



## Gambier Island Local Trust Committee Minutes of Regular Meeting

**Date:** February 4, 2021  
**Location:** Electronic Meeting

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

**Staff Present:** Heather Kauer, Regional Planning Manager  
 Jaime Dubyna, Planner 2  
 Marnie Eggen, Island Planner  
 Courtney Simpson, Planner  
 Wil Cottingham, Administrative Assistant  
 Diane Corbett, Recorder

**Other Attendees:** Mark Hiltz, Director (West Howe Sound), Sunshine Coast Regional District  
 11 Members of the Public

### 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 10:30 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

Chair Fast introduced Trustees, Sunshine Coast Regional District (SCRD) Director and staff in attendance.

### 2. APPROVAL OF AGENDA

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

### 3. REPORTS

#### 3.1 Trustee Reports

Trustee Stamford reported on recent activities that included:

- Work to advance the New Brighton Dock long-term ownership challenge: attendance at two SCRDP Planning and Community Development meetings as the Regional District contemplates their role in how the divestiture from the Squamish can move forward; work with the New Brighton Dock Committee; contact with the Office of the Ombudsperson; outreach to MLA (no response to date).
- Work to provide information and support to a new advocacy group, the Gambier Guardians, who are concerned about a planned cut in WL lease 0039; cut would

cross headwaters of Whispering Creek which supports the West Bay community's drinking water and is a well-known Chum salmon run. Hosted a webinar to give Lease operator a chance to provide information and respond to questions.

- Attended Ocean Watch Action Committee webinar, and provided committee support by creating a survey for communities to determine where they are in the strategic priorities outlined in 2019 and how best to move them forward.
- Attended the DFO glass sponge/Rockfish Conservation Area engagement process.

Trustee Rogers reported on the following items:

- Dedication of Sandy Beach as a nature preserve.
- Participation on the Programs Committee in work pertaining to the Trust Policy Statement. There has been extensive debate within Trust Council regarding the scope of work for the Trust.
- Involvement in working groups regarding climate change, affordable housing and reconciliation.
- Outreach to Keats Island community regarding restarting a conservancy group; several people expressed interest and Marcel Bittel assumed an organizational leadership role. Trustee Rogers can offer the group networking support and a link with other initiatives in the region.

### **3.2 Chair's Report**

Chair Fast reported that Trust Council met December 1 and 2; the information section in this LTC agenda (item 16) highlights some items from the December meeting. Next Trust Council meeting is scheduled for March 9, 10 and 11; as it will be held via Zoom, anyone can join the meeting.

Islands Trust has two surveys open now: policy statement survey closes February 5 and budget input closes February 7.

### **3.3 Electoral Area Director's Report**

Director Hiltz reported on the following items:

- As BC Hydro requires its compound on Gambier to provide its service, an alternate location will be sought for an RCMP vehicle on the Island. The intention would be to provide a higher level of service to Gambier and Howe Sound in general. The detachment commander is on leave; Sergeant Newman is acting commander.
- There is a report on options for the New Brighton dock in the SCRD Planning and Community Development Committee agenda of January 21, 2021. SCRD is keeping an open mind regarding how to provide the service to the community. There is an absence of documentation available on the dock structure. Generally participants in the Ports service (SCRD Areas B, D, E, and F) are all supportive of the SCRD taking on a role.
- February 5 is the last day of round one of the SCRD budget process. Round 2 will be held March 4 and 5, with adoption on March 25. With the recent hiring of a new Communications Manager, there will be proactive reaching out about the budget process, with an intention to engage participants throughout the year.

Trustee Stamford advised that an alternate spot for an RCMP vehicle may be available at the community centre lot; however, as it is in a riparian area, it is necessary to obtain an environmental report. There is an initiative to look for a grant-in-aid from the SCRCD to get the work done.

Director Hiltz left the meeting at 11:09 am.

**4. DELEGATIONS – none**

**5. TOWN HALL**

There were no speakers for the town hall segment.

**6. MINUTES**

**6.1 Local Trust Committee Meeting dated November 19, 2020**

**By general consent** the Local Trust Committee meeting minutes of November 19, 2020 were adopted.

**6.2 Board of Variance Hearing Minutes dated November 12, 2020**

The Board of Variance Hearing Minutes dated November 12, 2020 were received.

Thanks were extended to the volunteer members of the Gambier Island Board of Variance, whose mandate includes all of Islands Trust's northern islands.

**6.3 Section 26 Resolutions-Without-Meeting – none**

**6.4 Advisory Planning Commission Minutes – none**

**7. BUSINESS ARISING FROM MINUTES**

**7.1 Follow-up Action List dated January 27, 2021**

Received.

**7.2 Letter dated January 25, 2021 to Minister Simons from Chair, Local Trust Committee - attached for information**

Received.

**7.3 Letter dated January 25, 2021 to Jordan Sturdy, Member of Legislative Assembly (MLA) from Chair, Local Trust Committee**

Received.

Chair Fast recessed the meeting at 11:26 am and reconvened the meeting at 11:30 am.

**8. COMMUNITY INFORMATION MEETING**

**8.1 Planner Presentation - Bylaw No. 152 (GM-RZ-2019.1)**

(South Keats Investments Ltd. - 255 Esplanade Road, Keats Island)

Planner Simpson explained an application was received to amend the zoning at 255 Esplanade Road on Keats Island, zoned CD1. Three existing docks are owned by a non-

profit land holding company to share ownership between families. The upland property has nine dwellings, with six on the waterfront. There is one dock for one home, another for two homes, and the third dock serves as a community dock; they were built in the 1980's. At this time Crown land tenure is required. The tenure application cannot proceed without Islands Trust zoning to allow three docks instead of one.

Proposed bylaw amendment changes would:

- Increase permitted docks from one to three;
- Reduce maximum permitted float area;
- Reduce the maximum ramp width; and
- Remove the requirement for a covenant when there is greater than 65 metres of float area.

All relevant background information is on the Islands Trust application webpage. No referral responses have been received.

The application was received in 2019; it received first reading October 2020, and second reading and referral in November 2020. The community information meeting will be followed by a public hearing, after which the Local Trust Committee (LTC) will consider third reading.

Chair Fast invited questions to the Planner from members of the public. Points from ensuing discussion included:

- Regarding the basis of the sizing of the maximum float area of 120 metres, there currently are 80 square metres of combined float area; applicants indicated a planned expansion up to 120 square metres. The LTC indicated they did not want to remain with the full maximum of 158 square metres and agreed to allow the planned expansion, which is still less than what would be permitted.
- Regarding whether there was any consideration of what was going on with Keats shoreline protection efforts, when the application was received, the LTC wanted to proceed, even though the Shoreline Protection Project was just starting up. There was staff discussion on this, and the application proceeded on its own merits.
- The location of the application is southwest of Eastbourne dock.
- Regarding building materials for the docks, the Province now requires certain best practices, including materials. As part of the rezoning application, Islands Trust required a report that involved inspection of the existing docks. It was determined existing docks and expansion did not pose a threat to the environment; the biologist did not require any specific measures to mitigate. The report is available on the website.

Peter Diemer, one of the owners, clarified that all three of the current docks have plastic foam floatation tanks, completely encapsulated. New floats would be the latest in floatation tank technology.

**9. PUBLIC HEARING – Bylaw No. 152**

**9.1 Recess for Public Hearing 11:50 am**

**9.2 Recall to Order 12:02 pm**

**10. APPLICATIONS, REFERRALS AND BYLAWS**

**10.1 Bylaw No. 152 – Consideration of Further Readings**

Trustee Rogers acknowledged the planners’ work in moving the application forward, and noted he is a strong proponent of the number of people regularizing their docks. There are a number of docks on Keats not regularized by the Province. He expressed thanks to the applicants for taking the steps to do this. It was helpful to see the environmental assessment done in the areas where these docks are located indicating there would not be a negative impact on the environment.

The trustee indicated satisfaction with the reduced size of the float area and maximum size for individual docks, noting it was a good step towards a movement on Keats shoreline properties to reduce the impact of foreshore docks. The applicant had been responsive to all the requests of the Local Trust Committee.

Trustee Stamford noted this is a way of identifying a specific solution for a situation, and that a lot of work had been done on the application. It works for the community.

**GM-2021-001**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee Bylaw No. 152, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2020”, be read a third time.

**CARRIED**

**GM-2021-002**

**It was MOVED and SECONDED**

that Gambier Island Local Trust Committee Bylaw No. 152, cited as Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2020”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

**CARRIED**

On behalf of the group of applicant owners, Harold Copping remarked that he admired and appreciated the work that had been done, and that the Local Trust Committee had been fair. He expressed thanks on behalf of the group.

Chair Fast recessed the meeting at 12:12 pm, and reconvened the meeting at 12:40 pm.

**10.2 GM-RZ-2020.1 (Torgerson, 1040 Taki-Te-Si Road, Gambier Island)**

Regional Planning Manager (RPM) Kauer reviewed the staff report on an application proposing a bylaw text amendment to allow three dwellings on a lot currently zoned Settlement Residential (SR) in the Gambier Island Land Use Bylaw No. 86, 2004 (LUB). The intention of the application is to replace one dwelling on the waterfront with another larger building. If the building were removed, it would lose legally non-conforming status (if such were the case). Currently no zone on Gambier permits three dwellings on a lot; a new site-specific comprehensive development zone would need to be adopted, and the OCP amended. Should the LTC be amenable in principle to consider a zone allowing three dwellings on the lot, further information would be required from the applicant to develop that zone.

Discussion ensued and included the following points:

- Concern that the applicants do not know what they are getting into (the regulatory process).
- Concern that if the lot were rezoned it would take into consideration the rights of property owners nearby.
- Concern about setting a precedent regarding density and numbers of dwellings per lot on Gambier.
- Would there be space to build on the top of the lot rather than the waterfront? Concern about the location of the building near the waterfront.
- It appeared there had been changes, renovations or expansions to the original dwellings.
- None of the existing zoning contemplates the kind of density being requested.
- Need more information.
- No interest in making this increase of density available over a wide area; only interested in this being a one-off, not other owners wanting multiple dwelling properties.
- Concern about making an exception for one party. The concept of “distributive footprint”, where rather than having a maximum square footage for one house could permit three houses with the same square footage, would require larger community consultations, and would require rezoning to apply more widely.
- Concern with all the development so close to the foreshore. Focus on alternatives that pull away from the shoreline.
- Do not want to encourage density in residential areas.
- Concern about the efficiency of work that staff are being asked to do, and fairness across the whole island. Do not want this project to consume a lot of staff time.
- If there is going to be a special increased density, there should be a benefit for the Trust, like a conservation covenant on the property, docks legalized, removal of structures in setbacks, etc.

Kim Torgerson and Susan Hildebrand spoke to the application. The following points were made:

- Cabins on the property were built in the early 1940’s. The cabin on the waterfront is dilapidated and needs to be replaced. It has no bathroom, laundry or shower. There is a desire to improve the living area there for the sake of the elder family members.
- A letter of support for the project was received from the neighbor to the south.
- A modular home would be brought in by barge with crane.
- Want to do an environmentally friendly upgraded sewage system.
- Want to stay within the guidelines.

**GM-2021-003**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee defer a decision on GM-RZ-2020.1 and request staff to explore with the applicant what net benefits regarding ecosystem protection could be provided in the application specifically related to setbacks from the sea and ecosystem protection.

**CARRIED**

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 Keats Shoreline Protection Project**

Planner Dubyna reviewed the staff report presenting draft bylaw language to amend the Keats Island OCP Bylaw No. 77 (OCP) and Keats Island Land Used Bylaw No. 78 (LUB), as part of the Keats Island Shoreline Protection Project Phase Three. Included were draft bylaw language for a Development Permit Area (DPA) for marine shoreline protection and protection of development from hazardous conditions, and potential amendments to marine structure regulations.

The planner responded to trustee inquiries and comments regarding: the content and implications of the proposed DPA; marine conservation areas; and areas of hazardous slopes. Discussion ensued. The planner noted this is draft bylaw language subject to change. There will be future opportunities for suggestions for the bylaw language.

Members of the public offered questions and comments.

**GM-2021-004**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee direct staff to prepare a draft bylaw to amend Keats Island Official Community Plan Bylaw, 2002, consistent with draft bylaw language presented in Attachment 2 of the Staff Report dated February 4, 2021, with the addition of a Hazardous DPA in relation to three areas identified in the Local Trust Committee meeting of February 4, 2021.

**CARRIED**

**GM-2021-005**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee direct staff to prepare a draft bylaw to amend Keats Island Land Use Bylaw, 2002, consistent with draft bylaw language presented in Attachment 2 and Attachment 3 of the Staff Report dated February 4, 2021, and consistent with the Official Community Plan language and with the removal of any change to the M4 zone.

**CARRIED**

**GM-2021-006**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee direct staff to proceed with early referrals to First Nations under the advice of the Islands Trust Senior Intergovernmental Policy Advisor.

**CARRIED**

**11.2 Gambier Island Official Community Plan (OCP) Project**

Island Planner Eggen gave a summary of the staff report that identified preliminary objectives and scoping options for the Gambier Island Official Community Plan Review Project, and requested direction from the LTC on a preferred approach. Discussion ensued, with a focus on Table 1 on page 4 of the staff report.

**GM-2021-007**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee request staff to amend the Gambier Island Official Community Plan to reflect a semi-comprehensive OCP review that includes: forest protection and conservation of the Douglas Fir Zone and Associated Ecosystems; protection of archaeological and cultural sites; and shoreline protection and marine designations.

**CARRIED**

**GM-2021-008**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee ask staff to bring a revised Project Charter with budgets and timelines to a future Local Trust Committee meeting.

**CARRIED**

**12. CORRESPONDENCE**

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

**13. NEW BUSINESS**

**13.1 Climate Change Mitigation and Adaptation – none**

**13.2 Forest Conservation Outreach Briefing**

Received.

**13.3 Telus – Communication Installation at Gambier Harbour**

Trustees and staff discussed a Telus communication installation at Gambier Harbour. The public had raised issues about the location of two poles in the middle of the view corridor and regarding radio waves and lack of engagement with the community. Staff noted the LTC did adopt the model study referred by Telus in July 2019. Trustee Rogers will send the related Islands Trust policy to Trustee Stamford who will send it to Telus.

**13.4 Ocean Watch Action Committee**

Trustee Stamford provided an update on actions of the Ocean Watch Action Committee. The group has been working to determine ways of encouraging local governments and regulatory governments to follow through on strategies out in the Ocean Watch Strategic Plan. Trustee Stamford plans to develop a survey for communities to fill out to look at how they are following on the strategies.

**14. REPORTS**

**14.1 Trust Conservancy Report dated November 24, 2020**

The Islands Trust Conservancy (ITC) Report of November 24, 2020 was received.

Trustee Stamford provided updates on more recent ITC developments. There had been a lot of activity through the Natural Area Protection Tax Exemption Program (NAPTEP), mainly on Salt Spring Island. Regarding the Species at Risk protection initiative, the ITC is

still in the process of classifying the coordinator position with the Provincial Ministry and working on the job description, and hopes to get a support person in place by summer to get some projects moving.

Trustee Rogers noted the dedication of Sandy Beach Nature Preserve was an opportunity for people to understand the history of the Coast Salish peoples in this area.

Trustee Stamford remarked that Sandy Beach would set a precedent on how the ITC moves forward on management plans. The ITC does not want to promote the area as a recreation destination.

Regarding how ITC can support local island conservation groups, Trustee Stamford explained that ITC staff could provide basic support for projects too big for volunteers to take on regarding fundraising and getting information out to the community. There is an ITC opportunity fund that local conservancies have access to each year.

**14.2 Applications Report dated January 27, 2021**

The Applications Report dated January 27, 2021, missing from the agenda package, was sent by email to trustees, and was displayed via Zoom at 3:24 pm.

Trustee Rogers noted that GM-DVP-2002.1 may be redundant, and suggested it should be removed from applications list. Planner Dubyna will follow up.

**14.3 Trustee and Local Expense Report dated October, 2020**

Received.

**14.4 Adopted Policies and Standing Resolutions**

Received.

**14.5 First Nations Activities – none**

**14.6 Local Trust Committee Webpage – none**

**15. WORK PROGRAM**

**15.1 Top Priorities Report dated January 27, 2021**

Received.

**15.2 Projects List Report dated January 27, 2021**

Received.

**16. INFORMATION ITEMS**

**16.1 Trust Council Decision Highlights – December 1-3, 2020**

**16.2 Letter dated November 30, 2020 from Chair Luckham to Premier and Ministers regarding Development of BC Coastal Strategy and Law**

**16.3 Letter dated November 30, 2020 from Chair Luckham to The Honourable Josie Osborne, Minister of Municipal Affairs regarding request to Enhance Islands Trust's Jurisdiction Over Tree Cutting**

**17. UPCOMING MEETINGS**

**17.1 Next Regular Meeting Scheduled for Thursday, April 1, 2021 at 10:30 am – Location to be determined**

**18. CLOSED MEETING**

**18.1 Motion to Close the Meeting**

**GM-2021-009**

**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1) (d) and (f) for the purpose of considering Bylaw Enforcement and that the recorder and staff attend the meeting.

**CARRIED**

**18.2 Recall to Order – none**

**18.3 Rise and Report – none**

**19. ADJOURNMENT**

**By general consent** the meeting was adjourned at 3:27 pm.

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Sue Ellen Fast, Chair

Certified Correct:

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Diane Corbett, Recorder