



Islands Trust Gambier Island Local Trust Committee Minutes of Regular Meeting

Date: June 13, 2019
Location: Gambier Island Community Centre
 Andy's Bay Road, Gambier Island, BC

Members Present: Sue Ellen Fast, Chair
 Kate-Louise Stamford, Local Trustee
 Dan Rogers, Local Trustee

Staff Present: Sonja Zupanec, Island Planner
 Jaime Dubyna, Planner 1 (via telephone, 1:15-1:20 pm)
 Diane Corbett, Recorder

Others Present: Members of the Public - 4

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 Fast called the meeting to order at 11:05 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

Chair Fast introduced trustees and staff in attendance and announced that another planner would be calling in by telephone later in the meeting. The Chair noted the places in the agenda where public input would be invited.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Rogers reported on the following items:

- Bears continue to be on Keats. There are pictures of bears swimming to Gibsons.
- On June 11, Trustees Rogers and Stamford attended a reconciliation workshop with Islands Trust's Senior Policy Advisor for First Nations. First Nations engagement on Gambier was discussed, and, more generally in this area (given it was highly populated in centuries gone by), how to work with middens.
- The island is getting busy with boats, people and camps for the summer season, and the associated challenges of dealing with increased population, where service infrastructure has not really changed in fifty years. The trustee had noticed an increased number of mooring buoys and boats.

Trustee Stamford's report included the following items:

- Sent out an email with information for the summer.

- A May inter-government meeting in Sechelt included representatives of all Sunshine Coast governments, including the School District board, Gibsons, Sechelt and the Sunshine Coast Regional District (SCRD). It was the first time the Local Trust Committee had been invited to attend. It was valuable to see how the structure works and get sense of where the Sunshine Coast is going and priorities over the next four years. Main priorities include water for the Sunshine Coast and solid waste. There is only one part of the islands with a water agreement with the Sunshine Coast: Eastbourne, who has an agreement with SCR D regarding the community water system; they are able to apply for a cistern.
- June 7 Ocean Watch workshop at the aquarium looked at how to do the update for a document referred to as Ocean Watch 2.0. The document enables the ability to advocate for this area and Howe Sound. A focus was on climate change impacts on Howe Sound. It is predicted that the warmest day we are experiencing now will be the coolest day by around 2050. Our hot days will significantly increase in this area. Sea level rise impacts foreshores. This will impact how planning is done.
- June 11 meeting with Senior Inter Government Analyst, Lisa Wilcox, who worked with the Squamish Nation for twelve years, included discussions about the interface areas, Gambier dock and Crown land.

3.2 Chair's Report

At the Ocean Watch climate workshop, it was mentioned that winter storm damage was caused due to the force of wind events, and wind from directions never before experienced – a symptom of sea level rise. Chair Fast attended Financial Committee and Trust Conservancy meetings, and was preparing for Trust Council on Galiano in the next week. The Trust Council agenda included the strategic plan for the next four years.

3.3 Trust Conservancy Report

Trustee Stamford, who is chair of the Islands Trust Conservancy (ITC), explained that the Conservancy continued to make recommendations on particular LTC referrals, such as a request for storage at a gas station on North Pender where recommendations were made for best practices and what could be done to mitigate related issues.

A longer-term project is the updating of the ITC standards so they are better aligned with the Association of Canadian Land Trusts.

The fund development committee will workshop on a strategy and define a more clear go forward plan to work with Islands Trust to raise money for sensitive ecosystems. There is a focus on strategies for using Islands Trust's Regional Conservation Plan and the Douglas-fir sensitive ecosystem tool kit.

The Conservancy recently approved a forest management plan on Thetis Island.

3.4 Electoral Area Director's Report – none

Trustees discussed the current SCR D water restrictions, at level 2 south of Pender Harbour. Level 2 does not have much impact on the islands; however, at a higher level, the islands may be impacted.

Trustees had received a report on the SCRD grants-in-aid; Trustee Rogers sent it out to his community. Trustee Stamford noted that the Gambier Community Association requests funding every year for projects.

The SCRD Acting Corporate Administrative Officer will be leaving the SCRD over the summer.

Trustee Rogers and Trustee Stamford indicated they would like to have a courtesy visit with the SCRD Board to make a presentation and advise as to what the Local Trust Committee is doing on the islands in this Local Trust Area.

4. COMMUNITY INFORMATION MEETING

4.1 Riparian Areas Regulation Project – Presentation AND 4.2 Question and Answer Session

Chair Fast introduced Island Planner Zupanec, who gave a presentation on the protection of riparian areas on Gambier Island (available at www.islandstrust.bc.ca/islands/local-trust-areas/gambier/projects-initiatives/riparian-areas-protection/) that included:

- Current level of protection of streams on Gambier Island
- Proposed changes being considered by the Local Trust Committee (Bylaw Nos. 148 and 149)
- Development scenarios
- Opportunities for public input
- Next steps

Contact northinfo@islandstrust.bc.ca for further information, comment or inquiries.

It was recognized that the provincially mandated Gambier Riparian Areas bylaw did not include protection for non-fish-bearing streams. RAR regulations regarding fish bearing streams are already in place on Gambier. The proposed bylaw would require that the owner engage a Qualified Environmental Professional (QEP) to provide an assessment in all riparian areas and in Streamside Protection Enhancement Areas (SPEA) to ensure there are no negative impacts of development.

The Island Planner gave examples of situations within or near riparian areas where a Development Permit (DP) or Development Variance Permit (DVP), triggering the requirement for a QEP's report, would be required:

- Small lot subdivision
- Construction/alteration of buildings or structures
- Removal, alteration or destruction of vegetation
- Disturbance of soils
- Creation of non-structural or semi-impervious surfaces
- Development as that term is defined under the Provincial Riparian Areas Regulation

(Questions and comments from members of the public are italicized in this section of the minutes.)

How much would a QEP report cost?

The Island Planner explained the cost depends on the complexity of the proposal as well as the landscape, and is anywhere from \$1000 for a simple assessment to several thousand dollars for a complex subdivision. The goal is to minimize or eliminate negative impacts on watercourses from development.

Trustee Stamford gave examples on Gambier that required a QEP assessment.

The QEP assessment delineates what areas are no-go zones. If you meet conditions, you can get a Development Permit, and can get a Building Permit from the SCRCD. Application for a Development Permit requires submission of the QEP report with the application. Staff then produces a report to the Local Trust Committee, saying whether the proposal meets guidelines and stipulations. If it does not meet them, it would have to change to meet the requirements.

How long does the process take?

The Island Planner explained that, once you have applied, applying to SCRCD at the same time, the process is usually three months to do the approval process. The applicant must fill out a "Riparian Declaration" declaring whether the building site is within 30 metres of a stream. This information is used to advise building inspectors.

The Island Planner described current issues on Gambier:

- Issue 1: There are a number of streams on Gambier. There are no guidelines for development within 30 m of a non-RAR watercourse.
- Issue 2: There are no guidelines to inform a subdivision layout to protect ecological values.
- Issue 3: There is no methodology to determine whether a watercourse is subject to RAR. The solution is to include a requirement for a QEP to make the determination.

QEP Recommendations could include:

- A no build area or restricted development;
- Invasive species removal;
- Fencing to protect the SPEA or 30 m setback;
- Species At Risk (SAR) protection;
- Tree protection/removal or pruning measures;
- Address wind throw issues;
- Address potential drainage, driveway access, septic location, especially on small/challenging lots with steep slopes, etc.

Does some of that go to aquifer protection as well?

There is protection of habitat to ensure the quality and quantity of the water is protected.

In summary:

- Outside 30 m of a watercourse, development activity is okay;
- Within 30 m of a watercourse, development requires a DP;

- Within 15 m, a DP or DVP would be required, supported with a QEP report.

The Island Planner discussed the timeline and process for the draft bylaw. This is the second community information meeting (CIM). The LTC will consider advancing to public hearing.

Concern that a side effect of the regulations is that there would be impacts on land value, what can be built, and resale ability of the land. Concern about the impact on .5 and 1-acre parcels; the rules could mean that people cannot build and put in septic, and therefore might use a trailer and dump waste. There would be a risk of people not even approaching for permits, not doing it properly.

The Island Planner explained that the proposed bylaw would not sterilize the lot; QEP's work hard to find ways to mitigate impact, but it might be a different type of development than anticipated – potentially there are areas that are very sensitive. It is an opportunity to allow for some continuity of sensitive ecosystems, which could potentially increase value of properties. A QEP assessment is the best way to ensure uses could be mitigated.

Concern about the awareness of owners of smaller parcels regarding the bylaw; they may have plans for development and suddenly learn about the regulations when they initiate development.

A Trustee explained that a letter had been mailed to owners informing about this process.

There are many small lots in the SCRD. Are your rules more stringent, as pertaining to these smaller lots?

The Island Planner explained the Gambier proposal is not as stringent as other jurisdictions and this is one of the last areas of the Trust to have implemented riparian area protection measures.

Available small lots on Gambier are limited in number. If a person wants to buy into the island, they'd look at those 1-acre lots that have become available. If they meet enormous barriers, they won't be coming here.

Those of us with good conscience are going to do the right thing. Those without a good conscience are not. Can we leave it up to the person?

A Trustee explained that the bylaws give the ability to take action.

Because this would be affecting financial aspects and usability of owners' land, there should potentially be a vote to make that type of change.

The Chair explained that the way local governments work, it is an election process. Trustees make decisions around land use and policy with input from staff and the public.

5. TOWN HALL

Chair Fast invited members of the public to comment.

A member of the public inquired about the LTC intentions regarding regulation of Airbnb, and regarding renting out a property for the winter.

Trustee Stamford explained that, in the current land use bylaw, there are certain stipulations on short-term accommodation, considered a home-based business on Gambier. Home-based businesses are for full-time residents only, defined as someone who lives six months plus one day on Gambier. The intent is to encourage people who live here to make use of the opportunity for home based business, and it also helps regulate unfettered use of empty buildings for short-term accommodation, which can have quite an impact on the local community. The bylaw does not stop owners from having someone staying on their property. Short-term rental accommodation is for less than thirty days.

Trustee Rogers explained that short-term vacation rentals are a big issue on every island. Rules are in place to deal with scenarios such as renting out on weekends.

There was an inquiry about when the rules were written up, and remark that the six-month rule seemed arbitrary.

Trustee Stamford noted they came about in 2007, through an Advisory Planning Commission process.

Chair Fast thanked the public for their input.

Members of the public left the meeting at 12:41 pm.

6. MINUTES

6.1 Local Trust Committee Meeting dated April 27, 2019

The following amendments to the minutes were presented for consideration:

- Page 8, item 13.2: delete second sentence.

By general consent the minutes of April 27, 2019 were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting – none

6.3 Advisory Planning Commission Minutes – none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated June 3, 2019

The Follow-up Action Report of June 3, 2019 was received. Island Planner Zupanec responded to a trustee inquiry about communication with the SCRD and the Ministry of Transportation and Infrastructure (MoTI). There was trustee interest in enhancing communication with MoTI, and in having a formal liaison meeting with the SCRD board.

Trustee Stamford mentioned there are a number of properties on Gambier whose surveys from around 1911 are not necessarily accurate. There have been some instances where, once an owner got their legal survey, it was discovered they could not subdivide. The trustee suggested part of the OCP review might be to provide some sort of allowance; how to best resolve the situation is not clear.

7.2 Bylaw Enforcement Notification Bylaw Amendments

The Bylaw Compliance and Enforcement Manager's report of June 13, 2019 regarding Bylaw Enforcement Notification Bylaw Amendments – Bylaw No. 151 was received.

GM-2019-022**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee move and adopt the resolutions contained in the recommendations in the staff report of June 13, 2019 regarding the “Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 116, 2011”:

- 1) That Gambier Island Local Trust Committee Bylaw No. 151 cited as “Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011 Amendment No. 1, 2019”, be read a first time.
- 2) That Gambier Island Local Trust Committee Bylaw No. 151 cited as “Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011 Amendment No. 1, 2019”, be read a second time.
- 3) That Gambier Island Local Trust Committee Bylaw No. 151 cited as “Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011 Amendment No. 1, 2019”, be read a third time.
- 4) That Gambier Island Local Trust Committee Bylaw No. 151 cited as “Gambier Island Local Trust Committee Bylaw Enforcement Notification Bylaw No. 116, 2011 Amendment No. 1, 2019”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED**8. APPLICATIONS AND REFERRALS – none****9. LOCAL TRUST COMMITTEE PROJECTS****9.1 Riparian Areas Regulation Project – Bylaws 148 and 149 – for consideration of second reading**

The Island Planner reported that staff felt there were no substantial changes to recommend for either of the bylaws, and recommended advancement to public hearing on July 25 on Gambier Island. The LTC could give second reading at this meeting, or might wish to save that for post public hearing.

Discussion ensued on the date and location for a public hearing.

GM-2019-023**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee refer Bylaw Nos. 148 and 149 to public hearing, to be arranged.

CARRIED

Chair Fast recessed the meeting at 1:05 pm and reconvened the meeting at 1:15 pm.

9.2 Keats Shoreline Protection Project

Planner Dubyna reviewed the report on the update to the Keats Shoreline Protection Project charter, which extended the timeline.

GM-2019-024**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee endorse the revised 'Keats Island Shoreline Protection Project Phase 2' Project Charter v.2 dated June 13, 2019.

CARRIED

Trustee Rogers encouraged staff to be innovative in considering unique ways for working group members to interact and make comments. He pointed out it is a working group, not an Advisory Planning Commission; there are no rules attached. Chair Fast noted there was an opportunity to pilot something new and opportunity for online meetings.

It was noted that additional working group member applications had been received.

10. DELEGATIONS – none**11. CORRESPONDENCE**

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

12. NEW BUSINESS**12.1 Gambier Island Local Trust Area Fact Sheet**

The Island Planner announced that a coop student was working on updating all the island fact sheets, and advised trustees that suggestions for additional input be directed to the student. Discussion ensued.

12.2 Public Engagement on Gambier Island for Visions 2099 – The Future of the islands in the Salish Sea

There was consideration of the staff report from the Program Coordinator, Trust Area Services, and the Communications Specialist, Trust Area Services, on public engagement in the Gambier Island Local Trust Area regarding Visions 2099 – The Future of the Islands in the Salish Sea, proposed to take place between July and November 2019.

GM-2019-025**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee endorse the recommended public engagement activities to take place in the Gambier Local Trust Area in support of the Trust Council's Visions 2099: The Future of the islands in the Salish Sea, as outlined in the June 13, 2019 staff report; and that the Local Trust Committee would like materials as soon as they are available for trustee communication events.

CARRIED**12.3 Meeting Procedures Regarding Public Input**

Chair Fast provided an overview of her memorandum on Meeting Procedures Regarding Public Input.

Trustees offered feedback and inquiries regarding proposed procedures.

Trustees were requested to provide written feedback to Chair Fast, who would continue to work with staff on the meeting procedures.

13. REPORTS

13.1 Applications Report dated June 3, 2019

Received.

13.2 Trustee and Local Expense Report dated March, 2019

Received.

13.3 Adopted Policies and Standing Resolutions

Received.

13.4 First Nations Activities

The Chair recommended changing the name of this item to “First Nations Interactions” on the next agenda.

Points from ensuing discussion included:

- Squamish Nation representatives were in attendance at the Ocean Watch climate change workshop on June 7.
- A piece of foreshore on the north part of Gambier was designated as a “Spirit Place”.
- Squamish Nation recently committed support for the Howe Sound Bioregion Initiative and to encourage youth to get involved. They hope to create a committee of Council to work closely with communities of Howe Sound.

13.5 Local Trust Committee Webpage

Trustees will send reports to the webmaster to upload to the website.

14. WORK PROGRAM

14.1 Top Priorities Report dated June 3, 2019

Received.

14.2 Projects List Report dated June 3, 2019

Received.

15. CLOSED MEETING

15.1 Motion to Close the Meeting

GM-2019-026

It was MOVED and SECONDED

by the Gambier Island Local Trust Committee that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1) (a) and (d) for the purpose of considering Adoption of In-Camera Meeting Minutes Dated April 27, 2019 and Appointment of Keats Island Shoreline Protection Project Working Group and that the recorder and staff attend the meeting.

CARRIED

The Local Trust Committee moved to in-camera at 2:18 pm.

15.2 Recall to Order

Chair Fast recalled the meeting to order at 2:46 pm.

15.3 Rise and Report

Chair Fast reported that the Local Trust Committee made two resolutions, regarding:

- Appointment of Chris Phillips, Jan Hagedorn, Paul Milley, Else Mikkelsen, Marcel Bittel, Mary Ainslie and Tricia Cowley to the Keats Island Foreshore Protection Project Working Group; and
- A request that staff contact the applicants thanking them for their interest.

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for Thursday, July 25, 2019 at 10:30 am at Keats Camp, Keats Island, BC

17. ADJOURNMENT

By general consent the meeting was adjourned at 2:47 pm.

Sue Ellen Fast, Chair

Certified Correct:

Diane Corbett, Recorder