



Gambier Island Local Trust Committee

Minutes of Regular Meeting

Date: April 29, 2024

Location: Electronic Meeting

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

Staff Present: Marlis McCargar, Island Planner
Lisa Millard, Meeting Administrator / Recorder

Others Present: There were approximately three 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 5:00 pm. He acknowledged that the meeting was held on the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Stamford reported the following:

- She attended Trust Council meeting held in March 2024 during which the budget was passed;
- She attended the Howe Sound Community Forum on April 12, 2024;
- She attended the April, 2024 Association of Vancouver Island and Coastal Communities convention and, as a representative of the Sunshine Coast Regional District, spoke to a motion requesting the provincial government to provide financial and strategic support for important dock structures in coastal waters; and

- She has been working with the Rural and Economic Development Initiative Project for the Gambier Island Community, which recently brought Planners and students from the University of BC to the island for a day with the community.

Planner Bernardo did not provide a report.

3.2 Chair's Report

Chair Luckham reported the following:

- He is preparing for the June, 2024 Trust Council meeting being held on Salt Spring Island; and
- He attended the Association of Vancouver Island and Coastal Communities convention held in Victoria.

3.3 Electoral Area Director's Report

Electoral Area Director Stamford highlighted the following:

- She attended the Association of Vancouver Island and Coastal Communities convention and spoke about the importance of maintaining important dock structures;
- She met with the President of BC Ferries and spoke with him about the long-term issues associated with the New Brighton dock;
- She met with Minister Cullen and spoke with him about the New Brighton dock and the Sunshine Coast water supply issues;
- She met with Transportation and Infrastructure Minister Coulter about roads and the New Brighton dock; and
- She will be participating in an upcoming community meeting about the Hopkins Landing dock, which is currently closed, and in need of renovation.

4. DELEGATIONS - none

5. PUBLIC COMMENTS

A member of the public stated that there had been a work party held at the Keats Island Sandy Beach Nature Reserve during which garbage and invasive plants were removed and a new trail was created. He also noted that the Keats Island Foreshore Project had been worked on for a number of years, and he urged the Local Trust Committee to come to a completion on this project, or at minimum move it to the public hearing stage.

The Outstation Director for the West Vancouver Yacht Club noted the club's outstation is located in Center Bay. He indicated he is attending the Local Trust Committee meeting in order to familiarize himself with any bylaw, or process, changes related to tenure on water lots.

6. MINUTES

6.1 Local Trust Committee Special Meeting Minutes dated January 9, 2024 - for adoption

By general consent the Local Trust Committee meeting minutes of January 9, 2024 were adopted.

6.2 Local Trust Committee Meeting Minutes dated January 29, 2024 - for adoption

By general consent the Local Trust Committee meeting minutes of January 29, 2024 were adopted.

6.3 Section 26 Resolutions-Without-Meeting Report dated April 19, 2024

Received for information.

6.4 Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated April 19, 2024

Received for information.

8. APPLICATIONS AND REFERRALS - none

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Major Project: Gambier Island Official Community Plan Review Project - Staff Report

Planner Zupanec spoke about the Squamish Nation referral and engagement process and made the following comments:

- Staff have been working for several months to engage Squamish Nation staff in the Intergovernmental Rights and Title department regarding the Gambier Island Official Community Plan and Land Use Bylaw review;
- She thanked the Local Trust Committee for endorsing the approach to reach out to the Squamish Nation in order to identify and collaborate on the priorities of both parties; and
- She read an email, which summarized the Squamish Nation's perspective on the engagement process, which stated, in part, that they are interested to see how their feedback will be incorporated into the final strategy and Official Community Plan.

The Chair and Trustees thanked staff for the positive engagement work that staff had undertaken.

Planner Zupanec reviewed the Project Charter and the suggested amendments.

Discussion ensued and the Trustees made the following points:

- There are a number of recommendations from both staff and the Squamish Nation and it is important to thoroughly understand the meaning of the recommendations;
- It is potentially premature to prepare draft bylaw language before Trustees understand the full scope of the recommendations;
- There has only been one community information session and this does not seem sufficient; and
- There should be further opportunities to obtain community feedback prior to the first reading of the bylaw;

The Planner responded as follows:

- The draft bylaws would be prepared so that the Squamish Nation could see how their recommendations were being implemented, for the information of the local community, and for the purpose of referral to the Advisory Planning Commission;
- There has been sufficient input to date to allow staff to proceed to the draft bylaw stage, and
- The Local Trust Committee can seek community engagement regarding the draft bylaws.

GM-2024-12

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee endorse the revised Project Charter v. 2.1, dated April 29, 2024 for the Official Community Plan and Land Use Bylaw Targeted Review project, as to be amended further to discussion amongst Trustees on April 29, 2023.

CARRIED

GM-2024-13

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to prepare a draft amendment to the Advisory Planning Commission Bylaw No. 150 to permit electronic meeting participation of appointed members, and return the draft bylaw amendment to the Local Trust Committee for further consideration of next steps.

CARRIED

GM-2024-14

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to report back on the implications of implementing Squamish Nation Engagement Summary Recommendation *“C2 - Ensure planning staff are conducting early referrals of all relevant development applications (temporary use permits, development variance permits, rezonings) and advising applicants to seek explicit permission from Rights and Title Department.”*

CARRIED

Trustee Bernardo indicated that he would like Staff to report back on the implications of implementing C2 as there may be large legal and socio-economic issues related to moving to a dual approval process, and that this needs to be discussed prior to implementation.

The Planner replied that the recommendations are advocacy and action items that have been identified as high priorities through both community and Squamish Nation consultation.

GM-2024-15

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to report back on the options and implications to implement Squamish Nation Engagement Summary Recommendations A6, B4, B7, B10, D2 and D4, identified as high priority relationship building and advocacy action items.

CARRIED

GM-2024-16

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to initiate a request to schedule an elected officials meeting with Squamish Nation in the fall/winter of 2024 to discuss the status of the implementation of Squamish Nation engagement recommendations.

CARRIED

Planner Zupanec summarized the need for a supplemental report to address the high priority recommendations and to help identify a range of options through policy and regulations. This report would provide a template of options for discussions and deliberations.

Discussion ensued.

GM-2024-17

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to prepare a supplemental report including options and implications of draft bylaw language to amend and update the Official Community Plan (OCP) and Land Use Bylaw (LUB) based on the general recommendations of the 2023 Public Engagement Summary and twenty recommendations from the 2024 Squamish Nation Engagement Summary (A1-A5; B1-B9; C1, C3, C4; D1, D3, D5) identified as high priority Official Community Plan and Land Use Bylaw amendments.

CARRIED

9.2 Minor Project: Keats Shoreline Protection Project - Staff Report

Planner McCargar summarized the staff report and indicated that there were two remaining issues that the Local Trust Committee has tabled for discussion including guidelines around dock materials and adding exemptions in the Development Permit Area. She stated that, if the Local Trust Committee concurs with the staff recommendations, then, staff will proceed with a legal review and schedule a public hearing.

Trustee Bernardo stated he would like to defer this item to the next meeting as he would like time to read the entire report again, and to determine how much he is prepared to compromise in order to support the bylaw.

Discussion ensued and alternative suggestions were made. It was determined that further discussion regarding this item would be deferred to the end of the meeting.

10. CORRESPONDENCE - none

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

11. NEW BUSINESS

11.1 Logging in Settlement Residential Zone - Trustee Stamford Verbal Discussion

Trustee Stamford made the following comments:

- The Gambier Island Rural Residential zoning allows forestry while the Settlement zoning does not;
- When land is cleared in the Settlement zone the logs are often sold, and this would appear to be a forestry activity; and
- If logging means that you sell your logs, then, there is a potential problem occurring on properties zoned Settlement.

Discussion ensued.

GM-2024-18

It was MOVED AND SECONDED

that the Gambier Island Local Trust Committee request staff to review the definition of permitted forestry / logging activity on settlement residential zones on Gambier Island.

CARRIED

11.2 Change May 28, 2024 Regular Business Meeting from Electronic to In-Person

GM-2024-19

It was MOVED and SECONDED

that the Gambier Local Trust Committee request Staff to change their regular business meeting scheduled for May 28, 2024 from electronic to in-person at the John Braithwaite Centre, Meeting Room 3, 145 West 1st Street, North Vancouver, BC.

CARRIED

The meeting recessed for a break at 7:29 pm and reconvened at 7:40 pm.

12. STAFF REPORTS

12.1 2023/24 Annual Report - Approval of Gambier Island Local Trust Committee's Section - Request for Decision

GB-2024-20

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee add the islands Bowyer and Passage into the list of included associated islands in the first paragraph of the Gambier statement for inclusion in the 2023/24 Annual Report to Trust Council.

CARRIED

GB-2024-21

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee approves the attached text for inclusion in the 2023/24 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Municipal Affairs.

CARRIED

12.2 Trust Conservancy Report - none

12.3 Applications Report dated April 19, 2024

Received for information.

12.4 Trustee and Local Expense Report dated February, 2024

Received for information.

12.5 Adopted Policies and Standing Resolutions

Received for information.

12.6 First Nations Relationship Building Update - none

12.7 Local Trust Committee Webpage

No updates at this time.

13. WORK PROGRAM

13.1 Active Projects Report dated April 19, 2024

Received for information.

13.2 Future Projects Report dated April 19, 2024

Received for information.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, May 28, 2024 at 10:00 am at John Braithwaite Centre, Meeting Room 3, 145 West 1st Street, North Vancouver, BC

15. RECESSED

15.1 To resume Tuesday, May 14, 2024 at 10:00 am

GM-2024-22

It was MOVED and SECONDED

That the Gambier Island Local Trust Committee recess the meeting to reconvene May 14, 2024 at 10:00 am.

CARRIED

By general consent the meeting was recessed at 7:50 pm.

16. RESUMED - MAY 14, 2024

Chair Luckham reconvened the meeting on May 14, 2024 at 10:02 am. He acknowledged that the meeting was being held on the territory of the Coast Salish First Nations.

16.1 Minor Project: Keats Shoreline Protection Project - Staff Report

Chair Luckham acknowledged a memo, which outlined Trustee Bernardo's suggested edits and exemptions to proposed Bylaw 154. The Planner confirmed that the memo had been received and that it was posted on the website.

The Planner stated that the final bylaw language would be submitted for legal review prior to adoption.

Minor edits for clarity and consistency were suggested and accepted.

Discussion ensued regarding dock materials and Trustees made the following comments:

- Docks cannot be built with biodegradable materials;
- The term 'water quality' should be replaced with 'marine ecosystem';
- There is a preference that unenclosed plastic foam not be used; and
- There is agreement that creosote pilings should not be used.

Discussion ensued regarding construction and alterations within the Development Permit Area (DPA).

Trustee Bernardo noted the following:

- The scope of the DPA requirements in section 9.3.1 of the bylaw has the effect of limiting property owners' enjoyment of their property and limits the work they can do on it;
- The setback from the foreshore has been 7.5 metres and is now being proposed as a 15 metre setback;
- There are many properties that already have structures close to the water that will now be within the boundaries of the DP and the property owners will now be required to get a development permit to do any work on structures or land alterations;
- The bylaw is going to cover activities over areas that residents have used for decades;
- Protecting the undisturbed ecosystem is important but there should not be unnecessary interference with existing property owners to use their property as they wish;
- It is reasonable to allow residents to make alterations to their land within the same footprint;
- Home owners should not be restricted when doing minor alterations when they are substituting one use of developed land for another use; and
- The residents of Keats Island have a history of stewardship and not reckless development.

Trustee Stamford noted the following:

- There is an extensive list of exemptions already included in the proposed bylaw;
- She recognizes that these areas are within the foreshore and, even though they have already been disturbed, they might still be considered ecosystems;
- There may be construction options that are reasonable and others that may disturb the ecosystem whereby a development permit might be required;
- Improvements within the same foot print are acceptable but adding a building within the foreshore area where there was not one before is development;
- While the bylaw might affect existing property owners it serves as a mitigation tool for developers and new owners; and
- She is not inclined to include the additional exemptions as proposed

The meeting was recessed at 11: 12 am and reconvened at 11:26 am.

Discussion ensued regarding additions within the Development Permit Area (DPA). Trustee Bernardo said that his suggested language regarding additions would allow homeowners to make a small addition to the home provided the conditions he listed apply.

Trustee Stamford noted the following:

- It is due diligence to require notification for any kind of development;
- There are potential underground archeological considerations; and
- If someone wants to expand the footprint of a building, there should be an extra layer of supervision.

The Trustees acknowledged that there has been positive discussion and debate throughout the process of amending the bylaw and it is important to get second reading of the bylaw in order to schedule a Public Hearing. Trustee Bernardo indicated that he would like to communicate to the community members his position on the outstanding issue of allowing additions within the development permit area.

The meeting was recessed at 12:20 pm and reconvened at 12:25 pm.

GM-2024-023

It was MOVED and SECONDED

That the Gambier Island Local Trust Committee Bylaw No. 154 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021” as shown in Attachment 2 of the staff report dated April 29, 2024, be amended as follows:

- a) 9.3 DP-3 SHORELINE. .2 Exemptions the following be added after item (a):
Alterations of previously disturbed land and to pre-existing buildings, structures and utilities located between 7.5 meters and 15 meters from the natural boundary of the sea, provided always that the alteration:
 - takes place entirely within the perimeter of previously disturbed land or within the footprint of a pre-existing building, structure, or utility;
 - does not alter, disturb or otherwise harm previously undisturbed land or native vegetation anywhere within DP3; and
 - does not result in environmental degradation of any kind anywhere within DP3 or to the ecology of the foreshore.
- b) 9.3 DP-3 SHORELINE. .3 General Guidelines, item “h” the words “water quality” be replaced with “the marine ecosystem”.
- c) 9.3 DP-3 SHORELINE. .4 Guidelines - Construction and Replacement of Docks and Ramps, item “f” be replaced in its entirety with, “Docks should be constructed of stable materials that do not have the potential to degrade the marine ecosystem or the ecology of the foreshore over time.”
- d) 9.3 DP-3 SHORELINE. .5 Guidelines – Shoreline Modifications, item “c” subsection “iv” the words “water quality” be replaced with “the marine ecosystem”.
- e) 9.3 DP-3 SHORELINE. .5 Guidelines – Shoreline Modifications, item “f” subsection “iv” should be deleted in its entirety.
- f) 9.3 DP-3 SHORELINE. .5 Guidelines – Shoreline Modifications, item “g” the words “water quality” be replaced with “the marine ecosystem or the ecology of the foreshore.”

CARRIED

GM-2024-024

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 154 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021” as shown in Attachment 2 of the staff report dated April 29, 2024, be given Second Reading as amended.

CARRIED

GM-2024-025

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to procure legal review on Proposed Bylaw No. 154 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021”.

CARRIED

GM-2024-026

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to schedule an in-person Public Hearing, in the summer of 2024, on Keats Island or in Gibsons for Proposed Bylaw Nos. 153 (OCP) and 154 (LUB).

CARRIED

17. ADJOURNMENT

By general consent the meeting was adjourned at 12:34 p.m.

Peter Luckham, Chair

Certified Correct:

Lisa Millard, Recorder