



Gambier Island Local Trust Committee Minutes of Regular Meeting

Date: November 21, 2019
Location: Delbrook Community Centre
 Oak Room
 851 West Queens Road
 North Vancouver, BC

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

Staff Present: Jaime Dubyna, Planner 2 (via telephone)
 Sonja Zupanec, Island Planner (via telephone)

Also Present: Diane Corbett, Recorder
 Members of the Public – 4 in person plus 4 by telephone

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 4:44 pm. 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 noted the Island Planners were attending from Gabriola Island via telephone.

The Chair referred to rules of conduct for the meeting, provided for reference.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- 7.3 Bylaw No. 148 (OCP RAR) – for adoption
- 7.4 Bylaw No. 149 (LUB RAR) – for adoption
- 11.7 Crown tenure application on Anvil Island
- 11.8 Update regarding New Brighton dock

By general consent the agenda was approved as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Rogers reported on the following:

- Attended an event on November 19 celebrating preparation of the submission for the Atl'ka7sem / Howe Sound Biosphere Region Initiative (<https://www.howesoundbri.org>), four years in the making. Project lead Ruth

Simons along with Squamish Nation Councillor Joyce Williams will be travelling to Ottawa to submit the application in early December. It could take a year and a half to learn about whether the project is accepted.

- On November 19 Gambier Island Local Trust Committee (LTC) members attended a protocol meeting with the Sunshine Coast Regional District (SCRD) directors, along with senior staff of the SCRCD and Islands Trust, regarding issues of common concern; topics included docks, waste removal, island clean ups, and applications for funding from the SCRCD. It was an opportunity to explain in detail how Islands Trust operates and its services. The LTC will be working with them on dock infrastructure.
- It appears there might be a cougar back on Keats; if so, he planned to send out a notice to islanders.
- He expressed thanks to all the people from Keats who have volunteered their time to work on the Keats Island Shoreline Protection Project, and noted the group is making progress, with good discussions crystallizing around what is important.
- On October 26, Trustees Rogers and Stamford, SCRCD Area F Director Mark Hiltz and SCRCD emergency staff toured Fircom Plateau, a new subdivision, to look at some of their emergency evacuation challenges. There was also discussion of SCRCD community docks.

Trustee Stamford reported on the following:

- Has been working with Gambier Community Association, which has some funding for projects including work on signage.
- She noted her observations from the SCRCD protocol meeting that there are opportunities to work more closely with the SCRCD.

3.2 Chair's Report

Chair Fast reported she was in Victoria at the beginning of November with the Land Trust Alliance of BC, where there was discussion about mutual good practice, land stewardship and advocacy against oil spills. Next Trust Council meeting is December 2-4 in Victoria, to adopt the Strategic Plan for the whole Trust Area.

3.3 Electoral Area Director's Report – none

4. TOWN HALL

There were no speakers for the Town Hall session. Chair Fast provided for information a handout on public participation and how to share your ideas with the Local Trust Committee.

5. MINUTES

5.1 Local Trust Committee Meeting dated October 10, 2019

The following amendment to the minutes was presented for consideration:

- After discussion of the feasibility of conducting a second phase Islands 2050 engagement on the local ferry over the winter season, the LTC reached consensus that it would be more appropriate to focus on other engagement opportunities in the spring, therefore resolution 051 was rescinded.

GM-2019-052

It was MOVED and SECONDED

that resolution GM-2019-051, that the Gambier Island Local Trust Committee request a second Islands 2050 engagement process be considered using *Stormaway*, adopted

at the October 10, 2019 regular business meeting of the Gambier Island Local Trust Committee, be rescinded.

CARRIED

By general consent the minutes were adopted as amended.

5.2 Section 26 Resolutions-Without-Meeting – none

5.3 Advisory Planning Commission Minutes – none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated November 13, 2019

Responding to Trustee Rogers' inquiry about the completeness of the Follow-up Action List of November 13, 2019, Planner Dubyna indicated she would follow up and report back to the LTC.

GM-2019-053

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee remove item 1 under April, 2018 from the Follow-up Action List.

CARRIED

Responding to an inquiry about whether any staff had been assigned to start up the process of the Gambier Island Official Community Plan review upon the conclusion of the *Riparian Areas Regulation* (RAR) bylaws, Planner Dubyna reported that the project had not been resourced at this time.

7. APPLICATIONS AND REFERRALS

7.1 GM-DVP-2019.2 (Werkema)

Christine and Klaas Werkema joined the meeting by telephone.

Island Planner Zupanec explained that the development variance permit (DVP) application was a result of an Islands Trust bylaw enforcement file and SCRD stop work order. The application required three variances to the Gambier Island Land Use Bylaw in order to permit the siting of an existing tram structure and an existing utility shed attached to a cabin under construction. Staff recommended that the LTC amend the draft DVP to remove the requested variance for the tram structure and permit the variance for the siting of the utility shed attached to the cabin. Staff responded to questions from Trustees.

The applicants provided rationale for the requested variances. The utility shed had been approved in 2013 in the current location. The tram was needed for the development of the cabin. Installation of the tram was an honest mistake. There was an interest in compliance with the regulations; apologies were offered and there was no interest in going against the public interest. An engineer was now retained to oversee the work. The applicants wanted to complete the construction of the cabin, and to be respectful of the law.

ADOPTED

Peter Buckland, on behalf of the adjacent owner, Trisha Smith, discussed correspondence to Islands Trust from the owner outlining rationale for opposition to the variance applications, including:

- Lack of applicant compliance with all regulations and bylaws of all applicable authorities, and construction in a manner inconsistent with approved plans;
- Effect of the tram on neighbours and the community had not been minor;
- Removal of the tram would not be a hardship as it was built without compliance with proper setbacks and heights;
- Granting of variance where the builder acts in violation of existing rules would set a negative precedent.

Handouts from Ms. Smith were distributed to trustees, providing correspondence, photos, site drawings, strata council communications to the owner, and a relevant resolution of the strata council.

Correspondence sent within the past week to Islands Trust by Mr. Buckland, also a strata owner, had not been received as of this date. Mr. Buckland outlined his concerns related to the application, including the lack of approval and permit for the construction, alleged falsification of documents and insufficient plans.

The applicants provided information on their attempts to address issues that had been raised.

Island Planner Zupanec responded to trustee inquiries pertaining to the variance requests.

Points raised by trustees included:

- Agreement with submissions from Ms. Smith: the variance is not minor in nature; it is within the setback from the sea, and not consistent with wishes of neighbours; removal of the tram would not represent a hardship and meets the test for declining the variance.
- The issue of the setback of the shed in the back: it was likely considered by staff as an interior lot line and not designated for access use, interpreted in 2013 as sufficient, so the shed was probably built in good faith; applicant would be entitled to a variance in this case.

GM-2019-054

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee not approve the requested variance for the existing tram extending from Strata Lot 2A, across Limited Common Property and Common Property, as it is not consistent with the Gambier Island Official Community Plan Policies 3.1.v); 3.1.viii); and 3.7.iii).

CARRIED

GM-2019-055

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee amend draft Development Variance Permit GM-DVP- 2017.2 by:

- a. Removing paragraphs 2 a) and 2 b) in their entirety;
- b. Renumbering paragraph “2 c)” to “2 a)”;
- c. Adding a label which reads “AS-BUILT TRAM NOT APPROVED BY GM-DVP-2019.2” to ‘Schedule “A” Site Plan’.

CARRIED

GM-2019-056

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee issue GM-DVP.2019.2 (Werkema), as amended.

CARRIED

7.2 GM-BP-2018.18 (Spindrift Properties (Keats) Inc. (477 and 479 Skyline Road, Keats Island)

Ian Moes, on behalf of the applicant, and Monty Staats joined the meeting by telephone.

Island Planner Zupanec was present on behalf of Planner Sawyer as a resource.

Trustee Rogers described his site visit with Mr. Staats to determine whether the trail heading towards Plumper Cove was in the same place as the Statutory Right of Way (SROW) for public access to the park. It appeared that the trail that comes off DL 696 and DL 891 that is heavily used is on the SROW but it is not possible to know for sure unless there is verification. The trail appeared to be roughly in the location where the red line was located on the provided map.

Mr. Staats discussed the discovery of two pins found during the site visit.

Mr. Moes pointed out that the location of the SROW that was dedicated at the time of subdivision was acceptable to the LTC in 2006. The SROW was granted by the owner to the SCRDC, and gave the SCRDC the ability to construct and maintain whatever it wants regarding that trail. The application meets the criteria of the bylaw. It is irrelevant whether or not the SROW was dedicated regarding a subdivision or second house as it was dedicated to the satisfaction of the LTC and SCRDC in 2006.

Ian Rue, neighbour to the east of the subject site, discussed the history of the trail that started in the 1970s when a small service road was installed that was used as a way to get to the marine park. The trail was maintained by community members.

Curt Shepard, also from the area, noted that the bylaw referenced in the discussion was passed after the trail was brought in.

Discussion ensued on the lack of clarity in the documentation or purpose of the SROW, occurring at the same time the bylaws were being amended.

GM-2019-057

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee is satisfied that Section 4.4.10 of the Keats Island Land Use Bylaw, 2002 has been met through the registration of the statutory right of way for a pedestrian pathway (BA302860) between Spindrift Properties (Keats) Inc. and the Sunshine Coast Regional District.

CARRIED

7.3 Bylaw No. 148 (OCP RAR)

GM-2019-058

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 148, cited as "Gambier Island Official Community Plan, 2001, Amendment No. 1, 2018", be adopted.

CARRIED

7.4 Bylaw No. 149 (LUB RAR)

GM-2019-059

It was MOVED and SECONDED

that Gambier Island Local Trust Committee Bylaw No. 149, cited as "Gambier Island Land Use Bylaw, 2004, Amendment No. 1, 2018", be adopted.

CARRIED

Island Planner Zupanec advised that the Legislative Clerk would consolidate the bylaw and notify the SCRD regarding the building referral process with them.

Responding to Trustee Stamford's inquiry about the process in the event of a bylaw infraction against an individual under the previous version of the bylaw, staff responded that the bylaw enforcement team would be notified that the bylaws had been adopted and would review actions to take.

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Keats Island Shoreline Protection Project – verbal update

Planner Dubyna announced that the Working Group met October 22 and was asked to respond to questions forwarded to them. With those responses, staff put together three options for the project to proceed with the Working Group in mind. Working Group members were in the midst of considering options, and would meet the first week of December. Following that staff would provide the Local Trust Committee with amendments regarding the project milestones and deliverables in the project charter for the January LTC meeting.

8.2 Riparian Areas Regulation Project – verbal update

Island Planner Zupanec reported that staff had begun the process of preparing amendments ensuring that the RAR bylaws for Bowyer and Anvil Islands would be brought to the LTC for consideration at the January 2020 meeting.

9. DELEGATIONS – none

10. CORRESPONDENCE

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

11. NEW BUSINESS**11.1 Climate Change Mitigation and Adaptation**

Trustee Rogers remarked that he thought it would be worthwhile having a gathering bringing people from the islands together for discussion on ideas for climate adaptation in the Local Trust Area.

It was noted that the winter storm season is coming; last season, effects were pretty severe in Howe Sound. Chair Fast pointed out that the Executive Committee was considering what to budget for next year, including the development of environmental indicator sets, a climate focused stewardship education program, and continuance of the fresh water specialist position.

11.2 Letter of Congratulations to Patrick Weiler

There was consensus that Trustee Stamford would draft a letter of congratulations to the new Member of Parliament for the Local Trust Area and send a copy of the draft to the other trustees.

GM-2019-060**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee write a letter of congratulations to Member of Parliament Patrick Weiler under the signature of the Local Trust Committee Chair.

CARRIED**11.3 Updated Management Plans for Brigade Bluffs and Long Bay Wetland Nature Reserves**

Trustee Stamford explained that the updated Management Plans for Brigade Bluffs and Long Bay Wetland nature reserves are management plans through Islands Trust Conservancy for two of the three nature reserves on Gambier; they are reviewed once every ten years. This is the second management plan for this area. These plans inform Islands Trust Conservancy's Regional Conservation Plan, and have informed the Marine Reference Guide and the Howe Sound Biosphere Initiative. They are very valuable for ecological management across the Islands Trust Area.

11.4 Sunshine Coast Regional District (SCRD) Protocol Meeting

Discussed under 3.1 Trustee Reports.

11.5 First Nations Standing Resolution

Trustee Rogers reported that this resolution was drafted by the Senior Intergovernmental Policy Advisor as a way to set in place a standing resolution that would remain in the LTC agenda package for reference as a way to approach matters.

GM-2019-061**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.

CARRIED**11.6 Live Streaming of Local Trust Committee Meetings**

There was discussion of a request for decision from the Director of Local Planning Services, regarding the live streaming of Local Trust Committee meetings. It was noted there was a proposal to do a trial test rather than full roll out.

GM-2019-062**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee communicate to Trust Council its interest in filming and streaming its public meetings.

CARRIED**11.7 Crown Tenure Application on Anvil Island**

Planner Dubyna responded to an inquiry from Trustee Rogers about an application for a license of occupation and expanded Crown tenure area on Anvil Island. The Planner noted it appeared the application would be under exemption for antennae review and public consultation. Planner Cox would be available to speak further on this. Trustee Rogers indicated he would follow up with Planner Cox regarding whether there is a public consultation process required for this application.

11.8 Update regarding New Brighton Dock

Trustee Stamford requested an update regarding the holder and restrictions of the water lease under New Brighton dock. Planner Dubyna reported she would look into this.

12. REPORTS

12.1 Trust Conservancy Report

Trustee Stamford reported that “The Heron” newsletter of Islands Trust Conservancy should be out shortly.

12.2 Applications Report dated November 13, 2019

Received.

12.3 Trustee and Local Expense Report dated September, 2019

Received.

12.4 Adopted Policies and Standing Resolutions

Received.

12.5 First Nations Activities

The Local Trust Committee passed a standing resolution regarding First Nations (item 11.5).

12.6 Local Trust Committee Webpage – none

13. WORK PROGRAM

13.1 Top Priorities Report dated November 13, 2019

Received.

13.2 Projects List Report dated November 13, 2019

Received.

14. CLOSED MEETING – none

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Thursday, January 30, 2020 at 10:30 AM at John Braithwaite Community Centre, Meeting Room 3, 145 West 1st Street, North Vancouver, BC

16. ADJOURNMENT

By general consent the meeting was adjourned at 7:11 pm.

Sue Ellen Fast, Chair

Certified Correct:

Diane Corbett, Recorder