



Gambier Island Local Trust Committee

Minutes of Special Meeting

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

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

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

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

1. CALL TO ORDER

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

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

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. BUSINESS ITEMS

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

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

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

3.2 Question and Answer Period

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

Questions that were raised included:

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

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

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

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

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

The Chair thanked everyone for coming to the meeting.

4. ADJOURNMENT

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

Peter Luckham, Chair

Certified Correct:

Diane Corbett, Recorder