development Permit Area (DPA) No. 3 – Riparian Areas; and
- amend the development approval information section to require a Qualified Environmental Professional (QEP) report when development is proposed adjacent to “non-RAR” watercourses and wetlands.

The purpose of Proposed Bylaw No. 149, if adopted, is to amend the Gambier Island Land Use Bylaw No 86, 2004 DPA 3 – Riparian Areas to:

- include guidelines for development proposed near “non-RAR” watercourses and wetlands;
- include guidelines for subdivision design that are sensitive to riparian areas;
- address technical issues with the existing DPA; and
- require a DPA for a broader range of proposed development types (beyond only residential, commercial, and industrial development).

The Proposed Bylaws were referred to: **5** Provincial Agencies, **1** Municipality, **1** Regional District, **2** Non Agencies, **1** School District and **3** First Nations. The following comments and responses were received by the Local Trust Committee:

- Sunshine Coast Regional District – interests unaffected;
- Ministry of Transportation and Infrastructure – interests unaffected;
- Agricultural Land Commission – reminder that for land within the Agricultural Land Reserve, the *Agricultural Land Commission Act* trumps regulations pertaining to the *Riparian Areas Regulation*; and
- Four (4) pieces of public correspondence were received as of July 24, 2019.

3. PUBLIC COMMENTS

Chair Fast invited members of the public who wished to speak to raise their hand and state their name prior to commenting. She noted she would call three times for speakers before closing the hearing, at which point no further written or oral submissions could be made.

Camilla Barry announced she had no ethical objection to the bylaws, and thought they were necessary. Believed there would be a lot challenges with compliance and enforcement. It is frustrating when government bodies do not follow the same guidelines.

Public Hearing Record
Received for Information
By Local Trust Committee

Joley Switzer reiterated the frustration with enforcement and the hierarchy with jurisdictions. Water is so important with climate change and droughts. This is really important. Frustrated with what trumps what, hierarchical issues.

Chair Fast asked if there were any more speakers.

Mike Stamford applauded this move, noting that finally the amphibians were getting help from the regulations. Finally we are getting some regulations around these highly bio-diverse areas, which are especially important on the islands.

Chair Fast asked if there were any more speakers.

Chair Fast asked again if there were any more speakers.

Chair Fast asked a third time if there were any more speakers.

Hearing none, the Chair closed the Public Hearing and noted that no additional submissions pertaining to the proposed bylaws would be accepted by the Local Trust Committee.

Chair Fast announced that the Local Trust Committee would reconvene in Special Meeting.

4. ADJOURNMENT

By general consent the Public Hearing was adjourned at 7:49 pm.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS
RESPECTING THE MEETING HELD:

Diane Corbett, Recorder



Islands Trust

Print Date: October 1, 2019

Gambier Island

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2019-04	In Favour	"THAT Gambier Island Local Trust Committee Bylaw No. 151 cited as "Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 116, 2011, Amendment No. 1, 2019", be adopted."	30-Jul-2019
2019-05	In Favour	"THAT the Gambier Island Local Trust Committee forward Bylaw No. 148, cited as "Gambier Island Official Community Plan, 2001, Amendment No. 1, 2018" to the Minister of Municipal Affairs and Housing for approval. "	02-Aug-2019

Follow Up Action Report

Gambier Island

27-Apr-2017

Activity	Responsibility	Dates	Status
1 Staff to prepare written communication materials for distribution to Gambier Island residents regarding the adoption of Bylaws 140 and 141. Update: pending DPA 3 minor amendments	Sonja Zupanec	Target: 31-Aug-2017	In Progress

19-Apr-2018

Activity	Responsibility	Dates	Status
1 LTC requests staff to coordinate a meeting with Trustees and MOTI Sechelt branch staff.	Sonja Zupanec Wil Cottingham		In Progress

28-Jun-2018

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



Follow Up Action Report

Gambier Island

13-Dec-2018

Activity	Responsibility	Dates	Status
1 Bring forward a revised project charter for the Gambier OCP review to address LTC request (Dec 2018) to take projects on the projects list related to Gambier and add to OCP review project - including review of shipping container regulations; DAI for Gambier; review of water zones and recreational/institution zones. As these are part of a comprehensive LUB review, the current OCP project charter does not include a LUB review and would need to be expanded.	Sonja Zupanec		In Progress

31-Jan-2019

Activity	Responsibility	Dates	Status
1 LTC request staff to coordinate a meeting with Metro Vancouver staff and Area A Elected Officials. <i>Contacted Metro Vancouver and asked to schedule meeting after by-election for Electoral Area A Director. Meeting delayed until new CAO at Metro Van comes on board November 1. Will reconnect with Metro Van at that time.</i>	Sonja Zupanec Wil Cottingham		In Progress

25-Jul-2019

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Gambier Island

25-Jul-2019

Activity	Responsibility	Dates	Status
1 LTC requests staff to explore the options for moving the November 21st LTC meeting to late afternoon/early evening to facilitate public participation in North Vancouver and that staff have the ability to attend electronically (video). Dave Beeston - Please put in a web helpdesk request for this activity as we track our work actions with that process... Dave	David Beeston Wil Cottingham		Completed
2 LTC appointed BOV members as presented and BOV advised.	Becky McErlean Penny Hawley		Completed
3 Staff to coordinate a protocol meeting with the SCRD at the earliest opportunity. <i>Tentative meeting booked Nov 19 from 1-3 in Sechelt office. Awaiting confirmation of attendees from SCRD.</i>	Sonja Zupanec Wil Cottingham		In Progress
4 LTC adopted model strategy for antenna systems - post to web for Gambier.	Sonja Zupanec		In Progress
5 Staff to include 'Climate Change Mitigation and Adaptation' as a standing item under NEW BUSINESS for all future GM LTC agendas.	Becky McErlean		Completed

Follow Up Action Report

Gambier Island

25-Jul-2019

Activity	Responsibility	Dates	Status
6 GM LTC requests northern office planners to address and make recommendations about climate change mitigation and adaptation on all GM staff reports, projects and applications wherever possible.	Sonja Zupanec		In Progress
7 GM RAR Bylaws 148 and 149 amended and given 2nd and 3rd readings; forward to EC for approval.	Becky McErlean Sonja Zupanec		Completed



DATE OF MEETING: June 13, 2019
TO: Gambier Island Local Trust Committee
FROM: Sue Ellen Fast, Chair
SUBJECT: Meeting Procedures Regarding Public Input

RECOMMENDATIONS:

1. That the Gambier Island Local Trust Committee endorse the Guidelines for Public Participation during Local Trust Committee Meetings as attached to the memorandum from Chair Sue Ellen Fast received June 13, 2019.
2. That the Gambier Island Local Trust Committee request that staff include the Guidelines for Public Participation during Local Trust Committee Meetings on the local trust committee webpage.
3. That the Gambier Island Local Trust Committee request staff to prepare a draft Meeting Procedures Bylaw, which incorporates the Guidelines for Public Participation during Local Trust Committee Meetings for consideration at a subsequent meeting.

PURPOSE

The Gambier Island Local Trust Committee (LTC) is asked to consider the attached Guidelines for Public Participation during Local Trust Committee Meetings, endorse the guidelines as presented or amended, and request staff to post the guidelines on the LTC website and prepare a draft meeting procedures bylaw.

The purpose of the guidelines is to:

- Invite public participation in LTC meetings in a constructive and respectful manner;
- Effectively manage public input received through correspondence, delegations, applicant speaking opportunities and Town Hall sessions;
- Ensure LTC meetings are run efficiently, preserving time for delegations who wish to present new ideas or information that is not otherwise being considered by the LTC (in a project or application) and adhering to the prescribed time allotment for agenda items; and
- To provide guidance to an updated LTC Meeting Procedures Bylaw.

BACKGROUND

As a new LTC chair, I have been approving agendas and running meetings while asking questions and searching the website for information about who can appear as a delegation, when an applicant can speak, and also trying to invite meaningful participation and answer questions from citizens. While guidelines for managing public participation do exist for Islands Trust Council (see <http://www.islandstrust.bc.ca/trust-council/council-meetings/talk-to-council/>), clear and consistent guidelines for public participation in LTC meetings do not exist.

Islands Trust Council Guidelines

The meeting procedures for Trust Council, Committees and Executive Committee (EC) are found in Trust Council Bylaw No. 101: <http://www.islandstrust.bc.ca/media/341860/bylaw101meetingprocedures.pdf>. Bylaw No. 101 includes the following:

Notice to Secretary of Petitions and Delegations

- 5.8 *A person who wishes to present a petition to, or a delegation who wants to appear before Council at a regular meeting of Council shall, at least three weeks prior to the meeting, deliver the request in writing to the Secretary. The request shall include the name of each petitioner with his or her residential address and the subject of the petition or delegation.*
- 5.9 *At the discretion of the Executive Committee, the petitioner or delegation may be given a space on the agenda.*
- 5.10 *No petition may be presented to, nor delegation appear before Trust Council unless Section 5.8 and 5.9 has been complied with unless otherwise agreed to by resolution of the Executive Committee before the meeting or of Trust Council at the meeting.*

Correspondence

- 5.11 *Anyone who wishes correspondence to be considered at a meeting of Council shall, at least three weeks prior to the meeting, deliver the correspondence to the Secretary. At the discretion of the Executive Committee, the correspondence shall be attached to the agenda or where it deems it appropriate, the correspondence shall be identified on the agenda and copies made available to Trustees who request it at the meeting.*

Time Allowed for Petitions and Delegations

- 5.12 *The maximum time for presentation of a petition or appearance of a delegation before Council is ten (10) minutes unless otherwise approved by resolution of the Executive Committee before the meeting or by resolution of Trust Council at the meeting.*

PROPOSED GUIDELINES FOR PUBLIC PARTICIPATION DURING LOCAL TRUST COMMITTEE MEETINGS

The proposed guidelines for public participation during LTC meetings are attached. They suggest that delegations request to appear and provide any supporting presentation materials at least two weeks before an LTC meeting (Trust Council requires delegations to make their requests 3 weeks in advance but many LTC meetings are only 4 weeks apart). The Applicants section is new and not adapted from text found in Bylaw No. 101 or in any other Islands Trust policies or bylaws or webpages I have looked at so far. I understand that applicants have a common law right to be heard when their applications are being considered for decision on an LTC agenda.

Financial Implications

Staff time may be reduced by clarifying expectations regarding when materials for delegations are to be submitted in advance, so that the need to retroactively add materials to already published agendas is reduced.

Climate Implications

By providing the invitation for applicants to participate remotely through electronic means, GHG emissions may be reduced.

ALTERNATIVES

1. Endorse amended or different guidelines for public participation, for inclusion on the LTC website and to guide preparation of a new Meeting Procedures Bylaw.
2. Receive for information

To extend the invitation to participate in LTC meetings, in the interest of administrative fairness, to clarify expectations, to preserve delegation time for new ideas, suggestions, issues and citizens that may be new to the LTC or for other updates and perspectives to enrich the LTC's discussions, and to generally facilitate productive meetings that democracy would be proud of, I submit this proposed text.

Respectfully,



Sue Ellen Fast, Chair
Local Trust Committee

ATTACHMENTS

1. Guidelines for Public Participation during Local Trust Committee Meetings
2. Meeting Procedures Bylaw

GUIDELINES FOR PUBLIC PARTICIPATION DURING LOCAL TRUST COMMITTEE MEETINGS (DRAFT)

How to Share Your Ideas with the Gambier Island Local Trust Committee

Town Hall

This is an opportunity for public comments typically offered during each LTC meeting. The Town Hall is a chance for members of the public to inform trustees about topics relevant to the local trust area. While no advance notice is required to speak at a town hall session, the time available will vary, depending on the number of citizens who wish to speak during the 10 minute session. The LTC will make every effort to hear all members of the public during the Town Hall but reserves the right to limit Town Hall submissions.

Organizations and individuals who have submitted an application to the Islands Trust should not speak during Town Hall. They are welcome to speak when their applications are presented to the LTC for a decision; see below.

Delegations

At least two (2) weeks prior to the local trust committee (LTC) meeting, send a request to northinfo@islandstrust.bc.ca including the name and address of the presenter(s), the subject of the delegation and any materials or documents to be presented. It is important to note that the purpose of a delegation is to present new ideas or information that is not otherwise being considered by the LTC (in a project or application). The LTC does not typically make decisions on delegation requests at the same meeting, although they may choose to request staff to report back with further information.

Delegations have up to 10 minutes to speak to the LTC unless additional time is permitted by LTC resolution. To ensure necessary business is completed, the LTC reserves the right to limit the number of delegations it receives at any one meeting.

Organizations and individuals who have submitted an application to the Islands Trust do not appear as a delegation. They are welcome to speak when their applications are presented to the LTC for a decision; see below.

Correspondence

Correspondence may be submitted to the LTC at any time by email to northinfo@islandstrust.bc.ca.

If a member of the public or an organization wishes to have their correspondence included in an LTC agenda package, this request must be received at least two (2) weeks prior to the LTC meeting (either in person, by mail or by email to northinfo@islandstrust.bc.ca).

Correspondence included in an LTC agenda package should pertain to issues which are not otherwise being considered in LTC projects or applications. Organizations and individuals who have submitted an application to the Islands Trust should direct correspondence to the staff assigned to their application.

Correspondence regarding LTC projects or complex applications is typically posted to the LTC website.

Anonymous correspondence will not be accepted.

Applicants

Applicants should communicate with Islands Trust staff regarding application requirements and the application process. Contact staff via northinfo@islandstrust.bc.ca or visit <http://www.islandstrust.bc.ca/islands/land-use-planning/application-guides-forms/> for further information.

When an application comes before the LTC for a decision, staff will present a report and recommendations to the LTC. The applicant may then speak, for up to 5 minutes, in order to indicate their concurrence with the report and recommendations or to advise the LTC of any errors or omissions. After the LTC makes a decision, the applicant may ask questions for clarification of the LTC's decision or direction to staff.

Applicants are permitted to participate electronically in meetings.

Applicants should communicate with Islands Trust staff in advance of the LTC meeting if they are concerned with staff recommendations or if they are aware of any errors or omissions in the staff report.

Please note, the LTC is under no obligation to accept delegations, town hall comments, correspondence, or other submissions that are deemed defamatory or offensive in nature.

FOR PUBLIC PARTICIPATION DURING LOCAL TRUST COMMITTEE MEETINGS (DRAFT)

How to Share Your Ideas with the Gambier Island Local Trust Committee

We ask that communication during Local Trust Committee meetings be polite and respectful. Meeting attendees should refrain from interrupting, insulting, or verbally abusing anyone in attendance including Local Trust Committee members, staff, presenters, and other meeting attendees.

Town Hall

This is an opportunity for public comments typically offered during each LTC meeting. The Town Hall is a chance for members of the public to inform trustees about topics relevant to the local trust area. While no advance notice is required to speak at a town hall session, the time available will vary, depending on the number of citizens who wish to speak and the expected length of the remainder of the Agenda. The LTC will make every effort to hear all members of the public during the Town Hall but reserves the right to limit the length and number of Town Hall submissions. It should be remembered that a Town Hall is not a public hearing or a time for debate.

Organizations and individuals who have submitted an application to the Islands Trust should not speak about their applications during Town Hall. They are welcome to speak when their applications are presented to the LTC for a decision; see below.

Delegations

At least ten days Prior to the day of the local trust committee (LTC) meeting, a request to appear as a delegation may be sent to northinfo@islandstrust.bc.ca including the name and address of the presenter(s), the subject of the delegation and any materials or documents to be presented to the LTC. Late requests for delegations may not be considered.

It is important to note that the purpose of a delegation is to present ideas or information that is not otherwise being considered by the LTC in an application. The LTC does not typically make decisions on delegation requests at the same meeting, although they may choose to request staff to report back with further information.

Delegations have up to 10 minutes to speak to the LTC unless additional time is permitted by LTC resolution. To ensure necessary business is completed, the LTC reserves the right to limit the number of delegations it receives at any one meeting.

Organizations and individuals who have submitted an application to the Islands Trust do not appear as a delegation. They are welcome to speak when their applications are presented to the LTC for a decision; see below.

Requests to present as a delegation electronically will be considered by the Chair on a case by case basis.

Correspondence

Correspondence may be submitted to the LTC at any time by email to northinfo@islandstrust.bc.ca.

If a member of the public or an organization wishes to have their correspondence included in an LTC agenda package, correspondence needs to be received at least two (2) weeks prior to the LTC meeting (either in person, by mail or by email to northinfo@islandstrust.bc.ca).

Organizations and individuals who have submitted an application to the Islands Trust should direct correspondence to the staff assigned to their application.

Correspondence regarding LTC projects or complex applications is typically posted to the LTC website.

Anonymous correspondence will not be accepted.

Applicants

Applicants should communicate with Islands Trust staff regarding application requirements and the application process. For further information contact staff via northinfo@islandstrust.bc.ca or visit <http://www.islandstrust.bc.ca/islands/land-use-planning/applicationguides-forms/>.

When an application comes before the LTC for a decision, staff will present a report and recommendations to the LTC. After staff present the report, members of the Local Trust Committee may ask questions of clarification from staff. The applicant will then be invited to address the application in order to indicate their concurrence or not with the report and recommendations or to advise the LTC of any alleged errors or omissions. The LTC will then ask the applicant and staff any questions they may have about the application.

After the LTC makes a decision, the applicant may ask questions for clarification of the LTC's decision or direction to staff when the meeting is adjourned.

Applicants are permitted to participate electronically in meetings.

Applicants should communicate with Islands Trust staff in advance of the LTC meeting if they are concerned with staff recommendations or if they are aware of any errors or omissions in the staff report.

Please note, the LTC is under no obligation to accept delegations, town hall comments, correspondence, or other submissions that are deemed defamatory or offensive in nature.

File No.: GM-RZ-2019.1
(South Keats Investments
Ltd)

DATE OF MEETING: October 10, 2019

TO: Gambier Island Local Trust Committee

FROM: Bronwyn Sawyer, Planner 2
Northern Team

COPY: Heather Kauer, Regional Planning Manager

SUBJECT: Amend CD1 zone to allow for three docks in the marine area
Applicant: South Keats Investment Ltd.
Location: 255 Esplanade Road (Lot 18, Block 5, District Lot 1594, Plan 12701)

RECOMMENDATION

1. That the Gambier Island Local Trust Committee request the applicant to provide a plan signed by a B.C. Land Surveyor showing the present natural boundary of the sea in proximity to existing and proposed structures within 7.5 metres of the natural boundary of the sea.
2. That the Gambier Island Local Trust Committee request the applicant provide a biologist report assessing the environmental impact of the docks and will use the Marine Guide to Small Boat Moorage Fact Sheet checklist prepared by Fisheries and Oceans Canada to determine if any modifications to the docks are necessary to reduce environmental impacts.
3. That the Gambier Island Local Trust Committee request staff to draft a Comprehensive Development 1 (CD1) Zone amendment to the Keats Island Land Use Bylaw, 2002 permitting a maximum of three docks in the marine-area abutting PID 008-861-102.

REPORT SUMMARY

The purpose of this report is to provide an overview of the application proposing a bylaw text amendment for the Comprehensive Development 1 (CD1) zone in order to legalize three existing docks.

This application is the result of the property owners being unable to secure a Crown land tenure for the docks from the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRORD) with the current CD1 zone. A requirement of obtaining a tenure is confirmation from the local government that the correct zoning is in place. The CD1 zone allows one dock. Staff are recommending that bylaws be drafted to reflect the existing use of the foreshore for three docks. In addition, staff recommend the following information be provided for LTC consideration prior to first reading: a plan signed by a B.C. Land Surveyor showing present natural boundary of the sea, and a biologist's report assessing the environmental impacts of the dock to determine if any modifications can be made to reduce environmental impacts.

BACKGROUND

In 2002, the Keats Island Land Use Bylaw No. 78 was adopted and the current CD1 zone was established (Figure 1) (Attachments 1 and 2). According to ortho photos dating from 2002 (MapIt), the docks have been in existence for several years. The property owners were notified by MFLNRORD that the docks had been constructed on Crown land and, as such, they are required to remove the docks or apply for a Land Act tenure For reference, Dock A is referred to as the Madden dock, Dock B is referred to as the Mowat dock and Dock C is referred to as South Keats Investment (communal) dock (Figure 2). The CD1 zone does not allow three docks and, therefore, the applicant is applying to have the three docks permitted in the zone.

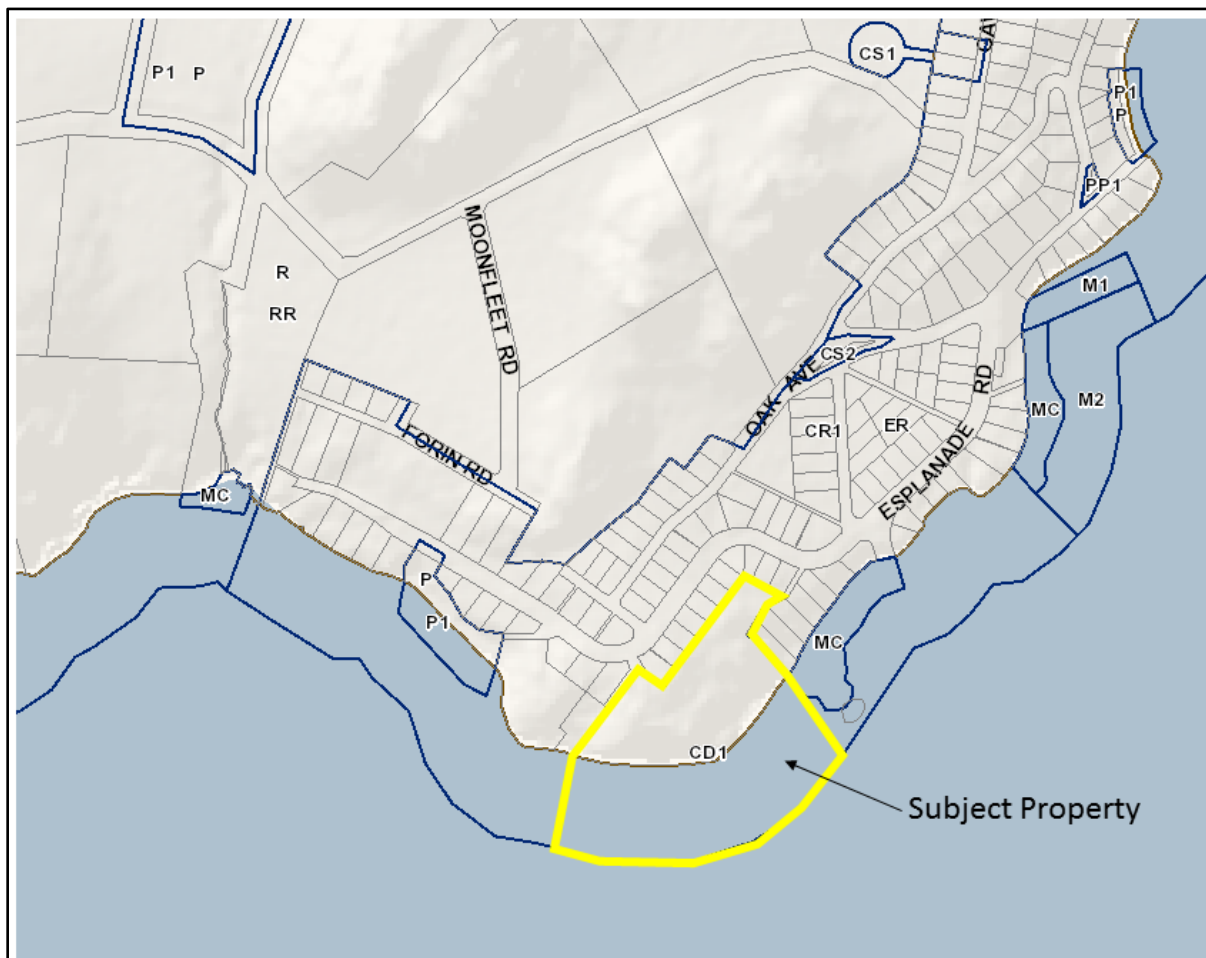


Figure 1: CD1 zone

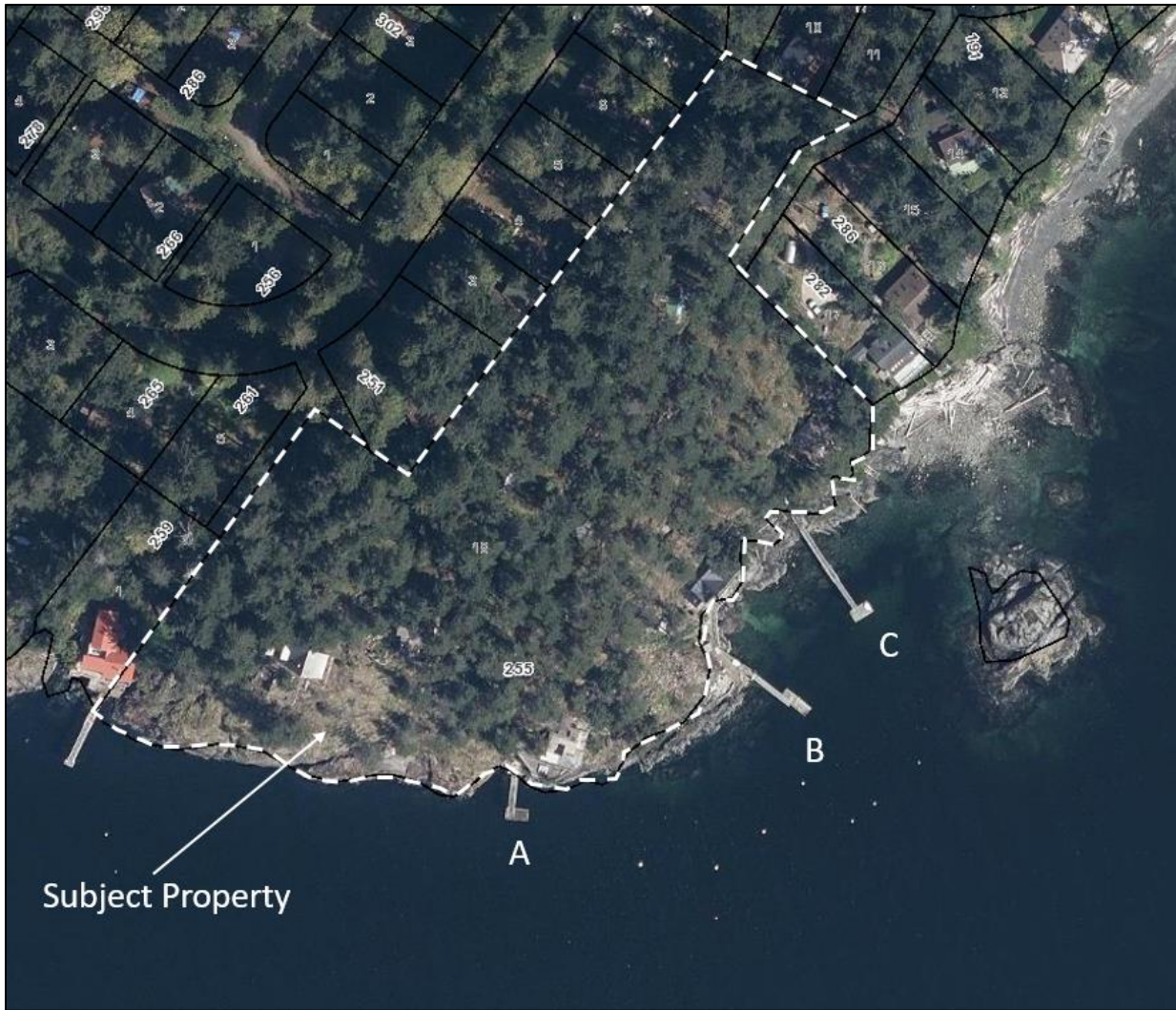


Figure 2: 2018 Ortho photo of subject property (SCRD website)

There was a building permit for a single family dwelling applied for in 2015 (GM-BP-2015.7). At that point, a drawing provided as part of the referral showed that the property had nine dwellings. The planner determined that the proposed building would be violating the setbacks of the Keats Island LUB and recommended that the applicant apply for a development variance permit or change the dimensions of the deck. The applicant later cancelled the project. In April 2019, a building permit referral for a new house to replace a removed house was received from the Sunshine Coast Regional District. These are the past land use applications found on file associated with the upland property.

The property is in the CD1 zone, which allows for multiple single family dwellings (Figure 1). The density identified in the zone for single family dwellings is a maximum of nine single family residential dwelling units on lots 2.0 hectares or larger. The property is 2.2 hectares in size. According to the application, there are six waterfront homes and three upland homes. There are two private docks that are used exclusively by two of the waterfront homes and one dock that has been used as a communal dock that services all other properties, upland and waterfront.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Staff reviewed the Islands Trust Policy Statement Directive Only checklist in accordance with Section 1.9 of the Islands Trust Policy Manual (Attachment 3). Staff finds the proposed bylaw amendment application may be at variance with the following policies:

- 4.5.9 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
- 4.5.10 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
- 3.5.5 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas

At this time, it is difficult to determine whether a bylaw amendment to permit three docks would be consistent with these directives.

Official Community Plan

The subject property (upland) is located in the Eastbourne Residential (ER) designation and the water portion is designated Marine (M) in the Keats Island Official Community Plan Bylaw No. 77, 2002 (Attachment 4). There may be issues around access to the island and if there are not enough public boat launches, docks and anchorages for the community. The LTC is currently engaged in a Keats Island Shoreline Project examining policy and regulatory options for new buildings and structures in the nearshore environment, including private docks.

Land Use Bylaw

The foreshore and upland property are located in the Comprehensive Development One (CD1) zone and this is the only location on Keats Island where the CD1 zone applies. The CD1 zone allows for a maximum of one dock in the marine-area abutting each water front lot. At the same time, the zone states a maximum area that may be covered by dock floats (65 square metres), which, upon registration of a restrictive covenant, can be increased by 47 square metres per residential dwelling served up to a maximum float size of 158 square metres. There is a registered covenant on title; it is registered with the Sunshine Coast Regional District and does not appear to be related to dock development (references a seasonal cottage on Site 3).

Issues and Opportunities

Keats Island Shoreline Project

The Keats Island Shoreline Protection Project has been initiated and the purpose of this project is to explore options that would strengthen the policy and regulatory framework for docks and other foreshore development

on Keats Island. The applicants are aware of the project and requested staff proceed with their application given the necessity to apply for a Crown land tenure.

Decks

There is a large deck in the foreshore associated with Dock B or the Mowat Dock (Attachment 5). To address the Dock B deck, any bylaw text amendment should also include an amendment to allow a deck in the marine-based area; at this time, the CD1 zone does not permit decks in this location and a Crown land tenure may also be needed for this structure. There is also a dck associated with Dock A (Madden Dock) that is located on a concrete sea wall. The concrete sea wall may have affected the natural boundary of the sea and it is unclear if this wall extends into the foreshore and Crown land. It is unclear based on the information supplied with the rezoning if this deck or parts of it are located in the CD1 marine-based area, as defined in the LUB and a signed survey plan identifying the present natural boundary will provide greater certainty.

Docks in CD1 zone

As was mentioned above, a maximum of one private dock is permitted in the marine-area abutting CD1 zone. Other provisions in the CD1 zone do allow for a larger float to accommodate the numerous residential dwellings on the upland, to a maximum size of 158 square metres, with a restrictive covenant in place. The current float area is calculated to be 80.45 square metres. The maximum width of the dock ramps do not exceed the maximum stated in 4.3.8 (2.4 metres). The options to construct a larger dock to provide moorage for all of the residential dwellings may have less of an impact than three smaller docks; however, the docks have been constructed and there will also be potential impact in removing the structures. In addition, P 4.16 of the OCP indicates that zoning regulations should provide for existing private docks and moorages. The OCP may have meant P 4.16 to include only those private moorages that had received a Crown land tenure, but, as worded, the policy does not make this distinction.

Based on the number of docks and their measurements as identified in the Crown land application, any proposed bylaw text amendment drafted to reflect the existing docks will need to amend Sections 4.3.6, 4.3.7 and 4.3.11 of the LUB. A restrictive covenant, as per the existing requirement in Section 4.3.7, may also be appropriate. In drafting a text amendment bylaw that matches the present use of the property, it may be necessary to amend several sections of the CD1 zone. The *marine based structures limitations* will need to be updated if the LTC instructs staff to draft a new CD1 zone for the three private docks. Consideration of dock sizes and locations may also be part of drafting the amendment bylaw.

The docks are not within a development permit area. However, information as to the potential impacts the docks have on the foreshore and nearby eel grass beds can be requested as part of a rezoning application. As part of this application, a biologist could be requested to review the construction materials and dock configuration and recommend changes to the current design of the docks, ramps, and floats that will minimize further impact, if applicable. Fisheries and Oceans Canada has produced a fact sheet entitled "Marine Guide to Small Boat Moorage" with a checklist describing how to build a better dock and float (Attachment 6), which could be incorporated into an assessment of the dock infrastructure.

Above in the report, staff noted the sea wall identified in the Crown land application drawings, referred to on the drawings labelled "Madden Dock." Section 4.3.4 of the LUB states that:

The following structures are permitted in the marine-based area:

- mooring buoys, floats, docks, dock ramps, stairs and piers providing marine access to a lot abutting the water area in which the structure is located; including dolphins and pilings necessary for the establishment or operation of a use permitted in this zone

While this section allows for dolphins and pilings to support docks, sea walls are not listed as a permitted or accessory use. However, “retaining walls” may be located in any required setback area except the setback from the natural boundary of the sea (Section 2.7.2 of LUB). In advancing the rezoning application, the Trustees might consider asking the applicant to provide a report from a qualified professional indicating whether there are structural alternatives to the sea wall that could be used to support the dock that would have fewer environmental impacts.

Consultation

The applicants have not conducted a community information and consultation meeting, as stated in the P 4.17 information note of the OCP.

Statutory Requirements

Statutory notification of the proposed rezoning will be made in accordance with Section 466 of the Local Government Act and the Gambier Island Development Procedure Bylaw No. 50, 1992. This will involve newspaper advertising and neighbourhood notification and will be undertaken once the LTC directs staff to schedule a public hearing. Correspondence related to this application may be sent to northinfo@islandstrust.bc.ca.

Early staff review suggests that this application does not require an OCP amendment or Ministerial approval and, as such, does not require the more thorough public consultation required by the *Local Government Act* for such amendments. Further work will be needed to ensure all aspects of the OCP and Islands Trust Policy Statement have been met. The LTC may consider undertaking additional consultation than identified above and direct staff accordingly.

Protocols

Staff are unaware of any protocol agreements relevant to this application.

Agencies

The LTC will be asked to consider agency referrals upon first reading of the bylaw.

First Nations

The LTC will be asked to consider referrals to First Nations upon first reading of the bylaw.

Rationale for Recommendation

This is an overview of an application to permit the existing three docks in the CD1 zone. Further information is needed to assess the impacts of the docks on the foreshore and determine what infrastructure is located within the *marine-based area* of the CD1 zone. There is policy in the OCP that indicates some support of existing docks and the rezoning process will allow opportunity for community members to be notified and provide feedback on the application. Upon receipt of additional information, staff can prepare a draft bylaw for LTC consideration.

ALTERNATIVES

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

1. Request further information

The LTC may request further information prior to making a decision. Prior to the drafting of the CD1 zone, the LTC may require additional information. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee request that the applicant submit to the Islands Trust (specify requested information).

2. Deny the application

The LTC may deny the application. Staff advise that the implications of this alternative are the MFLNRORD would not receive confirmation that the private docks have the necessary zoning. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee deny application GM-RZ-2018.1 for the follows reasons [insert reasons].

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of Keats Island Shoreline Project.

NEXT STEPS

If the LTC accepts the staff recommendations, staff will instruct applicant to provide further information and will commence drafting a bylaw amendment.

Submitted By:	Bronwyn Sawyer Planner 2	September 30, 2019
Concurrence:	Heather Kauer, AICP Regional Planning Manager	October 3, 2019

ATTACHMENTS

1. Site Context
2. Comprehensive Development 1 (CD1) Zone
3. Islands Trust Policy Statement Directive Policies
4. OCP Policy Review
5. Drawings Submitted With MFLNRORD Application
6. Fisheries and Oceans Canada fact sheet "Marine Guide to Small Boat Moorage"

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot 18, Block 5, District Lot 1594, Plan 12701
PID	008-861-102
Civic Address	255 Esplanade Road, Gambier Island

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential

HISTORICAL ACTIVITY

File No.	Purpose
GM-BP-2017.7	Building permit for a cottage (withdrawn)

POLICY/REGULATORY

Islands Trust Policy Statement	See ITPS Directives Only Checklist
Keats Island Official Community Plan Bylaw No. 77, 2002	ER (Eastbourne Residential) Sensitive ecosystem inventory (SEI) identified as Coastal Bluff Outside of 'dock access areas' OBJ 3.4 To protect the marine environment - protecting Keats Island's natural foreshore and public recreational beaches from pollution, environmental degradation or modification by inappropriate development or use is extremely important to the community OBJ 5.6 To resolve issues regarding public wharves and moorage – concerns have been identified regarding public access, moorage, vehicular access and parking at Keats Island public wharves (Keats Land and Eastbourne) <i>Coastal Areas and Marine Shorelands</i> • P 4.16 Zoning regulations should provide for the existing public wharves, public barge ramp, public marine park moorages, private docks and moorages, cooperatively owned or operated moorage, docking and swimming facilities for private institutional (non-profit) camps, marine conservation zones, and log dumping associated with existing island forestry requirements. • P 4.17 Upon application for rezoning, a change, expansion, or downsizing in existing foreshore uses including public wharves, public and private barge ramps or boat launches, public marine park

	moorages, private docks and moorages, cooperatively owned or operated moorage, docking and swimming facilities for private institutional (non-profit) camps, marine conservation zones, and log dumping associated with existing island forestry requirements may be considered by the Local Trust Committee. Each application should address issues such as ensuring public access to the foreshore and safety issues. • INFORMATION NOTE: Once the Local Trust Committee has considered the application, a public hearing is required by legislation prior to a change in use of the foreshore. As part of the application review process, the Local Trust Committee will consider location, proposed use and scale, level of community support, environmental impacts, impacts on the immediate surroundings, and the potential impacts on Keats Island growth and development patterns. Community information and consultation meetings should be held on Keats Island prior the public hearing. • P 4.18 Any foreshore rezoning proposal should only receive favourable consideration by the Local Trust Committee when the proposal is made in response rather than in anticipation of the needs and desires of the Keats Island community, at a time when establishment of such a use would enjoy widespread support within the community as a whole. • P 4.21 The location of new buildings and structures should be regulated so as to protect public access to, from and along the marine shoreline and to minimize negative impacts on sensitive coastal environments. P 4.22 Foreshore and adjacent coastal water area land use regulations should place emphasis on retaining natural characteristics. <i>Public Wharves</i> • P 5.83 The Local Trust Committee may consider a proposed location for long term public moorage for private vessels, in response to an application for rezoning. Environmental impact information may be required and community information and consultation meetings should be held on island prior to the public hearing. Issues to be resolved prior to approval consideration should include: location; proposed use and scale; level of community support; environmental impacts; impacts on the immediate surroundings; impacts on existing Keats Island facilities and services; the availability of services and resources necessary and potential impacts on cross island traffic, and Keats Island growth and development patterns. <i>Private Moorage</i> • P 5.84 Water-access lots are recognized as areas suitable for private docks and moorings. INFORMATION NOTE: Landowners intending to install and use a private dock, are required to first obtain licenses of occupation from Land and Water BC Inc, the Crown agency responsible for administering Crown lands. The zoning regulations in the Keats Island Land Use Bylaw apply to license of occupations; therefore, landowners intending to construct a dock are advised to check the relevant zoning regulations.
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	• P 5.85 Waterfront property owners are encouraged to consider sharing the use of private docks and wharves with one or more of their neighbours, including upland neighbours (if any), through joint ownership or non-commercial cooperative agreements and through the use of easements or other forms of agreed upon access to the facilities rather than erecting individual private docks or wharves.
Keats Island Land Use Bylaw No.78, 2002	Comprehensive Development 1 (CD1) – upland and foreshore 4.3 Permitted Uses .1 The following uses of land, buildings and structures are permitted in the land-based area: • single family residential; • home occupation, subject to Section 2.2; • horticulture; • uses, buildings and structures accessory to a permitted use; • public service utility uses; and • natural area parks and conservation. .2 The following uses of land, buildings and structures are permitted in the marine-based area: • non-commercial anchorage and moorage of private vessels, where such use is accessory to a permitted residential use on the adjacent upland. Permitted Buildings and Structures .3 The following buildings and structures are permitted in the land-based area: • single family dwelling; • buildings and structures accessory to a permitted use; • community sewer system facilities; • electrical and telecommunication utilities; • pedestrian trails; • fences, subject to Section 2.4; • fire huts; • pump/ utility houses; • utility poles, wires, traffic controls and underground utility systems; and • signs, subject to Part 5. .4 The following structures are permitted in the marine-based area: • mooring buoys, floats, docks, dock ramps, stairs and piers providing marine access to a lot abutting the water area in which the structure is located; including dolphins and pilings necessary for the establishment or operation of a use permitted in this zone. • marine navigational aids; and • signs, subject to Part 5. Marine Based Structures Limitations .5 No building may be erected, constructed or placed on any float, dock, ramp, stairs or pier.

	.6 The maximum area that may be covered by dock floats in the marine-area is 65 square metres (700 square feet). .7 Despite Subsection 4.3.6, the maximum float area may be increased by 47 square metres (500 square feet) per residential dwelling served up to a maximum float size of 158 square metres (1,700 square feet), provided a restrictive covenant subject to Subsection 1.2.4 is registered. .8 The maximum width of a ramp associated with a dock is 2.4 metres (8 feet).
Other Regulations	Rockfish conservation protected area Eel grass ecosystem (fringing and fringing continuous) Foreshore identified in sensitive ecosystem mapping (SEM)
Covenants	219 Covenant (SCRD)
Bylaw Enforcement	None on file
Islands Trust Conservancy	None on file

SITE INFLUENCES

Islands Trust Conservancy	Not applicable.
Regional Conservation Plan	Marine Shorelines & Nearshore Zone The nearshore zone - where land meets water - holds some of the highest rates of biodiversity in the islands. People are attracted to beaches more than any other natural area in the islands. But the habitats of the nearshore zone are especially sensitive to disturbance. Species in this zone depend on precise physical and biological conditions, such as wave action or available sunlight. Docks, seawalls, gardens and homes can all seriously damage habitats of nearshore areas. Table 9 on page 40 of the Regional Conservation Plan <i>Evaluation of conservation priority for each local trust area/island municipality</i> - Indicates that Gambier Local Trust Area has a HIGH need for sensitive ecosystem protection, need for forest protection, eelgrass shoreline protection and disturbance threat. Gambier Local Trust Area is also identified as being having a HIGH priority.
Species at Risk	None mapped
Sensitive Ecosystems	Secondary sensitive Herbaceous Woodland ecosystems mixed with a non-sensitive primary ecosystem
Hazard Areas	http://www.islandstrust.bc.ca/media/347344/keats-shoreline-maps-3.pdf Shoreline Map identifies shoreline as structurally altered Area of low wave exposure
Archaeological Sites	The owners and applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be

	contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Increased boat traffic could be a source of GHG emission. Sea level rise could impact dock infrastructure
Shoreline Classification	Rock Shoreline - Sea Cliff

4.3 COMPREHENSIVE DEVELOPMENT 1 (CD1) ZONE

Permitted Uses

- .1 The following uses of land, buildings and structures are permitted in the land-based area:
- single family residential;
 - home occupation, subject to Section 2.2;
 - horticulture;
 - uses, buildings and structures accessory to a permitted use;
 - public service utility uses; and
 - natural area parks and conservation.
- .2 The following uses of land, buildings and structures are permitted in the marine-based area:
- non-commercial anchorage and moorage of private vessels, where such use is accessory to a permitted residential use on the adjacent upland.

Permitted Buildings and Structures

- .3 The following buildings and structures are permitted in the land-based area:
- single family dwelling;
 - buildings and structures accessory to a permitted use;
 - community sewer system facilities;
 - electrical and telecommunication utilities;
 - pedestrian trails;
 - fences, subject to Section 2.4;
 - fire huts;
 - pump/ utility houses;
 - utility poles, wires, traffic controls and underground utility systems; and
 - signs, subject to Part 5.
- .4 The following structures are permitted in the marine-based area:
- mooring buoys, floats, docks, dock ramps, stairs and piers providing marine access to a lot abutting the water area in which the structure is located; including dolphins and pilings necessary for the establishment or operation of a use permitted in this zone.
 - marine navigational aids; and
 - signs, subject to Part 5.

Marine Based Structures Limitations

- .5 No building may be erected, constructed or placed on any float, dock, ramp, stairs or pier.
- .6 The maximum area that may be covered by dock floats in the marine-area is 65 square metres (700 square feet).
- .7 Despite Subsection 4.3.6, the maximum float area may be increased by 47 square metres (500 square feet) per residential dwelling served up to a maximum float size of 158 square metres (1,700 square feet), provided a restrictive covenant subject to Subsection 1.2.4 is registered.
- .8 The maximum width of a ramp associated with a dock is 2.4 metres (8 feet).

Density

- .9 A maximum of one single family residential dwelling is permitted on lots less than 2.0 hectares (5 acres).

- .10 A maximum of nine single family residential dwelling units are permitted on lots of 2.0 hectares (5 acres) or larger.
- .11 A maximum of one dock is permitted in the marine-area abutting each water front lot.

Floor Area

- .12 The maximum floor area of a fire hut is 9.3 square metres (100 square feet).

Setbacks

- .13 The setback requirements of Section 2.7 apply.

Height

- .14 The height requirements of Section 2.8 apply to land-based areas.

Lot Coverage

- .15 The maximum combined lot coverage of buildings and structures is 25 per cent of the lot area.

Subdivision Lot Area Requirements

- .16 The minimum lot area permitted by subdivision is 4.0 hectares (10 acres).



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: GM-RZ-2019.1

File Name: [Click here to enter text.](#)

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
✓	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
✗	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
✗	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
✓	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
N/A	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

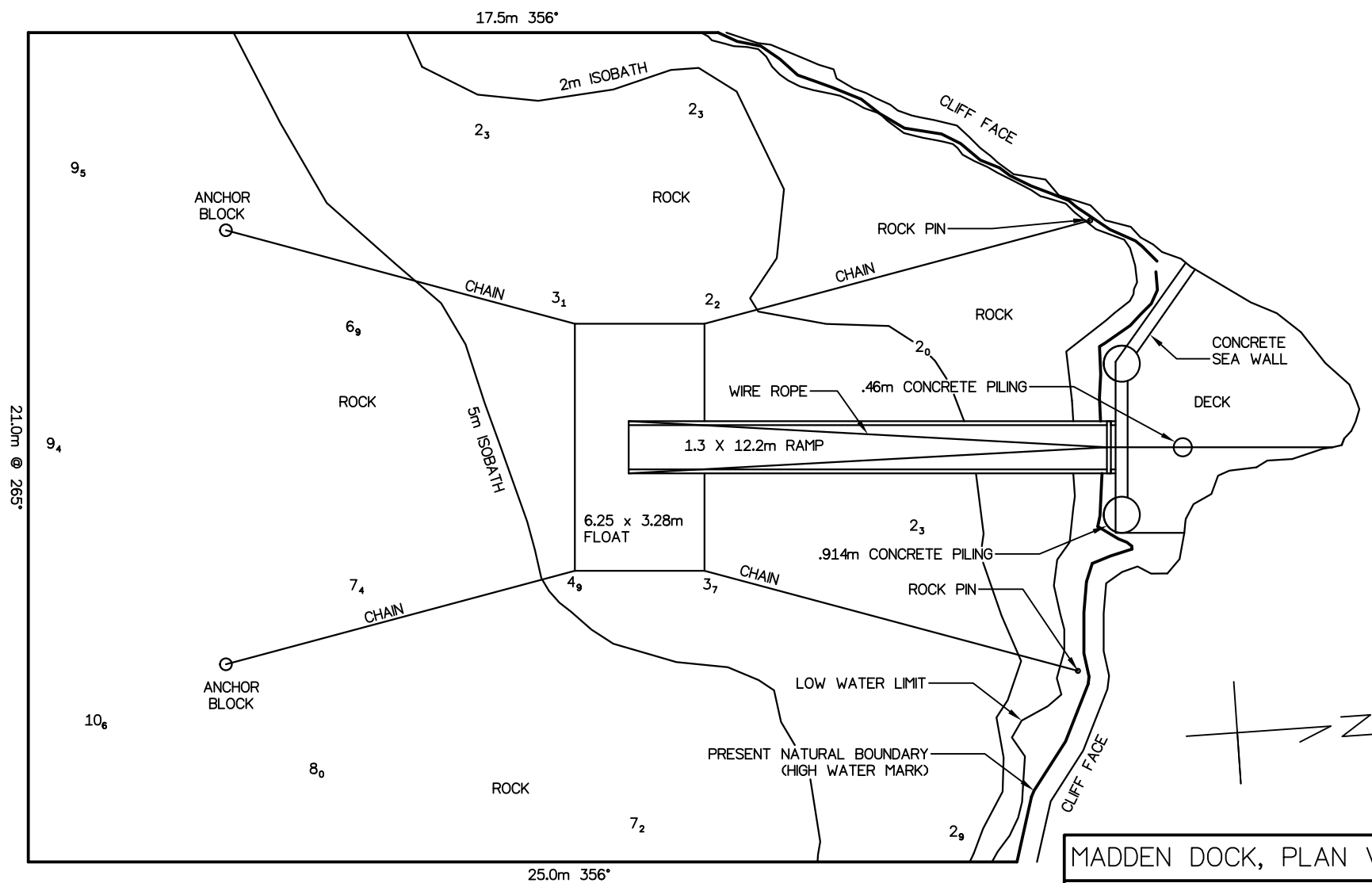
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
X	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>

KEATS ISLAND OFFICIAL COMMUNITY PLAN, 2002

OCP Objective/Policy	Complies	Planner Comments
OBJ 3.4 To protect the marine environment - protecting Keats Island's natural foreshore and public recreational beaches from pollution, environmental degradation or modification by inappropriate development or use is extremely important to the community	No	The docks have resulted in a modified foreshore and the density is not permitted in the zone.
OBJ 5.6 To resolve issues regarding public wharves and moorage – concerns have been identified regarding public access, moorage, vehicular access and parking at Keats Island public wharves (Keats Land and Eastbourne)	Yes	This application is addressing the issue of limited moorage in Eastbourne.
<i>Coastal Areas and Marine Shorelands</i> P 4.16 Zoning regulations should provide for the existing public wharves, public barge ramp, public marine park moorages, private docks and moorages, cooperatively owned or operated moorage, docking and swimming facilities for private institutional (non-profit) camps, marine conservation zones, and log dumping associated with existing island forestry requirements.	Yes	Through this rezoning application, the zoning bylaw may be amended to allow the existing private docks.
<i>Coastal Areas and Marine Shorelands</i> P 4.17 Upon application for rezoning, a change, expansion, or downsizing in existing foreshore uses including public wharves, public and private barge ramps or boat launches, public marine park moorages, private docks and moorages, cooperatively owned or operated moorage, docking and swimming facilities for private institutional (non-profit) camps, marine conservation zones, and log dumping associated with existing island forestry requirements may be considered by the Local Trust Committee. Each application should address issues such as ensuring public access to the foreshore and safety issues. INFORMATION NOTE: Once the Local Trust Committee has considered the application, a public hearing is required by legislation prior to a change in use of the foreshore. As part of the application review process, the Local Trust Committee will consider location, proposed use and scale, level of community support, environmental impacts, impacts on the immediate surroundings, and the potential impacts on Keats Island growth and development patterns. Community	No	More information needed to determine that the requirements of the information note are satisfied. A community information and consultation meeting has not been held.

information and consultation meetings should be held on Keats Island prior the public hearing.		
<i>Coastal Areas and Marine Shorelands</i> P 4.18 Any foreshore rezoning proposal should only receive favourable consideration by the Local Trust Committee when the proposal is made in response rather than in anticipation of the needs and desires of the Keats Island community, at a time when establishment of such a use would enjoy widespread support within the community as a whole.	Yes	
<i>Coastal Areas and Marine Shorelands</i> P 4.21 The location of new buildings and structures should be regulated so as to protect public access to, from and along the marine shoreline and to minimize negative impacts on sensitive coastal environments.	No	It is unknown if this policy was considered when construction of docks took place.
<i>Coastal Areas and Marine Shorelands</i> P 4.22 Foreshore and adjacent coastal water area land use regulations should place emphasis on retaining natural characteristics.	No	It is unknown if this policy was considered when construction of docks took place.
<i>Private Moorage</i> P 5.84 Water-access lots are recognized as areas suitable for private docks and moorings. INFORMATION NOTE: Landowners intending to install and use a private dock, are required to first obtain licenses of occupation from Land and Water BC Inc, the Crown agency responsible for administering Crown lands. The zoning regulations in the Keats Island Land Use Bylaw apply to license of occupations; therefore, landowners intending to construct a dock are advised to check the relevant zoning regulations.	No	Not located within the dock access area. An application has made to MFLNRORD.
<i>Private Moorage</i> P 5.85 Waterfront property owners are encouraged to consider sharing the use of private docks and wharves with one or more of their neighbours, including upland neighbours (if any), through joint ownership or non-commercial cooperative agreements and through the use of easements or other forms of agreed upon access to the facilities rather than erecting individual private docks or wharves.	No	Although one of the three docks is shared amongst the owners, the proposal does not include agreements with neighbouring property owners.



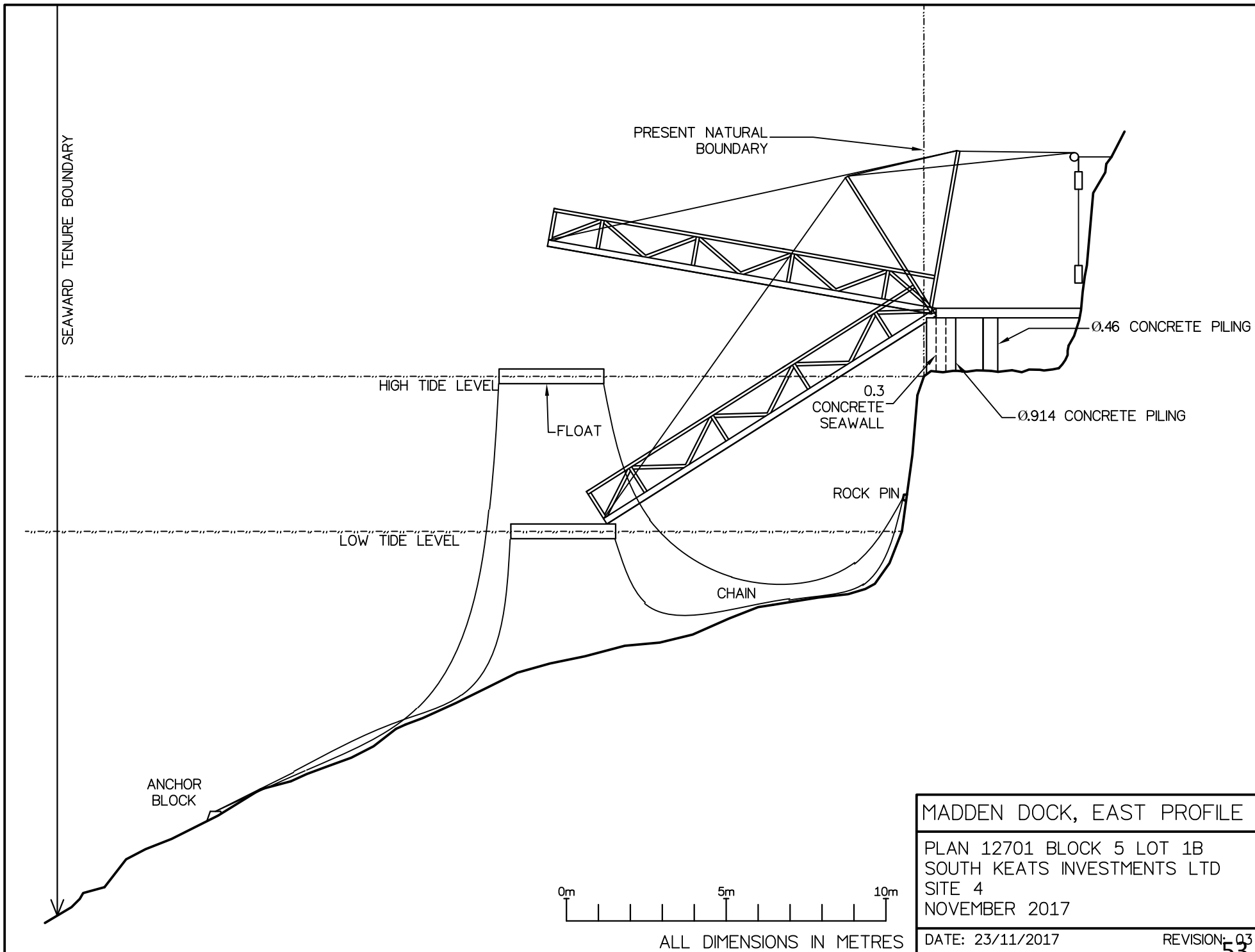
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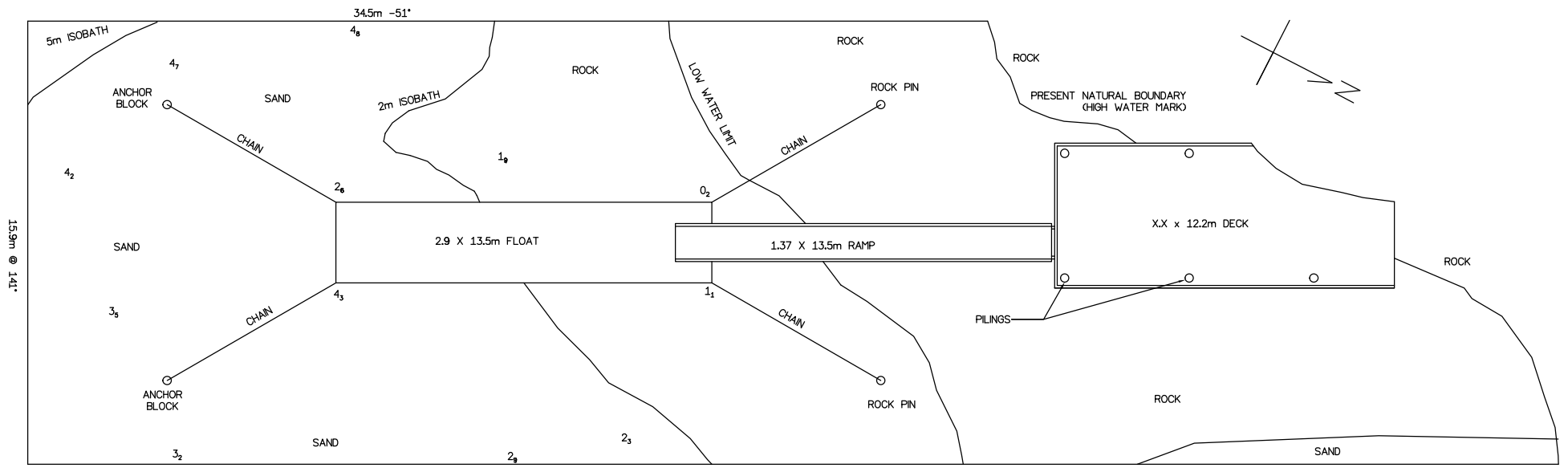
MADDEN DOCK, PLAN VIEW

PLAN 12701 BLOCK 5 LOT 1B
SOUTH KEATS INVESTMENTS LTD
SITE 4
NOVEMBER 2017

DATE: 29/11/2017

REVISION: 04

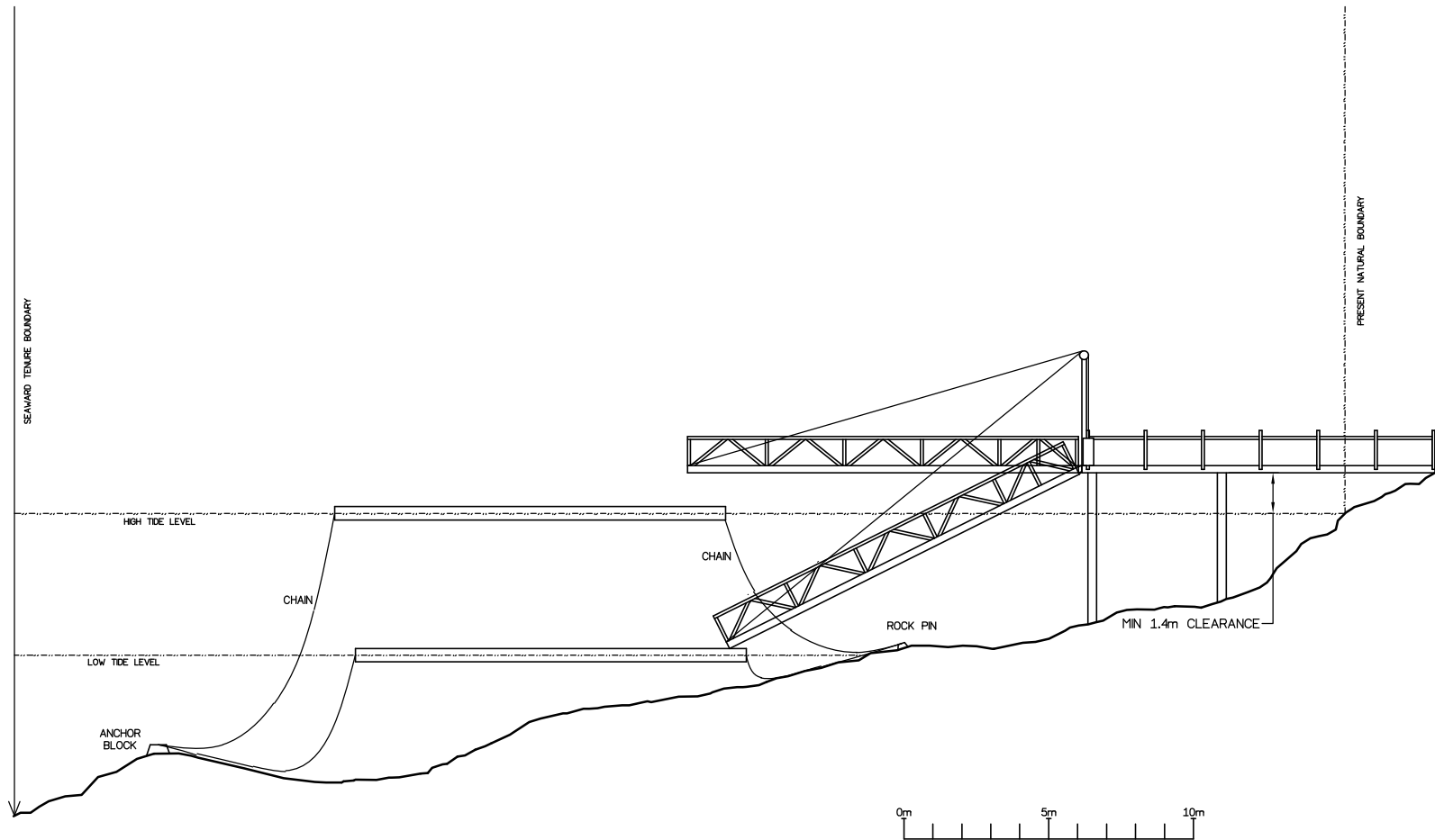




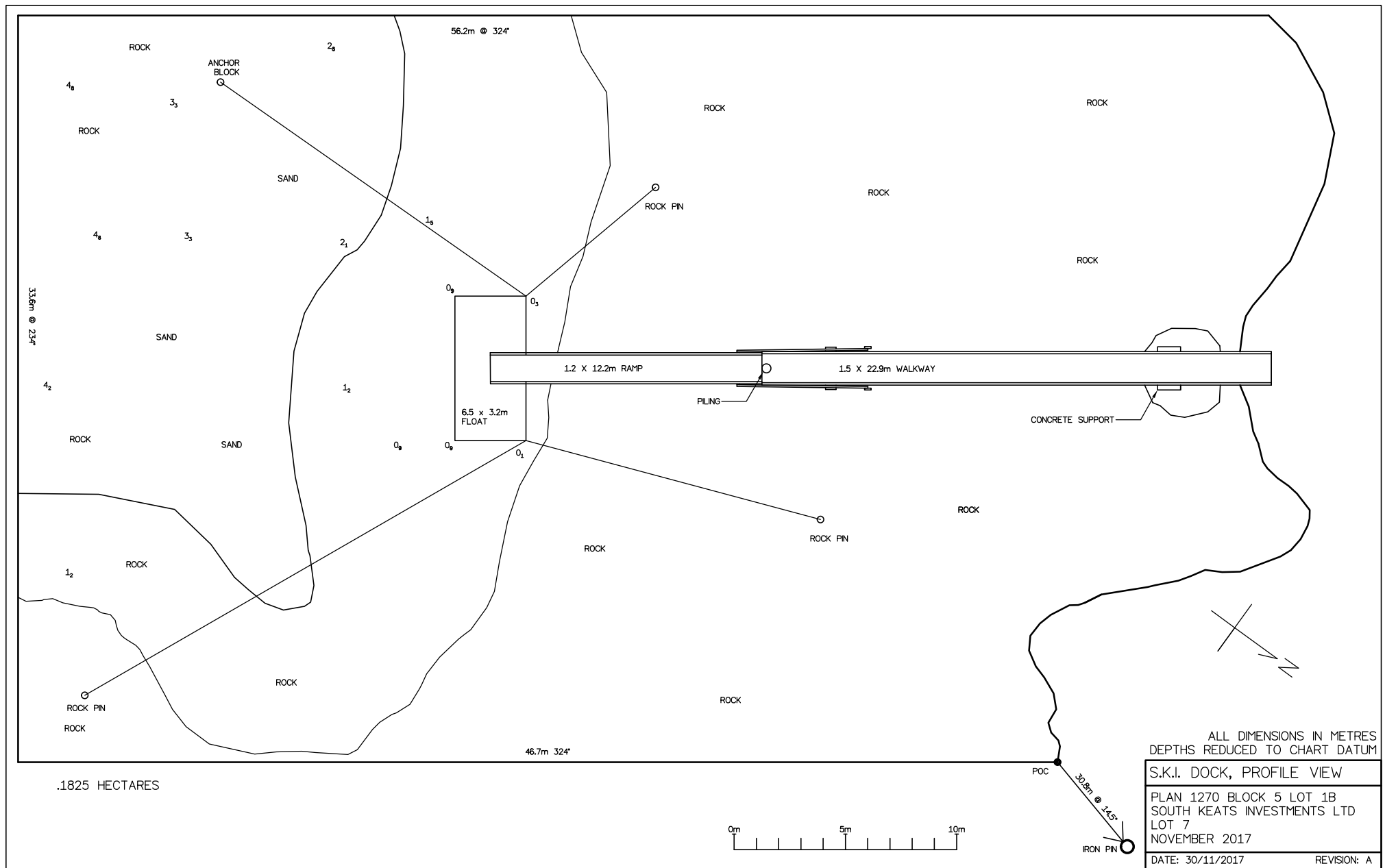
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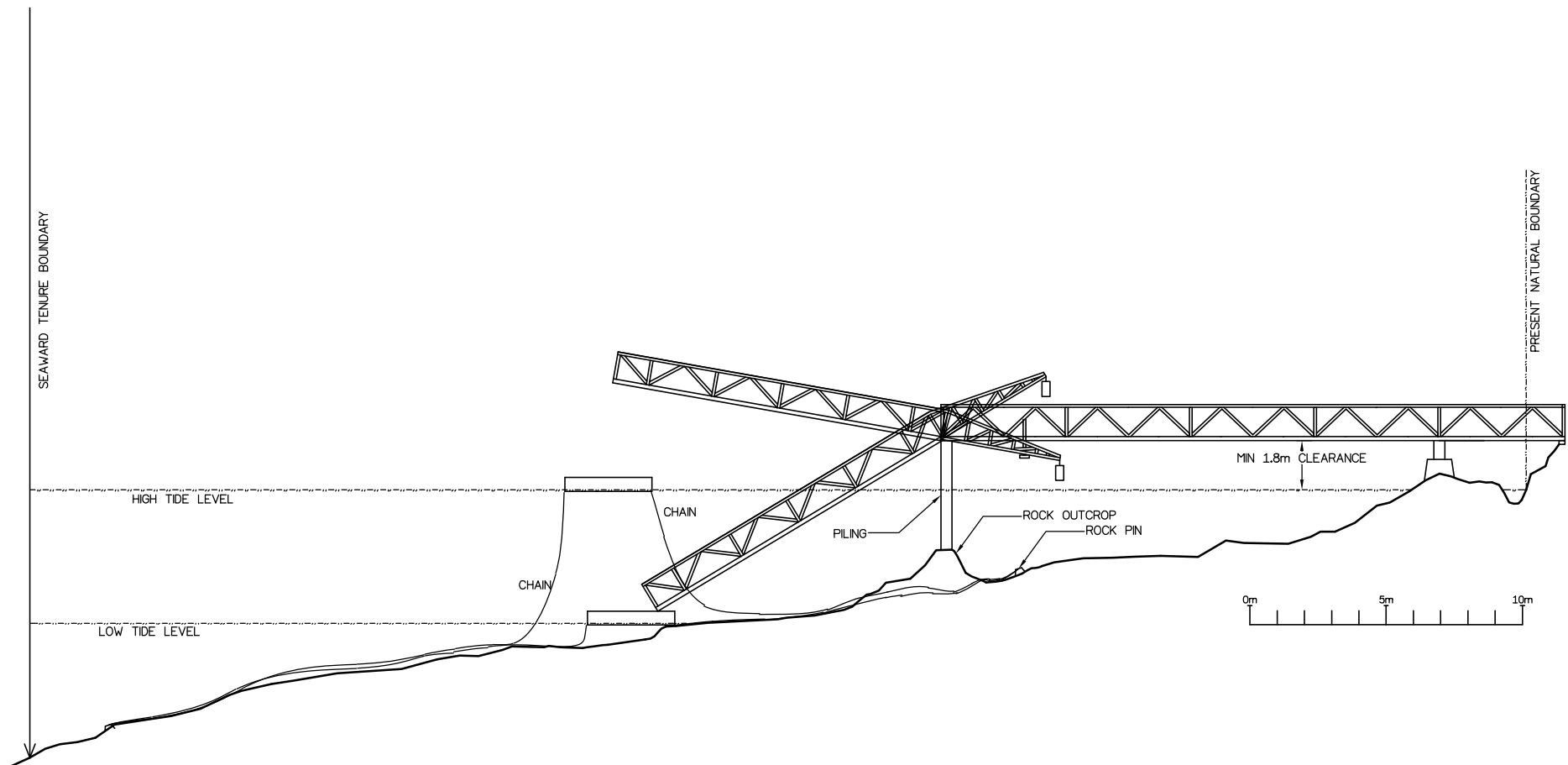


MOWAT DOCK, PLAN VIEW	
PLAN ????? BLOCK ? LOT ??	
SOUTH KEATS INVESTMENTS LTD	
SITE ?	
NOVEMBER 2017	
DATE: 29/11/2017	REVISION: 04



MOWAT DOCK, PROFILE VIEW		
PLAN 1270 BLOCK 5 LOT 18		
SOUTH KEATS INVESTMENTS LTD		
LOT 3		
NOVEMBER 2017		
ALL DIMENSIONS IN METRES	DATE: 30/11/2017	REVISION: A





S.K.I. DOCK, PROFILE VIEW
PLAN 1270 BLOCK 5 LOT 18
SOUTH KEATS INVESTMENTS LTD
LOT 7
NOVEMBER 2017

ALL DIMENSIONS IN METRES DATE: 30/11/2017 REVISION: A

Timing of Construction

To minimize the potential impacts on plant and animals, the construction may be restricted to certain times of the year. These construction windows are designed to a period of time when the impact on the fisheries resource will be the least. These timing windows are available from the local DFO staff. It is important to remember that even during a timing window there remain many other sensitive species in the immediate area that should be protected as much as possible.

Fish Habitat & the Law

The federal *Fisheries Act* protects fish and fish habitats, which includes all marine waters, from damage or pollution. Both proposed new structures and alterations to existing structures should be forwarded to DFO staff for review. Persons applying for approval to construct marine structures should locate and design the structure to minimise or avoid its impact on the marine ecosystem prior to application. DFO staff will review the proposals to ensure they comply with the *Fisheries Act* and the federal fish habitat policy. If the damage to fish habitat cannot be entirely avoided it may be necessary to provide fish habitat compensation. Sites where fish habitat is determined to be critical cannot be developed. Proceeding to undertake construction or alteration of marine structures without prior approval can lead to charges under the *Fisheries Act*.

Where to Apply

In most areas of the province the BC Assets and Land Corporation is the first contact for applications. Please contact Enquiry BC at 1-800-663-7867 to locate your nearest office.

Other Factsheets in this Series

Marine Guide to Small Boat Launches
Marine Guide to Preventing Shoreline Erosion
Marine Guide to Stormwater Runoff

Prepared by
Habitat & Enhancement Branch
Pacific Region
March 2001

Information Required for Applications

DFO staff require the following information to determine the potential impacts of the structure or gauge the changes on fish and fish habitat:

- General and specific location of the proposed structure, including name of waterway, latitude and longitude, and legal description for the parcel of land
- Detailed design drawings of the dock, float, and anchoring systems (plan and profile views) including depth soundings
- Extent of any shoreline alterations required and bank protection works
- Description of the construction details, materials and methods to be used (including any wood preservatives) in construction. Be sure to include timing
- Original colour photographs of the work site at low and high tide
- Description in general terms of the aquatic vegetation, shellfish, fish and mammals which are potentially affected by your structure. This information may need to be compiled by a professional biologist
- General description of the substrate materials within the construction zone
- Distance to the nearest freshwater stream or estuary
- Identify any shellfish leases, fish farms or net pens near the work site
- Number of boats to be moored and length of stay

For more information please contact your local DFO office:

Nanaimo	(250) 756-7270
Lower Mainland	(604) 666-6479
Prince Rupert	(250) 627-3448
Port Hardy	(250) 949-6422

Prior to submission of project proposals to DFO, you should check with your local government, Regional District or other regulatory agencies to ensure they have no objections to your project. They may also be able to identify if any plans are underway to provide shared dock and moorage facilities in the local area. Canadian Coast Guard reviews all moorage applications through the *Navigable Waters Protection Act* to ensure navigation is not impacted. Please call (604) 775-8867 for more information.



FACTSHEET

Marine Guide to Small Boat Moorage

Marine shorelines are sensitive and productive fish and wildlife habitats. They are home to a multitude of plants and animals. Activities and structures along the shoreline can damage marine organisms, their habitats or the complex food webs that support them. Boat moorage structures, such as docks, can have direct, indirect and cumulative impacts on this sensitive fish habitat. This brochure provides advice on how to protect this fragile environment when considering moorage structures and also outlines the type of information needed for review by Fisheries and Oceans Canada (DFO) staff.

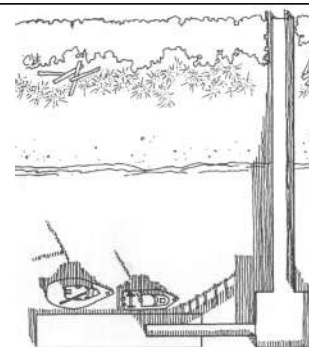
Impacts on the Marine Ecosystem

The increasing number of private docks along our coast has the potential to degrade sensitive intertidal habitats by making changes to the seabed, shading marine vegetation, introducing pollutants from motors and bilges or causing damage from boat propellers.

Placing fill into the ocean will smother bottom dwelling organisms, displace plants and animals that use the water column and alter local water currents and other important oceanographic conditions that these plants and animals

depend upon. During dock construction, activities along the shore may cause sediment and contaminants to enter the water column where they interfere with rearing fish and filter feeding animals, such as clams.

If docks and floats are not designed properly they increase shading, which reduces or eliminates the growth of aquatic vegetation that is an integral part of the food web. Preservatives may seep from treated wood into the water and sediments around docks and could cause the sediments to become toxic to aquatic organisms.



Left:

The hatched area in the illustration shows a typical shadow cast by a dock and float. Such shadows can reduce and sometimes eliminate aquatic vegetation. While it is impossible to construct a dock that casts no shadow, preferred design techniques will ensure that the greatest amount of light reaches the habitat below. This can be achieved by installing ramps no wider than 1.5 metres or by using grates & space boards that allow light to filter through.

Below:

An example of a preferred design. High, narrow docks such as this one minimize shading of intertidal plants and animals. The concrete pillars are spaced far apart to minimize damage to the underwater organisms and treated wood is not used. The trees and shrubs on the shoreline were retained.



Fisheries and Oceans
Canada

Pêches et Océans
Canada

Canada



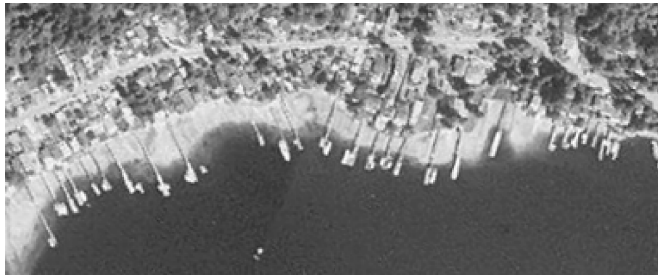
Marine Guide to Small Boat Moorage

Impacts cont.

Mooring watercraft and float homes may introduce other pollutants such as oils, fuel or sewage into the water, and for this reason shellfish harvesting is prohibited within 125 metres of any dock. In shallow water, even the wash from propellers can churn up enough sediment to damage fragile marine plants and animals.

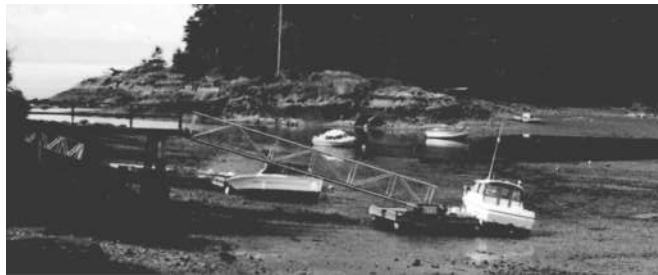
Planning the Project

Before you decide to build your own private dock you should consider several things. Do you actually need a dock and float for your boat or would a mooring buoy, which has far less environmental impact, be sufficient? Could you use a public dock or share a neighbour's private dock instead? Does your local government have plans to develop a community dock in your area?

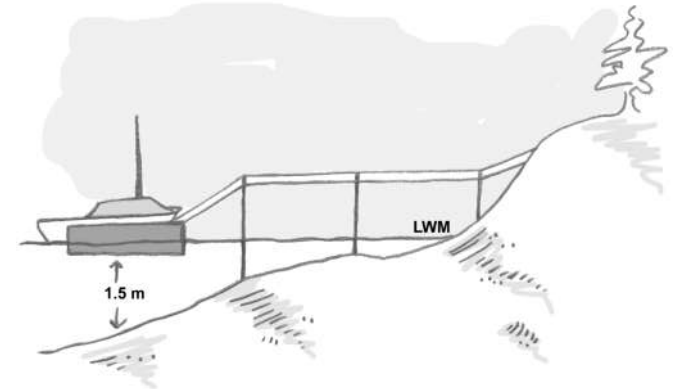


Some municipalities have developed bylaws to prevent the construction of privately owned structures on the shoreline. Prior to submitting your proposal to DFO, check for regulations with your local government. DFO fully supports these local government initiatives to limit such structures along our shorelines.

While you may design moorage to be accessible only during high tide, boats and floats should never rest on the seabed as shown below because it damages plants and animals that live in the intertidal zone.




Marine shorelines
are sensitive &
productive fish
habitats. They
are home to a
multitude of
plants & animals.



At least 1½ metres should be provided between the seabed and the float based on the low-water mark (LWM) to reduce damage from propeller wash and to prevent boat keels from damaging the seabed.

How to Build a Better Dock and Float

- ❑ When selecting a location for the dock and float consider what types of habitats are present and choose a site where it will cause the least impact. In general, hard surfaces (e.g. rocks and cobbles) are less sensitive to human activities than soft surfaces (e.g. mud) and all marine vegetation, particularly eelgrass, must be avoided
- ❑ The minimum clearance below the float at low tide (see diagram above) should be 1½ metres to avoid the wash from propellers disturbing the seabed
- ❑ Concrete, plastic or steel pilings are an environmentally sound alternative to treated wood pilings
- ❑ Until it fully hardens, concrete is very toxic to aquatic organisms. Use of pre-cast structures or isolating the wet cement from the surrounding water until it is dry are two ways to reduce this problem
- ❑ No dredging, blasting and filling below the high water mark should be considered
- ❑ Avoid the use of heavy equipment below the high water mark wherever possible. If intertidal work is necessary, work must occur only under approved conditions and when the site is not wetted by the tide
- ❑ Care must be taken to minimize the area disturbed by construction activities and to preserve trees, shrubs and grasses near the shoreline. Leaving the site natural will prevent interruption of ocean currents and reduce the potential for beach erosion
- ❑ Existing rocks and logs in the marine environment are important fish habitats and should not be used as building materials
- ❑ Docks and floats shade the seabed, and could reduce or eliminate the growth of aquatic plants that are an integral part of the food web. To reduce this impact:
 - ❑ Docks should be at least 2 metres above the highest high water mark. Keep ramps and docks to a width of 1.0 - 1.5 metres
 - ❑ Use grates or space boards on ramp and float decking to let light reach plants and animals below
 - ❑ If possible, try to align your dock to lie north to south to allow better light penetration under dock structures
 - ❑ Floats should be limited to 3 metres in width and 8 metres in length

STAFF REPORT

File No.: GM-DVP-2019.3 and
GM-DP-2019.1
(Barlow & McDonnell)

DATE OF MEETING: October 10, 2019
TO: Gambier Island Local Trust Committee
FROM: Jaime Dubyna, Planner 2
Northern Team
SUBJECT: **Development Variance Permit Application GM-DVP-2019.3 and Development Permit
Amendment Application GM-DP-2019.1**
Applicants: Carole Barlow and Greg McDonnell
Location: LOT C, BLOCK 4, DISTRICT LOT 847, PLAN 11658 (PID 008-993-831)

RECOMMENDATION

1. That the Gambier Island Local Trust Committee approve issuance of Development Variance Permit GM-DVP-2019.3.
2. That the Gambier Island Local Trust Committee approve issuance of Development Permit GM-DP-2019.1.

REPORT SUMMARY

The purpose of this staff report is for the Gambier Island Local Trust Committee (LTC) to consider two items:

- 1) Consideration of development variance permit (DVP) application GM-DVP-2019.3, which proposes to vary the front lot line setback specified by the Gambier Island Land Use Bylaw No. 86, 2004 (LUB) from 7.5 metres to 5.89 metres for an existing building; and
- 2) Approve issuance of development permit GM-DP-2019.1, to amend development permit GM-DP-2018.1, which authorized construction of a single family dwelling with attached deck located within Development Permit Area (DPA) No. 3 – Riparian Areas.

Staff is of the opinion that the proposed variance would not be contrary to the Gambier Island Official Community Plan Bylaw No. 73, 2001 (OCP), is minor in nature, and would not adversely impact neighbouring properties; therefore, staff recommend issuance of GM-DVP-2019.3.

Were the LTC to issue the variance GM-DVP-2019.3, an amendment to development permit GM-DP-2018.1 would be necessitated to reflect the siting of the existing building on the subject property. Specifically an amendment is required to remove Schedule 'A' – Site Plan, dated November 26, 2018, and attach the site plan dated July 24, 2019, found in Attachment 2 of this report and found in the draft DVP in Attachment 3.

Staff recommend issuance of GM-DP-2019.1, as relevant conditions have been met.

BACKGROUND

The 0.22 hectare (0.54 acre) subject property is located on the corner of Bay View Road and Andys Bay Road, as shown on Figure 1. Currently there is one 10 m² (approx. 100 sq.ft.) accessory building (shed) on the subject property, which is the subject of this DVP application. The applications precede a building permit application with the Sunshine Coast Regional District (SCRD) for the construction of a proposed single family dwelling.

The location of the existing building is shown on the site plan attached to the draft DVP found in Attachment 3.

Staff have received one letter of support from a neighbouring property owner regarding the DVP application at the time of this report.

A [staff report](#) was presented to the LTC for consideration of GM-DP-2018.1 at the December 13, 2018 LTC regular business meeting. At that meeting, the LTC provided the following resolutions:

GM-2018-073

It was MOVED and SECONDED,

by the Gambier Island Local Trust Committee that section 3.3.3 of the permit be amended to read: "A silt fence shall be installed prior to the time of lot clearing and maintained during construction on the perimeter of the identified SPEA."

CARRIED

GM-2018-074

It was MOVED and SECONDED,

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

CARRIED

Staff note that no other changes have been made in regards to the development permit application.

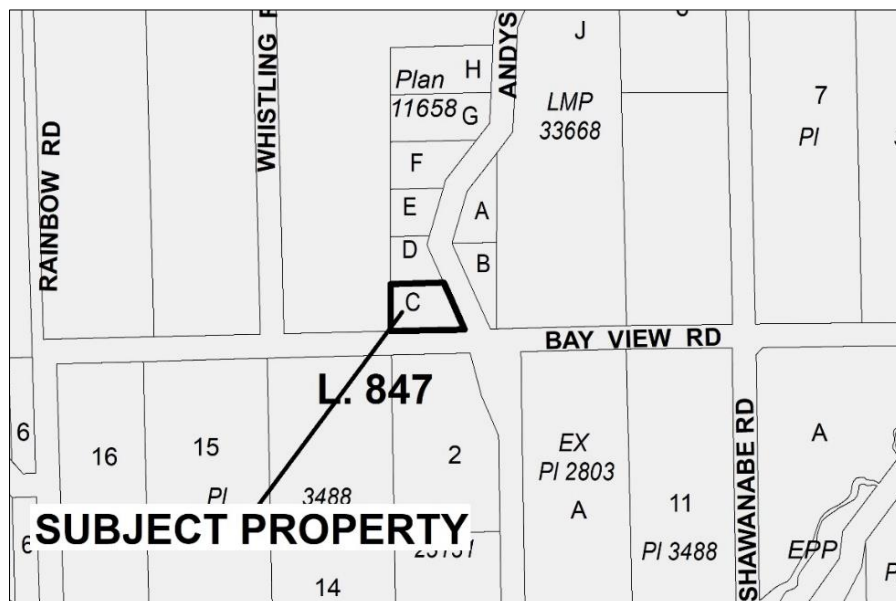


Figure 1. Subject property map.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

This application is not contrary to the Islands Trust Policy Statement (ITPS).

Official Community Plan:

The subject property is currently designated as Settlement Residential (SR) in the OCP. A portion of the subject property is within DPA No. 3 – Riparian Areas.

See the [staff report](#) dated December 13, 2018 for more information regarding DPA No. 3.

Land Use Bylaw:

The subject property is zoned Settlement Residential (SR) under the LUB. Permitted uses in the SR zone include single family residential use and accessory uses.

The siting of the existing accessory building requires variance from the Section 5.1(9) in the LUB:

- 5.1(9) *The minimum setback for any building or structure:*
(a) 7.5 metres from any front or rear lot line;

Staff also note the following regulations in the LUB:

- 3.3(4) *Buildings or structures accessory to residential buildings that do not exceed 2.5 metres in height and 10 square metres in floor area may be sited as close as two metres from any lot line, **except where the lot line abuts a highway**, in which case regulation 3.3(6) or the zone regulation, which ever is greater, shall apply.*
- 3.4(3) *Structures which at no point extend more than 0.6 metres above grade level, including wellheads and parking spaces may be sited on any portion of a lot, except that the siting of sewage disposal systems and fields shall comply with Provincial regulations.*

Issues and Opportunities

Requirement for a Survey Plan

Section 2.8 (1) of the LUB, provides,

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

The applicant has submitted a site plan that includes all pertinent information to this application, including the location of all existing and proposed buildings, structures and sewage absorption fields; measurements from lot lines and the Streamside Protection and Enhancement Area (SPEA) on the lot; and elevations. Staff consider the site plan to be sufficient for staff's analysis, and therefore recommend that the requirement in Section 2.8(1) of the LUB be waived.

Development Variance Permit GM-DVP-2019.3:

Existing Building

As noted, currently there is one 10 m² (approx. 100 sq.ft.) building (shed) on the subject property, which is the subject of the DVP application. Generally, staff consider such a building to be an accessory building. The LUB provides the following definition of “accessory”:

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

The definition of “accessory” in the LUB would suggest that a principal use, building or structure must exist on a lot before an accessory use, building or structure is permitted. The LUB contemplates accessory buildings or structures that are constructed on a lot prior to the construction of a principal dwelling unit in Subsection 3.1(1)(g):

- (g) Use of a building as a residence for the purpose of providing temporary shelter for the owner of a lot during the construction of a dwelling on the lot, **provided that a valid building permit has been issued for the construction of the dwelling** and for the building being used as the temporary residence, for a period not to exceed two years or 30 days from the date of issuance of the occupancy permit for the dwelling, whichever is earlier, or as extended by the Local Trust Committee by development variance permit.*

Staff are of the opinion that the applicant has demonstrated their intent to construct a principal dwelling unit by way of the development permit application (and amendment application) and the sewerage system filing. Staff have been advised by the applicant that they will be submitting a building permit application with the SCRD.

Staff are unaware of any complaints regarding the siting or use of the existing building.

Gambier Island Zoning Bylaw, 1979

The applicant has noted in the DVP application that the existing accessory building was constructed circa 2000.

During the time of construction, the Gambier Island Local Trust Committee Bylaw No. 12, cited as “Gambier Island Zoning Bylaw, 1979” was in effect. Section 5.8 of the Gambier Island Zoning Bylaw, 1979 provides,

- i) **Buildings and structures except a fence, boathouse, or pumphouse shall not be located within 7.5 metres of any front lot line or rear lot line.***

The current Land Use Bylaw was adopted in September 2005, repealing Gambier Island Zoning Bylaw, 1979.

Sewage Disposal System

The site plan indicates the location of the sewage disposal field to be within the front lot line setback area. Section 3.4(3) of the LUB provides,

- (3) **Structures which at no point extend more than 0.6 metres above grade level, including wellheads and parking spaces may be sited on any portion of a lot, except that the siting of sewage disposal systems and fields shall comply with Provincial regulations.***

The applicant has submitted a copy of the sewerage system filing with Vancouver Coastal Health Authority to satisfy the requirement in Section 3.4(3). A copy of the sewerage system filing is found in Attachment 5.

Development Permit GM-DP-2019.1:

During staff's review of development permit application GM-DP-2018.1, staff noted the siting of the existing building within the front lot line setback area. The following options were presented to the applicant:

1. To relocate the existing building outside of the 7.5 metre front lot line setback,
2. Apply for a DVP to vary the front lot line setback, or
3. Remove the existing building.

At that time, the applicant communicated to staff their intent to relocate the existing building outside of the setback area, which was reflected on the site plan, dated November 26, 2018, attached to and forming part of development permit GM-DP-2018.1.

The applicant has since indicated that relocation of the existing building would be costly and result in additional land alteration, and as a result have submitted the DVP application to vary the front lot line setback required by the LUB.

Were the LTC to issue GM-DVP-2019.3 for the proposed variance, an amendment to development permit GM-DP-2018.1 would be necessitated by replacing Schedule "A" – Site Plan, dated November 26, 2018, with the site plan dated July 24, 2019, found in Attachment 2 of this report and attached to and forming part of the draft DVP found in Attachment 3.

Consultation

No community consultation beyond the public notification requirements has been undertaken. A Community Information Meeting is not required for this application.

Statutory Requirements

In accordance with Section 499 of the *Local Government Act* (LGA) and Section 8 of the Gambier Island Development Procedures Bylaw No. 50, statutory notice of the proposed variance to the LUB was distributed to neighbouring property owners and tenants within 100 metres of the subject property's boundary on Thursday, September 19, 2019.

Staff have received written correspondence in support of the application, found in Attachment 7.

Any further correspondence received will be presented at the LTC meeting on Thursday, October 10, 2019. Correspondence may be sent to northinfo@islandstrust.bc.ca.

Rationale for Recommendation

Lot line setbacks exist primarily to ensure consistent built form within neighbourhoods, to provide fire separation between buildings and structures, to maintain privacy and to minimize negative impacts or conflict between neighbouring properties. Staff have received one letter of support from a neighbouring property owner who does not take issue with the siting of the existing building.

Staff recommend support for the proposed variance under the following rationale:

- The proposed variance is not contrary to the ITPS and Gambier Island OCP;
- The proposed variance is considered to be minor in nature;

- Staff have not received an enforcement complaint to date regarding the siting of the existing building; and
- Staff consider the siting of the existing building to have minimal impact on neighbouring property owners.

Issuance of GM-DVP-2019.3 would necessitate an amendment to Development Permit GM-DP-2018.1; therefore, the applicant has submitted a DP amendment application to remove the Schedule 'A' – Site Plan, dated November 26, 2019, and attach the site plan dated July 24, 2019, to form part of Development Permit GM-DP-2019.1.

See staff's recommendation on Page 1 of this report.

ALTERNATIVES

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

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

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

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

2. Deny the application

The LTC may deny the application. Staff advise that if the DVP is denied, options for the applicants include relocating the existing building to outside of the setback area, removing the existing building, or applying for a rezoning application. Should the LTC deny the DVP application, Development Permit GM-DP-2019.1, would not be required.

If selecting this alternative, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee deny issuance of application GM-DVP-2019.3 for the following reasons [note specific reasons].

NEXT STEPS

If the LTC resolves to issue the Development Variance Permit, an amendment to the Development Permit would be necessitated. The permits can then be issued and the applicant may commence with the building permit application process.

Submitted By:	Jaime Dubyna, MSc.Pl. Planner 2	September 24, 2019
Concurrence:	Heather Kauer, AICP Regional Planning Manager	September 27, 2018

ATTACHMENTS

1. Attachment 1 – Site Context
2. Attachment 2 – Site Plan, dated July 24, 2019

3. Attachment 3 – Draft Development Variance Permit GM-DVP-2019.3 (including Schedule ‘A’ – Site Plan)
4. Attachment 4 – Copy of Public Notice
5. Attachment 5 – Sewerage System Filing, dated November 27, 2018
6. Attachment 6 – Draft Development Permit GM-DP-2019.1 (including Schedules ‘A’ – Site Plan, ‘B’ – Building Plans and ‘C’ – RAR Assessment Report, Coastal Raintree Consulting, dated July 11, 2018)
7. Attachment 7 – Letter, dated September 23, 2019

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT C BLOCK 4 DISTRICT LOT 847 PLAN 11658
PID	008-993-831
Civic Address	None (Andy's Bay Rd.)

LAND USE

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

HISTORICAL ACTIVITY

File No.	GM-DP-2018.1 – encroachment into RAR DPA (DP issued) GM-DP-2019.1 – to amend Development Permit GM-DP-2018.1 GM-DVP-2019.3 – to vary the front lot line setback
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POLICY/REGULATORY

Official Community Plan Designations	Land Use Designation: Settlement Residential (SR) Development Permit Area 3 – Riparian Areas
Land Use Bylaw	Zone: Settlement Residential (SR) 5.1 (1) Permitted Uses (1) The following uses are permitted, subject to the regulations set out in this Section and Part 3, and all other uses are prohibited: (a) Single family residential use; (b) Associated secondary dwelling use; (c) Domestic agriculture; (d) Agriculture; (e) Accessory uses including but not limited to home occupations. 5.1 (9) Siting and Size (9) The minimum setback for any building or structure: (a) 7.5 metres from any front or rear lot line; (b) 3 metres from any interior side lot line; (c) 4.5 metres from any exterior side lot line. The Land Use Bylaw provides the following definitions: LOT LINE means the legally defined boundary of a lot, and in particular: Front lot line means the lot line common to the lot and an abutting highway and where there are two or more such lines, the shortest line (other than corner cuts) is deemed the front lot line; in the case of a panhandle lot, the line that is generally

	parallel to the highway and perpendicular to the lot lines that form the access strip is considered the front lot line; STRUCTURE means anything that is constructed or erected and that is fixed to, supported by or sunk into land or water, excluding fences, surfaced areas of gravel, concrete or other similar material comprising driveways, uncovered patios, uncovered parking areas. 3.3 Siting and Setback Regulations (4) Buildings or structures accessory to residential buildings that do not exceed 2.5 metres in height and 10 square metres in floor area may be sited as close as two metres from any lot line, except where the lot line abuts a highway, in which case regulation 3.3(6) or the zone regulation, which ever is greater, shall apply. (5) No building shall be sited within 4.5 metres of any lot line that abuts a highway. (6) On a corner lot within the triangular space formed by the highway lines and a line joining points on the highway lines six metres from the point of intersection of the highway lines, no landscape screen, landscaping, building or structure shall be planted or erected to a height greater than 1 metre above the established grade of the highway. 3.4 Siting and Setback Exceptions (3) Structures which at no point extend more than 0.6 metres above grade level, including wellheads and parking spaces may be sited on any portion of a lot, except that the siting of sewage disposal systems and fields shall comply with Provincial regulations.
Other Regulations	Section 3.1 (2) of the Sewerage System Regulation requires, <i>(2) Subject to subsections (3) and (4) (b), a person must not construct</i> <i>(a) a holding tank less than 15 metres from a well, or</i> <i>(b) a sewerage system less than 30 metres from a well.</i>
Covenants	None.
Bylaw Enforcement	None.

SITE INFLUENCES

Islands Trust Conservancy	This proposal does not directly affect any Islands Trust Conservancy Board (ITC) owned property or conservation covenant, nor directly affect a property adjacent to an ITC owned property or conservation covenant. Therefore referral to the ITC for comment is not required.
Regional Conservation Strategy	Map 6 of the Regional Conservation Plan 2018-2027 estimated importance of habitat composition as LOW/MEDIUM for this property. The Gambier Island Local Trust Area has been identified as being a HIGH priority for conservation, and is a secondary focus for ITC outreach based on ecosystem values, threats and current levels of conservation (after the very high priority areas – Salt Spring Island, Lasqueti).

Species at Risk	The subject property is within an area identified as critical habitat for the Marbled Murrelet (<i>Brachyramphus marmoratus</i>). The Marbled Murrelet is listed under the <i>Species at Risk Act</i> (SARA) and is subject to protections under the <i>Migratory Birds Convention Act</i> and <i>BC Wildlife Act</i>. Terrestrial threats to Marbled Murrelets include fragmentation and loss of old-growth nesting habitat due to human activity; predation at nest sites; and potential threats related to energy infrastructure development. The Recovery Strategy for the Marbled Murrelet in Canada provides that, “the primary threats to the species or its habitat can be avoided or mitigated through a combination of; habitat management, stewardship, communications and outreach, and additional research.” More information can be found at: http://ibis.geog.ubc.ca/biodiversity/factsheets/pdf/Brachyramphus_marmoratus.pdf
Sensitive Ecosystems	“Schedule C” – Environmentally Sensitive Areas of the OCP identifies the watercourse and surrounding area (including the subject property) as having “Fisheries Value”.
Hazard Areas	None.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) does not indicate any recorded archaeological sites on the property or areas of archaeological potential within 100 metres of the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Staff do not anticipate any greenhouse gas emission changes resulting from approval of the proposed permit. Staff do not anticipate any climate change induced hazards arising from permit approval.
Shoreline Classification	n/a
Shoreline Data in TAPIS	n/a

DRAFT



GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
GM-DVP-2019.3

TO: CAROLE BARLOW & GREG MCDONNELL

1. This Development Variance Permit applies to the land described below:

PID: 008-993-831

Lot C Block 4 District Lot 847 Plan 11658

2. Pursuant to Section 498 of the *Local Government Act*, the *Gambier Island Land Use Bylaw No. 86, 2004* is varied as follows:

- a) **PART 5 – ZONE REGULATIONS**, Section **5.1 Settlement Residential (SR) Zone**, Subsection **5.1 (9)**: “The minimum setback for any building or structure:

(a) 7.5 metres from any front or rear lot line”;

- Is varied in order to reduce the front lot line setback from 7.5 metres to 5.89 metres (19 ft. 4 inches) for the siting of an existing accessory building, as shown in the Site Plan in Schedule “A” attached to and forming part of this permit.

3. All buildings and structures shall be consistent with Schedule “A” which is attached to and form part of this permit. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of the *Gambier Island Land Use Bylaw No. 86, 2004* including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF _____, 2019.

Deputy Secretary, Islands Trust

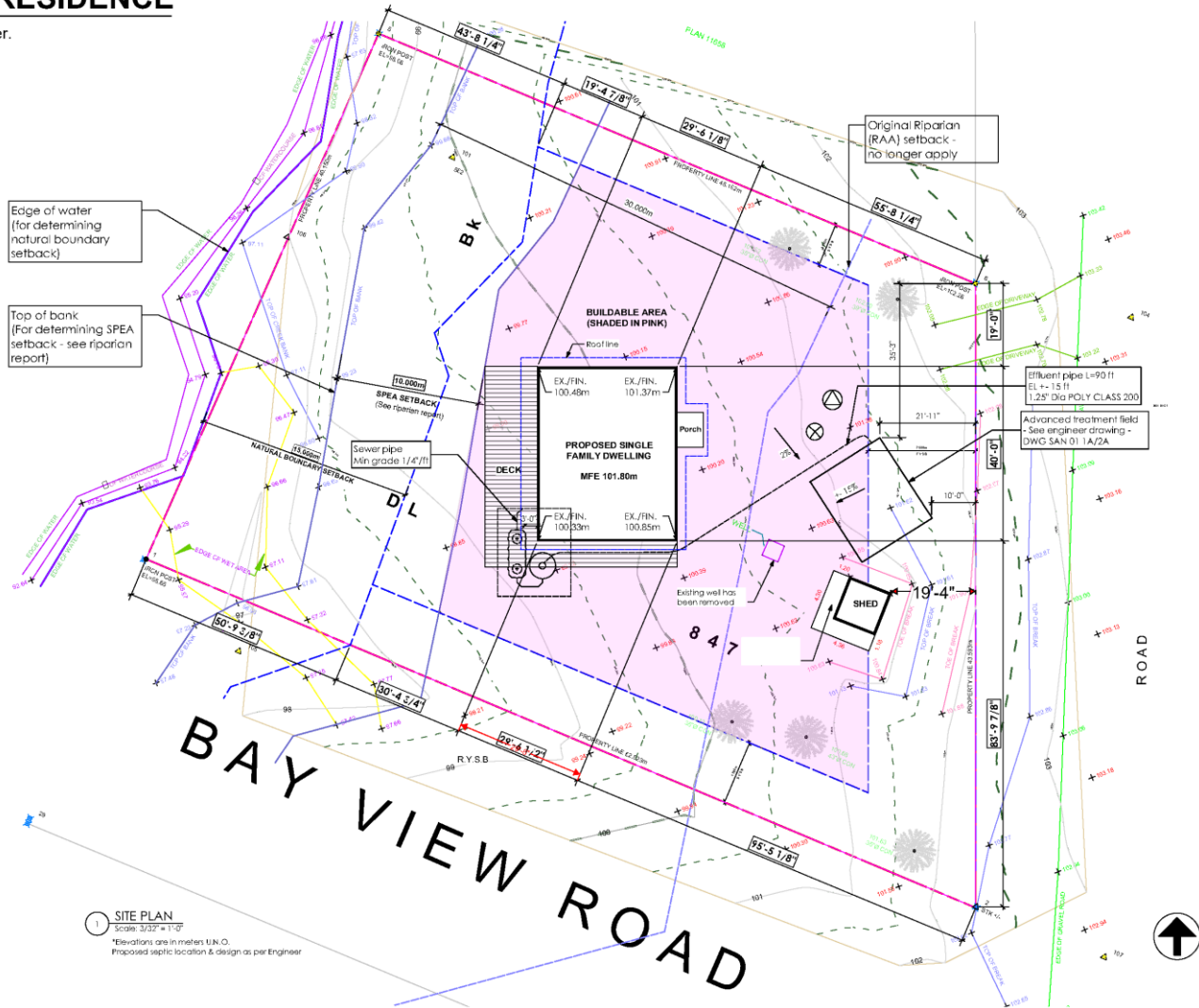
Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____ 2021, THIS PERMIT AUTOMATICALLY LAPSES.

AJIA CANADIAN BUILDING SYSTEMS INC.	
AJIA CUSTOM PREFAB HOMES 1-888-990-AJIA (2542) www.ajia.ca	
AJIA CANADIAN BUILDING SYSTEMS INC. 1307 CROWN STREET NORTH VANCOUVER, BC V7J 1G4 TEL: 604-990-1100 FAX: 604-990-1100	
ENGINEER: MALCOLM MACQUARRIE/AAIA ADDRESS: 1307 CROWN ST. N. VANCOUVER, BC V7J 1G4 TEL: 604-990-1100 FAX: 604-990-1100	
Site Plan	
SITE ADDRESS:	
LEGAL DESCRIPTION:	
LOCAL AUTHORITY:	
D.D. FOOTAGE: DESIGN BY: 104140 DRAWN BY: 104140	
ISSUED FOR: Design	
SHEET: A1.1	
JOB No: 18-14 Date: 7/24/19 Time: 4:13:59 PM	

MCDONNELL RESIDENCE

LOT C New Brighton, Gambier.



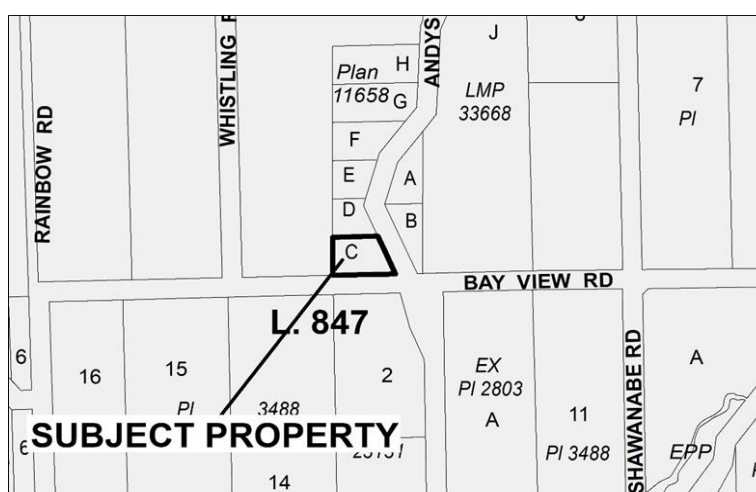
 Islands Trust	NOTICE GM-DVP-2019.3 – BARLOW & MCDONNELL GAMBIER ISLAND LOCAL TRUST COMMITTEE
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NOTICE is hereby given that the Gambier Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 498 of the *Local Government Act*, varying the Gambier Island Land Use Bylaw No. 86, 2004, in general terms, as follows:

- The minimum front lot line setback would be varied to permit the siting of an existing accessory building from the required 7.5 metres to 5.89 metres from the front lot line.

The property is legally described as: PID 008-993-831 Lot C Block 4 District Lot 847 Plan 11658

The general location of the subject area is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3, between the hours of 8:30 am and 4:00 pm, Monday to Friday inclusive, excluding Statutory Holidays, commencing **September 27, 2019** and continuing up to and including **October 9, 2019**. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed Permit, please contact Jaime Dubyna, Planner 2, at 250-247-2212; for Toll Free Access, request a transfer via Enquiry BC: in Vancouver 604-660-2421 and elsewhere in BC at 1-800-663-7867.

Written submissions should be sent to: **Mail:** Islands Trust, 700 North Road, Gabriola, BC V0R 1X3;
Fax: 250-247-7514 or **Email:** jdubyna@islandstrust.bc.ca

Following the end of the notice period, the Gambier Island Local Trust Committee may consider issuance of the proposed Permit at its Regular Business Meeting to be held at 12:00 pm, Thursday, October 10, 2019, at John Braithwaite Community Centre, 145 West 1st St., North Vancouver, B.C.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Becky McErlean
Deputy Secretary



HEALTH PROTECTION

RECEIPT OF RECORD OF SEWERAGE SYSTEM

This receipt acknowledges that the Health Authority has received a completed Record of Sewerage System for the following location:

RECEIPT NUMBER FOR RSS FILING FEE: 11827

TAX ASSESSMENT ROLL NUMBER: 746.00963.120

AUTHORIZED PERSON: BERT TELDER

CIVIC ADDRESS: LOT C, BLK 4, ANDY'S BAY ROAD, GAMBIER ISLAND

LEGAL DESCRIPTION: DL 847, LOT C, BLK 4, PLAN 11658

EFFECTIVE DATE: NOVEMBER 27, 2018

Please note that the system work must be completed and a Letter of Certification filed with the Health Authority within two years of the effective date noted.

EXPIRY DATE: NOVEMBER 27, 2020



**GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GM-DP-2019.1**

(AMENDMENT TO GM-DP-2018.1)

To: Gregory McDonnell and Carole Barlow

1. This permit applies to:

LOT C, BLOCK 4, DISTRICT LOT 847, PLAN 11658
PID 008-993-831

2. Whereas the subject property as described above lies within "Development Permit Area No. 3 – Riparian Areas" designated under the Gambier Island Official Community Plan Bylaw No. 73, this development permit is issued under the Gambier Island Land Use Bylaw No. 86 and authorizes the **construction of one single family dwelling with attached deck** in accordance with Schedules "A" – Site Plan, Schedule "B" – Building Plans, and Schedule "C" – Riparian Areas Regulation (RAR) Assessment Report, dated July 11, 2018, by Coastal Raintree Consulting, Ltd., attached to and forming part of this permit.

3. The Permit is subject to the following conditions:

- 3.1 No development or development activity, including activity associated with motor vehicles and machinery, is to occur within the Streamside Protection and Enhancement Area (SPEA) identified in the RAR Assessment Report.
- 3.2 A Qualified Environmental Professional (QEP) shall be retained to monitor site preparation and construction of the proposed development to ensure that all measures identified in the RAR Assessment Report are followed.
- 3.3 A silt fence shall be installed prior to the time of lot clearing and maintained during construction on the perimeter of the identified SPEA.
- 3.4 Stormwater drainage shall not discharge into the ravine slopes or crests, and shall be designed to drain through gutters and closed pipes to an appropriate discharge area.
- 3.5 The property owner is required to submit a post-development assessment report by a Qualified Environmental Professional (QEP) that confirms the development has occurred in accordance with the recommendations contained in the RAR Assessment Report which forms part of this permit, within 60 days of project completion.
- 3.6 Any alterations requiring a Development Permit and not specifically authorized in this Permit may require a new Development Permit or a Development Permit Amendment.

This permit does not relieve the applicant from complying with the provisions of *the Gambier Island Official Community Plan Bylaw No. 73, 2001*, and the *Gambier Island Land Use Bylaw No. 86, 2004*, nor does it provide permission to construct any works without other lawfully required approvals and permits.

AUTHORIZING RESOLUTION PASSED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE THIS ____TH DAY OF _____, 2019.

Deputy Secretary, Islands Trust

Date Issued

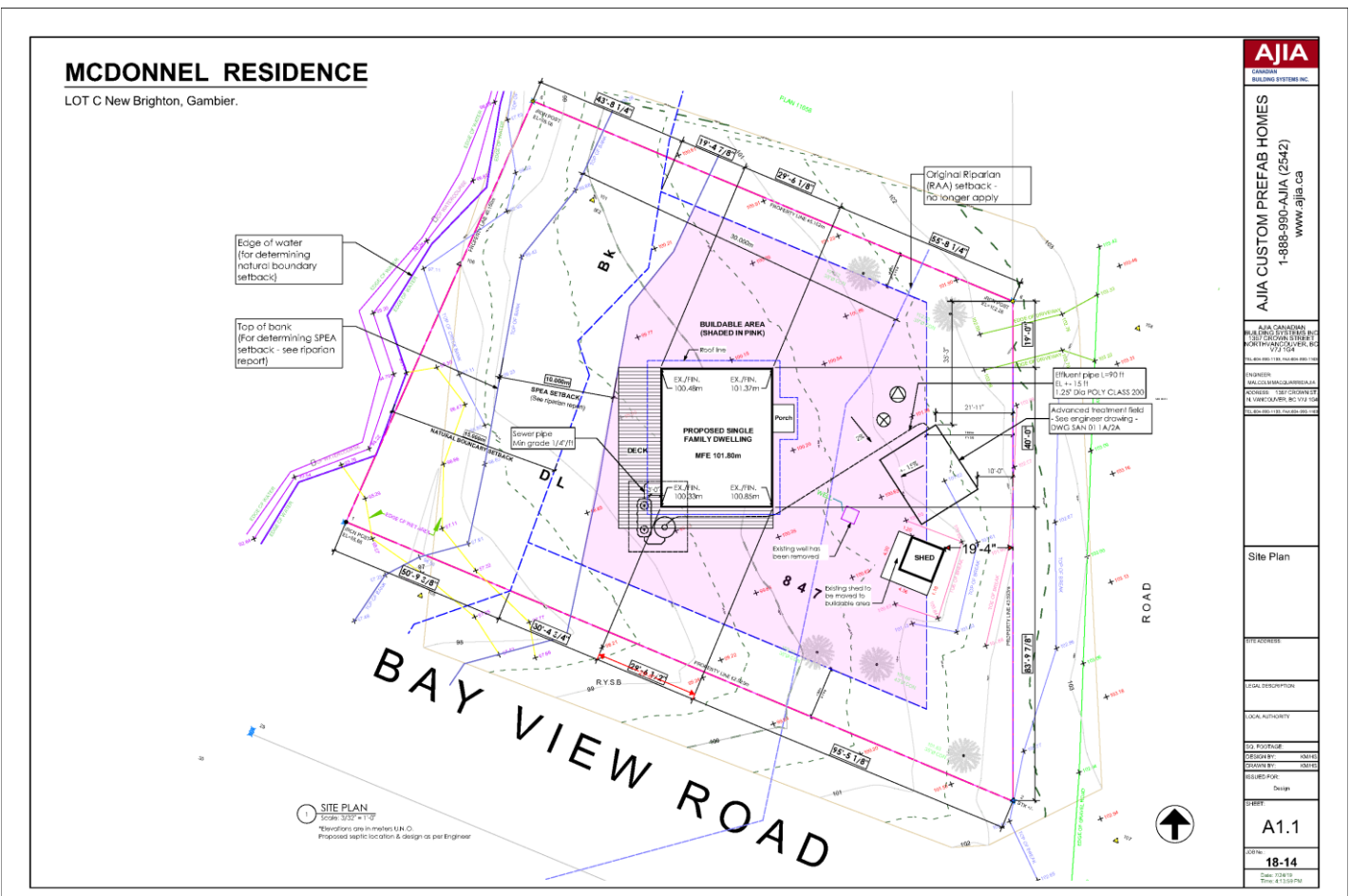
IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____, 2021 THIS PERMIT
AUTOMATICALLY LAPSES.



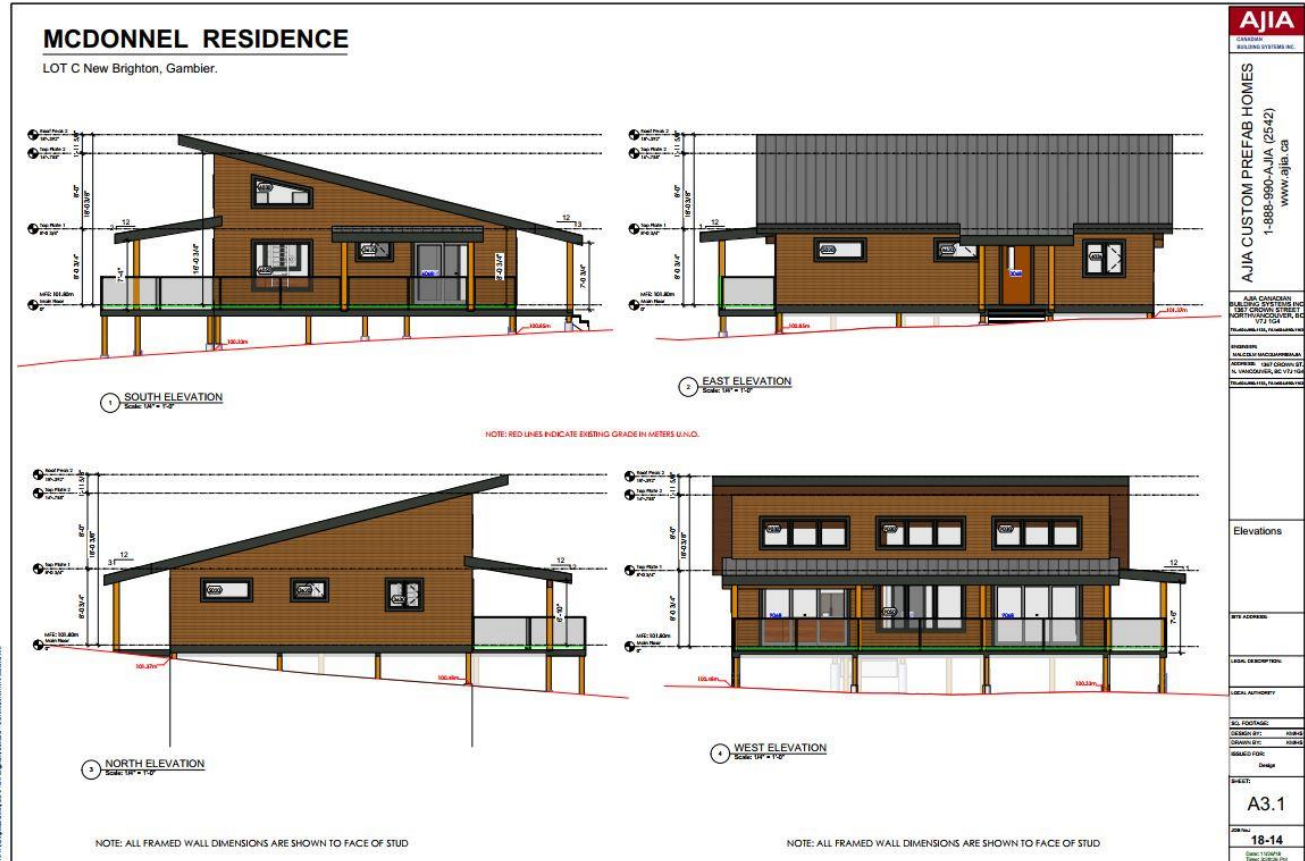
Islands Trust

GAMBIER ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GM-DP-2019.1

Schedule "A" – Site Plan



Schedule "B" – Building Plans cont...



Elevation Plan



GAMBIER ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT GM-DP-2019.1

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

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

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

Date July 11, 2018

I. Primary QEP Information

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

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

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

III. Developer Information

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

IV. Development Information

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

V. Location of Proposed Development

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

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Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

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

Description of the Fishery Resource Values

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

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

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

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

Description of the Development Proposal

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

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

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Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

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

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

Section 2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: 2018-June-26

Description of Water bodies involved (number, type)

1, Stream

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

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

Channel Width(m)		Gradient (%)	
starting point	3.1		
Upstream	2.7	6	
	1.8		
	2.7		
	2.2		
	2.1	6	
Downstream	2.0		
	2.4		
	2.0		
	2.1		
	1.8	5	
Total: minus high /low	20.0		
mean	2.0	5.6	
	R/P	C/P	S/P
Channel Type	XXXX		

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

Site Potential Vegetation Type (SPVT)

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

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Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.			
Polygon No:	N/A	Method employed if other than TR	
SPVT Type	LC SH TR	N/A	

Zone of Sensitivity (ZOS) and resultant SPEA

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

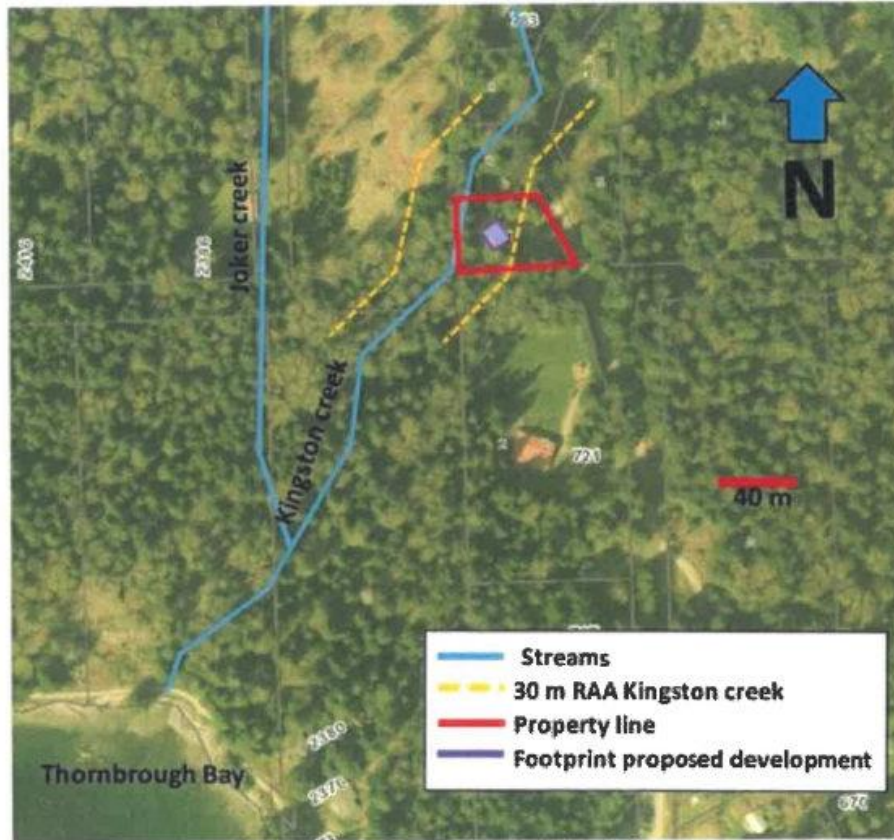
I, Anavansi Cohen Fernandez RPBio., hereby certify that:	
a)	I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the Fish Protection Act;
b)	I am qualified to carry out this part of the assessment of the development proposal made by the developer AJIA Custom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

Comments

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

Section 3. Site Plan

Figure 1. Site Plan and Riparian Area Assessment



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



FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 4. Measures to Protect and Maintain the SPEA

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

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

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

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

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

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

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 5. Environmental Monitoring

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

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

Environmental monitoring could be carried out to ensure:

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

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

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

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 6. Photos

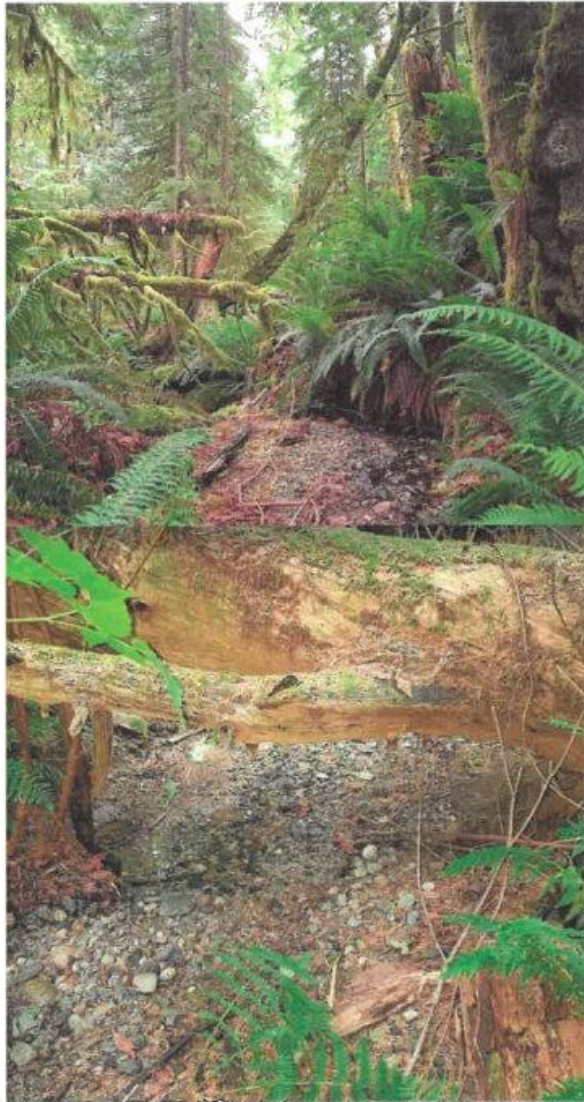


Figure 3. Characteristic elements observed on the ravine of Kingston creek included plant species such as sword (*Polystichum munitum*) and bracken (*Pteridium aquilinum*) ferns, limited running water and a sand and pebbles streambed. Dominant tree species include western red cedar (*Thuja plicata*)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

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

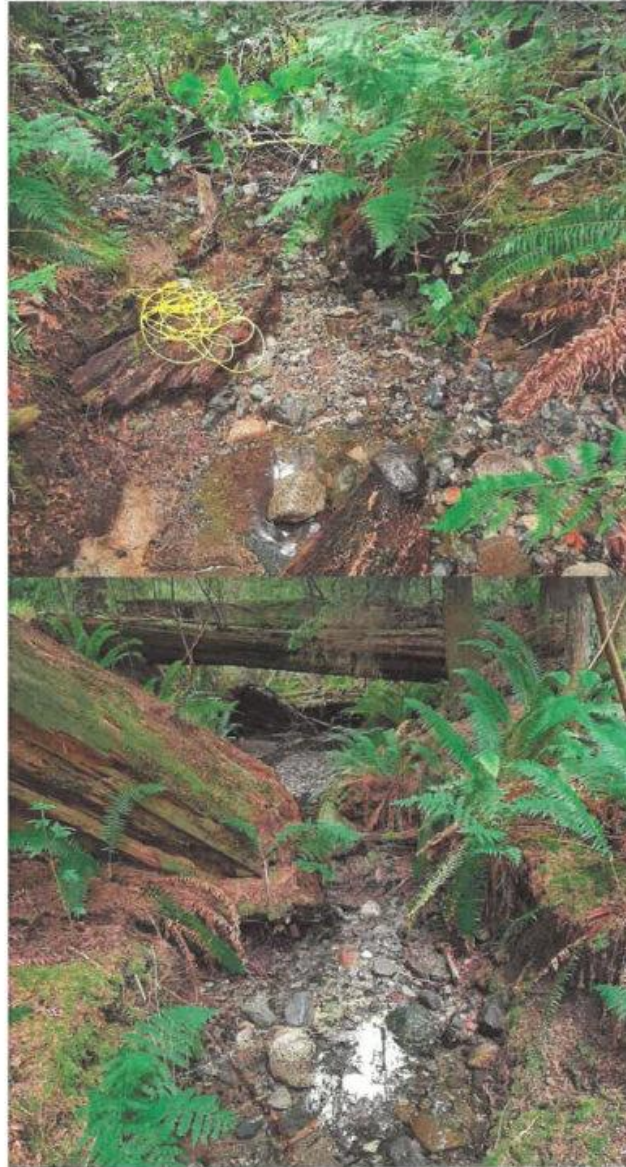


Figure 4. Characteristic elements observed on the ravine of Kingston creek included functioning LWD, limited running water and a sand and pebbles streambed.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

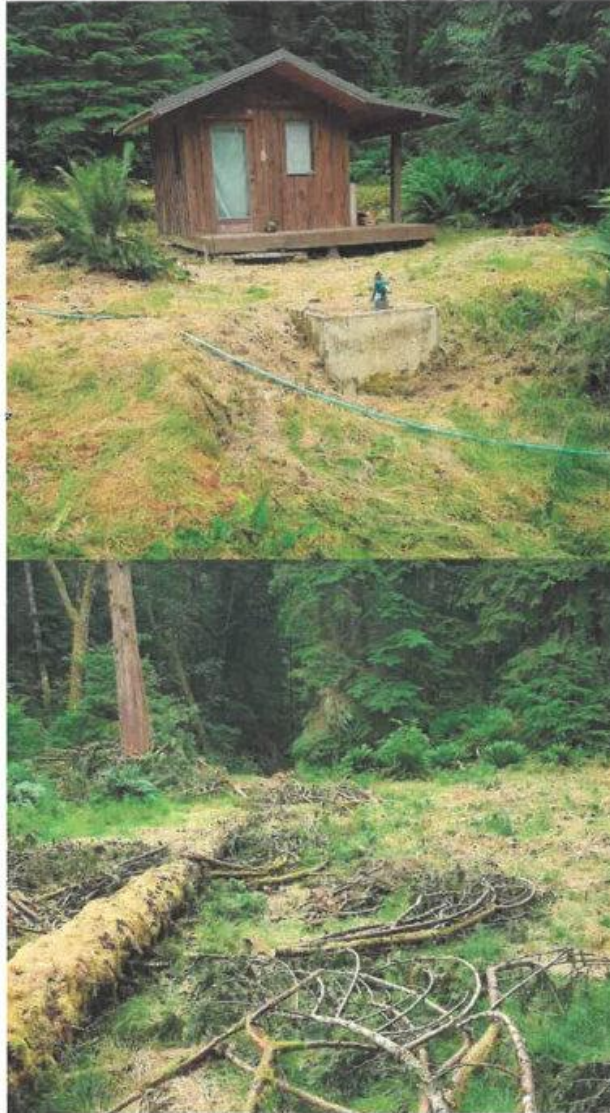


Figure 5. A 10 square meters unoccupied shed is located on the East side of the Property near Andy's Bay Rd. The flat area where the proposed dwelling will be developed is devoid of trees and is vegetated by grasses and few invasive plant species.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 7. Professional Opinion

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

Date July 8, 2018

1. I Anayansi Cohen-Fernandez, RPBio

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

hereby certify that:

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

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

- a) ☒ If the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)
- b) ☐ If the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

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

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

From: george wishart [REDACTED]
Sent: Monday, September 23, 2019 6:11 PM
To: Jaime Dubyna
Subject: Variance application - McDonnell

Hello Jaime,

My name is George Wishart.

I have a residence on Gambier Island and I am the neighbour of Greg McDonnell. I received in the mail today a copy of a request he has made for a variance of less than 2 meters to allow his accessory shed to reside where it currently is.

I just wanted to say I have no problem with where the shed currently sits at all, and want to voice my support for the acceptance of the variance.

Thanks so much.

George Wishart
[REDACTED]

Gambier Island, BC.

File No.: GM-BP-2019.18
(x-ref GM-BP-2019.23)

DATE OF MEETING: September 20, 2019
TO: Gambier Island Local Trust Committee
FROM: Bronwyn Sawyer, Planner 2
Northern Team
SUBJECT: Confirmation that Section 4.4.10 has been satisfied as part of building permit referral
Applicant: Spindrift Properties (Keats) Inc.
Location: 477 and 479 Skyline Road, Keats Island

RECOMMENDATION

- 1. That the Gambier Island Local Trust Committee is satisfied that Section 4.4.10 of the Keats Island Land Use Bylaw, 2002 has been met through the registration of the statutory right of way for a pedestrian pathway (BA302860) between Spindrift Properties (Keats) Inc. and the Sunshine Coast Regional District.**

PURPOSE

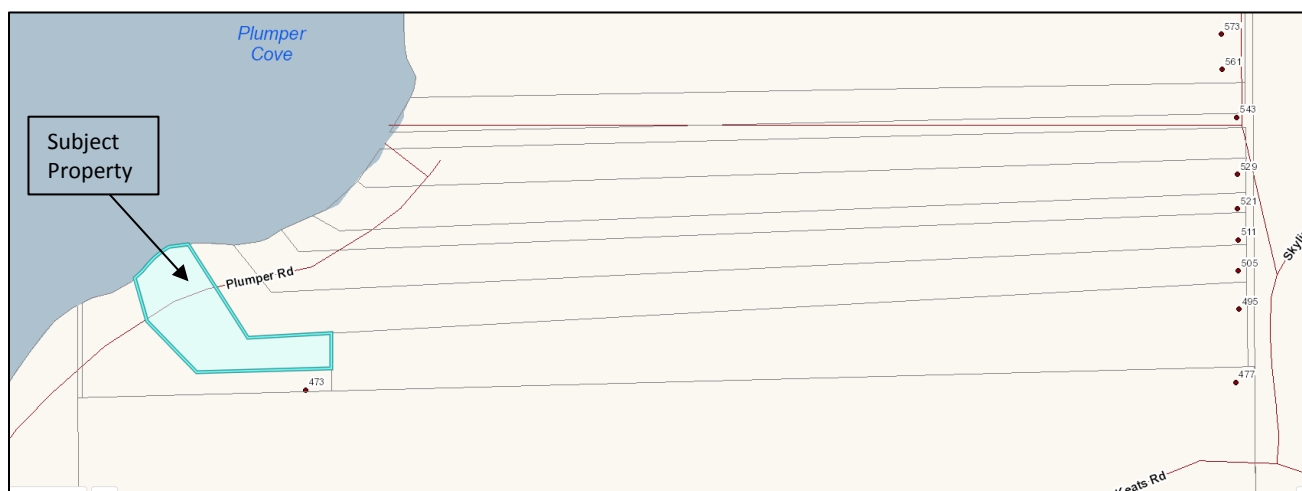
A Sunshine Coast Regional District (SCRD) building permit referral has been received for the construction of a second house on Strata Lot 1, District Lot 1467, Group 1, New Westminster District Strata Plan BCS1947 Together with an interest in the Common Property in proportion to the unit entitlement of the strata lot as shown on Form V (477 Skyline Road). There is an existing house on the property. The lot is zoned Rural Residential (RR) in the Keats Island Land Use Bylaw, 2002 and the subject strata lot is 1.21 hectares. In the Rural Residential, the following density provision is stated:

4.4.9 A maximum of:

- One single family residential dwelling and one sleeping cabin per lot area permitted on lots smaller than 0.8 hectares (2 acres);
- One single family residential dwelling and one accessory guest cottage are permitted on lots of 0.8 hectares (2 acres) or larger but less than 8.0 hectares (20 acres); and
- Two single family residential dwellings are permitted on lots of 8.0 hectares (20 acres) or larger.

4.4.10 Despite Subsection 4.4.9

-Two single family residential dwellings are permitted per strata lot on bare land strata developments where the average overall lot area density is at least 4.0 hectares (10 acres) (including common property) and the lot area is at least 1.0 hectare (2.5 acres) or larger in which a conservation covenant or pedestrian trail right of way has been dedicated to the satisfaction of the Gambier Island Local Trust Committee.



As part of the building permit application referral process, staff are required to review the density regulations in the land use bylaw to ensure that the number of buildings being proposed is permitted. In this case, the regulation stating the maximum number of single family residential dwellings is dependent upon review by the Gambier Island Local Trust Committee (LTC) and confirmation that the LTC is satisfied with the covenant or right of way registered on the property.

There are several covenants and rights of way registered on the title. The right of way that is relevant to the LTC as part of this building permit referral is statutory right of way BA302860 (see Attachment 1). In this document 1(a) provides the grantee (Sunshine Coast Regional District) the right, along with other rights, to pass and repass over and across the right of way on foot or on bicycle but excluding motorized vehicles. It appears that this statutory right of way was a condition of the preliminary layout approval for the earlier subdivision; however it is unclear if this was intended to satisfy this density requirement (the LUB was adopted 2002 and the original subdivision application was made in 2000). Staff ask that the LTC confirm they are satisfied the statutory right of way on title satisfies 4.4.10 of the LUB, thereby allowing the applicants to construct a second single family dwelling.

It is the recommendation of staff that statutory right of way BA302860 satisfies section 4.4.10 of the Keats Island Land Use Bylaw, 2002.

NEXT STEPS

Following confirmation that the LTC is satisfied that the pedestrian trail requirement has been met with the statutory right of way on title, staff will continue to process the SCRD building permit referral.

Submitted By:	Bronwyn Sawyer Planner 2	September 30, 2019
Concurrence:	Heather Kauer, AICP Regional Planning Manager	Select Date.

ATTACHMENTS

1. Statutory Right of Way BA302860

**LAND TITLE ACT
FORM C**

14 JUL 2006 14 35

BA302860

(Section 181(1))

Province of

British Columbia

GENERAL INSTRUMENT - PART 1

(This area for Land Title Office use)

Page 1 of 9 pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

Kuhn & Company, Legal Counsel
#300-31935 South Fraser Way
Abbotsford, B.C. V2T 9J6 (604) 864-8877



signature of applicant, applicant's solicitor or agent

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND: *

(PID)

NPA

(LEGAL DESCRIPTION)

Strata Lots 1, 2 and Part of the Common Property, D.L. 1467 Gp 1 NWD Strata Plan
BCS 1947

3. NATURE OF INTEREST: *

DESCRIPTION

DOCUMENT REFERENCE

(page and paragraph)

PERSON ENTITLED TO INTEREST

Section 218 Statutory Right
Of Way over Part Shown on
Plan BCP 24870

Entire Document

Sunshine Coast Regional District

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) Filed Standard Charge Terms

☐ D.F. No.

(b) Express Charge Terms

☒ Annexed as Part 2

(c) Release

☐ There is no Part 2 of this instrument

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) 06/02/00, 04/30/06, 03/01/07 in Item 719279

3 is released or discharged as a charge on the land described in item 2.

CHARGE

\$65.20

5. TRANSFEROR(S):*

SPINDRIFT PROPERTIES (KEATS) INC. (Inc. No. 417834)

THE OWNERS, STRATA PLAN BCS 1947

6. TRANSFEREE(S): (including postal address(es) and postal code(s))*

SUNSHINE COAST REGIONAL DISTRICT, 5477 Wharf Road, Box 800, Sechelt, British Columbia, V0N 3A0

7. ADDITIONAL OR MODIFIED TERMS:*

N/A

8. EXECUTION(S):** This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

(as to all signatures of Spindrift Properties (Keats) Inc.)
DEAN A. O'LEARY

Barrister & Solicitor

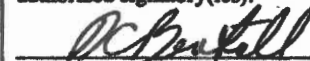
26th Floor,
Toronto Dominion Bank Tower,
700 West Georgia Street
Vancouver, B.C.
V7Y 1B3

Execution Date

Y	M	D
05	10	04

Party(ies) Signature(s)

Spindrift Properties (Keats) Inc. by its
authorized signatory(ies):


DAVID C. BENNETT


CHARLES BENNETT

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

* If space insufficient, enter "SEE SCHEDULE" and attach schedule in Form E.

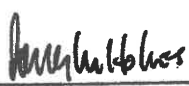
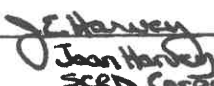
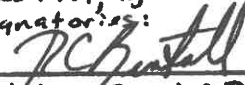
** If space insufficient, continue executions on additional page(s) in Form D.

DYE & DURHAM CLIENT No. 11061
SURVEY DEPT.

LAND TITLE ACT
FORM D

Page 2 of 9 pages

EXECUTIONS CONTINUED

Officer Signature(s)	Execution Date			Transferee Signature(s)
	Y	M	D	
 Douglas Adams, A Commissioner for taking Affidavits for British Columbia P.O. Box 800, 5477 Wharf Road Sechelt, B.C. V0N 3A0 (604) 885-2261	2005	05	11	SUNSHINE COAST REGIONAL DISTRICT by its authorized signatory  Jean Harvey SCR D Corporate Officer
 Judith A. Janzen Barrister and Solicitor 20-800 Howe Street Vancouver, B.C. V6Z 2M4 (604) 684-8888	2006	12	13	THE OWNERS, STRATA PLAN BCS 1947, by their authorized signatories:  Print Name: David C. Bantall
(As to both signatures)				Print Name:

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c. 124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

TERMS OF INSTRUMENT

THIS AGREEMENT made the 4 day of October, 2005.

BETWEEN:

SPINDRIFT PROPERTIES (KEATS) INC.
(Inc. No. 417834), #300-31935 South Fraser
Way, Abbotsford, BC V2T 5N7 and
THE OWNERS, STRATA PLAN BCS 1947
(hereinafter called the "Grantor")



OF THE FIRST PART

AND:

SUNSHINE COAST REGIONAL DISTRICT
Post Office Box 800
Sechelt, BC V0N 1V0
(hereinafter called the "Grantee")

OF THE SECOND PART

WHEREAS:

A. The Grantor is the registered owner of all and singular that certain tract of land laying, situate and being in the North Shore – Squamish Valley Assessment Area, Province of British Columbia, more particularly known and described as:

Parcel Identifier: NPA
Strata Lots: 1, 2 and ~~Part of~~ the Common Property
District Lot: 1467
Strata Plan: BCS 1947

(hereinafter called the "Lands");

B. Section 218 of the Land Title Act provides, inter alia that there may be registered as a charge against the title to land an easement without a dominant tenement to be known as a Statutory Right of Way;

C. The Grantee requires and the Grantor wishes to grant to the Grantee a Statutory Right of Way for a pedestrian pathway over a portion of the Lands;

D. This Statutory Right of Way is necessary for the operation and maintenance of the Grantee's undertaking;

NOW THEREFORE THIS AGREEMENT WITNESSETH that pursuant to Section 218 of the Land Title Act, and in consideration of the sum of ONE DOLLAR (\$1.00) now paid to the Grantor by the Grantee (the receipt and sufficiency whereof is hereby acknowledged) the parties hereby covenant and agree with the other as follows:

1. The Grantor hereby grants and conveys in perpetuity and at all times to the Grantee and its invitees the full, free and uninterrupted right, license, liberty, privilege, easement and right of way in common with the Grantor over that portion of the Lands within the area outlined in a heavy black line as shown on Explanatory Plan prepared by PETER M. GORDON, Land Surveyor, a copy of which is attached as Schedule "A" (the "Right of Way") to this agreement.

- (a) to pass and repass over and across the Right of Way on foot or on bicycle but excluding motorized vehicles;
- (b) to enter over, on, in, and under the Statutory Right of Way to:
 - (i) conduct surveys and examinations;
 - (ii) dig up, remove and replace soil;
 - (iii) construct an unpaved pathway; (the "Works")

- (c) to bring on to the Statutory Right of Way all materials and equipment the Grantee requires or desires for the Works;
- (d) to clear the Statutory Right of Way and keep it clear of anything which in the opinion of the Grantee constitutes or may constitute an obstruction to the use of the Statutory Right of Way or to the Works;
- (e) to cross over the Lands for reasonable access to the Statutory Right of Way and make reasonable ancillary use of the Lands for carrying out the Works; and
- (f) to do all acts which in the opinion of the Grantee are incidental to the foregoing.

2. The Grantor will not at any time hereafter make, place, erect, operate, use or maintain any building, structure, foundation, pavement, excavation, well, obstruction, equipment, or thing, or to plant any growth upon any part of the portion of the said Lands described in paragraph A of these Terms and the adjacent areas if any such actions will interfere with the use of the Statutory Right of Way and the rights herein granted.

3. All chattels, equipment, supplies, fixtures or other materials used to develop and maintain the Works or are otherwise installed by the Grantee over, on, in or under the Statutory Right of Way are and shall remain the property of the Grantee and rule of law or equity to the contrary notwithstanding.

4. The Grantor will not do or knowingly permit to be done any act or thing which might in any way whatsoever interfere with or injure or endanger the Works or any part thereof or impair the operation or efficiency thereof or create or increase any hazard to persons or equipment.

5. The Grantor indemnifies, save harmless, releases and forever discharges the Grantee and its servants and agents from and against all manner of actions, causes of actions, claims, debts, lawsuits, demands, and promises whatsoever at law or equity, whether known or unknown, which the Grantor now has or may at any time have by reason of the granting, existence or use of the Statutory Right of Way or of the pathway or of the carrying out or failing to carry out of any of the Works or improvements thereon, save and except for negligence by the Grantee.

6. No term, condition, covenant or other provision of this agreement will be considered to have been waived by the Grantee unless the waiver is expressed in writing by the Grantee. Any waiver by the Grantee of any term, condition, covenant, or other provision of this agreement or any waiver by the Grantee of any breach, violation, or non-performance of any term, condition, covenant or other provision of this agreement does not constitute and will not be construed as a waiver of any further or other breach, violation or non-performance of any term, condition, covenant or other provision of this agreement.

7. Subject to the provision of Section 218 of the Land Title Act the Grantor's covenant contained in this Agreement shall burden and run with the Lands and shall enure to the benefit and be binding upon the Grantor, his heirs, executors, administrators, successors and assigns and the Grantor and his assigns.

8. Nothing in the Agreement shall prejudice or affect the rights, powers and remedies of the Grantee in relation to the Grantors or the Lands under any law, by-law, order or regulation or in equity of all which rights, powers and remedies may be fully and effectively exercised by the Grantee as if this Agreement had not been made by the parties.

9. The Grantor will do or cause to be done at his expense all acts reasonably necessary for the Grantee to gain priority for this agreement over all liens, charges and encumbrances which are or may be registered against the Lands save and except those in favour of the Grantee and those specifically approved in writing by the Grantee.

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10. The parties agree that this Agreement shall not be modified or discharged except in accordance with the provisions of Section 218 of the Land Title Act.
11. The Grantor shall do or cause to be done all things and execute or cause to be executed all documents and give such further and other assurances which may be reasonably necessary to give proper effect to the intent of this Agreement.
12. Wherever the singular or masculine or neuter is used herein, the same shall be construed as including the plural, feminine, body corporate or politic unless the context requires otherwise.
13. If any section or any part of this Agreement is found to be illegal or unenforceable, then such sections or parts shall be considered to be separate and severable from this Agreement and the remaining sections or parts of this Agreement as the case may be shall be unaffected thereby and shall remain and be enforceable to the fullest extent permitted by law as though the illegal or unenforceable parts or sections has never been included in this Agreement.
14. This Agreement shall be interpreted according to the laws of the Province of British Columbia.
15. Where there is a reference to an enactment of the Province of British Columbia in this Agreement, that reference shall include a reference to any consequent enactment of the Province of British Columbia of like effect, and unless the context otherwise requires, all statutes referred to herein are enactments of the Province of British Columbia.

Page 8 of 9

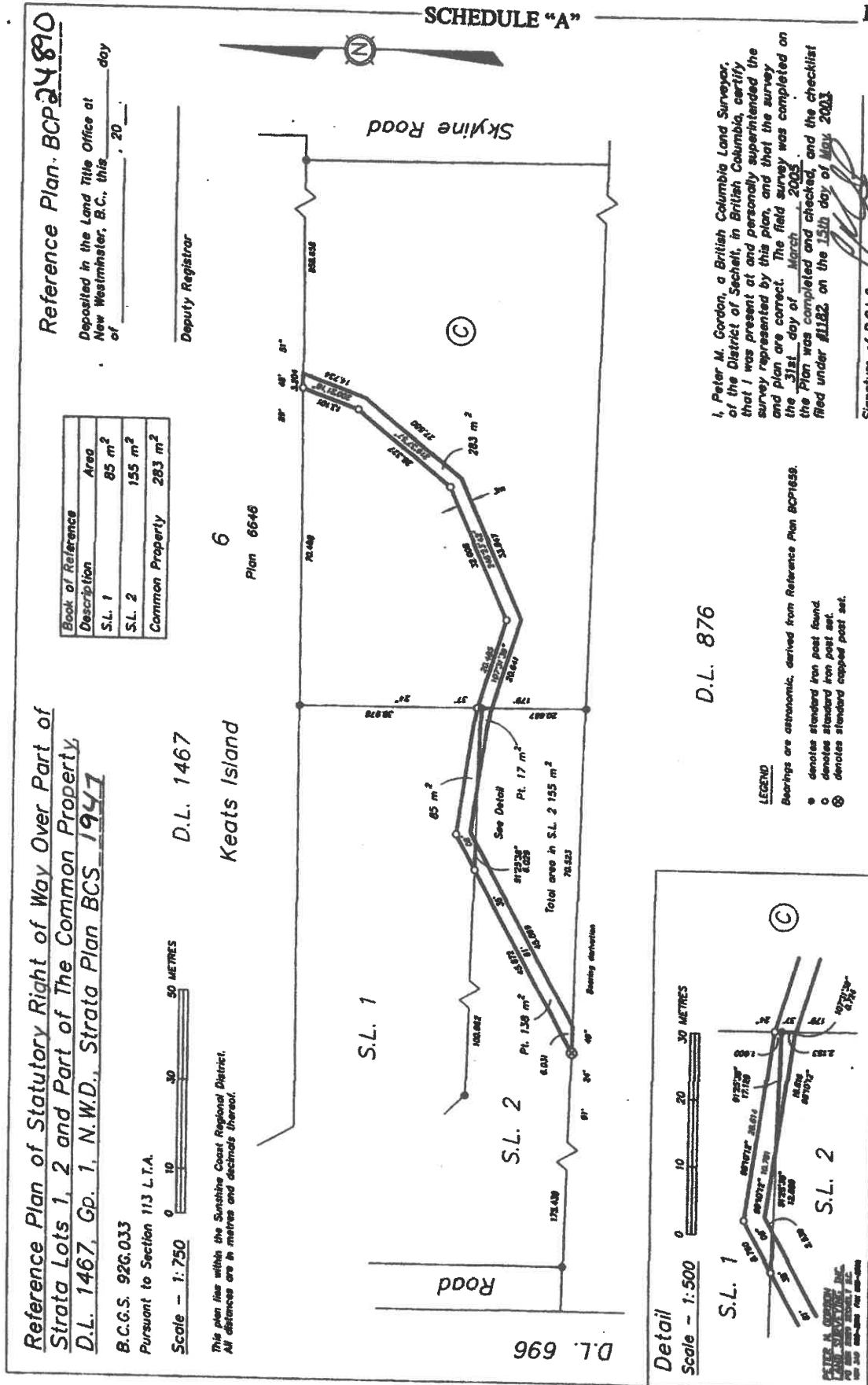
IN WITNESS WHEREOF the parties hereto hereby acknowledge that this Agreement has been duly executed and delivered by the parties executing Form C (page 1) and Form D (page 2) attached hereto.

This instrument creating the condition or covenant entered into under Section 218 of the Land Title Act by the registered owners referred to herein and shown on the print of the plan annexed hereto and initialed by me.

APPROVING OFFICER

END OF DOCUMENT

C:\DOCUME~1\paul\LOCALS~1\Temp\SRW for Spindrift.may3.cab.doc



Strata Property Act

FORM E

CERTIFICATE OF STRATA CORPORATION

(Sections 78, 79, 80, 100, 214, 257, 259, 261, 262, 263, 266, 269, 274, 283)

CERTIFICATE FOR SECTION 80

The Owners, Strata Plan BCS 1947 as represented by the owner developer, Spindrift Properties (Keats) Inc. (Inc. No. 417834), certify that the attached resolution was passed under section ~~80~~ of the *Strata Property Act* by the owner developer on August 1, 2006.

For the purposes of section 165(4)(f) of the *Land Title Act*, execution of the attached instrument has been approved by a resolution passed by the owner developer pursuant to Section ~~80~~ of the *Strata Property Act*, and the instrument conforms to the resolution.

Signed by the Owner Developer
Spindrift Properties (Keats) Inc. by its
authorized signatory:



DAVID C. BENTALL

DATE OF MEETING: October 10, 2019
 TO: Gambier Island Local Trust Committee
 FROM: David Marlor, Director,
 Local Planning Services
 SUBJECT: Climate Change Adaptation and Mitigation Strategies

PURPOSE

At its regular business meeting in June 2019, Trust Council passed the following resolution:

TC-2019-043

It was Moved by Trustee Fast and Seconded by Trustee Peterson,

That Trust Council direct staff to add agenda items 6.4 and 8.4 regarding climate emergency tools and strategies to all Local Trust Committee's upcoming agendas and suggest to the Bowen Island Municipality.

NEXT STEPS

The two reports "Report on Climate Change Adaptation and Mitigation strategies by the Islands Trust" and "Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation" are provided for information on the local trust committees, and to assist when determining local actions to take in response to Trust Council's climate emergency declaration.

Submitted By:	David Marlor, MCIP, RPP Director, Local Planning Services	August 29, 2019
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ATTACHMENTS

1. Attachment 1: Items 6.4 and 8.4 from June 2019 Trust Council

To: Trust Council **For the Meeting of:** June 19, 2019
From: CAO **Date Prepared:** May 23, 2019
SUBJECT: Report on Climate Change Adaptation and Mitigation strategies by the Islands Trust

PURPOSE: To provide Trust Council a summary report on current and past actions, and policies adopted by the Islands Trust to address climate change. This report is a companion report to the land use actions report on the current agenda and is offered to provide context for Trust Council as they contemplate a range of potential options to address climate change within the Trust Area.

BACKGROUND: On March 13, Trust Council passed the following resolution:

That the Islands Trust Council:

1. Declare a Climate Change Emergency in the Islands Trust Area.
2. Add climate change mitigation, resilience, and adaptation policies to the Islands Trust Policy Statement amendment project.
3. Direct the Trust Council Chair to write to the Chairs of Regional Districts in the Islands Trust Area asserting Trust Council's full support for declarations of a Climate Emergency;
4. Direct the Trust Council Chair to write to the Provincial Minister of the Environment, asserting the Islands Trust Council's support to help the Province close the 25% emissions gap in the Clean BC Plan, and calling on the Province to provide the powers and resources to local governments;
5. Direct the Trust Council Chair to write to the Federal Minister of the Environment, asserting the Islands Trust Council's support to help Canada meet its Nationally Determined Contribution target made in the Paris Agreement and call on the federal government to provide the powers and resources to local governments.
6. Direct staff to report back to the June 2019 Trust Council meeting on measures and land-use planning actions that the Islands Trust can take to advance progress toward Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations.
7. Direct staff to include a central focus on equitable climate change mitigation, adaptation, and resilience into strategic planning to provide guidance and support for the Trust Area's efforts to transition away from fossil fuels in ways that prioritize those most vulnerable to climate impacts and most in need of support in transitioning to renewable energy.
8. Trust Council directs staff to work with First Nations and First Nations government agencies to seek support for the climate change emergency and to engage to coordinate climate action strategies with First Nations within the Islands Trust Area.

While the Islands Trust, as a function of its mandate and authority, has included climate change adaptation and mitigation measures in its decision making, including Bill 27 OCP implementation and the application of land use regulations, this briefing provides an overview of specific climate actions that the organization has taken.

1. **Anticipated climate changes within the Trust Area:** Given accessible climate change information for the region, it is anticipated that with an increase in global warming at or above 1.5 C the Trust Area would be impacted in the following ways.
 - i. Wetter fall seasons
 - ii. Dryer, hotter summers, drought conditions
 - iii. More inclement weather, extreme weather events
 - iv. Warmer winters
 - v. No frost
 - vi. Rise in sea level
 - vii. Species shift
2. The following table provides a timeline of key climate change actions by the Islands Trust and Islands Trust Conservancy over the last 15 years.

Table 1. Timeline of climate change actions

2005	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
passed resolution for advocacy on climate change	Signed BC Climate Action Charter	developed "Trust Area Climate Vulnerabilities" document	Bill 27 requirements, develop OCP amendments: Climate Smart Islands Program	over 2 year span, the majority of OCPs are amended to incorporate Bill 27			adoption of Carbon Neutral Operations Policy 7.4.v		Letter to Prime Minister Trudeau re Paris Climate Accord	State of the Islands Report	initiated groundwater workshops	delivered seal level rise workshops	declared climate emergency
		adopted Corporate Climate Action Plan					Corporate Sustainability Advisory Group Initiated					Adopted CDF toolkit	

3. BC Climate Action Charter

The Islands Trust is a signatory to the BC Climate Action Charter and has taken a number of steps to honor that commitment. Since 2007, we have reported on our website on our plan to achieve our climate action goals. We participate in the Climate Action Revenue Incentive Plan (CARIP) that requires we summarize our GHG emissions and energy consumption and detail our programming towards carbon neutrality. To summarize, the Islands Trust as an organization generates between 55 and 65 tCO₂e per year. We have traditionally then purchased carbon credits to achieve carbon neutrality from the Community Carbon Marketplace, which we been doing since 2012.

Using 2017 CARIP report as an example, key emissions measures are the following:

- a) Direct emissions
 - a. Vehicles fuel 14652 L
 - b. Stationary gigajoule 346
- b) Indirect Emissions
 - a. Purchased energy gigajoule 506
 - b. Purchased reported gigajoule 126
- c) Scope 3 emissions
 - a. Office paper packages 608

Please note that while the Province committed to providing Community Energy and Emission Inventory data for local governments, there is insufficient data for the Islands Trust specifically, requiring that we use a conversion factor to approximate some of our emissions measures.

4. **Bill 27 OCP Greenhouse Gas amendments**

Under separate cover a report will be provided to the June 2019 Trust Council meeting that will include the amendments to local trust committees OCPs required by Bill 27. Generally, each LTC/Bowen Island Municipality (except Piers Island) adopted target reductions for their area, either a 50% or 33% reduction by 2020 and a greater, 85% reduction by 2050. Land use bylaws have not been comprehensively updated to reflect OCP direction. There has been no sustained performance measurement of each local trust area/island municipality to determine how successful the OCP amendments have been in reducing emissions. Datasets are limited on an LTA/IM by LTA/IM basis for specific GHG reductions.

5. **Corporate Actions**

- i. In 2007, the Islands Trust adopted a **Corporate Climate Action Plan**. From a corporate perspective, the three areas effecting our emissions levels are travel, paper and building heating and maintenance. The Climate Action Plan provides a reasonably rigorous analysis of these target emission sources as well as others and make recommendations for mitigations. The Action Plan has led to a number of business practices that are still in place including:
 - a. Reduction of printing
 - b. Reduction of color printing
 - c. Double siding of documents
 - d. Not producing paper agendas
 - e. Support for employees to commute by bike
 - f. Increased ride sharing to staff and Trust meetings
 - g. Replacement of the windows and shading of Victoria office
 - h. Revised purchasing policy to emphasize energy efficiency

The plan is now somewhat dated and could be refreshed to find new points of emphasis and education for staff and trustees.

Since 2007 the Trust has monitored its GHG generation and in support of the Action Plan.

- ii. Adoption of **Policy 7.4.5 Carbon Neutral Operations**. This policy formalized a number of Trust wide operations dedicated to GHG reduction, including a carbon reduction goal, identification of carbon emission sources, dedication to using offsets to achieve carbon neutrality (including purchasing criteria) and reporting requirements.
- iii. In January 2013, a Corporate Sustainability Advisory Group (Green Team) was identified consisting of one member of Trust Council and a department representative across the organization. The term was for 12 months and the terms of reference included develop innovating ways to address climate change impacts and GHG reductions and to implement the Corporate Action Plan.

From the available data on Islands Trust operations, it is reasonable to conclude that we are a low carbon producing organization.

6. **Regional and National Context**

It would be impractical to provide a comprehensive overview of regional climate change initiatives; however, it is worth noting that there have been 16 declarations of a climate emergency in BC. Prominent among them is the City of Vancouver who have recently unanimously approved a motion recognizing the climate emergency and passing an ambitious set of six “Big Moves” that will guide

the City's response to Climate Change. The goal is to meet the objective of limiting warming to 1.5C as per the Paris Agreement.

The initial wave of climate emergency declarations occurred in Quebec (2018-2019), with over 300 communities having taken this step.

7. Issues and Opportunities

The following items provide a list of issues, amongst many, that could form the basis for further discussion by Trust Council.

- We do not have accurate Community Energy and Emissions Inventory information which limits our ability to accurately measure how emissions programing is reducing carbon levels.
- Issue of built form density is central to lessening climate change impacts and GHG production within the Trust Area.
- The Islands Trust does not have climate change policy in the Policy Statement but does in Official Community Plans and a variable level of climate regulation in LUBs.
- Corporate opportunities: electronic meetings, carbon friendly foods, further policies on travel.
- We have not liaised with First Nations on climate change in any substantial manner and will need to include this issue in our Policy Statement discussions.

ATTACHMENT(S):

- 1. N/A**

FOLLOW-UP: As directed by Trust Council

Prepared By: R Hotsenpiller

Reviewed By/Date: May 28, 2019



Islands Trust Council Plan for Continuous Learning

(What other topics would trustees like to propose?)

Updated May 9, 2019

Year	Trust Council Meeting	Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2019	December (Victoria)				
	September (Bowen)				
	June (Galiano)	Strategic Plan	What Elected Officials Need to Know about FOI & Protection of Privacy Training (LGMA) June 25 th webinar.		Chair, Vice Chair, Committee Chairs & ITC Chair training
	March 2019 (Gabriola)	Strategic Plan	Young/Anderson Introduction Bill Buholzer		
	January 2019 Nanaimo	Orientation	Orientation		NA
2018	November (Victoria)	Orientation	Orientation	Orientation	Orientation
	September (Gambier/Keats)	Lessons Learned 2014 -2018	Implications of the Water Sustainability Act		
	June (Saturna)	Strategic Plan	<i>Islands Trust Act</i> Amendments		Agricultural Land Commission/Islands Trust
	March (Salt Spring)	(Freshwater Specialist) (Water Sustainability Act) Regional Conservation Plan		Adapting to Climate Change	March (Salt Spring)

BRIEFING

To: Trust Council **For the Meeting of:** June 18, 2019

From: David Marlor, Director, Local Planning Services **Date Prepared:** May 30, 2019

SUBJECT: **Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation**

PURPOSE:

To provide an initial approach in response to Trust Council's Climate Change Emergency Declaration in respect to local planning tools to address climate change.

BACKGROUND:

At its regular business meeting in March 2019, Trust Council declared a Climate Change Emergency. As part of that declaration, Trust Council requested that staff:

"report back to June 2019 Trust Council meeting on measures and land use planning actions that the Islands Trust can take to advance progress towards Local Trust Committee climate reduction targets and achieve further reductions in carbon from Trust operations".

This briefing focuses on land use planning actions that the local trust committees and Bowen Island Municipality could take to advance progress towards greenhouse gas reduction targets and to adapt to the effects of climate change.

Following the implementation of new mandatory requirements for official community plans to include targets and policies for greenhouse gas reductions, all local trust committees and Bowen Island Municipality amended their official community plans to include those targets and policies.

The following table includes a summary of the targets established by each local trust committee and Bowen Island Municipality in their official community plans. Each local trust committee and Bowen Island Municipality also adopted related policies on how to achieve those targets.

Local Trust Committee/Island Municipality	Reduction By 2015	Reduction By 2020	Reduction By 2050	Notes
Bowen Island Municipality	-	33%	80%	Reduction over 2007 emissions
Ballenas-Winchelsea	-	50%	50%	Below per Canadian per capita for 2020/2050
Gabriola	-	33%	85%	Reduction over 2007 emissions

• Mudge	-	50%	50%	Below per Canadian per capita for 2020/2050
• DeCourcy	-	50%	50%	Below per Canadian per capita for 2020/2050
Galiano	-	33%	-	Reduction over 2007 emissions
Gambier	-	33%	85%	Reduction over 2007 emissions
• Associated	-	20%	85%	Reduction over 2007 emissions
• Keats	-	33%	85%	Reduction over 2007 emissions
Denman	-	33%	85%	Reduction over 2007 emissions
Hornby	-	25%	80%	Reduction over 2007 emissions
Lasqueti	-	50%	50%	Below per Canadian per capita for 2020/2050
Mayne	-	33%	-	Reduction over 2007 emissions
North Pender	-	33%	-	Reduction over 2007 emissions
• Associated	-	50%	50%	Below per Canadian per capita for 2020/2050
Saturna	-	33%	-	Reduction over 2007 emissions
SSI	15%	40%	85%	Reduction over 2007 emissions
• Piers	-	-	-	Bylaw is not compliant
South Pender	-	33%	-	Reduction over 2007 emissions
Thetis	-	33%	85%	Reduction over 2007 emissions
Associated	-	-	-	Bylaw contains no targets
Valdes	-	50%	50%	Below per Canadian per capita for 2020/2050

A. Local Planning Actions Since 2010

Since 2010, planning Staff regularly include consideration of climate change mitigation and adaptation in staff reports on planning applications and projects. As a result, all planning decisions by local trust committees over the past eight years have included a climate change lens. In addition to this, local trust committees adopted specific policies in their official community plans related to climate change mitigation and adaptation. Many of these policies have been implemented through land use bylaw amendments. A list of these implemented policies is included in Appendix 1.

Appendix 2 lists the official community plan policies that have not yet been implemented in the land use bylaws.

The remainder of this briefing provides information on land use planning actions that can be undertaken in relation to climate change. Section B addresses actions related to climate change mitigation and Section C addresses actions related to climate change adaptation.

B. Climate Change Mitigation Tools

Climate change mitigation involves actions that reduce greenhouse gas emissions (GHGs). In the local trust areas the main source of GHGs is combustion from transportation and combustion from heating and cooling buildings. Therefore, any policies and regulations that reduce the need for transportation, or reduce the need for heating or cooling of buildings will help in reducing GHGs.

The Province committed to providing the Community Energy and Emissions Inventory (CEEI) for local governments. For the Islands Trust area there is very little data available. The only metric is residential heating using wood, propane or oil (and this is withheld for Lasqueti and Gambier LTAs). There are no metrics available for transportation or any other source of GHG emissions. The last year CEEI reports were undertaken was 2012. As a result we currently do not have metrics to measure progress towards targets in OCPs. Bowen Island Municipality has Community Energy and Emission Inventories (starting on page 40 of this linked document <https://bowenisland.civicweb.net/document/118760>).

Local trust committees and Bowen Island Municipality have the following tools available to them to reduce GHGs:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to mitigate climate change.

1. **Enact existing Official Community Plan policies** for the mitigation of climate change that are already in the official community plans but have not yet been acted on (Appendix 2 contains a list of these policies).
2. **Update official community plans** to ensure the mandatory GHG reduction targets and policies are relevant and up to date; Galiano Island, Mayne Island, North Pender Island, South Pender Island and Saturna Island local trust committees have targets for GHG reduction set for 2020 with no targets for any future dates, and as such those targets will be out of date next year. The Salt Spring Island Local Trust Committee has not adopted any targets or policies for the Piers Island OCP. The Thetis Associated Islands OCP contains objectives and policies but no targets. While the Islands Trust has very limited metrics to measure progress, the requirement to have targets and policies in official community plans is mandatory under s. 473 of the *Local Government Act*. These official community plans should be updated within the next year to ensure they remain compliant with required content for an official community plan, and to address targets and policies for GHG reduction. Other local trust committees should review their targets and policies for relevance to current conditions.
3. **Use the zoning authority under s. 479 of the *Local Government Act* to cluster development** and move away from large lots to small compact "villages". This can be accomplished through OCP policies to require this kind of development, rezoning appropriately by increasing density in appropriate locations and reducing in other locations and density transfer to move density to appropriate areas. Some local trust committees already have some form of this in their OCPs. Salt Spring and Gabriola have density transfer that has seen some significant land use changes. While these were not specifically created to address climate change mitigation, they can be

effective in changing the land use pattern to one that is more sustainable and reduces the need for transportation.

5. **Use the climate change development permit areas to reduce the heating and cooling requirements for buildings.** To improve building energy efficiency, land use planning can require landscaping and orientation of buildings in a way to maximize sun in winter and shade in summer. This would be done through a development permit area (DPA), with the justification and objectives in the Official Community Plan and the guidelines in the Land Use Bylaw. Local trust committees and Bowen Island Municipality may use DPAs to reduce GHG emissions and for energy conservation under s. 488 of the *Local Government Act*. Using these DPAs, local trust committees and Bowen Island Municipality may establish guidelines around landscaping, siting of buildings and structures, form and exterior design of buildings and structures, machinery, equipment and systems external to buildings or structures. The DPA may also place restrictions on type and placement of trees and other vegetation in proximity to buildings and structures to provide for energy conservation and reduction of GHGs.

C. Climate Change Adaptation Tools:

Climate change adaptation involves adapting communities to the anticipated effects of climate change. In the Islands Trust area, these effects include sea-level rise, longer periods of drought, more intense storm events, wildfires, warmer summers and warmer winters, and ecosystem changes which may impact plant and animal species.

Local trust committees and Bowen Island Municipality have the following tools available to them to adapt to climate change:

- **Zoning Authority** - Section 479 of the *Local Government Act*.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to adapt their communities to the effects of climate change:

1. **Sea Level Rise Adaptation Tools**

The Provincial government has established an expected sea-level rise in the Victoria area of 3.1 cm/50 years.

The Provincial (Subdivision) Approving Officer is currently requiring at time of subdivision a covenant for a 15 metres setback and 1.5 metres above the current high high water mark for any buildings or structures. This approach by the Provincial Approving Officer is a broad-brush approach to adapting to climate change and does not consider site specific conditions. Before initiating adaptation measures local trust committees and Bowen Island Municipality should have an understanding of the local situation.

- a) **Undertake mapping of sea-level rise** on the islands to provide information to assist with developing policies and regulations to adapt to sea-level rise.
- b) **Enact zoning regulations under s.479 of the *Local Government Act* and flood level regulations under s. 524 of the *Local Government Act*.** Using these provisions, local trust committees and Bowen Island Municipality may enact regulations to require setbacks for

buildings and structures from the future anticipated natural boundary of the sea, as well as establish a minimum elevation for buildings and structures above the anticipated future elevation of the sea. Local trust committees and Bowen Island Municipality could make exceptions for structures that are designed to be moved (not on permanent foundation). Notwithstanding, the Provincial Approving Officer will continue to have independent authority to establish different requirements.

2. **Longer Periods of Drought Adaptation Tools**

Islands Trust Staff currently has little information on groundwater such as the effects of climate change on recharge and capacity of the aquifers to provide water. Research and mapping of aquifers would allow local trust committees to develop policies and regulations that reflect the capacity of the aquifers including anticipated climate change effects. Water storage and alternative water supplies could be considered. Means to reduce water consumption includes using development permit areas for water conservation, requiring drought tolerant planting, and requiring features to reduce water use.

- a) **Undertake research and mapping of aquifers, develop water consumption budgets, and identify salt water intrusion risks**, based on expected climate change effects. This work would then inform the land use planning for future development on the islands. This work is already underway for some islands, and staff is working with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development to undertake a robust salt water intrusion risk assessment and mapping for the Islands Trust area.
- b) **Update policies and regulations to align their development potential** – through land use and density provisions – with the anticipated capacity of the aquifers.
- c) **Use the climate change development permit areas under s. 488 of the *Local Government Act* to promote water conservation.** Local trust committees and Bowen Island Municipality could establish goals, objectives and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote water conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for water conservation.

4. **More Intense Storms Adaptation Tools**

Climate change is expected to result in more intense storm events, with higher winds and heavier rain than in the past.

- a) **Develop runoff control bylaws** under s. 523 to deal with anticipated flood and runoff from storm events.
- b) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas subject to flooding and require they remain free from development except development may be permitted in accordance with the guidelines. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

5. **Wildfire Adaptation Tools**

As climate change results in hotter and longer dryer periods during the summer months, the risk of wildfires on the islands increases. Most islands have a wildfire plan prepared by the fire district or regional district.

- a) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas at risk to wildfires and include requirements respecting the character of development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures, and establish restrictions on the type and placement of trees and other vegetation in proximity to the development. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

6. **Warmer Summers and Warmer Winters Adaptation Tools**

Climate change is expected to lead to our summers and winters becoming warmer.

- a) **Establish development permit areas for energy conservation** under s. 488 of the *Local Government Act* to require that the exterior form and design of buildings, and other specific features of the development, reduce the need for energy in summer and winter. Local trust committees and Bowen Island Municipality could establish goals, objective and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote energy conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for energy conservation.

ATTACHMENTS:

- 1. Summary of Local Trust Committee OCP climate change policies already implemented
- 2. Summary of Local Trust Committee OCP climate change policies not yet implemented

FOLLOW-UP:

Further work in specified areas as indicated in the briefing, or as requested by the Trust Council, Executive Committee, Local Planning Committee or local trust committees.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer/

Summary of Official Community Plan policies, listed by local trust area, that have been implemented in the land use bylaws.

Ballenas-Winchelsea Local Trust Area

- Shoreline Development Permit Area (applicable to 30 m upland of the natural boundary of the sea).
- Regulations in the land use bylaw exempts solar collectors, wind generators and water storage tanks from height restrictions.

Denman Island Local Trust Area

- Climate change impacts are considered in staff.
- Providing the dedication of conservation area, consistent with OCP policies for density transfer.

Gabriola Island Local Trust Area

Gabriola Island

- Climate change impacts are considered in staff reports.
- Providing for rainwater collection and storage, trail/path connections and dedication of 300+ acres of parkland.
- Development Approval Information (DAI) Bylaw amended (2013) to include option to address GHG emissions, anticipated energy usage, carbon emissions and groundwater resources in conjunction with bylaw amendment or TUP applications [Criteria for assessing OCP/LUB applications developed.
- Land Use Bylaw (parking regulations and Village DPA guidelines) amended to encourage public transit, smaller vehicles, non-polluting vehicles, and permeable parking surfaces and increase walkability.
- Land Use Bylaw amended to measure the footprint of buildings and structures from the interior walls instead of the outer perimeter of the foundation of the building, so increased insulation is encouraged, and to exclude cisterns from floor area calculation.
- Official Community Plan and Land Use Bylaw amended to encourage local food production.

Mudge Island

- Climate change impacts considered in staff reports.
- Land Use Bylaw amended to exclude from the calculation of lot coverage in the RR zone: cisterns and similar structures for rainwater collection and storage; fire-fighting towers; pervious paths, driveways and parking spaces; and garden beds.

DeCourcey Island

- Climate change impacts considered in staff reports.

Galiano Island Local Trust Area

- Climate change impacts considered in staff reports, and inclusion of a policy in the Land Use Policies section of the Official Community Plan applicable to consideration of all applications.
- Amendments to shoreline development permit area to include guidelines to consider and address sea level rise impacts.
- Changes to zoning regulations to permit small-scale renewable energy, specifically height regulations amended.

Gambier Island Local Trust Area

- Climate change impacts considered in staff reports.

Hornby Island Local Trust Area

- Climate change impacts considered in staff reports.
- Official Community Plan Water Supply Protection and Water Resource Protection Development Permit Area includes guidelines to protect water resources.
- Official Community Plan Community Service Use Development Permit Area includes guidelines to provide rainwater catchment and storage; and hydrology study.
- Official Community Plan Commercial Development Permit Area includes guidelines to maintain natural vegetation and reduce light pollution.
- Water storage tanks and wind turbines exempt from Land Use Bylaw height regulations.

Lasqueti Island Local Trust Area

- Climate change impacts considered in staff reports.

Mayne Island Local Trust Area

- Climate change impacts considered in staff reports.
- Zoning amended to exclude solar collectors, wind generators and water tanks from maximum height regulations.
- Geothermal heating systems permitted.
- Amendments to Land Use Bylaw to permit mixed use (second storey residential) in commercial zones.
- Zoning for employee accommodation in commercial resorts.
- Secondary suites permitted.

North Pender Island Local Trust Area

North Pender Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted.
- Temporary use permit guidelines amended to include climate change impacts.

North Pender Associated Islands

- Climate change impacts considered in staff reports.
- Shoreline DPAs include erosion provisions.

Salt Spring Island Local Trust Area

Salt Spring Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted in select areas.
- Amenity Zoning includes implementation of energy efficient building design criteria that exceeds that required by the B.C. Building Code or other regulations.
- Climate change considered when evaluating suitability of density transfer.
- Rezoning application supporting local food production and storage as a community amenity
- Coordination with local and provincial agencies regarding fresh water demand and supply in relation to climate change.
- Land use regulations require 15m setbacks from natural bodies of water; 1.5 m elevation above natural body of water.
- Pathways and bikeways dedication at time of subdivision as per OCP Cycle Route map.

- DAI Bylaw including development permit checklist (both are drafted but not yet implemented).

Piers Island

- Climate change impacts considered in staff reports.
- 3.0 m elevation of buildings required if within 30m of water body.

Prevost Island

- Climate change impacts considered in staff reports.

Saturna Island Local Trust Area

- Climate change impacts considered in staff reports.
- Geothermal heating permitted.
- Secondary dwelling units (secondary suites amendment in process).
- Sustainability checklist.
- TUP guidelines amended to include consideration of climate change impacts.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.
- Although not a Bill 27 requirement, LUB was amended to limit dwelling floor area and overall floor area on residential lots.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.

Thetis Island Local Trust Area

Thetis Island and Valdes Island

- Climate change impacts considered in staff reports.

Thetis Associated Islands

- Climate change impacts considered in staff reports.
- Land Use Bylaw definition of floor area excludes any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection.
- Land Use Bylaw permits the following uses in all zones: conservation; water supply facilities for the purposes of supplying potable or grey water on an individual island, including cisterns, reservoirs, pipes, treatment facilities, catchment and storage facilities and pumping and intake structures; solar collectors; wind turbines; and ocean geothermal loop exchange systems.
- Solar collectors are exempt from Land Use Bylaw height regulations.

Summary of Local Trust Committee Official Community Plan Policies that have yet to be implemented.

The following is a summary of Official Community Plan policies on climate change that have not yet been enacted in the land use bylaw regulations or through development permit areas. For actual wording of the policies, please consult that relevant official community plan bylaw.

Ballenas-Winchelsea Local Trust Area

- Identify significant un-fragmented forest and non-forest ecosystems and ensure these are noted on mapping for environmental and carbon sequestration value.

Denman Island Local Trust Area

- Review zoning to ensure provisions encourage energy efficiency and the greenhouse gas emissions reduction in new construction.
- Review development permit area guidelines and incorporate provisions to promote energy conservation, water conservation and greenhouse gas emissions reduction.
- Encourage renewable energy, limit fossil fuel consumption, encourage energy-efficient and carbon-efficient building construction.

Gabriola Island Local Trust Area

Gabriola Island

- Consider new development permit area guidelines that promote low impact land uses, alternative transportation, energy conservation, water conservation, and the reduction of GHGs.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping both for their environmental values as well as carbon sequestration areas.
- Amend LUB to consider setbacks from the ocean in relation to sea level rise.

Mudge Island

- Establish climate change as a fundamental factor in land use decision making.
- Encourage on-island agriculture and sharing of local food production.
- Encourage all new construction be built at the highest possible energy-efficiency standards.
- Further policies and actions to be considered as part of a future review of the OCP.

DeCourcey Island

- Encourage on-island agriculture and the sharing of local food production.
- Encourage new construction built at highest possible standards to reduce energy needs.
- Specific policies and actions to be included in a future OCP review.

Galiano Island Local Trust Area

- Amendments to parking requirements to require alternatives to parking spaces.
- Requiring new development to utilize building technology that minimizes energy use.

Gambier Island Local Trust Area

Gambier Island

- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support protection of forest resources.
- Require water storage with every dwelling unit.

Gambier Associated Islands

- Support actions to minimize GHG emissions.
- Recognize importance of forested lands in removing carbon dioxide from the atmosphere.
- Consider potential impacts on global climate change and GHG reduction targets when considering applications.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Reduce extent of infrastructure (e.g. development of common docks).
- Zoning regulations should support small scale residential solar and wind power generation on residential lots.

Keats Island

- Promote use and development of renewable energy sources.
- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support cluster development appropriate for Keats Island.
- Encourage energy efficient buildings.
- Encourage use of alternative energy.
- Encourage water storage for every dwelling unit

Hornby Island Local Trust Area

- Develop criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.
- Encourage retention of forest cover except for the clearing of land for farming in the ALR.
- Limit size of buildings and opportunities for attached dwelling units and visitor accommodation units.
- Encourage green building techniques and alternative energy systems (solar, wind, geothermal, or water based) into residential housing.
- Encourage safe multi-use trails and bike lanes to facilitate non-motorized forms of travel.
- Encourage “climate wise” actions, including water conservation, storm water retention, the use of alternative energy sources for home use, and the use of alternative transportation methods.
- Support the local provision of services that residents presently travel off-island to access.
- Review LUB to provide for community gardens and community food processing and storage.
- Encourage local food production.

Lasqueti Island Local Trust Area

- Develop criteria for assessing OCP or zoning applications from the perspective of climate change adaptation and mitigation.
- Encourage energy conserving buildings.
- Encourage cycling and walking trails to permit non-automobile based forms of travel.
- Encourage water conservation and rainwater catchment.

Mayne Island Local Trust Area

- Permitting attached dwellings.
- DPA to manage lot layout.
- DPA for energy conservation.
- Amendments to amenity zoning and density transfer policies.

North Pender Island Local Trust Area

North Pender Island

- A review of overall development potential to consider amendments to zoning where changes could limit or reduce emissions.
- Permitting attached dwellings.
- Amending parking requirements.
- DPA to manage subdivision layout (conservation subdivision design project started but later abandoned by LTC).
- Second storey residential over commercial.
- Requiring cisterns or other water conservation measures in new development.
- Permitting community wood chipping or composting.
- Amend existing DPA to include energy conservation provisions.

North Pender Associated Islands

- Specific policies and actions to be included in a future review of the plan.

Salt Spring Island Local Trust Area

Salt Spring Island

- Calculation of carbon budget at time of rezoning or demonstrated conformity with LEED or similar.
- GHG or energy efficiency specific DPA.
- Amend fees bylaw to support energy efficient building design.
- Mapping and analysis to anticipate potential impacts of climate change on land use.
- Height relaxation for solar and wind power generation on residential lots.

Piers Island

- In progress of updating OCP for Climate Change.

Prevost Island

- No policies on climate change – bylaw requires updating

Saturna Island Local Trust Area

- Amending zoning to allow mixed use, including second storey residential in commercial designation.
- Amending parking requirements.
- Include energy conservation measures in DPA.
- Implement DPA for lot layout and tree removal.
- Permitting attached dwellings.
- Limit floor area of dwellings.

South Pender Island Local Trust Area

- Permit community gardens.

Thetis Island Local Trust Area

Thetis Island

- Develop new criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.

- Promote land use that supports local food production to reduce food transportation costs and GHGs.
- Support new forms of housing that include clustering and zero emission housing.
- Encourage local, small-scale generation of alternative non-polluting energy sources.
- Regulate the size, siting and height of wind turbines to minimize environmental impacts and safety risks.

Thetis Associated Islands

- Consider the potential impacts on climate change GHG emissions in bylaw provisions and review of development applications.
- Identify significant un-fragmented forest and wetland ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Through bylaw provisions, support residential renewable energy (e.g. micro hydro, solar, wind, waste heat, etc.) use.
- Promote the conservation of forested lands and wetlands as a cost effective and important climate change mitigation strategy.

Valdes Island

- Establish climate change as a fundamental factor in land use decision-making.
- Policies and actions with respect to climate change mitigation will be considered as part of a future review of the Rural Land Use Bylaw.



September 11, 2019

File No. 0400-50

Sunshine Coast Elected Officials
By email

Dear Mayors, hiwus, Councillors and Directors,

Re: Request for support for UBCM Community to Community Funding

As we move forward with discussions on regional growth and regional water strategies we have the opportunity to apply for funding from UBCM for up to \$5,000 to support our upcoming meetings. I invite you to support the funding application by sending a letter of support to kpoulsen@sechelt.ca that includes the following details:

- Commitment to have elected officials or staff attend 6 meetings between September 2019 and March 2020
- That your organization is in support of these meetings with the purpose of addressing a regional growth strategy and a regional water strategy.

I look forward to working with you all going forward on these critical regional discussions.

Sincerely,

Darnelda Siegers,
Mayor

cc:

MLA Nicholas Simons via email: nicholas.simons.MLA@leg.bc.ca

MP Pamela Goldsmith-Jones via email: Pam.Goldsmith-Jones.C1B@parl.gc.ca

Regional Community to Community Forum Program 2019/20 Application Form

Please complete and return this form. All questions are required to be answered by typing directly in this form. If you have any questions, contact lgps@ubcm.ca or 250 356-5193.

Funding permitting, the application deadlines for 2019/20 are:

- March 15, 2019. For events between April 1, 2019 and March 31, 2020
- September 13, 2019. For events between September 30, 2019 and March 31, 2020
- December 6, 2019. For events between January 1 and March 31, 2020

SECTION 1: Applicant Information	AP- <i>(for administrative use only)</i>
Local Government or First Nation: Local Government	<u>Complete</u> Mailing Address: 5797 Cowrie St, PO Box 129, Sechelt, BC, V0N 3A0
Contact Person*: Kerianne Poulsen	Position: Executive Assistant
Phone: 604-740-8479	E-mail: kpoulsen@sechelt.ca

* Contact person must be an authorized representative of the applicant

SECTION 2: EVENT INFORMATION
1. Date(s) of proposed event(s) November 25, 2019, to March 2020, exact dates have not yet been determined.
2. a) Proposed participants. Please attach an additional page if required. ☒ First Nation(s): shíshálh Nation ☒ Local government(s): District of Sechelt, Town of Gibsons, Islands Trust (Gambier), Sunshine Coast Regional District (SCRD) ☒ Other participants: School District 46 b) Confirmation of attendance from proposed participants Please <u>attach</u> written confirmation from each invited local government and/or First Nation that elected officials and/or senior staff have agreed to attend the planned forum. Confirmation can be in the form of a letter or e-mail. Written confirmations can be submitted after the application, but are required for grant approval.

3. Description of proposed event(s). Please provide a description of the proposed C2C event(s), including proposed format, topics, speakers, etc. If more than one event is proposed, please include a rationale for multiple events and a description of each.

Sunshine Coast municipalities have historically collaborated on inter-jurisdictional projects through semi-annual intergovernmental meetings. Councillors and board directors identified the need for a Sunshine Coast-wide strategy with respect to regional growth and our potable water supply. The Sunshine Coast Regional District is leading the work on a regional growth strategy and the Town of Gibsons is working on a water commission concept. These are both large projects that will require input from the group of elected officials at various stages. We would like to be able to bring in experts and guest speakers as these projects progress to ensure our decision-makers are well informed.

The next intergovernmental meeting is scheduled for November 25, 2019. Progress updates will be shared and the group will confirm next steps for the regional growth and water commission projects. It is expected that two meetings for each topic (total of 4 meetings) will be needed for the elected officials to assess options and deliberate potential solutions over the next 6 months, in addition to the two planned intergovernmental meetings. We also anticipate the need for an expert on each topic to present to the group and facilitate discussions.

Summary of meetings:

Nov 25, 2019 - Intergovernmental meeting: review progress on regional growth and water commission concept since the last meeting in May 2019. A regional growth expert from the Ministry of Municipal Affairs and Housing will attend to help identify next steps and future meetings that will be required.

Dec 2019/Jan 2020 - Regional Growth Meeting (may be an Sunshine Coast intergovernmental sub-committee): review preliminary reports from the SCRD, provide feedback, decide on area of concentration for a guest speaker at a subsequent meeting.

Dec 2019/Jan 2020 - Water Commission Concept Meeting (may be an Sunshine Coast intergovernmental sub-committee): review preliminary reports from the Town of Gibsons, provide feedback, decide on area of concentration for a guest speaker at a subsequent meeting.

Feb 2020 - Consultant presentation (TBA) Regional Growth Strategy: a guest speaker will present information from other jurisdictions, suggest appropriate best practices and facilitate discussions.

Feb 2020 - Consultant presentation (TBA) Water Commission Concept: a guest speaker will present information from other jurisdictions, suggest appropriate best practices and facilitate discussions.

March 2020 - Regional Growth and Water Commission meeting: review progress to date, evaluate next steps, identify potential gaps, set future meetings and assign tasks as appropriate.

- 4. C2C program objectives.** The objectives of the Regional C2C Forum program are identified in Section 1 of the Program & Application Guide. Please describe how your event(s) will meet these objectives.

Reconciliation and Relationship building - the shíshálh Nation is critical partner in regional planning for the Sunshine Coast. These projects will provide opportunities for reconciliation and relationship among elected officials and staff.

Regional Planning is required to ensure the existing residents can enjoy the lifestyle they have and that changes are agreed upon by all of our community leaders. The following areas will be impacted by the development of a Regional Growth Strategy and Regional Water Commission:

Economic Development

Community Development

Service Planning and Delivery

Infrastructure Planning

Emergency Management

- 5. Intended outcomes and deliverables.** Please describe the specific outcomes and deliverables that your forum work towards:

- ☒ Relationship building and reconciliation. Please describe: coordinated approach to growth management and provision of water on the Sunshine Coast.
- ☒ Coordinated emergency preparation, mitigation, response and recovery. Please describe: coordinated approach to growth management and provision of water on the Sunshine Coast
- ☒ Protocol Agreement (e.g. communications, dispute resolution, planning and development approval processes). Please describe: coordinated approach to growth management and provision of water on the Sunshine Coast
- ☒ Service Agreement (e.g. water, sewer, solid waste disposal or fire protection). Please describe: coordinated approach to growth management and provision of water on the Sunshine Coast
- ☐ Memorandum of Understanding (e.g. protection of archaeological or environmental resources). Please describe:
- ☒ Joint project or plan (e.g. economic development, cultural initiative, youth engagement). Please describe: coordinated approach to growth management and provision of water on the Sunshine Coast
- ☐ Other:

6. Proposed budget. C2C funding request: \$5,000 Please review 'Information on the Budget' in Section 6 of the Program & Application Guide and attach a budget <u>for each proposed event</u> in the same format as the sample budget.
7. Repeat applicants only a) Date of last C2C event: b) Progress: Please describe any improvements in the First Nation/local government relationship since your last C2C event and how the proposed event would build on the results of previous forums.
8. Additional information. Please share any other information you think may help support your submission. The Intergovernmental Meetings provide a critical discussion forum for elected officials and senior staff to come to consensus and identify areas of disagreement. While staff and committees can proceed with these projects, the larger groups are needed to reflect on the larger questions, ensuring solutions fit the entire Sunshine Coast.

SECTION 3: Required Attachments
Please submit the following with your application: ☒ Detailed budget for <u>each</u> proposed event ☐ Confirmation of attendance from proposed participants. Written confirmations can be submitted after the application, but are needed in order for grant approval.

SECTION 4: Signature
Applications are required to be signed by an authorized representative of the applicant. Please note all application materials will be shared with the Province.
I certify that, to the best of my knowledge, all information is accurate.

Name:	Title:
Signature:	Date:



August 5, 2019

Gambier Island Local Trust Committee,

Dear Chair Fast and Trustees,

Re: Endorsement of the nomination for Atl'ka7tsem/Howe Sound Biosphere Reserve Nomination to UNESCO for Biosphere Reserve designation

We are excited to be nearing completion of our nomination document for the Alt'ka7tsem/Howe Sound Biosphere Reserve and expect to submit to the Canadian Commission for UNESCO for their review and support by the end of October. It has been a two-year process to complete the document which will be approximately 230 pages and we are on the home stretch.

We have relied to date on the strong support from all our local governments for the Biosphere nomination. We are now asking representatives of each local government to endorse the nomination. The endorsement does not legally or financially bind the Trust Committee but is an indication that the Gambier Island Local Trust Committee supports the objectives of the Alt'ka7tsem /Howe Sound Biosphere Reserve.

Quotation from Mayor Josie Osborne, Tofino – UNESCO Clayoquot Sound Biosphere Reserve
“Being declared an UNESCO Biosphere Reserve brings a greater sense of responsibility to living within our means in this world.”

In April 2017, Gambier Island Local Trust Committee passed a resolution of support in principle of the Howe Sound Biosphere Region Initiative:

Whereas the Gambier Island Local Trust Committee is a signatory to the Howe Sound Community Forum Principles for Cooperation; and

Whereas the values stated in the Principles for Cooperation align with the objectives of a United Nations Educational Scientific Cultural Organization Biosphere Region:

Whereas, UNESCO Biosphere Regions are effective tools for implementing United Nations Conventions including the United Nations Declaration on the Rights of Indigenous Peoples, contribute to the conservation of landscapes, ecosystems, species and genetic variation; provide a development function - to foster economic and human development which is socio culturally and ecologically sustainable; and a logistic function - to provide support for research, monitoring, education and information exchange related to local, national and global issues of conservation and development;

Therefore be it resolved that on the condition that the initiative is supported by the First Nations whose unceded territory encompasses what is known as Howe Sound, the Local Trust Committee supports in principle the ongoing initiative to nominate Howe Sound as a UNESCO Biosphere.

We are asking the Committee Chair or representative to be a signatory from the Gambier Island Local Trust Committee for section 5 of the document:

5.4 Signed by the authority/authorities, elected local government recognized authority or spokesperson representative of the communities located in the transition area(s).

Full name and title: _____

Date: _____

Address, email, phone number: _____

A support letter in addition to the signature of endorsement is also welcome. We will need a signature on our final document before the end of October.

We are always seeking opportunities to inform more people about the intentions and aspirations of the designation and welcome any opportunities to further inform Council members and residents.

Thank you and I look forward to your questions and response.

Sincerely,

Ruth Simons,
Lead,
Howe Sound Biosphere Region Initiative Society
www.howesoundbri.org
c/o Box 465
Lions Bay, B.C.
V0N 2E0 604 921-6564



Initiative for UNESCO Biosphere Reserve Designation for Atl'ka7tsem/Howe Sound – August, 2019

1. Objectives - what is the plan?

UNESCO Director-General, Audrey Azoulay said, *"There is a pressing need to take action for biodiversity, for our shared environmental heritage. After diagnosing the issue at stake, highlighted by the recent report of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), the vitality of the World Network of Biosphere Reserves gives us cause for hope. Each UNESCO biosphere reserve is an open sky laboratory for sustainable development, for concrete and lasting solutions, for innovation and good practices. They seal a new alliance between the world of science and youth, between humans and the environment."*

UNESCO [Biosphere reserves](#) seek to reconcile human activity with the conservation of biodiversity through the sustainable use of natural resources. This reflects UNESCO's key objective of fostering innovative sustainable development practices and combatting the loss of biodiversity by accompanying communities and Member States in their work to understand, appreciate and safeguard the living environment of our planet.

Three main objectives of UNESCO Man and the Biosphere Program:

1. Biodiversity Conservation
2. Sustainable Development
3. Logistic Support

Main objectives for Atl'ka7tsem/Howe Sound Biosphere Region Management Plan:

1. For there to be an overarching holistic land and marine use plan for the Atl'ka7tsem/Howe Sound region that is mutually recognized and respected by First Nations, civil society, stakeholders and all levels of government.
2. Biodiversity Conservation within the region is understood and preserved for future generations
3. People, culture and humanity thrive in harmony with nature.

2. Who is involved - what is the governance structure, how are decisions made?

Our **Vision:** To see all communities within the Atl'ka7tsem/Howe Sound Biosphere Region (AHSBR) living sustainably within a healthy ecosystem that has a diversified economy and vibrant cultures as well as ongoing advantages associated with UNESCO designation.

Our Mission: To work collaboratively toward the Vision by providing logistic support for research, education and training that not only promotes biodiversity conservation within both water-based and land-based environments but also promotes sustainable development of the economy with high priority on social and cultural values as well as environmental values.

Objectives: HSBRI is working on three key objectives in its efforts to see the region become an exemplary model of ecosystem-based management that sensitively strikes a balance between its environmental priorities and its social, cultural and economic priorities:

1. To advance **biodiversity conservation** in the region's marine and terrestrial ecosystems.
2. To advance **sustainable development** in line with the UNESCO's Man and the Biosphere Program priorities and the UN's Sustainable Development Goals.
3. To advance **Reconciliation** in recognition of UNDRIP, the UN Declaration on the Rights of Indigenous Peoples that enshrines the rights of the world's indigenous peoples in terms of their survival, dignity and well-being.

Proposed governance structure:

Atl'ka7tsem/Howe Sound Biosphere Region Initiative Society will be a registered charitable organization committed to creating and operating in a culture of "Ethical Space" as defined by the Canadian Biosphere Reserves Association (CBRA):

"It is the natural confluence of Indigenous and non-Indigenous worldviews and cultures. It is created through relationship building and shared governance. At a societal level, it is a vision of a future where these worldviews come together, and where both are valued equally."

Board of Directors: 8-10 member Board is accountable to UNESCO Man and the Biosphere Program and Canadian Biosphere Reserve Network and for strategic planning and direction of AHSBR. The board will be Co-Chaired by one being elected by members, the other reserved for a Squamish Nation member. Board members have a deep understanding and commitment to the MAB program and UNESCO. Members represent First Nations, academia, industry, academia, science, NGO's, civil society, business. Board members are spokespersons for the Society, contributing time and resources.

Roundtable Group: 10-15 participants from the Region representing local government, Squamish Nation, Provincial government, Fisheries and Oceans Canada, industries, Social services, Science, Conservation organizations, Tourism association. Meeting a minimum of twice a year, the Roundtable group act as advisors and **build consensus in the region towards the objectives and will be guided by the Terms of Reference.**

Staff and Volunteers: The Executive Director (ED) reports to the Board of Directors. The ED holds the strategic and operational responsibilities required to achieve ASHBR's mission. Additional staff will be hired as projects and funding allows. Volunteers will be a critical part of the AHSRBR's day-to-day functioning and overall success.

3. What does the Biosphere organization do?

A strategic Communications and Engagement Hub:

Communication:

- serve as a clearinghouse for information and knowledge including information gathering, research database maintenance and widespread dissemination through the Biosphere Region website and social media pages in order to actively promote its use for informed decision-making;
- create and make public an annual report on Biosphere Region performance including progress on all strategic goals;
- Advance education by disseminating conservation information and research results from the region to science organizations and educational institutions, including work on regional climate change issues;
- Support and increase understanding of the *Skwxwú7mesh snichim* language, cultural and history; and
- Build awareness about the UNESCO World Network of Biosphere Regions, the UNESCO Man and the Biosphere Program, the UN's Sustainable Development Goals and the UN Declaration on the Rights of Indigenous Peoples (UNDRIP).

Engagement

- Participate in an advisory capacity on working groups that include non-profits and registered charities with a shared purpose of advancing conservation in the Atl'ka7tsem/Howe Sound Biosphere Region, enhancing co-ordination and efficiency wherever possible;
- Plan, coordinate and host public events and multi-stakeholder forums with *Skwxwú7mesh* and other First Nation groups to address matters related to Reconciliation;
- Facilitate involvement of volunteers in research projects, event organization and educational materials development; and
- Develop institutional capacity within the organization and the Biosphere Region to meet its goals and objectives, including workshops and networking events related to the UN's Sustainable Development Goals, highlighting the value of an ecosystem-based approach

to management that balances ecological, economic and social objectives leading to enhanced sustainable development.

Current Projects of Howe Sound Biosphere Region Initiative Society:

- Post winter storm clean up and best practices for adapting to Climate Change along shorelines
- Ocean Watch Task Force – strategic action items from Howe Sound Edition.
- Ocean Watch Report - consulting to Ocean Wise on Phase 2 edition
- Contributed to Cumulative Effects Monitoring report
- Coordinating Howe Sound Community Forum – October 25th
- UN Sustainable Development Goals workshops – currently applying for Federal Grant for four projects aimed at expanding knowledge on Canada's 2030 SDG Agenda.
- Marine Reference Guide – advisory role on Steering committee
- Developing working relationship with Capilano University and other academics to increase opportunities of potential value in the design of new programs focusing on environmental and social sustainability using Howe Sound as a case study.
- In discussions with BC Parks and community organizations to support and advance conservation and information.

Sunshine Coast Regional District

1975 Field Road
Sechelt, British Columbia
Canada V0N 3A1

P 604.885.6800
F 604.885.7909
Toll free 1.800.687.5753

info@scrd.ca
www.scrd.ca



July 29, 2019

Canadian Commission for UNESCO
Howe Sound Biosphere Region Initiative
c/o Ruth Simons, Lead
Box 465
Lions Bay, BC V0N 2E0

Dear Ms. Simons:

RE: Endorsement of the Nomination for an Atl'ka7tsem/Howe Sound Biosphere Reserve

The Sunshine Coast Regional District (SCRD) is pleased and excited to support the nomination of Atl'ka7tsem/Howe Sound for UNESCO Biosphere Reserve designation.

The SCRD recognizes the value of the landscapes and healthy recovery of the marine life in Howe Sound, particularly the uniqueness of the Howe Sound glass sponge reefs. The opportunity to showcase, protect and cooperatively manage the unique natural and cultural assets is of immense interest to the Regional District.

We are supportive of the objectives of the UNESCO Man and the Biosphere program and the opportunity for the Howe Sound Biosphere Initiative to be an active member of an international network seeking to find solutions to significant environmental issues. Fostering new or strengthened relationships with other governments, Skwxwú7mesh Nation and the community are aligned with SCRD's strategic goals. The possibilities extending from these relationships include, to name but a few, growing the economy, enabling volunteerism, and advancing reconciliation. Now more than ever, these are critical needs for achieving ways for people and nature to thrive together.

A robust understanding of values in Atl'ka7tsem/Howe Sound, as developed through an ecosystem-based approach to management and conservation, would add value to SCRD's land use planning processes, such as through the development of our Official Community Plans or growth strategies, while enhancing regional opportunities for coordinated approaches to land use management. Such integration could support sustainable development and action on climate change while inspiring residents, visitors and all Canadians to live sustainably.

SCRD optimistically looks forward to the establishment of the Atl'ka7tsem/Howe Sound UNESCO Biosphere Reserve.

Yours truly,

SUNSHINE COAST REGIONAL DISTRICT

Lori Pratt
SCRD Board Chair

MEMORANDUM

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

DATE OF MEETING: October 10, 2019
TO: Gambier Island Local Trust Committee
FROM: Heather Kauer, Regional Planning Manager
Northern Team
SUBJECT: 2020 Local Trust Committee Meeting Schedule

RECOMMENDATION

1. That the Gambier Island Local Trust Committee schedule its regular business meetings on the following dates in 2020: January 30, March 26, May 28, July 23, October 1, and November 19.

DISCUSSION

Each Local Trust Committee (LTC) is asked to endorse, by resolution, its regular business meeting schedule for 2020. Tentative dates have been identified in relation to anticipated project commitments, application volumes, trustee availability, ferry schedules, statutory holidays, conferences, Trust Council, Trust Council Committees, Trust Fund Board, and available staff and financial resources. Tentative meeting dates are identified in Attachment 1.

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

Submitted By:	Heather Kauer, AICP Regional Planning Manager	September 23, 2019
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ATTACHMENT

1. Tentative 2020 Northern Local Trust Committee Meeting Schedule

ATTACHMENT 1 – TENTATIVE 2020 NORTHERN LOCAL TRUST COMMITTEE MEETING SCHEDULE

LTC	Denman	Gabriola	Gambier	Hornby	Lasqueti	Thetis	Ballenas-Winchelsea
	January 21 - March 17 - May 19 - July 7 - September 8 - November 3 -	January 16 February 27 - April 2 May 14 June 25 July 30 - September 10 October 22 November 26 -	January 30 - March 26 - May 28 - July 23 - October 1 November 19 -	January 24 - March 6 - May 1 June 26 - August 28 - November 6 -	- February 24 - April 27 June 22 - August 10 - October 5 -	- February 11 - April 14 - June 2 July 21 - September 1 October 27 - -	- - March 4 - - - - - October 7 - -
Total	6	9	6	6	5	6	2
Day	Tuesday	Thursday	Thursday	Friday	Monday	Tuesday	Wednesday
Time	12:30 pm	10:15 am	10:30 am	11:30 am	11:00 am	9:30 am	10:00 am
Location	Denman Activity Centre	Gabriola Arts & Heritage Centre	Various	New Horizons	Judith Fisher Centre	Thetis Community Centre	Various

Key Dates

Stat Holidays	Jan. 1; Feb.12; Apr 10, 13; May 18; July 1; Aug.3; Sept.1; Oct.12; Nov.11; Dec.25, 26
Trust Council	Mar. 10-12, June 16-18, Sept 15-17, Dec. 1-3 – locations tbd
Executive Committee	TBD
Financial Planning Committee	TBD
Islands Trust Conservancy Board	TBD
Trust Programs Committee	TBD
Local Planning Committee	TBD
SD 79 (Cowichan) Spring Break	Mar 9-20
SD 46 (Sunshine Coast) Spring Break	Mar 16-27
SD 68 (Nanaimo) Spring Break	Mar 16-27
SD 71(Comox) Spring Break	Mar 16-27
Salish Sea Ecosystem Conference	April 20-22
AVICC Conference	April 17-19
LGMA Conference	June 9-11
PIBC/CIP Conference	July 7-10
UBCM Conference	Sept. 21-25



Development Permit

File Number	Applicant Name	Date Received	Purpose
GM-DP-2019.1	McDonnell, Greg	24-Sep-2019	PID: 008-993-831. DP required to bring shed space into compliance. Civic address: Lot C New Brighton.
Planner: Jaime Dubyna			
Planning Status			
Status Date: 24-Sep-2019			
Planner reviewing application alongside GM-DVP-2019.3.			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2002.1	Land Plan Group Inc.	24-Jan-2002	PID: 014-385-694\nKeats Island - Keats Camp cottage lots - siting variances\nDL 696
Planner: Sonja Zupanec			
Planning Status			
Status Date: 10-Apr-2008			
still on hold pending rezoning			
Status Date: 13-Aug-2007			
on hold pending rezoning application			
Status Date: 16-May-2006			
Met with applicant. Outstanding items forwarded for attention. May be add'l fees.			
File Number	Applicant Name	Date Received	Purpose
GM-DVP-2018.2	Treloar, DEBRA	15-Oct-2018	PID: 009-414-649 Adding on to cabin, need to vary set backs Civic address: 460 Vaucroft Road, Thormanby Island, BC
Planner: Jaime Dubyna			
Planning Status			
Status Date: 17-Sep-2019			
Revised site plans received.			

Applications

Status Date: 11-Sep-2019

Applicant submitted letter to LTC requesting that the LTC waive the requirement for a current survey plan signed by a BC Land Surveyor, pursuant to Section 2.8(1) of LUB No. 120.

Status Date: 28-Jun-2019

Applicant notified planner that revised plans are pending.

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2019.2	Werkema, Klaas	16-Apr-2019	PID: 003-460-011 Building a tram. Civic address: Lot 2A - Sea Ranch, Gambier Island, BC

Planner: Sonja Zupanec

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2019.3	Carol Barlow	25-Jul-2019	PID: 008-993-831 Shed cannot be moved. Civic address: Lot C Andy's Bay Road, Gambier Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 24-Sep-2019

Letter of support received from neighbouring property owner.

Status Date: 23-Sep-2019

DP amendment application received. File opened for GM-DP-2019.1.

Status Date: 20-Sep-2019

Applicant advised that an amendment to GM-DP-2018.1 would be necessary, were the LTC to issue the DVP; encouraged to apply for DP amendment to process alongside GM-DVP-2019.3.

Rezoning

File Number	Applicant Name	Date Received	Purpose
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**Applications**

GM-RZ-2004.1

LandPlan Group Inc.

16-Jun-2004

PID: 014-385-694

Keats Island - Keats Camp rezoning application

DL 696

Planner: Sonja Zupanec**Planning Status****Status Date:** 28-Dec-2018

Bylaw 143 given 1st, 2nd, 3rd readings and approved by Executive Committee. X-ref GM-SUB-2018.1 subdivision referral conditions. Applicant advised of next steps before bylaw can be adopted.

Status Date: 25-May-2017

CIM scheduled for July 27th to provide draft bylaw amendments to enable a comprehensive development zone; transfer LUC provisions and enable subdivision.

Status Date: 20-Apr-2017

Revised draft ToR for hydro.assessment sent to applicant for review.

File Number	Applicant Name	Date Received	Purpose
GM-RZ-2019.1	South Keats Investments Ltd.	16-Jan-2019	PID: 008-861-102 Civic address: 255 Esplanade Road, Keats Island, BC. LUB No. 78 Amendment

Planner: Bronwyn Sawyer**Planning Status****Status Date:** 10-Jul-2019

Applicant in process of providing staff with additional project details

Status Date: 24-Jun-2019

Planner review started

Subdivision

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

Planner: Sonja Zupanec

Applications

Planning Status

Status Date: 31-Dec-2019

Referral response sent to MOTI and applicant. Several conditions listed for PLA which must be met prior to final subdivision approval.

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2018.2	CONVENTION OF BAPTIST CHURCHES OF BC	14-Dec-2018	PID: 014-385-694 110 lot subdivision Civic address: 900 Keats Road, Gibsons, BC
Planner: Sonja Zupanec			

Planning Status

Status Date: 28-Dec-2018

Referral response sent to MOTI and applicant. Several conditions for PLA must be met prior to final subdivision approval.

File Number	Applicant Name	Date Received	Purpose
GM-SUB-2019.1	G.L. Development Corp.	10-Sep-2019	PID: 012-824-941 Two lot subdivision. Civic address: 650 Dulcie Road, Gambier Island, BC.
Planner: Bronwyn Sawyer			

Planning Status

Status Date:

Islands Trust
LTC EXP SUMMARY REPORT F2020
Invoices posted to Month ending August 2019

630 Gambier	Invoices posted to Month ending August 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-630	LTC "Trustee Expenses"	657.00	229.33	427.67
LTC Local				
65200-630	LTC - Local Exp - LTC Meeting Expenses	4,578.00	941.69	3,636.31
65210-630	LTC - Local Exp - APC Meeting Expenses	411.00	0.00	411.00
65220-630	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-630	LTC - Local Exp - Special Projects	294.00	0.00	294.00
TOTAL LTC Local Expense		<u>5,533.00</u>	<u>941.69</u>	<u>4,591.31</u>
Projects				
73001-630-3003	Gambier RAR	2,000.00	1,069.70	930.30
73001-630-4094	Gambier Keats Island Shoreline Protection Review	5,000.00	798.96	4,201.04
73001-630-4099	Gambier Howe Sound Forum	3,000.00	2,000.00	1,000.00
TOTAL Project Expenses		<u>10,000.00</u>	<u>3,868.66</u>	<u>6,131.34</u>

Gambier Island Local Trust Committee Policies & Standing Resolutions

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

3.	October 26, 2017	GM-2017-065	Development Permit Area (DPA) No. 3: Riparian Areas administration	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt a Standing Resolution which directs staff to administer Development Permit Area (DPA) No. 3: Riparian Areas in the interim before formal amendments are made to the DPA, as follows: a. The “Designated Area” provisions of Section 12.3.1 of Gambier Island Official Community Plan No. 73 should be used to determine whether or not a proposed development is subject to DPA No. 3: Riparian Areas; b. When development is proposed within the “Designated Area”, applicants shall be required to have a Qualified Environmental Professional assess the water feature to determine whether or not it is subject to the Riparian Areas Regulation; c. When development is proposed within the “Designated Area” of a water feature which is determined to be subject to the Riparian Areas Regulation, a DPA No. 3: Riparian Areas Development Permit shall be required; d. When development is proposed within the “Designated Area” of a water feature which is determined not to be subject to the Riparian Areas Regulation, a DPA No. 3: Riparian Areas Development Permit shall not be required.
4.	December 11, 2017	GM-2017-078	Adding item to agenda	It was MOVED and SECONDED that the Gambier Island Local Trust Committee request staff to add to each agenda “First Nations Activities” under the Reports section.
5.	January 25, 2018	GM-2018-009	First Nations Words, Phrases and Place Names	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt the following standing resolution: a) That staff incorporate First Nations’ words, phrases, and place names in Local Trust Committee communications, as appropriate.

Top Priorities Report

Gambier Island

1. *Riparian Areas Regulation*

Implement RAR and protect all watercourses across the Gambier Island Local Trust Area

Responsible

Sonja Zupanec

Dates

Rec'd: 26-Oct-2011

2. *Gambier OCP Comprehensive Review*

Revised Project Charter scope Dec. 2018

Responsible

Sonja Zupanec

Dates

Rec'd: 12-Feb-2015

3. *Keats Island Shoreline Protection Project - Phase 2*

Review of OCP and LUB to implement shoreline protection measures.

Responsible

Jaime Dubyna
Sonja Zupanec

Dates

Rec'd: 31-Jan-2019

4. *OCP Advocacy Policies - Implementation & Support*

Supporting the advocacy policies of the Gambier, Keats, and Associated Islands
OCPs, and Islands Trust Strategic Plan (e.g. woodlots, industrial facilities, Howe Sound)

Responsible

Dan Rogers
Kate-Louise
Stamford

Dates

Rec'd: 24-Oct-2013



Projects Report

Gambier Island

1. <i>Development Approval Information Bylaw</i>	Responsible	Date Received
Develop and adopt a D.A.I bylaw for the Gambier Trust Area.		

2. <i>Squamish First Nation Consultation</i>	Responsible	Date Received
Scope interim strategies pending completion of a possible protocol agreement to address protection of archaeological and heritage resources.		31-Jan-2012

3. <i>Gambier LUB Review</i>	Responsible	Date Received
Review Gambier LUB to address: - definition of breakwater - trams (currently silent) - advocacy policies around pump out stations - review of title Wilderness Conservation - 2013: REVIEW KEATS AND GAMBIER LUBS FOR ACCOMMODATION of OCEAN LOOP GEO-EXCHANGE SYSTEMS - 2010: GHG Emissions (a more proactive approaches to plan for GHG reductions especially in relation to Policies 6.1 and 6.2 in consultation with SCRD.) Initiative arises from recommendation of SCRD in comments about bylaws 111 & 112.		22-May-2014

4. <i>Gambier Site-specific Water Zones</i>	Responsible	Date Received
Staff to research the history of Site-Specific water zones on Gambier.		26-Sep-2013



Projects Report

Gambier Island

5. *Recreational Camp and Private Institutional Regulation Review*

Responsible

Date Received

Review Recreational Camp and Private Institutional regulations in all Local Trust Area land use bylaws.
Review to ensure that regulations properly balance ecological protection with current realities re: rentals as income source for rec camps.

28-Jul-2016

6. *Keats Island LUB review*

Responsible

Date Received

review definition of 'structure' to ensure adequate regulation of the siting of underground sewage disposal systems with setbacks to lot lines and the natural boundary of the sea
-review regulations for accessory uses, buildings and structures occurring on parcels where no principal use exists (April 2018 LTC resolution).

11-Dec-2017

7. *Thormanby Islands Foreshore Protection Pilot Project*

Responsible

Date Received

Review of setback regulations and designation of a development permit area for the purposes of protecting the natural environment, its ecosystems and biological diversity and protection of development from hazardous conditions.

26-Jul-2018