



## Gambier Island Local Trust Committee Minutes of Regular Meeting

**Date:** October 13, 2016  
**Location:** Gleneagles Community Centre  
 6262 Marine Drive, West Vancouver, BC

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

**Staff Present** Aleksandra Brzozowski, Island Planner  
 Marnie Eggen, Planner 2 (by telephone 1:17 – 1:41 p.m.)  
 Diane Corbett, Recorder

**Also Present** Members of the Public – 25

### 1. CALL TO ORDER

Chair Morrison called the meeting to order at 10:45 am. She acknowledged that the meeting was being held in the territory of the Squamish and Tsleil-Waututh First Nations. Chair Morrison introduced trustees and staff in attendance, and acknowledged the presence of previous Local Trustee Jan Hagedorn. She thanked everyone for coming.

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Correction: 6.1 should read “August 25” not September 20
- Move forward to after item 6: items 10 and 11.1
- 11.3 Riparian Areas Regulation – Gambier Island
- 11.4 Motion to adopt Gambier Island Local Trust Committee Bylaw No. 139

**By general consent** the agenda was approved as amended.

### 3. TOWN HALL AND QUESTIONS

Ruth Simons, Future of Howe Sound Society, thanked Chair Morrison, Local Trustees Stamford and Rogers and Islands Trust Chair Peter Luckham for their letter-writing work and advocacy regarding the BURNCO mine project. Ms. Simons expressed appreciation to Trustee Stamford for her time and commitment with the BURNCO Working Group, on behalf of the Future of Howe Sound Society.

Eoin Finn, Bowyer Island, thanked trustees for their “forthright action” in writing the above-noted letter and remarked on the importance of keeping Howe Sound from being industrialized.

#### 4. COMMUNITY INFORMATION MEETING

##### **Riparian Areas Regulation Bylaw Nos. 129, 130, 131, 132, and 133 for Keats, Anvil, Bowyer and South Thormanby Islands**

Island Planner Brzozowski gave a presentation regarding implementing the Riparian Areas Regulation (RAR) on Keats, Anvil, Bowyer and South Thormanby Islands. Points included:

- Legislative developments since the Province of BC passed the *Fish Protection Act* in 1997 to protect water and fish habitat, and subsequent requirements for local governments to include the RAR in bylaws
- Where we are at in the bylaw process
- How the RAR works – Riparian Assessment Area 30 metres; Streamside Protection and Enhancement Area; RAR Assessment report
- Description of proposed Bylaw Nos. 129, 130, 131, 132, 133
- Activities requiring a Development Permit
- Activities exempting a Development Permit
- Filing for a Development Permit
- Description of the Development Permit process

It was noted that a handout describing the development permit process was available at the back of the room for members of the public.

#### 5. PUBLIC HEARINGS

##### 5.1 Recess for Public Hearings

Chair Morrison recessed the meeting at 11:12 a.m. for a public hearing regarding the following proposed bylaws:

- Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”
- Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”
- Bylaw No. 131, cited as “Gambier Associated Islands Official Community Plan, 2010, Amendment No. 1, 2015”
- Bylaw No. 132, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2015”
- Bylaw No. 133, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2015”

##### 5.2 Proposed Bylaw Nos. 129 and 130, 131, 132 and 133

##### 5.3 Recall to Order

Chair Morrison recalled the business meeting to order at 12:18 pm.

#### 6. MINUTES

**6.1 Local Trust Committee Meeting dated August 25, 2016**

**By general consent** the Local Trust Committee meeting minutes of August 25, 2016 were adopted as presented.

**6.2 Section 26 Resolutions-Without-Meeting Report dated October 4, 2016**

Received.

**6.3 Advisory Planning Commission Minutes – none**

For the convenience of members of the public, Chair Morrison moved items forward for discussion before item 7, as follows:

- 11.1 Riparian Areas Regulation Bylaw Nos. 129, 130, 131, 132 and 133
- 10.1 GM-DVP-2016.3 Akehurst and Payne (Gambier Acres)
- 10.2 GM-RZ-2004.1 (District Lot 696)

Upon conclusion of discussion of the above items, Chair Morrison recessed the meeting at 2:19 p.m. and reconvened the meeting at 2:31 p.m.

**7. BUSINESS ARISING FROM MINUTES**

**7.1 Follow-up Action List dated October 4, 2016**

The Follow-Up Action List was discussed.

**GM-2016-071**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee ask staff to apply for a two-year membership to the Green Shores for Homes BC project in conjunction with Bowen Island, and that funding of \$2,500 for the current year be determined by staff.

**CARRIED**

**7.2 Fixed Link Study – Public Consultation – Discussion**

The Local Trust Committee (LTC) discussed the recently announced public consultation on the Fixed Link Study, with Open House sessions starting the following week, from October 18 to 27, to be held in Squamish, West Vancouver, Powell River, Sechelt and Gibsons. The study results were not available as of the current date.

**8. DELEGATIONS – none**

**9. CORRESPONDENCE**

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

## 10. APPLICATIONS AND REFERRALS

### 10.1 GM-DVP-2016.3 Akehurst and Payne (Gambier Acres)

#### 10.1.1 Staff Report

Planner Eggen outlined the staff report regarding a request for a variance to reduce the required setback from the natural boundary of the sea from 15 metres to 3.5 metres to accommodate an existing deck and allow the construction of a new addition to the existing legal non-conforming cabin.

The applicants were present and responded to trustee inquiries regarding: consideration of sea level rise and proximity of the structures to the natural boundary of the sea; topography of the site; the proposed construction; neighbour and shareholder approval. It was noted that:

- the location of the structure is about ten to twelve feet above the high tide mark, quite removed from the water;
- most of the addition would be built on the same level as the existing cabin;
- the shareholders gave their approval of the proposal;
- there was approval from the immediate neighbours.

Discussion ensued.

#### **GM-2016-072**

#### **It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee defer its decision regarding GM-DVP-2016.3 until a geotechnical report is returned without any changes, at which time a Resolution-Without-Meeting will be considered.

**CARRIED**

### 10.2 GM-RZ-2004.1 (District Lot 696)

#### 10.2.1 Staff Report

Island Planner Brzozowski gave a summary of the staff report outlining the draft bylaw language for amendments to the District Lot 696 Land Use Contract and to the Keats Island Land Use Bylaw that are required to permit a proposed 110 lot subdivision on the subject property.

The LTC asked questions for clarification and provided feedback regarding the bylaw amendments and process. Points of discussion included:

- Conduct of a shoreline structure assessment by a qualified environmental professional
- Incorporating and addressing public concerns and issues in the bylaw process

- Inclusion of a park in the plan; request for information on status of access to Salmon Rock
- Regulation regarding archaeological sites
- Land above the dock: new road allowance will be continuous to the dock rather than separated by a piece of land (as presently)
- Regarding the new plans for sewer and well, could the well provide for the subdivision? Request information on how applicant would use water for the subdivision, and how it impacts the neighbours.
- Questions about the parking, and how it works out with the Ministry of Transportation and Infrastructure (MoTI) and the right of way. Presently there is no formal parking by the dock. There are concerns by islanders about parking along the road if that is going to be a MoTI road.

Mr. Lupine discussed the Convention's viewpoint in keeping Salmon Rock as a private conservation area in light of previous observations of the lack of supervision on public spaces in the area, and issues of camping on it, fires and so on. Regarding parking on a MoTI road, the Convention will no longer own that land.

Trustees thanked the applicant representatives for attending the meeting.

## 11. LOCAL TRUST COMMITTEE PROJECTS

### 11.1 Riparian Areas Regulation Bylaw Nos. 129, 130, 131, 132 and 133

#### 11.1.1 Staff Report

The Island Planner discussed the staff report on the RAR – Keats, Anvil, Bowyer and South Thormanby, and inquired if there were any questions. Discussion ensued. Points raised included:

- Discussion of opinions for RAR on Bowyer Island;
- Concern that Bowyer Island (Kildare Estates) did not receive notice of the bylaws until recently, due to their lawyers having an incorrect mailing address, and an apparent professional disagreement related to the RAR Report;
- Options available to the LTC for next steps in the bylaw process, including passing the bylaw, commissioning a peer review of the RAR report or a detailed QEP assessment for Bowyer, or deferring the bylaw, and potential costs and impacts for the taxpayer, owner and LTC budget in the various options;
- Amendment proposed for item 4 b) in Bylaw No. 130.

Trustees agreed to defer Bylaws No 131, 132 and 133, and requested further information and clarification on RAR issues on Bowyer Island.

**Bylaw 129** – “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”

**GM-2016-073**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee amend Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015” as per the following recommendations and comments from staff at the Ministry of Forests, Lands, and Natural Resource Operations:

- a. Replace all references to “Fish Protection Act” with “Riparian Areas Protection Act”;
- b. Remove all references to “or another professional”.

**CARRIED**

**GM-2016-074**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”, be read a second time.

**CARRIED**

**GM-2016-075**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”, be read a third time.

**CARRIED**

**GM-2016-076**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”, is not contrary to or at variance with the Islands Trust Policy Statement.

**CARRIED**

**GM-2016-077**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED**

**GM-2016-078**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee forward Bylaw No. 129, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2015”, to the Minister of Community, Sport and Cultural Development for approval.

**CARRIED**

By general consent the meeting was recessed at 12:58 pm and reconvened at 1:07 pm.

**Bylaw 130** – “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”

**GM-2016-079**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee amend Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015” as per the following recommendations and comments from staff at the Ministry of Forests, Lands and Natural Resource Operations and as per the comments of the public:

- a. Replace the distance in Subsections 9.1.3 e), n), and o) from 15 metres to 10 metres.
- b. Remove the word “native” from Subsection 9.1.3 m) ii.
- c. Remove all references to “or another professional”.
- d. Reference throughout Section 4 the requirement for a RAR assessment report to the standard outlined in the RAR.
- e. Remove 4 b) and replace with the following text:  
"The development permit should only allow within any Streamside Protection and Enhancement Area (SPEA) activities identified by the QEP in a RAR assessment report and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA."

**CARRIED**

**GM-2016-080**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”, be read a second time.

**CARRIED**

**GM-2016-081**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015”, be read a third time.

**CARRIED**

**GM-2016-082**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015” is not contrary to or at variance with the Islands Trust Policy Statement.

**CARRIED**

**GM-2016-083**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee Bylaw No. 130, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2015” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED**

**GM-2016-084**

**It was MOVED and SECONDED**

That the Gambier Island Local Trust Committee request staff to investigate options to resolve and clarify Riparian Areas Regulation issues on Bowyer Island.

**CARRIED**

**11.2 Gambier Island Official Community Plan Review – Update**

11.2.1 Staff Report

The staff report dated September 28, 2016, on the Gambier Island Official Community Plan Review was discussed.

**GM-2016-085**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee endorse the Gambier Island Official Community Plan Review and Coastal Douglas-Fir Conservation Partnership Terms of Reference as received.

**CARRIED**

**GM-2016-086**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee ask staff to arrange for an Advisory Planning Commission orientation meeting for the new Gambier Island Advisory Planning Commission as soon as possible.

**CARRIED**

**11.3 Riparian Areas Regulation – Gambier Island**

**GM-2016-087**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee forward Bylaw No. 140, cited as “Gambier Island Official Community Plan, 2001, Amendment No. 1, 2016”, to the Minister of Community, Sport and Cultural Development for approval.

**CARRIED**



**11.4 Motion to adopt Gambier Island Local Trust Committee Bylaw No. 139**

The Island Planner pointed out that the LTC had not yet formally adopted the amended Development Procedure Bylaw.

**GM-2016-088**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee Bylaw No. 139, cited as “Gambier Island Local Trust Committee Development Procedure Bylaw No. 50, 1992, Amendment Bylaw No. 1, 2016”, be adopted.

**CARRIED**

**12. REPORTS**

**12.1 Work Program Reports**

**12.1.1 Top Priorities Report dated October 4, 2016**

Received.

**GM-2016-089**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee direct staff to release funds from Special Projects to provide accommodation for Trustee Stamford to attend BURNCO meetings in Vancouver.

**CARRIED**

**12.1.2 Projects List Report dated October 4, 2016**

Received.

**12.2 Applications Report dated October 4, 2016**

Received.

**12.3 Trustee and Local Expense Report dated August, 2016**

Received.

**12.4 Adopted Policies and Standing Resolutions**

Received.

**12.5 Local Trust Committee Webpage****GM-2016-090****It was MOVED and SECONDED**

that Gambier Island Local Trust Committee request staff to post all letters from Trustees and the Local Trust Committee to Trustee Corner as a standard procedure.

**CARRIED****12.6 Chair's Report**

Chair Morrison reported on the following:

- She recently attended an Islands Trust meeting with MoTI regarding trustees' perceptions of how it is working on the islands with the Ministry's road contractors. The meeting was Minister Stone's response to a request by the Executive Committee at the Union of BC Municipalities (UBCM) to speak to the Minister.
- At the September 14, 2016 meeting, Trust Council approved a Transition Plan to guide Islands Trust in the event of Salt Spring Island incorporation.
- Executive Committee will meet with the Vancouver Island panel of the Land Commission on October 17, 2016.

**12.7 Trustee Reports**

Trustees Stamford and Rogers had sent their trustee reports via their email lists.

Trustee Rogers reported that:

- There continued to be an issue on Thormanby Islands regarding sensitive ecosystems and an access road.

Trustee Stamford reported on the following:

- She took the minutes for the BC Ferries Langdale float closure.
- The closure will complicate islanders' ability to get back and forth to Gambier Island and will present issues for people with mobility issues.
- Access to Keats and Gambier Islands will be complicated for approximately three months.

**12.8 Electoral Area Director's Report – none**

Topics of discussion included:

- Building inspection;
- Park planning;
- General staff to staff issues;
- DL 696 rezoning application; and
- Bylaw enforcement issues.

**12.9 Trust Fund Board Report, September 2016**

Received.

**13. NEW BUSINESS****13.1 Preparation for Howe Sound Community Forum**

Trustees discussed preparation for the Howe Sound Community Forum, to be held the following day in Vancouver.

**13.2 2017 Local Trust Committee Meeting Schedule**

The staff report on the 2017 meeting schedule was discussed.

**GM-2016-091****It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee schedule its regular business meetings for 2017 on the following dates:

February 2  
 March 23  
 April 27  
 May 25  
 July 27  
 August 31  
 October 26  
 November 30

**CARRIED****13.3 Supporting Improvement Districts**

Chair Morrison referred to a discussion at the UBCM convention regarding Improvement Districts, for which there is not a lot of oversight. She encouraged trustees to support Improvement Districts in any way they could. She noted that there has never been an Improvement District allowed into the Union of BC Municipalities.

**13.4 Telecommunication Facilities – Process Overview**

Trustee Rogers reported that he had been contacted by someone who requested a letter of support for a grant to install a wireless communications tower on Keats Island. Discussion ensued.

The Island Planner indicated that a proposal had not been received by Islands Trust, and that when an application is made to Industry Canada to have a new communications facility, the application has to go through a process that includes consultation with the community regarding relevant concerns as part of a land use authority concurrence process.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for Thursday, November 17, 2016 at 10:45 am at John Braithwaite Community Centre (Meeting Room #2), 145 West 1st Street, North Vancouver, BC**

**15. TOWN HALL – none**

**16. CLOSED MEETING**

**16.1 Motion to Close Meeting**

**GM-2016-092**

**It was MOVED and SECONDED**

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, S.90(1)(d) Adoption of In-Camera meeting minutes dated September 8, 2016 and (f) Bylaw Enforcement and that the recorder and staff attend the meeting.

**CARRIED**

The meeting closed to the public at 3:32 p.m.

**16.2 Recall to Order**

The meeting was reopened to the public at 3:49 p.m.

**16.3 Rise and Report**

Chair Morrison reported that the Local Trust Committee adopted its in-camera minutes of August 25, 2016.

**17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 3:50 p.m.

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Susan Morrison, Chair

Certified Correct:

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Diane Corbett, Recorder