



Gambier Island Local Trust Committee

Minutes of Regular Meeting

Date: November 26, 2024
Location: Electronic Meeting

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

Staff Present: Marlis McCargar, Island Planner
Ian Cox, Planner 2
Margot Thomaidis, Planner 2
Lisa Millard, Meeting Administrator/Recorder

Others Present: There were approximately two (2) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:00 am. 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 did not provide a report.

Trustee Bernardo reported the following:

- Financial Planning Committee making good progress due, in part, to Interim Chief Administrative Officer's work in developing a more structured meeting process; and
- Conveyed appreciation on behalf of Keats Island community to the Sunshine Coast Regional District for providing funding for Keats Landing dock.

3.2 Chair's Report

Chair Luckham reported the following:

- New Chief Administrative Officer, Reuben Bronee, has commenced work and acknowledged contributions of interim Chief Administrative Officer Mobbs; and
- Preparing for Trust Council meeting taking place next week.

3.3 Electoral Area Director's Report

Director Stamford reported the following:

- Sunshine Coast Regional District has begun budget discussions with \$268,000 allocated to next year's budget for Keats Landing dock and feasibility study for New Brighton dock should the dock come under the jurisdiction of the Regional District;
- BC Ferries announced the dismantling of Ferry Advisory Committees with new engagement mechanism to be developed;
- Co-hosted Howe Sound Community Forum and highlighted attendance by MP Patrick Weiler and new MLA Randene Neill;
- Hosted workshop for Gambier southwest peninsula residents featuring discussions on how Islands Trust and Sunshine Coast Regional District taxes work and the New Brighton dock issue; and
- Regional District has commenced search for new Chief Executive Officer.

4. PUBLIC COMMENTS - none

5. MINUTES

5.1 Local Trust Committee Meeting dated October 1, 2024 - for adoption

By general consent, the Local Trust Committee meeting minutes of October 1, 2024 were adopted.

5.2 Section 26 Resolutions-Without-Meeting Report - none

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated November 19, 2024

Received for information.

7. DELEGATIONS - none

8. APPLICATIONS AND REFERRALS

8.1 GM-DVP-2023.4 (Joos) - Staff Report

The Planner summarized the staff report and highlighted the following:

- Development Variance Permit to authorize a reduction of the setback from the natural boundary of the sea for an existing single family dwelling and deck;
- Dwelling cannot achieve setback requirements due to steepness of the property;
- A portion of the deck structure extends beyond property boundaries and into the foreshore; and
- Maintaining the existing deck structure would require Crown foreshore tenure and a rezoning as current zoning does not permit deck structures.

The applicant was in attendance and noted the deck was in place when the property was purchased and it is the only means of transporting goods from the dock to the land; therefore, removal of the deck would cause a safety issue.

Discussion ensued and the following comments and clarifications were noted:

- When subdivision was approved, the building sites were not included on the subdivision layout and a geotechnical study done at the time indicated a 7.5 metre setback would be sufficient; however, anyone building on the subdivision sites was still required to follow the land use bylaw that specified a 15 metre setback requirement; and
- The deck is the only way to access the property safely and a rezoning of the foreshore area would be a lengthy and uncertain process; but if the deck size was adjusted to be completely located on the applicant's property, an application for a 0 metre setback could be undertaken.

GM-2024-049

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee approve issuance of Development Variance Permit GM-DVP-2023.4 to reduce the minimum setback to the natural boundary of the sea from 15 metres to 10.10 metres to allow siting of existing single family dwelling.

CARRIED

8.2 GM-DVP-2023.2/GM-DP-2023.1 (Delane & Cumming) - Staff Report

The Planner summarized the staff report and highlighted the following:

- Development is located in Development Permit Area 3 (DPA 3) Riparian Areas;
- Applicant has withdrawn application GM-DVP-2023.2 due to change of building plans that no longer require the variances for multiple accessory buildings as shown on the draft DVP site plan and Schedules;
- Local Trust Committee only needs to consider GM-DP-2023.1 as presented in the draft DP and attached Schedules;
- Staff have received the provincially accepted Riparian Areas Protection Regulation (RAPR) Detailed Assessment Report and consider the development to meet the Development Permit Area Guidelines; and
- Public concern with the location of the septic system as received in response to the DVP notice, should be addressed following its relocation outside the setback area with no LTC decision needed regarding setbacks variances. Further, septic systems are the jurisdiction of the Health Authority via a Registered Onsite Wastewater Practitioner (ROWP) and the Qualified Environmental Professional (QEP) for its location in relation to the watercourses.

Applicant was in attendance and concurred with the staff report.

A Trustee noted the property is challenging to develop, had previously been heavily cleared, and is located in a watershed area in a well-established subdivision.

GM-2024-050

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee approve issuance of GM-DP-2023.1 with the condition that the development is in accordance with the

Riparian Areas Protection Regulation Detailed Assessment Report by Cascade Environmental Ltd. attached to and forming part of the development permit.

CARRIED

8.3 GM-LTC-2024-11-26_GM-SUB-2022.2_Covenant-Signature-Request

The Planner summarized the staff report and indicated two Section 219 covenants are required as a condition of the subdivision application with one prohibiting further subdivision of Proposed Lot “L” and Lot “I”, and the second preventing installation of private docks.

Discussion ensued and it was clarified that the effect of the covenants will impose conditions that will travel with the land regardless of ownership.

GM-2024-051

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee accept the covenants under Section 219 of the Land Title Act from the registered owners of PIDs 015-980-324 and 027-998-967 and designate the Chair of the Gambier Island Local Trust Committee to sign the covenants for GM-SUB-2022.2.

CARRIED

The meeting was recessed for a break at 10:55 a.m. and reconvened at 11:06 a.m.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Minor Project: Keats Shoreline Protection Project - Post Public Hearing Staff Report

The Planner summarized the staff report and noted the following:

- Bylaw 153 is an Official Community Plan amendment designating a shoreline Development Protection Area and Bylaw 154 is a Land Use Bylaw amendment updating regulations for marine structures, exemptions from setback requirements, and introduces dock construction shoreline modifications and vegetation restoration;
- Several Community Information Meetings and a Public Hearing were conducted;
- A motion introducing an exemption for building additions was put forth at the previous Local Trust Committee meeting; and
- Next steps are to withdraw or defeat the motion and proceed with the bylaw readings, carry the motion and amend the bylaw to include the exemption, or defeat the bylaws.

The Chair read the motion that had been tabled at the previous meeting as follows:

GM-2024-052

It was MOVED and SECONDED

that proposed Bylaw No. 154 be amended by the insertion of the following exemption as subsection 9.3.2(c):

Additions to pre-existing buildings, structures, and utilities situated between 7.5 metres and 15 metres from the natural boundary of the sea, provided always that:

- i. no part of the work may involve the use of earth moving machinery or the removal of native tree species;
- ii. the addition does not exceed 50 square metres (540 square feet) in area and must be erected on previously disturbed land; and
- iii. the work does not result in environmental degradation of any kind anywhere within DP3 or to the ecology of the foreshore.

DEFEATED

Trustee Bernardo requested his vote in favour be recorded.

Discussion ensued on the motion and the following comments were noted:

- Public comments indicated opposition to the bylaw and the amendments proposed throughout the process have tried to address the areas of public comment;
- Discussion, debate, and amendments made to date recognized community needs; however, the proposed amendment to allow addition of up to 540 square feet in size should require reporting from a qualified professional to determine if any environmental impacts would result;
- A 7.5 metre setback to the sea has been identified as inadequate for a foreshore protection area;
- A 540 square foot addition is substantial and each circumstance needs to be looked at individually and this is why a Development Permit Area exists;
- Moving development outside of the permit area does not respect the reality of the lot sizes at Keats Landing and, if any expansion is required, there is not an option to do so outside of the Development Permit Area;
- Ability to request expert reports provides assurance that steps are being taken to reduce impact as much as possible for each particular scenario;
- The land in which an addition could be built is already disturbed and residents should be allowed to make use of their yards;
- Objection is based on imposing an unnecessary requirement on residents through a permit process;
- Existing residents may take good care of their land, but land gets sold and there is risk by allowing continued development in the foreshore; and
- If motion is defeated, there should be consideration of developing guidelines that would provide an easier development permit process for the applicant.

The meeting recessed for a break at 12:15 p.m. and reconvened at 12:45 p.m.

Discussion continued, the vote on motion GM-2024-052 was called and the motion was defeated.

Discussion ensued about drafting guidelines applicable to development permit applications made by applicants wishing to build an addition and the following comments were noted:

- Process for developing guidelines could be undertaken as a minor project;

- Guidelines should include a limited number of questions to be asked of a qualified environmental professional and details that provide direction to applicants and staff; and
- Development Approval Information (DAI) Bylaw is a tool used to provide this type of information.

GM-2024-053

It was MOVED and SECONDED

that Gambier Island Local Trust committee request staff to develop draft guidelines applicable to development permit applications made by applicants seeking to build additions to pre-existing dwellings in Development Permit Area 3 (DPA 3).

CARRIED

Trustee Bernardo stated for the record that he is opposed to the Bylaw Nos. 153 and 154 for reasons provided previously.

GM-2024-054

It was MOVED and SECONDED

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 third time.

CARRIED

Trustee Bernardo requested his vote in opposition be recorded.

GM-2024-055

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee proposed Bylaw No. 153, cited as "Keats Island Official Community Plan, 2002, Amendment No. 1, 2021" be forwarded to the Minister of Municipal Affairs for approval.

CARRIED

Trustee Bernardo requested his vote in opposition be recorded.

GM-2024-056

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', be read a third time.

CARRIED

Trustee Bernardo requested his vote in opposition be recorded.

GM-2024-057

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee proposed Bylaw No. 153, cited as "Keats Island Official Community Plan, 2002, Amendment No. 1, 2021" and proposed Bylaw No. 154 cited as 'Keats Island Land Use Bylaw, 2002,

Amendment No. 1, 2021', be forwarded to the Secretary of the Islands Trust for Executive Committee approval.

CARRIED

Trustee Bernardo requested his vote in opposition be recorded.

10. CORRESPONDENCE - none

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

11. NEW BUSINESS - none

12. STAFF REPORTS

12.1 Phase 4 Community Engagement Options - Policy Statement Amendment Project (PSAP) - Staff Report

The Senior Policy Advisor summarized the staff report and outlined options available to the Local Trust Committee regarding community engagement on the Islands Trust draft Policy Statement.

Discussion ensued.

GM-2024-058

It was MOVED and SECONDED

that Gambier Island Local Trust Committee select Engagement Option No. 5 specifically an online town hall opportunity separate from the Local Trust Committee meeting and consideration of a mail out communication prior to the online town hall for Phase 4 Community Engagement about the new draft Islands Trust Policy Statement.

CARRIED

12.2 Draft 2025/26 Gambier Island Local Trust Committee Annual Meeting Schedule - Request for Decision

Discussion ensued and the following amendments were made to the proposed schedule:

- March meeting to be held in North Vancouver;
- June meeting to be held on Gambier Island;
- September meeting be moved to September 9 if Keats Island venue is available; and
- Remainder of meetings to be held electronically.

GM-2024-059

that Gambier Island Local Trust Committee approve their January, 2025 to March, 2026 Meeting Schedule as amended.

CARRIED

12.3 Trust Conservancy Report - Highlights of October 1st, 2024 Board Meeting
Received for information.

- 12.4 **Trust Conservancy - The Heron - Fall Edition**
Received for information.
- 12.5 **Applications Report dated November 19, 2024**
Received for information.
- 12.6 **Trustee and Local Expense Report dated September, 2024**
Received for information.
- 12.7 **Adopted Policies and Standing Resolutions**
Received for information.
- 12.8 **First Nations Relationship Building Update - none**
- 12.9 **Local Trust Committee Webpage**
No updates required at this time.

13. WORK PROGRAM

- 13.1 **Active Projects Report dated November 19, 2024**
Received for information.
- 13.2 **Future Projects Report dated November 19, 2024**
Discussion about the next project was undertaken.

GM-2024-060

It was MOVED and SECONDED

that Gambier Island Local Trust Committee request staff to provide a report on options for Development Permit Area 3 (DPA 3) guidelines for qualified environmental professional requirement for additions and Development Approval Information Bylaw guidelines for Gambier Island Local Trust Area.

CARRIED

14. UPCOMING MEETINGS

- 14.1 **Next Regular Meeting Scheduled to be January 28, 2025 to be held electronically.**

15. ADJOURNMENT

By **general consent**, the meeting was adjourned at 2:33p.m.

Peter Luckham, Chair

Certified Correct:

Lisa Millard, Meeting Administrator/Recorder