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

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**REGARDING  
PROPOSED BYLAW NO. 143 (GM-RZ-2004.1 – District Lot 696, Keats Island)**

**Date:** April 18, 2018  
**Location:** Gleneagles Golf Course, Great Hall  
6190 Marine Drive, West Vancouver, BC

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

**Staff Present:** David Marlor, Director of Local Planning Services  
Sonja Zupanec, Island Planner  
Diane Corbett, Recorder

**Others Present:** Approximately forty (40) Members of the Public

**1. CALL TO ORDER**

Chair Morrison called the Public Hearing to order at 8:24 pm. She introduced staff and trustees in attendance and acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

Chair Morrison read a formal statement explaining the Public Hearing regarding the Proposed Bylaw No. 143. She stated that all persons who believe their interest is affected by the bylaw would be given the opportunity to express their concerns and that further submissions cannot be received by the Local Trust Committee after the close of the Public Hearing.

Island Planner Zupanec reviewed the Public Hearing Notice, summarized proposed Bylaw No. 143, and stated that all related information, and public comments, was available for members of the public to view in the Public Hearing binders. The Public Hearing was advertised in the April 6, 2018 and April 13, 2018 issues of *The Coast Reporter*.

The Island Planner announced that the purpose of proposed Bylaw No. 143, if adopted, is to amend the current Keats Island Land Use Bylaw No. 78 to rezone portions of District Lot 696, Keats Island and select adjacent marine areas, in order to regulate uses, density, subdivision potential, siting, setbacks, lot coverage, discharge the Land Use Contract in effect, and require the dedication of public roads, trails, park area, and designated covenant areas.

Referral agency responses included:

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- Ministry of Transportation and Infrastructure approval subject to conditions;
- SCRD Board resolution pending; accepted park;
- Agricultural Land Commission unaffected;
- Islands Trust Fund approval subject to conditions;
- First Nations deferred comment.

To date, a total of forty-one public submissions on the proposed bylaw had been received.

Chair Morrison advised that written submissions could be made at any time until the end of the Public Hearing.

**2. PROPOSED BYLAW NO. 143**

Gambier Island Local Trust Committee Bylaw No. 143 cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 2, 2016”, proposed to rezone a portion of District Lot 696, Keats Island and select adjacent marine areas in order to regulate uses, density and subdivision, would enable:

- 110 strata lot subdivision of existing leaseholder lots;
- Roadway Dedication between the Keats Landing dock and the northeast corner of the property;
- Trail Dedication between the Keats Landing dock and Salmon Rock;
- Dedication of 1.1 hectares of land to the Sunshine Coast Regional District for a community park;
- Dedication of 3.3 hectares of land to the Islands Trust Fund Board for Sandy Beach Nature Reserve; and
- Registration of restrictive covenants to protect Salmon Rock, require water conservation measures and well head protection.

**3. PUBLIC COMMENTS**

Chair Morrison invited public submissions on proposed Bylaw No. 143.

Scott Benson, Gibsons, made the following points:

- Inquired why it is necessary to protect the water supply with a restrictive covenant. A covenant can be required as a condition of rezoning when caution is required.
- The Ministry of Health must review a subdivision application, but does not review for reference, but does review the plans. Since 2004, the professional reliance model has been used; designers are assumed to be competent.
- Septic field locations can be modified. Errors have already been made by professionals regarding locations. Errors have also been made in determining aquifer location. Proposed septic field by the wells have been changed. There is no current threat. Keats Camp will have to relocate existing septic fields in coming years.
- How can the covenant be simple yet affective? It is imperative the development and activities that could contaminate the water supply are brought to the attention of the Drinking Water Officer (DWO) before being implemented. The obligation on the owner would be to inform the DWO of their proposal. There is no need for the granting of

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permission. All that is required is to fix the break in the link of getting information to the DWO.

- The Ministry of Health or the authority with jurisdiction over drinking water should hold the covenant.

Kevin Healy, Applicant, made the following points:

- All the fields the Applicant proposed were put ninety meters from any well.
- The Campfire Rock field was moved as a concession to the neighbor to try to satisfy some of their concerns, not because it was an error in location.

Bryson Milley, leaseholder, remarked that:

- The island and District Lot 696 are very special. There is less certainty without Bylaw No. 143. Trustees have done their due diligence. There is a great opportunity to put together a program that provides certainty.
- Fully supports Bylaw No. 143. It gives the family certainty.

Kim Benson, Keats Island, a full-time resident for forty years whose family neighbours District Lot 696, made the following points:

- The DL 696 rezoning proposal is big and complex; it is a big deal when you are rezoning a third of an island. 110 lease lots and a camp will accommodate 400-500 kids on it. It creates a community of around 700 people living on a small rock in the ocean.
- Emphasized importance of making sure things are done properly. Knew of other places where there have been failures of water systems. When people run out of water it is a big deal.
- Supports the bylaws, and glad there will be covenants. Family has a well next to the Baptist camp; only draws from the well for the family. Understood the setback from their well is 100 feet. Should it be 300 feet? Would be willing to do 200 feet. The work to protect the water source for DL 696 should be not to just meet minimum standards but best practices.
- Supports the bylaw, nature reserve, covenant on Salmon Rock, the trails, and the park. Had seen development proposals go sideways after rezoning and before subdivision approval. Encouraged the LTC to make sure to get the best covenants that are going to work in the long term.

Josh Lupine, cottager at Campfire Rock, neighbour of Bensons, part of subdivision committee and two-term chair of Keats Camp Board, made the following points:

- Has a lot of knowledge of what has gone on in the last ten years. Remembered the days of conservation well. His priority has always been with the Camp, and with kids foremost in his mind.
- What we see with the water covenants is unprecedented in the islands. The covenant area is larger than recommended. The new septic field location is 344 metres away from this area.
- In moving to the work with VCH, the proponent will continue to work above and beyond. It is in everyone's interests to have good water. Thought responsible choices had been made.

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George Slade, leaseholder, made the following points:

- Generally supports Bylaw 143.
- Has reservation on the water catchment protection covenant. Wording is in one way too restrictive, because it is an outright prohibition of activities. But it doesn't restrict pesticide and chemicals. Wording could use more thought. Getting it right is a big deal.
- Understood that the Ministry of Health definition of a high capacity well is one that serves more than 500 people in a 24-hour period (peak period in summer); it clearly serves that many people, 500 to 600 campers. Ministry of Health says 60 metres in that case.
- Water quality is the higher priority – nothing trumps the safety of water. We have to make sure we got it right. Encouraged trustees to think about that water.

Kevin Healy, Applicant, reported that:

- At least four of the six septic fields have to be installed as part of subdivision.
- Will have to build the septic system before subdivision.

Trustee Rogers questioned Mr. Benson regarding the latter's comment that wellhead protection plans are not reliable and would not be yet a further level of protection beyond a covenant.

Mr. Benson gave an example of a recent situation where the Ministry of Environment had granted an emergency permit to a strata to dump its sewage plant sludge according to Ministry of Environment standards in a pit near a lake, which turned out to be in a well head protection area. The Ministry had had no idea of the wellhead protection plan, as they were not advised. If there had been a covenant, the owner would have been required to inform the Drinking Water Officer.

Jim Burn, leaseholder, Keats Island, Chair of Keats Island Leaseholder Association, made the following points:

- Acknowledged the time and effort spent on the process.
- Had worked to make sure this is an open process, and had encouraged leaseholders to come forward with issues to present at executive meetings.
- A concern was there had not always been transparency by different groups; information was often made available at the last minute.
- Believed Bylaw No. 143 to be in the best interest of the leaseholders, who felt they had been open and honest about this process. Looked forward to seeing this passed.

Jan Hagedorn, Keats Island, noted:

- Support for Bylaw No. 143 and thanks to everyone who brought this forward.
- Desire to protect the water for future generations, and encouraged trustees to listen and to be cautious. Expressed support for trustees being attentive to information and supporting the islanders in making good decisions around the groundwater.

Graham Davis, Keats Island, noted the following:

- Complimented and thanked the Island Planner for bringing forward the new zoning, "a huge step forward".

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- Expressed support for Bylaw No. 143 and its conclusions, including the covenant on the water.
- Acknowledged the support of Mr. Benson in maintaining the water system.
- Encouraged the trustees to move Bylaw 143 forward quickly.

Kevin Healy, Applicant, made the following points:

- There is no one in this room not concerned about water. Wellhead protection plans, covenants, regulations have a role; some of it is punitive; none of those pieces of paper will stop anything. Have professionals provide guidance, authorities. They aren't minimum standards; they are standards designed to protect the water.
- When first involved with project, he was impressed at the care and quality of the water system. No one is proposing anything here to put the water at risk. There may be a difference of opinion. It is the operator that is going to protect the water.

Maureen Jones, Vancouver, leaseholder, made the following points:

- To the audience, asked anyone who was for the passing of Bylaw 143 to stand on their feet and show their support, in response to which many attendees stood up.
- Expressed love for the Island Planner.

Chair Morrison asked the public for any other comments or submissions. The Chair asked again for any further comments or submissions. The Chair asked a third and final time for submissions. Hearing none, Chair Morrison closed the meeting and thanked everyone for attending.

**4. ADJOURNMENT**

**By general consent** the Public Hearing was adjourned at 9:08 pm.

**I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS  
RESPECTING THE MEETING HELD**

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Diane Corbett, Recorder