



Gambier Island Local Trust Committee Minutes of Regular Meeting

Date: May 27, 2021
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
 Jaime Dubyna, Island Planner
 Sonja Zupanec, Island Planner (part)
 Marnie Eggen, Island Planner
 Wil Cottingham, Administrative Assistant
 Diane Corbett, Recorder

Also Present: Members of the Public – 5

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 10:32 am. 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 that a community information meeting and public hearing were part of today’s agenda.

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration:

- 12.1 Visual Quality Objectives regarding Logging

By general consent the agenda was approved as amended.

2.1 Rise and Report – regarding Closed Meeting held April 1, 2021

Chair Fast reported that at its closed meeting on April 1, 2021, the Local Trust Committee (LTC) adopted the closed meeting minutes of July 23, 2020 and February 4, 2021.

3. REPORTS

3.1 Trustee Reports

Trustee Stamford reported on the following:

- Participation on the Freshwater Sustainability Strategy Round Table on behalf of the Regional Planning Committee and Islands Trust Conservancy

- May 11 – Attended Sunshine Coast Intergovernmental electronic meeting, a semi-annual meeting that was hosted by School District No. 46
- Was interviewed for the Marine Reference Guide project for the upcoming World Oceans Day on June 7th
- Worked with the local census taker to develop a strategy for reaching every dwelling on Gambier
- May 12 – Participated in the Regional Planning Committee meeting
- May 5 – Attended an Ocean Wise information session regarding the new ownership regime of the Vancouver Aquarium and its impact on research projects
- May 25 – Chaired Islands Trust Conservancy meeting

Trustee Rogers reported on the following:

- Participation on Trust Programs Committee, working on the Trust Policy Statement (TPS). There has been a lot of work for staff, including a number of meetings to work through how the statement should read; this has led to debate about the objective of the Trust and what it should be focusing energies on. Two meetings are set for June. Trust Council Special Meeting on July 8 is scheduled to deal with the Trust Policy Statement.
- Sits as a representative of the Trust on the Short-Term Rental Commission for the Province. Representatives throughout BC talk about the impact of short-term rentals on communities. The Commission is starting to draft a report on its findings/recommendations.
- Howe Sound Forum at the end of April was well attended.
- Attended April 28 FireSmart presentation
- Continues to work with Keats Conservation group. They now have a list of items on which to focus going forward. Starting to work with Sunshine Coast Conservation Association.

3.2 Chair's Report

Chair Fast reported on her involvement in the following:

- Hornby Local Trust Committee May 21
- Islands Trust Conservancy meeting
- Bowen island Municipality meeting
- Executive Committee May 26; are planning June Trust Council meeting. The notice is on page 174 of this agenda. People can share views through Town Hall.
- Association of Vancouver Island and Coastal Communities (AVICC) meets May 28 to share ideas and work together
- News release (item 16.3) about the surge in development applications is region wide.

3.3 Electoral Area Director's Report – None

4. DELEGATIONS - none

5. TOWN HALL

There were no speakers for the Town Hall segment.

6. MINUTES

6.1 Local Trust Committee Meeting dated April 1, 2021

The following amendments to the minutes were presented for consideration:

- page 4, item 8.1, rewrite bullet 3 as follows:
 - There are a few developments on Gambier that existed before the Trust that represent a different type of community and not necessarily as supported as they could be. Want to accommodate existing structures on these very few lands, and don't want to see an opportunity for overall density increase. The property is representative of a small number of long-time family recreational properties, limited by their nonconforming status but an important part of the fabric of the island community. Is there a way to accommodate small existing structures on these specific properties without providing for an overall density increase for the Settlement Residential Zone?
- page 5, item 9.1, bullet 2: delete second sentence.

GM-2021-023

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee adopt the minutes of April 1, 2021 as amended.

CARRIED

6.2 Section 26 Resolutions-Without-Meeting – none

6.3 Advisory Planning Commission Minutes – none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated May 19, 2021

Received.

7.2 Letter to Sunshine Coast Regional District (SCRD) regarding Grant-in-Aid Policy pertaining to Fire Suppression and Life or Emergency Safety Equipment

The copy of the letter from the LTC Chair to the Sunshine Coast Regional District regarding Grant-in-Aid Policy pertaining to Fire Suppression and Life or Emergency Safety Equipment was received for information.

There was discussion of: letters from the Chair; the new Islands Trust process regarding review of drafts of letters from the Chair; and the location of correspondence on Islands Trust's new website. Points included:

- Make sure letters stay as stand alone items.
- As a standard, letters from the Chair end up on the local website.
- Timeliness is going to be an issue in running this past many different eyes; hope there is a way of streamlining and understanding that a lot of these letters have a tight timeline.

7.3 Islands Trust and Sunshine Coast Regional District Joint Meeting

Trustees considered potential topics for discussion with the Sunshine Coast Regional District (SCRD) that included: public docks, OCP process update, Eastbourne water system update, communications strategy, development of a fire management plan.

GM-2021-024

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to arrange a meeting with the SCRCD in the fall of 2021 and to work with Trustees to develop agenda items.

CARRIED

Discussion moved to agenda item 8 Community Information Meeting at 11:25 am until 11:54 am.

Discussion resumed with item 7.4 at 11:54 am.

7.4 Islands Trust and Metro Vancouver Joint Meeting

Trustees discussed possibilities regarding meeting with Metro Vancouver. Points from discussion included: last met in December 2019; do twice a term; meet by Zoom; get update on their OCP review and other planning items; discussion about archaeological finds and Islands Trust Reconciliation Declaration.

GM-2021-025

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee ask staff to arrange a meeting with Metro Vancouver for some time in the fall of 2021.

CARRIED

7.5 Response Letter dated April 26, 2021 from Local Trust Committee to Artificial Reef Society of British Columbia regarding New Marine Habitat Enhancement Proposal - Howe Sound letter dated March 26, 2021

The LTC response letter dated April 26, 2021 to the Artificial Reef Society of British Columbia regarding New Marine Habitat Enhancement Proposal - Howe Sound dated March 26, 2021, was received for information.

Responding to an inquiry from Trustee Stamford about the possibility of updating Islands Trust Policy on artificial reefs through the Trust Policy Statement review, Chair Fast reported that it was not within the scope of Trust Policy Statement review, which is focused on reconciliation, affordable housing and climate change.

The meeting was adjourned for a three-minute break at 11:59 am, prior to Public Hearing.

8. COMMUNITY INFORMATION MEETING

8.1 Planner Presentation – Bylaw Nos. 145, 146 and 147

Gambier Associated Islands Streamside Protection and Riparian Areas Development Permit Areas Project

Island Planner Eggen gave a presentation on Proposed Bylaw Nos. 145, 146, and 147 that pertain to the British Columbia *Riparian Areas Protection Regulation*.

The purpose of Proposed Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”, if adopted, is to amend the Gambier Associated Islands Official Community Plan Bylaw No. 109 by doing three things:

- establishing two new development permit areas for the protection of the natural environment, ecosystems and biodiversity:
 - *Development Permit Area 1: Riparian Areas* on Orchid Creek, Bowyer Island, and
 - *Development Permit Area 2: Streamside Protection* on an un-named creek at the southern end of Anvil Island. The new DPAs would require that a development permit be obtained from the Islands Trust prior to undertaking development within 30 metres of the creek.
- and updating Development Permit Area 1: Riparian Areas language to align with the recent amendments to the Provincial Riparian Areas Protection Regulation. Updates would apply to Bowyer Island, Anvil and South Thormanby Islands.

The purpose of Proposed Bylaw No. 146, (accompanying bylaw No. 145), cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017”, if adopted, is to amend the Bowyer and Passage Islands Land Use Bylaw No. 114 by including language that identifies the applicability, exemptions and guidelines to be employed for the approval of development permits prior to development taking place within proposed *Development Permit Area No. 1 Riparian Areas* which applies to lands within 30 metres of Orchid Creek on Bowyer Island. (The proposed guidelines include a requirement for an assessment report prepared by a Qualified Environmental Professional).

The purpose of Proposed Bylaw No. 147, (accompanying bylaw No. 145), cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017”, if adopted, is to amend the Gambier Associated Islands Land Use Bylaw by:

- including language which identifies the applicability, exemptions and guidelines to be employed for the approval of development permits prior to development taking place within proposed *Development Permit Area No. 2 Streamside Protection* that apply to lands within 30 metres of the creek on Anvil Island. (The proposed guidelines include a requirement for an assessment report prepared by a Qualified Environmental Professional or Registered Professional Biologist with expertise in aquatic biology); and
- updating language that identifies the applicability, exemptions and guidelines employed for the approval of development permits prior to development taking place within, already enacted, *Development Permit Area 1: Riparian Areas* that apply to lands within 30 metres of the creek on Anvil and the creek on South Thormanby Island.

Background information on the bylaws, including the slides for this presentation, have been posted to the Gambier projects webpage: <https://islandstrust.bc.ca/island-planning/gambier/projects/>

The Island Planner gave an overview of the history of the bylaw development process pertaining to these proposed riparian area protections.

The LTC gave First Reading to the proposed bylaws in late 2020, which then went out for referral; the LTC gave the bylaws second reading earlier this spring. A guide was sent out to landowners affected by the proposed bylaw amendments.

The Island Planner reviewed the bylaws, outlined current and proposed levels of protection for riparian areas, listed types of activities that would and would not require a development permit, described the legislative process, and outlined next steps the LTC could consider post-public hearing.

Both new DPAs would apply to new development going forward. A Qualified Environmental Professional (QEP) must conduct science-based assessments of activities. QEP recommendations form part of the Development Permit issued by the LTC.

Referral comments on the proposed bylaws received to date include:

- Squamish Nation – supportive
- Ministry of Transportation and Infrastructure – interests unaffected
- Ministry of Forests, Lands, Natural Resource Operations and Rural Development, responsible for the Riparian Areas Protection Regulation, confirmed Orchid Creek as Riparian Areas Protection Regulation (RAPR)-applicable and that Bylaw Nos. 145 and 146 must include RAPR requirements.

One submission was received from the public that was unsupportive of the Development Permit Area 1: Riparian Areas for Orchid Creek, Bowyer Island.

8.2 Question and Answer Session

Chair Fast inquired whether trustees had any questions; there were none.

Chair Fast called three times if there were any questions on the proposed bylaws from the public in attendance. There were no further questions.

Chair Fast thanked Island Planner Eggen for the presentation.

Items 10.1 and 10.2 were discussed prior to Public Hearing, from 11:54 to 11:59 pm.

9. PUBLIC HEARING - Bylaw Nos. 145, 146 and 147

9.1 Recess for Public Hearing

Chair Fast recessed the meeting for Public Hearing at 12:02 pm.

9.2 Recall to Order

Chair Fast recalled the meeting to order at 12:24 pm.

Discussion moved to Item 11.2 at 12:25 pm.

10. APPLICATIONS AND REFERRALS

10.1 Galiano Island Local Trust Committee Bylaw Nos. 256 and 257 - Referral Request for Response

Galiano Island Local Trust Committee Bylaw Nos. 256 and 257 - Referral Request for Response was discussed. The purpose of the bylaws was to amend the land use

designation and associated zoning within the Galiano Island Local Trust Area for a 6.14-hectare portion of the two subject properties to allow for a Spiritual Education land use.

GM-2021-026

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee respond that our interests are unaffected regarding Bylaw Nos. 256 and 257.

CARRIED

10.2 Galiano Island Local Trust Committee Bylaw No. 278 - Referral Request for Response

The referral request for response regarding the Galiano Island Local Trust Committee Bylaw No. 278, proposed to provide technical updates to the Galiano Island Land Use Bylaw, was received.

GM-2021-027

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee response to Bylaw No. 278 is that our interests are unaffected.

CARRIED

A break from 12:40 to 1:10 was followed by resumption of the agenda at item 10.3.

10.3 GM-DVP-2020.2 (The Convention of Baptist Churches of BC - 900 Keats Road, Keats Island)

Island Planner Zupanec provided an overview of a report on a Development Variance Permit (DVP) application for the siting of a new rip-rap/gravel infill retaining wall adjacent to an existing residence on proposed Strata Lot 1, District Lot 696, Keats Island. Staff recommended approval of the requested variance as it was supported by professional reports and appeared to be aligned with the intent of recently endorsed draft 'Keats Shoreline Development Permit Area Guidelines' under consideration by the LTC.

Points from discussion included:

- Sequence of relevant permitting processes of local government and Province
- Link between construction of retaining wall and proposed dock
- Questions about the decision to apply for the variance rather than moving the building back
- Settlement pattern of the island and existence of narrow waterfront lots, many with pre-1974 structures within the 7.5 metre setback
- Concern about approving requested setback from the natural boundary of the sea in light of Provincial recommendations

Applicant Monte Staats, on behalf of the owner, outlined the purpose of the application: to protect an existing older house from erosion on the bank and potential "swamping" into the water. Efforts were being made to ensure compliance with requirements and that objectives are met for Islands Trust, Squamish Nation and Federal and Provincial governments. During construction there would be an environmental monitor and archaeological professional on-site.

Challenges in moving the building included: location of the septic field right behind the house; tree location and impact of tree removal to the integrity of the foreshore; and potential impacts upon the foreshore and intertidal zone of building relocation. There would be efforts to avoid the eelgrass.

Mr. Staats responded to Trustee inquiries.

GM-2021-028

It was MOVED and SECONDED

that the draft Development Variance Permit be amended by adding paragraph 2.v. to the conditions with the following: All requirements of the Environmental Redevelopment Review attached shall be met.

CARRIED

GM-2021-029

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee approve issuance of GM-DVP-2020.2 (The Convention of Baptist Churches of British Columbia), as amended.

CARRIED

GM-2021-030

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee consider draft amendments to draft Bylaw No. 153 (OCP) and No. 154 (LUB) to increase the Development Permit Area land based buffer and setback from all new buildings and structures to the natural boundary of the sea, to a minimum of 15 metres in order to address Islands Trust Policy Statement Directive Policy 5.2.6.

CARRIED

Trustees acknowledged the difficulty Keats Island has with this setback requirement, but 15 metres is the minimum setback guideline from the Province; there is vulnerability for properties in not meeting basic guidelines for setback from the natural boundary of the sea. Earth is heading into its hottest recorded weather. Addressing climate change is a priority, and an emergency declaration of Islands Trust.

10.4 GM-DVP-2021.5 (Robitaille and Dawson - 578 Vaucroft Road, Thormanby Island)

Island Planner Dubyna reviewed the report on an application requesting a reduction in the minimum lot line setback from a private road (Vaucroft Road) on North Thormanby Island from 6.0 metres to a minimum of 1.6 metres (corrected from 0.2 metres on the draft permit) for a proposed new accessory building (sleeping cabin) that would replace an existing accessory building.

Applicant Patrick Robitaille provided background information and noted that the location of the existing structure and the septic was quite constrained.

GM-2021-031

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee amend draft GM-DVP-2021.5 in paragraph 2 to read 1.6 metres instead of 0.2 metres.

CARRIED

GM-2021-032**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee approve issuance of Development Variance Permit GM-DVP-2021.5 (Robitaille & Dawson), as amended.

CARRIED**10.5 GM-DP-2021.2 (Hughes – 987 West Bay Road, Gambier Island)**

Island Planner Dubyna discussed the staff report on a development permit application sought retroactively for development activities, including soil disturbance, tree cutting, vegetation removal, and building (or structure) construction, that had occurred within Development Permit Area 3 (DPA 3) – Riparian Areas. Construction of one accessory building and the completion of the fence and deck renovation were proposed.

It was noted that the owners had been dealing with issues around land clearing and run off from the adjacent property above, including water flowing under the house into the creek.

GM-2021-033**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee approve issuance of GM-DP-2021.2 (Hughes).

CARRIED**11. LOCAL TRUST COMMITTEE PROJECTS****11.1 Gambier island Official Community Plan Review**

Island Planner Eggen gave an overview on the proposed revised project charter for the Gambier Island Official Community Plan Review. Discussion ensued.

GM-2021-034**It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee adjust the Project Charter by editing the title to say “Gambier Island Official Community Plan Land Use Bylaw Targeted Review Project Charter”.

CARRIED**GM-2021-035****It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee adjust the objectives of the Gambier Island Official Community Plan Land Use Bylaw Targeted Review Project Charter to delete bullet “New Brighton dock” and add “Public docks”.

CARRIED**GM-2021-036****It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee amend “In Scope” by removing the second bullet and replacing it with “Land Use Bylaw amendments”.

CARRIED

GM-2021-037

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee amend the “Out of Scope” by removing bullet 1 “Land Use Bylaw amendments” in the Gambier Island Official Community Plan Land Use Bylaw Targeted Review Project Charter.

CARRIED

GM-2021-038

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee endorse the Gambier Island Official Community Plan Land Use Bylaw Targeted Review Project Charter, as amended, dated May 27, 2021.

CARRIED

Discussion moved to Item 11.2 at 12:25 until 12:40 pm.

11.2 Riparian Regulation Project – consideration of further readings

Island Planner Eggen posted a list of potential next steps for the Local Trust Committee regarding Proposed Bylaw Nos. 145, 146 and 147.

Trustees discussed the wording of the proposed bylaws and offered comments on the bylaw process that had unfolded. Thanks were extended to the Planners and their work on this file over a number of years.

Bylaw No. 145

GM-2021-039

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”, be read a third time.

CARRIED

GM-2021-040

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

GM-2021-041

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee forward Bylaw No. 145, cited as “Gambier Associated Islands Official Community Plan, 2009, Amendment No. 1, 2017” to the Minister of Municipal Affairs and Housing for approval.

CARRIED

Bylaw No. 146

GM-2021-042

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 146, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017”, be read a third time.

CARRIED

GM-2021-043

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 146, cited as “Bowyer and Passage Islands Land Use Bylaw, 2011, Amendment No. 1, 2017”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

Bylaw No. 147

GM-2021-044

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 147, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017”, be read a third time.

CARRIED

GM-2021-045

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee Bylaw No. 147, cited as “Gambier Associated Islands Land Use Bylaw, 2013, Amendment No. 1, 2017”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

Chair Fast recessed the meeting at 12:40 pm for a break, and recalled the meeting to order at 1:10 pm. Discussion resumed at item 10.3.

12. CORRESPONDENCE

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

12.1 Visual Quality Objectives Regarding Logging

Correspondence, dated May 25, 2021, from Derek Lefler, District Manager, Sunshine Coast Natural Resource District, Ministry of FLNRORD, on visual quality objectives regarding logging was received.

There will be an online forum dealing with the lower Sunshine Coast, Gambier and Nelson Islands on Tuesday, June 8, 2021 that will provide a background of Visual Management and the regulatory process, with Visual Resource Specialists available to answer questions.

13. NEW BUSINESS

13.1 Climate Change Mitigation and Adaptation – none

13.2 Annual Report – Staff Report**GM-2021-046****It was MOVED and SECONDED**

that the Gambier Island Local Trust Committee endorse the following text for inclusion in the 2020-2021 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing:

“The Gambier Island Local Trust Committee (GM LTC) held five regular business meetings in the 2020/21 fiscal year, as well as one public hearing, for a total of six meetings. Two community information meetings were held during GM LTC regular business meetings.

Work for this period focused on advancing the GM LTC priorities to implement the Riparian Area Protection Regulation across the Gambier Island Local Trust Area (Bowyer, Anvil and Passage Islands), and to increase shoreline protection on Keats Island. Work also resumed on the Gambier Island Official Community Plan review.

The GM LTC considered several reports in conjunction with two rezoning applications on Gambier Island and Keats Island. The GM LTC also reviewed one development permit and one development variance permit application.

Staff reviewed fourteen building permit referrals, four crown lease referrals, and one Board of Variance application related to development in the Gambier Local Trust Area.

The GM LTC also continued its important advocacy work across the Gambier Local Trust Area.”

CARRIED**14. REPORTS****14.1 Trust Conservancy Report – none**

Refer to item 16.1: Islands Trust Conservancy Newsletter

14.2 Applications Report dated May 19, 2021

Received.

14.3 Trustee and Local Expense Report – none**14.4 Adopted Policies and Standing Resolutions**

Received.

14.5 First Nations Activities – none**14.6 Local Trust Committee Webpage**

Discussion ensued about the placement on the Islands Trust website of correspondence from the LTC Chair.

GM-2021-047

It was MOVED and SECONDED

that the Gambier Island Local Trust Committee request staff to determine the appropriate website location for advocacy letters from the LTC chair.

CARRIED

15. WORK PROGRAM

15.1 Top Priorities Report dated May 19, 2021

Received.

15.2 Projects List Report dated May 19, 2021

Received.

16. INFORMATION ITEMS

16.1 Islands Trust Conservancy Newsletter - The Heron - Spring 2021

Received for information.

16.2 News Release - June 2021 Islands Trust Council Meeting Program Announced

Received for information.

16.3 News Release - A Surge in Development Applications slows processing time at Islands Trust

Received for information.

17. CLOSED MEETING – none

18. UPCOMING MEETINGS

18.1 Next Regular Meeting Scheduled for Thursday, July 22, 2021 at 10:30 am – location to be determined

19. ADJOURNMENT

By general consent the meeting was adjourned at 3:36 pm.

Sue Ellen Fast, Chair

Certified Correct:

Diane Corbett, Recorder