



## Gambier Island Local Trust Committee

### Regular Meeting Addendum

Date: October 1, 2020  
Time: 10:30 am  
Location: Electronic Meeting

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#### Pages

#### 8. APPLICATIONS, REFERRALS AND BYLAWS

11:25 AM - 12:00 PM

##### **8.3 GM-RZ-2004.1 (DL696 Keats Island) - Bylaw No. 143 - for adoption**

2 - 12

That Gambier Island Local Trust Committee Bylaw No. 143 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 2, 2016”, be adopted.



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

DATE OF MEETING: October 1, 2020  
TO: Gambier Island Local Trust Committee  
FROM: Sonja Zupanec, Island Planner  
Northern Team  
SUBJECT: Rezoning Application GM-RZ-2004.1 Final Reading BL 143 (DL 696, Keats Island)  
Applicant: Kevin Healey, Creus Engineering  
Location: District Lot 696, Keats Island

## RECOMMENDATION

- 1. The Gambier Island Local Trust Committee Bylaw No. 143, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 2, 2016”, be adopted.**

## PURPOSE

The applicant has fulfilled all necessary requirements imposed by the Local Trust Committee (LTC) in order for Proposed Bylaw No. 143 (Attachment 1), to be considered for final reading/adoption. The adoption of the bylaw will trigger the next steps outlined below. Upon adoption of the bylaw, staff will close bylaw amendment application GM-RZ-2004.1; close the cost recovery account associated with this complex, multi-year application and update the Keats Island Land Use Bylaw with the necessary amendments.

## NEXT STEPS

Subject to LTC concurrence, staff will advise the applicant and the applicants’ solicitor, to proceed with their requirements as per their letter of undertaking dated July 15, 2020 (Attachment 2), to:

- deposit the subdivision plans with the BC Land Title Office for a Phase 1 - three block subdivision which will result in the transfer of the Sandy Beach Nature Reserve Parcel to the Islands Trust Conservancy; community parkland dedication to the Sunshine Coast Regional District and public road dedication to the Ministry of Transportation and Infrastructure;
- register three covenants on DL696 which have all been signed by the LTC;
- discharge the land use contract between the owner and the LTC.

Submitted By:	Sonja Zupanec, RPP Island Planner	September 28, 2020
Concurrence:	Heather Kauer, MCIP, RPP Regional Planning Manager	September 28, 2020

## ATTACHMENTS

- 1. Proposed Bylaw No. 143*
- 2. Letter of Undertaking July 15, 2020*

Z:\09 Current Planning\05 GM\3650 RZ\25 Applications (P)\2004\GM-RZ-2004.1 (DL696)\Staff Reports\GM\_LTC\_2020-10-01\_RZ-2004.1 RPT\_FINAL\_hk.docx

# PROPOSED

## GAMBIER ISLAND LOCAL TRUST COMMITTEE

### BYLAW NO. 143

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

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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	20 <sup>TH</sup>	DAY OF	SEPTEMBER	, 2017
READ A SECOND TIME THIS	25 <sup>TH</sup>	DAY OF	JANUARY	, 2018
PUBLIC HEARING HELD THIS	18 <sup>TH</sup>	DAY OF	APRIL	, 2018
READ A THIRD TIME THIS	19 <sup>TH</sup>	DAY OF	APRIL	, 2018
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS	18 <sup>TH</sup>	DAY OF	MAY	, 2018
ADOPTED THIS		DAY OF		, 201x

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**SECRETARY**

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**CHAIRPERSON**

## Gambier Island Local Trust Committee

## Bylaw No. 143

## Schedule 1

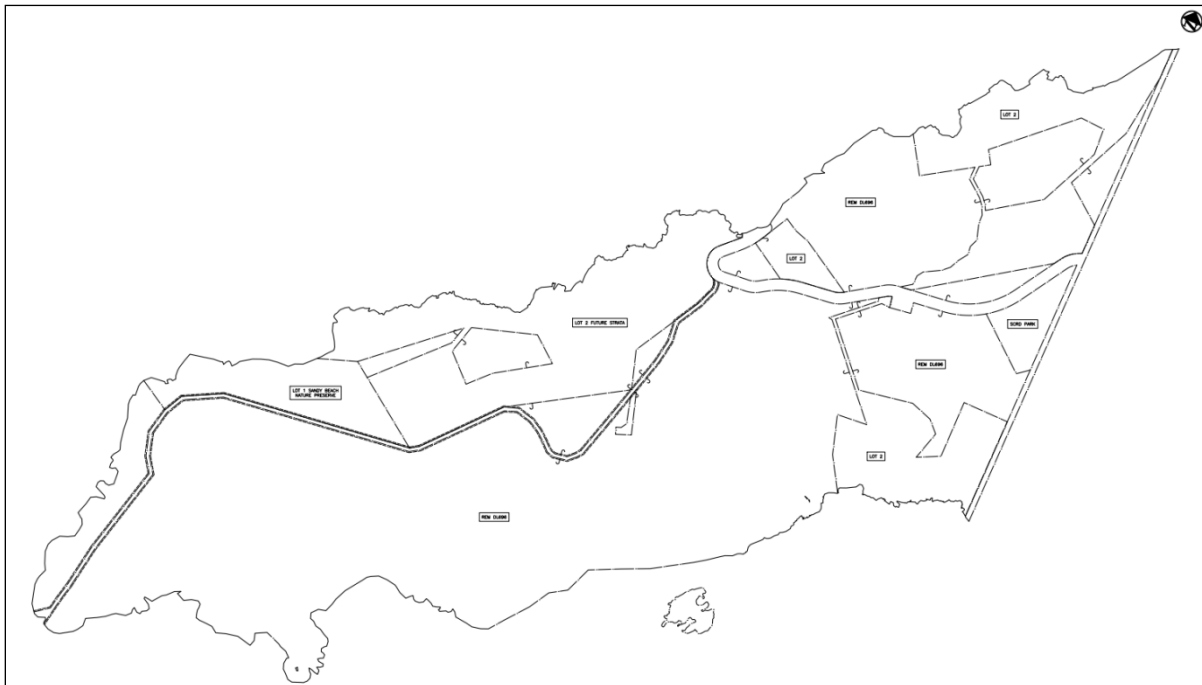
- 2.1 **PART.1– ADMINISTRATION AND INTERPRETATION**, Section **1.5 DEFINITIONS**, Subsection 1.5.1 is amended by:
- a) deleting the word “residential” from the definition of “boat house”;
  - b) adding a new definition: “**dormitory** means a building without a kitchen that provides sleeping quarters 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**

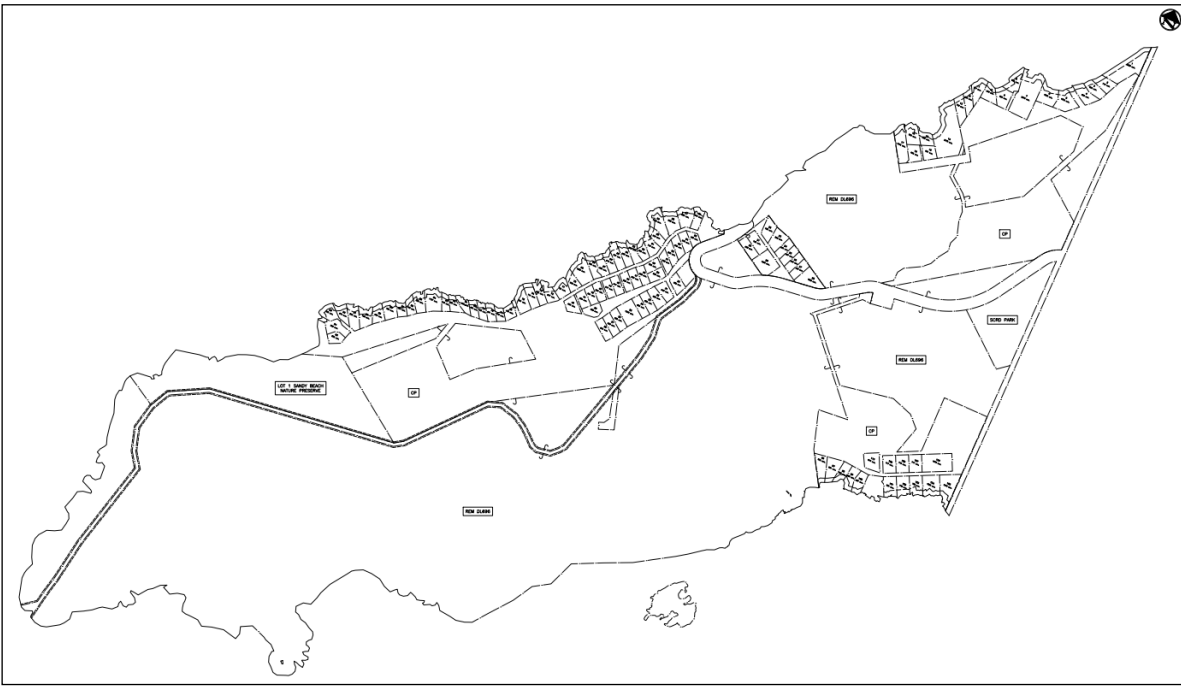
- .1 Land in the CD2 zone may be subdivided only as follows, and only in the following sequence:
- a) so as to create, together with such park and highway dedications as the approving officer may require, the three parcels described as follows, which parcels must have an area no more than 5% greater 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

- 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 4.4.1a)(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.**



### 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
  - 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

- 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 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 dwellings on the Camp Parcel is 4195 square metres.
- .13 The maximum aggregate floor area of buildings and structures other than dormitories and 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.

**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)	<p>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.</p> <p>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.</p> <p>c) Despite 4.12.4 the maximum area covered by docks in the</p>



	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:

- a) replacing the zoning abbreviation “PI1” in the first column with “CD2”;
- b) deleting the third column “Public Parking Lot (CS2 Zone) 15 Parking Spaces”;

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:

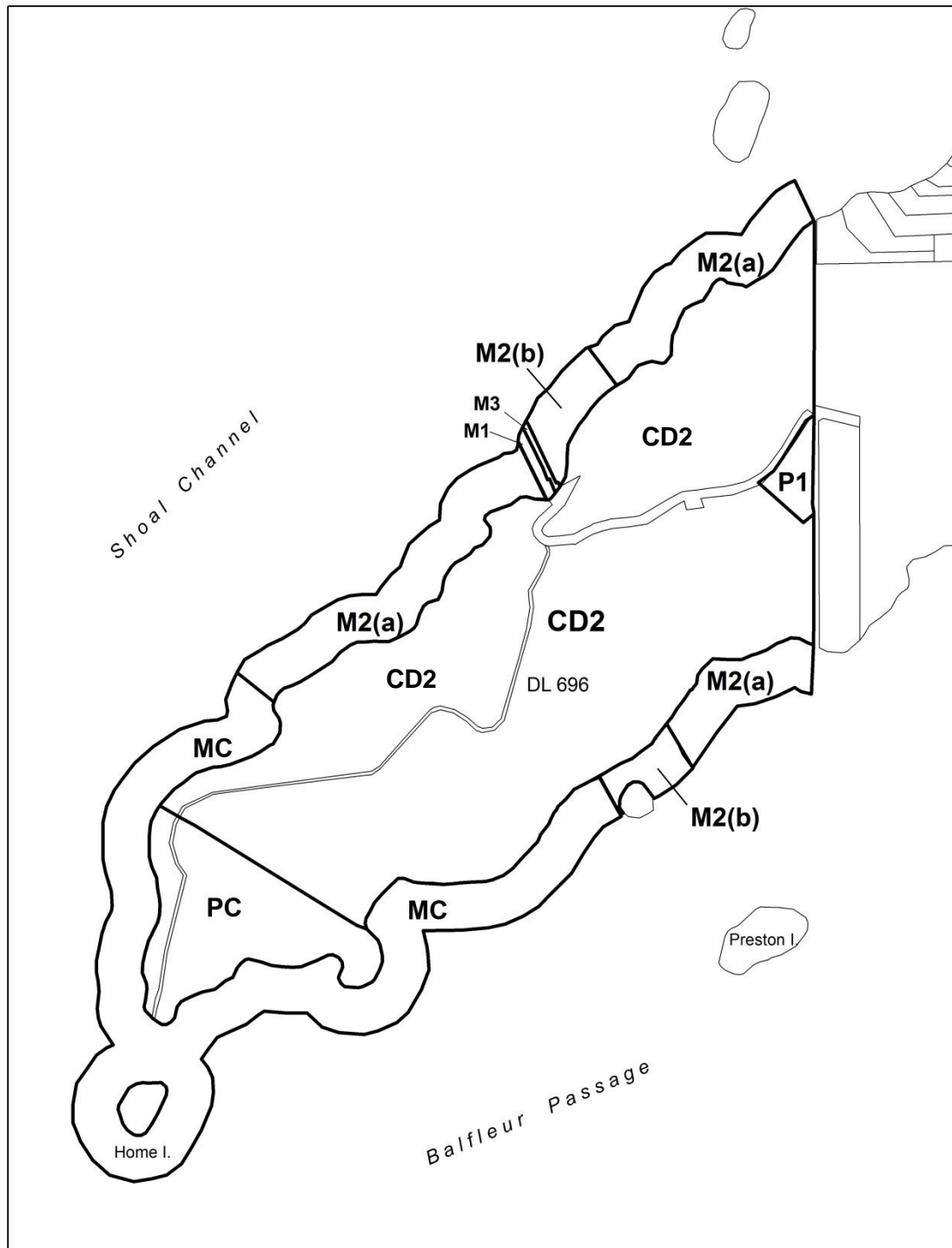
- a) deleting the words “Community Residential 2 (CR2)” and “Private Institutional 1 (PI1)”;
- b) inserting the words “Comprehensive Development 2 (CD2)” after “Comprehensive Development 1 (CD1)”;

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.

## GAMBIER ISLAND LOCAL TRUST COMMITTEE

## BYLAW NO. 143

## PLAN 1



July 15, 2020

**By Email *szupanec@islandstrust.bc.ca***

Islands Trust  
700 North Road  
Gabriola Island, B.C. VoR 1X3

**Attention: Sonja Zupanec, RFP, Island Planner**

Dear Ms. Zupanec:

**Re: Bylaw 143 and District Lot 696**

We represent The Convention of Baptist Churches of British Columbia and have been asked on behalf of our client to write in respect of Gambier Island Local Trust Committee Bylaw No. 143 - A Bylaw To Amend The Keats Island Land Use Bylaw, 2002 ("**Bylaw 143**").

Specifically, we have been requested to provide to you our undertaking in respect to the deposit of certain plans and documents related to Bylaw 143. This letter replaces our previous letter dated November 23, 2019.

Accordingly, upon adoption of Bylaw 143 and upon receipt of fully executed true copies of the documents listed below by the required parties, along with such other appropriate *Land Title Act* forms, we undertake to finalize the E-file copy(ies) for the purposes of electronic registration and to file the E-file copy(ies) in the Vancouver Land Title Office the:

1. Subdivision Plan EPP89532 of Part of District Lot 696 (copy attached);
2. S.219 Covenant in favour of Gambier Island Local Trust Committee – Wellhead Protection as shown on Plan EPP98120;
3. S.219 Covenant in favour of Gambier Island Local Trust Committee – Water Conservation over proposed Lot 2 and Remainder DL696 created by Plan EPP89532; and
4. S.219 Covenant/S.218 Statutory Right of Way in favour of Gambier Island Local Trust Committee – Salmon Rock Conservation over portion of Remainder DL696 as shown on Plan EPP89533.

After submitting Subdivision Plan EPP89532 for registration, our client will transfer to Islands Trust Conservancy legal title to the newly created Lot 1 (Sandy Beach). As part of the conveyance, and within one (1) year of the transfer, Islands Trust Conservancy will grant in favour of Sunshine Coast Conservation Association and TLC The Land Conservancy of British Columbia a S.219 Conservation Covenant/S.218 Statutory Right of Way. As a result, we are not able to undertake to submit for registration this document as it will not be within our control.

We confirm having previously provided you with a tax certificate in respect of District Lot 696 together with a title search print.

If you have any questions regarding the foregoing, please do not hesitate to contact the writer.

Yours truly,

**CAMPBELL FROH MAY & RICE LLP**

Per:

  
**Mark E. Standerwick**

MES/tim