



Gambier Island Local Trust Committee

Regular Meeting Agenda

Date: August 29, 2023
Time: 11:00 am
Location: Gambier Island Community Centre
Andy's Bay Road, Gambier Island, BC

Pages

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|---|----------------------------|---------|
| 1. CALL TO ORDER | 11:00 AM - 11:05 AM | |
| "Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change." | | |
| 2. APPROVAL OF AGENDA | | |
| 3. REPORTS | 11:05 AM - 11:20 AM | |
| 3.1 Trustee Reports | | |
| 3.2 Chair's Report | | |
| 3.3 Electoral Area Director's Report | | |
| 4. DELEGATIONS - none | | |
| 5. PUBLIC COMMENTS | 11:20 AM - 11:45 AM | |
| 6. MINUTES | 11:45 AM - 11:55 AM | |
| 6.1 Local Trust Committee Meeting dated June 20, 2023 - for adoption | | 4 - 15 |
| 6.2 Local Trust Committee Special Meeting dated July 21, 2023 - for adoption | | 16 - 19 |
| 6.3 Section 26 Resolutions-Without-Meeting Report dated August 22, 2023 | | 20 - 20 |
| 6.4 Advisory Planning Commission Minutes - none | | |
| 7. BUSINESS ARISING FROM MINUTES | 11:55 AM - 12:15 PM | |
| 7.1 Follow-up Action List dated August 22, 2023 | | 21 - 24 |
| 7.2 Gambier Freedom of Information and Protection of Privacy Procedure Bylaw No. 157 - Request for Decision | | 25 - 30 |

7.3	Policy Options for Bylaw Enforcement Compliance on Unlawful Uses - Staff Report	31 - 34
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~ BREAK 12:15 PM - 12:45 PM ~

8.	APPLICATIONS AND REFERRALS	12:45 PM - 1:15 PM
8.1	Temporary Use Permit Short Term Vacation Rental - GM-TUP-2023.1 (Kim) - Staff Report	35 - 75
9.	LOCAL TRUST COMMITTEE PROJECTS	1:15 PM - 1:45 PM
9.1	Major Project: Gambier Island Official Community Plan and Land Use Bylaw Review Project - Memo	76 - 77
9.2	Minor Project: Keats Shoreline Protection Project - Staff Report	78 - 82
10.	CORRESPONDENCE	1:45 PM - 1:50 PM
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
10.1	Department of Fisheries and Oceans Canada Consultation check-in - Schedule 1 of the Species at Risk Act	83 - 84
11.	NEW BUSINESS	1:50 PM - 2:15 PM
11.1	Sunshine Coast Regional District Regional Growth Framework Baseline Research	85 - 90
11.2	Census Infographics - Briefing	91 - 98
12.	REPORTS	2:15 PM - 2:35 PM
12.1	Trust Conservancy Report dated June, 2023	99 - 101
12.2	Applications Report dated August 22, 2023	102 - 105
12.3	Trustee and Local Expense Report dated June, 2023	106 - 106
12.4	Adopted Policies and Standing Resolutions	107 - 110
12.5	First Nations Activities	
12.6	Local Trust Committee Webpage	
13.	WORK PROGRAM	2:35 PM - 2:50 PM
13.1	Active Projects Report dated August 22, 2023	111 - 111
13.2	Future Projects Report dated August 22, 2023	112 - 113

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, October 17, 2023 at 10:00 am and will be held electronically

15. ADJOURNMENT

2:50 PM - 2:55 PM



Gambier Island Local Trust Committee

Minutes of Regular Meeting

Date: June 20, 2023

Location: Electronic Meeting

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

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

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

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Bernardo reported on the following activities:

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

Trustee Stamford reported on the following activities:

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

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

3.2 Chair's Report

Chair Luckham reported on the following:

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

3.3 Electoral Area Director's Report

Director Stamford reported on the following:

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

4. DELEGATIONS – none

5. PUBLIC COMMENTS

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

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

Concerns included:

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

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

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

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

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

6. MINUTES

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

The following amendment to the minutes was presented for consideration:

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

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

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

By general consent the minutes were adopted as amended.

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

Received for information.

6.3 Advisory Planning Commission Minutes – none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated June 13, 2023

Received.

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

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

8. APPLICATIONS AND REFERRALS

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

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

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

Trustees offered feedback and questions on the application that included:

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

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

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

Comments from Trustees included:

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

GM-2023-015

It was MOVED and SECONDED

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

CARRIED

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Keats Shoreline Protection Project – Memorandum

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

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

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

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

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

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

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

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

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

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

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

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

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

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

GM-2023-016

It was MOVED and SECONDED

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

CARRIED

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

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

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

GM-2023-017

It was MOVED and SECONDED

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

CARRIED

GM-2023-018

It was MOVED and SECONDED

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

CARRIED

10. CORRESPONDENCE

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

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

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

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

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

Points raised by Trustees included:

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

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

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

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

GM-2023-019

It was MOVED and SECONDED

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

CARRIED

11. NEW BUSINESS

11.1 Freedom of Information Bylaw - request for decision

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

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

GM-2023-020

It was MOVED and SECONDED

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

CARRIED

12. REPORTS

12.1 Trust Conservancy Report – none

12.2 Applications Report dated June 13, 2023

Received for information.

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

12.3 Trustee and Local Expense Report dated April 2023

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 First Nations Activities

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

12.6 Local Trust Committee Webpage

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

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

GM-2023-021

It was MOVED and SECONDED

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

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

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

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

CARRIED

13. WORK PROGRAM

13.1 Active Projects Report dated June 13, 2023

Received for information.

13.2 Future Projects Report dated June 13, 2023

Received for information.

14. UPCOMING MEETINGS

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

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

15. ADJOURNMENT

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

Peter Luckham, Chair

Certified Correct:

Diane Corbett, Recorder



Gambier Island Local Trust Committee

Minutes of Special Meeting

Date: July 21, 2023
Location: Gibsons Public Market
 473 Gower Point Road
 Gibsons, BC

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

Staff Present: Marlis McCargar, Island Planner
 Diane Corbett, Recorder

Others Present: There were approximately eighteen (18) members of the public in attendance.

1. CALL TO ORDER

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

Chair Luckham called the meeting to order at 1:00 pm. He acknowledged that the meeting was being held on the Squamish territory of the Coast Salish First Nations. He introduced trustees and staff in attendance, and described the format for the community information meeting.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

3.1 Keats Island Shoreline Protection Project - Proposed Bylaw Nos. 153 (OCP) and 154 (LUB) - Staff Presentation

Island Planner McCargar provided an overview of the Keats Island Shoreline Protection Project that included: project background and summary of work to date; proposed Amendment Bylaws No. 153 (to amend Keats Island Official Community Plan) and No. 154 (to amend the Keats Island Land Use Bylaw); current level of protection for Keats shoreline; proposed Shoreline Development Permit Area (DP-3) for the purposes of protecting the natural environment, its ecosystems and biological diversity, and protecting development from hazardous conditions; the DPA application process and related scenarios; the legislative process to amend the bylaws; and next steps for the Local Trust Committee to consider. Information on this project has been posted to the Islands Trust website.

There have been no amendments to the proposed bylaws since the last community information meeting.

3.2 Question and Answer Period

Chair Luckham thanked the Islands Planner for the presentation and invited questions about what was proposed.

Questions that were raised included:

- Clarify how far apart the docks have to be within the extension of the lot lines. Is there a minimum or can the float go right to the property line?
 - Currently private floats and docks shall be located within the seaward boundary of the upland property three metres from the projection of those lot lines, the proposed changes is five metres.
 - This setback regulation does not apply to a shared dock boundary between residential lots.
- Will the projection of the lot line be at the same angle?
 - Yes. Where the head of the dock lands on the shore will be changed from three metres to five metres.
- This isn't workable in some neighbourhoods where the shorelines are not straight and there are rocky shorelines; the positioning of the float is dictated by the shoreline and geography.
 - For unique sites, there is an option to apply for a development variance permit.
- Amendment of this bylaw needs to take into consideration what currently exists and what needs to be accomplished, and to avoid the requirement for a variance application in order to do something that's practical and necessary.
 - Existing buildings would be considered legal non-conforming.
- On page 4 of the staff report, it says the legal non-conforming use may be continued unless the use is discontinued for six months. Many people lock up their properties in October and come back in May. How will this work?
 - The use of land, a building or other structure, for seasonal uses, is not discontinued as a result of normal seasonal practices (Section 528(3) of the *Local Government Act*).
- Suggestion to make a small amendment to the introductory section of the OCP indicating that there is a lot of seasonal use as a normal practice.
- Some lots are very small; many dwellings are in the setback area, and many were built a long time ago. If people want to add on, or redo the foundation, or if the house burns down, do they have to apply for a development permit as well as building permits?
 - Yes.
- How does it work if it is deemed there is no place for the structure to be built within the setbacks from the road and the sea?
 - In that case, the property owner would apply for a development variance permit.
- There are a lot of properties that do not have septic systems. They have been utilizing outhouses or flushing grey water into the ocean. Now with new technology it is possible for these properties to build septic systems. Do they have to go through Vancouver Coastal Health (VCH) for a permit, and a development variance

permit? Right now if you want to upgrade your septic, you just have to apply to VCH.

- If they are constructing the system within fifteen metres from the natural boundary of the sea, they could apply for a development permit (DP). The VCH approval would be part of the documentation that gets submitted as part of a DP application.
- Concern about extra fees and the requirement of an environmental assessment.
 - Applicants will need to ensure they meet the guidelines of the development permit.
- Especially when it comes to septic, Islands Trust should be doing everything it can to support these properties to get septic systems. There should be an exception to waive the fees.
 - Having a reduced fee or waiving the fee for septic system replacement or upgrades is something the LTC could look into.
- Concern that permit is only valid for two years and that island builds take a long time.
 - The permit is valid as long as the construction is started within two years; it doesn't have to be completed within that period.
- Where are you at with First Nations consultation on this?
 - There has not been a resolution; Squamish Nation is concerned with leaving the building setbacks regulations at 7.5 metre.
 - Staff has worked to consult. The Squamish Nation is very busy and has to prioritize the workload of their staff and decision-making process.
- Why is it proposed that the two large undeveloped lots in the centre of the island have a setback of 15 metres? Has any thought been given to increasing the setback on those parcels just where it is fragile, and leaving the 7.5 metres where there is cliff and nothing to erode?
 - This has not been considered. 7.5m is not considered optimum; many other jurisdictions are looking at 30 metres as a recommended standard.
- Rethink using the term "water access only."
 - There are a number of lots on Keats that don't have road access; that is the differentiation.
- Could the bylaws include a list of materials or septic systems that are pre-approved without having to go through the permitting process to encourage applicants to use appropriate materials?
 - The LTC can consider additional exemptions.
- If a property owner wants to do Green Shores initiatives to preserve the shoreline, does that require permitting?
 - Yes.
- Keats is unique because many lots can only be accessed by the water. Could we see examples of what has happened in other communities where these guidelines are already in place to see if they are working or not?
- Islands Trust should incentivize environmentally friendly behaviour with cost breaks or permit exemptions.
- Structure the guidelines and the rules to encourage environmentally friendly practices. Promote educational campaigns.
- What is the distinction between "fixing" and "replacing"? Needs to be more clear.

- Concerns raised around forest fires.
 - Contact the appropriate local fire department.
- Protecting eelgrass in foreshore environment is one reason to see more transparent surfaces on floats. If a float is properly transparent it should not be subject to size restrictions.

Chair Luckham noted the Local Trust Committee would take the conversation today and have a conversation with staff.

The Chair thanked everyone for coming to the meeting.

4. **ADJOURNMENT**

By general consent the meeting was adjourned at 2:53 pm.

Peter Luckham, Chair

Certified Correct:

Diane Corbett, Recorder

Resolutions Without Meetings Log

Gambier Island

Resolution Number	Action	Date
2023-003 Move June 20, 2023 regular meeting from in person to electronic and move CIM from June 20 to June 21, 2023 "That the Gambier Island Local Trust Committee request Staff move the June 20, 2023 regular meeting from in-person to electronic and move the Gambier Island community information meeting from June 20, 2023 to July 21, 2023."	Carried	13-Jun-2023
2023-002 That the Gambier Island Local Trust Committee distribute letter to property owners with seawalls on North Thorma That the Gambier Island Local Trust Committee request staff to distribute a letter to the property owners with seawalls on North Thormanby Island (Vaucroft) regarding options to resolve the current bylaw non-compliance issues.	Carried	25-Apr-2023
2023-001 (Standing) That the Gambier Island Local Trust Committee adopt the following Standing Resolution: Defer enforcement on existing seawalls on North Thormanby Island. The deferment of enforcement should not be interpreted as permitting any new additions or structures from requiring a permit or otherwise requiring compliance with the Gambier Associated Islands Land Use Bylaw No. 120."	Carried	22-Feb-2023

Follow Up Action Report

Gambier Island

01-Sep-2022

Activity	Responsibility	Dates	Status
1 That the Gambier Island Local Trust Committee request staff amend the scope of the Gambier Official Community Plan Targeted Review Project Charter to include: · Reconsider the zoning designation title 'Wilderness Conservation;' · Add a definition for 'breakwater;' · Consider policies and regulations regarding trams (tracks, funicular). · Review Site specific water zoning; · clarification around water storage tanks as structures, requirements for screening, and the need for setback placement as part of their use as community amenities in fire protection. · Identification of Crown reserves and properties in GM LTA: Identification of all Crown reserves (strips) and similar Crown properties (i.e. islets) in the Gambier Island Local Trust Area.	Sonja Zupanec		In Progress

31-Jan-2023

Activity	Responsibility	Dates	Status
1 request staff to create a work plan for LTC consideration that will outline the next steps in the Gambier Island Official Community Plan and Land Use Bylaw Targeted Review Project.	Sonja Zupanec		In Progress

Follow Up Action Report

Gambier Island

31-Jan-2023

Activity	Responsibility	Dates	Status
2 set up an introductory meeting with MOTI as soon as possible via zoom. <i>Wil to follow up with Trustee Stamford for contact information.</i>	Wil Cottingham		In Progress

14-Mar-2023

Activity	Responsibility	Dates	Status
1 That, per Local Government Act Section 512(2), the Gambier Island Local Trust Committee waive Regulation 8.6(1) Gambier LUB requirement to meet the minimum 10% lot frontage on a highway, for "Proposed Lot 11" and the proposed "Community Lot" in the subdivision proposal sketch for GM-SUB2022.2.	Margot Thomaidis Nadine Mourao		Completed
2 Trustee Stamford to follow up with Fresh Water Specialist, William Shulba, about the Islands Trust Area Aquifer Conceptualization Project as it relates to Howe Sound.	Kate-Louise Stamford William Shulba		In Progress

20-Jun-2023

Activity	Responsibility	Dates	Status
1 Issue Development Variance Permit GM-DVP-2022.4	Chloe Straw Nadine Mourao Stephen Baugh		Completed

Follow Up Action Report

Gambier Island

20-Jun-2023

Activity	Responsibility	Dates	Status
2 Bylaw staff to prepare a staff report that will review current policy (from SSI, Galiano and N. Pender) and consider new options for the LTC regarding bylaw stop work options (e.g. compliance deadline).	Warren Dingman	Target: 17-Oct-2023	In Progress
3 Planning staff to follow up with SCRD staff re. status of applying for the retroactive DP for well drilling in the DPA on Keats. <i>SCRD waiting on MOTI (property owner) to complete and sign final portion of the DP application. RAPR report complete.</i>	Marlis McCargar		Completed
4 Staff to provide clarity on the following statement as appears in the draft March 14 LTC Meeting Minutes regarding GM-SUB-2022.2 " <i>Road would not be built from Cotton Bay Road down to the water, but there would be a twenty metre public right-of-way, with a usable surface to allow the public to access Cotton Bay, the community lot, and the community dock that already exists.</i> " Is the bolded section correct?	Margot Thomaidis		In Progress
5 Keats Island Proposed Bylaw Nos. 153/154 Memo: ·complete edits as discussed by the LTC at the June 20, 2023 meeting; ·Staff to email memo to LTC once edits are complete; ·post memo to Gambier projects page; and ·include link to memo in the July 21 CIM event information on website	Marlis McCargar Wil Cottingham		Completed

Follow Up Action Report

Gambier Island

20-Jun-2023

Activity	Responsibility	Dates	Status
6 Staff to provide public communication regarding the GM OCP/LUB project that reviews past and future opportunities for public input as well as an outline for FN engagement (to differentiate between FN and community engagement) to be sent out via email to GM residents. Update the website to include new communication materials.	Sonja Zupanec		In Progress
7 Advertise for expressions of interest for the GM APC for the purposes of the GM OCP/LUB process	Chloe Straw Sonja Zupanec		Completed
8 LTC deferred the Request for Decision on FOI Bylaw. Request that staff provide a backgrounder and a presentation on the Freedom of Information and Protection of Privacy Bylaw at the Oct. 17 LTC Meeting.	David Marlor Nadine Mourao	Target: 17-Oct-2023	In Progress
9 the Gambier Island LTC approves the text (as written in the Request for Decision) for inclusion in the 2022/23 Annual Report.	Morgana van Niekerk		Completed



REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** June 20, 2023
From: David Marlor, Director, Legislative Services **Date Prepared:** June 8, 2023
SUBJECT: Freedom of Information and Protection of Privacy Bylaw

RECOMMENDATION:

1. That Gambier Island Local Trust Committee Bylaw No. 157, cited as “Gambier Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 157, 2023” be given first, second and third reading.
2. That the Gambier Island Local Trust Committee Bylaw No. 157, cited as “Gambier Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 157, 2023” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

DIRECTOR OF PLANNING SERVICES COMMENTS: The draft Freedom of Information and Protection of Privacy bylaw is in line with current legislation and Schedule of Fees.

1 PURPOSE:

To adopt the new Freedom of Information and Protection of Privacy bylaw and model bylaw to bring them in line with updated legislation.

2 BACKGROUND:

On November 25, 2021, the Government of British Columbia enacted Bill 22 bringing into force significant amendments to the *Freedom of Information and Protection of Privacy Act*. The *Act* governs how public bodies collect, use and disclose the personal information of individuals.

The current local trust committee freedom of information and protection of privacy bylaws have been unchanged since they were adopted in 1994. Since that time, amendments have been made to the *Act*, as well as fees updated.

At its regular business meeting June 21 to 23, 2022, Trust Council adopted a model Freedom of Information and Protection of Privacy Bylaw, and passed the following resolution:

That Trust Council request all local trust committees to consider adoption of a new Freedom of Information and Protection of Privacy bylaw based on the model bylaw.

Staff has drafted a new Freedom of information and Protection of Privacy Bylaw for each Island Local Trust Committee based on the adopted model bylaw.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Minimal staff time to update material on the website.

FINANCIAL:

Fees incurred can be charged current amounts for actual costs and reflect charges for various media formats, including digital records.

POLICY: N/A

IMPLEMENTATION/COMMUNICATIONS:

Staff would update the Islands Trust website with the new bylaws.

FIRST NATIONS:

There is no impact on First Nations on the adoption of the new Freedom of Information and Protection of Privacy bylaw and model bylaw.

OTHER:

There are no other implications of the recommendation.

4 RELEVANT POLICY(S): N/A

5 ATTACHMENT(S):

1. Gambier Island Local Trust Committee – Freedom of Information and Protection of Privacy Bylaw No. 157

Alternative:

1. That draft Bylaw No. 157 be amended, and be read a first, second and third time. In this case, any amendments not consistent with the model would be reviewed by the Executive Committee to ensure they do not cause a financial burden to the organization.
2. That this report be referred back to staff for additional information.

Submitted By:	David Marlor, Director, Legislative Services	March 6, 2023
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	June 8, 2023

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY BYLAW NO. 157

A Bylaw to designate the head of the Gambier Island Local Trust Committee for the purposes of, and to set fees under, the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended.

GIVEN THAT:

- A. Section 77(a) of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended (the "Act"), gives the Gambier Island Local Trust Committee the authority to designate a person as the head of the Gambier Island Local Trust Committee for the purposes of the Act, and
- B. Section 77(c) of the Act gives the Gambier Island Local Trust Committee the authority to set any fees the Gambier Island Local Trust Committee requires to be paid under section 75 of the Act,

THE GAMBIER ISLAND LOCAL TRUST COMMITTEE ENACTS AS FOLLOWS:

Citation

- 1. This bylaw may be cited as "Gambier Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 157, 2023".

Definitions and Interpretation

- 2. In this Bylaw:

"Act"	means the <i>Freedom of Information and Protection of Privacy Act</i> , RSBC 1996, Chapter 165, as amended.
"Commercial Applicant"	means a person who makes a request for access to a record to obtain information for use in connection with a trade, business, profession or other venture for profit.
"Head"	means the person designated under Section 3 of this Bylaw as the head of the of the Gambier Island Trust Committee for the purposes of the Act.
"Request"	means a request for information under Section 5 of the Act.
"Records"	includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.

PROPOSED

Designation of Head

3. The person from time to time appointed to the position of Secretary of the Islands Trust is designated as the Head of the Gambier Island Local Trust Committee for the purposes of the Act.
4. The person from time to time appointed to the position of Deputy Secretary of the Islands Trust and the person from time to time appointed to the position of Deputy Treasurer of the Islands Trust, each are authorized to perform any duty or exercise any function of the Head who is designated under Section 3.

Policies and Procedures

5. The Heads authorized to perform the duties of the Head shall operate in accordance with the Act and the Freedom of Information and Protection of Privacy policies, guidelines, and procedures, as set by the Islands Trust Council from time to time.

Fees

6. The fees that are payable by applicants under the Act are those set out in Schedule A to this bylaw.

Interpretation

7. Any word or expression used in this bylaw that is not defined in this bylaw has the meaning given to it in the Act on the date of final adoption of this bylaw.

Repeal

8. "Gambier Island Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 57, 1994", is hereby repealed and replaced by this bylaw.

READ A FIRST TIME this _____ DAY OF _____, 2023

READ A SECOND TIME this _____ DAY OF _____, 2023

READ A THIRD TIME this _____ DAY OF _____, 2023

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____, 20__

ADOPTED THIS _____ DAY OF _____, 20__

Chairperson

Secretary

PROPOSED

**Gambier Island Local Trust Committee
Freedom of Information and Protection of Privacy
Bylaw No. 157 - Schedule 'A'**

Schedule of Maximum Fees

Item	Description of Services		Fees	
1	(a)	Application Fee	\$10.00 (non-refundable)	
	(b)	An applicant's request for his/her own personal information is not subject to any fees.		
2	For applicants other than commercial applicants:			
	(a)	for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours	
	(b)	for producing a record manually	\$7.50 per ¼ hour	
	(c)	for producing a record from a machine readable record from a server or computer	\$7.50 per ¼ hour for developing a computer program to produce the record	
	(d)	for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour	
	(e)	for shipping copies	actual costs of shipping method chosen by applicant	
	(f)	for copying records		
		(i)	floppy disks	\$2 per disk
		(ii)	CDs and DVDs, recordable or rewritable	\$4 per disk
		(iii)	computer tapes	\$40 per tape, up to 2 400 feet
		(iv)	microfiche	\$3 per fiche
		(v)	microfilm duplication	\$25 per roll for 16mm microfilm \$40 per roll for 35mm microfilm
		(vi)	microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
		(vii)	photographs, colour or black and white	\$5 to produce a negative
				\$12 each for 16" x 20" photograph
				\$9 each for 11" x 14" photograph
				\$4 each for 8" x 10" photograph
			\$3 each for 5" x 7" photograph	
(viii)		photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")	
(ix)	dot matrix, ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")		
(x)	dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")		
(xi)	scanned electronic copy of a paper record	\$0.10 per page		
(xii)	photomechanical reproduction of 105 mm cartographic record/plan	\$3 each		

PROPOSED

		(xiii)	slide duplication	\$0.95 each
		(xiv)	audio cassette tape (90 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
		(xv)	video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
3	For commercial applicants for each service listed in Item 2			the actual cost to the public body of providing that service



DATE OF MEETING: August 29, 2023
TO: Gambier Island Local Trust Committee
FROM: Warren Dingman Bylaw Compliance & Enforcement Manager
SUBJECT: Policy options for Bylaw Enforcement Compliance on unlawful uses

RECOMMENDATION

1. That the Gambier Island Local Trust Committee adopt the following policy on unlawful land uses and planning applications:
 - a) *Where an application is received and a use is continuing in contravention of a land use bylaw, staff are directed to request that the applicant cease the use prior to processing the application, and staff are directed to continue with enforcement until the use is ceased.*
 - b) *The applicant may request that the Local Trust Committee proceed with consideration of the application while the use is continuing; and, where the Local Trust Committee considers there is a community need to process the application while the prohibited use is continuing, the Local Trust Committee may direct that bylaw enforcement actions, including the issuing of notices, cease.*
 - c) *Where the Local Trust Committee does not consider that there is a community need, or the applicant has not made such a request of the Local Trust Committee, bylaw enforcement actions, including the issuing of notices will continue.*
 - d) *In deciding whether to grant land use approval for a use that was commenced in contravention of a land use bylaw, the Local Trust Committee may consider whether the applicant has suspended the prohibited land use pending a decision on the application.*

REPORT SUMMARY

The recommendation is that enforcement continue where there are unlawful land uses on properties subject to complaint, even if an application has been made, unless the use ceases or an applicant has received permission from the Local Trust Committee to continue operating. This policy has been adopted by Salt Spring, North Pender, and Galiano Local Trust Committees, and it provides clear direction to staff and applicants on how these applications are to be processed, and when non-permitted uses can continue.

BACKGROUND

At the June 20, 2023 meeting, the Gambier Island Local Trust Committee adopted the following resolution:

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

This resolution was adopted after concerns were raised by members of the public in regards to circumstances in which a property owner had submitted a planning application in an attempt to bring their property and the unlawful uses into compliance, but that the unlawful uses continued.

Long standing bylaw enforcement practice has been to suspend enforcement on those properties where the owner has submitted a planning application. This approach was adopted by bylaw staff as a means to allow those owners subject to complaint a reasonable amount of time to comply, and allow them to present a plan or application to a Local Trust Committee for consideration.

The position of bylaw staff has been that it would be unreasonable to force a property owner to cease a use that could become lawful in a relatively short amount of time. There has also been the concern that the courts would view the forced shut-down of a use, especially of a commercial business, as unreasonable if there was a reasonable likelihood of success of an application.

ANALYSIS

The current enforcement approach, outlined in the ***Bylaw Compliance & Enforcement Best Practices & Procedures*** manual, has worked well for the majority of instances as most property owners work in good faith to achieve compliance with the Land Use Bylaw (LUB) and the Official Community Plan. The current policy is to request compliance within 90 days of the confirmation of a contravention. In regards to stop work orders, Islands Trust Bylaw Officers do not have the authority to issue any stop work orders. Demand letters can be forwarded but they are not legal orders.

There have been some enforcement files in the Trust Areas as a whole where applications have been under review for years at a time. At times, multiple applications have been made in an attempt to avoid enforcement as the property owner knows that enforcement will be suspended with the submission of a planning application.

To inform the drafting of options, staff obtained advice from legal counsel. The legislation and case law is clear that owners have the right to make an application; that the LTC must consider applications; that the LTC has full discretion on whether or not it wishes to approve certain planning applications; but that the LTC may place discretionary applications in abeyance for a period of time to encourage an applicant to comply with the regulations. This approach can be considered for discretionary approvals (rezoning, temporary use permits, or development variance permits), but the LTC has limited discretion in considering development area permit applications if the application has met all the criteria set out in the Official Community Plan.

Policy/Regulatory

Bylaw Compliance and Enforcement Officers have been working under a policy established in the ***Bylaw Compliance & Enforcement Best Practises & Procedures*** manual. The policy states the following:

9.1 If an administrative application such as a land use variance application has been submitted by the Respondent and there is a reasonable likelihood of success, the BCEO will refrain from enforcement during the application process.

Islands Trust Council Policy:

There are no Trust Council policies regarding ceasing enforcement and placing the file in abeyance while administrative or planning applications have been submitted and are being processed.

Official Community Plan:

There are no goals or policies regarding bylaw compliance and enforcement in the Official Community Plan.

Land Use Bylaw:

The Gambier Island Land Use Bylaw No. 86 (LUB) states the following in regards to compliance:

2.2 Conformity

(1) No person may use or occupy or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.

(2) No person may construct, reconstruct, place, alter, extend or maintain any building, structure or sign except as permitted by this Bylaw.

(3) Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.

The LUB states that there shall be compliance with its regulations. It does not contain any provisions for the delaying of enforcement when there is non-compliance, nor does it state that enforcement should be placed in abeyance when considering applications.

Issues and Opportunities

There has been concern from complainants about the current policy of non-enforcement while the LTC is considering planning applications. While the majority of property owners subject to complaint are cooperative and bring their properties into compliance in a relatively short amount of time, there have been instances where the process has become drawn out. Complainants have stated in these circumstances that enforcement should proceed and the unlawful uses cease when there are such long delays. This is a reasonable point of view considering that the LUB requires compliance, and there may be detrimental effects to allowing unlawful uses to continue.

The proposed policy would:

1. Direct staff (bylaw compliance and enforcement staff and planning staff) to initially inform owners that the unlawful use should cease while an application is being considered. This will enable staff to provide clearer options for owners, such as filing an application to avoid bylaw enforcement actions.
2. Provide an option for the LTC, upon request from the applicant, to direct staff to refrain from issuing bylaw enforcement notices while the use is on-going to allow for circumstances of clear community need.
3. Direct bylaw enforcement staff to continue enforcement (primarily the issuing of bylaw notices) until the applicant ceases the use.
4. Finally, the policy would allow staff to make clear to applicants that the LTC will consider whether or not the use has ceased in its consideration of the application.

Rationale for Recommendation

In order for the integrity of the LUB to be maintained, enforcement action is still necessary in certain cases in which owners have made applications to comply. Adopting a policy that states bylaw enforcement will continue while applications are being considered is not unreasonable, especially when non-enforcement may encourage the size and scale of non-permitted uses to be increased. Other Local Trust Committees have adopted the recommended policy and established that they are the authority that can permit, or not permit, land use activities within their area of jurisdiction.

ALTERNATIVE RECOMMENDATIONS

1. Request further information.

That the Gambier Local Trust Committee request that a more complete review of the current bylaw enforcement files so that they can consider whether the enforcement policy should be changed if relatively few files are affected.

2. Request an enforcement policy for compliance deadlines.

That the Gambier Local Trust Committee direct staff to prepare a report and standing resolution that establishes the time that would be given to comply before a bylaw violation notice is issued or legal action taken.

3. Receive for information.

That the Gambier Island Local Trust Committee receive the report for information only.

Submitted By:	Warren Dingman, Bylaw Compliance & Enforcement Manager	August 15, 2023
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	August 20, 2023



DATE OF MEETING: August 29, 2023
TO: Gambier Island Local Trust Committee
FROM: Marlis McCargar, Island Planner
Northern Team
SUBJECT: Temporary Use Permit – Short-term Vacation Rental
Applicant: Jinyoung Kim
Location: 670 Andy's Bay Road, Gambier Island

RECOMMENDATIONS

1. That the Gambier Island Local Trust Committee request staff to continue processing application GM-TUB-2023.1 for decision.
2. That the Gambier Island Local Trust Committee request that the applicant cease the non-permitted uses on the subject lot until the LTC has approved or denied issuance of the Temporary Use Permit.
3. That the Gambier Island Local Trust Committee request Bylaw staff to proceed with enforcement action if the non-permitted uses do not cease.
4. That the Gambier Island Local Trust Committee requests that the applicant for GM-TUP-2023.1 (Kim) provide the following information prior to the Local Trust Committee's consideration of the Temporary Use Permit:
 - a) a copy of an assessment report and design recommendations prepared by a qualified professional engineer, with expertise in wastewater treatment for domestic systems to confirm the property is capable of supporting a sewage disposal system for the proposed commercial residential uses;
 - b) a copy of an assessment report and recommendations prepared by a qualified professional hydrogeologist, to confirm the aquifer is capable of supporting the proposed commercial residential uses with no adverse effects on adjacent existing groundwater users;
 - c) a copy of a water quality test to ensure a safe source of water is available;
 - d) a waste disposal plan.

REPORT SUMMARY

The purpose of this report is to introduce an application for a Temporary Use Permit (TUP) that would allow short-term vacation rentals within a single family dwelling, an accessory dwelling, two tent sites and a Recreational Vehicle (RV). The applicant is also proposing a small concession and the rental of non-motorized watercrafts at 670 Andy's Bay Rd. There are currently no active Temporary Use Permits for short-term vacation rentals on

Gambier Island. However, temporary overnight accommodation is permitted without a TUP, within a single family dwelling, provided it meets the home occupation regulations outlined in the Land Use Bylaw.

The application has the potential to meet the general conditions for short-term commercial use TUP applications from the Gambier Island Land Use Bylaw and the Visitor Accommodation policies in the Official Community Plan pending sewerage disposal, groundwater feasibility and specific TUP conditions.

Based on the information contained in this report, staff are seeking direction from the LTC on whether to proceed further with processing the application. If the LTC decides to proceed further, staff are recommending that further reports are needed to accurately assess the impact of the proposed use. In addition, the short-term vacation rental will cease operation on the site until the LTC has made a final decision on issuance of the TUP.

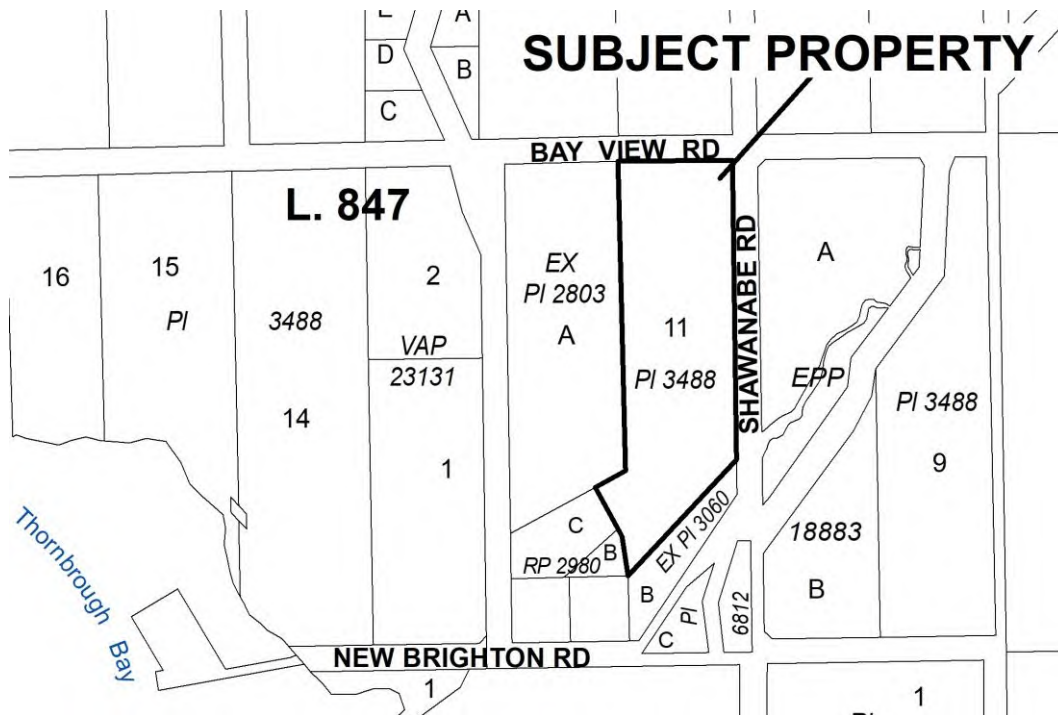
BACKGROUND

This application is proceeding as a result of a bylaw enforcement file that was opened in 2023. The property was used as a short-term vacation rental for a period of approximately 18 months before a bylaw enforcement file was opened (complaint-driven) and the owner was advised that a TUP or a rezoning is required to allow a short-term vacation rental operation on the property. The owner/operator has continued the use over the summer months and has made this TUP application seeking approval of the proposed use to continue the short-term vacation rental legally.

The applicant is proposing short-term vacation rental in a single family dwelling, an accessory dwelling, two tent sites and a RV on the 7.5 acre property at 670 Andy's Bay Road. The maximum number of guests on site proposed is 14 with an additional 2 employees. The applicant is also proposing a small concession in a renovated shed and the rental of non-motorized watercrafts.

Planning staff conducted a site visit on July 21, 2023 and noted a main dwelling, accessory dwelling, two tents, an RV, three small accessory buildings (storage shed, garden shed and sauna). There was some tree clearing and trail development throughout the property, a large clearing and an excavator on site. Staff also noted non-motorized watercrafts as well as a number of potentially derelict motorized watercrafts on the subject property (site photos included in Attachment 8).

The applicant has provided a summary of their proposed use (Attachment 4) as well a baseline professional report, as part of the TUP application, to confirm the condition of existing sewage disposal (Attachment 5). The applicant is currently working with professionals to assess the groundwater to demonstrate the site conditions can support the proposed temporary uses. Additional reports on these matters will be provided to planning staff and the LTC at a future date. The applicant has also provided a package of information that will be available to guests (Attachment 7).



Orthophoto of subject property and surrounding area

ANALYSIS

Islands Trust Policy Statement:

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

Official Community Plan:

Official Community Plan (OCP) policies were reviewed and the relevant commercial visitor criteria are included as Attachment 2 of this report.

OCP General Policy 3.1 stipulates:

In the review or revision of any Plan, policy, regulation or permit relating to proposed land use the Local Trust Committee should consider the following:

- i. soil conditions with regard to their: stability for development; drainage capability for run off; slope and topography for building site selection; ability to absorb effluent;
- ii. the adequacy of potable water to support the proposed development, including from dug or drilled well, watercourse, cisterns or other water storage devices;
- iii. the impact of new development on the quality and quantity of water supplies of neighbouring properties;
- iv. the impact of any new development on existing public services and infrastructure and the ability to accommodate any deficiencies in such services or infrastructure at minimum public cost;
- v. the location of future land uses so that their appearance and impact are compatible with and do not degrade or otherwise negatively impact the natural environment, community resources, and the character of existing land uses;
- vi. the protection of sensitive ecosystems, ecological values and wildlife and fisheries habitats, especially in inter-tidal, estuarine, stream and riparian areas, in accordance with the current published guidelines that provide for protection including riparian guidelines as expressed in the Forest Practices Code, the Fish Protection Act and other guidelines published by the provincial and federal governments;
- vii. clustering outside the present areas of settlement development should be encouraged so as to maintain substantial areas of greenbelt between developments;
- viii. land disturbance, site clearing, or road building that is detrimental to the use or enjoyment of properties or to the environment should be kept to a minimum in any land development;
- ix. the rate or type of development and the ability to respond to change without significant negative social impacts

Pertinent OCP Objectives related to visitor accommodation as an economic activity on Gambier Island are as follows:

- Objective 5.1 to allow appropriate small-scale commercial activity to serve existing local needs provided the activity is located in a manner which does not negatively affect the surrounding neighbourhood or the natural environment
- Objective 5.3 to allow a limited number of small scale commercial visitor accommodation outlets catering to the needs of persons visiting the Gambier Island Planning Area provided they are located in a manner which does not negatively affect the surrounding neighbourhood or the natural environment;

The following policies pertain to visitor accommodation uses:

- Policy 5.4 Temporary overnight accommodation, which is a home occupation use that may be permitted in residential designations, is recognized as the preferred means of providing for the accommodation needs of visitors to the planning area.
- Policy 5.5 Locations for potential small-scale commercial visitor accommodation outlets have not been identified on Schedule B. The Local Trust Committee would have to consider the designation of areas, as an amendment to this plan in response to an application, before zoning for small-scale commercial visitor accommodation could be considered.

Land Use Bylaw:

Land Use Bylaw (LUB) regulations were reviewed and the relevant TUP General Conditions are included as Attachment 3 of this report.

3.7 Home Occupation Regulations

Occupations or professions that extend beyond the home occupation regulations outlined in Section 3.7 of the Gambier Island Use Bylaw, No. 86 are subject to issuance of a Temporary Use Permit (TUP).

The applicant is proposing overnight accommodation above and beyond what is permitted in the Land Use Bylaw. For example, temporary overnight accommodation will be located in an associated secondary dwelling, concession items produced off site will be sold and the maximum number of guest bedrooms will exceed four and therefore, a Temporary Use Permit is being sought to allow the uses.

Pertinent regulations related to permitted overnight accommodation are as follows:

- (b) The home occupation may be conducted in a dwelling, associated secondary dwelling or accessory building on the lot, except that temporary overnight accommodation must not be located within an accessory building on the lot.
- (d) The maximum number of non-resident employees is two.
- (g) Products sold on the premises shall be limited to those products produced on the lot where the home occupation is located or related to those products produced on the lot.
- (h) The maximum number of guest bedrooms for temporary overnight accommodation is four.

10.2 Temporary Use Permit Area No. 2

Land located in the Settlement Residential (SR) and Rural Residential (RR) Zones is designated a Temporary Use Permit area for short-term commercial use and short-term light industrial use that:

- a. is related to public road or public building construction or maintenance projects, or
- b. exceeds the regulations for home occupations and is for the benefit of the Gambier Island community.

The subject property is located within the Settlement Residential (SR) zone which does not permit short-term vacation rental, thus a Temporary Use Permit is being sought to allow the use.

Issues and Opportunities

The applicant has provided some information to support the proposed use. This includes providing supporting information to show:

- Existing sewerage system and compliance report
- On-site operations manager available 24 hours per day, 7 days per week
- Guest information package that outlines garbage and recycling policy, noise abatement, fire safety, etc.

Temporary Use Permit

A Temporary Use Permit (TUP) is a short-term and temporary rezoning for a limited timeframe. A TUP may be issued for any term up to a maximum of three years and may be extended once for up to an additional three years. A TUP allows the applicant, the LTC and the community the ability to monitor the impact of a use before committing to a permanent rezoning process. Staff note that issuance of a TUP should not be interpreted as support for a permanent zoning change. Section 493 of the Local Government Act enables the LTC to issue TUPs for the following purposes:

- a. to allow a use not permitted by a land use bylaw for a limited time;
- b. to specify conditions under which the TUP may be carried on; and
- c. allow and regulate the construction of buildings or structures in respect of the use for which the permit is issued.

Given that the LTC has the ability to set specific conditions through the TUP, the permit conditions could include, but are not limited to:

- the maximum number of guests;
- requirements for an on-site operations manager;
- providing detailed guest information regarding noise bylaws, septic care, control of pets, garbage and recycling, etc.;
- fire safety and wildfire management plan;
- landscape screening; and
- prohibition on the rental or provision of motorized personal watercraft to guests.

Public Correspondence

At the time of writing this report, staff have received 63 pieces of correspondence regarding this TUP application request. This includes 62 pieces of correspondence in opposition and one piece of correspondence in support, provided the proposal has sufficient water and septic capacity. The correspondence that has been received may be viewed in the [Current Applications](#) section of the Gambier Local Trust Area website. Communications may be received before or during the LTC meeting on August 29, 2023 and should be sent to northinfo@islandstrust.bc.ca.

The main concerns outlined in the correspondence consist of:

- Scale of development
- Sewerage system capacity and efficacy
- Impact on local water aquifer
- Impact on neighbours related to noise and privacy
- Lack of consultation with community
- Need for a garbage and recycling management plan
- Impact on New Brighton Dock and ferry
- Continued operation in contravention of local bylaws
- Fire safety risk
- Lack of emergency medical care, fire department or policing
- Conscientiousness of guests in the unique island community and delicate ecosystem
- Guests trespassing on private property

- Impact on sensitive riparian ecosystem and wildlife
- Rental of personal watercrafts
- Lack of an on-island site manager or emergency contact
- Commercialization of Gambier Island

Groundwater Management and Water Licensing

The existing residential uses are serviced by two onsite wells. The applicant has not provided a copy of an assessment report with recommendations prepared by a qualified professional hydrogeologist, to confirm the aquifer is capable of supporting the proposed commercial and residential uses with no adverse effects on adjacent existing groundwater users. Nor has the applicant provided a water quality test. As a result staff are unable to conduct an analysis on groundwater quality or availability. The applicant has indicated that they are working to get this information to staff and require more time.

The *Water Sustainability Act* (WSA) outlines licensing requirements for use of groundwater for non-domestic purposes, the proposed use of a short-term vacation rental will require an application for a groundwater license. Staff have informed the applicant of this Provincial requirement and made the applicant aware that the province regulates groundwater and advised them to follow the advice of Provincial Natural Resource Staff with regards to groundwater licensing requirements for the proposed short-term vacation rental on the subject property. At the time of writing this report the applicant has not made an application for a groundwater license.

Should the LTC direct staff to proceed processing the application, staff recommend that the LTC request confirmation of adequate water quality and quantity to support the application, which could then also be used to support a future application for a groundwater license.

Sewage Disposal

The existing residential uses are serviced by two onsite septic systems. Recent investigation by a professional as documented in the Existing System and Compliance Report (Attachment 5) indicates that the existing system requires some repairs and maintenance to support the existing use. The applicant has indicated they intend to proceed with Option 1, as outlined in the Report. Any new residential uses would likely trigger the need for an expansion to the existing system or a new onsite sewage disposal system; however further analysis by a professional engineer would need to be undertaken to understand the scale of expansion needed. It is staff understanding, that the report provided by the applicant illustrates the upgrades needed to support the principal and accessory dwelling. It is not clear how the tent and RV sites would be serviced.

Should the LTC direct staff to proceed with processing the application, staff recommend the LTC request from the applicant a copy of an assessment report and recommendations prepared by a qualified professional engineer, with expertise in wastewater treatment for domestic systems, to verify that the site can accommodate a sewerage system for the all the intended commercial residential uses.

Rental of Non-Motorized Watercrafts

Rental of personal watercrafts, all terrain vehicles, motorcycles or limited speed motorcycles are prohibited in all zones on Gambier Island. The applicant is proposing the rental of kayaks and paddleboards for guest use. The LTC has the option to prohibit this or include specific conditions regarding the type or number of the rentals permitted in the TUP.

Concession

The applicant is proposing to renovate an existing shed building to provide a concession stand that will sell baked goods, snacks, and travel-size personal care products to guests. The subject property is not zoned for commercial use, the LTC has the option to prohibit this or include specific conditions regarding the commercial use in the TUP.

Waste Disposal Plan

Gambier Island does not have a public waste disposal facility nor does it have a regional district curb side collection program. Residents are required to dispose of their waste off island. The proposed short-term vacation rental use has the potential to generate a large amount of garbage and recycling. The LTC may want to consider requiring the applicant to develop a waste disposal plan that will ensure waste is being disposed of properly.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. As reviewed, the application is consistent with respect to LTC Standing Resolutions on reconciliation. Notwithstanding, to provide applicants with awareness regarding unknown archaeological areas, staff forwarded the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on Heritage Act directly to the applicants.

Rationale for Recommendation

Given the community impact and potential for environmental harm caused by a septic system failure and groundwater feasibility, staff are recommending that operations cease until there is a decision made by the LTC regarding issuance of a TUP. Staff have identified the necessary information required from the applicant to address groundwater feasibility, water quality and sewerage disposal capacity. The staff recommendations are found on page 1 of this report.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee request further information prior to making a decision on Temporary Use Permit application GB-TUP-2023.1 [specify required information].

2. Proceed no further

The LTC may choose to proceed no further with the application based on considerations in this staff report. If this alternative is selected, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee proceed no further with application GM-TUP-2023.1 for the follows reasons [insert reasons].

3. Hold the application in abeyance

The LTC may choose to hold the application in abeyance pending completion of a significant study, environmental assessment, etc.

4. Receive for information

The LTC may receive the report for information and defer consideration to a future LTC meeting date.

NEXT STEPS

Should the LTC concur with staff's recommendations, staff will advise the applicant to submit the final reports and continue processing the application. Staff would conduct further analysis based on the reports submitted and bring back a staff report and draft Temporary Use Permit to a subsequent LTC meeting.

Submitted By:	Marlis McCargar, Island Planner	August 16, 2023
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	August 17, 2023

ATTACHMENTS

1. Site Context
2. OCP Policy Criteria
3. TUP General Conditions
4. Letter of Intent
5. Existing Septic System and Compliance Report
6. Site Plan
7. Guest Information
8. Site Photos

ATTACHMENT #01 – SITE CONTEXT GM-TUP-2023.1 (STVR AND CAMPGROUNDS)

LOCATION

Legal Description	AMENDED BLOCK 11 (SEE 107622L), EXCEPT PORTIONS IN EXPLANATORY PLANS 3020 AND 3060, DISTRICT LOT 847 PLAN 3488
PID	012-825-948
Civic Address	670 ANDY'S BAY RD GAMBIER ISLAND BC V0N 1V0

LAND USE

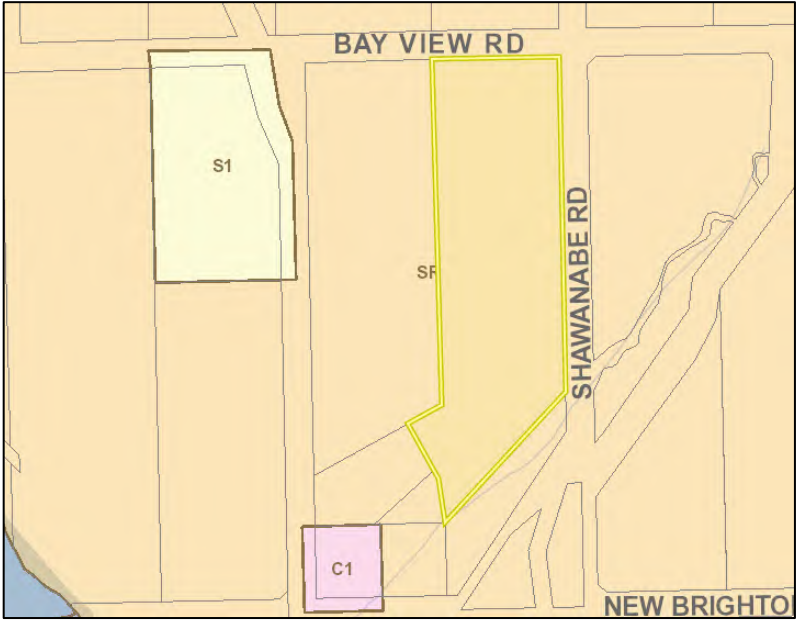
Current Land Use	The property is currently used for residential purposes, as well as STVR and campground without TUP. According to a site inspection, the site contains two yurts, one sauna, one garden shed, one storage shed and two dwellings – one principal and one secondary dwelling.
Surrounding Land Use	Residential land use immediately adjacent to the property on all sides. Gambier Community Centre located ~100m to the West. Area of zoned local commercial use to the South-West.

HISTORICAL ACTIVITY

File No.	Purpose
	N/A

POLICY/REGULATORY

Official Community Plan Designations	Settlement Residential (SR) The property is within Development Permit Area No. 3 (Riparian Areas).
Land Use Bylaw	The property is zoned Settlement Residential (SR) From the Gambier Island Land Use Bylaw No. 86, section 5.1: (1) The following uses are permitted, subject to the regulations set out in this Section and Part 3, and all other uses are prohibited: (a) Single family residential use; (b) Associated secondary dwelling use; (c) Domestic agriculture; (d) Agriculture; (e) Accessory uses including but not limited to home occupations.

	From the Gambier Island Land Use Bylaw No. 86: 3.6 Accessory Uses, Buildings and Structures (1) Accessory buildings must not be used for temporary overnight accommodation. 
Other Regulations	None
Covenants	N/A
Bylaw Enforcement	GM-BE-2023.1 – Short term vacation rental and campground on site without permit.

SITE INFLUENCES

Islands Trust Conservancy	There are no ITC covenants or properties in the direct area. Referral to ITC is not required.
Regional Conservation Plan	The Regional Conservation Plan 2018-2027 estimated importance of habitat composition in the area of the subject property is Low to Medium. This application is not inconsistent or contrary to the goals and objectives set out in the ITC Regional Conservation Plan.
Species at Risk	None mapped
Sensitive Ecosystems	None mapped The property is within the Riparian Area development permit area.
Hazard Areas	None mapped
Archaeological Sites	None mapped

	Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Possible impacts of tourism for the STVR include increased GHG emissions due to traffic, as well as increased use of energy and depending on the number of guests.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	N/A

ATTACHMENT 02 – OCP POLICY CRITERIA

OCP Policy 5.5

Criteria to be considered for small-scale commercial visitor accommodation should include:

Guidelines	Complies	Planner Comments
i. the size of development proposed would be in keeping with the current scale of development in the planning area, but the number of permitted sleeping units would be greater than the number of bedrooms permitted in temporary overnight accommodation;	yes	Applicant is requesting a maximum of 14 guests and 2 employees in a single family dwelling, accessory dwelling, two tent sites and a RV. This scale of development is an increase from the surrounding single family homes. The large property size does allow it to keep with the residential nature of the area. The concession is small scale and limited to baked goods, snacks, and travel-size personal care products.
ii. the proposed use(s) would be complementary to and not detract from the range of uses already offered on the planning area;	yes	Any uses deemed to detract from the area could be limited as a condition of the permit. For example, conditions related to scale and number of guests permitted can be included as a condition of the permit.
iii. the design and site layout can be well integrated into the land use pattern;	yes	There are no changes being proposed to the site layout. It is residential with a forested area to the north and a creek running on the east side of the property. There has been some tree clearing in the centre of the property.
iv. sewer and water services shall be provided on the parcel;	no	At this time, the applicant has not provided a well report for the two wells on-site. They have indicated that they are working on getting the required reports. The applicant has provided a septic inspection and compliance report completed by a Registered Onsite Waste Water Practitioner (ROWP) from Bonniebrook Industries. The applicant has indicated they will make the required upgrades outlined in the report to support the existing use.
v. the envisioned business can reasonably be supported by the planning area's resident and visitor population; and	no	Staff have received over 60 letters from community members opposing the proposed development. Staff have received one letter in support of the proposed development.

vi.	the facility is intended to facilitate the visitor's enjoyment of the Gambier Island Planning Area's natural amenities without detracting from those amenities and is not a destination facility in and of itself.	yes	The applicant is proposing a medium-scale short term vacation rental business. The natural amenities of Gambier Island would be the draw not amenities provided at the resort.
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ATTACHMENT 3 – TEMPORARY USE PERMIT GENERAL CONDITIONS

Land located in the Settlement Residential (SR) and Rural Residential (RR) Zones is designated a temporary use permit area for short-term commercial use and short-term light industrial use that:

- a) is related to public road or public building construction or maintenance projects, or
- b) exceeds the regulations for home occupations and is for the benefit of the Gambier Island community.

GENERAL CONDITIONS FOR TUPs

Conditions	Complies	Planner Comments
a) Temporary light industrial uses should be avoided in environmentally sensitive areas shown on Schedules C and F of the Official Community Plan.	n/a	Not proposing industrial use.
b) Where a temporary use is proposed in an environmentally sensitive area an environmental assessment prepared by a qualified professional should be provided, including any recommended mitigation measures.	n/a	The proposed development is occurring 30m from the watercourse. The LTC has the option to require an environmental assessment.
c) For temporary uses accessed by a constructed public road, driveway access and on-site parking should be provided in accordance with the provisions of this Bylaw and the requirements of other agencies.	n/a	Guests will not have vehicles. There is driveway access through an easement off Andy's Bay Rd. The applicant is also proposing to clear a path that will offer an additional access off Bay View Rd.
d) Impacts on adjacent properties and neighbours should be reviewed and mitigated where necessary.	no	There are many concerns from neighbours including noise, garbage, increased pedestrian traffic, fire safety risk, trespassing, increased water usage and the impacts on the aquifer and septic system failure. It is unclear how the applicant proposes to mitigate these impacts.
e) Applications should be referred to the Gambier Island Advisory Planning Commission for development of recommendations to the Local Trust Committee	n/a	There is currently no Advisory Planning Commission for Gambier LTA. The LTC is in process of assembling an APC.
f) Approvals required from other agencies should be obtained prior to issuance of a temporary industrial use permit.	n/a	Not proposing industrial use.

LETTER OF INTENT – 670 ANDY’S BAY ROAD

Known for its scenic views and wildlife, Gambier Island is a popular day-trip destination to escape the hustle and bustle of everyday life for many. However, visitors are expected to be self-sufficient due to lack of available accommodation, food, and consumer products. Overnight stays have been challenging, if not inconceivable for the non-campers. To accommodate the growing interest in outdoor recreation and weekend retreats, we’d like to apply for a temporary use permit and the conversion of the residential dwelling units at 670 Andy’s Bay Rd to commercial short-term rental use.

With an approximate lot size of 7 acres, 670 Andy’s Bay Road (PID 012-825-948) contains a 2-storey principal dwelling, a sauna, a shed, and a deck for the landowner and occasional visitors. We’re proposing a change of use of the existing dwelling units and structures to commercial use. Minor renovations and repair work will take place, with their anticipated completion date being somewhere mid-October. The need for additional septic tanks and wells is being studied to accommodate the increased demand for clean water. Rainwater will be collected in pre-existing wells and be reused.

Our site is a 5-minute walk away from the New Brighton dock, providing a peaceful, secluded area to stay, surrounded by nature. We envision an overnight stay that is environmentally friendly and this 3-year temporary grant as an opportunity to explore ways make our services sustainable and encourage more economic activities. To start, all our lights will be of energy-efficient type and we’ll have our own waste disposal. We’ll continue to work with the community to have the neighbors’ and the jurisdiction’s support. An information package will be given to all visitors to make aware of the concerns. See attached.

We aim to bring in around 5-10 visitors per day, offering the place and the opportunity for local products and produce to be introduced. Our services will include amenities for light water activities such as paddleboarding, and kayaking. According to 2021 Statistics Canada, Gambier Island has a population of 430 persons. Within the said population, the age group is skewed towards seniors and employment opportunities for adolescents and young adults are restricted. Young local residents will have our employment preference and we will work closely with local businesses and organizations to promote Gambier Island as a tourism destination and contribute to the local economy wherever possible.

OCP BYLAW 73 DESIGNATIONS

Schedule B - Existing lot designated as Settlement Residential Zoning

Schedule C - Lot is outside of the Environment Sensitive Area.

Schedule D - Lot is outside the grounds of Roads, Trails, Parks and Crown land.

Schedule E - Lot is outside of Hazard Lands.

Schedule F - Lot is outside of watersheds and watercourse however closest watercourse runs 20m from southeast of the lot. Railing/fencing will be installed to prevent possible littering and contamination.

Schedule G - Lot is within development permit area No. 3 (Riparian Area).

- No work is to be done within 30m of a watercourse, and Riparian Area Regulation does not apply.

EXISTING BUILDINGS & USES

As aforementioned, the site contains a 2-storey principal dwelling, a sauna, a shed, and a deck for the landowner and occasional visitors. The lot contains two (2) existing septic tanks and two (2) wells as indicated on the included Site Plan.

- A. The principal dwelling is a 2-storey house with a total floor area of 2645sf and has three bedrooms, two full bathrooms, and two kitchens. The current use of this dwelling is for the principal residence of the landowner.
- B. Adjacent to the principal dwelling, is a bachelor suite consisting of a bedroom, a bathroom, and a kitchen. This space is enjoyed by landowner and/or friends and visitors for short-term stays.
- C. The sauna has a floor area of approx. 450sf and uses a firewood stove to generate heat.
- D. Within the lot, there is one shed with a floor size of approx. 400sf that is currently used for storing firewood and landscaping tools.

PROPOSED BUILDINGS & USES

We'd like to apply for temporary use of the referenced property to be utilized beyond the residential use and provide short-term rental/accommodation with amenities for the enjoyment of local residents as well as visitors of Gambier Island. All renovations will be done without changing the building footprint on site. No new buildings or structures are being proposed. To abide by the community plan, letters of support will be acquired from all neighbors and measures will be taken to prevent disruption of the natural environment. Minor interior alterations to the existing buildings and construction of new infrastructures are proposed. No work is to be done within 30m of any watercourses, wetlands, or ditches connected to a stream or dug pond.

- A. The existing 2-storey principal dwelling and bachelor suite will be used for short-term stays. At least one employee will be residing in the principal dwelling to oversee the operation and address any issues.
- B. The existing deck will be used to set up a tent for the visitors.
- C. The accessory dwelling (shed) will be renovated to be used as a "Cafeteria" that is actually a convenience store. Light refreshments (non-alcoholic) and various packaged items will be sold, such as baked goods, snacks, and travel-size personal care products. This convenience store will be open to the public, including the local residents as well as any visitors.

SITE ACCESS

Visitors will be advised to access the site via the rear North side of the property. Front South access requires visitors to trespass neighboring properties, possibly disturbing neighbors and compromising their privacy. As shown in the map below, main access to the site will be via New Brighton Rd, Andy's Bay Rd, and Bay View Rd, which will allow visitors to enter the rear North part of the site without disturbing neighbors. Due to the inconvenience and difficulty of bringing personal vehicles to Gambier Island for short-term stays, parking stalls are deemed unnecessary and not proposed in this TUP application.



IMPACTS TO NEIGHBORING PROPERTIES

Adjacent properties are private lands with dwelling units. To minimize impact to neighboring properties, below measures will be provided:

- 1) Garbage, recycling, and compost bins will be placed throughout the site.
- 2) Plantation and fencing will be placed around the site to deter trespassing neighboring properties and to mitigate invasion of privacy.
- 3) All visitors will be informed of prohibited activities (i.e., Loud music and open fire) and will be required to sign a waiver form not to cause disturbance, especially to the natural environment.

- 4) Rainwater will be collected and reused in wells in efforts to conserve water.
- 5) Energy-efficient lighting will be installed and visitors will be informed to have all lights out and minimize commotion after 9pm to respect the neighbors.
- 6) Letters of support will be acquired from neighboring properties, confirming adequate preventive measures are taken and corrective measures are in place.
- 7) Staff will be employed to make sure no dangerous or disturbing actions are taken. Preference will be given to residents as a new line of work opportunity in the Island which is in conjunction with Economic Activity Objective 5.6 to support local economy and enhance local employment.

Sera Chung
Director
Gambier Resorts
604-441-8963
gambierresorts@gmail.com

Wade Fitzgerald CD
ROWP OW0747
1327 Kearton Road, Gibsons, BC, V0N1V5
604-740-6740 cell

Jinyoung Kim
Gambier Island Resorts
670 ANDY'S BAY RD
PID: 012-825-948
Folio: 746.00973.000
Block: AMD 11
District Lot: 847
Plan: VAP3488
Approximate Lot Size: 7 ACRES

Date: 31 July 2023

RE: Existing System and compliance report

Myself and Employees of Bonnie Brook Industries did a site visit to do a preliminary inspection to determine what you had for septic on site and to establish an area to receive the next septic design requirements.

The following is what we have determined to be in the ground;

MAIN HOUSE:

1. Main floor is 1100 sq ft
 - a. Suite west side
 - i. 1 bathroom is west side suite
 - ii. Kitchen facility
 - iii. 1 Bedroom
 - b. Suite East side
 - c. Kitchen facility
 - d. 1 bathroom as an exterior access
2. 2ND floor 700 sq ft East Suite
 - a. 2 Bedrooms
 - b. 1 Bathroom

This main house has a 300 Imp Gal septic tank with no baffle on either the inlet or outlet of the tank. There is a run that can be seen running down the hill and terminates at a wet spot on the lower side of the house.

Cabin:

1. Main floor is 400 sq ft
 - a. 1 bathroom
 - b. Kitchen facility
 - c. 1 Bed in an open concept room

This Cabin has a 200 Imp Gal septic tank with no baffles on either the inlet or outlet of the tank. There is a run that can be seen running across the open area and terminates at the edge of the bank approx 50 feet away. The edge of the bank has at least a 15 degree slope that ends at a creek some 75 feet from the bank edge.

Upper Canvass Tent:

1. Main floor is approx. 120 sq ft on a wooden platform
 - a. no bathroom
 - b. outside Kitchen sink
 - c. 1 Bed in an open concept room

This sink drains onto the open ground.

RV Site:

This RV is a trailer that is approx. 26' long with one bedroom and one bathroom with a home flushing toilet that flushes directly into a 55gal barrel that is used as both the septic tank and a septic field.

Lower Canvass Tent:

1. Main floor is approx 120 sq ft on a wooden platform
 - a. no bathroom
 - b. outside Kitchen sink
 - c. 1 Bed in an open concept room

This tent sits on a wooden platform that is perched on the bank edge, the sink drains onto the slope of the bank.

To bring property up to Compliance

There are a few different ways you can go, the following are two examples you need to do to bring your property up to compliance.

1. Calculation based on everything you have on site now;
 - a. A type 1 system you will require the following;
 - i. Main house
 1. Use your existing 300 imp gal tank at the main house as a pump chamber

2. Add a septic tank of 3900 liters or 860 imperial Gallon (use a RKS1000) with effluent filter, You will possibly need to have bedding material for the septic tank.
 3. Pump the sewerage up to a d-box and into 40 lengths of infiltrators consisting of a total of 200 lineal feet of runs or 4 runs of 50' long. (Note that the septic field runs are for the whole design of your property compliance).
- ii. Cabin
 1. will require a 2100 liter or 462 imp gal (use a dual 800 RKS tank) septic tank with effluent filter and gravity feed to the same D-box as the main house is feeding. You will possibly need to have bedding material for the septic tank.
 - iii. Upper Tent & RV site
 1. Feed to a single RKS300LP tank with effluent filter then flow directly to the D-box that feeds the same field as both the Main house and Cabin. You will possibly need to have bedding material for the septic tank.
 - iv. Lower Tent
 1. I would recommend using an under the sink Liberty sink pump system 1/3 hp to pump to the main house Septic tank.
- b. A type 2 system you will require the following;
- i. Main house
 1. Use your existing 300 imp gal tank at the main house as a pump chamber
 2. Add a septic tank of 3900 liters or 860 imperial Gallon (use a RKS1000) with effluent filter. You will possibly need to have bedding material for the septic tank.
 3. Pump the sewerage up to a d-box and into lengths 32 Eljen modules consisting of a total of 132 lineal feet of runs or 4 runs of 33' long. (Note that the septic field runs are for the whole property, designed for compliance).
 4. Each run will need a layer of 6" (inches) of C33 sand
 - ii. Cabin
 1. will require a 2100 liter or 462 imp gal (use a dual 800 RKS tank) septic tank with effluent filter and gravity feed to the same D-box as the main house is feeding. You will possibly need to have bedding material for the septic tank.
 - iii. Upper Tent & RV site
 1. Feed to a single RKS300LP tank with effluent filter then flow directly to the D-box that feeds the same field as both the Main house and Cabin. You will possibly need to have bedding material for the septic tank.
 - iv. Lower Tent
 1. I would recommend using an under the sink Liberty sink pump system 1/3 hp to pump to the main house Septic tank.

It is my recommendation that you use the first option given as it is the cheapest in my opinion.

Regards,



Wade Fitzgerald CD
ROWP OW0747

CC:

Darren Molder C.P.H.I.
Senior Environmental Health Officer
Sechelt Public Health, VCH
Public health department
5571 Inlet Ave, Sechelt, BC V0N 3A3

Tao Karkabe
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Fax: 604-886-4662
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670 ANDY'S BAY RD

LEGAL DESCRIPTION: BLOCK AMD11 DISTRICT LOT 847
PLAN VAP 3488
PID: 012-825-948
LOT SIZE: APPROX. 7 ACRES

ZONING BYLAW ANALYSIS

REFERENCE DOCUMENTS
BRITISH COLUMBIA BUILDING CODE 2018
GAMBIER ISLAND TRUST COMMUNITY PLAN BYLAW

ZONING: SETTLEMENT RESIDENTIAL
EXISTING USE:
SINGLE FAMILY DWELLING WITH ACCESSORY
PROPOSED USE:
SHORT TERM RENTAL/ACCOMMODATION - COMMERCIAL

SCOPE OF WORK:

CHANGE OF USE OF EXISTING BUILDINGS
AND STRUCTURES FROM RESIDENTIAL TO
COMMERCIAL (SHORT-TERM RENTAL).

MINOR INTERIOR ALTERATION & REPAIR
OF EXISTING BUILDINGS



REVISIONS			
No.	Date	Description	By
1	04/16/2023	ISSUED FOR TUP	BH
2	08/14/2023	RE-ISSUED FOR TUP	BH
3			
4			
5			

STAMPS

Client
GAMBIER RESORTS

Project
670 ANDY'S BAY RD
PORT MELLON, VON 250

Drawing Title
SITE PLAN

Date: AUG/14/2023	Project No.
Scale: 1/16" = 1'-0"	Drawing No.
Drawn By: BH	A100
File name:	

Your Visitor's Guide to Beautiful Gambier Island



Gambier Resorts - 670 Andy's Bay Rd

Aug 15th , 2023

Nestled in the heart of nature's beauty, Gambier Island is located 10 minutes boat ride away from Langdale Ferry Terminal. From hiking trails to Gambier Island farm market, there's something for everyone to enjoy and explore in this vibrant community.

House Rules and Guidelines

The following house rules and regulations aim to provide a guideline to visitors and guests to ensure a harmonious and comfortable environment for everyone. Unable to adhere to the house rules are subject to fine/penalties.

Quiet Hours and Noise Regulations

- **Quiet Hours effective from 7pm to 9am everyday**
- During the quiet hours residents are expected to keep noise levels to a minimum, ensuring that everyone including other guests and neighboring residents can rest without disturbance.
- Outside from the designated Quiet time, the guests are welcome to enjoy the outdoors while being mindful of the noise levels to ensure a peaceful environment for neighbors and community.
- *Loud music is strictly prohibited.*

Campfire/Open Fire regulations

- We require all guests to review the current fire ban in effect at BC Wildfire Services website. During the Summer season, even the smallest spark can start a large fire- that includes any type of open fire ie.campfire is strictly prohibited. (Violating these regulations could cost you \$1,150)
- If a violation causes a wildfire, the person responsible may also be ordered to pay all firefighting and associated costs.
- All areas of the premise fireworks and smoking are prohibited.

Water Conservation

- **Conscious Usage:** Kindly remember to use water thoughtfully. Turning off taps when not needed and using water efficiently are greatly appreciated.
- **Brief Showers:** We kindly ask that you consider shorter showers to help conserve our precious water resources.
- **Timely Reporting:** If you come across any leaks or running toilets, we would greatly appreciate it if you could inform our staff promptly. Your assistance in preventing water wastage is highly valued.

Garbage Disposal and Composts

- Gambier Island has no public disposal system in the island so any recyclables and household garbage must be brought out of the Island to Langdale Ferry Terminal which is the closest Disposal.
- As food compost, compost bins are available behind the woodshed. Our onsite manager can also show the exact location.

Pets

- Furry friends are welcome at Gambier resorts, however we ask to leash both inside and outside of the lot as wild animals can be found in the area.
- Tell us about your furry friends as we would love to accommodate them during their stay- letting us know of the breed, age and number of pets helps us plan ahead since there may be other pets by other guests.
- No pets on the beds, sofas, or other furniture.

Emergency Instruction:

Emergency Contacts:

In case of any emergency situation, please contact the following:

On-Site Accommodation Manager: Gala - 1-672-699-7461

Service Manager: Jay - 1-778-378-7616

Also, please ensure call 911 in case of any emergency

Evacuation Plan

In the event of a mandatory evacuation due to severe weather or other safety concerns, follow these steps:

1. Gather all personal belongings, important documents, and any necessary medications.
2. Head to the nearest clean zone.
3. Follow the instructions of on-site staff or emergency personnel for further guidance.

Medical Emergencies:

If you or someone else requires medical assistance:

1. Call for medical help using the provided emergency contacts.
2. Administer basic first aid if trained to do so and if it's safe to proceed.
3. Await the arrival of medical professionals.

Fire Safety:

In case of a fire emergency:

1. Use the closest fire extinguisher to put out the fire if possible.
2. Exit the building immediately using the nearest exit.
3. Gather at a safe distance and immediately report Wildfire Services at 1-800-663-5555 or *5555 from a mobile phone.

Power Outage:

If there's a power outage:

1. Use flashlights for illumination, avoiding open flames.
2. Conserve battery power on your electronic devices.
3. Notify the on-site manager about the power outage.

Communication:

Maintain communication with the accommodation management:

- Use provided communication devices to stay in touch.
- Inform the management about any emergencies, concerns, or issues.

Respect for Neighbors:

During your stay, remember that you are in a remote area with neighbors nearby. Please be considerate and respectful of their privacy and the peaceful environment.

Remember, safety is the top priority in any emergency situation. Make sure your guests are familiar with these instructions and that the information is easily accessible in your pamphlet.

Internet

Network Name: Gambier Resorts

No password required.

Our Favorite Places and Things to do:

You can also visit the link: <https://www.gambierresorts.ca/things-to-do> for photos!

Kayak & Paddle Board

We have kayaks and paddle boards onsite for rental. You can book a time to rent and enjoy those! Booking process is simple and can be done via our main website -

www.gambierresorts.ca

Sauna

Sauna can be used once per day for each group. It can be booked via online and you and your group will be using it privately during the booking time.

Booking it at least an hour prior so our staff can prepare it for you!

Peaceful outdoor Yoga

Pick a spot and unroll your yoga mat as you immerse yourself into the wilderness.

We have a spacious lawn behind the lot where you will have plenty of privacy to enjoy nature's music.

Hiking

There are many hiking trails in Gambier Island.

Please refer to **Appendix B** for more information on hike recommendations.

Gambier Island Farmers Market

Gambier Island Farmers Market opens every Saturday 10am - 1pm. They open in Summer time, so please ask us for more information!

How to get to Gambier Island:

There are two options to come to Gambier Island: 1. Public Ferry (total 2) and 2. Water Taxi. Water taxi costs CA\$200 - CA\$300 depending on where you are leaving from, but it will take less than 40 minutes in total and cost the same for up to 14 people.

For more information about Water taxi, please visit the link below:

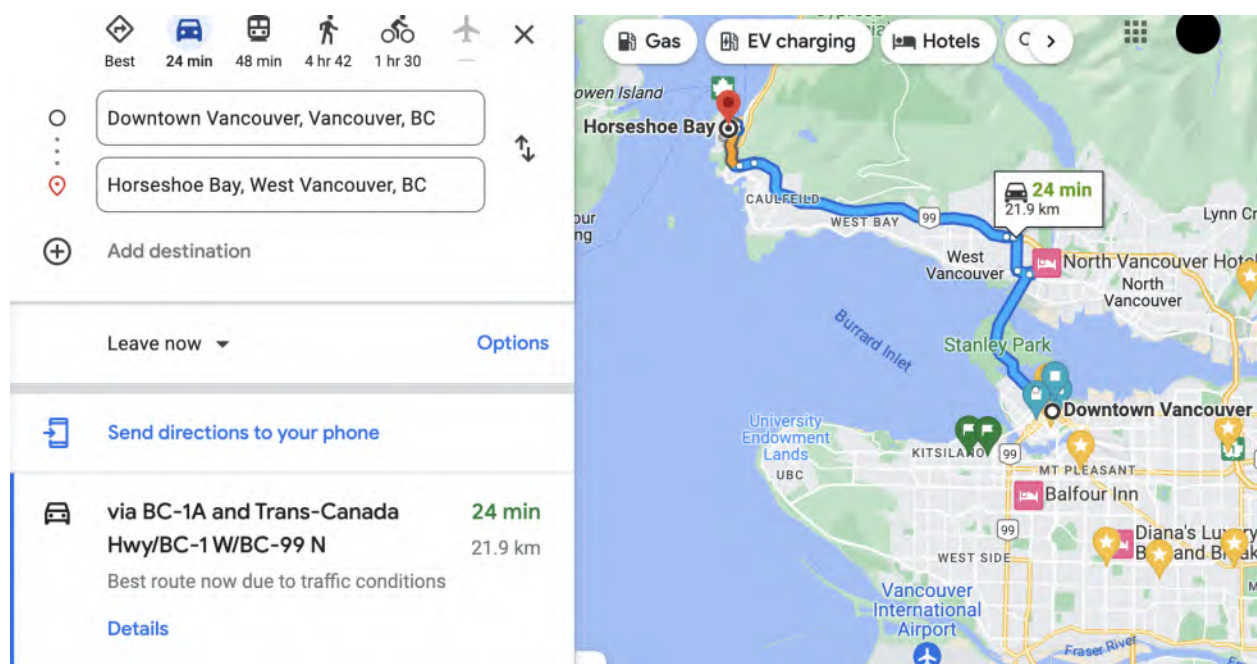
<https://sunshinecoastwatertaxi.ca/>

For Public Ferry, you need to layover to second ferry (for Ferry Schedules ref to Appendix B):

1. If you are from Greater Vancouver region, take ferry at Horseshoe Bay terminal to Langdale. -- (40 min)
2. there will be a small dock gate at Langdale and take the public ferry to New Brighton (a dock in Gambier Island) -- 10 min and cost \$7.05 per person Cash only
3. Walk to the place -- 5 min

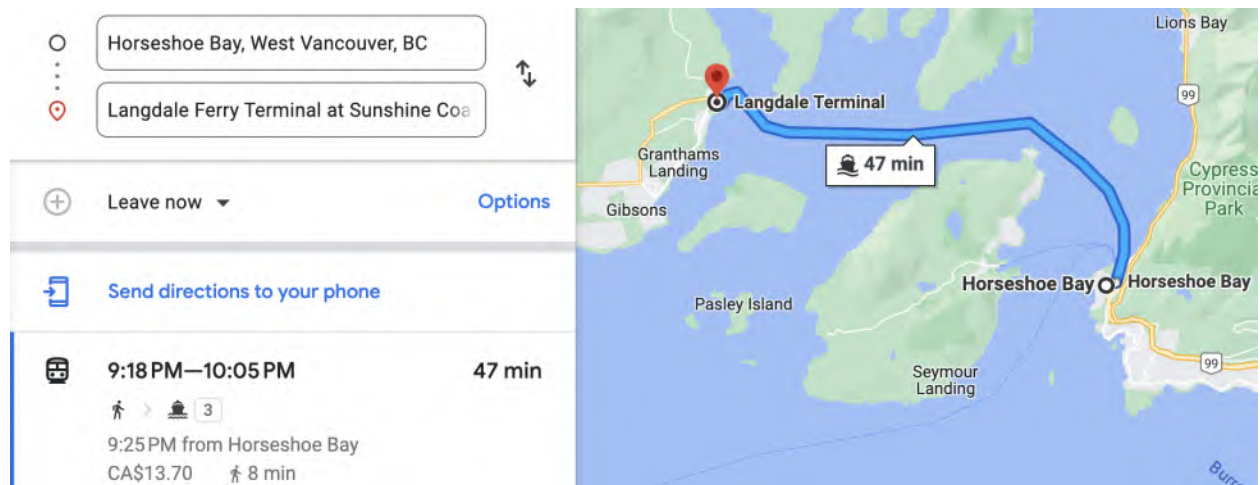
Parking at Horseshoe bay and coming as foot passenger is recommended as the second ferry (Langdale to Gambier Island) is foot passenger only ferry.

To Horseshoe Bay Terminal



Either take public transit or drive to horseshoe bay. Please find the image as an example from Downtown Vancouver to Horseshoe bay.

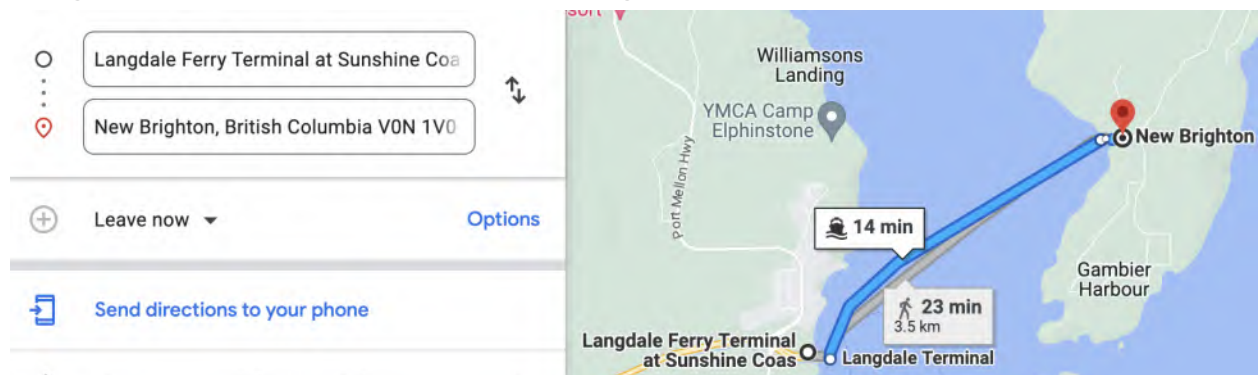
Horseshoe Bay Terminal to Langdale



Ferry Schedule: <https://www.bcferries.com/routes-fares/schedules/daily/HSB-LNG>

Parking at Horseshoe bay terminal and coming as foot passenger is recommended as the second ferry (Langdale to Gambier Island) is foot passenger only ferry.

Langdale to Gambier Island (New Brighton)



Ferry Schedule: <https://www.bcferries.com/routes-fares/schedules/gambier-keats>

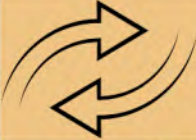
This is a small ferry which only allows foot-passengers (No cars allowed). Also, no dangerous goods will be allowed such as propane gas, gasoline, knives, guns, and etc. This Ferry will take about 10-14 minutes to get to New Brighton (Gambier Island).

Gambier Island (New Brighton) to the Destination

It will take 5-10 minutes to walk to the place. There will be screenshots provided for detailed information on how to get to the place!

HOUSE RULES:

Please take a moment to familiarize yourself with our house rules:

- 1 TRASH DISPOSAL**
Please take your trash with you. A garbage can is available at Langdale for your convenience.
- 2 RETURN ITEMS**
Return any items you use to their original place after use.
- 3 FOOD COMPOST**
Dispose of food waste in the compost, conveniently located right behind the sauna.
- 4 HYGIENE REMINDER**
To maintain cleanliness and hygiene, kindly use indoor sandals within the cabins.
- 5 NO SMOKING**
Smoking is strictly prohibited inside the cabins and other indoor areas.
- 5 PET ETIQUETTE**
Kindly monitor your pets to prevent any mess in cabins or surrounding areas.
- 5 TIDY GRILL**
Please clean the grill after use. A grill brush is provided for your convenience.

Charges may apply for non-compliance of the House Rules

GambierResorts.ca

Hiking Trails

Recommendations

- *Water*
 - *Lightweight snacks*
 - *Map/Compass/GPS*
- Necessities-**
- *First Aid Kit*
 - *Sunblock*
 - *Sturdy Footwear*
- *Whistle*
 - *Insect Repellent*
 - *ID with Emergency Contact*

Mount Killam

Difficulty Level: ★★★★★

Length: 13.4 km (8 miles)

Route Type: Out & Back

Explore the 13.4-km out-and-back Mount Killam Trail near Gambier Resorts. It is widely known as a challenging route, typically taking around 5 hours and 35 minutes to complete. This trail offers an excellent hiking experience with the added advantage of encountering few fellow hikers along the way.

Accessible via easy gravel roads. The actual trail is more challenging, leading to a panoramic viewpoint of the ocean, Gambier Island, Lower Mainland, Bowen Island, Keats Island, and BC Sunshine Coast, including Langdale Ferry Terminal. Finding the trailhead can be tricky due to splits, but following specific directions can lead to a rewarding experience.



Scan me!

Gambier Lake Trail

Difficulty Level: ★★★★★

Length: 13.5 km (8 miles)

Route Type: Out & Back

Embark on the thrilling Gambier Lake Trail near Gambier Resorts. This 13.5-km challenging route takes around 5 hours and 11 minutes to complete, offering tranquility with few fellow hikers.

Starting from the public dock at New Brighton, the trail traverses hills and a commercial woodlot before reaching the junction with the Muskeg Lake trail. Descending steeply to Gambier Lake, the largest lake on the island, you'll find yourself surrounded by lush, untouched forests. A registered recreation site, Gambier Lake provides camping, fishing, and swimming opportunities, making it a haven for outdoor enthusiasts.



Scan me!

Wombat & Maple Trail

Difficulty Level: ★★★

Length: 5.5 km (3.4 miles)

Route Type: Loop

Discover this 5.5-km loop trail near Gambier Island Trust Area. Generally considered a moderately challenging route, it takes an average of 1 h 51 min to complete. This trail is great for hiking and running, and it's unlikely you'll encounter many other people while exploring.

As you venture deeper into the trail, you'll encounter an abundance of beautiful maple trees, which serve as a prominent feature and inspiration for the trail's name. The trailhead is approximately 3 kilometers (approximately 1.9 miles) from the Gambier Resorts



Scan me!

REMINDERS:

- **Stay on the Trail - Do not enter private Property**
- **Research trails in advance. Attached QR code provides convenient access to AllTrails for each trail's directions.**
- **Pack your trash with you**
- **Pack the needed necessities (Listed above)**
- **Respect Wildlife**
- **Mind your steps - take breaks to rest and enjoy the scenery.**

GambierResorts.ca

ATTACHMENT 07 – SITE PHOTOS (JULY 21, 2023)



Driveway easement access the property off Andy's bay Rd.



Driveway easement (view west towards Andy's Bay Rd)



Principal dwelling from the driveway.



Principal dwelling



Principal dwelling, non motorized watercrafts and tent in background.



Tent site 1



Accessory dwelling



Accessory building (sauna)



Accessory building (sauna)



Accessory building (storage shed)



Accessory building (garden shed)



Tent site 2



Tent site 2



RV site



Back of the principal and accessory dwelling.



DATE OF MEETING: August 29, 2023

TO: Gambier Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Office

SUBJECT: Official Community Plan and Land Use Bylaw Targeted Review Project – Status Update

The purpose of this memo is to provide the Gambier Island Local Trust Committee (LTC) with a status update for the Official Community Plan (OCP) and Land Use Bylaw (LUB) Targeted Review project.

BACKGROUND

The following resolutions were passed by the LTC in June 2023:

GM-2023-016 It was MOVED and SECONDED

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

At the time of report writing, staff was working with the Trustees on this communication piece for distribution to the Gambier Island residents.

GM-2023-017 It was MOVED and SECONDED

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

Advertising for expressions of interest to the Gambier Advisory Planning Commission (APC) appeared in the Coast Reporter on July 21st and 28th, 2023. The LTC may consider appointments to the APC at their next business meeting in October if there are sufficient expressions of interest. At the time of report writing, no expressions of interest had been submitted to the northern office of the Islands Trust.

GM-2023-018 It was MOVED and SECONDED

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

The revised and updated [project charter](#) was posted to the project webpage. No further amendments are required at this time. Staff has updated the capacity funding budget details in the project charter to reflect the agreement being signed with Squamish Nation.

First Nations Engagement: Staff have drafted a capacity funding agreement with the staff from the Squamish Nation to undertake a targeted review of the OCP and LUB. At the time of report writing final signatures and transfer of funds were being finalized. A regular schedule of staff to staff meetings is proposed between September 2023 and March 2024. The objective is for the Nation’s Rights and Title department staff to work with Islands Trust planning staff to draft and review policy and regulatory updates for LTC consideration in the spring of 2024.

Community Consultation: Once the LTC has received and considered the compilation of suggested amendments from Squamish Nation in early 2024, staff recommend one electronic community information meeting with Gambier Island residents, Islands Trust staff and Squamish Nation staff to discuss the work completed to-date and highlight key policy and regulatory amendments being considered by the LTC. In the interim, any members of the public with questions or comments about the project are encouraged to contact the project planner directly.

NEXT STEPS

Staff will be meeting with the staff of the Squamish Nation Rights and Title department beginning in September 2023 for regularly scheduled working group sessions to conduct a targeted review of the Gambier OCP and LUB. Regular updates from planning staff will be provided to the LTC through memorandums on regular business meeting agendas.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	August 10, 2023
Concurred By:	Renée Jamurat, RPP, MCIP, Regional Planning Manager	August 10, 2023

File No.: 6500-20 (Keats Island
Shoreline Protection Project)

DATE OF MEETING: August 29, 2023
TO: Gambier Island Local Trust Committee
FROM: Marlis McCargar, Island Planner
Northern Team
SUBJECT: Keats Shoreline Protection Project

RECOMMENDATION

1. That the Gambier Island Local Trust Committee request staff to schedule a Public Hearing for Proposed Bylaw Nos. 153 (OCP) and 154 (LUB).

REPORT SUMMARY

The purpose of this report is to summarize the comments heard at the recent community information meeting. In addition, staff are recommending that a community information meeting (CIM) and Public Hearing be scheduled for the Proposed Bylaw Nos. 153 and 154 (date to be determined).

BACKGROUND

The purpose of the Keats Island Shoreline Protection Project is to establish a Shoreline Development Permit Area (DPA) for the purposes of protecting the natural environment, its ecosystems and biological diversity, and protecting development from hazardous conditions. Work was initiated with Phase 1 of the Keats Shoreline Protection Project in 2018. The project is currently in Phase 3.

Proposed Bylaw No. 153, that would amend the Keats Island Official Community Plan Bylaw No. 77 (OCP), and Proposed Bylaw No. 154, that would amend the Keats Island Land Use Bylaw No. 78 (LUB), were given first reading at the July 22, 2021 LTC meeting. First reading of Proposed Bylaw No. 154 was rescinded at the October 14, 2021 LTC meeting, amended by the LTC, and then given first reading at that same meeting. Proposed Bylaw Nos. 153 and 154 were given second reading at the September 1, 2022 LTC meeting.

Four Community Information Meetings (CIMs) were held September 29, 2021 (online), October 14, 2021 (in person), September 15, 2022 (online) and on July 21, 2023 (in-person).

At their regular business meeting held January 31, 2023, the LTC passed the following resolutions:

GM-LTC-2023-005

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee rescinds the scheduling of a Public Hearing on Bylaw Nos 153 and 154 and requests staff to schedule a Community Information Meeting to take place after the Local Trust Committee meeting scheduled to take place on Keats Island on June 20, 2023 in person.

CARRIED

GM-LTC-2023-011

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

that the Gambier Island Local Trust Committee requests that staff prepare an annotation of the proposed amendments to Bylaws 153 and 154 that discloses the scientific findings of projected climate change effect that each of the proposed amendments is intended to mitigate, and other rationale for the amendment.

CARRIED

At their regular business meeting on June 20, 2023, the LTC reviewed a Staff Memo which included the requested annotated proposed bylaws Nos. 153 and 154 as well as, a letter from Madrone Environmental Services discussing the Biological Benefits of Marine Foreshore Areas. The LTC agreed to send out the Staff Memo and related attachments to their various networks as relevant background information as well as to post to Islands Trust website, ahead of the Community Information Meeting on July 21, 2023.

A [public mail-out](#) titled “Frequently Asked Questions about the Keats Island Shoreline Protection Project” was sent to property owners on Keats Island on March 10, 2022. It was also sent out to all those who have signed up to receive Gambier Island Local Trust Committee email updates on March 11, 2022.

Reports and associated information for the Keats Island Shoreline Protection project are available on the Islands Trust website, under [Gambier Projects](#) or the [Keats Shoreline Protection page](#).

ANALYSIS

Consultation

Community Information Meeting

An in-person Community Information Meeting (CIM) was held on July 21, 2023 at the Gibsons Public Market. It was advertised through the Islands Trust Gambier Island email subscriber list, online through social media and on the website. The event was attended by approximately 18 community members, the three LTC Trustees and Islands Trust staff. Islands Trust staff provided an overview of project objectives and the proposed bylaws.

Discussion during the CIM addressed the topics of:

- Considerations for additional DPA exemptions for sewerage systems, eco-friendly dock materials and greenshores approaches;
- Concerns around the impracticality of the proposed dock regulations for the small lots on Keats Island;
 - In particular, dock sizes, distances between docks and the measurement of setbacks for docks;
- Clarification on legal non-conforming status and seasonal use of docks and dwellings;
- Interest in learning more about examples of shoreline DPAs and the success in other communities;
- Interest in educational opportunities to learn about shoreline protection measures;
- Questions about the First Nations consultation process and how their concerns have been addressed;
- Concerns around the cost and extra permitting process for a Development Permit and Development Variance Permit;
- Leaving the setback at 7.5m for the two large undeveloped lots on Keats; and
- Clarification around the term “water access only” properties.

CIM and Public Hearing:

Under section 464 of the *Local Government Act* (LGA), a local government must hold a public hearing to adopt an official community plan bylaw and zoning bylaw, “...for the purpose of allowing the public to make representations to the local government respecting matters contained in the proposed bylaw.” Under section 465 (1) of the LGA, a public hearing must be held after first reading and before third reading of a proposed bylaw.

At the public hearing, all persons who believe that their interest in property is affected by the proposed bylaw are afforded a reasonable opportunity to be heard. This involves an opportunity to make a speech or presentation to the elected officials or to present a written submission. Public input may be received by the LTC at any point during the OCP and LUB amendment process up until the end of the public hearing. A public hearing is typically preceded by a community information meeting, which is intended to introduce the proposed bylaws and respond to any questions community members may have prior to voicing their opinion at the public hearing.

The LTC may consider a broad range of input including information and views from the public, staff reports, professional reports, agency feedback, First Nations comments and other information.

Staff are recommending a public hearing be scheduled at this time. The public hearing can be scheduled as a standalone meeting, outside of a regular LTC meeting, or at the end of a regularly scheduled LTC meeting. The LTC may consider potential dates and request staff to schedule the meetings accordingly. Staff will circulate notification of the public hearing in advance of the meeting date.

Post Public Hearing Protocol

A public hearing is a quasi-judicial process within and following which specific procedures must be followed. Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

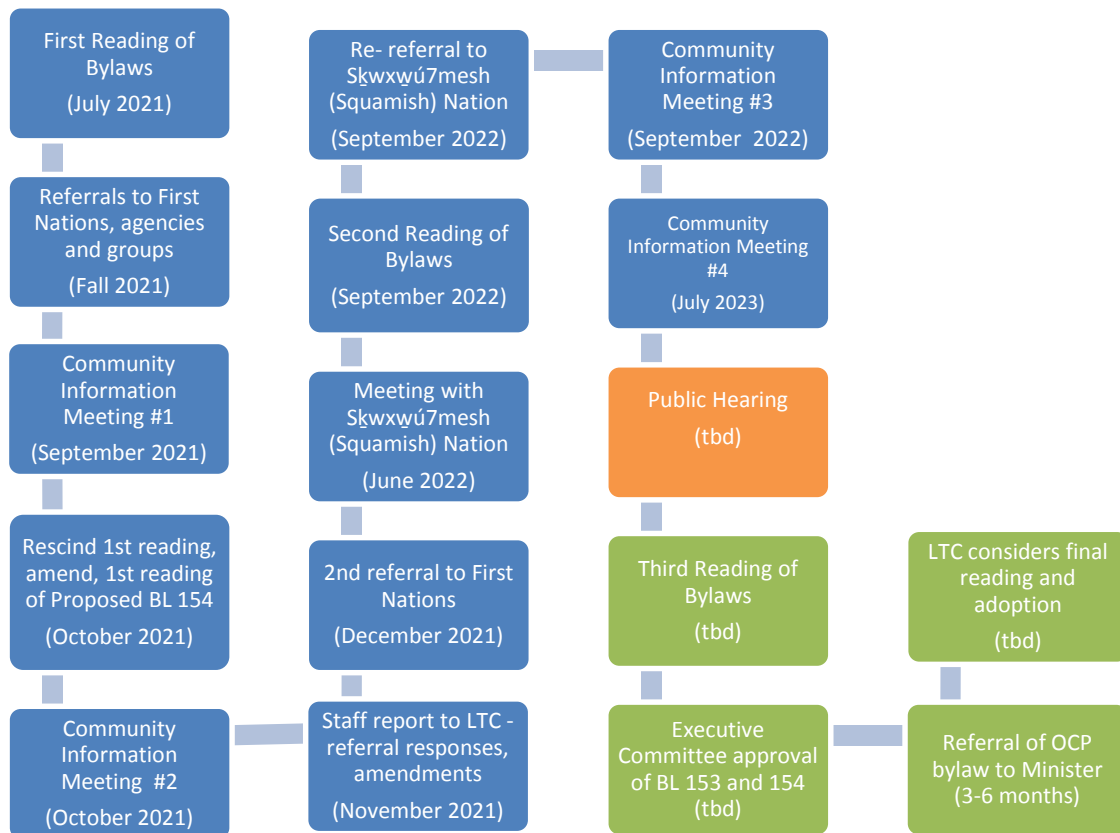
- Consideration of Second Reading
- Consideration of Third Reading.
- Forwarding of the bylaw to Executive Committee for approval.
- Forwarding of OCP amendments to the Minister for approval.
- Reconsideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC.

If the Executive Committee approves the bylaws, the OCP bylaw will be forwarded to the Minister. Following Ministry approval the LTC can adopt the bylaws.

Timeline

The following timeline outlines the bylaw amendment process milestones to date along with next steps and approximate timing which may assist in managing community expectations in how an OCP and LUB amendment such as this is processed. The blue steps identify completed milestones, the orange identifies the current stage, and the green identifies potential next steps or milestones in the process.



Rationale for Recommendation

Prior to third reading, the LTC is required to hold a public hearing (between first and before third reading), therefore staff are recommending that the LTC request staff to schedule a public hearing (date to be determined). The proposed bylaws are a result of several years of review and discussion. The community has had several to opportunities to comment on this project and the proposed bylaws throughout the process, including four CIMs. The LTC has incorporated public feedback. First Nations and Agencies have been consulted.

Refer to the formal recommendation, included on Page 1 of the report.

ALTERNATIVES

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

1. Further Amend Proposed Bylaw No. 153 and 154, give Second Reading, as amended

The LTC may further amend the proposed bylaws beyond what is detailed in this report and give second reading, as amended. Recommended wording for the resolutions are as follows:

That the Gambier Island Local Trust Committee Bylaw No. 153, cited as 'Keats Island Official Community Plan, 2002, Amendment No. 1, 2021', be amended as follows:

- a. [insert amendments]

That the Gambier Island Local Trust Committee Bylaw No. 153, cited as 'Keats Island Official Community Plan, 2002, Amendment No. 1, 2021', be read a second time as amended.

That the Gambier Island Local Trust Committee Bylaw No. 154, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021” be amended as follows:

- a. [insert amendments]

That the Gambier Island Local Trust Committee Bylaw No. 154, cited as ‘Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021’, be read a second time as amended.

2. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are potential delays to the LTC’s work plan timeline in the Project Charter, budget considerations if the project is not completed in this fiscal and staff resources. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee request the following information [list].

3. Receive for information

The LTC may receive the report for information

NEXT STEPS

Should the LTC concur with the staff recommendation, staff will schedule a public hearing for Proposed Bylaw Nos. 153 and 154. Once a date is decided, public notification of the public hearing will be coordinated.

Submitted By:	Marlis McCargar, Islands Trust	August 14, 2023
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	August 17, 2023

ATTACHMENTS

1. Draft CIM Minutes – July 21, 2023



Consultation check-in on 9 aquatic species under consideration for addition to Schedule 1 of the Species at Risk Act



The 9 aquatic species listed below were assessed as at-risk by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) between 2009 and 2022. Fisheries and Oceans Canada (DFO) undertook consultations with Indigenous peoples, stakeholders, and other interested parties on the potential addition of these species to Schedule 1 of SARA between 2012 and 2021. To ensure the Minister of Fisheries, Oceans and the Canadian Coast Guard takes into account current opinions in her listing advice, DFO is inviting interested parties to confirm their previous positions or offer additional information that the Minister can consider in finalizing her advice.

Consultation period: 2023-06-07 to 2023-08-10

Send comments to dfo.ncrsara-leprcn.mpo@dfo-mpo.gc.ca or [see below for other contact information](#).

File

- Consultation check-in on 9 aquatic species under consideration for addition to Schedule 1 of the Species at Risk Act (2023-06-07)
 - PDF format: [Cd-9Species-v00-2023June-Eng.pdf](#)
 - HTML format: [check-in-9-aquatic.html](#)

Contact person

Director
SARA Directorate
Department of Fisheries and Oceans
200 Kent St.
Ottawa, ON
K1A 0E6
dfo.ncrsara-leprcn.mpo@dfo-mpo.gc.ca

Related species

- [Atlantic Sturgeon](#) (*Acipenser oxyrinchus*) - St. Lawrence populations
- [Atlantic Sturgeon](#) (*Acipenser oxyrinchus*) - Maritimes populations

- Bocaccio (*Sebastes paucispinis*)
- Cusk (*Brosme brosme*)
- Lake Sturgeon (*Acipenser fulvescens*) - Western Hudson Bay populations
- Lake Sturgeon (*Acipenser fulvescens*) - Saskatchewan - Nelson River populations
- Northern Fur Seal (*Callorhinus ursinus*)
- Quillback Rockfish (*Sebastes maliger*)
- White Sturgeon (*Acipenser transmontanus*) - Upper Fraser River population

Date modified: 2023-06-13

From: Yuli Siao <Yuli.Siao@scrd.ca>
Sent: June 26, 2023 2:19 PM
To: Yuli Siao
Subject: SCRD Regional Growth Framework Baseline Research

Hello,

You receive this referral as per SCRD resolution regarding the SCRD Regional Growth Framework Baseline Research adopted on June 8, 2023. Please pass this information to relevant personnel in your organization.

The SCRD Regional Growth Framework Baseline Research Reports can be found and feedback can be submitted at:
<https://letstalk.scrd.ca/growth>

Please note that these reports, as in their final form as submitted by the consulting firm which prepared them, are for information only. The SCRD is seeking feedback on accuracy and completeness of the data in the reports, to help to prepare a supplemental document.

D Resolution on Regional Growth Framework Baseline Research

THAT the report titled Sunshine Coast Regional District (SCRD) Regional Growth Framework Baseline Research Reports be received for information;

AND THAT the following recommendations be approved as the next steps for the SCRD Regional Growth Framework Baseline Research project:

1. Refer the Sunshine Coast Regional District (SCRD) Regional Growth Framework Baseline Research Reports to other local governments, Islands Trust, Gambier Local Trust Committee, First Nations and Electoral Area Advisory Planning Commissions inviting feedback.
2. Refer the Sunshine Coast Regional District (SCRD) Regional Growth Framework Baseline Research Reports to School District 46, Vancouver Coastal Health, Ministry of Transportation and Infrastructure, Sunshine Coast Resource Centre, Sunshine Coast Community Services Society, Sunshine Coast Farmers' Institute, BC Ferries Corporation, Roberts Creek Official Community Plan Committee, inviting feedback.
3. Continue development of a Let's Talk SCRD page to gather comments and ideas from community groups and the community.
4. Refer the Sunshine Coast Regional District (SCRD) Regional Growth Framework Baseline Research Reports to the SCRD Strategic Planning process.
5. Staff to use the Regional Growth Baseline Framework as a key input for the PEP2 (Official Community Plan Renewal) project.
6. Encourage other local governments to use the Regional Growth Baseline Framework as a key input for any upcoming Official Community Plan updates or renewals.

7. Staff to prepare a set of options for next steps / implementation to consider, beyond integration with strategic plans and Official Community Plans, following receipt of referral comments and Let's Talk input for a timeline of Q3/Q4 2023.

Yuli Siao

Registered Professional Planner &
Member of Canadian Institute of Planners
Senior Planner
Sunshine Coast Regional District
1975 Field Road, Sechelt, BC V0N 3A1
Office phone: 604-885-6800 ext 6417

Planning for the future of the Region



Home / SCRD Regional Growth

SCRD Regional Growth



The Sunshine Coast Regional District (SCRD) has initiated a project to identify growth trends in the region and approach for how to guide growth in the future. The outcome of this project will help inform the SCRD Board's decision on the necessity of further development of policies to manage growth. Information compiled for this project will also inform current work directed by the Board to renew the SCRD's Official Community Plans (OCP). Learn more about OCP Renewal at letstalk.scrd.ca/ocp-review.

The Project

This project is a first step toward a potential new way of planning for the lower Sunshine Coast.

The SCRD is exploring what growth management policy approaches are right for our growing region. The Sunshine Coast population grew by 7.3% between 2016 and 2021 (1.46% per year) and is projected to continue growing steadily in years to come.

Growth management policies can be used to establish sustainable growth patterns by directing most new development within the region to suitable areas, facilitating environment protection, increased servicing efficiency, and enhancing mobility within the region.

Staff are working with MODUS, a consulting firm that specializes in community planning and engagement, and staff from the District of Sechelt, Town of Gibsons, and the shíshálh Nation Government District to develop a baseline framework on the current and forecasted regional growth information. The baseline information will be used to inform dialogue about regional planning opportunities and define a regional vision for sustainable growth. This information is outlined in three reports and is supported by a set of maps and a set of recommendations for future planning efforts.

Click the squares below to view the project reports:



Engagement Opportunities

Staff hosted a workshop with the elected officials of participating jurisdictions in May 2023 to gather feedback on the project and next steps. Staff will develop a public engagement plan to seek community feedback, based on direction from the Board. Engagement opportunities will be published on this webpage, social media, and in the Coast Reporter.

Join the project email list to receive updates on this project and be part of ensuring future growth leads to quality of life, environmental protection, and economic growth for all.

Questions

Project Q&A

Do you have a question about the project? Share your project related questions below.

Ask a question...

Enter your email

Enter your screen name

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Page last updated: 29 Jun 2023, 09:42 AM



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13 members of your community are following this project

Timeline



Project Budget Approved (2020)



Project Launch (2021)

- Onboard MODUS (consultant)
- Confirm project scope and timeline



Phase 1 - Data Review and Forecasting

- Data collection & confirmation
- Output: Present & Future Data Report



Phase 2 - Policy Review

- Staff interviews
- Review of OCPs and other relevant documents
- Output: Policy Review Report



Phase 3 - Strategy Recommendations

- Constraints and opportunities mapping
- Policy recommendations



- Output: Final Report

Spring 2023

Presentation to the SCRD Board on the project findings

Document Library

 2023-JUN-01 Staff Report - Regional Growth Baseline Research Reports (158 KB) (pdf)

 Report 1: Data Review & Forecasting (4.22 MB) (pdf)

 Report 2: Policy Review (3.96 MB) (pdf)

 Report 3: Strategy Recommendations (42 MB) (pdf)

 2018-Jun-21 Staff Report - Regional Growth Strategy Options (220 KB) (pdf)

 2020 SCRD Budget Proposal - Regional Growth Framework (177 KB) (pdf)

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Site Map

Who's Listening

Yuli Siao

Senior Planner



BRIEFING

To:	Gambier Island Local Trust Committee	For the Meeting of:	August 29, 2023
From:	Trust Area Services	Date Prepared:	July 19, 2023
SUBJECT:	Census infographics		

PURPOSE: To provide local trust committees with infographics regarding trends in local trust areas and the Islands Trust Area.

BACKGROUND: Trust Area Services staff contracted Statistics Canada to provide a set of infographics for both the Trust Area and local trust areas/Bowen Island (see attached).

To develop the infographics, there was a need for Statistics Canada to undertake geocoding and custom tabulations of past Census years as local trust area Census boundaries have shifted through the decades. This work completes efforts that began in 2016 to identify trends in the Trust Area and improve Census data sets for the Islands Trust Area.

ATTACHMENTS:

1. 2021 Census Infographics – Gambier Island Local Trust Area
2. 2021 Census Infographics – comparisons across the Trust Area

FOLLOW-UP: These products will inform work throughout the Islands Trust including land use planning, communications, and advocacy. They can be found under the Trend Monitoring webpage on the website, and staff plan to feature the infographics on Islands Trust social media.

Since production of the infographics, planning staff have identified that it would be helpful to also seek an infographic showing the trend in number of dwellings in each jurisdiction over time. Staff intend to order this additional data set and associated infographics at a cost between \$275 and \$457 before applicable taxes.

Prepared By: Clare Frater, Director, Trust Area Services

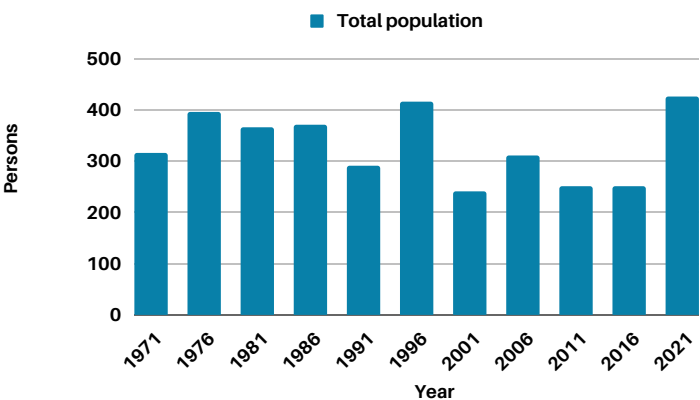
Reviewed By/Date: Renée Jamurat, Regional Planning Manager/August 8, 2023

2021 Census Profile

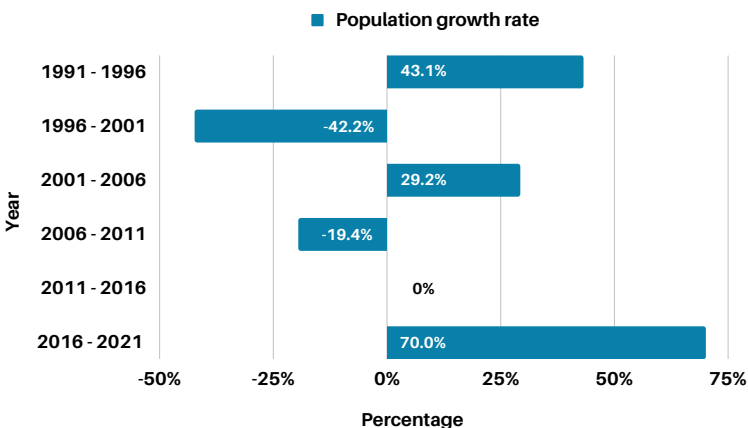
Gambier Island Local Trust Area

Total population

The total population of Gambier Island Local Trust Area was 425 in 2021.



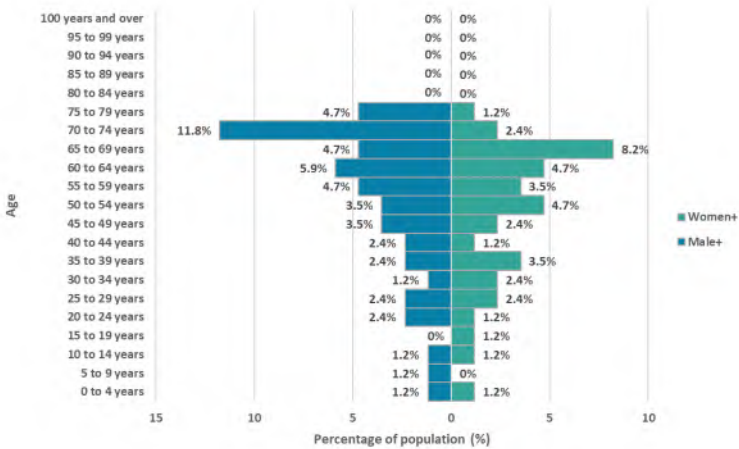
Total population growth rate



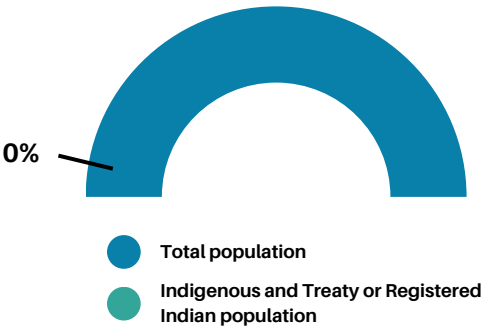
Between 1991 and 2021 the population of Gambier Island Local Trust Area grew by 46.6%.

Total population by gender, 2021

The median age of Gambier Island Local Trust Area was 58.4 in 2021.

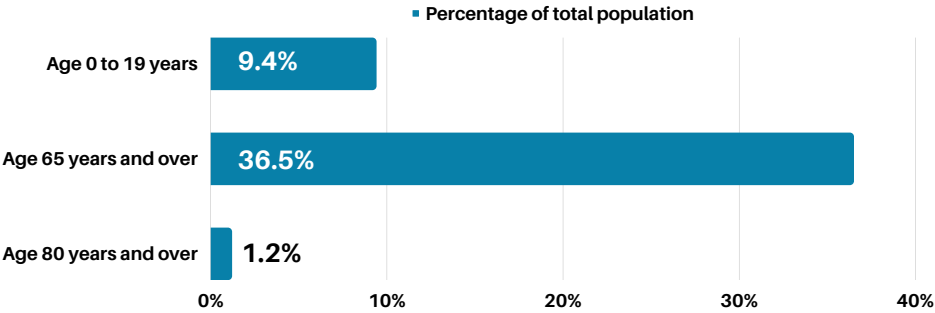


Population by Indigenous and Registered or Treaty Indian status, 2021

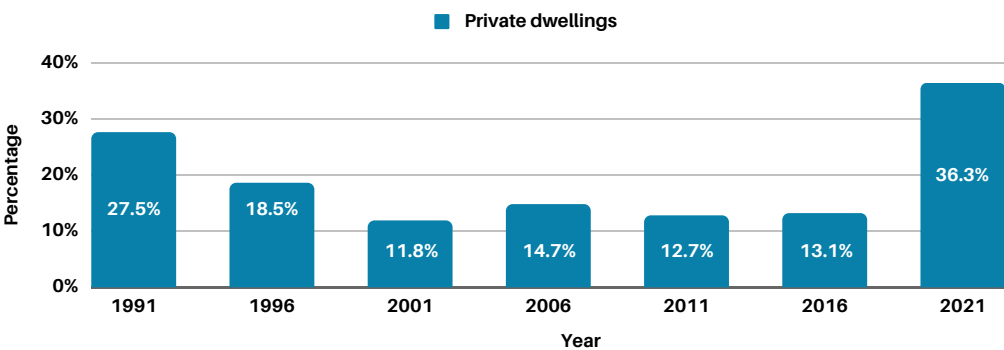


In 2021, 0% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

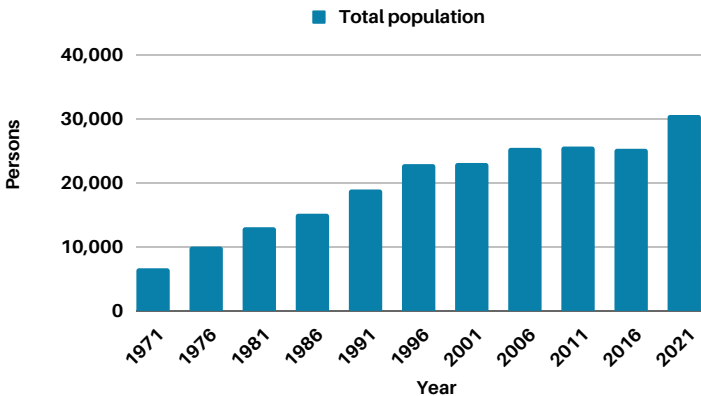
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

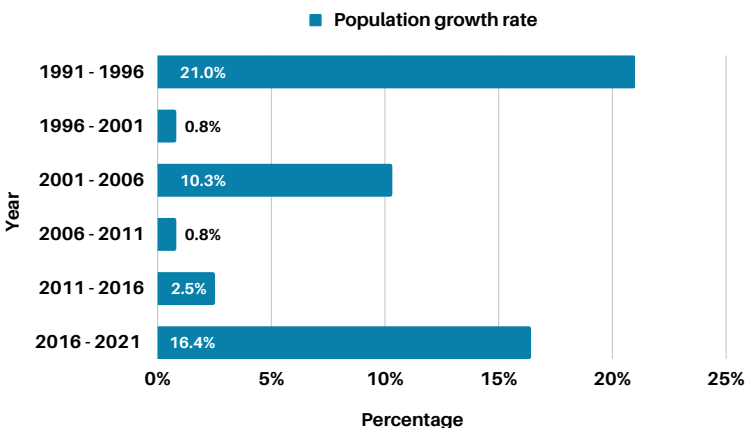
Islands Trust Area

Total population

The total population of Islands Trust Area was 30,510 in 2021.



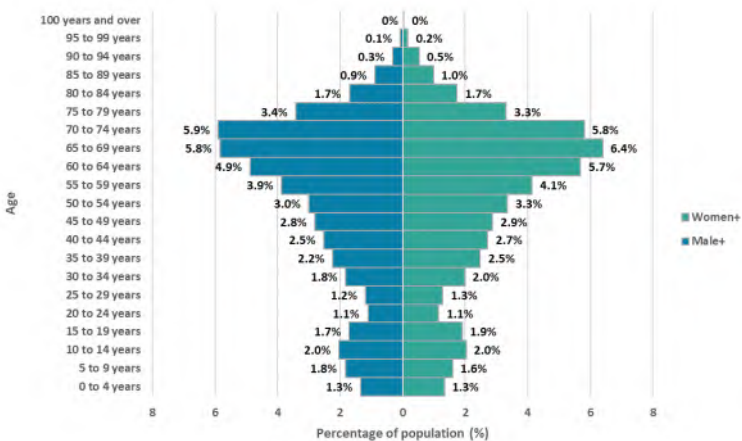
Total population growth rate



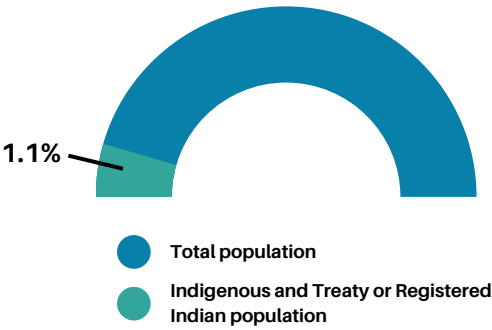
Between 1991 and 2021 the population of Islands Trust Area grew by 61.7%.

Total population by gender, 2021

The median age of Islands Trust Area was 58.8 in 2021.

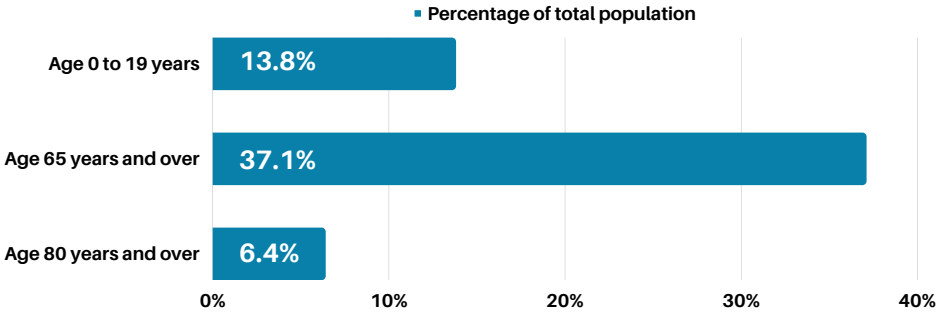


Population by Indigenous and Registered or Treaty Indian status, 2021

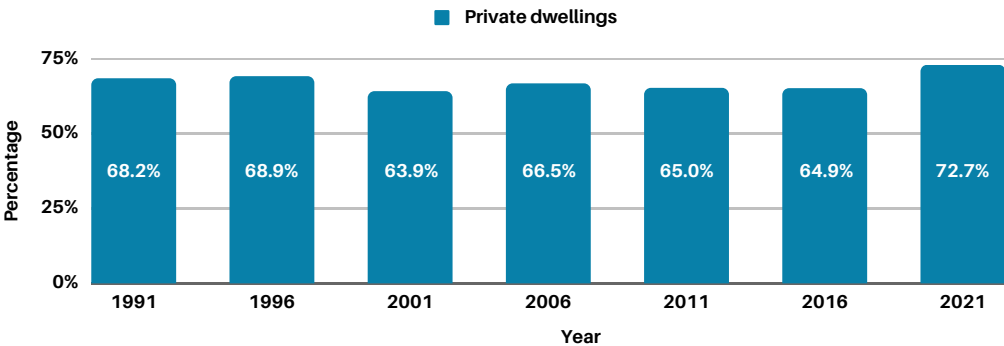


In 2021, 1.1% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Notes:

- 1981 Census, about five-sixths of EA 59005252 included here and about one-sixth of EA 59005252 included here.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.

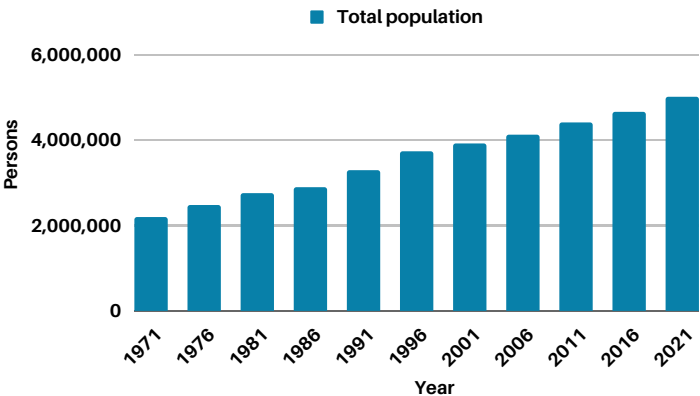
Sources: Statistics Canada, 1971 to 1986 Census of Population, Geocoding; Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

2021 Census Profile

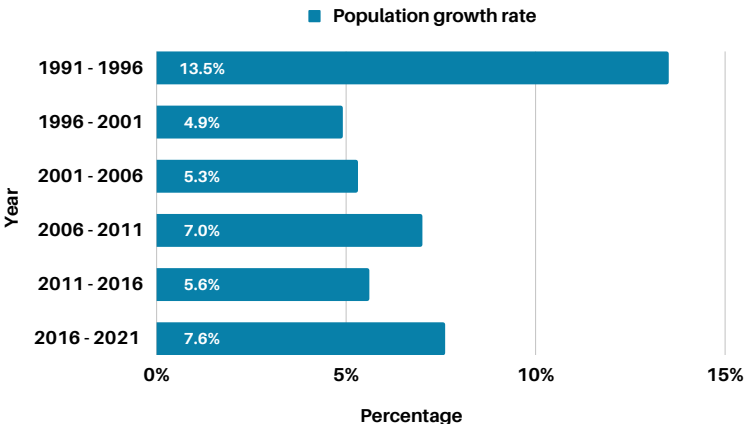
British Columbia

Total population

The total population of British Columbia was 5,000,875 in 2021.



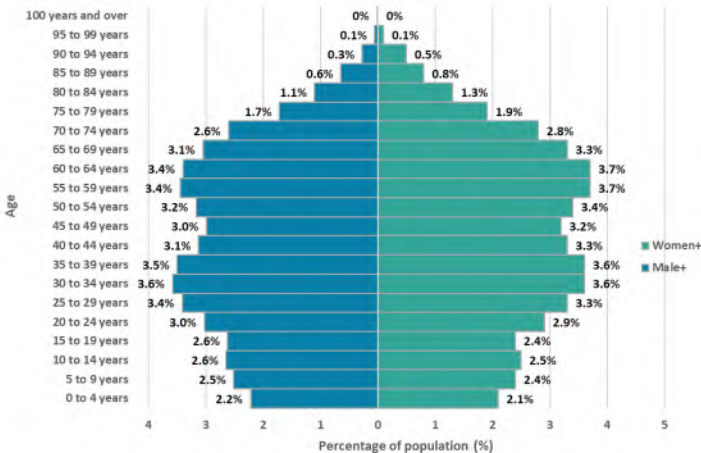
Total population growth rate



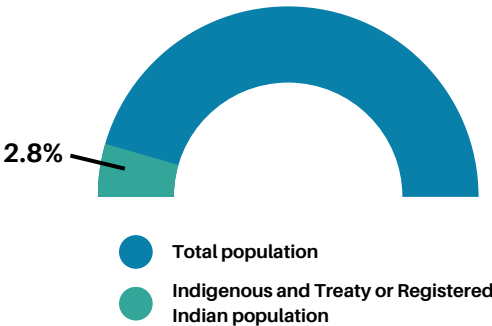
Between 1991 and 2021 the population of British Columbia grew by 52.4%.

Total population by gender, 2021

The median age of British Columbia was 42.8 in 2021.

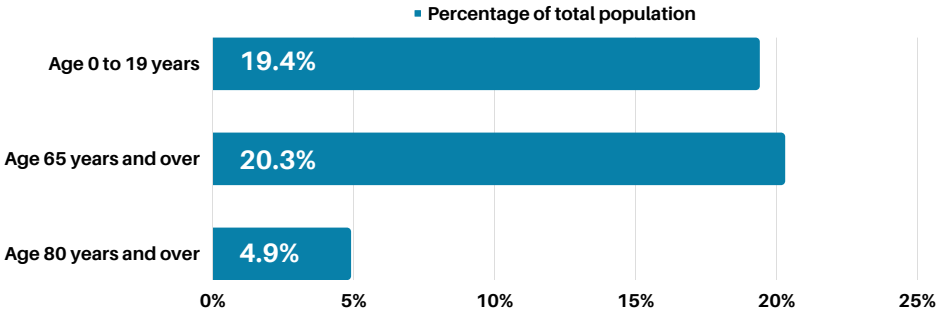


Population by Indigenous and Registered or Treaty Indian status, 2021

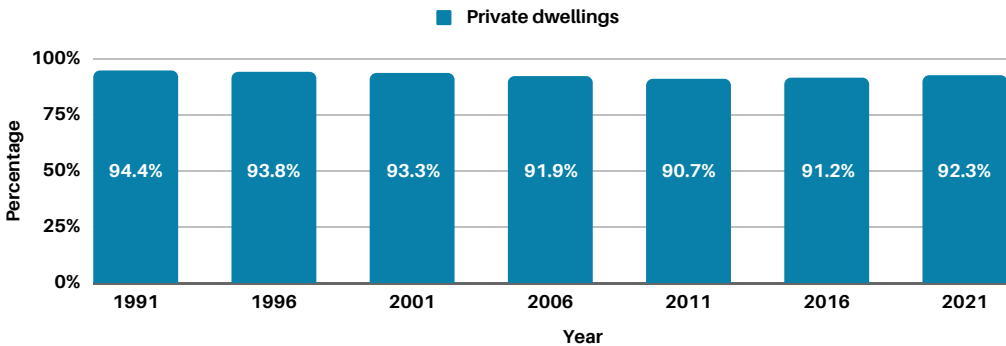


In 2021, 2.8% of the total population identified as Indigenous or Registered or Treaty Indian.

Population of children versus seniors, 2021



Percentage of private dwellings occupied by usual resident between 1991 and 2021



Note:

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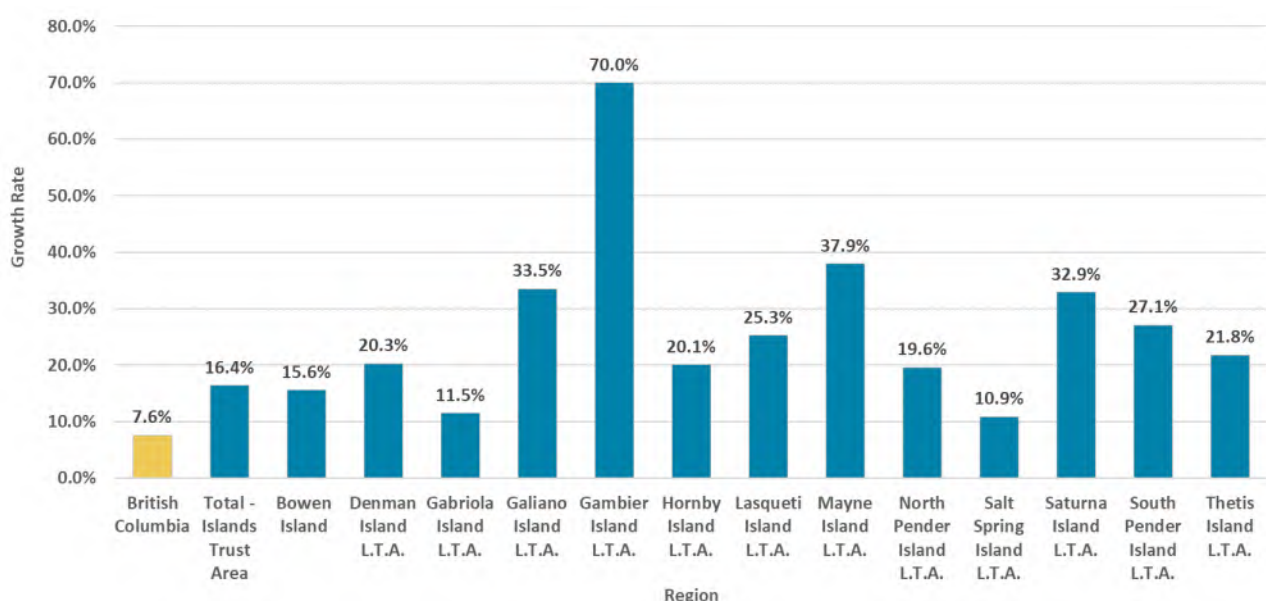
Sources: Statistics Canada, Census of Canada, 1971, vol. 1, part 2, table 14, (Catalogue 92-716); Statistics Canada, 1981 to 2021 Census of Population, 100% Data; Statistics Canada, 2021 Census of Population, 25% Sample-based Data

Islands Trust Area Census Profile 2021

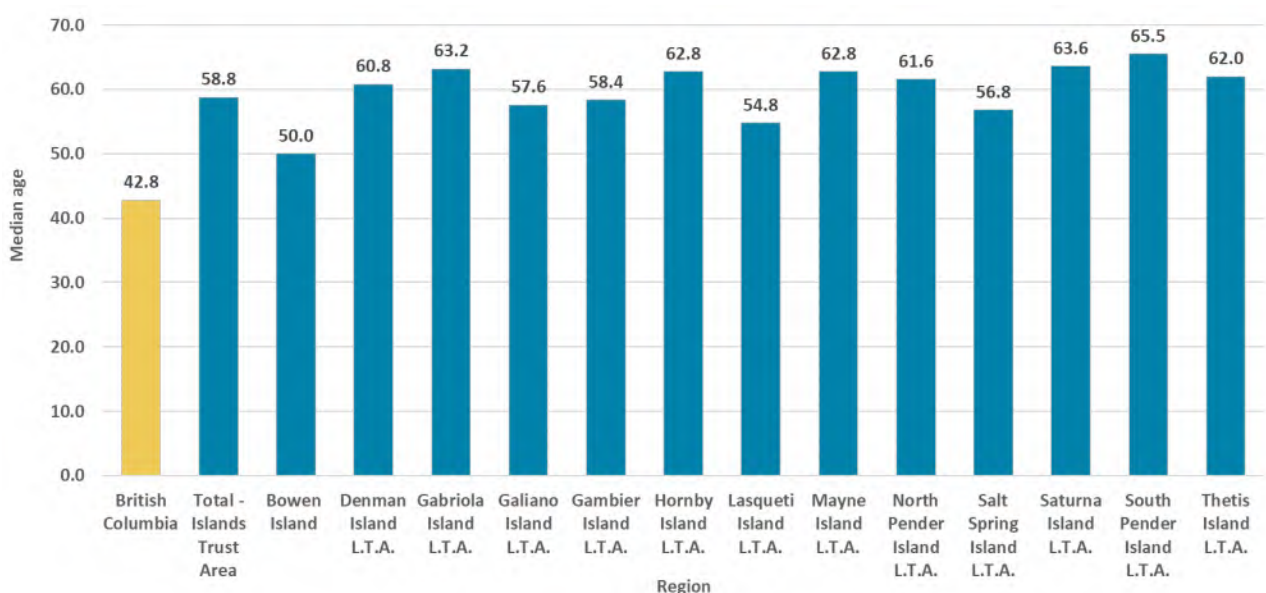


People

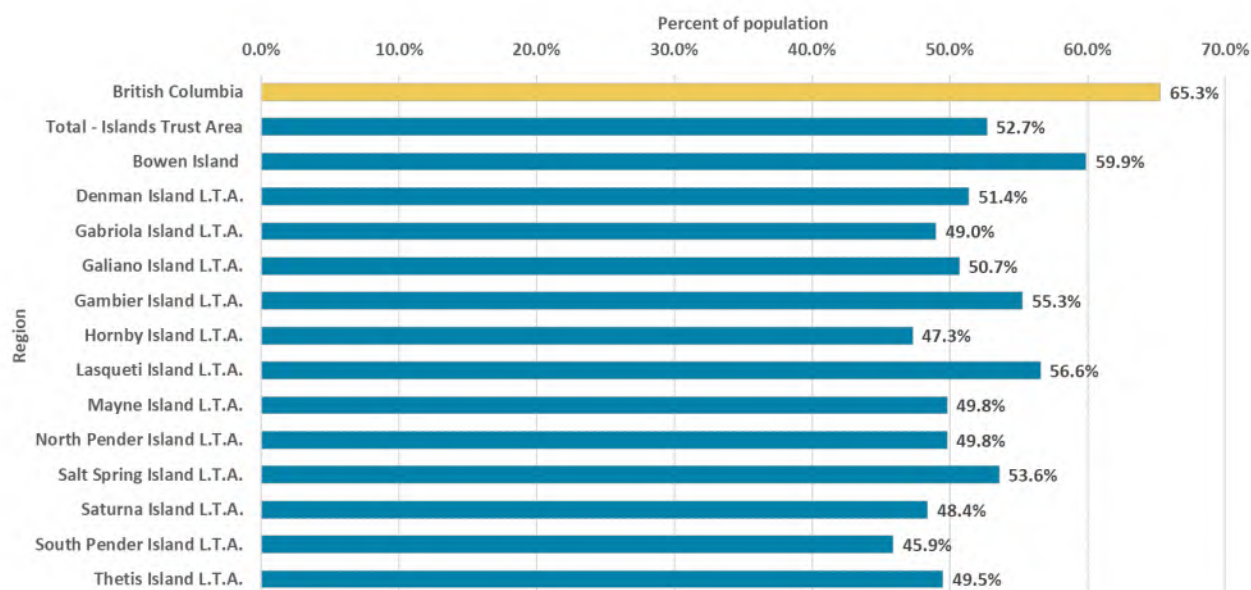
Population growth rate, 2016 to 2021



Median age of population, 2021

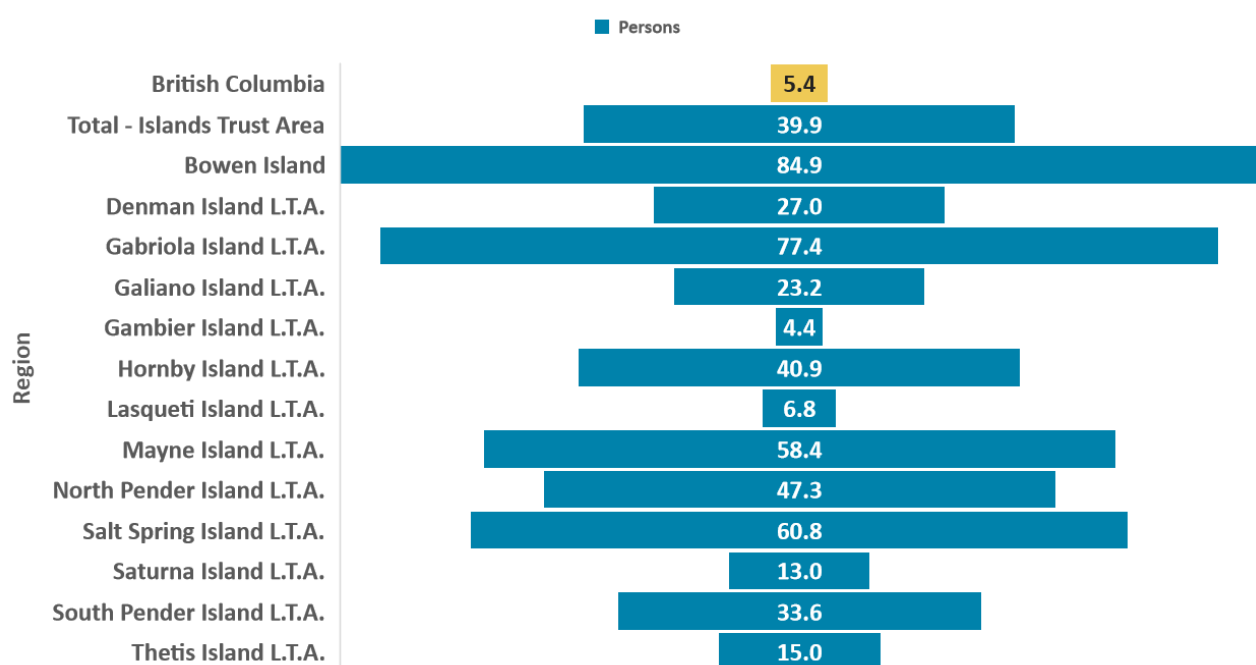


Working age population, 2021*



*Working age is 15 to 64 years old

Population density per square kilometer, 2021



Notes:

- With high global non-response rate, the 2016 Census data for Lasqueti Island Local Trust Area data should be used with caution as counts and estimates for this community have a high risk of non-response bias.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.
- The abbreviation 'L.T.A.' means 'Local Trust Area'.

Sources: Statistics Canada, 1991 to 2021 Census of Population, 100% Data; Statistics Canada, 2016 and 2021 Census of Population, 25% Sample-based Data



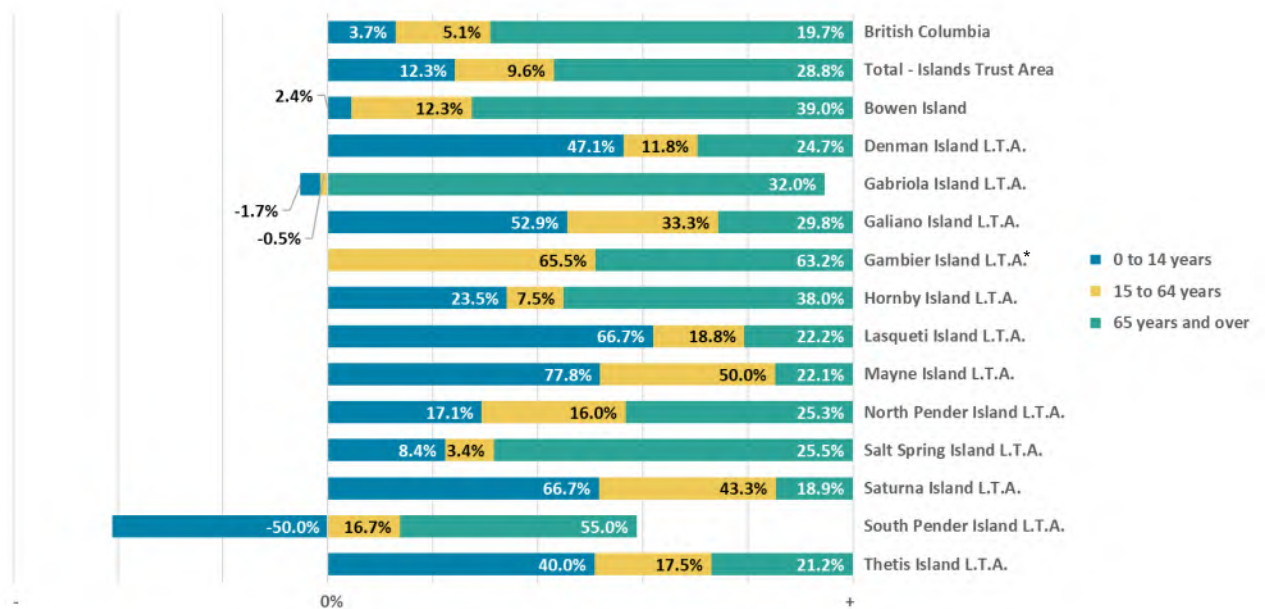
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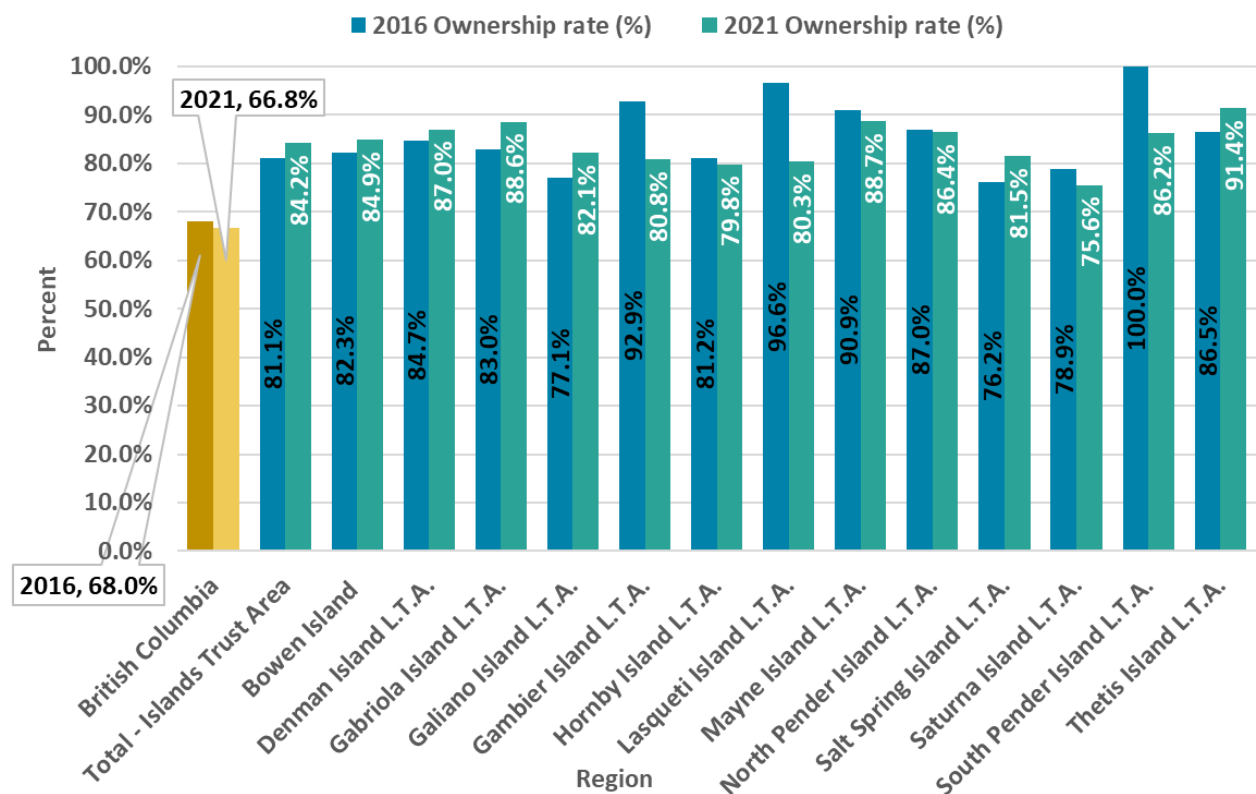
Population change by broad age group, 2016 to 2021



* The population change of 0 to 14 years age group was 250.0% in Gambier Island.

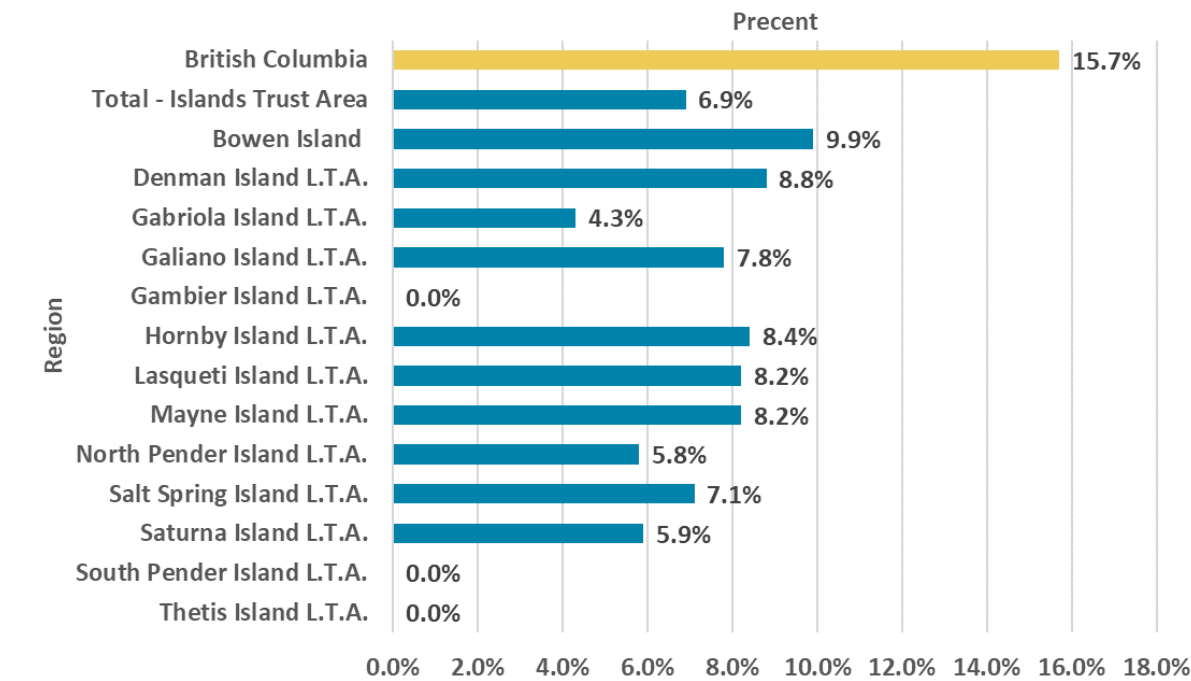
Dwelling

Homeownership rate, 2016 and 2021*

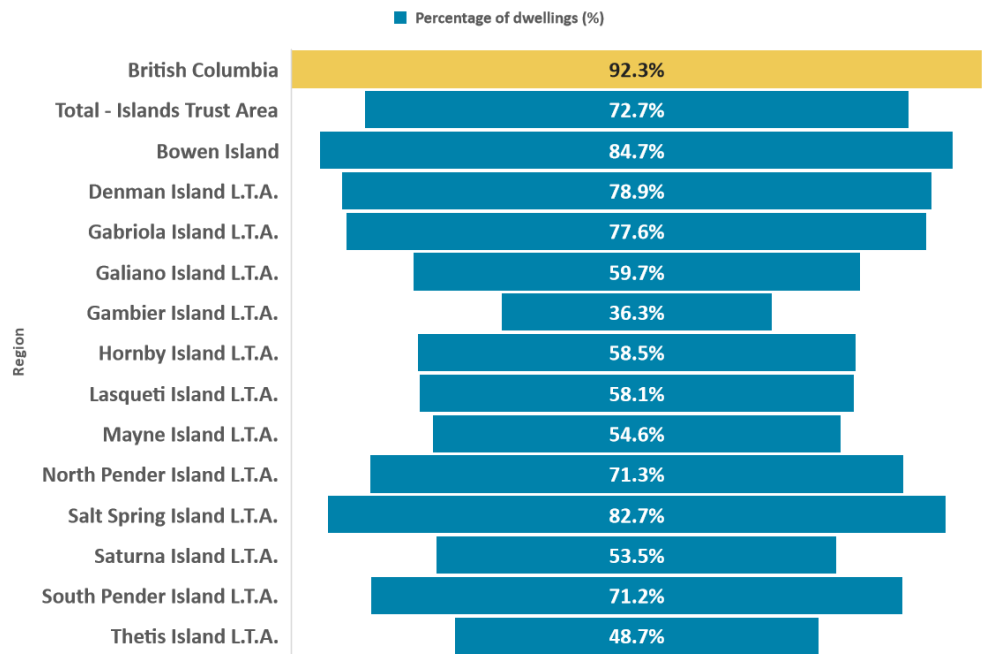


*Owner household refers to a private household where some member of the household owns the dwelling, even if it is still being paid for.

Homeownership rate among 25 to 39 year olds, 2021



Percentage of dwellings occupied by usual residents, 2021

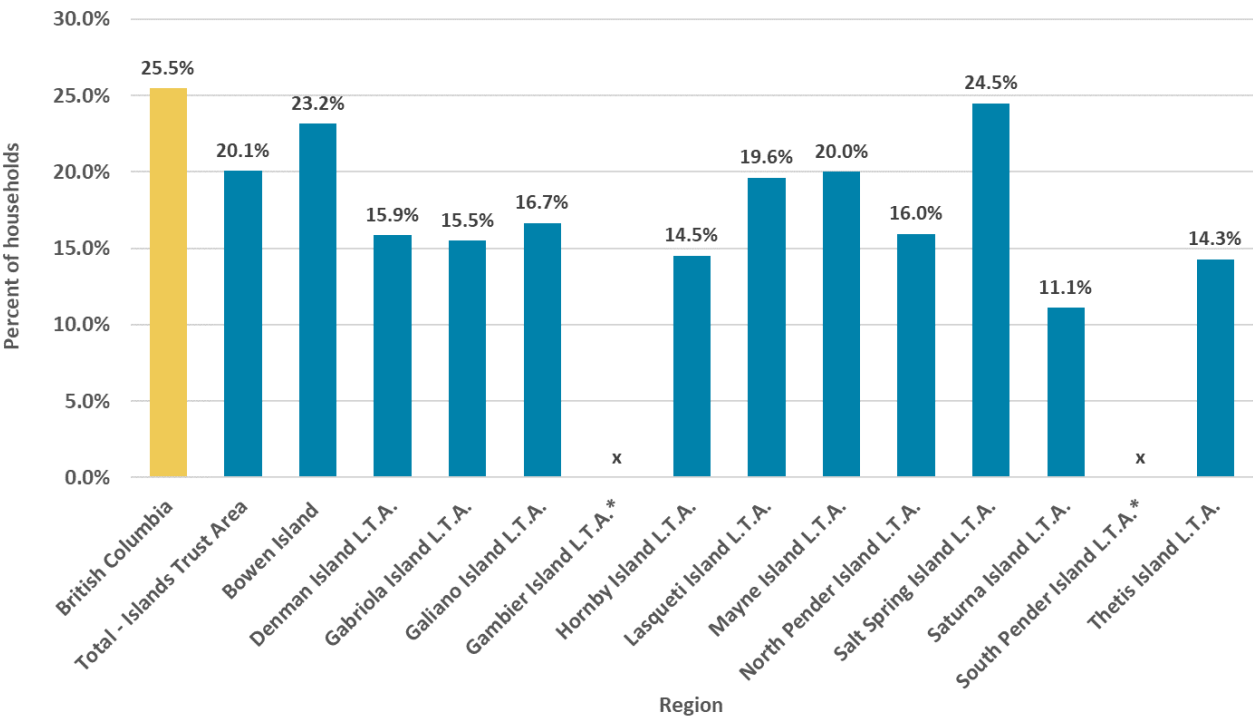


Notes:

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Sources: Statistics Canada, 1991 to 2021 Census of Population, 100% Data; Statistics Canada, 2016 and 2021 Census of Population, 25% Sample-based Data

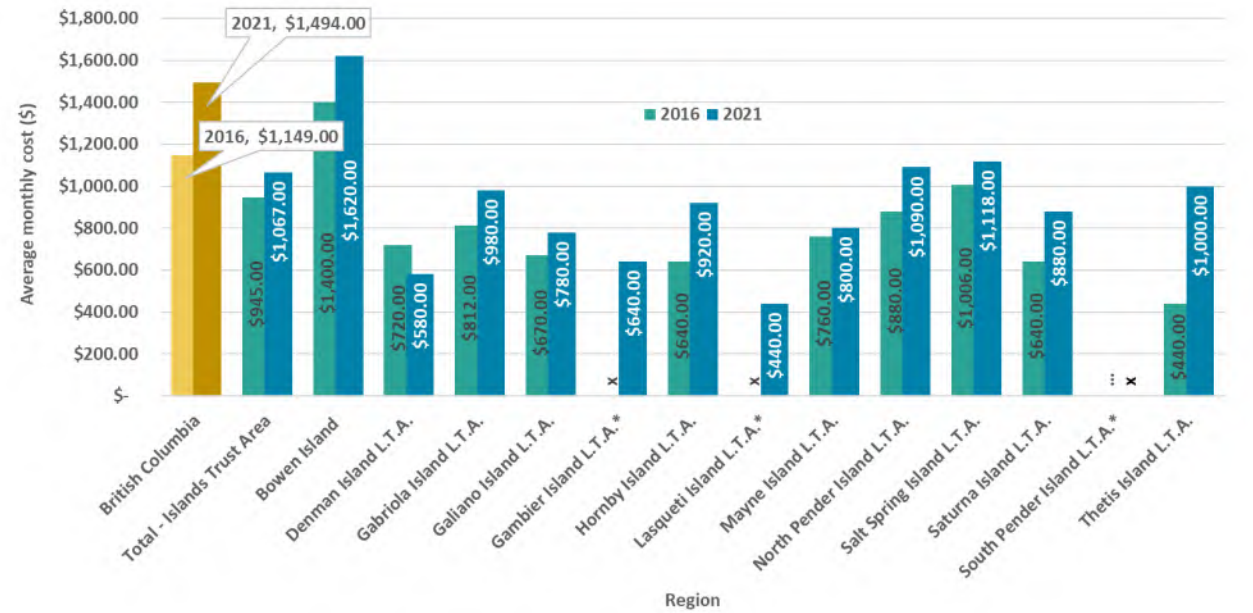
Percentage of households that spend 30% or more of income on shelter costs, 2021¹



*Data for Gambier Island Local Trust Area and South Pender Island Local Trust Area suppressed (x) to meet confidentiality requirements of the Statistics Act.

1. Total - Owner and tenant households with household total income greater than zero, in non-farm, non-reserve private dwellings by shelter-cost-to-income ratio.

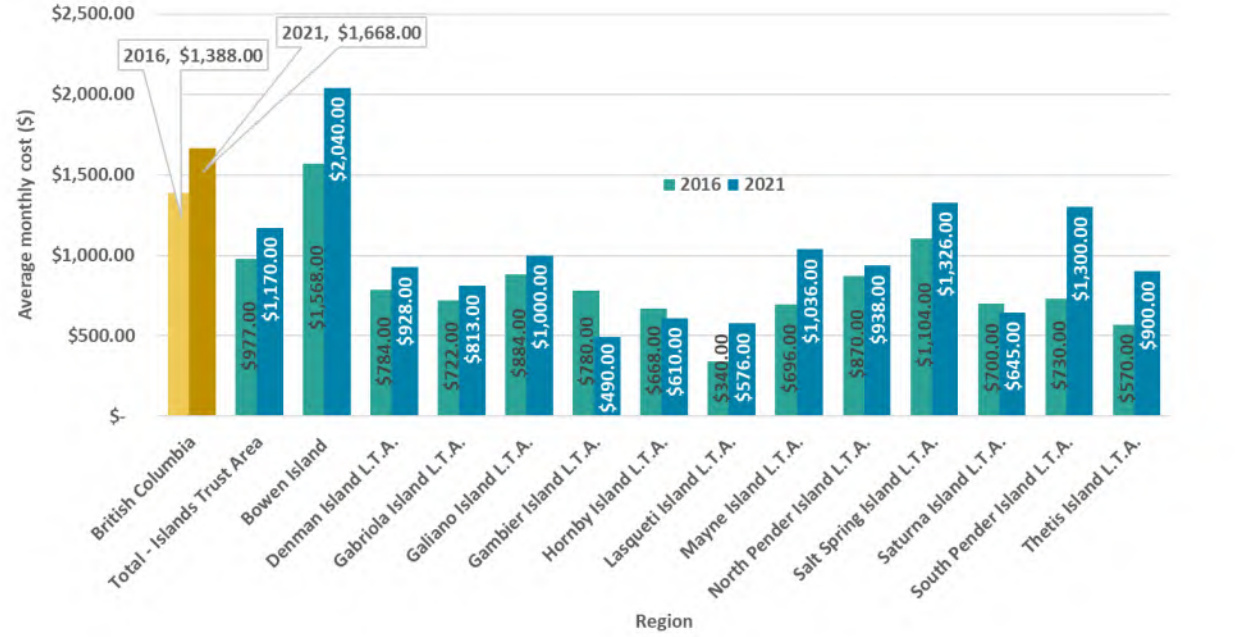
Average monthly shelter cost for renters, 2016 and 2021



Average monthly shelter costs for renters increased by 30.0% in B.C. while the Islands Trust Area saw an increase of 12.9%.

*2016 Census data for Gambier Island Local Trust Area and Lasqueti Island Local Trust Area suppressed (x) to meet confidentiality requirements of the Statistics Act. 2016 Census data for South Pender Island Local Trust Area not applicable (...). 2021 Census data for South Pender Island Local Trust Area suppressed (x) to meet confidentiality requirements of the Statistics Act.

Average monthly shelter cost for owners, 2016 and 2021



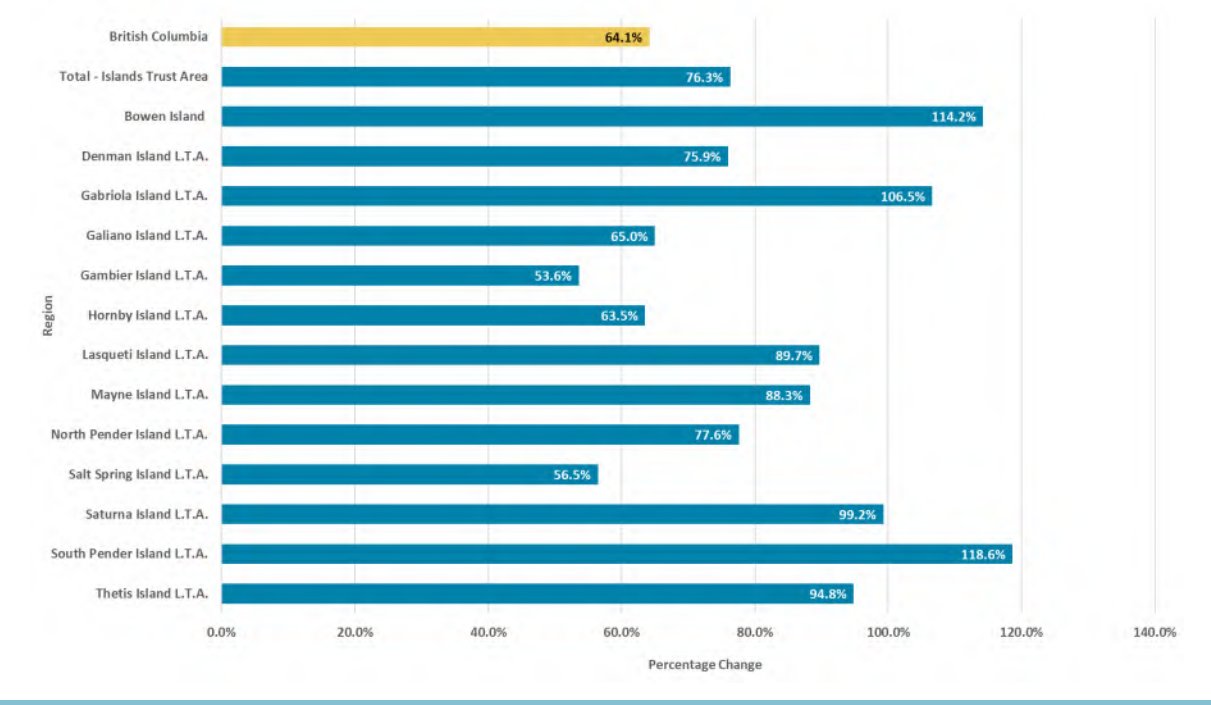
Average monthly shelter costs for owners increased by 20.2% in B.C. while the Islands Local Trust Area saw an increase of 19.8%.

Notes:

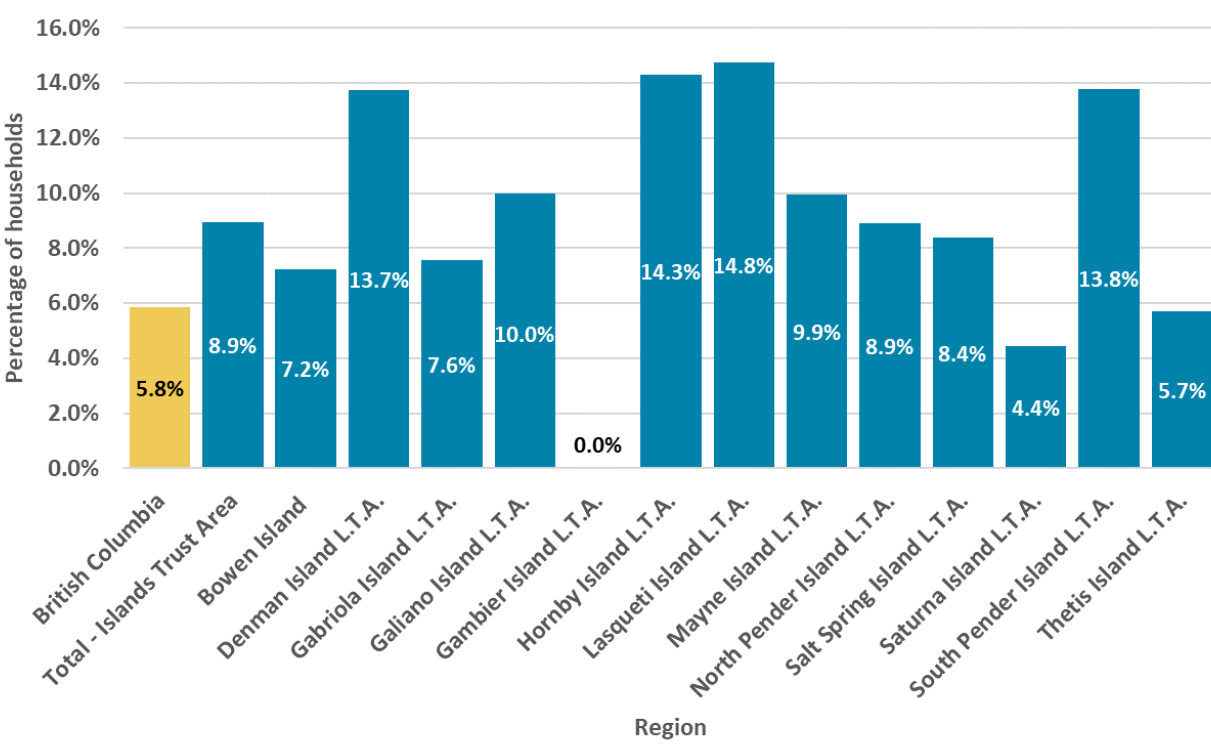
- With high global non-response rate, the 2016 Census data for Lasqueti Island Local Trust Area data should be used with caution as counts and estimates for this community have a high risk of non-response bias.
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- The abbreviation 'L.T.A.' means 'Local Trust Area'.

Sources: Statistics Canada, 1991 to 2021 Census of Population, 100% Data; Statistics Canada, 2016 and 2021 Census of Population, 25% Sample-based Data

Percentage change in private dwellings occupied by usual residents, 1991 to 2021



Percentage of households with inadequate housing, 2021*



*Housing is considered adequate when it isn't in need of major repairs. Major repairs include defective plumbing or electrical wiring, or structural repairs to walls, floors, or ceilings.

<https://www.cmhc-schl.gc.ca/en/professionals/housing-markets-data-and-research/housing-research/core-housing-need/identifying-core-housing-need>



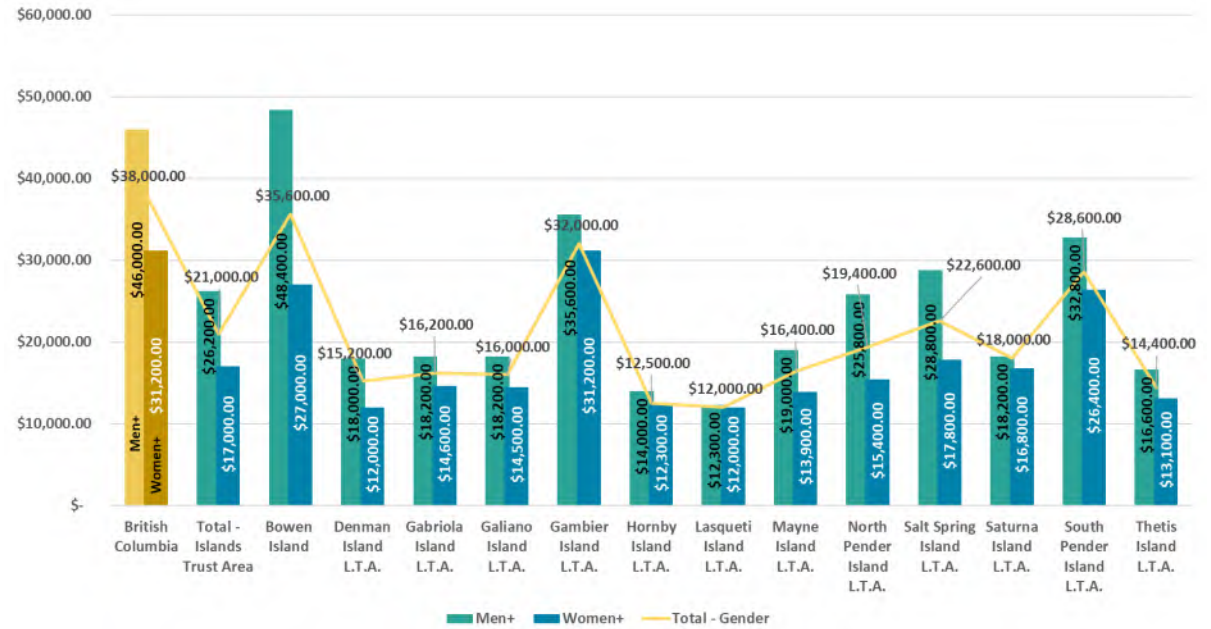
Income

Median after-tax income, 2020*



*For the 2021 Census, the reference period for income data is the calendar year 2020, unless otherwise specified.

Median employment income, 2020*



*For the 2021 Census, the reference period for income data is the calendar year 2020, unless otherwise specified.

Notes:

- With high global non-response rate, the 2016 Census data for Lasqueti Island Local Trust Area data should be used with caution as counts and estimates for this community have a high risk of non-response bias.
- To ensure confidentiality, the values, including totals, are randomly rounded either up or down to a multiple of '5' or '10.' To understand these data, you must be aware that each individual value is rounded. As a result, when these data are summed or grouped, the total value may not match the individual values since totals and sub-totals are independently rounded. Similarly, percentages, which are calculated on rounded data, may not necessarily add up to 100%.
- The abbreviation 'L.T.A.' means 'Local Trust Area'.

Sources: Statistics Canada, 1991 to 2021 Census of Population, 100% Data; Statistics Canada, 2016 and 2021 Census of Population, 25% Sample-based Data





ISLANDS TRUST CONSERVANCY

News Release

200-1627 Fort Street, Victoria, B.C., V8R 1H8

Telephone: 250-405-5186

itcmail@islandstrust.bc.ca

islandstrust.bc.ca/conservancy

June 20, 2023

FOR IMMEDIATE RELEASE

New Conservation Area on Lasqueti Island Protects Mature Forest for Species at Risk

Lak'wānan, METULIYE/Victoria, B.C. — The Islands Trust Conservancy's new Livingstone Forest covenant protects 11.35 hectares of forest and wetland on Xwe'etay/Lasqueti Island. The covenant provides important habitat for species at risk including the Northern Red-legged Frog, Western Toad, and Little Brown Myotis Bat.

Christine Ferris and Doug Hopwood, long-standing conservation stewards, placed the conservation covenant on their land to ensure long-term protection of the property's biodiversity and carbon stores. Ferris and Hopwood chose to register the covenant through the Islands Trust's Natural Area Protection Tax Exemption Program (NAPTEP) which will lower future property taxes on the area protected by the covenant.

Lasqueti Island is located southwest of Texada Island in the Georgia Strait. The Livingstone Forest covenant is named after the Livingstone family, who stewarded the land for 60 years prior to Ferris and Hopwood's purchase of the property in 1992. In August, both families will gather to place a plaque on the property to commemorate Kate Livingstone, who settled on the land in 1912 and raised her six children there. Several of her grandchildren retain their connection to Lasqueti today. The Livingstone Forest NAPTEP covenant is located in the territory of Tla'amin Nation and Qualicum First Nation.

The covenant protects a mature and productive second-growth coastal forest ecosystem and a wetland. The forest, with tree species including Coastal Douglas-fir, Western redcedar, and Red alder, acts as a natural carbon sink, while the wetland is an important water source for local species and provides filtration for groundwater.

"For close to 25 years, Doug and I worked for the Islands Trust Conservancy annually monitoring conservation areas, and we saw how a covenant can allow landowners to protect conservation values while retaining the use of the land. We met many owners who were so grateful to know that the features that make their properties so special will be protected for the long term," said Christine Ferris. "A big factor in our decision to put a covenant on our land was our awareness of the climate emergency. Conserving forests, along with eliminating fossil fuels, is essential for the future of humanity and nature."

Protecting Islands in the Salish Sea

“Livingstone Forest NAPTEP covenant is the Islands Trust Conservancy’s first covenant on Lasqueti Island,” said Linda Adams, Chair of the Islands Trust Conservancy Board. “We hope that this gift from Christine Ferris and Doug Hopwood will open the doors to other Lasqueti Island landholders who may be considering conservation options.”

About Islands Trust Conservancy

Islands Trust Conservancy is the conservation land trust for over 450 islands of the Salish Sea and is a part of Islands Trust. Since 1990, the Islands Trust Conservancy has protected more than 1,360 hectares of island ecosystems. This success is thanks to the vision, support, and generosity of donors and partners. Learn more online at islandstrust.bc.ca/conservancy.

-END-

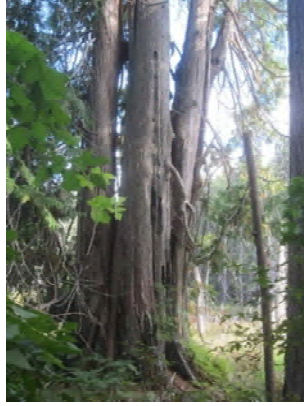
Quick Facts

- The Islands Trust Conservancy (ITC) protects natural landscapes across the Islands Trust region. The support of individuals and partners has helped to protect more than 1,375 ha of land within 33 nature reserves and 79 conservation covenants on islands in the Salish Sea.
- More than 65% of land on islands in the Salish Sea is privately held – meaning that individual, voluntary conservation actions are critical to protecting biodiversity and addressing impacts from climate change in the region.
- A conservation covenant is an agreement that is registered on a land title to protect natural features on privately held land. It is designed to be perpetual and to bind future landholders.
- The Natural Area Protection Tax Exemption Program (NAPTEP) offers a 65% property tax reduction on the protected portion of land when landholders place a conservation covenant on land with the Islands Trust Conservancy. The program is unique to the Islands Trust Area in British Columbia.
- B.C. is the most biologically-diverse province in Canada – but it is also a hotspot for biodiversity loss.
 - More than 100 species listed in the federal *Species at Risk Act* as being at risk of extinction are found in the Islands Trust Area. Protecting habitat is one of the best ways to prevent species from becoming at risk of extinction and aid in the recovery of those currently at risk.

Press Assets

Media has been made available for download to support this news release. You can [access these assets here](#).

Please use only the images identified in the **Islands Trust Conservancy Media Assets** gallery in support of this story with credit to appropriate authors (in the file name).



Contact

For all media enquiries please contact Micaela Yawney, Communications Specialist, Islands Trust Conservancy, 250-405-5183, myawney@islandstrust.bc.ca

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GM-DP-2022.1	Philip, Carolyn & David	14-Feb-2022	PID: 026-162-890 To bring structures into compliance with setbacks. Civic address: Lot 27 Mount Artaban Road, Gambier Island, BC.

Planner: Margot Thomaidis

Planning Status

Status Date: 14-Jun-2022

Notified applicant of DFO/ MoTI restrictive covenant. LTC cannot consider application without written confirmation that DFO is agreeable to waive or amend the covenant restrictions.

Status Date: 02-May-2022

File reassigned

Status Date: 23-Feb-2022

File opened, assigned and waiting for etransfer.

File Number	Applicant Name	Date Received	Purpose
GM-DP-2023.1	Delane & Cumming, Steve & Sarah	01-May-2023	PID 013-387-031 new SFD at Lot 62, West Bay Road on Gambier Island.

Planner: Marlis McCargar

Planning Status

Status Date:

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2002.1	Land Plan Group Inc.	24-Jan-2002	PID: 014-385-694\nKeats Island - Keats Camp cottage lots - siting variances\nDL 696

Planner: Sonja Zupanec

Planning Status

Status Date: 10-Apr-2008

still on hold pending rezoning

Status Date: 13-Aug-2007

on hold pending rezoning application

Status Date: 16-May-2006

Met with applicant. Outstanding items forwarded for attention. May be add'l fees.

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2022.1	Philip, Carolyn & David	14-Feb-2022	PID: 026-162-890 To bring structures within compliance with setbacks. Civic address: Lot 27 Mount Artaban Road, Gambier Island, BC.

Planner: Margot Thomaidis

Planning Status

Status Date: 16-Jun-2022

Applicant contacting DFO. Staff provided contact information for Vancouver Regional Headquarters and Steveston regional office (Fishing areas 28, 29).

Status Date: 14-Jun-2022

Notified applicant of DFO/ MoTI restrictive covenant. LTC cannot consider application without written confirmation that DFO is agreeable to waive or amend the covenant restrictions.

Status Date: 14-Jun-2022

Applicant advised to contact DFO office.

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2022.3	Pedersen, Kenneth & Joan	14-Jun-2022	PID: 010-892-567 To permit existing seawall within 25 foot setback. Civic address: 123 Esplanade Road, Eastbourne, Keats Island, BC.

Planner: Margot Thomaidis

Planning Status

Status Date: 16-Sep-2022

Requested and awaiting additional information from applicants.

Status Date: 14-Jul-2022

Planner reviewing file.

Status Date: 17-Jun-2022

File opened & assigned. Waiting for etransfer.

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2023.1	Robitaille, Patrick	01-May-2023	PID: 009-414-908 request for variance to Bylaw no. 120, 5.1(6) in order to construct a deck that is sited partially within the front lot line setback and the side lot line setback, as well as siting of the garden shed partially in the side lot line setback at 578 Vaucroft Rd on North Thormanby Island

Planner: Stephen Baugh

Planning Status

Status Date:

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2023.2	Delane & Cumming, Stephen & Sarah	10-May-2023	PID: 013-387-031 request for variance to riparian setback requirement at Lot 62, West Bay Rd on Gambier Island.
Planner: Marlis McCargar			
Planning Status			
<u>Status Date:</u> 24-May-2023			
Refund Memo to finance forwarded to RPM.			
<u>Status Date:</u> 24-May-2023			
Signed Refund Memo forwarded to finance.			

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2023.3	At Home Construction Ltd.	26-Jun-2023	PID: 011-643-439 seeking a variance from lot line to build an addition at 2431 Austin Rd on Gambier Island.
Planner: Marlis McCargar			
Planning Status			
<u>Status Date:</u>			

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GM-TUP-2023.1	Kim, Jinyoung	01-May-2023	PID: 012-825-948 temporary use of land for short-term accommodation and campgrounds at 670 Andy's Bay Rd on Gambier Island.
Planner: Marlis McCargar			
Planning Status			
<u>Status Date:</u> 28-Jun-2023			
Planner reviewing application.			

Islands Trust
LTC EXP SUMMARY REPORT F2024
Invoices posted to Month ending June 2023

630 Gambier	Invoices posted to Month ending June 2023	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-630	LTC "Trustee Expenses"	254.00	0.00	254.00
LTC Local				
65200-630	LTC - Local Exp - LTC Meeting Expenses	1,488.00	451.95	1,036.05
65210-630	LTC - Local Exp - APC Meeting Expenses	333.00	0.00	333.00
65220-630	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-630	LTC - Local Exp - Special Projects	277.00	0.00	277.00
TOTAL LTC Local Expense		<u>2,348.00</u>	<u>451.95</u>	<u>1,896.05</u>
Projects				
73001-630-2016	Gambier OCP/LUB	16,000.00	0.00	16,000.00
73001-630-4094	Gambier Keats Island Shoreline Protection Review	4,000.00	1,185.00	2,815.00
TOTAL Project Expenses		<u>20,000.00</u>	<u>1,185.00</u>	<u>18,815.00</u>

Gambier Island Local Trust Committee Policies & Standing Resolutions

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

No	Meeting Date	Resolution No.	Issue	Policy
3.	October 26, 2017	GM-2017-065	Development Permit Area (DPA) No. 3: Riparian Areas administration	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt a Standing Resolution which directs staff to administer Development Permit Area (DPA) No. 3: Riparian Areas in the interim before formal amendments are made to the DPA, as follows: a. The “Designated Area” provisions of Section 12.3.1 of Gambier Island Official Community Plan No. 73 should be used to determine whether or not a proposed development is subject to DPA No. 3: Riparian Areas; b. When development is proposed within the “Designated Area”, applicants shall be required to have a Qualified Environmental Professional assess the water feature to determine whether or not it is subject to the Riparian Areas Regulation; c. When development is proposed within the “Designated Area” of a water feature which is determined to be subject to the Riparian Areas Regulation, a DPA No. 3: Riparian Areas Development Permit shall be required; d. When development is proposed within the “Designated Area” of a water feature which is determined not to be subject to the Riparian Areas Regulation, a DPA No. 3: Riparian Areas Development Permit shall not be required.
4.	December 11, 2017	GM-2017-078	Adding item to agenda	It was MOVED and SECONDED that the Gambier Island Local Trust Committee request staff to add to each agenda “First Nations Activities” under the Reports section.
5.	January 25, 2018	GM-2018-009	First Nations Words, Phrases and Place Names	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt the following standing resolution: a) That staff incorporate First Nations’ words, phrases, and place names in Local Trust Committee communications, as appropriate.
6.	July 25, 2019	GM-2019-031	Model Cell Tower Consultation Process	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt the model strategy for antenna systems.

No	Meeting Date	Resolution No.	Issue	Policy
7.	November 21, 2019	GM-2019-061	First Nations Reconciliation engagement	It was MOVED and SECONDED that the Gambier Island Local Trust Committee adopt the following standing resolution with respect to First Nations in the Local Trust Area: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavors to: a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; e) Establish and maintain government-to-government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
8.	July 23, 2020	GM-IC-2020-001	Bylaw Enforcement investigation	It was MOVED and SECONDED that the Gambier Island Local Trust Committee request Bylaw Enforcement staff to cease investigation and enforcement of complaints on Keats Island regarding otherwise lawful accessory uses, buildings and structures on a parcel where no principal use exists if the adjacent parcel has a principal use and both parcels are held under common ownership.

No	Meeting Date	Resolution No.	Issue	Policy
9.	February 10, 2023	GM-RWM-2023-001	Bylaw Enforcement deferral	Defer enforcement on existing seawalls on North Thormanby Island. The deferment of enforcement should not be interpreted as permitting any new additions or structures from requiring a permit or otherwise requiring compliance with the Gambier Associated Islands Land Use Bylaw No. 120.'

Active Projects Report

Gambier Island

1. *Gambier OCP & LUB Targeted Review*

Conduct a review of the Gambier Island Official Community Plan policies and Land Use regulations pertaining to forest protection, protection of archaeological and cultural sites, shoreline protection and marine designations across the Plan area.

Including:

- Reconsider the zoning designation title 'Wilderness Conservation;'
- Add a definition for 'breakwater;'
- Consider policies and regulations regarding trams (funicular tracks, etc.);
- Review site specific water zones on Gambier;
- Clarification around water storage tanks as structures, requirements for screening, and the need for setback placement as part of their use as community amenities in fire protection.

Responsible

Dates

Marlis McCargar
Sonja Zupanec

Rec'd: 12-Feb-2015

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

Review of OCP and LUB to implement shoreline protection measures. Establish Shoreline DPA and updates marine structure regulations.

Responsible

Dates

Jaime Dubyna
Marlis McCargar

Rec'd: 31-Jan-2019

Future Projects Report

Gambier Island

1. *Administrative*

Responsible

Date Received

- Development Approval Information Bylaw: Develop and adopt a D.A.I bylaw for the Gambier Trust Area.
- Identification of all Crown reserves (strips) and similar Crown properties (i.e. islets) in the Gambier Island Local Trust Area.

01-Sep-2022

2. *OCP & LUB*

Responsible

Date Received

- Pump out stations: develop advocacy policies
- Thormanby Island Foreshore Protection: Review of setback regulations and designation of a development permit area for the purposes of protecting the natural environment, its ecosystems and biological diversity and protection of development from hazardous conditions.
- Consider adoption of a Heritage Conservation Area

01-Sep-2022

3. *LUB*

Responsible

Date Received

Gambier LUB:

- Recreational Camp and Private Institutional Regulation Review:

Keats LUB:

- Update definition of 'dwelling' in the Keats Island Land Use Bylaw No. 78.

01-Sep-2022

Future Projects Report

Gambier Island

4. *OCP*

Responsible

Date Received

N/A

01-Sep-2022

5. *Advocacy and Communications*

Responsible

Date Received

N/A

01-Sep-2022

6. *Bylaw Enforcement*

Responsible

Date Received

N/A

01-Sep-2022