



Gambier Island Local Trust Committee

Regular Meeting Revised Agenda

Date: April 29, 2024 continued on May 14, 2024
Time: 10:00 am
Location: Electronic Meeting

Pages

1. **CALL TO ORDER** 5:00 PM - 5:00 PM

“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**
 - 3.1 **Trustee Reports**
 - 3.2 **Chair's Report**
 - 3.3 **Electoral Area Director's Report**
4. **DELEGATIONS - none**
5. **PUBLIC COMMENTS**
6. **MINUTES**
 - 6.1 **Local Trust Committee Special Meeting Meeting Minutes dated January 9, 2024 - for adoption** 4 - 7
 - 6.2 **Local Trust Committee Meeting Minutes dated January 29, 2024 - for adoption** 8 - 14
 - 6.3 **Section 26 Resolutions-Without-Meeting Report dated April 19, 2024** 15 - 15
 - 6.4 **Advisory Planning Commission Minutes - none**
7. **BUSINESS ARISING FROM MINUTES**
 - 7.1 **Follow-up Action List dated April 19, 2024** 16 - 19
8. **APPLICATIONS AND REFERRALS - none**
9. **LOCAL TRUST COMMITTEE PROJECTS**

9.1	Major Project: Gambier Island Official Community Plan Review Project - Staff Report	20 - 56
10.	CORRESPONDENCE - none <i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
11.	NEW BUSINESS	
11.1	Logging in Settlement Residential Zone - Trustee Stamford Verbal Discussion	
11.2	Change May 28, 2024 Regular Business Meeting from Electronic to In-Person 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.	
12.	STAFF REPORTS	
12.1	2023/24 Annual Report - Approval of Gambier Island Local Trust Committee's Section - Request for Decision	57 - 59
12.2	Trust Conservancy Report - none	
12.3	Applications Report dated April 19, 2024	60 - 63
12.4	Trustee and Local Expense Report dated February, 2024	64 - 64
12.5	Adopted Policies and Standing Resolutions	65 - 68
12.6	First Nations Relationship Building Update	
12.7	Local Trust Committee Webpage	
13.	WORK PROGRAM	
13.1	Active Projects Report dated April 19, 2024	69 - 70
13.2	Future Projects Report dated April 19, 2024	71 - 72
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	7:50 PM - 7:50 PM

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

16. RESUMED - MAY 14, 2024 10:00 AM - 11:00 AM

16.1 Minor Project: Keats Shoreline Protection Project - Staff Report 73 - 95

17. ADJOURNMENT 11:00 AM - 11:00 AM



Gambier Island Local Trust Committee

Minutes of Special Meeting

Date: January 9, 2024

Location: Electronic Meeting

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

Staff Present: Renée Jamurat, Regional Planning Manager
Marlis McCargar, Island Planner
Diane Corbett, 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. Trustees gave introductory comments. Staff and the Recorder were introduced.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. PUBLIC COMMENTS

A member of the public asked that the Chair clarify regarding their concerns expressed at the previous meeting on expediting the Keats Island zoning bylaw amendment.

The member of the public noted the ecological and environmental impacts of the fibre optic cable, toxic in its mode of production, and stated it should be acknowledged that this is another example of the process of colonization, and that these decisions regarding the fibre optic cable should be made with humility.

4. BUSINESS ITEMS

4.1 Keats Island Marine General Zone Amendment

Island Planner McCargar discussed the staff report on the Keats Island Marine General Zone Amendment – Draft Bylaw No. 158, to permit the establishment and use of telecommunication utilities in the Marine General (MG) zone. The Local Trust Committee (LTC) was asked for input regarding the wording in the draft bylaw and if the LTC wished to undertake consultation. No planning analysis had been conducted. If the LTC wanted to meet the Connected Coast deadline of March 2024, an expedited approval process would be required.

One item of correspondence had been received from the public, with a concern that this could permit cellphone towers.

Connected Coast did not plan to submit an application for a zoning amendment as the LTC was proceeding with this amendment. The Island Planner indicated the earliest possible timeline for completion of this process would likely be three up to six months.

Trustee Bernardo noted: the contrast between following the usual process, as suggested by staff, and one following an expedited timeline; the urgency of the situation to enable people on Keats access to broadband and the Connected Coast project, which goes up and down the Coast and Vancouver Island; there is nothing about the amendment that would result in a cell tower put in on the sea bottom.

Points and questions from further discussion included:

- The LTC does not have the reporting that would come with an application or analysis. Do not understand what that deadline means; it seems arbitrary.
- Is a foreshore permit required from the province? Is there reason to believe there may be concerns by Fisheries and Oceans regarding the initiative?
 - Staff advised that the applicant would be responsible for getting provincial permits before undertaking construction.
 - Staff recommended referral to Fisheries and Oceans Canada.
- Discussion of word changes, permitted uses, potential impacts of wording on future projects.
- The cable will be laying on the bottom of sea for a distance, and the bottom of the sea will be excavated in order to bury the cable; and it will transition from the high-water mark through the setback to the sea. Is there a setback from the sea for this particular area, and is a development permit required for installation of the cable within the setback to the sea?
 - Staff advised a Development Permit for that work would not be required.
- Where will the cable be coming onto the island? Have been receiving comments from the mainland about seeing staking notices, installed by City West, with information about how they will bury cables to Gambier and Keats. Where it is coming in, on the map in the staff report, it looks like at a park and private property. Want to ensure those kinds of questions and concerns are considered.
- The reason we find ourselves in a position of urgency is that the Marine General zoning was overly specific and narrow in not anticipating the need for this.

Chair Luckham called for a break at 10:57 am and reconvened the meeting at 11:20 am.

GM-2024-001

It was MOVED and SECONDED

that Draft Bylaw No. 158 be amended to read as follows:

Schedule "1"

1. Schedule "A" of Keats Island Land Use Bylaw, 2002 is amended as follows:

PART 4 – ZONE REGULATIONS, Section 4.16 MARINE GENERAL (MG) ZONE, Subsection 4.16.1 is amended by deleting the word "and" after the word "interpretation" in the first bullet, by inserting the word "and" after the words "navigational uses" in the

second bullet, and by inserting a third bullet followed by the words “the establishment and use of telecommunication utilities;” and Subsection 4.16.2 is amended by deleting the words “a navigational aid” and replacing them with the words “navigational aids or telecommunication utilities.”

CARRIED

GM-2024-002

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee add Keats Island Marine General Zone Amendment to the minor projects list, make it first priority and pause the current minor project.

CARRIED

GM-2024-003

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee confirm that Bylaw No. 158, cited as "Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023" is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GM-2024-004

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee draft Bylaw No. 158 be referred to the following for comment:

First Nations: Squamish Nation, Snuneymuxw First Nation, Lyackson First Nation, Cowichan Tribes, Penelakut Tribe, Lake Cowichan First Nation, Stz'uminus First Nation, Halalt First Nation, Tsleil-Waututh Nation, Musqueam Nation

Local Governments and Agencies: Sunshine Coast Regional District, Islands Trust Conservancy, Ministry of Forests, Ministry of Transportation and Infrastructure and Fisheries and Oceans Canada.

CARRIED

GM-2024-005

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 158 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023,” be read a first time.

CARRIED

GM-2024-006

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 158 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023,” be read a second time.

CARRIED

GM-2024-007

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 158 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023,” be read a third time.

CARRIED

GM-2024-008

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 158 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023,” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

There was acknowledgement of the comment made during the public comment period that this technological advancement has land use and environmental impacts and was advancing colonial interests. The importance of the referral to First Nations was noted for their input on that particular location with respect to historical or traditional uses.

Trustee Bernardo thanked trustees and staff for their flexibility and adaptability in this situation. He clarified, for the record, his acknowledgment that this was not the optimal way to proceed and should not be viewed as a precedent. The usual procedure as outlined by staff was the preferable route to follow. The Local Trust Committee had steered from the usual route in light of the circumstances faced, and the risk of the possibility of missing out on the opportunity to access broadband internet for Keats Island.

Staff requested clarification on the referral process in light of the expedited timeline. Chair Luckham agreed to review a cover letter for the referrals indicating the special circumstances with this particular referral.

5. ADJOURNMENT

By general consent the meeting was adjourned at 11:36 a.m.

Peter Luckham, Chair

Certified Correct:

Diane Corbett, Recorder



Gambier Island Local Trust Committee

Minutes of Regular Meeting

Date: January 29, 2024

Location: Electronic Meeting

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

Staff Present: Renée Jamurat, Regional Planning Manager
Marlis McCargar, Island Planner
Sonja Zupanec, Island Planner (part)
Diane Corbett, Recorder

Others Present: There was one member of the media in attendance (part).

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 10:09 am. He acknowledged that the meeting was held in the territory of the Coast Salish First Nations. Trustees and Staff were introduced.

2. APPROVAL OF AGENDA

An addendum to the agenda was noted:

- 12.7 Housing Statute Changes to British Columbia Legislation - Memorandum

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Stamford reported on the following activities:

- Two Local Trust Committee (LTC) special meetings held since the last LTC business meeting;
- Gambier Island Rural Economic Development and Infrastructure Program is moving ahead with a volunteer community group on the island; working with students from University of British Columbia to provide project framework and survey results; and
- Met with Island Planner Zupanec regarding Gambier Official Community Plan.

Trustee Bernardo reported on the following activities:

- As Chair of the Financial Planning Committee, working to develop budget and budget guidelines for the 2024-25 budget period. Goal is to bring forward a budget for Trust Council's approval in March.
- Notice was received from the Chief Administrative Officer (CAO) who intends to leave Islands Trust in June. A hiring committee was struck and is developing a process for hiring a new CAO.
- Governance Committee is working to reform governance practices with respect to the work of the Local Trust Committee.
- A priority: enabling Connected Coast to bring broadband to Keats Island.

3.2 Chair's Report

Chair Luckham, as Chair of Trust Council, reported there were a lot of activities going on.

- The 2024-25 budget is underway, to be presented to Trust Council for adoption in March.
- The Policy Statement is out for consultation with First Nations; possibly that work will advance out to the community for consultation by April.
- Regional Planning and Trust Programs Committees were meeting in preparation for Trust Council in March.

3.3 Electoral Area Director's Report

Sunshine Coast Regional District (SCRD) Area F (West Howe Sound) Director Stamford reported on the following activities:

- SCRD Board adoption of strategic plan for the coming term. Focus: water strategy and water security, and solid waste.
- Budget round 2 scheduled for February 5th. Currently there is a 14% proposed tax increase for the islands; director would like to bring this down.
- Presentation to the Board in November regarding proposed Dock Management Plan, an extension of the Pender Dock Management Plan. Provides direction on how to best support the focus of the swiya, the lands and territory of the Sechelt Nation, in terms of protecting their archaeological history and the environment. Provides direction on what is permitted in the foreshore in the inland waters. Questions should be directed to the provincial government.
- Regarding the New Brighton dock, last year the Gambier Island Community Association presented to the SCRD about the possibility of the Regional District adding New Brighton to their nine community docks that they manage. Recently, SCRD Board returned a letter to the Community Association indicating the SCRD was declining to consider that at this time, and that the Board was supportive of the concept that this is part of a provincial responsibility, given that the New Brighton dock is part of BC Ferries Route 13, a regulated route, with certain responsibilities to maintain safe access to that route. The dock is the only access point for Gambier's southwest peninsula that is open year-round.
- Interaction with Minister of Water, Lands, and Resource Sustainability Cullen about the complexities of the New Brighton dock situation; his staff are working

on having a joint meeting with various ministries to see if there is a way forward to support long term management of this infrastructure. The dock is deteriorating and currently there is no funding available to maintain it.

4. DELEGATIONS – none

5. PUBLIC COMMENTS – none

6. MINUTES

6.1 Local Trust Committee Special Meeting dated October 31, 2023

By general consent the Local Trust Committee Special meeting minutes of October 31, 2023 were adopted.

6.2 Local Trust Committee Meeting dated November 21, 2023

By general consent the Local Trust Committee meeting minutes of November 21, 2023 were adopted.

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

Received for information.

6.4 Advisory Planning Commission Minutes – none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated January 19, 2024

Received.

Trustee Stamford noted there was a new Ministry of Transportation and Infrastructure representative on the Sunshine Coast who started the previous week. Trustee had made a call out for the name and contact information and would send the information to the Islands Trust Office Administrative Assistant. Trustee hoped to have a meeting with the Ministry soon regarding island issues.

8. APPLICATIONS AND REFERRALS

8.1 Sunshine Coast Regional District Zoning Bylaw Amendment No. 722.9 & 337.123 Referral

Island Planner McCargar and Trustee Stamford provided background on the Sunshine Coast Regional District Zoning Bylaw Amendment No. 722.9 and 337.123 referral. The proposed amendments aim to strengthen protection of ecologically sensitive areas, including watercourses and shorelines, by:

- Changing how proposed new lot area is calculated when subdividing land;
- Establishing a buffer from the Stream Protection and Enhancement Area (SPEA);
- Increasing the setbacks from waterbodies and watercourses in Zoning Bylaw 337 to align with Zoning Bylaw 722 and meet provincial best practices.

Staff indicated it appeared that the Local Trust Committee's interests were unaffected. It was noted this work aligned with work done on Gambier with riparian area regulations and sensitive ecosystem protection.

GM-2024-009

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to advise the Sunshine Coast Regional District that the Gambier Island Local Trust Committee's interests are not affected by the amendments of Bylaw Nos. 722.9 and 337.123.

CARRIED

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Major Project: Gambier Island Official Community Plan and Land Use Bylaw Review - verbal update

Island Planner Zupanec reported she was still actively engaging with Squamish First Nation staff on the Official Community Plan (OCP) topic areas; this afternoon would be the last scheduled staff meeting.

The Island Planner would be compiling a final report for the Nation's staff regarding what had been heard to date from them through these meetings, as well as a comprehensive list of potential policy and regulatory options that they were helping to rank in terms of prioritization (whether high, medium, or low priorities) to address those concerns that could then be translated to recommendations for the Local Trust Committee.

The March 26th Local Trust Committee meeting is the target for a comprehensive report that would include a list of prioritized actions that the Nation's staff and advisory committee would have endorsed. There could be a discussion of policy options and the LTC's land use planning authority, and advancing some interests and concerns being addressed as part of the OCP project. There could also be discussion of next steps regarding communication in moving forward, and how to prioritize discussions internally as an LTC, as well as taking these back out to the community.

Trustee Stamford noted her appreciation for the opportunity and the time that the Island Planner had spent with the trustee and members of the Gambier community, outlining best ways of approaching Squamish Nation staff about this project and the community economic development project, and how to coordinate these initiatives to the betterment of the island community.

Trustee Bernardo asked the Island Planner if the learning obtained through this consultation and relationship building with the Squamish Nation would be passed on to Islands Trust staff, in response to which the Island Planner noted that the process was being documented internally and a Regional Planning Team template was being created moving forward. This is a pilot project still in its early stages; the next step is the challenging work of demonstrating the political appetite to advance these recommendations into actual changes in policy and regulations, which is when measures of success could be assessed.

Chair Luckham noted it was hoped the position of Senior Indigenous Relations Advisor would be filled soon. Part of that role would be to share knowledge and information and build awareness.

9.2 Minor Project: Keats Island Marine General Zone Amendment - verbal update

Island Planner McCargar reported that referrals for proposed Bylaw No. 158 were sent to First Nations on January 11th. Three of the ten Nations had responded: Squamish Nation indicated they had no comments; Cowichan deferred to communities closer to the referral area; and Musqueam Nation responded that they need a minimum of 45 days to do an initial review. There were no other responses from agencies and organizations at this time. There would be a report advancing to the Executive Committee on January 31st.

The Island Planner suggested it was possible that the Executive Committee could give a conditional approval of the bylaw if the LTC wished to request that staff do an assessment to ensure the bylaw was not contrary to the OCP or Trust Policy Statement. Staff drafted some resolution wording that could be considered by the LTC. Alternately, the LTC could wait and see what the Executive Committee decides, and then schedule a special meeting to discuss the feedback from the Executive Committee.

Discussion ensued and points included:

- Inquiry about staff's previous conclusion that nothing about the proposed bylaw contradicted the OCP.
 - Staff reported no formal analysis had been done and no reporting back to the LTC had occurred.
- Inquiry regarding the length of time of an assessment process, and regarding whether any communications were recently received with Connected Coast about their actual deadline.
 - Staff estimated an analysis could be fit into the work plan over the next month.
 - No further information had been received from Connected Coast.
- Discussion of possible timeline and actions for completion of analysis and adoption of the bylaw by the end of March.

GM-2024-010

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to:

- a. Provide an evidence-based assessment to the Local Trust Committee, to determine whether Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023 is contrary to or at variance with Keats Island Official Community Plan Bylaw No. 77,
- b. Provide an evidence-based assessment to the Local Trust Committee, by way of submitting an evaluated and completed Policy Statement Checklist, whether Gambier Island Local Trust Committee Bylaw No. 158, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023 is contrary to or at variance with the Policy Statement, and
- c. A Special Meeting or RWM be convened, by no later than the end of February 2024, for the LTC to review the staff assessments referenced above.

CARRIED

It was noted the staff report to the Executive Committee on this Minor Project was currently on the Executive Committee agenda posted on the website for January 31st.

10. CORRESPONDENCE

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

- 10.1 Letter dated November 16, 2023 from British Columbia Regional Operations regarding Sunshine Coast Forest Landscape Plan Public Engagement**
Received for information.

11. NEW BUSINESS - none

12. REPORTS

- 12.1 Trust Conservancy Report – none**
Trust Conservancy and Executive Committee scheduled a liaison meeting for January 31.

- 12.2 Applications Report dated January 19, 2024**
Received for information.

- 12.3 Trustee and Local Expense Report dated November, 2023**
Received for information.

- 12.4 Adopted Policies and Standing Resolutions**
Received for information.

- 12.5 First Nations Activities**
Island Planner Zupanec was working with the Squamish Nation regarding the Gambier Island Official Community Plan.

- 12.6 Local Trust Committee Webpage**

- 12.7 Housing Statute Changes to British Columbia Legislation**

Island Planner McCargar introduced a memorandum on housing statutes and regulation changes to BC legislation. The Executive Committee recommended that Local Trust Committees consider requesting to opt-in to the province's principal residence requirement for short-term rental accommodations. This opt-in would need to be done by the end of March, or deferred to a future opt-in cycle.

Discussion ensued and points included:

- Opting in would bring the Local Trust Committee in line with legislation being implemented around the province;
- For this Local Trust Area, would need to analyze four LUBs(Gambier, Keats, Bowyer-Passage, and Associated Islands); allocating time from the LTC could be a challenge given how many LUBs there are;
- Would be helpful to have a staff assessment on how the legislation would operate in the Gambier Local Trust Area;
- Not prepared to say if the Local Trust Committee should opt-in or not; circumstances are different in different Local Trust Areas (LTA's). Housing is important but not the priority it is in other LTA's. Not comfortable with the

timeline of March 2024. Would rather advocate for a Trust-wide analysis on this issue;

- It is a short timeframe. It could be a consideration to opt-in in the next cycle (March 2025). Changing that policy sounds like an issue that requires more community engagement;
- Put on the Projects List, to be reviewed at a later date;
- Table this until we have a housing needs assessment and time to review the legislation.

Staff advised that the implications of opting out were not that great for this Local Trust Area (LTA). Short-term vacation rentals are not permitted on Keats. On Gambier and the Associated Islands, the resident, owner or operator has to reside in the home to operate a short-term vacation rental. For Bowyer and Passage Islands, short-term rental is permitted as a home occupation.

GM-2024-011

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee declines to opt in to S. 15 of the Short-Term Rental Accommodation Act at this time, and requests staff to add to the Projects List an analysis to enable the Local Trust Committee to make an informed decision before the opt-in statutory deadline for 2025, and that staff's analysis makes use of the findings of the Regional Planning Team relevant to this issue.

CARRIED

13. WORK PROGRAM

13.1 Active Projects Report dated January 19, 2024

Received.

13.2 Future Projects Report dated January 19, 2024

Added new item (from 12.7).

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Tuesday, March 26, 2024 at 10:00 am at John Braithwaite Community Centre, 145 1st Street W, North Vancouver, BC

15. ADJOURNMENT

By general consent the meeting was adjourned at 12:04 p.m.

Peter Luckham, Chair

Certified Correct:

Diane Corbett, Recorder



Resolutions Without Meetings Log

Gambier Island

Resolution Number	Action	Date
2024-003 Reschedule March 26, 2024 regular business meeting that the Gambier Island Local Trust Committee request Staff to reschedule the Tuesday, March 26, 2024 regular business meeting to an electronic regular business meeting on Monday, April 29, 2024 at 1:00 p.m.	Carried	19-Mar-2024
2024-002 Adoption of Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023 that Gambier Island Local Trust Committee Bylaw No. 158, cited as "Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023", be adopted.	Carried	29-Feb-2024
2024-001 Bylaw No. 158 is not contrary or at variance with Islands Trust Policy Statement or Keats Island Official Community Plan That the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and the Keats Island Official Community Plan Bylaw No. 77 and determined that Bylaw No. 158, cited as "Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2023", is not contrary or at variance with the Islands Trust Policy Statement or the Keats Island Official Community Plan Bylaw No. 77.	Carried	21-Feb-2024

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		Completed

31-Jan-2023

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Gambier Island

31-Jan-2023

Activity	Responsibility	Dates	Status
1 set up an introductory meeting with MOTI as soon as possible via zoom. <i>MoTI Area Manager (Sechart Office) Jeremy Waksel responded to invitation on Feb 21, 2024. Has asked for time to meet with his Regional Manager first before setting a time. He will be in touch as soon as possible with date/time options.</i>	Marlis McCargar Wil Cottingham		In Progress

14-Mar-2023

Activity	Responsibility	Dates	Status
1 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. <i>tentative update and presentation to the LTC at may 28 meeting.</i>	Kate-Louise Stamford William Shulba		In Progress

20-Jun-2023

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Gambier Island

20-Jun-2023

Activity	Responsibility	Dates	Status
1 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

21-Nov-2023

Activity	Responsibility	Dates	Status
1 Take the elements of Proposed Bylaw No. 154 as discussed at the Nov 21 LTC meeting and return with a revised draft to a future LTC meeting. <i>Draft bylaws will be presented to LTC at April 29 meeting.</i>	Marlis McCargar		Completed

29-Jan-2024

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Gambier Island

29-Jan-2024

Activity	Responsibility	Dates	Status
1 1.LTC declines to opt-in to S. 15 of the Short-Term Rental Accommodation Act at this time, 2.requests staff to add to the projects list an analysis to enable the LTC to make an informed decision before the opt-in statutory deadline for 2025 3.that staff's analysis make use of the findings of the Regional Planning Team relevant to this issue.	Marlis McCargar Renee Jamurat		Completed



DATE OF MEETING: April 29, 2024

TO: Gambier Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner (Regional Planning Team)
Northern Office

SUBJECT: Official Community Plan and Land Use Bylaw Targeted Review Project – Preliminary Review of Squamish Nation Engagement Summary and Endorsement of Revised Project Charter

RECOMMENDATION

1. 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.
2. 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 OCP and LUB amendments.
3. That the Gambier Island Local Trust Committee request staff to report back on 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.”
4. 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.
5. 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.
6. 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 LTC for further consideration of next steps.

REPORT SUMMARY

The purpose of this report is to introduce the summary of Squamish Nation engagement summary recommendations and provide the Gambier Island Local Trust Committee (LTC) with an updated draft Project Charter for consideration of amendments and endorsement.

Project Charter: Staff have annotated the Official Community Plan (OCP) and Land Use Bylaw (LUB) Review Project Charter (Attachment 1) with suggested edits in order to confirm priority next steps and commence bylaw drafting based on public engagement recommendations and Squamish Nation engagement recommendations. The LTC is being asked to review the suggested changes and confirm any additional revisions prior to endorsement of a revised Project Charter.

Squamish Nation Engagement: Staff have completed the preliminary early project engagement phase with Squamish Nation and have compiled an engagement summary table (Attachment 2) based on several meetings and discussions with Squamish Nation staff between September 2023 and April 2024. Recommended actions for the LTC to consider have been categorized as high, medium or low priorities by the Nation.

The **high priority** recommended action items include:

- Twenty recommended amendments to the OCP/LUB (Recommendations A1-A5; B1-B9; C1, C3, C4; D1, D3, D5);
- One operational/administrative recommendation (C2); and
- Six relationship building and/or advocacy recommendations (A6, B4, B7, B10, D2 and D4) with First Nations, other levels of government, agencies or community groups.

The summary table (Attachment 2) provides a comprehensive breakdown of the issues, concerns, recommended actions and general Squamish Nation engagement comments to be considered by the LTC.

Staff recommend the LTC confirm its' commitment to further exploring all twenty-five high priority action items at this time (see Staff Report Recommendations #2, 3 and 4 on page 1 of this report).

Staff also recommend the LTC initiate a formal request for a meeting between elected officials with Squamish Nation in the fall/winter of 2024 to build on the relationship and allow Trustees to report back to Chief and Council on the status of implementation of the Nations' recommendations (Staff Report Recommendation #5 on page 1 of this report).

Public Engagement Summary Report Recommendations: In 2023, the LTC considered the Gambier Island community engagement summary report (Attachment 3) prepared by a planning consultant. The recommendations were a result of community information meetings and public survey. Clear direction from the LTC is now required on how it wishes to implement the general summary recommendations of the report which included:

- Archaeological and Cultural Heritage Protection (First Nations perspectives, history and relationship to Gambier Island; consider Heritage Conservation Areas);
- Shoreline Protection (policies and regulatory tools to encourage protection of shoreline ecosystems – shoreline DPA);
- Public Docks (ensure continued access to three public docks by community); and
- Forest Ecosystem Protection (policies and regulatory tools to encourage tree and forest ecosystem protection on public and private land.

Many of these policy and regulatory recommendations are strongly aligned with the Squamish Nation recommendations; however it is now time for the LTC to confirm which elements it wishes to see incorporated in draft bylaw language for further consideration.

Advisory Planning Commission: As identified in the annotated comments of the Project Charter (Attachment 1), the Director of Legislative Services has confirmed that electronic meetings for the APC are currently not supported. Without electronic meetings enabled, the Gambier APC volunteers are limited in their effectiveness to review referrals from the LTC. An APC bylaw amendment may be an option however it is unclear if this amendment would be supported by the Executive Committee of the Islands Trust due to perceived budget and resource constraints. Some APC members have already indicated to staff that they will resign from appointment to the APC unless electronic participation is enabled due to the complexity of meeting in-person on Gambier Island. LTC direction is needed to determine how to proceed with APC referrals in light of geographic constraints that complicate in-person meetings (Staff recommendation #6 on page 1 of this report). The LTC should also determine at which stage(s) the APC may be involved in the project so that the project charter work plan accurately reflects the appropriate referral stage.

Community Consultation: Staff have recommended one Community Information Meeting (CIM) to present the draft bylaw language (prior to first reading of draft bylaws) and a subsequent CIM immediately prior to a public hearing. The LTC should specify any additional public engagement opportunities it wishes to be included in the work plan at this time as it may impact the project timeline and/or limited budget resources.

Rationale for Recommendations #1-6: The project charter is ready for endorsement (or further updates) by the LTC so that staff can commence drafting bylaw language and providing the LTC with an analysis of options and implications in implementing the public engagement and Squamish Nation engagement recommendations.

ALTERNATIVES

- 1. **Amend the Project Charter:** If the LTC wishes to re-visit the project deliverables and engagement topics or methodology, the project charter will need amendments. A resolution of the LTC would be required to request staff to prepare changes to the project charter for the LTC to consider. Suggested wording for a resolution is: *“That the Gambier Island Local Trust Committee request staff to amend the project charter by (specify changes to purpose, scope, objectives, or work plan) for LTC review at the next business meeting.”*

NEXT STEPS

Staff will prepare a comprehensive report outlining the options and implications of draft bylaw language reflecting recommendations from the 2023 public engagement report and 2024 Squamish Nation engagement summary high priority action items. The LTC will be asked to deliberate on specific policy and regulatory amendments to confirm the direction of draft bylaw preparation. Draft bylaw language could then be referred to First Nations, Sunshine Coast Regional District, the APC and community for comment prior to first reading.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	April 22, 2024
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Concurred By:	Renée Jamurat, RPP, MCIP, Regional Planning Manager	April 22, 2024
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ATTACHMENTS

1. Project Charter v.2.1 ANNOTATED DRAFT – April 2024
2. Squamish Nation Engagement Summary Table – April 2024
3. Public Engagement Summary Report – January 2023
4. Advisory Planning Commission Bylaw No. 150

Gambier Island OCP and LUB Targeted Review Project Charter v.2.01

Gambier Island Local Trust Committee

Date: ~~June 20,~~

~~2023~~ April 29, 2024

Purpose: To conduct a review of the Gambier Island Official Community Plan policies and Land Use regulations pertaining to forest protection, conservation of the Douglas-fir and associated ecosystems, protection of archaeological and cultural sites, shoreline protection and marine designations across the Plan area.

Background: The LTC identified this project as a Top Priority in February 2015. The project was put on hold in 2018 and recommenced in 2021. In 2022, Squamish First Nation staff indicated to Islands Trust staff a desire to participate in comprehensive engagement, review and update of targeted OCP policies and LUB regulations. Public engagement was conducted in 2022 and in early in 2023 the public engagement summary report was endorsed by the LTC. the project was transferred to the Islands Trust Regional Planning Team and the top priority action is to confirm First Nations Squamish Nation participation and capacity funding for the 2023/2024 fiscal year was confirmed and engagement with Nation staff and Trust planning staff commenced in 2023. A summary of Squamish Nation recommended actions for LTC consideration of implementation was reviewed in April 2024.

Objectives

- Amend the Gambier OCP & LUB with regards to:
 - First Nations Perspectives;
 - Archaeological and cultural site protection;
 - Forest Ecosystem Protection;
 - Shoreline Protection;
 - Public docks;
 - Technical amendments.

Develop the style and structure of the OCP document as an Islands Trust model.

In Scope

- Amendments to the OCP and LUB that include:
 - Language and policies that reflect First Nations perspectives;
 - Policy and schedule updates regarding land and marine use designations, including new or amended use designations;
 - Development Permit Areas to protect forests and shorelines;
 - Heritage Conservation Areas to protect archaeological and cultural sites;
 - Advocacy policies;
 - Technical amendments;
 - Developing a ~~pilot~~ model OCP bylaw in terms of style and structure.
 - LTC endorsed elements from the 2023 public engagement summary report.
- Include Cotton Bay lots that were excluded from OCP Bylaw No. 73.

Out of Scope

- OCP and LUB amendments regarding:
 - Economic development;
 - Services for island residents;
 - Private institutional policies;
 - Parks and trails.

Deliverables

- One OCP Amendment Bylaw
- One LUB Amendment Bylaw
- Post Bylaw Adoption communication materials

Commented [S21]: LTC to confirm the purpose statement is still relevant/accurate.

Commented [S22]: LTC to confirm extent of high, medium and low priority recommendations from the 2024 Squamish Nation engagement summary it wishes to explore further or implement.

Commented [S23]: LTC to confirm which elements of the 2023 engagement summary report it wishes to implement.

Work Plan Overview

Phase 1: Project Initiation	Date
LTC endorses project charter - COMPLETED	May 27 2021
Planning research & information gathering (early engagement with First Nations, discussion paper prep, community outreach) - COMPLETED	Spring - Summer 2021
Formation of a project Working Group & development of Terms of Reference - COMPLETED	June - July 2021
Analysis of data/mapping for priority setting & develop criteria to identify target areas (UBC team) - COMPLETED	Summer - Fall 2021
Development of discussion paper templates - COMPLETED	Fall 2021

Development of a community mapping tool - <i>COMPLETED</i>	Winter 2022
Development of Engagement and Communications Framework - <i>COMPLETED</i>	Winter 2022
Phase 2: Consultation and Bylaw Development	Date
Retain a consultant to provide limited support to help build the engagement plan - <i>COMPLETED</i>	Spring 2022
Development of discussion papers - <i>COMPLETED</i>	Spring - Summer 2022
LTC consideration of updated project charter/endorsement of Engagement Plan recommendations - <i>COMPLETED</i>	June 2023
Comprehensive Continued First Nations Consultation via early referral of draft bylaw language and meeting between First Nation elected officials and the LTC	2023/2024
Develop draft bylaws, Advisory Planning Commission referral and public consultation community information meeting to present draft bylaws.	2024
Phase 3: Legislative Process and Implementation	Date
First Nation, key interested and affected parties and public engagement as per Plan - cont.	2024
Bylaw readings, formal agency and First Nation referrals public hearing, Executive Committee and Ministerial approvals, adoption	2024/2025
Bylaw consolidation, post bylaw adoption communications	2024/2025

Commented [SZ4]: Staff recommend the LTC request a meeting with Squamish Nation Chief and Council once the LTC has endorsed draft bylaw language and prior to consideration of first reading and formal referrals to First Nations.

Commented [SZ5]: It has been confirmed by the Director of Legislative Services that electronic meetings for the APC are currently not supported. Without electronic meetings enabled, the Gambier APC volunteers are limited in their effectiveness to review referrals from the LTC. An APC bylaw amendment may be an option however it is unclear if this amendment would be supported by the Executive Committee of the Islands Trust due to perceived budget and resource constraints. LTC direction is needed to determine how to proceed with APC referrals in light of geographic constraints that complicate in-person meetings. Some APC members have already indicated to staff that they will resign from appointment to the APC unless electronic participation is enabled due to the complexity of meeting in-person on Gambier Island.

Project Team	
Island Planner – <u>Regional Planning Team</u>	Project Manager
Regional Planning Manager	Project Sponsor
Island Planner/Planner-2	Planning & technical support (limited)
Senior Intergovernmental Policy Advisor	First Nation liaison support
GIS Technician	Mapping support
TAS Program Coordinator/Communications	TAS coordination/Communications support (limited availability)
ITC Ecosystem Specialist	Protection/conservation planning support (limited availability)
Senior Freshwater Specialist	Watershed ecology support (limited availability)
OAA, PTA, LC	Admin support
RPM Approval: Date: 2021-05-18; 2021-07-13; 2021-10-05; 2022-03-29; 2023-06-20	LTC Endorsement: Resolution #: GM-021-038 Date: 2021-05-27; GM-2021-058 Date: 2021-07-22; GM-2021-078 Date: 2021-10-14; GM-2022-018 Date: 2022-03-31 2023-018 Date: 2023-06-20 Date: XXX

Budget		
Budget Sources: 2021-22: GM LTC OCP: \$4,000.00; RPC OCP: \$8,500.00; First Nations: \$2000.00 2022-23: GM LTC OCP: \$15,000; First Nations: \$2000.00 2023-24: GM LTC OCP: \$16,000; 2024-25: GM LTC OCP: \$xx; 2025/26: \$xx		
Fiscal	Item	Cost
2021-2022	Phase 1: Project Initiation • First Nation engagement • Development of Engagement & Communications Framework • Analysis of data and mapping for priority setting & developing criteria to identify target areas	\$14,500 <i>SPENT</i>
2022-2023	Phase 2: Consultation and Bylaw Development • Undertake Engagement & Communications Plan Public Engagement Summary Report <i>Recommendations</i> • Analysis of data and mapping for priority setting & developing criteria to identify target areas • First Nation engagement and Summary Table Recommendations	\$16,000 <i>SPENT</i>
2023-2024	Phase 3: Bylaw Development Legislative Process • LTC confirmation of policy and regulatory recommendations to be implemented from Squamish Nation Engagement Summary and Public Engagement Summary. • Draft bylaw language to be prepared and referred to First Nations (Council to Council meeting) • Drafting of OCP Bylaw and LUB amendments for APC/public comment and community information meeting	TBD Pending completion of Keats Shoreline minor project and access to additional minor project funding
2024/2025-2026	Legislative Review Process • Bylaws considered for readings, referrals • Legal review • In-person community information meeting and public hearing • Bylaw amendment communications	TBD Pending Minor Project Funding or successful business case for 2025/26 fiscal
	Total	TBD

Commented [SZ6]: There are no major project budget funds allocated for this fiscal year. After the Public Hearing for the Keats Shoreline Protection Project is held (anticipated summer 2024 - bylaws advance to EC/Minister), the LTC can request funds from the minor project budget to support administrative costs to continue the OCP/LUB review project (i.e. community information meeting, public hearing advertising and facility booking).

Cha7élkwnech (Gambier Island) Official Community Plan Review

Skwx wú7mesh Úxwumixw Engagement Summary – April 2024



The following table has been prepared by Islands Trust planning staff and summarizes the Skwx wú7mesh Úxwumixw recommendations for the Gambier Island Official Community Plan (OCP) Review Project. These recommendations were derived from several meetings and discussions between Islands Trust Planning staff and staff from the Skwx wú7mesh Úxwumixw Rights and Title Department between September 2023 and April 2024. The following topic areas were the central focus of engagement:

1) Climate Actions and Sustainable Solutions; 2) Forest Ecosystem Protection; 3) Archaeology and Cultural Heritage Protection; and 4) Protection of Streams, Watercourses and Shorelines.

Recommended actions have been categorized below as high, medium or low priorities for the Gambier Island Local Trust Committee’s (LTC) consideration of implementation for land use planning on Gambier Island, as well as other islands in the Howe Sound within the territory of the Skwx wú7mesh Úxwumixw. Twenty-five high priority, 3 medium priority and 3 low priority action items are being recommended for implementation by the LTC. The high priority recommended action items include: 20 recommended amendments to the OCP/LUB; one operational or administrative recommendation and 6 relationship building and/or advocacy recommendations with First Nations, other levels of government, agencies or community groups.

PRIORITY RATING	Skwxwú7mesh Úxwumixw Issues and Concerns to be Addressed	Recommended Actions to be Considered by the Gambier Island Local Trust Committee (LTC) of the Islands Trust	Engagement Comments
HIGH	A. Create relationship between the land use planning function the LTC conducts within Skwx wú7mesh territory and respect the Skwxwú7mesh Úxwumixw values and their inherent rights as Indigenous People who have connections to Gambier Island.	- Update OCP with Cha7élkwnech (Gambier) Island references throughout. - Amend OCPs and LUBs with appropriate land acknowledgment at the beginning of each bylaw in the Trust Area that falls within Skwx wú7mesh Úxwumixw territory, <u>not just Gambier Island</u>. - Work with cultural heritage department regarding Skwx wú7mesh Úxwumixw language place names being included in the OCP, where appropriate. Submit language and translation request form to integrate indigenous place names within OCP. - Amend OCP with specific commitments to reconciliation as overarching framework for all policy guidance and update Gambier Island webpage to include commitment statements. - Amend OCP to explicitly recognize the impacts of existing patterns of settlement, protected areas and residential development on First Nations rights and title. - Assist in coordinating, funding and/or installing Skwx wú7mesh Úxwumixw language signage (where deemed appropriate and not confidential by the Nation) on trails and areas deemed important by the Nation.	<i>Important to see a stated commitment from local government to reconciliation that prioritizes opportunities for nation members to re-connect to the land and marine waters of Gambier Island. For nation members there is no division between prehistory and history, or concept of pre-contact and post-contact, it is all one history punctuated by various events. The nation sustains its’ history through genealogies and the ties that people, families and communities have to places in our territory. This must be adequately represented in land use planning documents within the territory.</i> <i>Skwx wú7mesh Úxwumixw encourages the use and (re) application of Skwx wú7mesh Úxwumixw place names within our territory given that they are approved, accurate, and appropriate and evaluated by the Skwx wú7mesh Úxwumixw prior to their use.</i> <i>Skwx wú7mesh Úxwumixw language signage on the island is important for sharing language, culture and awareness.</i>

PRIORITY RATING	Skwxwú7mesh Úxwumixw Issues and Concerns to be Addressed	Recommended Actions to be Considered by the Gambier Island Local Trust Committee (LTC) of the Islands Trust	Engagement Comments
HIGH	B. Address Skwxwú7mesh Úxwumixw interests and concerns regarding climate adaptation and sustainable solutions on Gambier Island.	1. Maintain existing objectives and policies under “Climate Change Adaptation and Mitigation” section of current OCP. 2. Amend OCP with appropriate guiding objective and policy for the “Climate Change Adaptation and Mitigation” section. Include examples i.e. reduced access to harvest areas/food insecurity related to climate change. 3. Align with net-zero emissions targets by 2050 set by adjacent communities (Gibsons, Sechelt, SCRD), not just in the climate change section of the OCP but throughout the OCP. 4. Work with Sunshine Coast Regional District to pilot requirement for all new residential and institutional construction to meet highest construction and energy standards; embodied carbon; recycling and repurposing as well as demolition vs. retrofitting. 5. Amend “Climate Change Adaptation and Mitigation” OCP policies section to separate policies into clearer categories such as ADAPTATION; ENERGY; WASTE; BIODIVERSITY; COLLABORATION etc. 6. Set specific targets and reference other climate action goals if needed. Review entire OCP to ensure net-zero emission targets are addressed wherever possible in supporting land use policy and regulations. 7. Work with SCRD to pilot highest level of Step Code implementation for all new construction/dwellings. 8. Explore implementation of a new development permit area for energy and water conservation for any new residential/institutional construction. 9. Separate out stormwater and water conservation objectives. 10. Advocate for Regional District and provincial rebates for energy efficiency upgrades and retrofits to homes.	<i>Recognize the impacts of climate change on First Nations rights and title and importance of reversing the accelerating impacts of climate change on Gambier Island. Encourage the management of shoreline areas to adapt to potential climate change impacts as well as to protect ecologically sensitive areas. Consider climate change implications in environmental management efforts to conserve biodiversity and enhance forest health.</i>
HIGH	c. Address Skwxwú7mesh Úxwumixw Interests and Concerns Regarding protection of Archaeological and Cultural Heritage Resources and Forest Stewardship on Gambier Island.	1. Explore implementation of shoreline Development Permit Area (DPA – see D3 below) or Heritage Conservation Area (HCA) to be applied island wide or up to 200 m from the setback of the natural boundary of the sea. 2. Ensure planning staff are conducting early referrals of all relevant development applications (Temporary Use Permits, Development Variance Permits, Rezoning) and advising applicants to seek explicit permission from Rights and Title Department. 3. Use a Development Approval Information Bylaw (DAI) to require a Preliminary Field Reconnaissance (PFR), Archaeological Overview Assessment (AOA) or Archaeological Impact Assessment (AIA) (or all three for complex sites) for rezoning applications where increase in	<i>Improve development approval processes to ensure no further harm or degradation to archaeological sites and cultural heritage resources. Currently the OCP Part 8, policies 8.9 and 8.10 are the only existing objectives to address this.</i> <i>50m buffer within all shorelines is the highest priority for protection, investigation and field assessment. Skwxwú7mesh Úxwumixw requires that (when available) a community archaeologist, field technician, or cultural advisor play a part in all aspects of archaeological and heritage investigations - from permit review, permit issuance, field work, laboratory analysis, reporting and report review.</i>

PRIORITY RATING	Skwxwú7mesh Úxwumixw Issues and Concerns to be Addressed	Recommended Actions to be Considered by the Gambier Island Local Trust Committee (LTC) of the Islands Trust	Engagement Comments
HIGH		density or intensity of uses is being proposed on the island. Coordinate with the Squamish Nation Archaeological or Heritage Permit process and appropriate qualified professionals. 4. Use a Development Approval Information Bylaw (DAI) to require a biophysical inventory for rezoning applications where increase in density or intensity of uses is being proposed anywhere on the island, to identify forest characteristics, sites of highest biodiversity, species at risk. Ensure information sharing with the Nation to build on datasets and enhance quality of the referrals.	<i>Rising sea levels and intensification of coastal development means archaeological sites and cultural heritage may be inundated/destroyed. This is the most sensitive region of the island.</i> <i>Prioritize protection of remaining in-tact natural environments from development as the natural environment is the catalyst for Skwx wú7mesh Úxwumixw language which is derived from PLACE and the commitment to seven generations. Address the challenges of educating and spreading awareness around the cultural uses of the landscape and connection to the land that Skwx wú7mesh Úxwumixw members have, and how that may be very different than settler use and connection to land.</i> <i>All proposed development on the island should be submitted as referral to Skwx wú7mesh Úxwumixw for further review.</i> <i>Proposed Development Permit Areas or Heritage Conservation Areas should be extended from 30m or 50m to 200m from the shoreline.</i>
HIGH	D. Address Skwxwú7mesh Úxwumixw Interests and Concerns Regarding protection of shorelines, watercourses and streams on Gambier Island.	- Maintain existing <u>island wide</u> Development Permit Area (DPA) for streams and watercourses. - Work with FN, Howe Sound Biosphere Region and other partners to strengthen and restore island biodiversity. - Explore implementation of shoreline Development Permit Area (DPA) to be applied island wide 30 metres from the setback of the natural boundary of the sea. - Coordinate and advocate with Province for new dock tenures to be supported by a Preliminary Field Reconnaissance (PFR), Archaeological Overview Assessment (AOA) or Archaeological Impact Assessment (AIA). - Use DPA or other regulatory framework to ensure all new or renovated docks adhere to Howe Sound Biosphere Region Dock Policy for materials, size, design (no floating docks, max ramp width; minimum height above sea; preservation of eelgrass with minimum 43% open spaces for light penetration; no polystyrene, etc).	<i>200 metre buffer along shorelines are most sensitive for ecosystems, diversity of species for foraging also and high concentration of cultural values/resources. Place high emphasis on land use protection tools for this zone.</i> <i>Ensure all shoreline development implement green shores principles and strategies.</i> <i>Improvements to existing docks may also require a preliminary field reconnaissance or archaeological assessment, particularly if none was conducted prior to the original construction.</i> <i>Access or construction along the shoreline requires at least 45 days advance notification sent to the First Nations authority in the area of work and its Rights and Title Department to ensure cultural sites are not impacted or disturbed. A Preliminary Field Reconnaissance (PFR) for archaeology may be required, and provincial permitting times average 6 months.</i> <i>Skwx wú7mesh Úxwumixw docks and marine management plan are pending in 2024/25. No critical habitats can be impacted within the immediate vicinity of the proposed dock/float structure. Critical habitats are defined in the Canadian Species at Risk Act (SC 2002, c.29)</i> <i>If there is a proposal to construct a new moorage structure or apply for authorization of an existing but previously unauthorized structure, a new application should be submitted.</i>

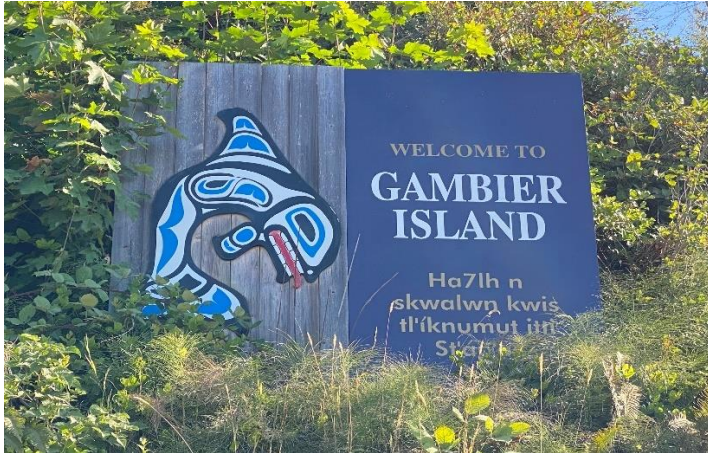
PRIORITY RATING	Skwxwú7mesh Úxwumixw Issues and Concerns to be Addressed	Recommended Actions to be Considered by the Gambier Island Local Trust Committee (LTC) of the Islands Trust	Engagement Comments
Medium LOW			<i>If the Land Act tenure is due to expire, it is required to submit a replacement application.</i> <i>Management Plan, demonstrating compliance with best management practices and reviewed by a qualified professional (QP) is required for both new and replacement application.</i> <i>Environmental Assessment of the Land Act tenure area by a qualified environmental professional is required for a new application.</i> <i>Environmental Assessment of the Land Act tenure area by a qualified environmental professional is required if the project proposes to change the moorage structure's footprint or make major structural changes to it.</i> <i>All proposed docks/moorages should be submitted as referrals for Skwxwú7mesh Úxwumixw review to "Address Skwxwú7mesh Úxwumixw Interests and Concerns Regarding protection of shorelines, watercourses and streams on Gambier Island."</i>
	A. Work collaboratively to advance common goals between Skwxwú7mesh Úxwumixw and the Gambier Island Local Trust Committee.	1. Ensure regular, relevant cultural sensitivity or cultural awareness training for all appointed community volunteers who are tasked with providing the LTC with land use planning advice. Hire Squamish Nation cultural advisor or approved trainers such as Blanket Exercise Workshop, to conduct appropriate training at the onset of each appointment term. 2. Encourage the Gambier Island Community Association to explore opportunities to allocate a portion of the "Rural Economic Diversification and Infrastructure grant (REDIP) funds as capacity funding to Squamish Nation to ensure that Nation's interests in economic development are incorporated into future actions, strategies and pilot projects for Gambier Island. 3. Encourage community groups to explore models for community ownership of the New Brighton Dock to present options to Nch'kay for transfer of ownership and ensure long term public access to the island as well as sustainably manage and maintain dock infrastructure.	<i>Model attempts to rebuild healthy relationships and respect between land and peoples. Reconciliation can only happen if people view themselves as part of nature, and life.</i> <i>There is no opportunity for Squamish members to get involved in economic activity on the island. No revitalization of their culture which would be through permanent signage, interpretation, art, harvesting or hunting activities.</i> <i>There is interest in conducting cultural awareness training or cultural advisor supports but need resource to do this work and it is currently limited; explore future opportunities and options if LTC is interested in piloting and securing funding in a partnership opportunity.</i>
	A. Work collaboratively to advance common goals between Skwxwú7mesh Úxwumixw and the Gambier Island Local Trust Committee.	1. Coordinate and sponsor field trip to Gambier Island for Squamish Nation staff, members, elders to tour areas of interest. 2. Explore options to sponsor annual field trips for Squamish Nation guardians and stewards to conduct monitoring of the Island. 3. Coordinate early engagement opportunities with Squamish Nation members, elders, in their own community on matters affecting the Howe Sound Islands.	<i>There is limited capacity for Squamish guardians and stewards to travel to or monitor activities on the island. Regular visits can help build datasets and review trends on forest landscape health and cultural heritage site protection. Field trips can include professionals working within the territory to review landscape priorities.</i> <i>Gambier Island community can help the nation to advance its cultural revitalization on Gambier Island.</i>

PRIORITY RATING	Skwxwú7mesh Úxwumixw Issues and Concerns to be Addressed	Recommended Actions to be Considered by the Gambier Island Local Trust Committee (LTC) of the Islands Trust	Engagement Comments
LOW			Give nation members opportunity in their own spaces to talk about their concerns for Gambier. Invite them to talk to the LTC through deep listening events. Members likely will not feel safe attending local government engagement process open to the general public. Come to them at the beginning – not the end- of projects as there is interest in discussing housing, stewardship and economics. Coordinate a field trip where members can identify the things they wish to see and tour; use online engagement opportunities also. Primary objective should be building connection and good understanding about Squamish Nation’s interests and concerns. If meeting with the nation is simply to expedite local government decision making, then it is not appropriate engagement.

REFERENCES:

- Squamish Nation Climate Action Plan (2024 – pending)
 - Squamish Nation Marine Use Plan (2024/25 – pending)
 - Xey Tamixw Land Use Plan (2023)
- Squamish Nation Sacred Land Use Plan (2001)
 - Squamish Nation Heritage Policy (2021)
 - Squamish Nation Ancestral Remains External Stakeholder Policy (2021)
- SCRD Coastal Floodplain Mapping (pending 2025)
 - SCRD Climate Action Plan (2023 Draft)
 - North Vancouver, West Vancouver, Gibsons, Squamish OCPs
- *Kayachtn (Welcome)—Skwxwú7mesh The word ‘Squamish’ is an English adaptation of the First Nations word ‘Skwxwú7mesh’, which means “Mother of the Wind” and “people of the sacred water”.*
 - *“Certain areas in the traditional territory have been designated by past provincial governments as provincial parks. For the purposes of this land use plan, it has been assumed that the parks will remain protected areas under provincial legislation. It should be noted that the Squamish Nation was never adequately consulted with regard to the establishment of these parks, and while these parks protect some wilderness and wildlife values that are important to the Squamish Nation and this plan, they may not adequately meet the cultural needs and other values of the Nation. Among other issues, designation as provincial Park under the Park Act does not guarantee Squamish Nation access to areas within the park for traditional activities nor prevent other uses inconsistent with these practices in these areas.” - Xey Tamixw Land Use Plan (2023)*
 - *“Over the past 150 years, the Squamish Nation has sustained tremendous economic, political and social damage as a result of the intrusion of massive numbers of people into their territory and the accompanying exercise of power by the Federal and Provincial governments. During this period, the Nation has systematically and illegally been denied access to their lands and resources. Both the Federal and Provincial governments, in contravention of their trust responsibilities, have encouraged and facilitated the illegal alienation of the lands and resources that are the subject of the Nation’s aboriginal title. In so doing, both governments have undermined the Nation’s traditional economies and economic rights, thereby forcing the Squamish into a state of economic dependency. Federal and provincial policies have impaired the Squamish people’s capacity for economic self-sufficiency while enriching the ever-increasing non-Indian society at the Nation’s expense. These illegal alienations constitute a taking without Squamish consent and without compensation.” - Xey Tamixw Land Use Plan (2023)*

Gambier Island Official Community Plan and Land Use Bylaw Targeted Review Project: Engagement Summary Report



January 12th, 2023

Sharon Horsburgh, RPP MCIP | Serena Klaver, MCP | Jean Porteous, RPP MCIP
BAYSHORE PLANNING SERVICES INC.

<http://bayshoreplanning.com>

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1.0 PROJECT BACKGROUND

The Gambier Island Local Trust Committee (LTC) identified updating the Gambier Island Official Community Plan (OCP) and Land Use Bylaw (LUB) as a top priority project in February 2015. After delays due to staffing issues and the Covid-19 Pandemic, the project was reintroduced in 2021. Bayshore Planning Services was retained to deliver a public engagement program for the OCP/LUB Targeted Review Project.

The OCP/LUB project focuses on the following areas:

- o Archaeological and Cultural Heritage Protection
- o Forest Ecosystem Protection
- o Shoreline Protection and
- o Docks (includes public, community, and private docks)

The Gambier Island community is unique as most of its residents are primarily recreational with approximately 85% of properties used for weekend and summer use only. There are three main communities on Gambier that are connected via gravel roads, there are other small communities that are boat access only. There is no car ferry access; however, BC Ferries does contract a passenger ferry from Langdale to New Brighton.

Bayshore Planning Services was retained to:

- Conduct a targeted review of the OCP and the LUB regarding the aforementioned subjects
- Develop and implement a Community Engagement Plan and
- Make recommendations to update the OCP and the LUB

Islands Trust staff conducted research into the project focus areas and provided two discussion papers for the Consultants' information:

- Forest Ecosystem Protection
- Gambier Island Shoreline Policies

The discussion papers, along with a background review of all relevant policies and a review of feedback from Working Group meetings and community engagement events, have informed the proposed updates to the OCP and LUB. All public comments and survey results have been reviewed and analysed to form recommendations for consideration by the LTC as the OCP and LUB progress to the next phase of the planning process.

The LTC is committed to consulting and building relationships with the Gambier Island community, to involving key interested and affected parties and to collaborating with First Nations. Early and meaningful engagement with the Skwxwú7mesh (Squamish) Nation, ɿ əlilw̓ ətaʔt̓ (Tsleilwaututh) Nation, and xʷməθkʷəy̓əm (Musqueam) is separate from this public engagement process.

2.0 COMMUNITY ENGAGEMENT SUMMARY

The purpose of the community engagement was to gather input from Gambier Island residents as well as affected and interested parties. Community Engagement for the Gambier Island OCP and LUB Targeted

Review was conducted using the International Association for Public Participation (IAP2) Public Engagement Framework. It incorporates best practices for public engagement and is in keeping with the Islands Trust Policy Statement to provide an open, consultative, and meaningful public participation process. The IAP2 public engagement levels for this project include informing, consulting and involving community members of Gambier Island.

2.1 METHODS OF COMMUNITY ENGAGEMENT

A range of communication activities and engagements were carried out from August 2022 until November 2022.

COMMUNITY OUTREACH ACTIVITIES:



40+ participants in 1
person workshop

14 participants in 1
online workshop



83 participants in
online survey



3 Working
group meetings



3 interviews

OUTREACH ACTIVITIES:

This project included significant community outreach including:



843+ Flyers
distributed to all
property owners.

3 Updates to
Islands Trust
project page.

3. Email
updates to
subscribers

Regular
Social media
posts to Facebook

PUBLIC OUTREACH ACTIVITY

Fig. 1: Pictures below from the Sept 1, 2022, in-person event at the Gambier Island Community Hall.



Table 1, which follows, summarises the communications tactics and timeline used to gather feedback from participants. The public input was analysed to provide recommendations to amend the Gambier OCP and LUB.

Table 1	COMMUNITY ENGAGEMENT PLAN SUMMARY
Aug 7, 2022	Direct mail-out to 843 Gambier Island property owners, and social media postings to Gambier Island residents.
Aug 22, 2022	Online meeting #1 with the Gambier Island Working Group to review the Community Engagement Plan and the draft online survey
Aug 29, 2022	Launched the online survey. There were 83 participants.
Sept 1, 2022	Hosted an in-person community meeting at the Gambier Island Community Centre to provide feedback through an interactive World Café format. There were 40+ participants.
Sept 14, 2022	An online community meeting via Zoom was hosted for participants to provide feedback. There were 14 participants.
Sept to Nov 2022	Consultants did three interviews with members of the community, posted three updates to the Islands Trust project page and to the email subscriber list
Mid Oct 2022	Consultants reviewed the online survey results
Nov 7, 2022	Online meeting #2 with the Gambier Island Working Group regarding the online survey results
Dec 5, 2022	Online meeting #3 with the Gambier Island Working Group for them to provide feedback on the draft Engagement Summary Report
Jan 31, 2023	Online presentation at Gambier Island Local Trust Committee meeting

The direct mailout was sent to all property owners in August to notify them of the OCP/LUB review project. Several social media and email notifications were posted on various platforms to inform Gambier Island community members about the in-person community meeting held on Gambier Island and an online community meeting via Zoom. The community engagement was designed to inform and engage community members about the project.

During the course of the consultant contract, the Gambier Island Working Group participated in three meetings by Zoom. Electronic communication was determined to be the only practical form of engagement as Working Group members were spread across Gambier Island and the Lower Mainland.

There was one in-person workshop hosted on Gambier Island that used the World Café meeting format to gather input (see fig.1). This meeting was a structured conversational process for knowledge sharing. Participants discussed a pre-defined topic in small groups. Outcomes or solutions to the topics were not decided in advance. Some degree of formality was retained as facilitators tried to ensure that everyone had a chance to speak. The expectation in a World Café format is that discussion will take place that could shift people's conceptions. The presentation slides from the in-person and zoom workshops are posted on Island Trust's Gambier Island project website [Gambier Island Local Project Page](#)

2.2 WHAT WE HEARD FROM THE IN-PERSON and ONLINE COMMUNITY MEETINGS

Forestry and Woodlots

- Protection of forest lands was a strong theme. High importance is placed on preserving Provincial Crown Land for ecological and recreational benefits. The biggest threat to the Island's forests was seen as fragmentation through logging/forestry and development.
- Many community members stated that they strongly objected to the Province issuing any new woodlot licenses on Gambier Island. Two woodlots on Gambier Island are located on the Northeast side of the Island, zoned Wilderness Conservation. The Province has indicated neither of the licenses are allocated and there are no plans to change their status at this time. Another woodlot is located on the SW side of the Island, which includes Whispering Creek area and is zoned Forestry.
- While many community members are supportive of a shift towards eco-forestry and more sustainable forms of forest management, others are supportive of the current management of private forest land.
- There was a wide range of perspectives on the cultural significance of the woodlots. Many noted the importance of the forest for tourism and recreation. Respondents expressed the recreational benefit of the forest lands and are in favour of forest management that supports hiking, biking, walking, and ATVing. There was also significant support for recreation as it relates to tourism.
- Some respondents emphasized the importance of consulting the Squamish First Nation on the future management of Crown Land forests on the island.
- Concern about climate change and the impacts of wildfires, flooding and extreme weather emerged as a key theme. Many expressed the importance of managing the forest to increase resiliency to climate change.
- Survey responses indicate a wide range of perspectives. In general, the community supports protection measures that limit tree removal with the caveat that every situation is different and may require an individual analysis.
- There is support for view corridors and recognition of the need to remove trees that are not healthy.
- Overall, the message was that while there is no ongoing dialogue regarding Provincial Crown Land, the public would like to see the Islands Trust take on a more active advocacy role with the Province and the Squamish First Nation about the preferred option, which is to adopt a conservation approach.

Public Docks

In the absence of any formal definitions for the terminology related to community and shared docks, the following definitions are used in this report:

Public/Community Dock: A dock, owned and operated by public or private interests, which places no restrictions on who may use the facility.

Shared dock: A dock, owned and operated by private interests, that restricts use of the facility to a prescribed set of individuals or groups.

Private docks: A moorage attached to private property for the exclusive use of the upland owners.

- There was concern that access to public docks should be maintained by the Government. Many expressed concerns with the deteriorated condition of the New Brighton dock and encouraged dialogue with the Sunshine Coast Regional District and the Squamish First Nation to develop a plan to upgrade this dock.
- Increased capacity for berthage was mentioned numerous times.
- There was strong support to maintain the current 15 metre building setback from the natural boundary of the sea. There was minimal support for increasing the building setback to 30 metres. This was proposed as an option to give more protection to treed areas along the shoreline.

First Nations

The community expressed strong support to advance initiatives that encourage reconciliation with First Nations. Respondents encourage Islands Trust to explore opportunities to engage with Squamish First Nations.

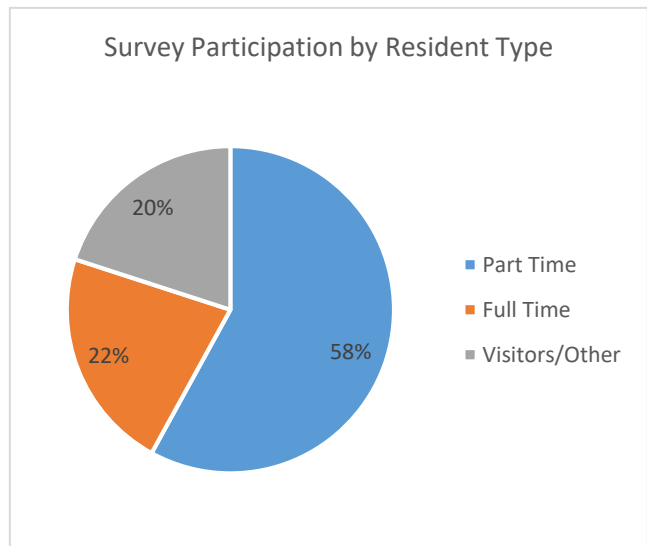
3.0 WHAT WE HEARD FROM THE COMMUNITY ONLINE SURVEY

The community online survey was made available through the Islands Trust website and hard copies were made available on request. The survey was a key element of the Community Engagement Plan. The survey design encompassed historical knowledge from Islands Trust project efforts, Working Group recommendations, Local Trust Committee direction and best planning practices.

There was a noticeable tone indicated in the survey responses for the protection of natural resources on Gambier Island with a request for the Islands Trust to advocate for conservation to support biodiversity and regulatory solutions.

3.1 SURVEY RESULTS

-A total of eighty-three (83) responses were received.
-The response rate was over 10% based on number of number of properties on Gambier Island. This is considered a relatively high response rate considering Gambier Island's small population.
- 95% of the respondents answered all questions which is worthwhile noting given that regulatory questions related to OCPs and LUBs can be complex.
-Some participants indicated they needed more information or found the questions to be convoluted or confusing.



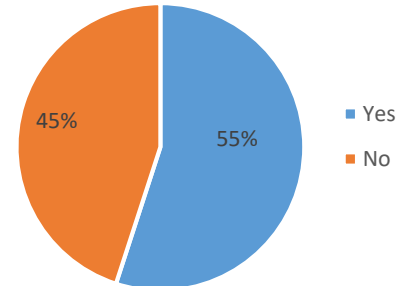
Question 1. Natural coastal processes should they be left undisturbed to the maximum extent possible?

This can mean leaving the coastal shoreline in its natural form with minimal impacts from development (e.g., limiting the number and size of buildings and structures or minimizing vegetation and tree removal close to the shoreline).

On a Scale of 1- 5 do you Disagree (1) or Agree (5)

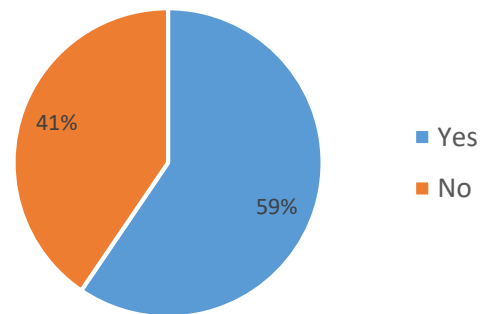
Response: 55% in agreement.

Q1. Natural Processes



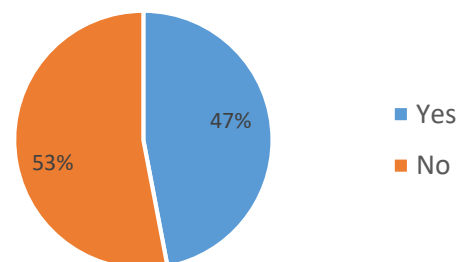
Question 2. Would you support adding a policy to the OCP to encourage preserving the natural tree cover along the shoreline and to discourage tree removal?

Q2. Shoreline Tree Removal Policy



Question 3. In the OCP, one of the current Advocacy Policies reads: The Province should allow community forest and woodlot licensing on Crown Land designated as forestry. In cases where this would create locally based economic opportunities for small scale sustainable forestry, including providing logs for local processing would you like to see this policy remain?

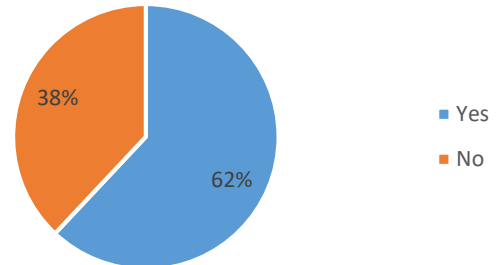
Q3. Advocacy Policy Forestry



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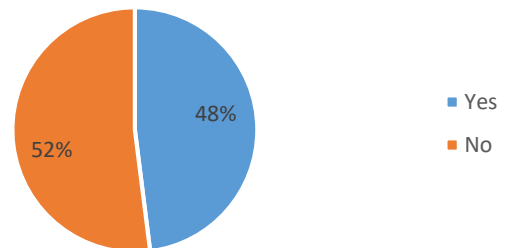
Question 4. Currently, Crown Land and private land are not protected. Do you think there is enough land protected for conservation purposes on Gambier Island?

Q4. Conservation of Land.



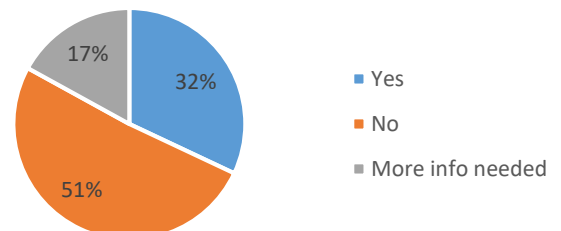
Question 5. Are you interested in expanding or creating a new shoreline Development Permit Area (DPA) guideline that could further protect all of Gambier Island's shoreline?

Q5. Shoreline Development Permit Area (DPA) Options



Question 6. Would you be supportive of expanding the setback requirements to 30 metres to allow for a greater buffer between development and the shoreline/marine environment?

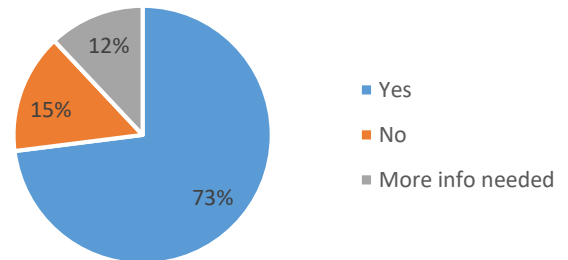
Q6. Shoreline Setback Requirements



Question 7. The Islands Trust has no jurisdiction over Crown Land but can act as an advocate to preserve and protect this land.

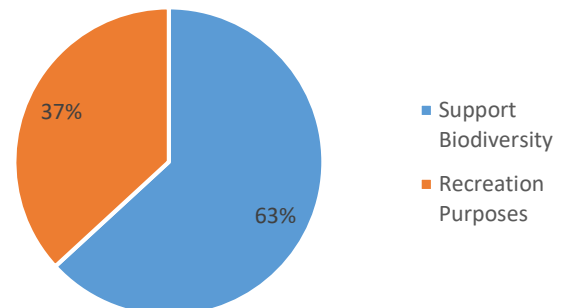
Do you support Islands Trust in undertaking further work to advocate to the province and/or First Nations to protect Crown Land on Gambier Island?

Q7. Advocacy to Protect Crown Land



Question 8. Building off Question no. 7 above, what do you consider to be more important on Gambier Island? Protection of Crown Land for biodiversity or recreation?

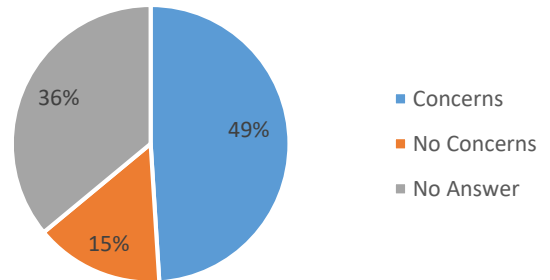
Q8. Protection of Crown Land



Question 9. Do you have concerns related to shoreline protection and/or development? If so, what concerns do you have?

There were many responses to this question, and we have included comments related to OCP/LUB Targeted Review below in three categories: Development, Docks, and Environment.

Q9 Do you have concerns related to shoreline?

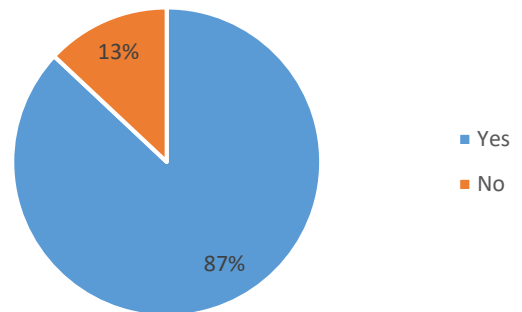


Question 10. The Gambier Island Official Community Plan policy on Marine and Foreshore Areas reads: The marine and foreshore areas should be zoned to allow:

- (i) cooperatively owned or operated docks to provide marine access to residential areas as a means of minimizing the need for upland road links between residential communities and to limit the need for multiple dock development along the shoreline;
- (ii) boat moorage, where cooperatively owned docks are not feasible, to serve the needs of residents in the immediate area, provided such moorage does not restrict navigation;
- (iii) public parks and ecological reserves and marine navigational aids and publicly funded and operated boat launching facilities.

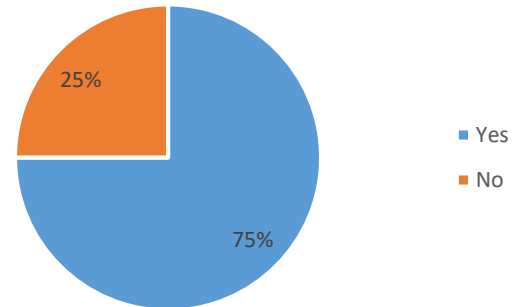
Do you support keeping this policy?

Q10. Marine Foreshore Areas



Question 11. Should the OCP have an Objective / Goal regarding Shoreline similar to the Keats Island OCP? Protecting Keats Island’s natural foreshore and public recreational beaches from pollution, environmental degradation, or modification by inappropriate development or use is extremely important to the community.

Q.11 Shoreline Docks

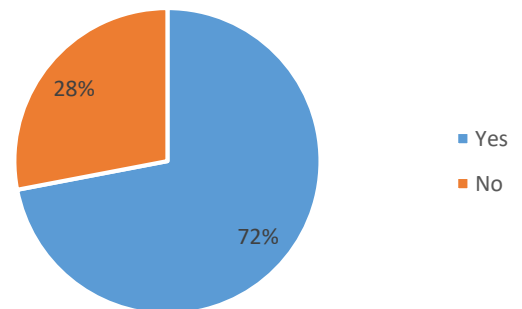


Question 12. Should the OCP have a general policy regarding the Shoreline similar to the Marine and Coastal Resources Policies in the Thetis Island OCP as follows.

Foreshore and adjacent coastal water area land use regulations should place emphasis on retaining natural characteristics. Public access and the right to recreational use of the foreshore should be supported and protected, and such access and use should respect the interests of adjacent residents and tenure holders. The integrity of foreshore features, shoreline features, and intertidal processes may be maintained by:

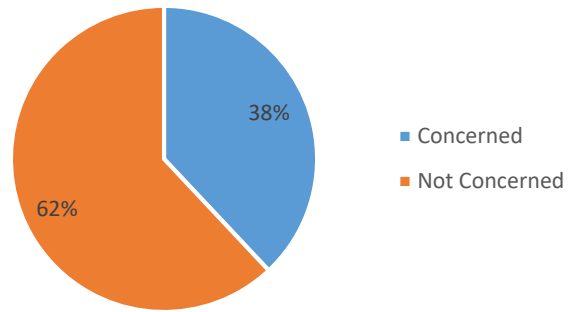
- Discouraging uses that disrupt natural features and processes and encourage owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas sloping towards the foreshore.
- Supporting the prohibition of filling, deposit, excavation, or removal of foreshore and seabed materials.
- Upland waterfront developments should be setback sufficiently to allow for natural erosion and accretion processes, without endangering structures.
- Where private docks are allowed, the use of communal docks is to be encouraged.

Q12. OCP Shorline Policy



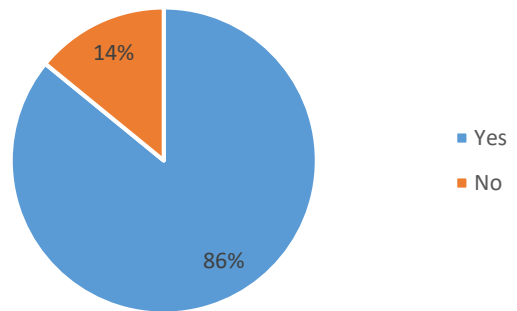
Question 13. How do you view the increase of private docks on the island?

Q13. Private Docks



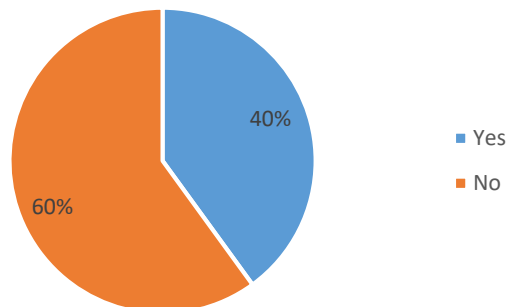
Question 14. Do you think Gambier Island property owners should be encouraged to construct shared docks for more than one property when and where practical?

Q14. Shared Docks



Question 15. Do you think there are an adequate number of community docks on the island?

Q15. Adequate Community Docks



Questions 16 to 19

A summary of the survey responses for Questions 16 to 19 are listed below:

Q16. What changes to docks do you think are necessary on the island? (Please specify whether your comments relate to private, community, or both types of docks).

- Secure community access to public docks for residents.

Q17. Would you like to see Gambier Island incorporate the same or similar policy in the OCP?

- Yes, include policies in the OCP to secure access to public docks.

Q18. What public signage could be updated to include Indigenous language and cultural references around Gambier Island to acknowledge Islands Trust commitment to reconciliation with First Nations?

- Names of bays in indigenous language.

Q19. What other ways could you see Gambier Island acknowledging First Nations history and ongoing presence on Chá7elkwnech (Gambier)?

- Through dialogue with Squamish First Nations review options to include signage depicting indigenous culture and language.

Summary of Development and OCP Related Comments:

The survey generated an extensive list of comments from the survey participants that could not be quantified numerically. We have included within this report only those comments that are most applicable to the OCP targeted review:

Docks | OCP Related Comments:

- Without a New Brighton dock solution, there will be more demand to permit private docks. More private moorages may be the wrong solution and there should be more efforts to improve New Brighton dock for the community.
- Respondents indicated support for larger public docks with more slips for short term and long-term moorage. In addition, more parking for vehicles near the public docks.
- Too few public docks will encourage the development of private docks.
- Don't unduly limit private dock development. The permitting process should be quicker. The few existing areas that allow docks have high costs of ownership because Gambier's bylaws limit development. It's an island, people have boats, and it's unrealistic to think that these people using the land don't want to have docks to store their boats. The public docks are overused and there is no space on a regular basis.
- The condition of the New Brighton Dock generated the most comments and based on the multiple uses: ferry dock, short and long-term moorage the current size of the dock is inadequate. It is heavily used and requires extensive repairs. There is concern from the community that without regular maintenance the New Brighton Dock will become unsafe to use for the foot passenger ferry.

Environment | OCP Related Comments:

- Major fires are increasing and threat to ecosystems and private property
- Unless there is a commercial operation such as fisheries, forestry, or mining, there is little to be

concerned about regarding the shoreline.

- I believe that marine riparian areas need to have the maximum amount of protection from development, not only from building structures but also from removing vegetation or planting lawns and gardens within the marine riparian areas.
- Some of the last remaining areas of wild land will be built close to the shore taking away from a wilder feeling and affecting the habitats of many species.
- The shoreline is a dynamic zone, and the limits are also changing due to climate change. An understanding is needed for (a) changes in next 100 years (b) affects of severe storms in winter that are leading to increased affects on environments (e.g., east side of GI, northerly outflows).
- Sea level rise is inevitable. Individual property owners building sea wall structures properties can lead to increased erosion elsewhere (including neighbouring properties.) Strict guidelines need to be enforced.
- Suggested extensive setbacks for building development and moratorium on private docks.
- No development should occur in the foreshore, nearshore, or backshore, without the approval of Islands Trust.
- Current setbacks are sufficient; however, private owners should have some options to prevent foreshore erosion from rising sea levels.
- Shoreline protection is imperative, reduce development, reduce private docks, and increase shared docks where possible.
- People are altering shoreline with fill using heavy machinery. Some structures are built very close to the water's edge; also foreshore alterations (large lock block walls, vegetation removal) and individual docks.
- Continued education around shoreline protection.
- While shoreline protection rules are very good to have in place, the enforcement of those rules is ambiguous.
- Maintain and protect the boundaries of my property while maintaining the natural look of the beach
- New setback rules applied to existing properties without compensation for loss of value or use.

4.0 OVERVIEW OF OCP/LUB POLICY DIRECTIONS

The Official Community Plan (OCP) is a statement of objectives and policies that guide the Local Trust Committee's planning and land use management decisions. The OCP is a living document and adapts to new trends and issues expected to arise over the coming 20-year period while also responding to ever-changing circumstances on Gambier Island.

The Land Use Bylaw (LUB) regulates the use of land, building and structures on the island, and must be consistent with policies contained in the OCP. The LUB defines legal zones that specify permitted uses on a parcel of land.

The OCP/LUB Targeted Review Project and community engagement focused on gathering feedback. The policy directions below reflect feedback from the community in-person and online meetings, the Online Survey, and the Gambier Island Working Group.

1. Policies to Ensure Archaeological and Cultural Heritage Protection

- Identify Heritage Conservation Area(s) to reflect First Nations history and relationship with Gambier Island

- Collaborate with the Squamish First Nation to identify agreements with Provincial and Federal governments as they relate to land use on Gambier Island

2. Introduction of Shoreline Development Permit Area (DPA)

A Shoreline Development Permit Area is being recommended to promote increased protection of coastal areas. A new DPA would be in addition to the existing 15-meter building setback from the present natural boundary of the sea. Local governments have the authority to designate a DPA in an official community plan and describe the special conditions or objectives to justify the designation. Guidelines would describe special conditions or objectives for proposed developments within a specific assessment area. These guidelines may be specified in the Land Use Bylaw.

To provide additional protection to natural features close to shorelines the LTC may want to consider:

- I. A Shoreline DPA with a 30-meter assessment area. This would require a Qualified Environmental Professional to evaluate a development area from 30 meters from the Present Natural Boundary or Property Line. This was supported by the Gambier conservations Society and the Gambier Island working group.
- II. Introduce a Shoreline DPA with a 15-meter assessment area. This reduced assessment area would keep the building setback and the assessment area the same. A Qualified Environmental Professional would need to be engaged by the homeowner to evaluate a development area from 15 meters from the Present Natural Boundary or Property Line.

3. Policy Options To Maintain Access to Public Docks

- Include zoning that supports foreshore development for new public docks that can be accessed by the community.
- Maintain the current number of docks that provide residents with access to all Gambier communities.
- Where practical, encourage shared private moorage dock facilities. Resident's state there is a lack of publicly owned docks. This puts the responsibility onto individual property owners to secure water access to their property.

4. Strategies to Strengthen Forest Ecosystem Protection:

- Advocacy, education, and collaboration with interested and affected parties are appropriate tools for the protection of Crown Land.
- Policies and regulatory tools have been reviewed to encourage tree and forest ecosystem protection on private land.
- Advocate to the Province to cancel the woodlot licenses on Gambier Island.

5.0 OFFICIAL COMMUNITY PLAN AND LAND USE BYLAW RECOMMENDATIONS

Based on the review of existing studies and the community feedback below are some recommended policy changes and next steps for the LTC consideration.

Through the Gambier Island OCP and LUB Targeted Review Project, Islands Trust planning staff have invited Squamish First Nations to collaborate.

5.1 INDIGENOUS RECONCILIATION

Communication and collaboration with Squamish First Nations specific to the proposed Gambier Island's new OCP/LUB will be continuing in 2023/24.

On March 14, 2019, the Islands Trust Council recommended Gambier Island's new OCP/LUB include the following policy below:

Islands Trust Council is committed to establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous Peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long-term relationship-building and healing process.

Islands Trust Council acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous Peoples since time immemorial and honours the rich history, stewardship, and cultural heritage that embody this place we all call home.

Islands Trust Council is committed to establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous Peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long-term relationship-building and healing process.

Islands Trust Council will strive to create opportunities for knowledge-sharing and understanding as people come together to preserve and protect the special nature of the islands within the Salish Sea.

It is recommended that this policy be included in the updated OCP.

5.2 ESTABLISH HERITAGE CONSERVATION AREAS

In accordance with Section 614 of the LGA, Heritage Conservation Areas (HCAs) can be designated within an OCP. Gambier Island does not currently have any designated Heritage Conservation Areas. Similar to DPAs, where a Development Permit application must be "in accordance with" DPA guidelines, a Heritage Alteration Permit (HAP) must act in accordance with the HCA "purpose". While DPAs may be designated for a number of purposes, a HCA is designated for the purpose of "heritage conservation".

HCAs could recognize important cultural or historical areas or features of importance on Gambier and facilitate understanding of property owners on First Nations concerns. Existing Gambier OCP policies that

address heritage conservation are broad. Establishing an HCA is an opportunity to strengthen heritage conservation on Gambier Island.

An important note when considering the establishment of HCAs, is that they may not be used to prevent a land use that is permitted within the LUB, and may not conserve natural landscapes or undeveloped land, except as noted in Section 588(1) of the Local Government Act (LGA).

5.3 SHORELINE PROTECTION/TREE REMOVAL POLICY

OCP policy amendments are proposed to protect natural shorelines and public beaches from pollution, environmental degradation or modification by inappropriate development. Protection of sensitive ecosystems includes shorelines to ensure natural coastal processes are left undisturbed to the maximum extent possible. This can mean leaving the coastal shoreline in its natural form with minimal impacts from development (e.g., limiting the number and size of buildings and structures or minimizing vegetation and tree removal close to the shoreline).

There are several policies in the current OCP which speak to protecting coastal and/or foreshore areas. The OCP policies address possible issues such as; erosion control and logging of private lands. Shoreline protection can be achieved through amending the land use bylaw to restrict development. Development permit guidelines can be updated to protect the integrity of foreshore features, shoreline features, and intertidal processes by:

- I. Discouraging uses that disrupt natural features and processes and encouraging owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas sloping towards the foreshore.
- II. Supporting the prohibition of filling, deposit, excavation, or removal of foreshore and seabed materials.
- III. Upland waterfront developments should be setback sufficiently to allow for natural erosion and accretion processes, without endangering structures.

To protect coastal areas the current OCP requires a 15-metre building setback. To further promote increased protection and preservation of the Gambier Island shoreline, consideration could be given to increase this requirement and apply to the 30-metre horizontal distance upland from the present natural boundary and within the 30-metre horizontal distance seaward of the present natural boundary. However, there was little support for this in the community feedback.

The objective of a new development permit area is to protect terrestrial habitats and endangered species. Islands Trust has current mapping of ecologically sensitive areas. These areas may contain significant trees, species listed under the federal Species at Risk Act (SARA) and provincially ranked species identified as red-listed or blue-listed by the Provincial Conservation Data Centre. The objective of the proposed development permit could provide an increased setback for assessment. The that could also identify wildlife trees as detailed in the provincial Wildlife Act (e.g., those with nests of eagles, herons, osprey, falcons, or burrowing owl). Development permit guidelines would likely require a qualified professional to conduct on-site assessments.

The creation of a Shoreline Development Permit Area should include exemption criteria that may be granted based on certain conditions.

5.4 RECOMMENDATIONS FOR ACCESS TO DOCKS

It is important to note, the public docks on Gambier Island are owned and managed by other governments. Islands Trust has the zoning authority and can play an advocacy role.

It is recommended that:

- I. ecofriendly materials be used in future upgrades to any public dock facility and a management plan be implemented to ensure continued use.
- II. Updates to OCP policies 9.10 and 9.21 to clarify that ferry services are essential for the western peninsula.
- III. Shared access to all types of docks is encouraged. Privately held docks by individual property owners may consider shared docks where practical.
- IV. For strata and subdivision development access should be permitted to the owners of the upland property. For docks that provide public access the OCB/LUB should reflect public access in perpetuity to ensure public use.

5.5 FOREST ECOSYSTEM PROTECTION STRATEGIES

Islands Trust has some tools available to achieve the protection of forest ecosystems. Much of the forested area on Gambier Island is on Provincial Crown Land therefore under Provincial authority. Islands Trust can continue to collaborate with the Provincial Government and advocate for sustainable forestry management and protection of the forests and associated ecosystems. This would help to achieve the goal of ensuring policy development designed to achieve Trust Council goals and objectives by undertaking the following:

- Contemplate creating a new Development Permit Area to protect Gambier Island Forest ecosystems and Shorelines.
- Review the OCP and LUB for strong language that prioritizes protection of Gambier Island forests in land use planning on Gambier Island.
- Strengthen engagement with the Provincial and Federal Governments and First Nations to find opportunities for protection of the Gambier Island forest ecosystems.

Policy Tools to create better protection forest ecosystem could include:

- I. **Development Permit Area (DPA)**

DPAs through local governments outline specific guidelines for how proposed development in that area can address the special conditions or objectives. These guidelines may be specified by zoning bylaw.

Contemplate creating DPAs to protect the Gambier Island forests and associated ecosystems within Islands Trust jurisdiction.

Tree removal and logging close to shorelines with sensitive ecological features such as woodlands, riparian areas that support fish habitat should be done in accordance with qualified environmental professional.

While climate change is a global issue it is outside the scope of this review for Gambier Island. We anticipate that through Provincial legislation such as the Riparian Area Protection Regulation and the BC Building Code, sea level rise and changes to flood construction levels will likely impact future development on Gambier Island.

II. Enhance Policy and/or Land Use Bylaw Regulations

Review the OCP and LUB for strong language that prioritizes protection of Gambier Island forests in land use planning within Islands Trust jurisdiction.

Adherence to Provincial Forest management plans that promotes best management practises should be encouraged after an area is logged. Areas should be replanted to create a mixed sustainable forest. The OCP policies should be re-evaluated to respond to changing conditions such as climate change and wildfires.

III. Stewardship Education, Advocacy, Partnerships

Strengthen engagement with the Provincial and Federal Governments to find opportunities for protection of the Gambier Island forests.

Continue to work with the province to review options that could allow community forest and woodlot licensing on Crown land designated as forestry in cases where this would create locally based economic opportunities for small scale sustainable forestry, including providing logs for local processing.

The trail network should be considered and protected in relation to any future logging activities.

An inventory of old growth (more than 100 years) should be developed and maintained. Review of Provincial policies protecting old growth should be reviewed to ensure old growth trees are documented for protection.

6.0 CONCLUSION

The OCP/LUB Targeted Review Project focused on gathering community feedback. There were numerous comments and suggestions made by the survey respondents. The responses are consistent with the feedback from the two community meetings held in September. A summary of the future policy directions is as follows:

- Archaeological and Cultural Heritage Protection:
 - Consider First Nations perspectives, history, and relationship to Gambier Island
 - Consider Heritage Conservation Area(s)

- Shoreline protection:
 - Consider policies and regulatory tools to encourage protection of shoreline ecosystems
 - Islands Trust to provide advocacy and education on protecting shorelines.
- Public docks
 - Ensure continued access to the three public docks by the community.
 - Concerns about the New Brighton dock was a recurring theme throughout the survey.
- Forest ecosystem protection
 - Consider policies and regulatory tools to encourage tree and forest ecosystem protection on public and private land.
 - Forestry on Gambier Island is an important issue in which the Province, the LTC, First Nations, and public have an interest in. Survey respondents expressed the importance of consulting the Squamish First Nation on the future management of woodlots.

The OCP/LUB review process is the opportunity to follow the intent of the United Nations Declaration on the Rights of Indigenous Peoples Act (UNDRIP), Federal and Provincial commitments, and to enhance the local government's relationship with Indigenous populations, through sound land use decisions. The Islands Trust Policy statement acknowledges this commitment to relationship-building through ongoing dialogue and sharing of information through government-to-government meetings with Islands Trust Elected officials and the Squamish First Nation. The survey contained several actions with regards to Archaeological and Cultural Heritage Protection. Suggestions included welcome signage that highlights Skwxwú7mesh First Nations heritage and mapping of various places around the community that are of cultural significance.

REFERENCES

Islands Trust Strategic Plan (2018-2022)
Islands Trust Policy Statement
OCP and LUB Targeted Review Project Charter
OCP and LUB Targeted Review Engagement Framework
Islands Trust Shoreline Discussion Paper
Forest Ecosystem Discussion Paper
Gambier Island Official Community Plan (OCP) Bylaw No. 73
Gambier Island Land Use Bylaw No. 86 2004
Community and Shared Docks Case Studies from the B.C. Coast
<https://islandstrust.bc.ca/document/community-dock-case-studies/Islands>
First Nations Engagement Principles
Islands Trust Toolkit for Protection of the Coastal Douglas fir Zone and Associated Ecosystem

GAMBIER ISLAND TRUST COMMITTEE

BYLAW NO. 150

A BYLAW TO ESTABLISH ADVISORY PLANNING COMMISSIONS FOR THE GAMBIER ISLAND LOCAL TRUST AREA PURSUANT TO THE *LOCAL GOVERNMENT ACT* AND THE *ISLANDS TRUST ACT*

The Gambier Island Trust Committee, being the Local Trust Committee having jurisdiction on and in respect of the Gambier Island Local Trust Area in the Province of British Columbia, pursuant to the *Islands Trust Act*, enacts as follows:

1. Establishment

- a) The Gambier Island Local Trust Committee may appoint one or more Advisory Planning Commissions to advise the Local Trust Committee on all matters referred by the Local Trust Committee respecting land use, the preparation and adoption of an Official Community Plan or a proposed bylaw or permit that may be enacted or issued under Part 14 of the *Local Government Act*.

2. Appointment of Members

- a) The Local Trust Committee may, by resolution, appoint up to nine members to an Advisory Planning Commission (APC) to serve an initial two-year term, and may reappoint those members for a second two-year term.
- b) At least two thirds of APC members must be residents of the Local Trust Area.
- c) The Local Trust Committee may, by resolution, remove a member of an APC at any time.
- d) If a member is removed or resigns from an APC, the Local Trust Committee may, by resolution, appoint a new member to serve the balance of the term of the appointment.

3. Roles

- a) The APC members must, from among the members, elect a Chairperson, a Deputy Chairperson and a Secretary, during the first meeting after their appointment.
- b) The Chairperson will:
 - i) Receive referrals from the Local Trust Committee and, in response, determine when and where meetings will be held;
 - ii) Ensure that meetings are conducted in accordance with the requirements of this Bylaw and the *Local Government Act*;
 - iii) Sign meeting minutes to certify that they are true and correct following approval by the APC.
 - iv) Record a member's declaration of conflict of interest or potential conflict of interest, once a member has declared it;
 - v) In the absence of the Secretary, act in the role of Secretary or appoint another member of the APC to act in the role of Secretary.
- c) The Deputy Chairperson will:
 - i) Undertake the duties listed in 3b) above, in the Chairperson's absence.
- d) The Secretary will:

- i) Assist the Chairperson, as needed, to arrange meetings;
- ii) Ensure that public notice is posted or public advertisements are placed in advance of APC meetings;
- iii) Except where the Islands Trust has retained a professional minute taker to support the APC, record and maintain legible minutes of all APC meetings; forward copies of draft minutes to the Islands Trust office; ensure minutes are approved by the APC at a subsequent meeting; and provide copies of adopted minutes to the public upon request;
- iv) Inform the Local Trust Committee of the resignation of any APC member, within thirty (30) days of the resignation.

4. Referrals

- a) An APC will receive referrals on matters respecting land use, community planning or proposed bylaws and permits under Part 14 of the *Local Government Act*, which are referred directly to the Commission by the Local Trust Committee.
- b) A meeting on any particular referral must be held not more than (40) days after the date of receipt of that referral unless the Local Trust Committee has requested a response by an earlier specified date.
- c) Although the recommendations must be received by the Local Trust Committee, the Local Trust Committee is not bound by the recommendations.

5. Notice of Meeting

- a) An employee of the Islands Trust must provide documentation associated with any referral from the Local Trust Committee to all members of the APC.
- b) The Secretary must send a notice of meeting including a description of all referrals to be discussed to each member at least five (5) calendar days prior to the meeting.
- c) The Secretary must ensure an applicant is notified of the date, time and place of the meeting at which his or her application or proposal will be discussed, at least five (5) calendar days prior to the meeting.
- d) The Secretary must ensure the Local Trustees and the employee of the Islands Trust noted in 5a) are notified of each meeting at least five (5) calendar days prior to the day of the meeting.
- e) The Secretary must post the notice of meeting indicating the date, time, and place of any APC meeting at least five (5) calendar days prior to the meeting on a bulletin board on Gambier Island that is accessible to the public; such bulletin board to be the same as is used by the Local Trust Committee for the posting of any scheduled Local Trust Committee meeting.

6. Conduct of Meeting

- a) All deliberations of the APC must take place in a meeting, and all meetings must be held in a public facility and must be open to the public.
- b) A quorum is the lessor of three members or 50% of those appointed.
- c) The Chairperson is to convene the meeting and may adjourn the meeting from time to time.
- d) If the APC is considering an amendment to an Official Community Plan or a bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend the meeting and to be heard.

- e) If an applicant or agent fails to appear, despite being duly notified, deliberations and recommendations may be made in the applicant's absence.
- f) At the request of any APC member, the Chairperson must invite an elected official, Islands Trust staff, or member of the public present at the meeting to comment on the matters before the Commission.
- g) The APC must not receive development proposals or other applications directly from applicants.
- h) The APC must not consult directly with other government agencies or organizations.
- i) If the Chairperson considers that another person at the meeting is acting improperly and in a manner that is disrupting the deliberations of the APC, the Chairperson may order that person expelled from the meeting.

7. Notice of Recommendation

- a) If the Local Trustees did not attend an APC meeting, they may request a verbal report from the Chairperson at a subsequent meeting of the Local Trust Committee.
- b) All APC recommendations shall be recorded as part of the meeting minutes, and may be recorded as resolutions, provided that where requested by any member, all dissenting opinions are also recorded.
- c) Where the Islands Trust has retained a professional minute taker to support the APC, the draft minutes will be forwarded directly to the Islands Trust office within seven (7) days of an APC meeting. An Islands Trust staff member will then forward them to the Chair and Secretary for inclusion in the next APC agenda for review and adoption.
- d) Where a professional minute taker has not been retained, all APC recommendations must be forwarded by the Secretary to the Local Trust Committee and to the Islands Trust Office, within seven (7) days of an APC meeting.

8. Transition

- a) "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2010", is repealed.

9. Citation

- a) This Bylaw may be cited as "Gambier Island Local Trust Committee Advisory Planning Commission Bylaw, 2018".

READ A FIRST TIME THIS	28 TH	DAY OF	JUNE	, 2018
READ A SECOND TIME THIS	28 TH	DAY OF	JUNE	, 2018
READ A THIRD TIME THIS	28 TH	DAY OF	JUNE	, 2018
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS				
	15 TH	DAY OF	AUGUST	, 2018
ADOPTED THIS	3 RD	DAY OF	OCTOBER	, 2018

SECRETARY

CHAIRPERSON

REQUEST FOR DECISION

To: Gambier Island LTC **For the Meeting of:** April 29, 2024
From: Trust Area Services **Date Prepared:** April 8, 2024
SUBJECT: 2023/24 ANNUAL REPORT – APPROVAL OF GAMBIER ISLANDS LTCS SECTION

RECOMMENDATION: That the Gambier Island LTC approves the attached text for inclusion in the 2023/24 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

- 1 PURPOSE:** Committees are provided with their draft sections of the annual report for review and approval so that Trust Council is able to easily approve its annual report in June 2024 without further editing from staff or trustees at the Trust Council meeting.

BACKGROUND: Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services Communications staff, reporting to the Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.1](#). The Executive Committee approved the format and outline of the 2023/24 Annual Report at its meeting on February 23, 2024. Gambier Island Local Trust Committee annual report section also includes an introduction on the local trust area with information gathered from the Islands Trust website and Statistics Canada. The addition of this introduction is in line with the Islands Trust 50th anniversary activities as approved by Executive Committee on November 21, 2023.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Under Trust Council's Policy, all LTCs and Council committees are expected to review and approve their sections at regular meetings in order to have the report approved by Trust Council at its June 2024 meeting.

FINANCIAL: None.

POLICY: No implications for existing policy

IMPLEMENTATION/COMMUNICATIONS: The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.i. Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee and then Trust Council consideration of approval in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs and circulate it as indicated in Trust Council's policy.

FIRST NATIONS: Information about First Nations relations may be included within committee reports.

OTHER: None.

3 RELEVANT POLICY(S): Trust Council's Annual Report policy 6.10.i; *Islands Trust Act*

4 ATTACHMENT(S): Gambier Island LTC input to Annual Report (draft)

RESPONSE OPTIONS

Recommendation: That the Gambier Island LTC approves the attached text for inclusion in the 2023/24 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

Alternative: That the Gambier Island LTC 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.

Prepared By: Morgana van Niekerk, A/Communications Specialist

Reviewed By/Date: Renée Jamurat, Regional Planning Manager/April 15, 2024

Gambier Island Local Trust Committee

Gambier Island Local Trust Area includes 35 associated islands including Gambier, Keats, North Thormanby, and South Thormanby islands.

The Gambier Local Trust Area is located within the territory of First Nations whose people have cared for these lands and waters since time immemorial.

Islands within the Gambier Local Trust Area are the habitat of Double-Breasted Cormorant, Steller Sea Lion, and Red-legged Frog, and critical habitat for the Marbled Murrelet. Mature forests with trees between 80 – 250 years old cover 42% of the land.

(Statistics from the 2021 census, graphics that show change over time: total population (1971-2021) and percentage of private dwellings occupied by usual resident (1991 and 2021):

<https://islandstrust.bc.ca/document/gambier-island-lta-2021-census-profile/>

The Gambier Island Local Trust Committee (GM LTC) held five regular business meetings in the 2023/24 fiscal year, as well as one Community Information Meeting and two special meetings.

Work for this period focused on advancing the GM LTC priorities to review and update Keats Island shoreline regulations, and continue work on the OCP review project for Gambier Island. The OCP Targeted Review Project is currently in the First Nations engagement phase. The GM LTC also initiated a project to amend the permitted uses in the Marine General zone on Keats Island to allow for telecommunication utilities.

During the same time period, staff also reviewed 19 building permit referrals and two Crown lease referrals.

From April 1, 2023 to March 31, 2024, the GM LTC received and considered applications for four development variance permits, one development permit, two bylaw amendment applications, and one temporary use permit.



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: 01-Dec-2022

See GM-DVP-2022.1.

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

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: Ian Cox

Planning Status

Status Date: 12-Feb-2024

Awaiting prov. RAPR report approval before LTC consideration.

Status Date: 18-Dec-2023

Target January 29th LTC agenda.

Status Date: 18-Oct-2023

File reassigned to Ian Cox.



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: 31-Mar-2024

DVP to be referred to Islands Trust Conservancy Board, for May 2024 meeting.

Status Date: 16-Feb-2024

Geotech Steep Slope assessment report received. Staff reviewing.

Status Date: 01-Aug-2023

Staff proceeding with the application despite DFO covenant.



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: 01-Dec-2022

Applicant awaiting BC Arch Branch response.

Status Date: 09-Nov-2022

Site Visit. Planner requested updated site plan to include additional non-compliant structures (retaining walls) in the setback.

Status Date: 09-Nov-2022

Planner requested that applicant contact BC Archaeology Branch to confirm permit requirements before proceeding.

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: Ian Cox

Planning Status

Status Date: 12-Feb-2024

Awaiting prov. RAPR report approval before LTC consideration.

Status Date: 18-Dec-2023

Target January 29th LTC agenda with concurrent DP.

Status Date: 17-Jul-2023

Received payment for joint DP/DVP

Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GM-DVP-2023.4	Joos, Emilie	28-Nov-2023	Requesting variance for a cabin and a deck at Lot #8 Sunset Estates on Gambier Island.

Planner: Marlis McCargar

Planning Status

Status Date: 06-Mar-2024

File opening letter sent.

Status Date: 28-Feb-2024

Payment received.

Islands Trust
LTC EXP SUMMARY REPORT F2024
Invoices posted to Month ending February 2024

630 Gambier	Invoices posted to Month ending February 2024	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-630	LTC "Trustee Expenses"	254.00	46.40	207.60
LTC Local				
65200-630	LTC - Local Exp - LTC Meeting Expenses	1,488.00	2,207.27	-719.27
65210-630	LTC - Local Exp - APC Meeting Expenses	333.00	348.98	-15.98
65220-630	LTC - Local Exp - Communications	250.00	0.00	250.00
65230-630	LTC - Local Exp - Special Projects	277.00	684.00	-407.00
TOTAL LTC Local Expense		<u>2,348.00</u>	<u>3,240.25</u>	<u>-892.25</u>
Projects				
73001-630-2016	Gambier OCP/LUB	16,000.00	16,000.00	0.00
73001-630-4094	Gambier Keats Island Shoreline Protection Review	4,000.00	1,679.75	2,320.25
TOTAL Project Expenses		<u>20,000.00</u>	<u>17,679.75</u>	<u>2,320.25</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	It was MOVED and SECONDED 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.'
10.	August 29, 2023	GM-RM-2023-027	Unlawful Land Uses and Planning Applications	It was MOVED and SECONDED that 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.

Active Projects Report

Gambier Island

1. Major Project - Gambier OCP & LUB Targeted Review

Responsible

Dates

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.

Sonja Zupanec

Rec'd: 12-Feb-2015

1. Minor Project - Marine General Zone Amendment

Responsible

Dates

bylaw amendment to permit the establishment and use of telecommunication utilities in the Marine General (MG) zone. This is an LTC initiated bylaw amendment.

Marlis McCargar

Rec'd: 21-Nov-2024

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

Responsible

Dates

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

Marlis McCargar

Rec'd: 31-Jan-2019

Active Projects Report

Gambier Island

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
 - Temporary Overnight Accommodation bylaw review with regards to short-term vacation rentals
- Keats LUB:
- Update definition of 'dwelling' in the Keats Island Land Use Bylaw No. 78.

01-Sep-2022

Future Projects Report

Gambier Island

4. <i>OCP</i>	Responsible	Date Received
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N/A		01-Sep-2022
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5. <i>Advocacy and Communications</i>	Responsible	Date Received
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N/A		01-Sep-2022
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6. <i>Bylaw Enforcement</i>	Responsible	Date Received
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N/A		01-Sep-2022
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7. <i>LUB (Gambier, Keats, Associated Islands, Bowyer & Passage Islands)</i>	Responsible	Date Received
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Complete an analysis of the implications for opting in to S. 15 of the Short-Term Rental Accommodation Act. Work to be completed before the opt-in statutory deadline for 2025.		29-Jan-2024
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File No.: 6500-20 (Keats Island
Shoreline Protection Project)

DATE OF MEETING: April 29, 2024
TO: Gambier Island Local Trust Committee
FROM: Marlis McCargar, Island Planner
Northern Team
SUBJECT: Keats Shoreline Protection Project – Proposed Bylaws Nos. 153/154

RECOMMENDATION

1. 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.
2. 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”.
3. 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).

REPORT SUMMARY

This staff report provides the Gambier Island Local Trust Committee (LTC) with an update on the Keats Shoreline Protection Project. Staff are recommending the LTC review proposed Bylaw No. 154 and endorse the final changes for Second Reading as amended. In addition, staff are recommending that Bylaw No. 154 obtain a legal review and proceed to Public Hearing in the summer of 2024.

BACKGROUND

The purpose of the Keats Island Shoreline Protection Project is to establish a Shoreline Development Permit Area (DPA) to protect the natural environment, its ecosystems and biological diversity, and protect development from hazardous conditions. Work was initiated with Phase 1 of the Keats Shoreline Protection Project in 2018 which involved the Keats Island Shoreline Protection Working Group. At that time, staff drafted a Discussion Paper as a means for providing baseline information to the LTC and the Keats Island Shoreline Protection Working Group with respect to options for shoreline protection regulations and policies on Keats Island. At that time, the LTC and Working Group decided to move forward with a Development Permit Area.

The project is currently in Phase 3 which has involved bylaw amendments, community, stakeholder and First Nations engagement, bylaw review with a Qualified Environmental Professional (QEP) specializing in Aquatic Biology, and further staff review resulting in an annotated version of the proposed bylaws Nos 153/154. 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.

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

Proposed Bylaw No. 153 to amend the Keats Island Official Community Plan Bylaw No. 77 (OCP), and Proposed Bylaw No. 154 to 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 both given Second Reading at the September 1, 2022 LTC meeting.

At their regular business meeting held August 29, 2023, the LTC passed the following resolutions:

GM-2023-029

It was MOVED and SECONDED

that Trustee Bernardo work with Island Planner McCargar to review the information obtained from the public information meeting, as itemized on page 2 of the staff report, and propose such amendments to the draft bylaws as may be required, and to bring that revised draft of the bylaws to the Local Trust Committee for consideration at the October 17, 2023 meeting.

CARRIED

GM-2023-030

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee schedule a Public Hearing for Proposed Bylaw Nos. 153 (OCP) and 154 (LUB) for the November Local Trust Committee meeting.

CARRIED

Staff worked with Trustee Bernardo in September 2023 to amend the proposed bylaws according to the community feedback received. Staff presented Proposed Bylaw No. 154, as amended at the October 17, 2023 LTC Meeting. It was determined, at that meeting, that further LTC discussion was required to discuss the proposed changes. A Special Meeting was scheduled for October 31, 2023.

At their regular business meeting held October 17, 2023, the LTC passed the following resolutions:

GM-2023-034

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to schedule an electronic Special Meeting to discuss and give direction for additional amendments to Proposed Bylaw No. 154.

CARRIED

GM-2023-035

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request that staff defer the Public Hearing scheduled for November 21, 2023 to a date in 2024.

CARRIED

At their special meeting held October 31, 2023, the LTC passed the following resolutions:

GM-2023-039

It was MOVED and SECONDED

that Proposed Bylaw 154 be amended to: 1) change the definition of maximum residential dock size in P12 to conform with the usage in the CR1, RR, RC, and M2(a) zones that specifies it to mean the size of the dock float; and 2) reduce the maximum residential dock size in P12 zone to the same 47 square metre limit that Bylaw 154 contemplates for the CR1, RR, RC, and M2(a) zones.

CARRIED

GM-2023-040

It was MOVED and SECONDED

that Proposed Bylaw 154 be amended to include provisions that will bring the regulations for residential docks in the P12 zone into conformity with the regulations Proposed Bylaw 154 proposes for residential docks in the CR1, RR, RC, and M2(a) zones.

CARRIED

GM-2023-041

It was MOVED and SECONDED

that Proposed Bylaw 154 be amended to reduce maximum coverage area for the institutional dock facilities in the M2(b) zone to the same 1500 square metre limit contemplated for the P12 zone.

CARRIED

GM-2023-042

It was MOVED and SECONDED

that Proposed Bylaw 154 be amended to enable the pro-rating of the maximum float size for shared docks by an additional 30 square metres per additional participant up to an absolute maximum of 154 square metres.

CARRIED

Staff made the amendments as per October 31, 2023 LTC meeting resolutions above. Trustee Bernardo submitted a number of additional suggested amendments and comments after the October 31, 2023 Special Meeting. Those changes were reviewed by the LTC at their November 21, 2024 LTC meeting. The changes evident in Proposed Bylaw No. 154 (Attachment 2) is a result of the LTC discussion from October 31 and November 21 LTCs meetings.

At their regular business meeting held November 21, 2023, the LTC passed the following resolutions:

GM-2023-048

It was MOVED and SECONDED

that the advancement of the amendment to Bylaw 78 approved on November 21 be designated to the Local Trust Area's top priority for the LTC Projects List.

CARRIED

As a result of the above resolution, the Keats Shoreline Protection Project was put on hold and staff time was dedicated to Bylaw No. 78 amendments as part of the Keats Island Marine General (MG) Zone Amendment project. Bylaw No. 78 amendments have received final adoption by the LTC as such, staff are bringing back the Keats Shoreline Protection Project for consideration by the LTC.

GM-2023-049

It was MOVED and SECONDED

that staff take elements discussed at the November 21 meeting and return with a new draft of the bylaw for further consideration by the Local Trust Committee.

CARRIED

No changes are being proposed to Bylaw No. 153; however, it is attached for information to this report (Attachment 1).

Reports and associated information for the Keats Island Shoreline Protection project are available on the Islands Trust website, under [Gambier Projects](#). Additional information about the project is also available on a project [webpage](#).

ANALYSIS

Issues and Opportunities

Amendments to Proposed Bylaw No. 154

The proposed amendments to Proposed Bylaw No. 154 are a result of community feedback, Trustee discussions during LTC meetings, comments provided by Trustee Bernardo and minor staff edits to clean up grammatical errors, formatting and omissions.

Staff have included “clean” copy of Proposed Bylaw No. 154 (Attachment 2) that reflect all the changes to date.

Staff note, the most recent changes informally endorsed by the LTC at the November 21, 2024 LTC meeting have not been run through a planning analysis nor have they been through a planning legal review. Planning staff analysis provides an opportunity to apply best planning practices, ensure consistency with the Keats Island Official Community Plan, Trust Council Policies and consideration of re-referral to agencies and First Nations.

Outstanding Considerations

It is staff’s understanding that there are a two remaining issues the LTC would like to consider before moving forward with the proposed bylaws. The issues listed below were discussed at previous LTC Meetings.

The issues are as follows:

1. Dock Materials

At the November 21, 2023 Trustees tabled the discussion around dock materials. Trustees determined they would come back to staff with alternate wording defining what constitutes appropriate dock material.

Original Proposed Guideline 9.3.4 (f)

Docks materials should be constructed from:

- i. Biodegradable and stable materials that will not degrade water quality; and
- ii. Creosote-free pilings

Alternative Proposed Guideline 9.3.4 (f)

- a) Docks should be constructed of stable materials that do not have the potential to degrade water quality over time. Specifically, dock floats should not use unenclosed plastic foam and creosote treated pilings should not be used.

Staff would like to get clarity from the LTC at this meeting related to the guideline on appropriate dock materials.

2. Exemption for Additions in DPA

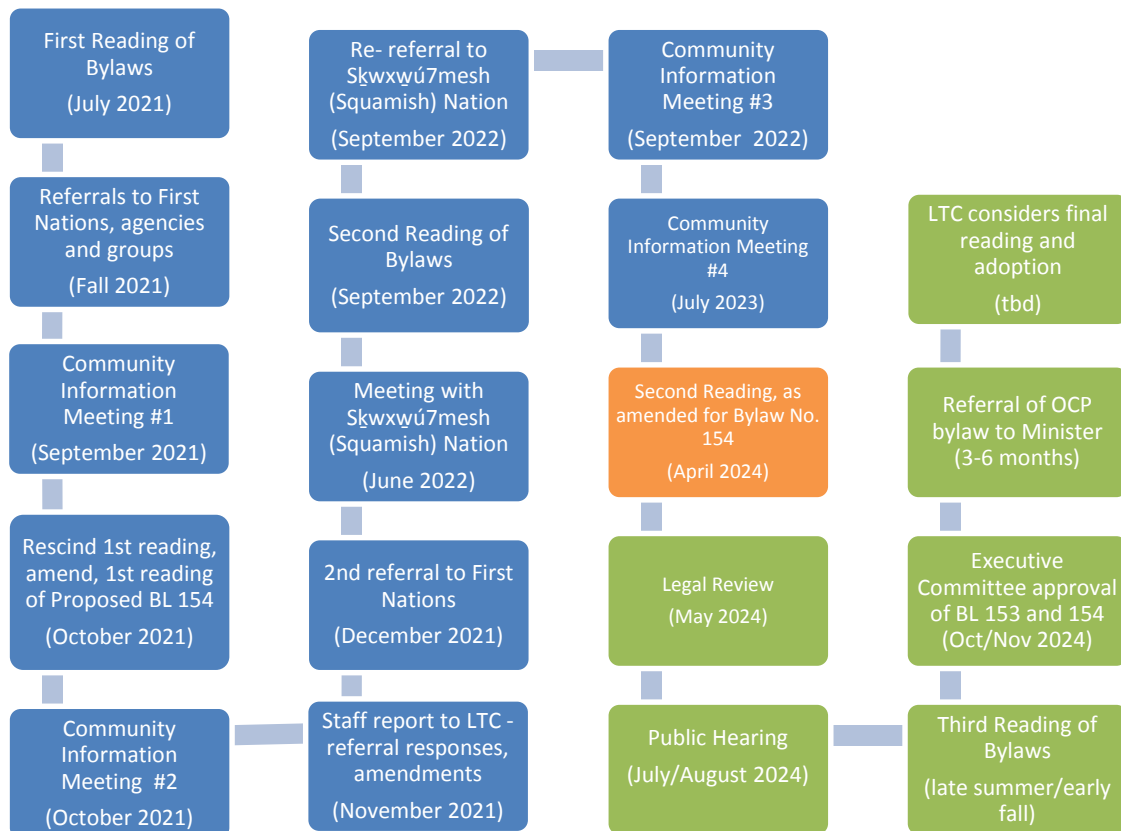
Discussed at the October 31, 2023 LTC Special Meeting and November 21, 2023 LTC Meeting, but not resolved; LTC direction is needed.

As currently proposed, Bylaw No. 154 has an exemption for alterations and repairs provided they are entirely within the footprint of the existing building. Adding an exemption for additions to structures and buildings in the Development Permit Area (DPA) that fall within the 7.5m to 15m area is not recommended by staff.

As currently proposed in Bylaw No. 154, a Development Permit will be legislatively required for any additions or alterations related to the development of a parcel and work outside the existing footprint of the building would be considered new ground disturbance; therefore, requiring a Development Permit. One of the purposes of the proposed Development Permit Area is to protect an ecologically important and sensitive area and is intended to guide development outside of the DPA. If it is not possible to build outside the DPA, there are certain guidelines set out in the Development Permit that must be followed and monitored through the permit process.

Timeline

Preliminary research, scoping and drafting was initiated with Phase 1 of the project in 2018. 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 the timing of and 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

The staff recommendations are found on Page 1 of this report.

ALTERNATIVES

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

1. Further Amend Proposed Bylaw 154, give Second Reading

The LTC may further amend the proposed bylaw beyond what is detailed in this report and give Second Reading. If selecting this alternative, the LTC should include specific wording in the resolution wording based on the recommendations on page 1 of this report.

2. Request further information

The LTC may request further information prior to making a decision. Staff advise that the implications of this alternative are further potential delays to the LTC's work plan timeline in the Project Charter. 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].

NEXT STEPS

Should the LTC concur with the staff recommendations, staff will obtain legal review and subsequently, schedule a Public Hearing for summer 2024.

Submitted By:	Marlis McCargar, Island Planner	April 12, 2024
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	April 16, 2024

ATTACHMENTS

1. Proposed Bylaw No. 153 – for information
2. Proposed Bylaw No. 154, amended version

PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 153

A BYLAW TO AMEND KEATS ISLAND OFFICIAL COMMUNITY PLAN, 2002

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

1. Bylaw No. 77, cited as “Keats Island Official Community Plan, 2002” is amended as per Schedules “1” and “2” attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2021”.

READ A FIRST TIME THIS 22ND DAY OF JULY , 2021

READ A SECOND TIME THIS _____ DAY OF _____ , 20XX

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 20XX

READ A THIRD TIME THIS _____ DAY OF _____ , 20XX

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 20XX

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS

_____ DAY OF _____ , 20XX

ADOPTED THIS _____ DAY OF _____ , 20XX

Chair

Secretary

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 153**

Schedule “1”

1. Schedule “A” of “Keats Island Official Community Plan, 2002” is amended as follows:
 - 1.1 **PART A – ADMINISTRATION AND INTERPRETATION**, is amended by replacing *Local Government Act* references to “Section 911” with “Section 528”.
 - 1.2 **PART B – GOALS, OBJECTIVES AND POLICIES**, is amended by replacing *Local Government Act* references to “Section 946” with “Section 514”.
 - 1.3 **PART C – DEVELOPMENT PERMIT AREAS**, is amended by replacing *Local Government Act* references to “Section 919.1(1)” with “Section 488(1)” and “Section 920.01” with “Section 485”.
 - 1.4 **PART C – DEVELOPMENT PERMIT AREAS**, is amended by adding a new subsection 3:

“3. DEVELOPMENT PERMIT AREA 3: SHORELINE

The development permit area (DPA) is established, pursuant to Section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity; and Section 488(1)(b) of the *Local Government Act* for the protection of development from hazardous conditions.

The Shoreline DPA (DP-3) is designated as an area for which development approval information may be required as authorized by Section 484 of the *Local Government Act*.

Location

The Shoreline Development Permit Area (DP-3) includes all land designated on **Schedule E – Development Permit Areas** of this plan.

The Shoreline Development Permit Area applies to all land measured 15 metres upland of the present natural boundary of the sea, the foreshore area and all that area of land covered by water between the natural boundary of the sea and a line drawn parallel to and 100 metres seaward of the natural boundary of the sea.

Justification

It is the Object of the Islands Trust to “preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is the policy of the Islands Trust Council that protection must be given to the natural processes, habitats and species of the Trust Area, and that development activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.

It is also policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address:

- the protection of sensitive coastal areas;
- the planning for and regulation of development in coastal regions to protect natural coastal processes;
- the protection of public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments; and
- the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and to direct development away from such hazards.

Keats Island includes a mix of rock (hard) and sediment (soft) shorelines that offer a range of natural habitats, ecological functions, cultural heritage and aesthetic values. The shoreline has environmental and cultural significance for forage fish, eelgrass, shorebirds and shellfish, marine mammals such as seals and many other marine organisms, as well as values that define the character of the Keats Island community. The Keats shoreline has been the location of cultural sites, canoe landings and gathering places for First Nations since time immemorial. The shoreline also includes area that are transition zones of uplands and wetlands that may be susceptible to erosion or flooding.

Development activities on the upland such as land clearing and increasing impermeable surfaces can have harmful impacts on site drainage, bank stability, nesting habitat, sensitive natural areas, shading of intertidal areas critical for fish habitat and cultural and heritage sites.

Since the adoption of the OCP, there has been an increase in residential development on Keats Island along the shoreline. As of 2020, there were over 120 individual parcels fronting the natural boundary of the sea on Keats Island. The subdivision and development of these parcels in combination with the development that has already occurred, may, cumulatively, have a detrimental impact on the 13.72 km of shoreline habitat and function.

In 2013, approx. 9% of the Keats shoreline was identified to have been modified by 30% or more by development, principally by boat ramps, seawalls, rip rap and revetments. Applications for private docks and shoreline protection structures have increased since that time. Shoreline armouring, such as retaining walls, alter the shoreline and can result in loss of habitat and upland connectivity and may increase wave action and erosion on adjacent properties. Marine structures, such as ramps or docks, and their supporting pilings can have significant impact on fish movement and their habitat, and damage important marine vegetation.

Anticipated sea level rise and more frequent severe storm events as a result of climate change, may increase coastal flooding and erosion. It is recognized that there is a need for balance between ecological protection or other environmental values and the use of privately owned land.

Objectives

The objectives of this development permit area are as follows:

OBJ 3.1 TO PLAN AND REGULATE NEW DEVELOPMENT IN A MANNER THAT PRESERVES, PROTECTS AND RESTORES THE LONG-TERM PHYSICAL INTEGRITY, CONNECTIVITY, AND ECOLOGICAL AND MARINE RESOURCE VALUES OF SHORELINES AND ASSOCIATED FORESHORE AND UPLAND AREAS;

- OBJ 3.2** TO BALANCE DEVELOPMENT OPPORTUNITIES WITH THE ECOLOGICAL CONSERVATION AND RESTORATION OF THE SHORELINE AND MARINE ENVIRONMENT;
- OBJ 3.3** TO MINIMIZE THE DISRUPTION OF NATURAL FEATURES AND PROCESSES AND TO RETAIN, WHEREVER POSSIBLE, NATURAL VEGETATION AND NATURAL FEATURES;
- OBJ 3.4** TO MAINTAIN THE PUBLIC'S SAFE USE AND ACCESS TO IMPORTANT RECREATION AREAS IN A WAY THAT DOES NOT COMPROMISE THE ECOLOGICAL INTEGRITY OF THE SHORELINE;
- OBJ 3.5** TO ADAPT TO THE ANTICIPATED EFFECTS OF CLIMATE CHANGE;
- OBJ 3.6** TO PROTECT COASTAL PROPERTIES AND DEVELOPMENT FROM DAMAGE AND HAZARDOUS CONDITIONS THAT CAN ARISE FROM EROSION AND FLOODING.

Development Approval Information

Development Permit Area 3 is designated as an area for which development approval information may be required as authorized by Section 485 of the *Local Government Act*. Development approval information in the form of a report from a Qualified Professional may be required due to the special conditions and objectives described above.

INFORMATION NOTE: Development Permit Area guidelines for DP-3 Shoreline are in the Keats Island Land Use Bylaw."

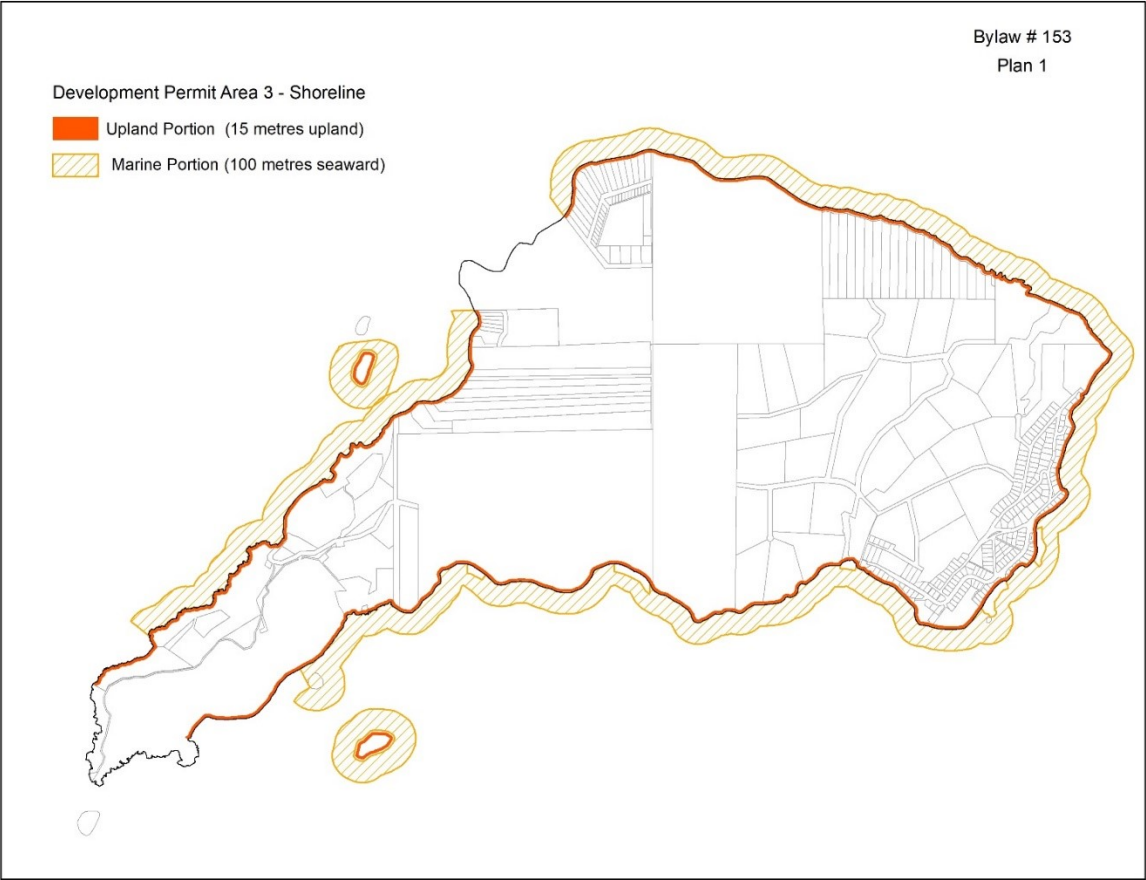
**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 153**

Schedule "2"

1. **Schedule "E" – DEVELOPMENT PERMIT AREAS**, is amended by designating a new Development Permit Area 3: Shoreline as shown on Plan No. 1 attached to and forming part of this bylaw and by making such alterations to Schedule "E" of Bylaw No. 77 as are required to effect this change.

GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 153

Plan No. 1



PROPOSED

GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 154

A BYLAW TO AMEND KEATS ISLAND LAND USE BYLAW, 2002

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

1. Bylaw No. 78, cited as “Keats Island Land Use Bylaw, 2002” is amended as per Schedule “1” attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021”.

READ A FIRST TIME THIS 14TH DAY OF OCTOBER , 2021

READ A SECOND TIME THIS 1ST DAY OF SEPTEMBER , 2022

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 20XX

READ A THIRD TIME THIS _____ DAY OF _____ , 20XX

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 20XX

ADOPTED THIS _____ DAY OF _____ , 20XX

Chair

Secretary

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 154**

Schedule “1”

1. Schedule “A” of Keats Island Land Use Bylaw, 2002 is amended as follows:

- 1.1 **PART 1 – ADMINISTRATION AND INTERPRETATION**, Section 1.5 **DEFINITIONS**, Subsection 1.5.1 is amended by adding the following definition in alphabetical order:

“Platform means an unenclosed flat surface raised from the ground to serve for the loading and offloading of materials and supplies.”

“Shoreline Protection Measures means hard or soft modifications to the shoreline, or adjacent seaward or landward areas, for the purpose of protection and stabilization against erosion. ‘Hard’ measures refers to the use of materials with impermeable surfaces (e.g., stone, concrete) whereas ‘soft’ measures refer to less rigid materials such as biotechnical vegetation measures (i.e. the specialized use of woody plant materials to stabilize soil) or beach enhancement.”

Range of measures varying from soft to hard include:

• Vegetation enhancement • Upland drainage control • Biotechnical measures • Beach enhancement • Anchor trees • Gravel placement • Rock (rip rap) revetments • Gabions • Concrete groins • Retaining walls or bulkheads • Seawalls	SOFT  HARD
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- 1.2 **PART 2 – GENERAL LAND USE REGULATIONS**, Section 2.7 **MEASUREMENT OF SETBACKS Buildings and Structures**, Subsection 2.7.3 is amended by removing it in its entirety and replacing it with the following:

- “a) No building or structure may be constructed, altered, extended or located within 7.5 metres (24.6 feet) of the natural boundary of the sea, except a platform with a maximum area of 5 square metres, or a set of stairs or a walkway for the purposes of accessing the foreshore or a permitted float, dock, wharf or other permitted marine related structure.
- b) Notwithstanding subsection 1.2a), for properties zoned Rural Comprehensive the setback above shall be 15 metres (49.2 feet).”

- 1.3 **PART 2 – GENERAL LAND USE REGULATIONS, Section 2.7 MEASUREMENT OF SETBACKS Buildings and Structures**, Subsection 2.7.5 is amended by replacing “3.0 metres” with “5.0 metres”.
- 1.4 **PART 2 – GENERAL LAND USE REGULATIONS, Section 2.7 MEASUREMENT OF SETBACKS Buildings and Structures**, is amended by inserting the following new subsection as follows:
- “2.7.6 Private floats and docks shall be sited at least 10 metres from any existing dock or structure.”
- 1.5 **PART 2 – GENERAL LAND USE REGULATIONS, Section 2.7 MEASUREMENT OF SETBACKS Buildings and Structures**, is amended by renumbering Subsection 2.7.6 – Sewage Disposal Fields to Subsection 2.7.7.
- 1.6 **PART 2 – GENERAL LAND USE REGULATIONS, Section 2.9 SITING COMPLIANCE**, Subsection .1 is amended by inserting the words “and development permit” after “development variance permit”.
- 1.7 **PART 4 – ZONE REGULATIONS, Section 4.1 COMMUNITY RESIDENTIAL 1 (CR1) ZONE**, Subsection 4.1.4 is amended by inserting the words “, dock ramps” after “docks”.
- 1.8 **PART 4 – ZONE REGULATIONS, Section 4.1 COMMUNITY RESIDENTIAL 1 (CR1) ZONE**, Subsection 4.1.6 is amended by replacing “65 square metres (700 square feet)” with “47 square metres (505.9 square feet)”.
- 1.9 **PART 4 – ZONE REGULATIONS, Section 4.1 COMMUNITY RESIDENTIAL 1 (CR1) ZONE**, Subsection 4.1.7 is amended by removing it in its entirety and replacing it with the following: Despite Subsection 4.1.6, the maximum float area may be increased by 30 square metres (322.9 square feet) per residential dwelling served up to a maximum float size of 154 square metres (1,130.2 square feet), provided a covenant is registered on the titles of the participating properties identifying the property on which the shared dock shall be situated, foreclosing the construction of a dock on any of the other properties, and granting the occupants of each participating property the right to the use the shared dock freely.
- 1.10 **PART 4 – ZONE REGULATIONS, Section 4.1 COMMUNITY RESIDENTIAL 1 (CR1) ZONE**, Subsection 4.1.8 is amended by replacing “2.4 metres (8 feet)” with “1.5 metres (4.9 feet)”.
- 1.11 **PART 4 – ZONE REGULATIONS, Section 4.4 RURAL RESIDENTIAL (RR) ZONE**, Subsection 4.4.6 is amended by replacing “65 square metres (700 square feet)” with “47 square metres (505.9 square feet)”.
- 1.12 **PART 4 – ZONE REGULATIONS, Section 4.4 RURAL RESIDENTIAL (RR) ZONE**, Subsection 4.4.7 is amended by removing it in its entirety and replacing it with the following: Despite Subsection 4.4.6, the maximum float area may be increased by 30 square metres (322.9 square feet) per residential dwelling served up to a maximum float size of 154 square metres (1130.2 square feet), provided a covenant is registered on the titles of the participating properties identifying the property on which the shared dock shall be situated, foreclosing the construction of a dock on any of the other properties, and

- granting the occupants of each participating property the right to the use the shared dock freely.
- 1.13 **PART 4 – ZONE REGULATIONS**, Section 4.4 **RURAL RESIDENTIAL (RR) ZONE**, Subsection 4.4.8 is amended by replacing “2.4 metres (8 feet)” with “1.5 metres (4.9 feet)”.
- 1.14 **PART 4 – ZONE REGULATIONS**, Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE**, Subsection 4.5.7 is amended by replacing “Article 6 of this subsection” with “Subsection 4.5.6”.
- 1.15 **PART 4 – ZONE REGULATIONS**, Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE**, Subsection 4.5.6 is amended by replacing “65 square metres (700 square feet)” with “47 square metres (505.9 square feet)”.
- 1.16 **PART 4 – ZONE REGULATIONS**, Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE**, Subsection 4.5.7 is amended by replacing “47 square metres (500 square feet)” with “30 square metres (322.9 square feet)” and by replacing “158 square metres (1,700 square feet)” with “154 square metres (1,130.2 square feet)”.
- 1.17 **PART 4 – ZONE REGULATIONS**, Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE**, Subsection 4.5.8 is amended by replacing “2.4 metres (8 feet)” with “1.5 metres (4.9 feet)”.
- 1.18 **PART 4 – ZONE REGULATIONS**, Section 4.6 **PRIVATE INSTITUTIONAL 2 (PI2) ZONE**, first bullet in Subsection 4.6.5 is amended by removing it in its entirety and replacing it with the following: dock floats, that are accessory to a private institutional use on the adjacent upland lot, is 1,500 square metres (16,145 square feet).
- 1.19 **PART 4 – ZONE REGULATIONS**, Section 4.6 **PRIVATE INSTITUTIONAL 2 (PI2) ZONE**, second bullet in Subsection 4.6.5 is amended by replacing “150 square metres” with “47 square metres (500 square feet)”.
- 1.20 **PART 4 – ZONE REGULATIONS**, Section 4.6 **PRIVATE INSTITUTIONAL 2 (PI2) ZONE**, Subsection 4.6.5 is amended by adding a third bullet with the following: Despite Subsection 4.6.5, the maximum float area may be increased by 30 square metres (322.9 square feet) per residential dwelling served up to a maximum float size of 154 square metres (1,130.2 square feet), provided a covenant is registered on the titles of the participating properties identifying the property on which the shared dock shall be situated, foreclosing the construction of a dock on any of the other properties, and granting the occupants of each participating property the right to the use the shared dock freely.
- 1.21 **PART 4 – ZONE REGULATIONS**, Section 4.6 **PRIVATE INSTITUTIONAL 2 (PI2) ZONE**, first bullet in Subsection 4.6.9 is amended by replacing “30 acres” with “60 acres”.
- 1.22 **PART 4 – ZONE REGULATIONS**, Section 4.10 **PROVINCIAL MARINE PARK (P2) ZONE**, Subsection 4.10.6 is amended by replacing “dock floats” with “a wharf float”.
- 1.23 **PART 4 – ZONE REGULATIONS**, Section 4.10 **PROVINCIAL MARINE PARK (P2) ZONE**, Subsection 4.10.7 is amended by replacing “dock” with “wharf”.

- 1.24 **PART 4 – ZONE REGULATIONS**, Section 4.12 **MARINE 2 – COMMUNAL MOORAGE (M2) ZONE**, Subsection 4.12.5 is amended by replacing “2.4 metres (8 feet)” with “1.5 metres (4.9 feet)”.
- 1.25 **PART 4 – ZONE REGULATIONS**, Section 4.12 **MARINE 2 – COMMUNAL MOORAGE (M2) ZONE**, Subsection 4.12.6, **Table 4.1**, Site Specific Regulation M2(a) a) is amended by replacing “65 square metres (700 square feet)” with “47 square metres (505.9 square feet)” and by replacing “47 square metres (500 square feet)” with “30 square metres (322.9 square feet)” and by replacing “158 square metres (1,700 square feet)” with “154 square metres (1,130.2 square feet)”. Site Specific Regulation M2(b) c) is amended by replacing “3,000 square metres (32,970 square feet)” with “1,500 square metres (16,145 square feet)”
- 1.26 **PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES**, is amended by adding a new Section **9.3 DP-3 SHORELINE** attached to and forming part of this bylaw.

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 154**

9.3 DP-3 SHORELINE

Applicability

.1 The following activities shall require a Development Permit whenever they occur within Development Permit Area No. 3, unless specifically exempted under Subsection 9.3.2:

- new construction, addition or alteration of a building, structure, utility, or shoreline protection measure;
- land alteration, including vegetation removal and disturbance of soils; and
- subdivision of land.

Exemptions

.2 The following activities are exempt from the requirement to obtain a development permit for DP-3:

- a) Repair and maintenance of lawful buildings, structures or utilities, including the replacement of building components as may be necessary to implement such repair and maintenance, provided always that any work is conducted entirely within the footprint of the existing building, structure, or utility and does not degrade the ecology of DP-3;
- b) Repair and maintenance of soft shoreline protection measures that were designed and implemented at the direction of a Qualified Professional, provided that any such work is limited to maintaining the original design parameters of the measure;
- c) Repair or replacement of a septic field site in the same location as the existing septic field;
- d) The installation of a mooring buoy;
- e) Construction or repair of the following structures sited within the setback from the natural boundary of the sea:
 - i. A platform not exceeding 5 square metres in area;
 - ii. A set of stairs or a walkway for the purpose of accessing the foreshore or a permitted marine related structure;
- f) Small-scale, manual removal of non-native, invasive plants or noxious weeds, conducted in accordance with best land management practices;
- g) Construction of a fence provided no native tree species are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence;
- h) The construction of a trail provided always the trail is:
 - i. Designed and situated to minimize vegetation disturbance and entirely avoid the removal of native trees and the erosion of soil on sloping terrain;
 - ii. A width of 1 metre or less wide;
 - iii. For personal and non-vehicular use only; and
 - iv. Surfaced with soil, gravel, mulch or other natural materials permeable to water.
- i) Repair and maintenance of existing roads, driveways, paths and trails, provided always there is no expansion of the width or length and no increase in the total area surfaced with concrete, pavers, asphalt or other materials impervious to water;
- j) Gardening and property maintenance activities, not involving artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including lawn mowing, weeding,

- shrub pruning, vegetation planting and minor soil disturbances that do not alter the general contours of the land;
- k) The pruning, trimming or limbing of trees provided it cannot reasonably be expected to result in the death or removal of the tree;
 - l) The removal of trees that pose an immediate threat to life or property, as determined by an International Society of Arboriculture (ISA) certified arborist or registered professional forester and certified in writing;
 - m) Works required to prevent, control or reduce risk or loss to human life, the natural environment or public or private property, including:
 - i. Forest fire, flood and erosion protection works;
 - ii. Protection, repair or replacement of public facilities;
 - iii. Clearing of an obstruction from a bridge, culvert, dock wharf or stream;
 - iv. Bridge repairs.
 - n) A farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*;
 - o) Forest management activities, as defined in the *Private Management Forest Land Regulation*, on land classified as managed forest land under the *Private Managed Forest Land Act*;
 - p) The subdivision of land parcels where a conservation covenant satisfactory to and in favour of the Gambier Island Local Trust Committee or the Islands Trust Conservancy Board has already been registered for the maintenance of natural drainage and protection of environmentally sensitive areas;
 - q) Consolidation of legal lots by subdivision; and
 - r) Works conducted and/or authorized by the Province and its Ministries or Agencies, and by Fisheries and Oceans Canada (or subsequent federal department), with respect to trail construction, stream enhancement and fish and wildlife habitat restoration. For clarity, private moorage, shoreline protection measures or placement of fill below the natural boundary of the sea authorized by the Province and its Ministries or Agencies, requires a development permit.

General Guidelines

.3 The following guidelines apply to applications for development permits:

- a) Development in the shoreline area should minimize negative impacts on the ecological health and disruption to coastal sediment transport processes.
- b) New construction and, additions to: upland buildings or structures should be located and designed to avoid the need for shoreline protection measures throughout the life of the structure.
- c) New development on steep slopes or bluffs should be set back sufficiently from the top of the slope or bluff to ensure that shoreline protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical analysis by a Geotechnical Engineer or Professional Geoscientist.
- d) Sea level rise and storm surges should be addressed.
- e) Development design shall prevent the release of sediment to the shore and to any watercourse or storm sewer that flows to the marine shore. An erosion and sediment control plan that includes actions to be taken prior to land clearing and site preparation may be required.
- f) Areas that include critical habitat of any Species at Risk, including terrestrial or aquatic provincial red- and blue-listed species or SARA-listed species; or where a rare species has been identified by Islands Trust mapping, should be left undisturbed. If disturbance cannot be avoided, then development and mitigation measures shall be

undertaken under the supervision of a Registered Professional Biologist with advice from applicable government agencies.

- g) Development activities along the foreshore or in marine areas should be conducted during the low risk timing window for spawning and nursery periods.
- h) All development below the natural boundary of the sea should minimize degradation of water quality and disturbance of the substrate.

Guidelines - Construction and Replacement of Docks and Ramps

.4

- a) Docks, floats and ramps should be sited to avoid interference with sensitive ecosystems such as eelgrass beds, forage fish habitat, and natural processes such as currents and littoral drift. This will require an environmental assessment by a Qualified Environmental Professional.
- b) Docks should be designed to avoid interfering with public movement along the foreshore.
- c) Decking materials should allow for a minimum of 43% open space to allow for light penetration to the water surface. Light transmitting materials may be made of various materials shaped in the form of grids, grates, and lattices to allow for light passage to the water surface.
- d) Piers on pilings and floating docks are preferred over solid-core piers or ramps. Piers should use the minimum number of pilings necessary, with preference to greater distance between pilings over increasing the number of pilings.
- e) Docks should be constructed so that they do not rest on the seabed at low water/low tide levels and to allow the free flow of water beneath dock floats at all times.
- f) Docks materials should be constructed from:
 - i. biodegradable and stable materials that will not degrade water quality; and
 - ii. Creosote-free pilings.
- g) Preference is given to mooring buoys that are considered “seagrass-friendly” and are designed to reduce scouring of the sea floor. These include buoys with a mid-line float so as to prevent unnecessary damage to eelgrass habitat.

Guidelines - Shoreline Modifications

.5

- a) Shoreline protection or stabilization measures should not be undertaken for the sole purpose of changing the measurement of setbacks on a property or to reclaim land lost due to erosion.
- b) Shoreline protection measures should not be allowed for the purpose of extending lawns or gardens, or to provide space for additions to existing or new structures.
- c) Shoreline protection measures may be considered to protect existing structures as provided by a report, prepared by a Qualified Professional(s), which describes the following:
 - i. need for the proposed modification to protect existing structures;
 - ii. any natural hazards, erosion, or interruption of geohydraulic processes that may arise from the proposed modification, including at sites on other properties or foreshore locations;
 - iii. cumulative effect of shoreline protection along the drift sector where the works are proposed; and
 - iv. whether there will be any degradation of water quality or loss of fish or wildlife habitat because of the modification.

- d) Shoreline protection measures should be designed by a Qualified Professional, and should:
 - i. Limit the size of the works to the minimum necessary to prevent damage to existing structures or established uses on the adjacent upland;
 - ii. Rely on non-structural shoreline protection measures when feasible;
 - iii. Be designed to avoid erosion or other physical damage to adjacent or down-current properties, or public land; and
 - iv. Address compatibility with adjacent shoreline protection works.
- e) Structural shoreline protection measures such as concrete walls, lock block or stacked rock (rip rap), may be considered when a geotechnical and biophysical analysis provided by a Qualified Professional demonstrates the following:
 - i. An existing structure is at immediate risk from shoreline erosion caused by tidal action, currents or waves;
 - ii. erosion is not being caused by upland conditions, such as the loss of vegetation and uncontrolled drainage associated with upland development;
 - iii. All possible on site drainage solutions by directing drainage away from the shoreline have been exhausted;
 - iv. Non-structural shoreline protection measures are not feasible or not sufficient to address the stabilization issues;
 - v. The shoreline protection measure is designed so that neighbouring properties are not expected to experience additional erosion; and
 - vi. All shoreline protection structures are installed upland of the present natural boundary of the sea.
- f) An existing shoreline protection structure may be replaced provided that:
 - i. The replacement structure is of the same size and footprint as the existing structure;
 - ii. The replacement structure is designed, located, sized and constructed to mitigate the loss of ecological functions, and include habitat restoration measures when feasible;
 - iii. Replacement walls or bulkheads do not encroach seaward of the natural boundary or seaward of the existing structure unless there are significant safety or environmental concerns; and
 - iv. Replacement structures should utilize a non-structural approach and should abut the existing shoreline protection structure.
- g) Materials used for shoreline protection should be constructed of stable and uncontaminated materials that do not have the potential to degrade water quality over time.
- h) Placement of fill upland of the natural boundary of the sea greater than (10) cubic metres in volume should only be considered when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Fills shall be located, designed and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration.
- i) Placement of fill below the natural boundary of the sea should be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, as allowed by the relevant provincial and/or federal authorities.
- j) All upland fill and beach nourishment materials should be clean and free of debris and contaminated material.

- a) Existing native vegetation and trees should be retained or replaced wherever possible to protect against erosion and slope failure, and to minimize disruption to fish and wildlife habitat.
- b) Existing vegetation and trees to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
- c) In areas cleared of native vegetation during development, replanting requirements and a security deposit to restore the natural environment or control erosion may be required.
- d) Sparsely vegetated areas may not require planting.
- e) Vegetation species used in replanting should be suitable for the soil, light and groundwater conditions of the site, native to the area, and be selected for erosion control and/or fish and wildlife habitat values as needed. The use of suitably adapted non-invasive, non-native vegetation may be permitted in a replanting program when conditions render the use of native species materially less suitable for erosion control and habitat strengthening.
- f) Replanting may be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native plant species, irrigation, and the replacement of unhealthy, dying or dead stock at the owner's expense.