



**Gambier Island
Local Trust Committee
Public Hearing Record**

**REGARDING PROPOSED BYLAWS NO. 140 AND NO. 141
TO AMEND THE GAMBIER ISLAND OFFICIAL COMMUNITY PLAN NO. 73, 2001 AND
THE LAND USE BYLAW NO. 86, 2004 TO IMPLEMENT THE RIPARIAN AREAS
REGULATION ON GAMBIER ISLAND, BC**

Date: August 25, 2016
Location: Gambier Island Community Centre
Andy's Bay Road, Gambier Island, BC

Members Present Susan Morrison, Chair
Dan Rogers, Local Trustee
Kate-Louise Stamford, Local Trustee

Staff Present Aleksandra Brzozowski, Island Planner
Diane Corbett, Recorder

Others Present: 5 members of the public

1. CALL TO ORDER

Chair Morrison called the Public Hearing to order at 11:35 a.m. and read the Chairperson's Opening Statement. She explained that this Public Hearing is being conducted to hear views regarding Proposed Bylaw Nos. 140 and 141.

2. PROPOSED BYLAWS NO. 140 and NO. 141

To amend the Gambier Island Official Community Plan No. 73, 2001 and the Land Use Bylaw No. 86, 2004 to include language which authorizes the protection of watersheds pursuant to the Riparian Areas Regulation (RAR) and amend the Gambier Island Land Use Bylaw No. 86, 2004 to include language which identifies the applicability, exemptions and guidelines to be employed for the approval of development permits dealing with watersheds subject to the RAR.

Island Planner Brzozowski gave an overview of the background and regulatory process of the proposed bylaws. A Public Hearing Notice was posted in The Coast Reporter in the August 12 and August 19, 2016 issues, and posted at the Langdale ferry terminal and on Gambier Island. Information was posted on the Islands Trust website and distributed via the community email list.

The Island Planner reported on comments received on the proposed bylaws from referral agencies:

- Islands Trust Fund supported the bylaws;
- Ministry of Transportation and Infrastructure interests were unaffected;
- Bowen Island Municipality interests were unaffected;
- Sunshine Coast Regional District interests were unaffected pending confirmation from the Board; and
- Ministry of Forests, Lands and Natural Resource Operations (FLNRO) support was conditional to comments made by the Ministry pertaining to proposed edits to the bylaws. Comments from the Ministry RAR Resource Specialist were read aloud by the Island Planner who also distributed paper copies of the response.
- No comments from the public were submitted during the referral period.

4. PUBLIC COMMENTS

Chair Morrison inquired if there was anyone wishing to address the Local Trust Committee regarding these bylaws.

Chair Morrison inquired a second time if anyone wished to address the proposed bylaws.

Graeme Wickham, Gambier Island, inquired about when this was started.

It was noted the process for the bylaws regarding the RAR on Gambier Island began in earnest in 2013, and that Gambier Island is one of the final Local Trust Areas within Islands Trust to adopt a bylaw pertaining to RAR. The Province established the RAR legislation in 2006.

Mr. Wickham remarked that, although there had been time for people to consider this, he thought that many people do not know what is going on.

Joley Switzer, New Brighton, Gambier Island, inquired about the language and process around a violation.

Island Planner Brzozowski explained that not getting a Development Permit is a bylaw violation, and that it is the same process as any other bylaw violation. The process for Islands Trust is compliance, and the focus is to guide those in violation towards compliance. If the complaint is valid, the owner is sent a letter inquiring how they plan to rectify the violation; usually they get three months to address this and speak to a planner or the bylaw enforcement team. If there is no response, there will be follow up from bylaw enforcement. If the person will not comply, the bylaw enforcement officer brings this to the Local Trust Committee regarding how to proceed further.

Dorothy Pohl, West Bay, Gambier Island, referred to the situation where there is no permit necessary. She remarked that it is a good idea to have the 15-metre exemption rather than the recommended 20-metre exemption, for being able to do work on your property that is so minimal, like cutting vegetation and trees, and the permitted 5

square metres of soil disturbance. She perceived that this seemed very reasonable and stated she would not like to see that changed in the RAR bylaw.

Trustee Rogers noted it had been recommended to the Local Trust Committee by the Ministry of Forests, Lands and Natural Resource Operations to change the 15 metres to 20 metres.

Ms. Pohl stated she did not agree with that; looking at 30 metres and only allowing 10 metres in which to do work is not fair. In reference to the Local Trust Committee meeting in May, Ms. Pohl noted the Qualified Environmental Professional in attendance at the meeting said that 10 metre streamside protection and enhancement areas (SPEA) were pretty standard across the province. Ms. Pohl suggested that the 15-metre exemption should be kept in the bylaw.

Chair Morrison asked a third time for any further comments.

5. ADJOURNMENT

Hearing no further comments, Chair Morrison declared the Public Hearing closed at 11:52 a.m.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE PUBLIC HEARING HELD.

Diane Corbett, Recorder