



Gambier Island Local Trust Committee Special Meeting Agenda

Date: September 20, 2017
Time: 7:00 pm
Location: John Braithwaite Community Centre
145 West 1st Street
North Vancouver, BC

			Pages
1.	CALL TO ORDER	7:00 PM - 7:00 PM	
2.	APPROVAL OF AGENDA		
3.	MINUTES		
3.1	Local Trust Committee Special Meeting Minutes dated July 27, 2017 for adoption		2 - 9
4.	TOWN HALL	7:00 PM - 7:10 PM	
5.	BUSINESS ITEMS	7:10 PM - 8:35 PM	
5.1	GM-RZ-2004.1 (District Lot 696, Keats Island) - Staff Report		10 - 56
6.	TOWN HALL	8:35 PM - 8:45 PM	
7.	ADJOURNMENT	8:45 PM - 8:45 PM	



Gambier Island Local Trust Committee Minutes of Special Meeting

Date: July 27, 2017
Location: Keats Camp – Chart Room
 Keats Camp, Keats Island, BC

Members Present Susan Morrison, Chair
 Dan Rogers, Local Trustee
 Kate-Louise Stamford, Local Trustee

Staff Present Sonja Zupanec, Island Planner
 Ann Kjerulf, Regional Planning Manager
 David Marlor, Director, Local Planning Services
 Fiona XETXÁTTEN MacRaid, Senior Intergovernmental Policy
 Advisor on First Nations and Marine Issues
 Diane Corbett, Recorder

Also Present Members of the Public – approximately 60

1. CALL TO ORDER

Chair Morrison called the Special Meeting to order at 3:00 pm. She introduced staff and trustees in attendance.

The Senior Intergovernmental Policy Advisor on First Nations and Marine Issues announced that she had been asked by the Local Trust Committee to acknowledge the First Nations in these meetings. She urged that people on the islands consider two things that have been revealed by emerging archaeological evidence.

- There was not a more densely populated area of aboriginals in Canada; upwards of 100,000 people were living in this region until around two hundred years ago, a third to a half of aboriginals in Canada at the time.
- Rather than this being a hunter-gatherer society, they were manufacturers, a wealth-oriented society with currencies, an advanced civilization.

She remarked that we are newcomers, very recently here.

The Chair thanked the Senior Intergovernmental Policy Advisor.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. COMMUNITY INFORMATION MEETING

3.1 Planner Presentation – Status of Application GM-RZ-2004.1 and Bylaw Amendments that are being considered

The Island Planner provided a presentation on the status of Application GM-RZ-2004.1 and bylaw amendments under consideration as follows:

- Overview of the land
- Land Use Contract
- Current zoning for DL 696
- Current rezoning status for DL696
- Status of the subdivision for DL 696 and MoTI's interests
- First Nations interests
- Sunshine Coast Regional District (SCRD) interests
- Island Trust Fund interests
- Status of hydrogeological assessment
- Overview of draft bylaw
- Further consultation opportunities
- Timeline for deliverables
- Questions and answers
- Local Trust Committee (LTC) consideration/discussion

It was announced that the slides from this presentation would be posted to the Islands Trust website.

3.2 Memorandum and Draft Amendments to Proposed Bylaw No. 143

The Memorandum dated July 18, 2017 regarding Amendments to Proposed Bylaw 143 was received.

Chair Morrison thanked Island Planner Zupanec for the presentation.

4. PUBLIC QUESTION AND ANSWER SESSION

Chair Morrison invited members of the public to comment, and to address questions to the Island Planner, elected officials or the applicant. A question and answer session ensued.

- I have not heard anything about the sewage system. How does that relate to all of this?

Kevin Healy, Creos Engineering, noted that as part of the rezoning process, the applicant did a design for a septic system; some amendments were made to the original design. Currently there is documentation for eight different fields that would work. The applicant presented this as part of the PLA application, and has to prove capacity in the septic field. You cannot go through a subdivision without septic operating. Existing fields have been inspected. Units that don't have a qualified system would tie into a communal system.

- Request for clarification: the actual two subdivisions that would happen would be the residential and Camp space and Nature Reserve; and the 110-lot subdivision. Would there be a septic requirement for the 110-lot subdivision?

(Mr. Healy's response was inaudible to the Recorder.)

- Josh Lupine, Convention of British Columbia Baptist Churches, thanked the Camp for hosting this and providing refreshments, and thanked the Planners with whom he had been working. It had been a very collaborative approach and easy to work with them on it. What has been presented is a pragmatic way to deal with dedications, replacing the Land Use Contract with something that will take this to the next level. There is a need to come up with alternatives to the Land Use Contract.
- Could Islands Trust put some dates to the timeline for deliverables to estimate when they are hopeful these actions might actually transpire?

The Island Planner proposed that March, 2018 as public hearing target from a planning point of view would be ideal, but it depends on how far the applicant gets on populating the plan for their subdivision. The LTC usually meets in August, October, January, and March.

- A neighbour bordering Camp property was concerned about plans for water and sewage. One of the new sewage fields runs along that border – it is almost equidistant from the neighbour's deep well and one of the Camp's deep wells. It is a very swampy piece of land. Neighbour shares the same aquifer; if there were any remote chance of contamination, it would affect the neighbour's water and the Camp water. Neighbour expressed worry about this. There are other areas that could be selected; this could be moved up the hill. The neighbour was very much in favour of the Triangle Park, which borders on the neighbour's property. She appreciated having a flat piece of land set aside for the community. The community would not have to bother the Camp. Neighbour recommended that, as far as sewage and water protection go, the process not be done too quickly out of exasperation. It has taken a long time.
- If there were a better location for the septic fields, could that still happen as we go through the process, or is it set in stone right now? Would the process allow the freedom as a community to make that decision?

Mr. Healy reported there have been eight field locations determined by the engineer. Two more were found since then. The beauty of the CD zoning is it is not fixing those in stone. With the flexibility of the way it is designed right now, it is identified as part of the CD zone. The committee has time to determine that by the time of residential subdivision. The subdivision committee will look at the costs and benefits of combining versus separating the septic systems.

- A cottager, impressed with the work being done, was concerned there are three properties being reserved for public use, with three different managers, with different histories of the properties they are managing. Heard there are brochures out and being promoted. Wondered to what extent overnight camping has been envisioned. There is no septic system, and no fire control.

The Island Planner explained the zoning currently proposed and amendments do not anticipate camping. If that use is currently in place, that is an enforcement issue, and is not permitted. Owners of the land could take action regarding trespassing.

Chair Morrison explained that Nature Reserves are not considered for public camping, and would have signage out. Management practice is to check once a year. A covenant is in place for protection.

- Who will be monitoring Salmon Rock?

Trustee Rogers responded that it would still be owned by the Convention. They have said they want to be able to continue to monitor it as it is their property. To the extent it is now, it will remain that way. Islands Trust has made it clear to the SCRD that the park is not intended to be a destination park. Members of the public were requested to contact Trustee Rogers if they see any advertising of those places. It is not appropriate and not permitted.

- In the presentation, what you didn't talk about are issues about water and sewage, and other ministries involved, and how the organizations work together. Detail a bit more how these pieces fit together, and the steps.

The Island Planner referred to the presentation slide with existing well locations. The Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD, formerly FLNRO) now require a groundwater license if you are taking water out of the ground. The Ministry would scrutinize the community water system and make sure it is viable, in the subdivision. The Local Trust Committee will want to see proof that there is enough water to support the uses, and that there won't be cross contamination of the aquifer. FLNRORD, at the time of subdivision, want to see the financial model, and hydro. Conditions of subdivision include meeting the water requirement and the septic requirement. The applicant and Islands Trust do not want the rezoning to be tied to the strata subdivision piece. Applicant has been in contact with Vancouver Coastal Health. MoTI can only issue Preliminary Layout Approval once all of the conditions are achieved. Then applicant can tie up loose ends and subdivision be approved. A number of agencies are involved in water and septic.

The Island Planner explained that, because a lot is determined by the strata subdivision, that is when the water and sewage become a top priority for the Subdivision Officer. The applicant is trying to do two things at once, but there might be ramifications in terms of timing. It was the Island Planner's understanding the applicant had a significant amount of the work achieved. By the time of Public Hearing a lot of details could be fleshed out.

Mr. Lupine noted that, historically, there had been lot of distrust related to the process around septic and water. The highest concern for the work is high quality drinking water, that is cost effective environmentally and economically. None of it is risking having contaminated water. The hydrogeological study is highly supportive of the applicant's plans; there is nothing that leads the applicant to be concerned that they are endangering the neighbours. The further you put fields away, the more there are pumping and trenching costs.

- A cottager inquired regarding who is responsible for policing roads and trails allowances. Was concerned with parking, derelict vehicles, speed limits, and could not imagine a small path being cleared out. Who will police it?

The Island Planner explained that MoTI has a local contractor responsible for grading and maintenance. This includes the trail dedicated to MoTI with statutory right-of-way for maintenance. That is a dedication; it is already there. The trail is 6 metres; the road is 20 metres. There are no plans to expand the road to Salmon Rock; it goes through archaeological sites. The sites would be covenanted at subdivision.

- Concern regarding proposed dedication of Triangle Park. Salmon Rock will be still owned by the Convention and policed. Islands Trust Fund will be taking Sandy Beach Nature Reserve and work with local groups to manage that space. SCRD would manage Triangle Park – they just don't maintain that.
- A speaker reported he had taken photos of nine parked vehicles and forwarded them to SCRD Bylaw, and learned SCRD has no jurisdiction on the roads. They rely on the community to self-regulate. We are taking private land under ownership and custodial care and turning it over to an agency that can't maintain what they have. This could cause more problems for the island than it already has.
- The trail that is going to be 6 metres with 2-metre right-of-way: will it be paved? (No.)
- The Trust Fund Board, when it accepts the Nature Reserve property, will have a management plan and local management group. Islands Trust has a letter of understanding with the SCRD. Suggest that the Trust Fund management group go to SCRD and ask if the group can also monitor the park reserve. It would be a local group.
- Regarding the issue of aquifer protection and how to protect the shared aquifer that supplies the camp and over 500 people: would like to encourage everybody to make that a top priority. Is there a tool or mechanism the Local Trust Committee could use that could be placed on the area of that aquifer, that could prevent anything on there that could contaminate it?

The Island Planner responded that a covenant could restrict more than the zoning does. The geographic area would need to be identified, and a report provided by a qualified professional. The Local Trust Committee could consider special restrictions.

- We should thank the Island Planner for the Comprehensive Development strategy. Am curious, confused when we get to the subdivision. Does the three-lot subdivision separate or does that wait? Mentioned CPCN (water Certificate of Public Convenience and Necessity). Inquired about the process related to water rights.

Mr. Healy advised that all the agencies involved had been approached – including MoTI and FLNRORD regarding control of water rights. On DL 696, there is one block of land providing to multiple users. At subdivision you have to prove there is a viable water system and it can run in a sustainable manner. You are currently going through a rezoning that says water can be used for 110 lots and the Camp. To get subdivision you will go through process to create a water utility; some of it will be on Camp land, some on strata land. It will be a more expensive system to run because there will be a bit of bureaucracy to it. The intention, if the subdivision goes ahead, is the strata will manage that. The system now is a community field. There will be some upgrading. Subdivision will trigger water rights.

- Concern about cottager / leaseholder financial position. To buy out lots and pay for improvements, they need to own that land. At which point do they have to start writing cheques? Does the work on the septic have to be in? If there is strata title on the land, then they can afford to pay the buy outs to the Convention. Elaborate a bit more.

The Island Planner explained that Islands Trust's process ends at rezoning. Once subdivision is approved, the plan can be registered on title. Then it is about whatever agreement the Convention has with the leaseholders.

- To get the subdivision referral does the septic system have to be built?

No, but plans should clearly illustrate what is being proposed to be done. There are inspections while it is being constructed. Mr. Healy noted MoTI obliges applicants to prove sewer and water or they don't get subdivision.

Mr. Lupine noted the rezoning process is the four-step process outlined by the Island Planner. It depends on the community input and decision of trustees. Once the application gets to third reading, the applicant can get PLA, and then can start the 110-lot subdivision. The idea is to do a survey of the three-lot subdivision and 110-lot at the same time, and submit those applications at the same time. Applicant has an assessment of the individual septic systems now. For phase one, the applicant would want to do all the backbone build out. Depending on the zoning and timeline, applicant hoped to get to third reading after March (potential timing for public hearing prior to third reading).

- The applicant would be asking for a large amount of money from (leaseholders) to do the first level before they actually own the property.

Island Planner Zupanec thanked everyone for coming and announced there would be a brief break before re-commencement of the Local Trust Committee Special Meeting.

The Community Information Meeting was recessed by the Chair at 5:00 pm.

Chair Morrison recalled the meeting to order at 5:07 pm, and thanked members of the public for coming.

5. LOCAL TRUST COMMITTEE CONSIDERATION OF NEXT STEPS

The Island Planner reported the Local Trust Committee would be discussing water and aquifer after receipt of the hydrogeological report. LTC needs to be satisfied there will be sufficient water and no cross-contamination, and could talk about whether to put in any further protections.

GM-2017-041

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to bring forward proposed amendments to Bylaw 143 to reflect the amendments as noted in the staff memo in the report of July 27, 2017.

CARRIED

Discussion of next steps included:

- Managing Triangle Park has concerns. Triangle Park would be funded through taxes, but it is a question of how to monitor it. That seems to be a community concern: having reserves that are now public, and the effect on the community. Referred to the suggestion of using Trust Fund management system to be included with Triangle Park.
- Management could be given over to a local management group.
- In her role as Alternate Director for SCRD, Trustee Stamford would advocate that SCRD work more closely with the community and make sure there is an active management.
- Keats has other SCRD parks; they have a history of neglect. Staff come over a few times a year, and take care of a few issues. When they were considering this park, there was no referral to an on island manager. Have received comments of SCRD failing to enforce bylaws on their property. Have to keep working on getting them to do it.

The Island Planner requested direction on marine zones. Discussion during the morning meeting had been about bringing forward transfer of the base marine provisions that are accommodated. The Camp would reduce waterfront marine zoning. The Island Planner recommended re-evaluating marine zones for Keats Island-wide.

The Island Planner discussed the hydrogeological report and scheduling a special dedicated time to review it, with draft amendments and staff analysis, which could not be completed by the August 31 LTC meeting. Timing and location for a special meeting were considered, with input from members of the public. A weekday evening in North Vancouver was a popular choice.

GM-2017-042

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to look at dates in mid-September for a special meeting to review the application GM-RZ-2004.1.

CARRIED

6. TOWN HALL

A member of the public commented on feeling that there is momentum, and that is reassuring, and satisfying. This island holds a special place in everyone's hearts. Don't shoot for perfection; maybe we are 90% there. The member of the public felt everybody is in agreement and commented on feeling happy about what he saw here today.

Mr. Healy noted that one of the things that was made as a commitment in the PLA application was that a wellhead protection plan would be put in place.

7. **ADJOURNMENT**

By general consent the meeting was adjourned at 5:27 pm.

Susan Morrison, Chair

Certified Correct:

Diane Corbett, Recorder

File No.: GM-RZ-2004.1
(CBCBC, DL 696 Keats Island)

DATE OF MEETING: September 20, 2017
TO: Gambier Island Local Trust Committee
FROM: Sonja Zupanec, RPP, MCIP
Local Planning Services
COPY: Kevin Healey, Applicant
SUBJECT: Amendments to Proposed Bylaw No. 143
Applicant: Kevin Healey
Location: District Lot 696, Keats Island

RECOMMENDATION

1. That the Gambier Island Local Trust Committee amend Bylaw No. 143 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 2, 2016” as specified in Attachment 1 of the staff report dated September 20, 2017.
2. That the Gambier Island Local Trust Committee Bylaw No. 143 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 2, 2016” be read a first time as amended.
3. That the Gambier Island Local Trust Committee request staff to undertake Bylaw No. 143 referral follow up with the Sunshine Coast Regional District regarding community park zoning and Skwxwú7meshulh Nation regarding marine and land zoning changes.
4. That the Gambier Island Local Trust Committee proceed no further with Bylaw No. 144 cited as “Gambier Island Trust Committee Land Use Contract Authorization Bylaw, 1978 (Convention of Baptist Churches of British Columbia), Amendment No. 1, 2016”.
5. That the Gambier Island Local Trust Committee endorse the ‘GM-RZ-2004.1 September 2017 Frequently Asked Questions’ document (as amended by the Local Trust Committee), for mail out to all property owners and residents of Keats Island and posting to the Local Trust Committee ‘Current Applications’ webpage.
6. That the Gambier Island Local Trust Committee:
 - a. Request staff to prepare a draft restrictive (conservation) covenant for the Salmon Rock ‘Private Conservation (PC) Zone’ portion of District Lot 696, Keats Island, consistent with Islands Trust Policy 5.3.v [‘Best Practices for Local Trust Committees in Holding Conservation Covenants’](#), which includes a provision for annual monitoring to be paid for by the owner, for Local Trust Committee consideration prior to a Public Hearing for Bylaw No. 143;
 - b. Request the applicant for GM-RZ-2004.1 submit a baseline ecological report for the covenant area consistent with the Islands Trust Fund baseline report template, for Local Trust Committee consideration prior to a Public Hearing for Bylaw No. 143; and

- c. Request the Islands Trust Fund Board assist with annual monitoring of the covenant area as the property is adjacent to the proposed Sandy Beach Nature Reserve.
7. That the Gambier Island Local Trust Committee has reviewed the template statutory right-of-way to be held by the Ministry of Transportation and Infrastructure for the 2 metre wide strip abutting each side of the public trail to Salmon Rock, District Lot 696, Keats Island and considers the template to be consistent with the conditions of Bylaw No. 144 cited as “Gambier Island Trust Committee Land Use Contract Authorization Bylaw, 1978 (Convention of Baptist Churches of British Columbia), Amendment No. 1, 2016 regarding the dedication of an “unopened road”.

REPORT SUMMARY

The purpose of this report is to introduce amendments to Proposed Bylaw No. 143 for consideration of first reading as amended.

BACKGROUND

The Gambier Island Local Trust Committee (LTC) passed the following resolution at the July 2017 special meeting:

GM-2017-041

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to bring forward proposed amendments to Bylaw 143 to reflect the amendments as noted in the staff memo in the report of July 27, 2017.

CARRIED

All relevant background staff reports, memos and presentation slides are available on the LTC '[Current Applications](#)' webpage.

ANALYSIS

Proposed Bylaw No. 143

Staff have prepared a comprehensive re-write of Proposed Bylaw No. 143 to reflect the new 'Comprehensive Development Zone' approach for District Lot (DL) 696, to enable a 110 lot strata subdivision, road, trail, Sunshine Coast Regional District (SCRD) park dedication and transfer of the Sandy Beach Nature Reserve to the Islands Trust Fund (ITF). Attachment 1 illustrates the necessary amendments to the Keats Island Land Use Bylaw (LUB) to rezone the appropriate land and marine areas and regulate the use, density, buildings and structures according to existing provisions in the Land Use Contract (LUC) and the LUB.

Proposed Bylaw No. 144

Should Proposed Bylaw No. 143 be amended at first reading to reflect the changes as presented in this staff report, the LTC should pass a resolution to proceed no further with Proposed Bylaw No. 144 as all LUC conditions will have been met upon adoption of Bylaw No. 143.

Hydrogeological Assessment Report

The applicant has submitted a hydrogeological assessment memorandum (Attachment 2). This was in response to the Terms of Reference (ToR) prepared by staff in consultation with the Ministry of Forest, Lands and Natural Resource Operations and Rural Development and a consulting hydrogeologist (Attachment 3). Planning and hydrogeological staff reviewed the memorandum and identified a number of concerns with the applicant regarding the statement of opinion provided in the memo:

“Projected potable water needs for the Convention’s proposed 110 cottage lots and Keats Camp expansion can be satisfied from on-site groundwater sources and neither the proposed groundwater extractions nor proposed new community sewerage systems will have adverse impacts on local groundwater resources, groundwater users, and receiving waters.”

It is in the opinion of Islands Trust staff that the statement of opinion does not appear to be supported by comprehensive data or analysis of the data and the memo did not address several key structural and analytical elements of the ToR. The applicant was advised by staff that a positive recommendation supporting second reading of the proposed bylaws could not be provided to the LTC in the absence of a hydrogeological assessment report addressing the deliverables requested in the ToR. The applicant offered to have their consulting hydrogeologist attend the September 20 special LTC meeting to address any LTC concerns, and provide a concordance summary document as a late item for the September 20 meeting to address information gaps. Staff will not have had a chance to review this concordance in advance of report recommendations being prepared and therefore no further analysis pertaining to the hydrogeological assessment are available from staff at this time. The Islands Trust Senior Freshwater Specialist will be available by teleconference for the LTC deliberations of the hydrogeological assessment memo on September 20.

Salmon Rock Conservation Covenant

The Salmon Rock area is proposed to retain the ‘Private Conservation (PC) Zone’ as illustrated in Proposed Bylaw No. 143 (Attachment 1). Existing LUB regulations prohibit any buildings or structures in this zone. The land is to be retained as the DL 696 remainder lot, as part of the Keats Camp operation. In order to address community interests in effective long term conservation of this area in its natural state, the applicant, in previous renditions of this rezoning application, agreed to a restrictive (conservation) covenant being registered on title of the property in favour of the LTC. Staff recently reviewed the draft covenant language (Attachment 4) and determined that the covenant merely prohibited subdivision and allowed for 4,000 square feet of gross floor area for buildings anywhere and for any use within the covenant area.

It is the opinion of staff that the PC zoning adequately regulates the use of the land for conservation purposes; prohibits any buildings or structures and prevents further subdivision. A restrictive (conservation) covenant registered on title should supplement the zoning provisions and require the lands be kept in a natural state and prohibit the alteration or removal of native vegetation and forest cover. Islands Trust Policy 5.3.v [‘Best Practices for Local Trust Committees in Holding Conservation Covenants’](#) contains very specific policy direction for LTCs wishing to hold these types of restrictive covenants and provides a model template. The LTC does not have the resources to monitor such covenants, and generally, the ITF Board will not undertake monitoring on other agencies’ covenants where the Board has no legal interest in the covenant (e.g. covenants held by LTCs, or local, regional, provincial or national conservancy/land trust groups). However, if requested, the Board may assist with monitoring a covenant held by an LTC if all costs associated with the monitoring are covered and the property is adjoining an ITF Board property or covenant that would be monitored at the same time. Zoning regulations alone cannot prohibit tree or vegetation removal, therefore staff recommend the protection of the Salmon Rock area through a conservation covenant; the owner be asked to submit a baseline ecological report consistent with the model template and commit to annual monitoring costs; and the ITF Board should be asked to assist with monitoring as the covenant area is directly adjacent to a ITF property (Sandy Beach Nature Reserve).

MoTI Statutory Right of Way

The Ministry of Transportation and Infrastructure (MoTI) has agreed to a 6 metre public trail dedication to Salmon Rock Point and have requested a 2 metre statutory right-of-way (SRW) on either side of the dedication for trail maintenance and access. As the trail dedication is a condition of the LUC, the LTC should review the document to ensure it is satisfied. MoTI has provided the applicant with a sample SRW (Attachment 5) for use at the time of road dedication.

Sandy Beach Nature Reserve

The applicant has submitted to the ITF an ecological baseline report for the 3.4 hectare proposed Sandy Beach Nature Reserve parcel in preparation for the lands to be transferred to the ITF upon adoption of Proposed Bylaw No. 143. ITF staff are scheduling a site visit to the property this fall. Upon adoption of the bylaw, the LTC can initiate a zoning amendment of the parcel to a new 'Nature Reserve (NR) Zone' acceptable to the ITF. The current owners requested that a conservation covenant with the ITF, Sunshine Coast Conservation Association and the Land Conservancy of British Columbia be registered on the property concurrently with the transfer of the land and agreed to provide a \$10,000 endowment for the long term costs associated with managing the property. This endowment would be transferred concurrently with the lands to the ITF upon adoption of Proposed Bylaw No. 143.

Frequently Asked Questions Document

Staff have finalized a draft FAQ document (Attachment 6) for LTC review. The document is intended to be mailed to Keats Island property owners and residents, in an effort to clarify the status of the application file and notify interested parties how to access relevant information prior to a public hearing being scheduled.

First Nations and Agency Referrals

Should Proposed Bylaw No. 143 be amended as per Attachment 1, staff recommends re-referral specifically to the Sunshine Coast Regional District and Skwxwú7meshulh (Squamish) Nation in order to clarify the changes to the park, land and marine zoning and request referral responses prior to a public hearing.

Rationale for Recommendation

Amendments to Proposed Bylaw No. 143 as illustrated in Attachment 1 support the intended outcome of the application, to allow for subdivision and fulfilment of LUC conditions. Staff support first reading as amended as per the recommendations found on Page 1 of this report.

The LTC requested the applicant provide a comprehensive hydrogeological assessment report to address key groundwater concerns pertaining to this application. It is the opinion of staff that the submitted assessment memorandum did not adequately address the ToR requirements. The LTC should be satisfied with the hydrogeological assessment findings and the applicant has undertaken sufficient due diligence, before consideration of second reading of Proposed Bylaw No. 143 and prior to scheduling a public hearing.

ALTERNATIVES

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

1. Give Second Reading as amended to Proposed Bylaw No. 143 and proceed to Public Hearing

The LTC may be satisfied with the findings of the hydrogeological memorandum and supplemental information provided by the applicant at the September 20 LTC meeting, proceed to second reading and request staff schedule a public hearing in accordance with the requirements of the *Local Government Act*.

2. Request Additional Information

The LTC may request the applicant provide specific additional information prior to consideration of further bylaw amendments or readings.

NEXT STEPS

Cost recovery for planning support for this application was suspended temporarily from April – September 2017 while amendments to the bylaws were being considered and prepared. Upon first reading as amended for Proposed Bylaw No. 143, staff will re-initiate tracking of planner hours which will be charged to the cost recovery file.

The LTC should consider second reading of Proposed Bylaw No. 143 and scheduling a public hearing following:

1. Receipt of hydrogeological assessment information to the satisfaction of the LTC;
2. Re-referral of the proposed bylaw to the SCRD and Skwxwú7meshulh Nation;
3. Receipt of a draft restrictive (conservation) covenant for the Salmon Rock area;
4. Receipt of a letter from the owner agreeing to the discharge of the LUC;
5. Receipt of a letter of undertaking to deposit plans for the dedication of the SCRD park, public road and trail upon adoption of Bylaw No. 143; and
6. Receipt of a letter of undertaking to deposit a plan of subdivision for the transfer of Sandy Beach Nature Reserve to the Island Trust Fun upon adoption of Bylaw No. 143.

Submitted By:	Sonja Zupanec, RPP Island Planner	September 11, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	September 11, 2017

ATTACHMENTS

1. Proposed Bylaw No. 143 – for first reading as amended
2. Exp. Hydrogeological Assessment memorandum
3. June 2017 Hydrogeological Assessment Terms of Reference
4. Draft Salmon Rock Conservation Covenant
5. Ministry of Transportation sample statutory right of way
6. Draft Frequently Asked Questions – September 2017

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 143

A BYLAW TO AMEND THE KEATS ISLAND LAND USE BYLAW, 2002

The Gambier Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gambier Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Keats Island Land Use Bylaw, 2002, Amendment No. 2, 2016”.

2. Gambier Island Local Trust Committee Bylaw No. 78, cited as “Keats Island Land Use Bylaw, 2002” is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. Land Use Contract G314 authorized by Gambier Island Trust Committee Land Use Contract Authorization Bylaw No. 4, 1978 (Convention of Baptist Churches of British Columbia) is discharged.

READ A FIRST TIME THIS	2 ND	DAY OF	FEBRUARY	, 2017
READ A SECOND TIME THIS		DAY OF		, 201x
PUBLIC HEARING HELD THIS		DAY OF		, 201x
READ A THIRD TIME THIS		DAY OF		, 201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 201x
ADOPTED THIS		DAY OF		, 201x

SECRETARY

CHAIRPERSON

PROPOSED

Gambier Island Local Trust Committee

Bylaw No. 143

Schedule 1

2.1 **PART.1– ADMINISTRATION AND INTERPRETATION**, Section **1.5 DEFINITIONS**, Subsection 1.5.1 is amended by:

- a) deleting the word “residential” from the definition of “boat house”;
- b) adding a new definition: “**dormitory** means a building without a kitchen that provides sleeping quarters and washroom facilities for the temporary accommodation of persons attending or employed at a private institutional camp” after the definition of “dock”;
- c) deleting the words “where such use is established by a Regional District, government or other public agency” at the end of the definition for “public service utility use”.

2.2 **PART 3 – ESTABLISHMENT OF ZONES**, Section **3.1 DIVISION INTO ZONES**, Subsection 3.1.1 is amended by:

- a) deleting “Community Residential 2 CR2”, “Private Institutional 1 PI1” and “Community Service 2 CS2”;
- b) adding “Comprehensive Development 2 CD2” after “Comprehensive Development 1 CD1”;

2.3 **PART 4 – ZONE REGULATIONS**, is amended by removing Section **4.2 COMMUNITY RESIDENTIAL 2 (CR2) ZONE** in its entirety and renumbering Section **4.3 COMPREHENSIVE DEVELOPMENT 1 (CD1) ZONE** to Section 4.2;

2.4 **PART 4 – ZONE REGULATIONS** is amended by adding new Section **4.3 COMPREHENSIVE DEVELOPMENT 2 (CD2) ZONE** as follows:

“4.3 COMPREHENSIVE DEVELOPMENT 2 (CD2) ZONE

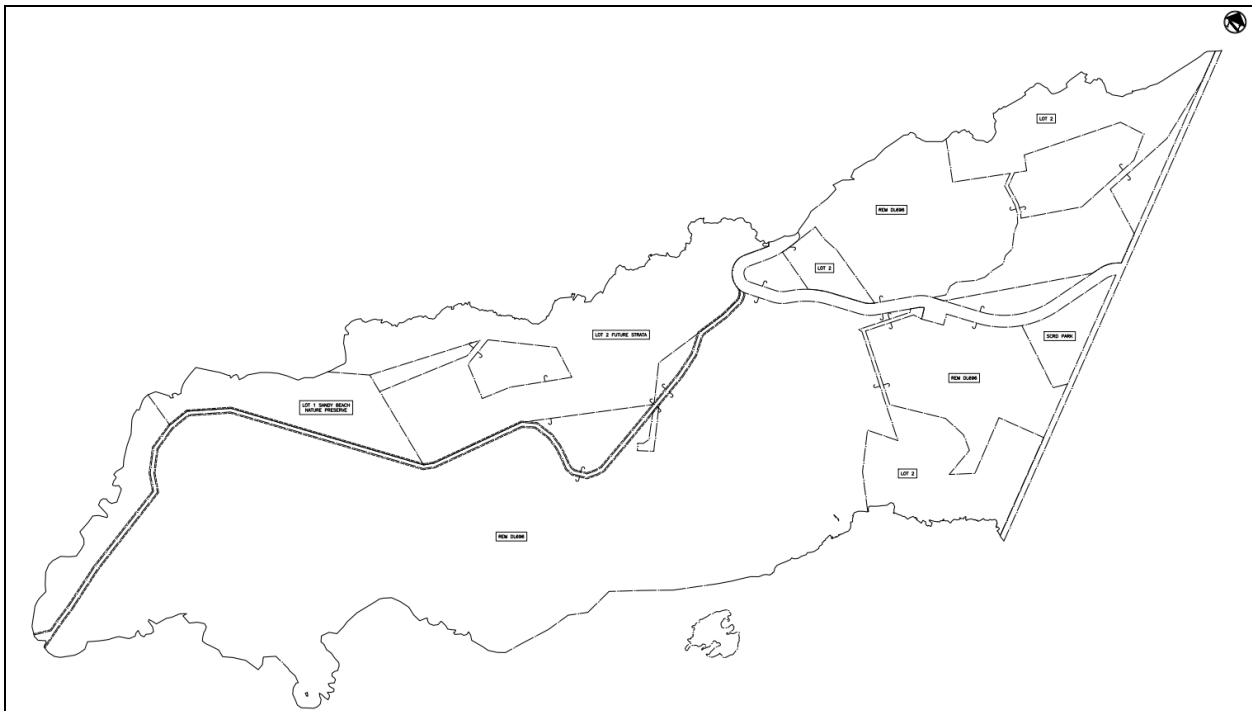
Subdivision

- .1 Land in the CD2 zone may be subdivided only as follows, and only in the following sequence:
 - a) so as to create, together with such park and highway dedications as the approving officer may require, the three parcels described as follows, which parcels must have an area no more than 5% greater than and no more than 5% less than the areas indicated:
 - (i) a 3.40 ha parcel for nature conservation uses;
 - (ii) a 19.0 ha parcel to be further subdivided by strata plan for residential development, only as described in Subsection b);
 - (iii) a 68.0 ha parcel for institutional camp and nature conservation uses, which parcel may not be further subdivided,

which subdivision shall be in general compliance, as to the location and configuration of each of the three parcels, with the Block Subdivision Plan;
and

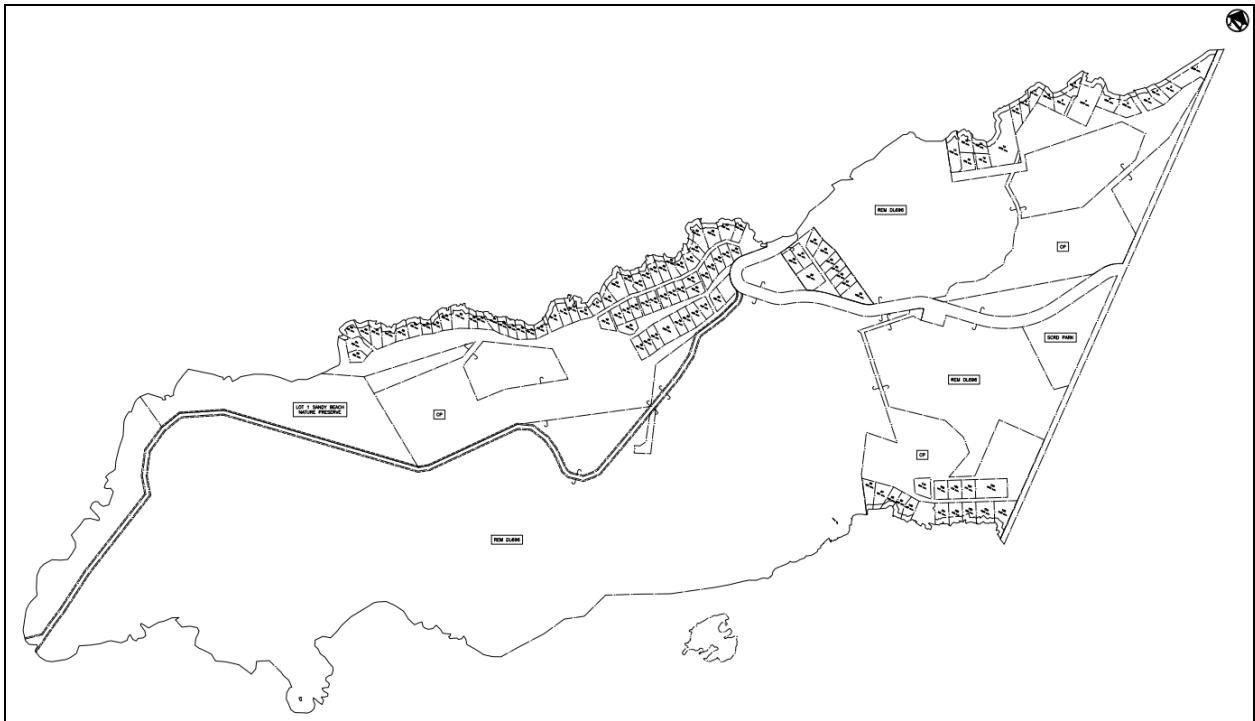
PROPOSED

- b) so as to create not more than 110 strata lots by strata subdivision of the parcel described under Subsection a)(ii), in accordance with the Strata Subdivision Plan, and the subdivision may vary from the Strata Subdivision Plan but not so as to affect the distribution of strata lots as among the six principal lot clusters, or so as to create any lot with an area or width less than 95% of that of the smallest or narrowest lot shown on the Strata Subdivision Plan.
- .2 In Section 4.3.1, “Block Subdivision Plan” means Revision No. 3 of Drawing No. KEY-BLK prepared by Creus Engineering Ltd. for the Convention of Baptist Churches of B.C. and dated September 6, 2017, a print copy of which is set out below and an original digital version of which is in the records of the Islands Trust, and “Strata Subdivision Plan” means Revision No. 3 of Drawing No. KEY-STR prepared by Creus Engineering Ltd. for the Convention of Baptist Churches of B.C. and dated September 6, 2017, a print copy of which is set out below and an original digital version of which is in the records of the Islands Trust.
- .3 Section 7.4.1 of this bylaw does not apply to the subdivision described in Subsection b).
- .4 The parcels created by subdivision under Section 4.3.1a)(i), (ii) and (iii) respectively are referred to in this Section 4.3 as the Sandy Beach Parcel, the Residential Parcel and the Camp Parcel.



Block Subdivision Plan.

PROPOSED



Strata Subdivision Plan.

Permitted Uses

- .5 The Sandy Beach Parcel may be used only for natural area parks and conservation once it has been created by subdivision.
- .6 The following uses of land, buildings and structures are permitted on the Residential Parcel once it has been created by subdivision:
 - single family residential uses
 - home occupations, subject to Section 2.2
 - horticulture and other uses accessory to a permitted residential use
 - public service utility uses and private utility uses including pump/utility houses
 - natural area parks and conservation
- .7 The following uses of land, buildings and structures are permitted on the Camp Parcel once it has been created by subdivision:
 - private institutional camp
 - caretaker residential uses accessory to a private institutional camp use
 - one confectionery and gift shop accessory to a private institutional camp use
 - public service utility uses and private utility uses including pump/utility houses
 - natural area parks and conservation

Permitted Buildings and Structures

- .8 The following types of buildings and structures are permitted on the Residential Parcel:
 - single family dwellings on individual strata lots
 - buildings and structures accessory to a permitted residential use

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- community sewer system facilities
 - public service utility uses
 - pedestrian trails
 - fire huts
 - fences, subject to Section 2.4
 - signs accessory to single family residential uses, subject to Part 5
- .9 The following uses of land, buildings and structures are permitted on the Camp Parcel:
- up to five caretaker dwellings
 - dormitories and campgrounds for overnight accommodation
 - non-residential buildings and structures accessory to a private institutional camp use
 - up to three boathouses accessory to a private institutional camp use
 - community sewer system facilities
 - public service utility uses
 - pedestrian trails
 - fire huts
 - fences, subject to Section 2.4
 - signs accessory to a private institutional camp use, subject to Part 5

Density of Use

- .10 A maximum of one single family dwelling is permitted per lot on the Residential Parcel.
- .11 The maximum floor area of a fire hut on the Residential Parcel is 9.3 square metres.
- .12 The maximum aggregate floor area of dormitories and caretaker dwellings on the Camp Parcel is 4195 square metres.
- .13 The maximum aggregate floor area of buildings and structures other than dormitories and caretaker dwellings on the Camp Parcel is 3231 square metres.
- .14 The floor area of a boathouse on the Camp Parcel must not exceed 60 square metres.
- .15 The floor area of a confectionery and gift shop on the Camp Parcel must not exceed 200 square metres.

Setbacks

- .16 The minimum setback between buildings on the Residential Parcel is 3.0 metres.
- .17 The minimum setback from any lot line of any building or structure on the Camp Parcel, other than a fence, pump house, fire hut or boat house, is 10 metres.

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Height of Buildings and Structures

- .18 The maximum height of buildings and structures accessory to a permitted residential use on the Residential Parcel is 4.6 m.
- .19 The maximum height of buildings and structures on the Camp Parcel is 13.0 metres except that a boat house may not exceed a height of 4.6 metres.

Lot Coverage

- .20 The maximum lot coverage of all buildings and structures on the Residential Parcel is 33%.
- .21 The maximum lot coverage of all buildings and structures on the Camp Parcel is 5%.”;

2.5 **PART 4 – ZONE REGULATIONS**, is amended by removing Section **4.6 PRIVATE INSTITUTIONAL 1 (PI1) ZONE** in its entirety and by making such consequential numbering alterations to effect this change.

2.6 **PART 4 – ZONE REGULATIONS**, is amended by removing Section **4.10 COMMUNITY SERVICE 2 (CS2) ZONE** in its entirety and by making such consequential numbering alterations to effect this change.

2.7 **PART 4 – ZONE REGULATIONS** renumbered Section **4.13 MARINE 2 – COMMUNAL MOORAGE (M2) ZONE** is amended by adding the following text and table as Subsection 4.13.6:

“Site Specific Regulations

- .6 The following Table 4.1 indicates where despite or in addition to the regulations in this Section, specific regulations apply. In the first column, the zone abbreviation and the lower-case letter refer to the notation on the zoning map. The second column describes the regulations:

Table 4.1	
Site Specific Zone	Site Specific Regulations
M2(a)	a) Despite 4.12.4 the maximum size of a dock in the marine area is 65 square metres (700 square feet). The maximum area may be increased by 47 square metres (500 square feet) per residential lot served up to a maximum size of 158 square metres (1,700 square feet).
M2(b)	a) Despite 4.12.2 non-commercial anchorage, moorage of private vessels, and recreational activities accessory to private institutional uses on the adjacent upland are permitted. b) Despite 4.12.3 the maximum height of a building or structure on a float or wharf in the M2(b) area is 5.0 metres (16.5 feet) measured from the upper surface of the float or wharf.

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	c) Despite 4.12.4 the maximum area covered by docks in the entire M2(b) zone, including wharf floats and connecting ramps and piers, is 3,000 square metres (32,970 square feet).
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PART 5 – SIGN REGULATIONS, Section 5.1 NUMBER AND TOTAL AREA OF SIGNS, Subsection 5.1.1 Table 1: Sign Regulations is amended by:

- a) deleting the “CR2”, “PI1” and “CS2” zones from the first column;
- b) adding “CD2” zone to the “Zone” column immediately under “CD1”;

2.8 PART 6 – PARKING REGULATIONS, Section 6.1 REQUIREMENT FOR PARKING SPACES Subsection 6.1.1 Table 2: Off-Street Parking Requirements is amended by replacing the zoning abbreviation “PI1” in the first column with “CD2”;

2.9 PART.7 – SUBDIVISION, Section 7.2 EXEMPTIONS FROM MINIMUM AND AVERAGE LOT SIZES, Subsection 7.2.2 is amended by inserting the words “or nature reserve” following the words “a conservation area”;

2.10 PART 8 – PERMITS, Section 8.1 TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS Subsection 8.1.1 is amended by:

- a) deleting the words “Community Residential 2 (CR2)” and “Private Institutional 1 (PI1)”;
- b) inserting the words “Comprehensive Development 2 (CD2)” after “Comprehensive Development 1 (CD1)”;

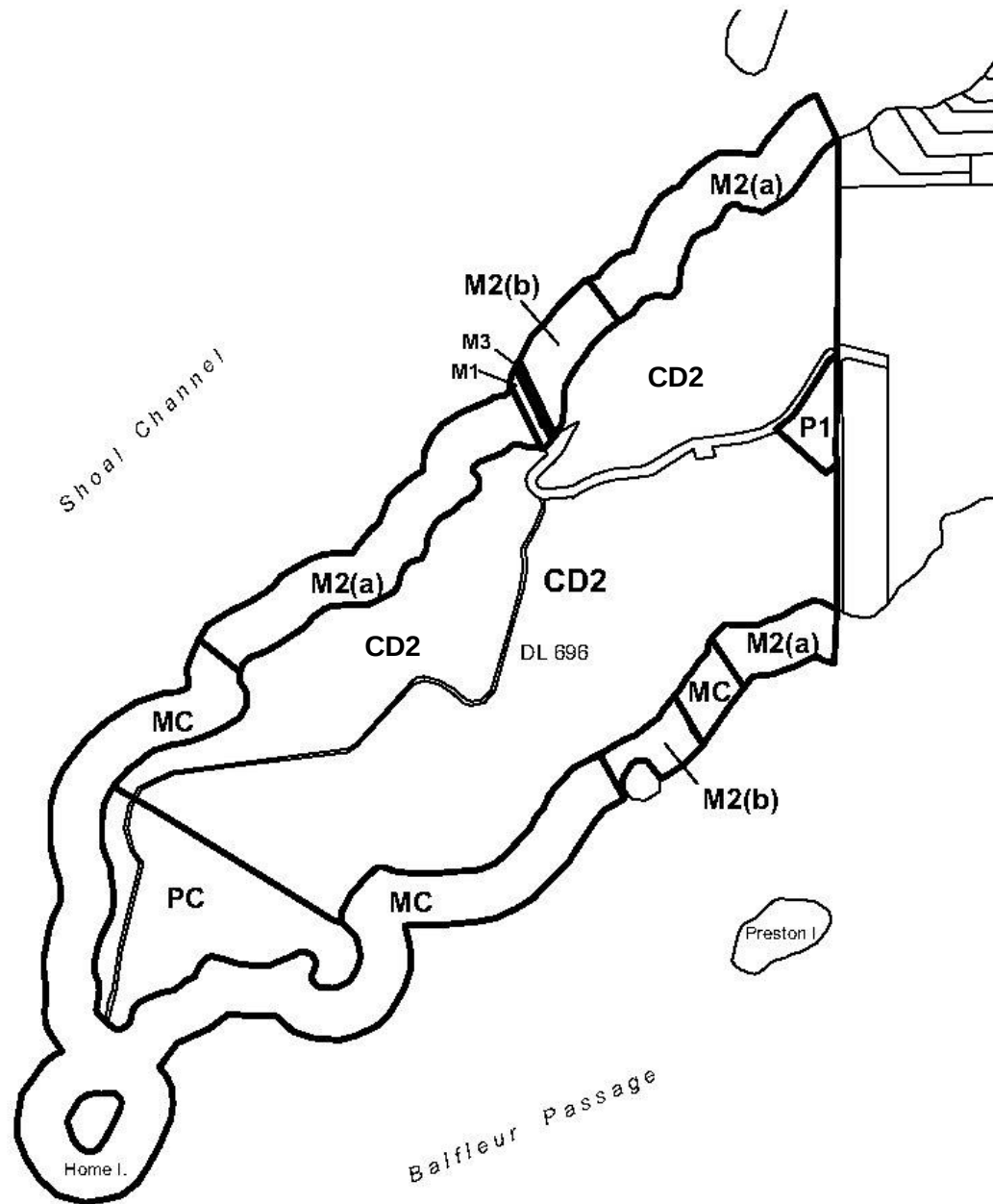
2.11 Keats Island Land Use Bylaw, 2002, Schedule B, is amended by changing the zoning classifications to those shown on Plan 1, attached to and forming part of this Bylaw.

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 143

PLAN 1





275 – 3001 Wayburne Drive
Burnaby, BC V5G 4W3 Canada
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Memorandum

Date:	July 25, 2017	Reference No.:	VAN-00240303-A0
To:	Sonja Zupanec, RPP Island Planner, Islands Trust szupanec@islandstrust.bc.ca	Total No. of Pages:	11 + Attachments
From:	Matthew D. Munn, P.Eng. Jeff A. Johnson, BA (Econ), MBA		matthew.munn@exp.com jeff.johnson@exp.com
Project:	Hydrogeological Study – Phase 1 DL696, Keats Island, BC		

1 INTRODUCTION

Exp Services Inc. (**exp**) was retained by the Convention of Baptist Churches of BC (the Convention) to complete a Phase 1 Hydrogeological Study to support an on-going rezoning application process for their above-referenced property on Keats Island, BC. Scope for the Phase 1 Hydrogeological Study was developed primarily through consultation with the Convention's civil engineering consultant, CREUS Engineering Ltd. (CREUS), who directly consulted with Islands Trust regarding an initial terms of reference and amended terms of reference for a hydrogeological assessment of the subject property, and supplementary input from BC Ministry of Forests, Lands and Natural Resource Operations (FLNRO).

The primary objective of **exp's** Phase 1 Study was to complete a preliminary review and assessment of available property information and provide rezoning-stage confirmation that potable water needs for the Convention's proposed lots and intended uses can be satisfied from on-site groundwater sources and that neither the proposed groundwater extractions nor proposed community sewerage systems will have adverse impacts on local groundwater resources, groundwater users, and receiving waters.

The Phase 1 Study was completed in agreement with **exp's** Work Plan delivered to the Convention on May 17, 2017. Use of this memorandum must include consideration of the Section 5 Limitations and the attached "Interpretation & Use of Study and Report" (Attachment #1).

2 BACKGROUND

The Convention's DL696 property (the Site) covers an area of approximately 169 acres within the southwest tip of Keats Island. Development of the Site commenced in 1926 and generally approached current level of occupation and use during the 1950's. Land use currently includes 84 individual cottages located on 110 leased lots and a youth camp (i.e., Keats Camp) with several accommodations buildings and related structures.

The leased cottage lots and Keats Camp (the Camp) are serviced by two on-site water supply wells located near the southern Site boundary (shoreline) that withdraw groundwater from a bedrock aquifer underlying the entire Site. The current water system was built in 2004 and is operated by Keats Island Construction & Service Ltd. (KICAS) under a Vancouver Coastal Health (VCH) Permit to Operate issued in March 2008. The Camp has four existing communal sewerage systems and additional single building disposal fields. The 84 cottages are serviced by a range of on-lot and shared sewerage systems.



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Development plans include subdivision of the 110 lots as strata with the Camp on the remainder. A rezoning application has been submitted for 110 residential lots, camp operation and community park uses, which is largely consistent with existing zoning except the addition of one park and adjustment to some lot lines. Rezoning requirements include completion of a preliminary hydrogeological assessment (i.e., Phase 1 Hydrogeological Study) to confirm that potable water needs can be met following subdivision and build-out of the proposed 110 lots and expansion of Camp facilities, and that neither the increased water system demand nor the proposed communal sewerage systems will adversely impact existing groundwater users (on-site and off-site), groundwater resources or receiving waters.

3 METHODOLOGY

Work completed for the Phase 1 Hydrogeological Study included the following four primary tasks:

- Task 1 – Scope Development
- Task 2 – Desktop Data Review
- Task 3 – Site Visitation
- Task 4 – Reporting (Technical Memorandum)

3.1 Task 1 – Scope Development

Exp was initially engaged by CREUS, on behalf of the Convention, to review Islands Trust's "*DRAFT Terms of Reference for a Hydrogeological Assessment for DL 696 Keats Island*" dated March 10, 2017, and to provide a related scope of work suitable for the immediate rezoning process. In consultation with CREUS, scope for a Phase 1 rezoning-stage study was prepared, assuming that a separate Phase 2 study would be required at subdivision stage.

Islands Trust's terms of reference specified that FLNRO staff be consulted during development of the Phase 1 Study scope. Accordingly, FLNRO Regional Hydrogeologist, Mr. Mike Simpson, P.Geo., was contacted by email on May 17, 2017 to request FLNRO's review and comments on the proposed rezoning-stage work plan. FLNRO's response was received by email on May 30, 2017 and forwarded to Islands Trust on May 31. In general, FLNRO expressed agreement with the suitability of the proposed work plan for the intended rezoning process, but also identified Ministry technical requirements for the subsequent subdivision stage assessment/reporting (i.e., Phase 2).

3.2 Task 2 – Desktop Data Review

Concurrent with the Phase 1 scope development (Task 1), review and assessment of the Site commenced based on information available in documents provided by the project proponents and/or obtained from public sources, as listed below:

- Geological Survey of Canada bedrock and surficial mapping "Vancouver North, Coquitlam and Pitt lake map areas, British Columbia" by J.A. Roddick, Memoir 335 (1965);
- Geological Association of Canada publication "Vancouver Geology" with Howe Sound Area geological sketch map, by J.E. Armstrong (1990);
- BC Ministry of Environment report "A Hydrogeologic Inventory and Reconnaissance of Keats Island" with maps (Jan. 1993);
- BC Ministry of Environment "Aquifer Classification Work Sheet" for Keats Island Aquifer #0548 (Nov. 2001);
- BC Ministry of Environment detailed well records for local water supply wells:



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- Well Tag Number 21256 (Keats Camp Well #1);
 - Well Tag Numbers 92985 & 92986 (Keats Camp Well #2);
 - Well Tag Number 77128 (Keats Camp, inactive); and,
 - Well Tag Number 92997 (Benson Well).
- Keats Camp water system operator (KICAS) daily, monthly and annual water consumption monitoring data for Keats Camp and cottages (calculated from total flow measurements) for period of September 2008 to April 2017;
 - Keats Camp water system operator (KICAS) monitoring data (graph) for Well #1, Well #2 and Benson Well during 3-day period of no pumping (November 23 to December 14, 2013);
 - Keats Camp water system operator (KICAS) monitoring data (graph) for Well #1, Well #2 and Benson Well during 21-day period of variably sustained pumping (November 19 to November 22, 2013);
 - Vancouver Coastal Health Routine Inspection Reports for Keats Camp water system (Nov 2016, June 2015, Feb 2015, July 2014, May 2014, June 2013, April 2013, July 2010, Mar 2010, May 2009, Mar 2009, Dec 2008 and Mar 2007);
 - Vancouver Coastal Health Sample Range Reports for Keats Camp water system (2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009 and 2008);
 - Vancouver Coastal Health Annual Inspection Reports for Keats Camp water system (Mar 2012, Mar 2011, Mar 2008, April 2007);
 - Vancouver Coastal Health Follow-Up Inspection Reports for Keats Camp water system (Oct 2006 and July 2005);
 - John Enevoldson Engineering Ltd. report “DL696 Wastewater Approach” to Vancouver Coastal Health with drawings and records for 83 test pits (Nov. 3. 2010);
 - A.B. Good Geotechnical Services report “Geotechnical Assessment, Proposed Strata Developments, Convention of Baptist Churches of B.C. Property, Keats Island, B.C.” (Jan. 21, 2014);
 - CREUS Engineering Ltd. report “Septic System Evaluation” with results of April 26, 2017 wet season field-assessment of proposed Campfire Rock septic field area (May 3, 2017);
 - Vancouver Coastal Health email “Measurements for test holes on April 26, 2017: campfire area” with results and commentary for wet season assessment of proposed Campfire Rock septic field area (April 26, 2017); and,
 - CREUS Engineering Ltd. drawings issued for Preliminary Layout Approval:
 - Subdivision Plan dated April 18, 2016;
 - Site Servicing Plans dated May 19, 2016.



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3.3 Task 3 – Site Visitation

Exp Senior Hydrogeologist, Mr. Matthew Munn, P.Eng., attended the Site on June 12, 2017, with Mr. Kevin Healy of CREUS and Messrs. Andrew Nadler and Alex Laidlaw of KICAS, to complete a reconnaissance-level visual survey of the Site, which included the following:

- Completion of a visual survey transect:
 - Southeastward from at Keats Landing through central portion of Site to western end of proposed Strata E lots;
 - Northeastward through Strata E lots to dug well on Benson property;
 - Northward along eastern Site boundary trail to Benson Well (drilled);
 - Westward and southward through proposed Strata E dispersal field area;
 - Northward along eastern Site boundary trail to proposed Strata F dispersal field area;
 - Southwestward (overall) to Keats Camp water system treatment facility;
 - Northwestward to eastern end of proposed Strata C and Strata D dispersal field areas;
 - Southwestward through proposed Strata C and Strata D dispersal field areas;
 - Northwestward toward proposed Strata B dispersal field area;
 - Southwestward (overall) toward proposed Strata A dispersal field area; and,
 - Northeastward (overall) to Keats Landing.
- Observation of proposed new communal sewage dispersal field areas identified in CREUS PLA drawings;
- Observation of proposed Campfire Rock sewage dispersal area (for Strata section E lots), including existing open test pits and interception trenches along nearest downslope parcels;
- Observation of registered drilled well (Benson Well) and unregistered dug well on adjacent Benson property;
- Observation of Keats Camp Wells #1 and #2 and related operational discussions with KICAS personnel;
- Observation of inactive Keats Camp Well #3;
- Observation of unregistered dug well (vault) on proposed Strata Lot 26 (C11); and,
- Discussions with KICAS personnel regarding delivery of system operational data and 2013 well monitoring graphs, as referenced in the Task 2 summary.

3.4 Task 4 – Reporting (Technical Memorandum)

Delivery of this technical memorandum represents completion of the authorized scope of work.

4 RESULTS AND ASSESSMENT

4.1 Water Supply

The Keats Camp water system withdraws water from two wells constructed as 6-inch diameter boreholes in metamorphosed volcanic and sedimentary bedrock comprising the Keats Island Aquifer. Well #1 was constructed in 1968 to a reported depth of 160 ft-bg (feet below ground) at a location approximately 500 ft (150 m) from the marine foreshore. Well #2 was constructed in 2004 to a reported depth of 193 ft-bg at a



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location approximately 80m (260 ft) from the foreshore and 85 m (280 ft) west of Well #1. Drilling reports indicate bedrock was overlain by a 12m (40 ft) thick “clay till” sequence at the Well #1 site and an approximately 2m (6 ft) layer of unknown overburden at the Well #2 site.

Well #2 is the primary source of water for the Site water system and is operated during peak demand periods and “shoulder” periods, whereas use of Well #1 is limited to low demand (e.g., winter) periods and during maintenance of Well #2. The two water system wells are not operated simultaneously. There are two inactive on-site wells located immediately north of the developed Keats Camp area. Well #3 was drilled in 1999 through a 1m (3 ft) surficial till layer into bedrock to a reported depth of 247 ft-bg. An unregistered dug well of unknown age is located on proposed Strata Lot 26 (C11).

There are two off-site wells positioned within 500m (1,600 ft) of the Keats Camp water system wells. Both are located on the neighbouring Benson property, adjacent to the southwest corner of the Site, and include a registered drilled well (designated Benson Well) located approximately 200m (660 ft) east of Well #1 and an unregistered dug well (vault) located approximately 80m (260 ft) south of the drilled Benson Well.

Groundwater Withdrawal and Consumption

The Keats Camp water system operator monitors water consumption with four flow meters that report total volume. Groundwater withdrawals from Well #1 and Well #2 are measured by a common flow meter. Consumption of treated water by camp facilities is measured by two dedicated flow meters and cottage lots by one dedicated flow meter. A near-continuous record of daily water volumes, monthly water volumes and annual water volumes for the 8.5 year period of September 2008 to April 2017 was provided for the Phase 1 Study.

During initial review of these data, disagreement was recognized between reported withdrawal volumes (recorded as “Well”) and corresponding consumption volumes (reported as sum of “Camp” and “Cottages”) ranging from approximately 6% to more than 20%. Imbalance between pumping volumes and consumption volumes was anticipated, since well operation occurs to maintain a prescribed storage tank water level (via float switch), while consumption of treated water represents actual user demands. However, in discussions with KICAS, it was agreed that the magnitude of some volume differences, as calculated on an annual and monthly basis, indicates potential flow meter calibration issues and/or water system leakage. Despite these potential issues, use of these data for the Phase 1 Study is considered valid given that the monitoring records are the lone available source for DL696 water use information, and provided that any assessment based on the monitoring records identifies all assumptions.

For assessment purposes, reported monthly volumes for “Well”, “Camp” and “Cottages” were converted to equivalent daily average (sustained) flow rates expressed in USgpm (US gallon per minute) units, which is a standard approach for evaluating well hydraulic function and sustainable yield relative to an assumed uninterrupted demand. The resulting calculated monthly “Well” pumping rates (sustained) and consumption rates (sustained) for both “Camps” and “Cottages” are summarized on Figure 1 (Attachment #2).

Peak water demand periods are evident (Figure 1) as recurring annual maximum values in July and August for both the Well pumping rates and Camp consumption rates. Averaging these peak period values demonstrates an overall increasing trend (dashed lines on Figure 1) for both Well pumping and Camp consumption. Conversely, data for Cottages consumption lacks the recurring July/August peaks and overall upward trend, although a generally flat trend line can be inferred by excluding the 2015 and 2016 values, which exhibit a slight downward trend. Projecting the three trend lines to the 2017 peak demand interval produces sustained flow rate estimates of 22.0 USgpm for Well operation, 9.5 USgpm for Camp demand and 5.2 USgpm for Cottages demand.

Site develop proposes to increase the number of occupied cottage lots by 31% (from 84 to 110) and Camp



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expansion could potentially increase their demand by 50%. Applying these increases to the projected 2017 peak demand rates produces an adjusted Cottages consumption rate of 6.8 USgpm (+1.6 USgpm), and adjusted Camp consumption rate of 14.3 USgpm (+4.8 USgpm). Assuming Well use is correspondingly adjusted to accommodate these additional demands, the revised Well peak period pumping rate is estimated to be 28.4 USgpm.

Well and Aquifer Hydraulics

Aquifer water levels were monitored continuously in Well #1, Well #2 and neighbouring Benson Well using pressure transducers with automated data loggers during a 3-day (November 19 to 23, 2013) non-pumping period (Attachment #3) and 21-day (November 23 to December 14, 2013) pumping period using sustained withdrawal rates under various operational scenarios, including individual pumping of wells and concurrent pumping of wells (Attachment #4). Water levels in the Benson property dug well were not measured.

Well monitoring data collected during non-pumping conditions (Attachment #3) represent natural (ambient) hydraulic conditions within the portion of Keats Island Aquifer that is penetrated by the monitored wells, and provides a requisite “baseline” for subsequent aquifer response testing (Attachment #4). Under ambient conditions, water levels in both Well #1 and Well #2 were relatively stable and ranged from approximately 52 ft (16 m) to 56 ft (17 m) above local datum (high water/tide level [HWL]). Water level changes in Wells #1 and #2 correlated strongly with tidal variation, but were very attenuated (low magnitude), which generally indicates a lack of direct connectivity to the tidal regime.

Water levels in the Benson Well exhibited a similarly strong correlation with tidal trends, but were only attenuated approximately 50% of the tidal fluctuation, which could be an indicator of potential foreshore connectivity. Groundwater levels recorded in the three monitored wells confirms there is a strong seaward aquifer flow gradient along the southern boundary of the Site.

Consistent trends and magnitude of water levels in both Wells #1 and #2 under non-pumping conditions (Attachment #3) suggest these wells are constructed within the same aquifer hydraulic domain. Conversely, the significantly lessened tidal attenuation (approximately 10 times) measured in the Benson Well suggests it sources groundwater from bedrock that is not significantly connected to the bedrock fractures that yield groundwater to both Wells #1 and #2.

The sequence of long-duration aquifer pumping tests (Attachment #4) conducted in Well #1, Well #2 and the Benson Well were generally compliant with current BC Ministry of Environment (BCMOE) guidelines and approved methodology for a CPCN (Certificate of Public Convenience and Necessity). Accordingly, the graphical summary of pumping test results (Attachment #4) is relevant for assessment of both well hydraulics and inter-well behavior.

Sustained independent long-duration operation of Well #1 and Well #2 induced drawdown responses of less than approximately 0.5 m (1.6 ft) in the Benson Well. Similarly, sustained independent operation of the Benson Well at approximately 18 USgpm induced drawdown responses of less than approximately 0.5 m (1.6 ft) in Well #1 and no measurable drawdown in Well #2. These pumping test results provide support for the interpretation that both Camp wells are hydraulically independent from the Benson Well.

Sustained independent operation of Well #1 at 15.6 USgpm caused rapid drawdown in Well #1 to approximately 23m (82 ft) below the pre-pumping level. Well #1 drawdown stabilized at 23m (82 ft) within 24 hours of commencing pumping. Testing of Well #1 also induced an interference drawdown response in Well #2, which stabilized at approximately 3m (10 ft) within 24 hours of commencing pumping. Sustained independent operation of Well #2 at 26.4 USgpm induced a drawdown response in Well #2 of approximately 10m (33 ft) below the pre-test level and induced a rapid interference drawdown response in Well #1 of approximately 7m (23 ft). These combined inter-well pumping test observations confirm the two Site wells



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have significant hydraulic connectivity and, therefore, derive groundwater from the same hydraulic domain within the Keats Island Aquifer.

Water Supply Assessment

Conservatively assuming the drawdown in both Well #1 and Well #2 is limited to approximately 15m (49 ft) to ensure maintenance of a positive seaward flow gradient in both wells, the sustained yield of Well #1 is conservatively estimated to be 10 USgpm and the yield of Well #2 estimated to be approximately 39 USgpm. These yield estimates are calculated based on stabilized drawdown measured during the 2013 pumping tests and further assumes sustained drought conditions (i.e., zero aquifer recharge) for three months, per CPCN assessment approaches. On this basis, the sustainable yield of Well #2 is considered adequate to satisfy the projected demand of 28.4 USgpm estimated for the 110 lot build-out and expanded camp scenario.

Potential for hydraulic interaction of operating Wells #1 and #2 on the drilled Benson Well is considered negligible, based on concurrent monitoring of both Site wells and the Benson Well under ambient conditions and during pumping tests that generally satisfied current BCMOE testing guidelines.

Operation of Wells #1 and #2 will not impact shallow groundwater present in surficial sediments overlying the bedrock aquifer or ephemeral flow (if any) within terrain overlying the aquifer. The ubiquitous presence of dense till and/or clayey strata (described more in Section 4.2) provides an effective vertical flow barrier that prevents rapid entrance of near-surface water to the underlying bedrock aquifer. Natural aquifer recharge occurs broadly over the entire Site, through slow infiltration of near-surface water, and will not be altered by operation of existing or new bedrock wells.

Detection of coliform bacteria has occurred intermittently in untreated water from both Wells #1 and #2. These occurrences cannot be attributed to particular seasonal conditions or correlated with other prevailing factors. However, Well #1 is assessed as having inherent potential for interaction with near-surface water that could naturally contain coliform bacteria due to the well age (i.e., 1968) that predates requirements for installation of the protective surface seal mandated under the former *Ground Water Protection Regulation (2004)* and affirmed under the *Water Sustainability Act (2016)*. Also, because Well #2 was constructed in 2004 during phasing-in of the *Ground Water Protection Regulation*, and because there is no references to a surface casing or surface seal in Well #2 records, it is probable that Well #2 also lacks the mandated surface seal. Accordingly, to reduce potential for migration of near-surface waters along the outside of the well casings and into the aquifer, both water system wells should be considered for retrofitting with surface seals constructed either into or through the till overburden.

From discussions with KICAS, it is understood that water both Wells #1 and #2 requires arsenic treatment to satisfy Guidelines for Canadian Drinking Water Quality, and that arsenic levels in raw water from Well #1 are considerably higher than Well #2 water. Given the declining hydraulic efficiency of Well #1 (approximately 25% of Well #2) and operational costs associated with arsenic removal, Well #1 should be considered for decommissioning and replacement with a new production well that could potentially provide full water supply redundancy and also potentially remove or reduce the arsenic treatment component. Options for redeveloping Well #1 to improve the productivity are limited to hydraulic fracturing, due to the bedrock construction, but this approach is not recommended given the proximity (<100m [300 ft]) to the marine foreshore.

4.2 Communal Sewerage Systems

At subdivision, Keats Camp will remain as one legal parcel with the existing Camp sewerage systems, and the leased cottage lots and proposed new communal sewerage systems will be strata. The six proposed new Type 2 communal sewerage systems would each service 15 to 20 cottage lots at a rate of 250 gallons



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July 25, 2017*

per day (gpd) per lot; therefore, loading of each communal field will be less than the 5000 gpd guideline. Each lot will require a septic tank with effluent filter and a pump chamber equipped with a grinder pump for lift to the proposed communal pressure sewer. The condition of existing septic tanks and pump chambers on pre-developed lots will be evaluated and upgraded, if required, before connecting to a new common system. As existing individual systems age and building permits are issued, more cottages will connect to the new common systems and eventually only the six proposed communal systems will be operating with no stand-alone cottage systems in operation.

For discussion and assessment purposes, the six proposed new communal dispersal field sites/areas identified on the 2016 PLA drawings are referenced below according to the corresponding Strata section serviced (e.g., Strata C field area).

Strata Dispersal Field Areas A, B, C, D and F

Examination of five (5) of the currently proposed sewerage dispersal sites (i.e., Strata A, B, C, D, and F field areas) was completed by Mr. John Enevoldson, P.Eng., whose declared areas of expertise include “wastewater treatment/management”. Mr. Enevoldson’s 2010 report to VCH (Section 3.2) included identification of primary and reserve communal disposal field sites, and determination of field sizes and design details for these five communal dispersal field areas.

Exploratory excavations included eleven (11) test pits within or near the proposed Strata A field area, eighteen (18) test pits within or near the proposed Strata B, C and D field areas, and nineteen (19) test pits within or near the proposed Strata F field area. Subsurface conditions were confirmed to be consistent within all examined areas. Soil textures were primarily sand and gravel with average effective depths of 37 inches (Strata A field), 38 inches (Strata B, C, D fields) and 40 inches (Strata F field). Average percolation rates were 1.5 min/inch (minutes per inch) at both the Strata A and F fields areas and 2.9 min/inch at the Strata B, C and D field areas.

Till was encountered in one (1) Strata A field area test pit at 48 inches depth with 2 inches of standing water. Till was also reported in four (4) Strata B, C and D test pits at depths ranging from 33 inches to 48 inches. Till was not encountered in the Strata F field area excavations.

Strata Dispersal Field Area E (Campfire Rock)

In July 2015, CREUS commissioned KICAS to examine the proposed Strata E dispersal field area near Campfire Rock. Ten (10) shallow test pits excavated within the primary and reserve field areas confirmed the site was underlain by a silty clay loam stratum encountered at depths ranging from 24 inches to 39 inches (average 35 inches) below ground, overlain by a 16 inch to 35 inch (average 26 inch) thick sequence of sandy loam with gravel and silt components, and a surficial organic silt (topsoil) horizon. Water was not encountered in any Strata E dispersal field test pits. Standard percolation testing yielded results ranging from 10.2 min/inch to 12.3 min/inch and averaging 11.3 min/inch.

At VCH’s request, CREUS and KICAS personnel revisited the Strata E dispersal field area on April 17, 2017, with a VCH Environmental Health Officer, specifically to review the site during “wet season” conditions. These specified seasonal conditions were confirmed by data from the nearest Environment Canada climate station (i.e., Gibsons), which reported rainfall during 9 of the 10 days preceding the site visit and also reported 123.3 mm of total precipitation for the period of April 1-16. Groundwater depths measured in two temporary PVC standpipe piezometers installed in the primary field area indicated 4 inches to 5 inches of water was present at former test pit F1 and F5 sites, respectively. By comparing these measurements to KICAS’s 2015 test pit records, and assuming both piezometer tips/ends were placed at the bottom of the original test pit excavations prior to backfilling, these groundwater depths indicate the sandy loam strata at both piezometer sites was unsaturated (full profile) on April 17, 2017.



Memorandum (cont'd)

*Hydrogeological Study – Phase 1
DL696, Keats Island, BC
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The Strata E dispersal field design includes installation of a rock-filled interceptor trench along the northern and northwestern field boundaries to collect groundwater flowing from upslope areas. Incident surface water would also be intercepted. An impermeable liner keyed into the silty clay restrictive layer will extend to ground surface on the downslope trench wall to minimize southward lateral flow into the field area. Perforated pipe positioned along the trench bottom will convey collected groundwater around the field area to a controlled discharge location(s) [to be determined].

The proposed Strata E dispersal field area is located approximately 70m (230 ft) cross-slope and southwest of the drilled Benson Well. The field is also located at approximately 5m (16 ft) higher elevation and 30 m (100 ft) northwest from the Benson dug well. Wells #1 and #2 are located approximately 80m (260 ft) and 170m (560 ft) southwest from the proposed field, respectively, and at approximately 5m (16ft) lower elevation. The marine shoreline is approximately 120m (390 ft) south of the field area. There are groundwater interceptor trenches (i.e., shallow unsupported excavations) on some cottage lots farther south of the Strata E field area, which were installed to divert groundwater around existing individual septic fields.

Communal Sewerage Assessment

Strata Dispersal Field Areas A, B, C, D and F

Subsurface conditions within and near proposed Strata A, B, C, D and F communal field areas were previously determined (Enevoldson, 2010) as suitable for in-ground dispersal of Type 2 effluent from 15 to 20 cottages producing 250 gpd each. The dispersal field sites have adequate thickness of suitably permeable sediment (primarily sand/gravel) to receive and convey the intended effluent hydraulic load. There are no surface water features, groundwater water users (i.e., wells) or known breakout points within terrain downslope of the field areas and the sediment profile within downslope areas is interpreted to be similar to reported dispersal field conditions. Accordingly, effluent discharged to these field areas will reside within the near-surface sediment profile due to the common presence of dense and/or very fine-textured strata overlying bedrock, which will also effectively prevent rapid vertical movement of effluent into bedrock. Horizontal separation of Strata A, B, C, D and F from the shoreline will also provide adequate subsurface residency for post-dispersal renovation prior to any effluent discharging (as seeps) to the marine environment.

On this basis, dispersal of Type 2 effluent within the proposed new Strata A, B, C and D and F communal fields will not impact local groundwater resources, groundwater users, or receiving waters.

Strata Dispersal Field Area E (Campfire Rock)

Previous reviews and examination of the proposed Strata E dispersal field area identified potential constraints, although it is expected these can be addressed with specific design elements that ensure proper dispersal function. Reported percolation rates (11.3 min/inch average) are considerably higher than other communal dispersal sites proposed for the Site, but are within the typical design range for loam soils. The average restrictive layer depth was estimated to be 35 inches (KICAS, 2015) and 32 inches (VCH, 2017), which is marginally less than the required minimum 36 inch depth (Table D of VCH Subdivision Guide); however, it is anticipated this potential constraint could be adequately managed (subject to VCH approval) through complementary design elements, such as installation of the proposed upslope interceptor trench and importing specified fill materials to increase vertical separation below the field area. It is understood that interceptor trench construction is tentatively scheduled for early-Fall 2017, followed by a groundwater monitoring program to confirm the effect on groundwater levels within the field area. Assuming the pending groundwater monitoring program verifies water depths can be adequately managed, it is anticipated VCH can confirm site suitability for dispersal of Type 2 effluent from 15 lots.



Memorandum (cont'd)

Hydrogeological Study – Phase 1
DL696, Keats Island, BC
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July 25, 2017

Post-dispersal movement of treated effluent within near-surface sediments will be primarily southwestward as a “plume” originating from the Strata E field area, consistent with local and larger-scale topographic trends and corresponding local shallow groundwater flow directions. This assumed subsurface flow pattern is considered valid, given the relative uniformity of both the local stratigraphy (as reported in test pit records and well records) and topography, although installation and monitoring of multiple shallow groundwater monitoring wells would be required to confirm the assumed “plume” alignment.

There are three pathways for effluent-impacted groundwater to potentially affect water quality in wells. Within the context of the Strata E dispersal field setting, these include:

- Pathway #1 – Lateral movement of impacted groundwater within near-surface sediments and into a dug well that sources water from the same sediments;
- Pathway #2 – Lateral movement of impacted groundwater within near-surface sediments toward the casing of a drilled well, followed by downward vertical migration of the impacted water along the casing and into the source aquifer;
- Pathway #3 – Vertical infiltration of impacted groundwater from near-surface sediments into the underlying bedrock aquifer hosting drilled wells.

An effluent-impacted “plume” projected southward from the Strata E field does not intercept the dug well on the Benson property. The eastern extent of the “plume” would be approximately 40m (130 ft) from the dug well; therefore, potential well water quality impacts related to Pathway #1 are not applicable. Similarly, Pathway #2 is interpreted to not apply to the Strata E field setting, since the three drilled wells are positioned at significant distances from the projected effluent “plume”. Further, Pathway #3 is not considered applicable given that all available information suggests the Strata E dispersal field area and drilled well sites are underlain by dense and/or low-permeability soils that effectively limited vertical movement of shallow-groundwater into the underlying bedrock. On this basis, dispersal of Type 2 effluent within the proposed new Strata E communal field will not impact groundwater resources or groundwater users.

There are no potential effluent breakout points located within 15m (50 ft) of the Strata E field area. Although existing shallow groundwater diversion ditches on lots south of Strata E are within the projected effluent “plume”, it is expected the quality of groundwater entering the ditches will not be impacted due to the available horizontal separation from the Strata E field and the inherent renovative capacity of the loam soils within the dispersal area. Similarly, given the significant horizontal separation [120m (390 ft)] from the marine foreshore and Strata E dispersal field, shallow groundwater discharge (seeps) to the foreshore area will not impact marine waters. On this basis, dispersal of Type 2 effluent within the proposed new Strata E communal field will not impact local receiving waters.

5 STATEMENT OF OPINION

Based on our review of the publicly available and provided Site information summarized in Section 3.2 of this memorandum and related discussions with the Keats Camp water system operator and CREUS staff, combined with the results and interpretations of the preliminary (i.e., Phase 1) hydrogeological study described in the preceding sections, it is our opinion that:

Projected potable water needs for the Convention’s proposed 110 cottage lots and Keats Camp expansion can be satisfied from on-site groundwater sources and neither the proposed groundwater extractions nor proposed new community sewerage systems will have adverse impacts on local groundwater resources, groundwater users, and receiving waters.



Memorandum (cont'd)

Hydrogeological Study – Phase 1
DL696, Keats Island, BC
Project No.: VAN-00237799-A0
July 25, 2017

The above statement assumes that all aspects of design, construction, monitoring and maintenance of the proposed new communal sewerage systems will be completed in agreement with applicable regulation, standards, guidelines and local bylaws. It is further assumed that existing Wells #1 and #2 will be retrofitted with appropriate surface seals and that a replacement for Well #1 will be constructed in agreement with current *Ground Water Protection Regulation* requirements.

6 LIMITATIONS

This memorandum and attachments have been prepared by **exp** Services Inc. for the exclusive use and consideration of the Convention of Baptist Churches of BC, Islands Trust (including Local Trust Committee) and CREUS Engineering Ltd., and in a manner consistent with the level of care and skill ordinarily exercised by members of the engineering and science professions currently practicing under similar conditions in the jurisdiction in which the services were provided. Opinions, interpretations and assessments related to water supply are based on a review of 2013 pumping test data and the assessment of effluent interaction with existing water wells is based on assumed groundwater flow directions and effluent dispersal.

Any use of this memorandum for purposes other than the purposes described in the preceding sections and/or by any other party must first be verified in writing by **exp** Services Inc. **Exp** does not accept any responsibility for damages resulting from other party's reliance on or use of the information, opinions, interpretations or conclusions contained in this memorandum. The attached "Interpretation & Use of Study and Report" is an integral part of this document and must be considered by readers and also included with any copies of this memorandum.

7 CLOSURE

We trust the content of this memorandum satisfies your current requirements. If you have any questions, please contact the undersigned.

Submitted by:

exp Services Inc.



Matthew D. Munn, P.Eng.
Senior Hydrogeologist

Reviewed by:

Jeff A. Johnson, BA (Econ), MBA
Senior Manager

Attachments: #1 – Interpretation & Use of Study and Report
#2 – Figure 1. DL696 Water Withdrawal and Consumption Rates
#3 – KICAS Ambient Well Monitoring (Nov. 19 to 22, 2013)
#4 – KICAS Well Pumping Tests (Nov. 23 to Dec. 14, 2013)

cc: Ian Grant, Convention of Baptist Churches of BC, iangrant890@gmail.com
Kevin Healey, P.Eng., CREUS Engineering Ltd., khealey@creus.ca

MDM:



INTERPRETATION & USE OF STUDY AND REPORT

1. STANDARD OF CARE

This study and Report have been prepared in accordance with generally accepted engineering consulting practices in this area. No other warranty, expressed or implied, is made. Engineering studies and reports do not include environmental consulting unless specifically stated in the engineering report.

2. COMPLETE REPORT

All documents, records, data and files, whether electronic or otherwise, generated as part of this assignment are a part of the Report which is of a summary nature and is not intended to stand alone without reference to the instructions given to us by the Client, communications between us and the Client, and to any other reports, writings, proposals or documents prepared by us for the Client relative to the specific site described herein, all of which constitute the Report.

IN ORDER TO PROPERLY UNDERSTAND THE SUGGESTIONS, RECOMMENDATIONS AND OPINIONS EXPRESSED HEREIN, REFERENCE MUST BE MADE TO THE WHOLE OF THE REPORT. WE CANNOT BE RESPONSIBLE FOR USE BY ANY PARTY OF PORTIONS OF THE REPORT WITHOUT REFERENCE TO THE WHOLE REPORT.

3. BASIS OF THE REPORT

The Report has been prepared for the specific site, development, building, design or building assessment objectives and purpose that were described to us by the Client. The applicability and reliability of any of the findings, recommendations, suggestions, or opinions expressed in the document are only valid to the extent that there has been no material alteration to or variation from any of the said descriptions provided to us unless we are specifically requested by the Client to review and revise the Report in light of such alteration or variation.

4. USE OF THE REPORT

The information and opinions expressed in the Report, or any document forming the Report, are for the sole benefit of the Client. NO OTHER PARTY MAY USE OR RELY UPON THE REPORT OR ANY PORTION THEREOF WITHOUT OUR WRITTEN CONSENT. WE WILL CONSENT TO ANY REASONABLE REQUEST BY THE CLIENT TO APPROVE THE USE OF THIS REPORT BY OTHER PARTIES AS "APPROVED USERS". The contents of the Report remain our copyright property and we authorize only the Client and Approved Users to make copies of the Report only in such quantities as are reasonably necessary for the use of the Report by those parties. The Client and Approved Users may not give, lend, sell or otherwise make the Report, or any portion thereof, available to any party without our written permission. Any use which a third party makes of the Report, or any portion of the Report, are the sole responsibility of such third parties. We accept no responsibility for damages suffered by any third party resulting from unauthorised use of the Report.

5. INTERPRETATION OF THE REPORT

- a. Nature and Exactness of Descriptions: Classification and identification of soils, rocks, geological units, contaminant materials, building envelopment assessments, and engineering estimates have been based on investigations performed in accordance with the standards set out in Paragraph 1. Classification and identification of these factors are judgmental in nature and even comprehensive sampling and testing programs, implemented with the appropriate equipment by experienced personnel, may fail to locate some conditions. All investigations, or building envelope descriptions, utilizing the standards of Paragraph 1 will involve an inherent risk that some conditions will not be detected and all documents or records summarising such investigations will be based on assumptions of what exists between the actual points sampled. Actual conditions may vary significantly between the points investigated and all persons making use of such documents or records should be aware of, and accept, this risk. Some conditions are subject to change over time and those making use of the Report should be aware of this possibility and understand that the Report only presents the conditions at the sampled points at the time of sampling. Where special concerns exist, or the Client has special considerations or requirements, the Client should disclose them so that additional or special investigations may be undertaken which would not otherwise be within the scope of investigations made for the purposes of the Report.
- b. Reliance on Provided information: The evaluation and conclusions contained in the Report have been prepared on the basis of conditions in evidence at the time of site inspections and on the basis of information provided to us. We have relied in good faith upon representations, information and instructions provided by the Client and others concerning the site. Accordingly, we cannot accept responsibility for any deficiency, misstatement or inaccuracy contained in the report as a result of misstatements, omissions, misrepresentations or fraudulent acts of persons providing information.
- c. To avoid misunderstandings, **exp** Services Inc. (**exp**) should be retained to work with the other design professionals to explain relevant engineering findings and to review their plans, drawings, and specifications relative to engineering issues pertaining to consulting services provided by **exp**. Further, **exp** should be retained to provide field reviews during the construction, consistent with building codes guidelines and generally accepted practices. Where applicable, the field services recommended for the project are the minimum necessary to ascertain that the Contractor's work is being carried out in general conformity with **exp's** recommendations. Any reduction from the level of services normally recommended will result in **exp** providing qualified opinions regarding adequacy of the work.

6.0 ALTERNATE REPORT FORMAT

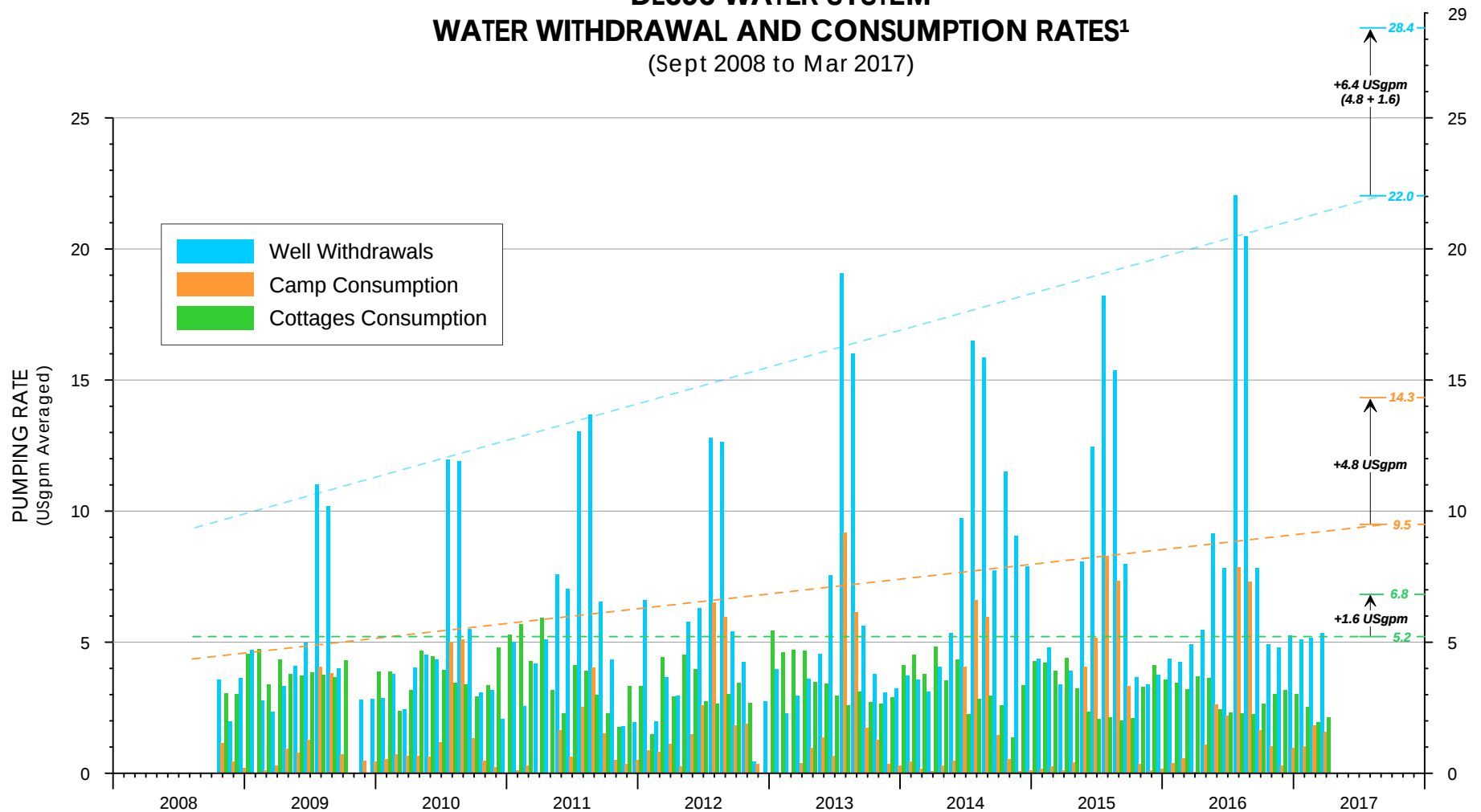
When **exp** submits both electronic file and hard copies of reports, drawings and other documents and deliverables (**exp's** instruments of professional service), the Client agrees that only the signed and sealed hard copy versions shall be considered final and legally binding. The hard copy versions submitted by **exp** shall be the original documents for record and working purposes, and, in the event of a dispute or discrepancy, the hard copy versions shall govern over the electronic versions. Furthermore, the Client agrees and waives all future right of dispute that the original hard copy signed version archived by **exp** shall be deemed to be the overall original for the Project.

The Client agrees that both electronic file and hard copy versions of **exp's** instruments of professional service shall not, under any circumstances, no matter who owns or uses them, be altered by any party except **exp**. The Client warrants that **exp's** instruments of professional service will be used only and exactly as submitted by **exp**.

The Client recognizes and agrees that electronic files submitted by **exp** have been prepared and submitted using specific software and hardware systems. **Exp** makes no representation about the compatibility of these files with the Client's current or future software and hardware systems.

DL696 WATER SYSTEM WATER WITHDRAWAL AND CONSUMPTION RATES¹

(Sept 2008 to Mar 2017)



NOTES - 1) DL696 water system facility designated "Keats Camp" under Vancouver Coastal Health Permit
 2) Flow rates derived from four totalizing flow meters for Camp (2 meters), Cottages (1 meter) and operating well (1 meter)
 3) Dashed trend lines represent linear average of 2009 to 2016 values for peak demand months of July and August
 4) 2015 and 2016 data excluded from Cottages trend line due to declining trend considered to not represent actual use



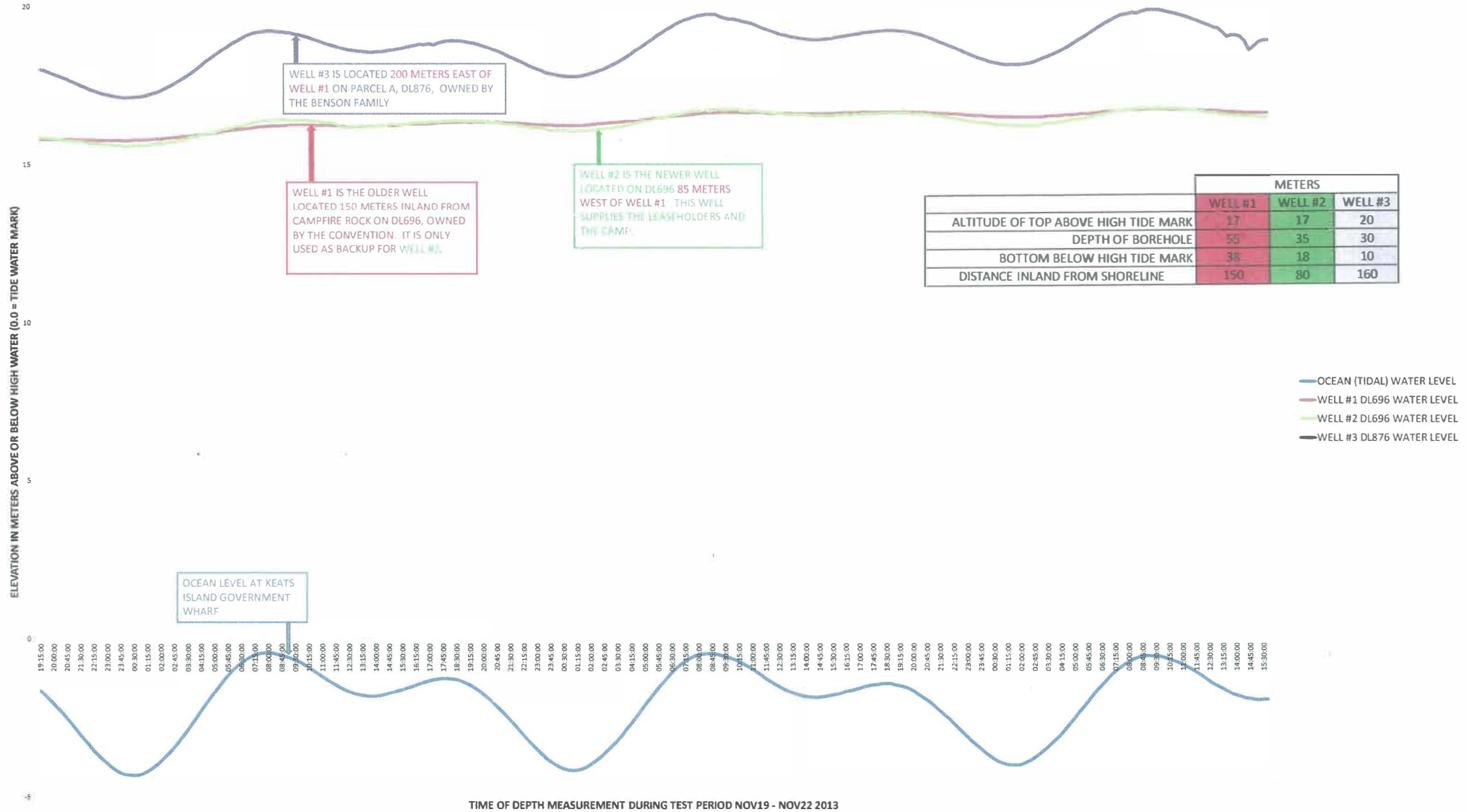
Project No. VAN-00240303-A0
 Drawn MDM
 Reviewed M.D. Munn
 Date July 2017

HYDROGEOLOGICAL REVIEW - PHASE 1
 CONVENTION OF BAPTIST CHURCHES OF BC
 DL696, KEATS ISLAND, BC

Fig. 1

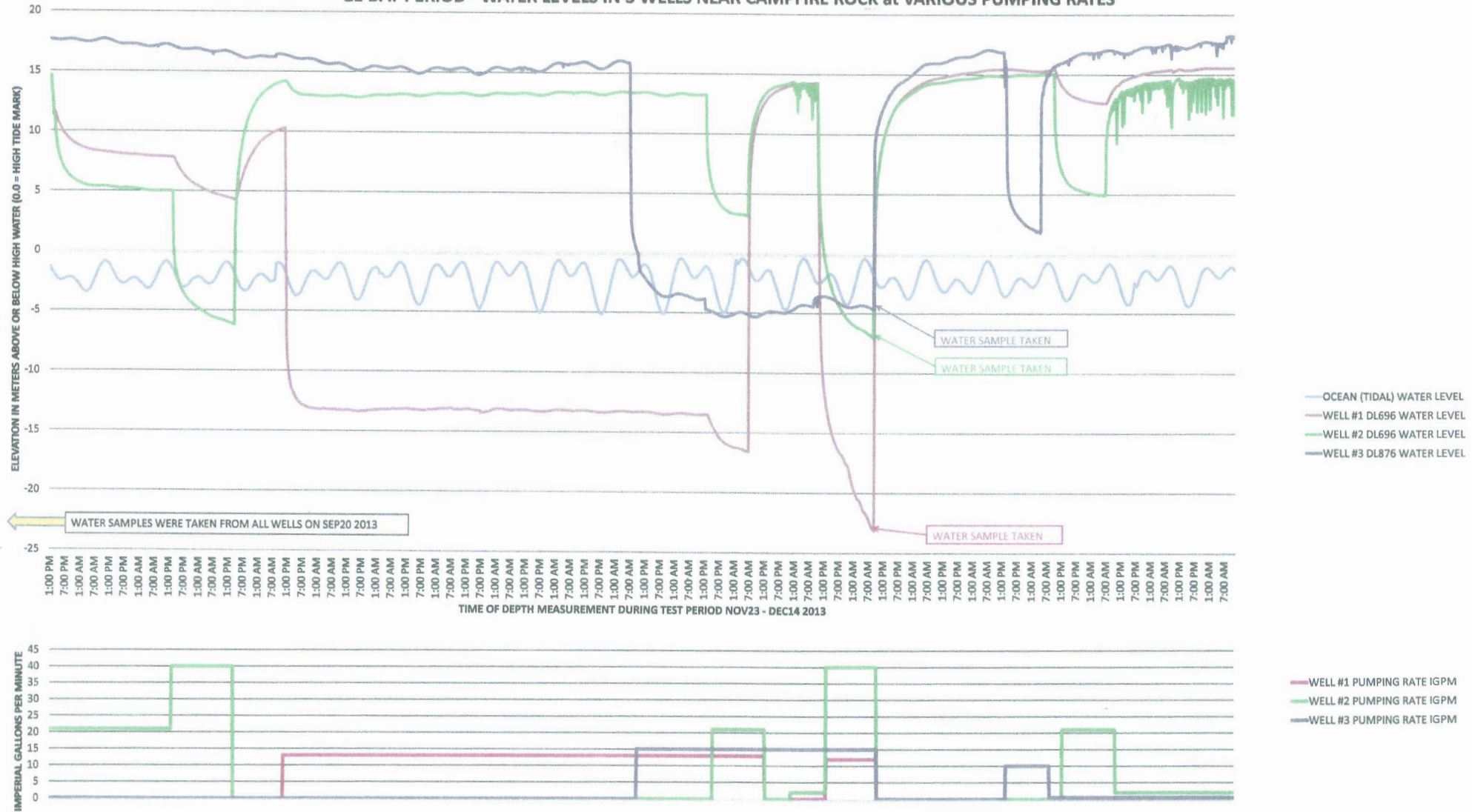
35

3 DAY PERIOD - WATER LEVELS IN 3 WELLS NEAR CAMPFIRE ROCK vs OCEAN (TIDAL) LEVELS - WELLS NOT PUMPING (ALL OFF)



Attachment #3

21 DAY PERIOD - WATER LEVELS IN 3 WELLS NEAR CAMPFIRE ROCK at VARIOUS PUMPING RATES



Attachment #4



700 North Road, Gabriola Island, BC V0R 1X3
Telephone **250-247-2063** Fax 250-247-7514

Toll Free via Enquiry BC in Vancouver 604.660.2421 Elsewhere in BC **1.800.663.7867**

Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

June 2, 2017

Terms of Reference for a Hydrogeological Assessment for DL 696 Keats Island (GM-RZ-2004.1)

The LTC in consideration of Proposed Bylaws for this application, requires confirmation at the rezoning stage that the potable water needs of the proposed lots and intended uses can be met and the proposed wells and sewage disposal system(s) will have no adverse impacts on surrounding wells, groundwater resources and receiving waters:

At the February 2017 Gambier Island Local Trust Committee (LTC) Meeting the LTC passed the following resolution:

GM-2017-005

It was MOVED and SECONDED

That the Gambier Island Local Trust Committee request that the applicant for DL696 subdivision perform a hydrogeological study in relation to the proposed subdivision, and that the terms of reference be developed by Islands Trust in consultation with the proponent and the Ministry of Forests, Lands and Natural Resource Operations, Water Protection Branch.

The proposed Terms of Reference for this Preliminary Hydrogeological Assessment will include:

1. Inventory and analyze available information on the ground water resource in the area, including: published reports; geologic maps; publications; well record data; exploration test holes; test pits; geophysical data; aerial photographs and well users and estimated volumes groundwater used (both pumped and from springs); conduct a site visit to verify and supplement information collected from records review. In particular describe surrounding land use, potential water quality risk, springs, surface water body features etc.
2. Prepare a hydrogeological assessment report outlining the results of the office and field investigation and analysis of the data including:
 - general description of physio/geographic setting, topography, surface water drainage, climate, soils, geomorphological conditions; as well as the existing and proposed new road network, water supply wells and sewage effluent dispersal field areas;
 - general description of geologic setting, bedrock types (stratigraphy and structural features) and surficial geologic conditions;
 - extent and information on aquifers, including hydraulic gradients, hydraulic conductivity, transmissivity and storativity;

- extent of ground water flow systems (local and regional) and interpreted flow patterns;
- surface water-ground water interrelationship (i.e. quantity and quality of ground water flowing into/out-of surface waters prior to and following the proposed development);
- existing and long-term water supply volumes required for both wet and dry seasons, along with information on existing water supply wells and any additional wells required to meet the anticipated demands;
- estimates of aquifer recharge potential and effluent dispersal field discharges and a comparison with well abstraction volumes, both prior to, and after the proposed new water supply system in operation;
- assessment of the potential for saltwater intrusion to ensure that the well field operation will be in compliance with the *Water Sustainability Act* s. Article 58(a);
- provide background hydrochemical information on historical ground water quality trends, along with anticipated future trends in well and spring waters;
- identify potential impacts of intensification of residential and institutional development on the ground water resource quantity and quality and interrelated surface water resource, and assess the significance of these impacts in terms of human and aquatic habitat needs. This assessment should include changes in rate of surface water runoff and aquifer recharge and discharge volumes;
- identify measures to be taken to mitigate any significant short and long term potential ground water resource degradation, including installation of rainwater harvesting and collection systems, and construction of surface water infiltration basins;
- If existing wells are deemed to not be able to support proposed uses, carryout drilling and pump testing of any new wells required to meet future water system demands. This work to be carried out in accordance with the guideline for Well Testing in Support of a Certificate of Public Convenience and Necessity (CPCN)
- comments on potential impacts resulting from climate change, such as: sea level rise, extended drought periods and more intense rainfall events;
- if monitoring wells are proposed, outline details of purpose, locations and design of monitoring wells including number of wells, zone(s) to be monitored, frequency and type of data collection (i.e. water levels, water quality), method of reporting and analyzing data;
- a comprehensive list of all references and data sources used in the hydrogeological assessment report.

NOTE: *Vancouver Coastal Health Authority requires a property owner/applicant to submit a hydrogeological assessment for all community sewerage systems. A professional geoscientist, licensed to practice in British Columbia, must complete this assessment. The following are minimum parameters the geoscientist is expected to address which are to be required at the time of subdivision application:*

- *Ability of site to treat and dispose of effluent.*
- *Recommendations on the protection of groundwater aquifers and drinking water sources. Refer to the Ministry of Environment standards for well separation as specified in the Municipal Wastewater Regulation.*
- *Description of the groundwater mound effect and implications.*
- *Analysis of the cumulative impact the sewerage system will have on neighbouring properties and the receiving environment.*

LAND TITLE ACT
FORM C
(Section 233)
Province of British Columbia

GENERAL INSTRUMENT - PART 1 (This area for Land Title Office use) PAGE 1 of 6 pages

1. APPLICATION:

THE CONVENTION OF BAPTIST CHURCHES
OF BRITISH COLUMBIA

Signature of Agent for Applicant

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

(PID)

(LEGAL DESCRIPTION)

014-385-694

District Lot 696 Group 1 New Westminster District

3. NATURE OF INTEREST:*

Description

Document
Reference

Person Entitled to Interest

Covenant over
Part in Plan BCP _____

Entire Document

Transferee

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

(a) Filed Standard Charge Terms

☐

D.F. No. ST

(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) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

THE CONVENTION OF BAPTIST CHURCHES OF BRITISH COLUMBIA

6. TRANSFEE(S): (Including occupation, postal address(es) and postal code(s))*

GAMBIER ISLAND LOCAL TRUST COMMITTEE , Incorporated pursuant to the Islands Trust
Act, Suite 200 – 1627 Fort Street, Victoria, BC V8R 1H8

7. ADDITIONAL OR MODIFIED TERMS:*

NOT APPLICABLE

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.

EXECUTION DATE

OFFICER SIGNATURE(S)

(as to both signatures)

(as to both signatures)

Y	M	D

PARTY(IES) SIGNATURE(S)
THE CONVENTION OF BAPTIST
CHURCHES OF BRITISH
COLUMBIA by its authorized
signatories:

Name:

Name:

GAMBIER ISLAND LOCAL TRUST
COMMITTEE
by its authorized signatories:

Name:

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.

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

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

PART 2 – TERMS OF INSTRUMENT

COVENANT (Section 219 Land Title Act)

THIS AGREEMENT made the ♦ day of January, 2016.

BETWEEN:

THE CONVENTION OF BAPTIST CHURCHES OF BRITISH COLUMBIA
7175 Royal Oak Avenue
Burnaby, BC V5J 4J3

(hereinafter called the “Grantor”)

OF THE FIRST PART

AND:

GAMBIER ISLAND LOCAL TRUST COMMITTEE
200 – 1627 Fort Street
Victoria, BC V8R 1H8

(hereinafter called the “Grantee”)

OF THE SECOND PART

WHEREAS:

A. The Grantor is the registered owner in fee-simple of the lands herein described as follows:

PID: 014-385-694
District Lot 696 Group 1 New Westminster District

(hereinafter called the “Lands”);

B. Section 219 of the Land Title Act R.S.B.C. 1996, permits the registration of a covenant, whether of a negative or positive nature, in favour of the Grantee, as a charge against the title to the Lands and is enforceable against the Grantor and his successors in title even if the covenant is not annexed to land owned by the Grantee;

C. The Grantor desires to grant this Covenant to restrict the use of the Lands.

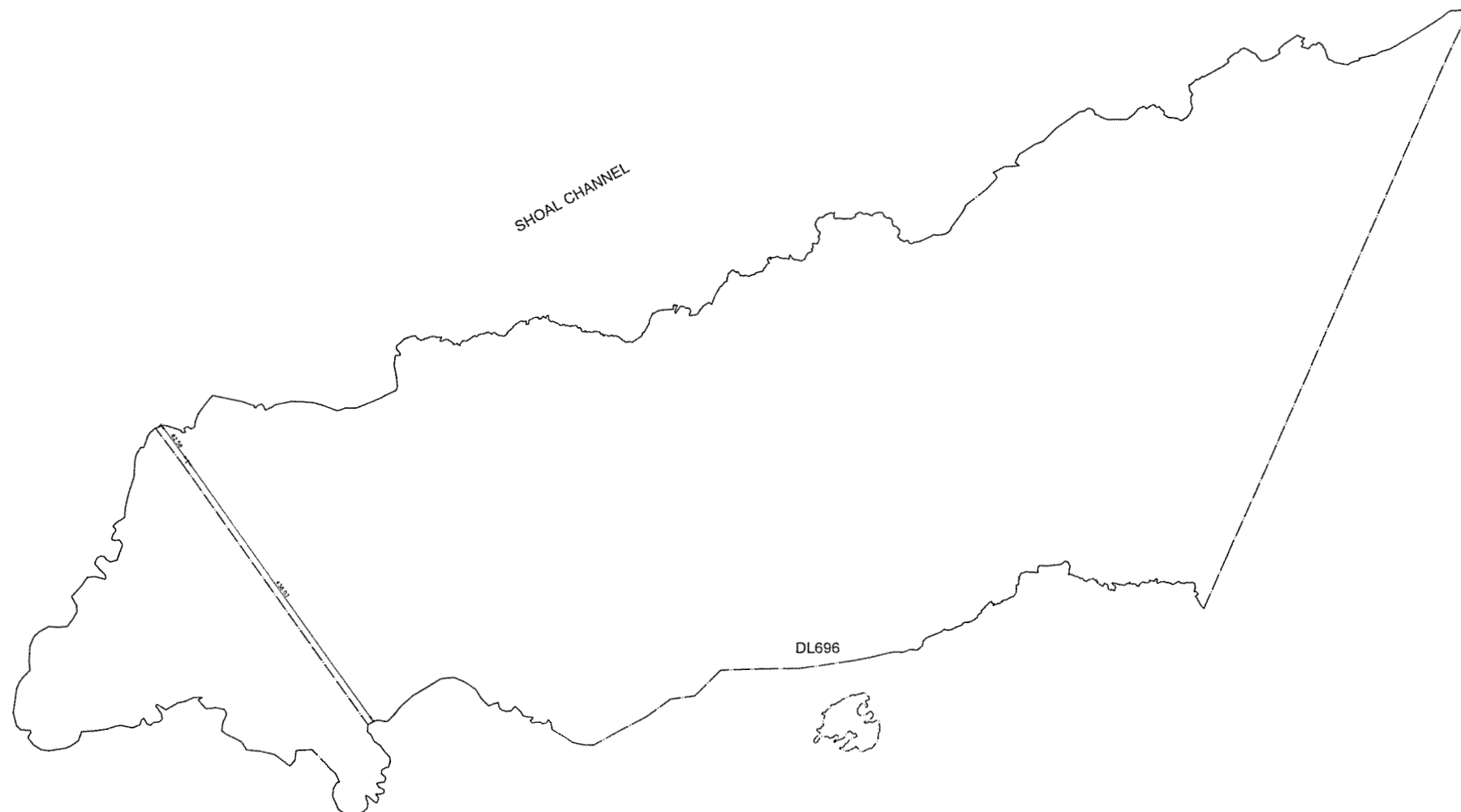
NOW THEREFORE in consideration of the premises and in consideration of the sum of One Dollar (\$1.00) now paid to the Grantor by the Grantee (the receipt and sufficiency whereof is hereby acknowledged), the parties covenant and agree with each other as follows:

1. The Grantor covenants and agrees with the Grantee that the Lands shall be used in accordance with the terms and conditions set out in this covenant; as follows:

- a. The portion of the Lands outlined in a heavy black outline on the Explanatory Plan of the Lands certified correct by ♦ , B.C.L.S., on ♦ , a reduced copy of which is attached hereto as Schedule “A”, (such portion of the Lands is herein called the “Restricted Area”) shall be limited or restricted as follows:
 - i. the Restricted Area will not be further subdivided;
 - ii. no further construction shall take place within the Restricted Area, except that the Grantor may construct not more than 2 buildings totalling not more than 4000sqft (combined gross floor area) subject to the location of the buildings being mutually acceptable to the Grantor and the Grantee;
 - b. The Lands shall be used in accordance with all applicable bylaws of the Islands Trust, as may be in effect.
2. This Agreement runs with the Lands and enures to the benefit of and is binding on the parties hereto and their respective successors and assigns.
 3. The parties agree that this Agreement shall not be modified or discharged except in accordance with the provisions of Section 219(5) of the Land Title Act, R.S.B.C. 1996
 4. This Covenant is granted voluntarily by the Grantor to the Grantee pursuant to Section 219 of the Land Title Act, R.S.B.C. 1996 and shall run with the Lands.
 5. Wherever the singular or masculine are used this Agreement, the same shall be deemed to include the plural, the feminine, the body politic or corporate as the context or the parties so require.
 6. All references to each party hereto shall include the heirs, executors, administrators, successors, assigns, officers, employees or agents of that party.
 7. This Agreement shall enure to the benefit of and be binding upon the parties hereto and upon their respective successors and assigns.
 8. If any section, subsection, sentence, clause or phrase of the Agreement is for any reason held to be invalid by the decision of the Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

IN WITNESS WHEREOF the parties hereby acknowledge that this Agreement has been duly executed and delivered by the parties executing Form C attached hereto.

END OF DOCUMENT

[illegible]

TERMS OF INSTRUMENT - PART 2

WHEREAS:

- A. The Transferor is the registered owner in fee simple of the lands (the "Lands") described in Item 2 of Part 1 of this General Instrument;
- B. The Transferee requires and the Transferor wishes to grant to the Transferee a statutory right of way in accordance with the terms and conditions of this General Instrument;
- C. The statutory right of way granted in this General Instrument is necessary for the operation and maintenance of the Transferee's undertaking.

NOW THEREFORE in consideration of the premises and the covenants contained herein and the sum of \$1.00 now paid by the Transferee to the Transferor (the receipt and sufficiency whereof is hereby acknowledged by the Transferor), the parties agree as follows:

1. GRANT OF STATUTORY RIGHT OF WAY

1.1 In this General Instrument,

- (a) "**Lands**" means the lands described in Item 2 of Part 1 of this General Instrument;
- (b) "**Transferor**" means the person named in Item 5 of Part 1 of this General Instrument;
- (c) "**Transferee**" means the person named in Item 6 of part 1 of this General Instrument;
- (d) "**Statutory Right of Way Area**" means those portions of the Lands having an approximate area of [REDACTED] square metres as shown on Plan [REDACTED], a print of which is attached as Schedule "A" to this General Instrument;
- (e) "**Works**" means the works and improvements described in subsections 2.1 (a), (b) and (c) of this General Instrument.

2. GRANT OF STATUTORY RIGHT OF WAY

- 2.1** The Transferor hereby grants, transfers and conveys to the Transferee, forever, the full, free and uninterrupted right, privilege, license, liberty, easement and right of way (the "Statutory Right of Way") for the Transferee, on behalf of itself and its heirs, executors, administrators, assigns, servants, employees, agents, permittees, invitees, licensees, contractors, and other persons acting under its authority, together with materials, supplies, equipment, machinery, and vehicles, at all times hereafter, and from time to time, by day and night and at their will and pleasure, through, across, under and over the Statutory Right of Way Area;
- (a) to construct, reconstruct, maintain, repair, improve, alter, install, replace, and operate swale ditches, culverts, ditching, drainage works, riprap, aggregates, drains, catch basins, pipes, flumes, trenches, channels, drainage works, or structures, including without limitation, all appurtenances and ancillary attachments, connections, works and fittings and any other form of thing the Transferee may require or deem necessary, practical or expedient in under and upon the Statutory Right of Way Area for the purpose of providing for, conveying, carrying, draining, containing, disposing, and discharging storm and drainage water; and
 - (b) to pass and re-pass over the Statutory Right of Way Area to access adjoining lands or for any purpose related to provincial public undertakings (as defined in the *Transportation Act*); and for that purpose to construct, reconstruct, maintain, repair, improve, alter, install, replace, and operate roadways, pathways and walkways upon and across the Statutory Right of Way Area, and to establish all necessary grades and levels; and
 - (c) to construct, reconstruct, maintain, repair, improve, alter, install, place and replace fencing of any nature or kind; and
 - (d) to operate and maintain, repair, remove, replace, inspect, alter and clean the Works;
 - (e) to undertake, perform and complete surveys, tests, inspections, and examinations of and upon the Statutory Right of Way Area, and the Works;
 - (f) to undertake, perform and complete any and all works and activities, including without limitation, to dig up, remove, cover up, and excavate the soil, gravel, trees, vegetation, shrubbery, buildings, and any other thing of, on, under or over the Statutory Right of Way Area, required in the discretion of the Transferee;
 - (g) to clear the Statutory Right of Way Area and keep it clear of all or any part of any trees, vegetation, shrubs, buildings, structures, equipment, obstructions, or damaging or interfering growth now or hereafter on the Statutory Right of Way Area which might, in the opinion of the Transferee, interfere with, impede, hinder, obstruct, or endanger the exercise of the rights granted under this General Instrument;

- (h) to enter upon and occupy, work, clear, labour, construct, haul, dig, excavate, slope, pass and repass on the Statutory Right of Way Area for the purpose of exercising the rights granted under this General Instrument; and
- (i) without limiting the generality of the foregoing, to undertake, perform and complete all works and acts necessary or incidental to the use of the Statutory Right of Way Area under this General Instrument.

2.2 The Transferee covenants with the Transferor to enter upon and occupy the Statutory Right of Way Area solely for the purpose of exercising the rights granted under this General Instrument.

3. PROVISOS

3.1 The Transferee may, in its sole discretion, and without consent of the Transferor, assign all or any part of its rights and any obligations hereunder at any time and from time to time and if the Transferee does so, the Transferee will be released of its obligations hereunder.

3.2 The Transferee is under no obligation to provide access, services, maintenance, repair, or contribution, financial or otherwise to the Lands or to the Statutory Right of Way Area including, without limitation, to construct, maintain or replace any works described in section 2.1 of this General Instrument.

3.3 Subject to the terms and conditions of this General Instrument, the Transferor reserves the full, free and uninterrupted right to use the Statutory Right of Way Area in any manner which does not interfere with, impede, hinder, obstruct, or endanger the rights granted under this General Instrument.

3.4 (a) Nothing contained in this General Instrument shall derogate from or fetter the discretion of the Minister of Transportation and Infrastructure, the Provincial Approving Officer, or the Transferee or any of them, or affect the exercise of the functions of any of them pursuant to the *Expropriation Act*, R.S.B.C. 1996, c.125 or the *Transportation Act*, S.B.C. 2004, c.44, as each may be amended or replaced from time to time, or any other applicable law, bylaw, order or regulation, or bylaw, or in equity.

(b) Notwithstanding anything contained in this General Instrument, there are hereby reserved to the Transferee all of the rights and powers of expropriation or other powers or privileges granted to the Transferee, or enjoyed by the Transferee, by or under any law, bylaw, order or regulation, or bylaw, of the Legislature of the Province of British Columbia, or of the Parliament of Canada, or in equity.

4. TRANSFEROR COVENANTS

4.1 The Transferor covenants with the Transferee that the Transferor will:

- (a)** not impede, hinder, obstruct, interrupt, endanger, or otherwise interfere with, or cause or suffer to be impeded, obstructed, interrupted, endangered or otherwise interfered with, the Statutory Right of Way Area or the rights granted under this General Instrument;
- (b)** not carry out any blasting or excavation on or adjacent to the Statutory Right of Way Area without the consent of the Transferee;
- (c)** not make, place, erect or maintain and not suffer or permit to be made, placed, erected or maintained, on, over, or under the Statutory Right of Way Area any barrier, building, structure, foundation, mobile home, driveway, patio, pipe, wire, ditch, or conduit, trees, vegetation, or shrubbery, including their roots or other growth, obstruction or any other thing of whatsoever nature or kind, which will interfere with the Statutory Right of Way Area or the rights granted under this General Instrument; and
- (d)** permit the Transferee to peaceably hold and enjoy the rights granted under this General Instrument without hindrance, molestation or interruption on the part of the Transferor or of any person, firm, or corporation claiming by, through, under or in trust for the Transferor.

5. REPRESENTATIONS AND WARRANTIES

5.1 The Transferor represents and warrants to the Transferee on the execution of this General Instrument and at all times thereafter, with the knowledge that the Transferee will rely upon these warranties and representations in entering into this General Instrument that:

- (a)** it has the power, capacity and authority to enter into this General Instrument, and to observe, perform, and comply with the terms of this General Instrument and the execution and delivery of this General Instrument and the completion of the transactions contemplated hereby have been duly and validly authorized by all necessary corporate action on the part of the Transferor;
- (b)** this General Instrument has been legally and properly executed by the Transferor;
- (c)** the observance and performance of the terms and conditions of this General Instrument will not constitute a breach by it of or a default by it under any statute, regulation or bylaw of Canada or of the Province of British Columbia applicable to or binding on it, or any contract or General Instrument to which it is a party;

- (d) the Transferor is not in breach of any statute, regulation or bylaw applicable to the Transferor in connection with this General Instrument; and
- (e) the making of this General Instrument and the performance of and compliance with the terms of this General Instrument does not conflict with or result in a breach of, or the acceleration of any indebtedness under, any terms, provisions or conditions of any indenture, mortgage, deed of trust, agreement, security agreement, license, franchise, certificate, consent, permit, authority or other instrument to which the Transferor is a party or is bound or, to the knowledge of the Transferor, any statute, regulation or bylaw applicable to the Transferor.

6. GENERAL TERMS AND CONDITIONS

- 6.1** Notwithstanding anything contained herein, the Transferor will not be liable for a breach of the restrictions and covenants contained in this General Instrument occurring after the Transferor has ceased to be the owner of the Lands.
- 6.2** Any and all works brought onto, set, constructed, installed, laid, or erected in, upon or under the Statutory Right of Way Area by the Transferee shall at all times remain the property of the Transferee, notwithstanding that the same may be annexed or affixed to the freehold, and shall at any time and from time to time be removable in whole or in part by the Transferee, or be assigned, transferred or conveyed in whole or in part by the Transferee in the event of any assignment contemplated under section 3.1;
- 6.3** This General Instrument will not be modified, amended, discharged or released in any manner whatsoever without the prior written consent of each of the parties hereto.
- 6.4** All disputes arising out of or in connection with this General Instrument will be referred to and finally resolved by arbitration pursuant to the *Commercial Arbitration Act*, R.S.B.C. 1996, c.55.
- 6.5** Each of the parties will, upon the reasonable request of the other, make, do, execute or cause to be made, done or executed all further and other lawful acts, deeds, things, devices, documents, instruments and assurances whatever for the better or more perfect and absolute performance of the terms and conditions of this General Instrument.
- 6.6** It is mutually understood, agreed and declared by the parties that this General Instrument and the rights and covenants contained in this General Instrument will run with the land and be perpetual and this General Instrument, including all the rights and covenants contained in it, will extend to and be binding upon and enure to the benefit of the parties, and their respective heirs, executors, administrators, successors and assigns, subject to section 6.1 hereof.

- 6.7** No part of the fee of the soil of the Lands will pass to or be vested in the Transferee under or by this General Instrument.
- 6.8** No term of this General Instrument will be considered to have been waived by either party unless such waiver is expressed in writing by the party and the waiver by either party of any such term, condition, covenant or other provision of this General Instrument will not be construed as or constitute a waiver of any further or other term, condition, covenant or other provision of this General Instrument by that party.
- 6.9** Whenever 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.
- 6.10** Where the expression "Transferor" includes more than one person, all covenants and obligations herein on the part of the Transferor shall be construed as being joint and several.
- 6.11** The provisions of this General Instrument constitute the entire agreement between the Transferee and the Transferor with respect to the subject matter of this General Instrument and no understandings, representations, contracts, or agreements, oral or otherwise, exist between the parties with respect to the subject matter of this General Instrument except as expressly set out in this General Instrument.
- 6.12** The Transferee agrees that in entering into this General Instrument the Transferor has not and does not rely upon any previous representation of the Transferee, or of servants, employees, agents, or representatives of the Transferee, whether expressed or implied, or upon any inducement or agreement of any kind or nature. All prior understandings, negotiations, representations, contracts or agreements are hereby cancelled.
- 6.13** Any notice, document or communication required or permitted to be given under this General Instrument will be in writing and will be deemed to have been duly given if delivered by personal delivery, mailed by postage prepaid mail to the party to whom it is to be given or made at the address first shown for such party.
- 6.14** Time is of the essence of this General Instrument.
- 6.15** This General Instrument will be governed by and construed and interpreted in accordance with the laws of the Province of British Columbia, and where there is a reference to an enactment of the Province of British Columbia in this General Instrument, that reference includes a reference to any subsequent enactment of the Province of British Columbia of like effect and, unless the context otherwise requires, all statutes referred to in this General Instrument are enactments of the Province of British Columbia.
- 6.16** If any section of this General Instrument, or any part of a section, is found to be illegal or unenforceable, that part or section, as the case may be, will be

considered separate and several and the remaining parts or sections, will not be affected and will be enforceable to the fullest extent permitted by law.

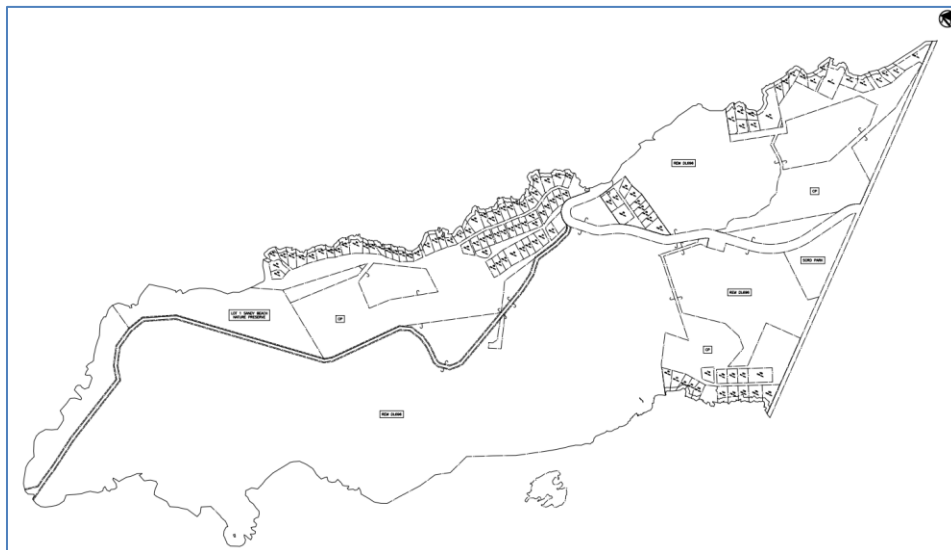
Q & A: QUESTIONS AND ANSWERS

regarding Gambier Island Local Trust Committee
application GM-RZ-2004.1 (CBCBC, DL696 Keats Island)
September 2017

This Q & A document, prepared by Islands Trust planning staff, includes questions and answers about rezoning application GM-RZ-2004.1. The purpose of this document is to provide residents and property owners of Keats Island with clear and accurate information about the status of the application and encourage meaningful public input to the Gambier Island Local Trust Committee (LTC) prior to the close of a public hearing, tentatively scheduled for early 2018. Further questions and comments may be directed to the LTC at gmltc@islandstrust.bc.ca.

Q: In the simplest possible terms, what is the property owner applying for and what is being offered to the community?

A: District Lot 696 (DL 696) is a 93.5-hectare parcel encompassing the southwestern end of Keats Island and owned by the Convention of Baptist Churches of BC (CBCBC “the owner”). Existing uses on the property include a church camp and more than 80 privately-owned recreational cottages, built on land leased from the owner. The owner entered into a Land Use Contract (LUC Bylaw No. 4) in 1978 with the Gambier Island Local Trust Committee to allow the establishment of separate titles for each existing cottage with the conditions that road, trail and parkland dedication on DL 696 occur by 1979. These dedications did not occur, however the owner is now prepared to dedicate the necessary road, trails and parkland and has made the necessary bylaw amendment application for LTC consideration in order to allow for the rezoning and subdivision of the land.



Q: What is Proposed Bylaw 143 about?

A: Proposed Bylaw 143, if adopted, would amend the Keats Island Land Use Bylaw by: 1) rezoning the land-based portions of DL 696 to a comprehensive development zone to allow for the intended subdivision of 110 strata lots and Sandy Beach Nature Reserve and regulating use, density and structures on the camp and residential lots; 2) rezoning marine areas adjacent to DL 696 to allow for limited dock development in the foreshore; 3) prohibiting buildings and structures in the Salmon Rock area; and 4) discharging the LUC. Proposed Bylaw 143 was given first and second readings on September 20, 2017 and can be viewed on the Gambier Island Local Trust Committee “Bylaws” webpage: <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/bylaws/>.

Q: What archaeological studies have been done to assess the potential impacts of this application?

A: An archaeological assessment report for DL 696 was provided as part of the original application received in 2008. The report provided a comprehensive inventory of archaeological sites on the property and stipulated requirements under the *Heritage Conservation Act* to protect the resources. Should the application proceed to subdivision, the Approving Officer will require restrictive covenants to protect the existing archaeological resources from the impacts of development. Several First Nations have been sent a formal referral regarding the proposed bylaw to determine how their interests may be affected. The archaeological assessment report is available on the website: <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/current-applications/>.

Q: How can we be sure that the intensification of residential and camp uses won't threaten ground water supplies on Keats Island?

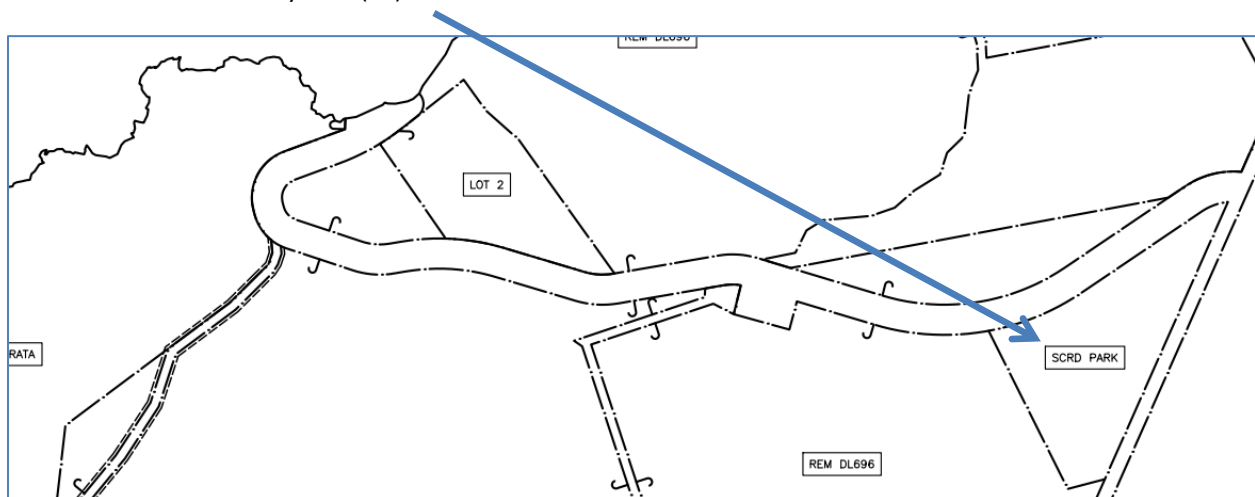
A: The applicant has provided a hydrological assessment memorandum for DL 696 which evaluated the potential impacts on water supply in the area as well. The statement of opinion provided in the July 2017 memo established that expansion of the camp and intensification of residential uses on DL 696 would not adversely impact existing wells. A well head management plan and well upgrades were recommended in the study. The hydrological assessment memo is available on the Islands Trust website: <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/current-applications/>.

Q: What do First Nations and other regulatory agencies have to say about this proposal?

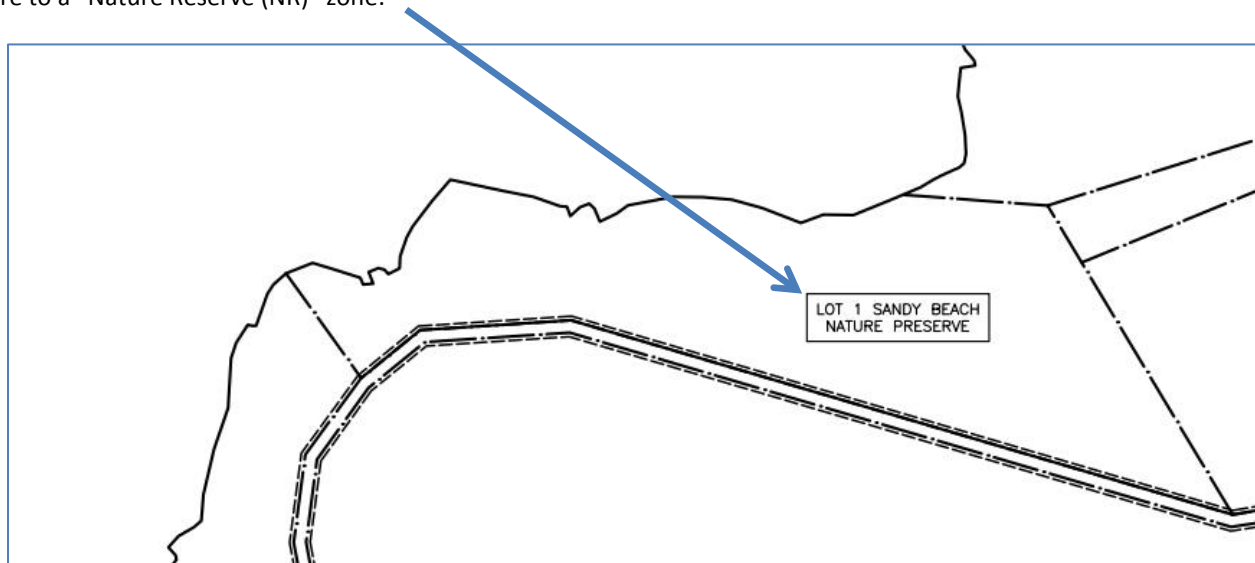
A: The application has been referred to First Nations, the Sunshine Coast Regional District and several provincial agencies. The LTC has considered referral responses received to date. A summary of referral responses can be viewed on our website <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/current-applications/>.

Q: I've heard that there is a public park, a nature reserve and a nature covenant area proposed. What is the difference between these three areas?

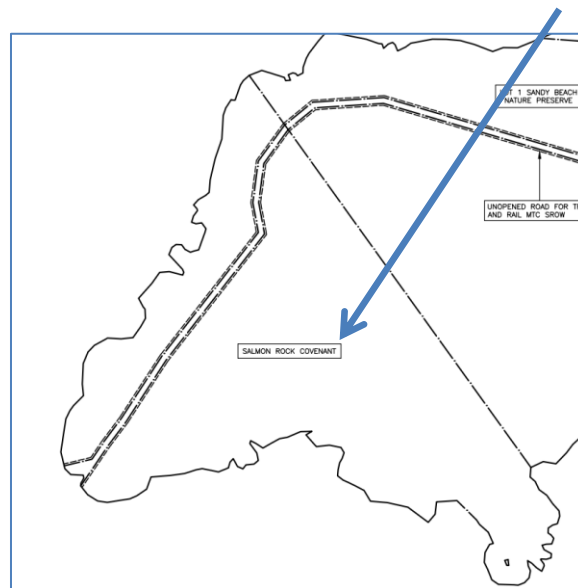
A: The Sunshine Coast Regional District (SCRD) has agreed to accept a 1.1 hectare parcel of land as a community park, proposed to be zoned "Natural Area Community Park (P1)".



The Islands Trust Fund Board (ITF) has agreed to accept a 3.4 hectare parcel of land as a nature reserve, proposed to be re-zoned in the future to a “Nature Reserve (NR)” zone.



The area known as “Salmon Rock” would be retained as part of the Keats Camp property and is intended to retain the current zoning of “Private Conservation (PC)” which prohibits any camp buildings or structures. The owner has agreed to register a restrictive covenant on the area zoned ‘PC’ to further restrict any vegetation removal or camping uses.



Q: When will the owner be required to dedicate the public park, road/trails and Sandy Beach nature reserve?

A: The public SCRD park, public road and trail to Salmon Rock will be dedicated immediately upon adoption of Proposed Bylaw 143. The Sandy Beach nature reserve will be transferred to the ITF upon first subdivision – with subdivision plans to be deposited at the Land Titles office upon adoption of Proposed Bylaw 143.

Q: Will the 1978 Land Use Contract still be in effect if Proposed Bylaw 143 is adopted?

A: No. The LUC will be discharged immediately upon adoption of Proposed Bylaw 143 with the mutual consent of the owner and Gambier Island Local Trust Committee. The majority of the provisions of the LUC have been incorporated into Proposed Bylaw 143 regarding the use and density of DL 696.

Q: What is the difference between a 'Community Information Meeting' and a 'Public Hearing' and how do I provide input to the LTC on this application?

A: A CIM is an opportunity for the public to learn about the details of the proposal and ask specific questions of the LTC, applicant or planning staff in order to make an informed decision about whether their interests are affected by the proposed bylaws and what type of input they wish to provide as part of the public hearing process. A community information meeting (CIM) regarding this application was held on July 27, 2017. A second CIM will be scheduled in advance of a public hearing.

A Public Hearing is a formal opportunity for affected individuals to speak directly to the local trust committee on the proposed bylaw. Submissions may be made until the close of the public hearing. The public hearing for proposed bylaw 143 will be scheduled no sooner than January 2018 and public notification of the date, location and time of the hearing will be consistent with the requirements of the *Local Government Act*. The local trust committee may not accept any new information relating to the proposed bylaws after the adjournment of the hearing.

The public is encouraged to provide input to the Gambier Island Local Trust Committee on this application prior to the close of the public hearing via email to gmltc@IslandsTrust.bc.ca or mail to Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3.

Q: What are the next steps in the application process?

A: Following the public hearing, the LTC can make a decision to either, a) not proceed with the application and bylaws, b) determine whether further amendments are required prior to giving third reading to the bylaw or, c) give third reading to the bylaws as presented at the public hearing. Should it be the decision of the LTC to proceed with the bylaws, the next step would be to finalize all required instruments such as covenants to be registered on the titles of the properties involved in the application. This would include documents for the transfer of title of the park and nature reserve parcels. Once the documents have been prepared and reviewed by the Islands Trust legal counsel the bylaws would be forwarded to the Islands Trust Executive Committee for approval. Once that approval has been received, the LTC would be able to give final reading to adopt the bylaw.

Q: Where can I access staff reports and other information about this application?

A: Information about this application including staff reports, technical studies and public correspondence is available at: <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/current-applications/>.

Meeting agendas and minutes are also available on the website at: <http://www.islandstrust.bc.ca/islands/local-trust-areas/gambier/>.

To speak with the application planner please contact the Islands Trust office at 250.247.2063 or gambierplanner@islandstrust.bc.ca.

The Gambier Island Local Trust Committee can be reached by email gmltc@islandstrust.bc.ca.

Please note, all correspondence provided to the Local Trust Committee will be included in the public record and may also be posted on the Islands Trust website. Islands Trust will not consider correspondence from anonymous sources and or publish written statements that are subject to the Freedom of Information and Protection of Privacy Act, or statements that are potentially defamatory, profane or otherwise inappropriate for general circulation. Senders of such correspondence will be informed of the necessary amendments that would make their correspondence eligible for receipt and circulation on an open public agenda.