

**G A M B I E R I S L A N D**

OFFICIAL COMMUNITY PLAN BYLAW NO. 110

AS AMENDED BY GAMBIER ISLAND TRUST COMMITTEE

BYLAW: 28, 30 and 54

NOTE:

This Bylaw is consolidated for convenience only and is not to be construed as a legal document. For consistency the word "bylaw" is no longer hyphenated. In addition when an act has been cited in this document, the title of said act is in italics.

Certified copies of the Official Community Plan Bylaw are available from the Islands Trust Office, 2nd Floor, 1627 Fort St., Victoria, B.C. V8R 1H8.

*\*\*\*Note: This bylaw is repealed, except as it applies to District Lot 5925 and the remainder and south part of District Lot 477 all of Group 1 New Westminster District*

April/1995

This copy is consolidated for convenience only and includes the following

**Text Amendments only:**

<u>Bylaw Number</u>	<u>Amendment Number</u>	<u>Adoption Date</u>
Bylaw No. 28	Amendment No. 1, 1989	1990/03/31
Bylaw No. 30	Amendment No. 2, 1989	1990/03/31
Bylaw No. 54	Amendment No. 1, 1994	1995/01/11

SUNSHINE COAST REGIONAL DISTRICT

BYLAW NO. 110

\*\*\*\*\*

A BYLAW TO DESIGNATE THE COMMUNITY PLAN FOR GAMBIER ISLAND  
AS THE OFFICIAL COMMUNITY PLAN FOR THAT ISLAND,  
PURSUANT TO SECTIONS 798A, 696, AND 697 OF THE *MUNICIPAL ACT*

\*\*\*\*\*

The Board of the Sunshine Coast Regional District in open meeting assembled enacts as follows:

1. This Bylaw may be cited as "The Gambier Island Official Community Plan Bylaw No. 110, 1976".
2. The community plan attached as Schedule "A" and made a part of this Bylaw is designated as the Official Community Plan for Gambier Island.

READ A FIRST TIME THIS	25TH	DAY OF	MARCH	1976
READ A SECOND TIME THIS	29TH	DAY OF	APRIL	1976
READ A THIRD TIME THIS	15TH	DAY OF	JULY	1976
RECONSIDERED AND ADOPTED THIS	27TH	DAY OF	JANUARY	1977

H.J. Almond  
Chairperson

A.G. Pressley  
Secretary-Treasurer

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## GAMBIER ISLAND OFFICIAL COMMUNITY PLAN

### 1. PREAMBLE

Gambier Island, although close to the heavily-populated Lower Mainland, has had the good fortune to remain largely undeveloped, thus maintaining its natural beauty and recreational atmosphere for the enjoyment of residents and visitors. The Island is unique because it has a large wilderness area and no urban-type commercial facilities. Since it is a designated Island under the *Islands Trust Act* it is also a recognized part of a unique ecological and recreational resource.

### 2. PURPOSE

The purpose of the Community Plan shall be to place on record a statement about the sort of community the people of Gambier Island want to see in the future and how such a community can be achieved. It shall provide guidelines for both governmental and individual decisions regarding the future development of the Island, in accordance with the wishes of the Islanders and other citizens concerned with the Island's future. The Plan represents a commitment by the Islanders to the course of action described in the Plan, so that the Plan should constitute a resolution of existing and possible future conflicts within the community.

The Plan sets out, in general terms; the areas for various types of land and water use. It does not specify every use, nor does it define precise boundaries between permitted uses. These are left to the regulating bylaws of the Sunshine Coast Regional District, which will only be amended upon application and in conformity with the provisions of this Plan, after a public meeting.

It is recognized that the Plan is not binding upon federal and provincial agencies. Where provisions of the Plan concern matters beyond the jurisdiction of the Regional District, senior levels of government are requested:

- a) to regard them as the considered wishes of the Island community and the Regional District, and
- b) to use them as guidelines wherever possible for making decisions concerning Gambier Island.

The Plan has no fixed duration. So long as it is an accurate expression of community values and governmental willingness to carry out its provisions, it will remain unaltered. However, unforeseen circumstances or changes in attitudes or technology may make it advisable to introduce revisions. The Plan will be reviewed within three years of its implementation in order to assess its overall practicality and to evaluate its appropriateness in light of any technical information that has become available in the interim. Thereafter, the Plan will be systematically reviewed every five years. Changes to the Plan shall only be made after extensive public discussion and only when it is clear that the change enjoys widespread community support.

### **3. GAMBIER ISLAND PLANNING AREA**

The area covered by this Plan includes the following:

Gambier Island  
Grace Islands  
Alexandra Island  
Unnamed islets within 250 metres (820.3 feet) of the shoreline of Gambier Island

### **4. GOALS**

The goals of the Plan are as follows:

- 4.1 To preserve and enhance the rural character and peacefulness of the Island, and to protect its natural beauty and views.
- 4.2 To ensure that the waterfronts, beaches and waters surrounding them are preserved and kept free of pollution for the enjoyment of users and the preservation of marine life; to protect ground water supplies from contamination by effluent of any type; to preserve ground over and trees to the extent necessary to maintain the natural beauty of the Island and the ability of the soil to retain moisture, and to prevent erosion of soil and soft rocks; and in particular to preserve sufficient land and water areas in their natural state to enable wildlife, plant life and marine life of the Island to continue to exist and flourish.
- 4.3 To embody the principles of the *Islands Trust Act* and the Sunshine Coast Regional District's Goals for the Sunshine Coast, for the benefit of the people of the Region and the Province, with particular respect to the preservation of amenities and the management of growth.
- 4.4 To ensure that land uses are suitably located, compatible with surrounding uses, aesthetically attractive and in harmony with the natural environment.
- 4.5 To provide for the recreational needs of residents and visitors, of a quantity and quality consistent with the maintenance of rural tranquillity and ecological balance and subject to appropriate controls and supervision, including public access to shore, Crown land and other open space.
- 4.6 To maintain a diversified population in terms of age, income and lifestyles, and a friendly, personally-oriented community.
- 4.7 To ensure that services essential to the community's health and safety are provided in any future development of land in such a way that they do not detract from the quality of existing services.
- 4.8 To ensure that development of the Island does not exceed the ability of the foreshore to provide access and recreation.

## 5. OBJECTIVES

Future development under this Plan shall comply with the following objectives:

- 5.1 To preserve the Island's rural character and peacefulness by limiting the road system and discouraging the use of motor vehicles.
- 5.2 To secure a reasonable degree of privacy for property users.
- 5.3 To prevent air, water and visual pollution and protect Islanders from objectionable noise and odour.
- 5.4 To preserve marine, animal and bird life and designate nature preservation areas where advisable.
- 5.5 To protect watershed and catchment areas in order to prevent ground and surface water contamination.
- 5.6 To prohibit any sewage disposal system that discharges effluent into water bodies, including the sea.
- 5.7 To limit industry to labour-intensive, small scale, non-polluting activities, with priority given to servicing Island needs.
- 5.8 To prohibit extension of log booming, sorting and storage, and encourage relocation, where necessary, to produce the least environmental damage and conflict with adjacent land uses.
- 5.9 To secure a moratorium on timber licenses on Crown land for forty years.
- 5.10 To minimize adverse environmental effects, particularly erosion, any logging should use selective cutting methods. Where more than two contiguous hectares (4.941 acres) have been logged, reforestation should be mandatory, except where the cleared land is being farmed.
- 5.11 To retain land with an agricultural capability for present or future farm use.
- 5.12 To retain the non-commercial character of the Island by prohibiting commercial activity until such time as the Island's resident population clearly desire it.
- 5.13 To encourage development of separate centres of population, kept distinct from each other by a greenbelt of land left in its natural state, their location to be determined by the availability of good water access, soil suitable for drain fields or a common sewer system, and a proven supply of potable water.
- 5.14 To provide suitable areas for a variety of recreational uses, not to include any forms of recreation involving the use of motorized vehicles.
- 5.15 To protect the Island's beaches for recreational purposes.
- 5.16 To improve control of external sources of pollution by urging both provincial and federal governments to enforce existing regulations strictly and to strengthen these regulations where necessary.

## **6. POLICIES FOR THE CONTROL OF POLLUTION**

To preserve and enhance the unspoiled natural beauty and peacefulness of the Island the following policies are to be observed:

### **6.1 Sound Pollution**

is to be minimized by:

- 6.1.1. Requiring the use of mufflers on motor vehicles, boats and equipment.
- 6.1.2. Discouraging the use of motor vehicles.

### **6.2 Visual Pollution**

is to be minimized by the following measures:

- 6.2.1 Encouraging the growth of vegetation of road rights-of-way except where this interferes with ditch drainage, safety or road maintenance.
- 6.2.2 Encouraging property owners to leave a 5 metre (16.41 feet) strip of vegetation in its natural state alongside public rights-of-way.
- 6.2.3 Leaving the rights-of-way along transmission lines in their natural state as far as possible.
- 6.2.4 Discouraging unsightly tree and land clearance, and encouraging the replanting of already logged-off areas.
- 6.2.5 Ensuring that no rights-of-way are granted for regional electrical transmission or gas lines. New local service lines should use existing hydro or road rights-of way where possible.
- 6.2.6 Where practical, placing telephone, electric and any other wires and cables underground.

### **6.3 Land Pollution**

is to be minimized by:

- 6.3.1 Confining logging to small-scale operations, using appropriate management methods in order to minimize adverse environmental effects.
- 6.3.2 Retention of vegetation for a minimum of 40 metres (131.3 feet) on either side of designated creeks.
- 6.3.3 Discouraging the use of toxic chemicals for gardening and agriculture or for controlling the growth of vegetation along hydro and other rights-of-way.

- 6.3.4 Requiring that proposals that will make significant changes to topography or ground cover be supported by studies demonstrating that these changes will not lead to increased erosion.

#### **6.4 Water Pollution**

is to be minimized by:

- 6.4.1 Prohibiting the discharge of effluent into any bodies of water, including effluent from boats.
- 6.4.2 Requiring that sewage disposal systems be located and constructed so as not to contaminate groundwater, beaches or water courses.
- 6.4.3 Removing log booms from waters where there are significant changes to marine growth as a result of their presence.

## **7. POLICIES FOR COMMUNITY SERVICES**

### **7.1 Water**

- 7.1.1 The Island's designated watershed areas shall be strictly protected in order to preserve water quality and quantity.
- 7.1.2 A standard shall be established for each household of a least 1,000 litres (220 gallons) of potable water per day year round.
- 7.1.3 Community water systems will be encouraged where practicable.

### **7.2 Sewage Disposal**

- 7.2.1 The Plan endorses the regulations of the provincial Department of Health concerning sewage disposal.
- 7.2.2 Septic fields shall be at least 30 metres (98.44 feet) from any well, spring, stream, lake, or high water mark.
- 7.2.3 In cluster development where there is a concentration of houses, community disposal systems will be encouraged.
- 7.2.4 Under certain circumstances, the use of approved means of disposing of human wastes other than by septic field should be encouraged.

### **7.3 Solid Waste Disposal**

- 7.3.1 A managed dump should not be established until the number of permanent residents in the area to be served is large enough to warrant the expense involved. In the meantime, solid waste should be disposed of in accordance with the appropriate health regulations.

### **7.4 Transportation (roads, lanes and pathways)**

A key factor in maintaining the rural character and peacefulness of the Island is discouragement of the use of motor vehicles. To this end the following policies are to be observed:

- 7.4.1 Development of an island perimeter road or expansion of the connected road system on the Island should not occur. However, it is recognized that additional road allowances may be necessary for access purposes.
- 7.4.2 Existing roads should not be widened nor is it desirable that the full width of road allowances be cleared. Where new road allowances are created, the following maximum widths are desirable:

1. roads 12 metres (39.38 feet)
2. lanes 6 metres (19.69 feet)

7.4.3 The provision of footpaths, bridle paths and non-motorized bike trails should be encouraged.

## **7.5 Transportation (ferry service)**

7.5.1 A car ferry should not be provided.

7.5.2 Ferry schedules should be drawn up in consultation with the Island residents.

## **7.6 Fire Protection**

7.6.1 The volunteer Fire Department established on the Island should be maintained and supported since it is the most effective way of providing service to the present population.

7.6.2 Fire protection should be extended as soon as practicable to those residential areas not currently served.

7.6.3 Proposals for new residential development should include provisions for housing fire fighting equipment and for emergency water storage.

7.6.4 Extra fire protection must be provided during the recreation season when recreation facilities are made available to the non-island public.

## **7.7 Public Safety**

7.7.1 The laws prohibiting the operation of unlicensed or unsafe motor vehicles and the abandonment of unwanted vehicles should be strictly enforced, since violations are increasing and pose a threat to public safety.

7.7.2 Adequate police protection must be available during the recreation season when recreational opportunities are provided for the non-island public.

## **7.8 Medical and Community Care Services**

7.8.1 Community care facilities such as health centres, home nursing and housing for the elderly from the Island should be established as the need is demonstrated.

## **7.9 Education**

- 7.9.1 Until the child population of the Island warrants construction of a school, residents wishing to use alternative educational programmes that do not require children to attend school off the Island should be free to do so.

## **8. POLICIES GOVERNING LAND USE**

### **8.1 Criteria for Determining Land and Foreshore Use**

The following criteria shall be applied in the allocation of land to the use categories in paragraph 8.2 below. The same criteria shall be considered paramount in the review and revision of the local regulation of any part of Gambier Island.

#### **8.1.1 Soil Conditions with particular reference to**

- a) stability
- b) drainage
- c) slope and topography
- d) suitability for farming or horticulture
- e) ability of the soil to absorb effluent.

#### **8.1.2 Availability of adequate potable water.**

#### **8.1.3 Existing lawful use of land.**

#### **8.1.4 Prevention of pollution in all its forms.**

#### **8.1.5 The desirability of avoiding incompatible adjacent uses.**

#### **8.1.6 Protection of sensitive wildlife habitat, especially in inter-tidal and estuarine areas.**

#### **8.1.7 Prevention of continuous strip development outside the present areas of settlement by maintaining substantial greenbelts between one area of development and another.**

### **8.2 Categories of Land Use**

The following land use categories are authorized, their location to be indicated on the Plan map.

#### **8.2.1 Residential**

##### **8.2.1.1 The following residential densities are authorized:**

- a) An average parcel size of not less than 2 hectares (4.941 acres) in new subdivisions, with a minimum parcel size of .5 of a hectare (1.236 acres).
- b) An average parcel size of not less than 4 hectares (9.882 acres) in new subdivisions, with a minimum parcel size of .5 of a hectare (1.236 acres).

8.2.1.2 In new residential development the following should be required:

- a) Proof of a potable water supply of at least 1,000 litres (220 gallons) per day per dwelling year-round for all parcels to be created that are less than 2 hectares (4.941 acres) in size.
- b) Approved sewage disposal facilities.
- c) Where electricity is generated locally, noise and other forms of pollution from a generating plant should be kept to an absolute minimum. If B.C. Hydro supplies power, it should be brought in by submarine cable where appropriate and feasible.
- d) In areas not within the existing road system, where practical access to the development shall be by water only and proper water access facilities shall be considered an integral part of the development. The subdivision's road system should link all parcels to the water access point, thus ensuring ease for the residents in transferring goods and supplies. It is recommended that a site be provided for a building to house equipment for a volunteer fire department.
- e) Where shorefront public access is required, it must be readily usable by the public. If necessary these accesses should be consolidated to achieve this objective.
- f) Where part of a proposed development includes archaeological sites or nature preservation areas, it is desirable that this part be set aside and protected from intrusion of housing and the general activities of the development.
- g) Dwellings should be set back at least 20 metres (65.63 feet) from high water mark.
- h) In addition, the planning and layout of a development shall comply with one of the following:
  - 1. Lot sizes determined by an established average density, with a set minimum size; or
  - 2. Strata title or corporate ownership arrangements whereby building lots are clustered, leaving a large balance of land not built on and held in common by the residents.

## **8.2.2 Watersheds**

- 8.2.2.1 To protect future sources of domestic water, designation of watershed boundaries is a high priority among the studies to be undertaken. It is expected that the watershed areas will include all land over 150 metres (492.1 feet) in height.
- 8.2.2.2 Protection of the watersheds, catchment areas and water courses shall take precedence over all other land uses within such areas. Regardless of the watershed boundaries that are designated, this provision applies to Gambier Lake, Gambier Creek, West Bay Creek, Whispering Creek; Mannion Creek and those unnamed creeks flowing into Andys, Centre and Long Bays.
- 8.2.2.3 Watershed areas are not to be zoned for residential use.
- 8.2.2.4 Logging or other soil-disturbing activities shall be prohibited within 40 metres (131.3 feet) of any lake or creek within a designated watershed.

## **8.2.3 Public Recreation Areas**

- 8.2.3.1 Gambier Island, because of its close proximity to a large urban population, should be largely reserved for public recreational use. Such use, however, must be adequately supervised, and all park facilities properly maintained, particularly where overnight camping is permitted.

### **8.2.3.2 Interior Park**

A non-vehicular park should be established in the interior of the Island, centred on Gambier Lake and to include Mounts Liddell and Killam.

### **8.2.3.3 Marine Parks**

Most of the shore line is privately owned even though much of it is undeveloped. Waterfront suitable for public use must be identified without delay and purchased where necessary for marine parks.

The development of marine parks on Gambier Island should be part of an overall marine recreational plan for Howe Sound. The uses of each site should relate to the total recreation system with some sites used as access to the interior with provision for small boat docking only, some used for day-use picnic areas and others as overnight marine parks. Each site must have proper facilities for disposing of sewage and other wastes from boats, picnickers, etc.

The Provincial Parks Branch, in co-operation with other concerned planning authorities, is urged to prepare discussed with the various islands and communities in and around Howe Sound.

The following sites should be considered for marine parks:

- (a) Douglas Bay
- (b) Ekins Point
- (c) South of Andys Bay
- (d) Halkett Bay

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#### 8.2.3.4 Local Area Parks

Local area parks may be established to serve primarily the parks and recreation needs of residents and property owners in the vicinity.

#### 8.2.3.5 Access Trails

The interior park should be linked to the shoreline by maintained trails in designated corridors 80 metres (262.6 feet) in width. These trails should provide access from Douglas Bay, Ekins Point, Andys Bay, and New Brighton via Andys Bay road.

#### 8.2.3.6 Beach Access

Where good beach areas are rendered inaccessible by off-shore log booms, these booms should be removed in the very near future.

### 8.2.4 **Nature Preservation Areas**

8.2.4.1 These are areas of particular sensitivity where development should be discouraged in order to protect important natural features. Removal of natural vegetation should not be permitted within these areas, except where they have been designated farmland.

8.2.4.2 Salmon spawning streams, as identified by the Federal Department of Fisheries, and other streams containing sport fish, shall be protected by requiring a 40 metre (131.3 feet) "leave strip" on either side of such streams.

### 8.2.5 **Forest Areas**

- 8.2.5.1 Forest areas shall include all Crown land currently under timber license and any such land that is leased for the growing and harvesting of forest crops in the future.
- 8.2.5.2 Sound forest management practices should be observed at all times in order to prevent erosion, preserve water supplies and ensure healthy renewal of the forest crop. Particular attention should be paid to reforestation.
- 8.2.5.3 Access for recreational purposes should be encouraged.
- 8.2.5.4 No building or structures shall be constructed in the area, other than those required for fire protection, timber removal operations, or public recreation purposes.

**8.2.6 Farmland**

- 8.2.6.1 To preserve as much farmland as possible for future generations, land considered by the B.C. Land Commission to be capable of sustaining present or future food production is to be protected from any development that would reduce that capability. In particular, top soil shall not be removed from designated farmland areas except in accordance with the provisions of the *Soil Conservation Act*.
- 8.2.6.2 The re-establishment of farming as a viable Island industry should be encouraged.
- 8.2.6.3 In designated farmland areas the minimum lot size shall be 4 hectares (9.882 acres) or such higher minimum as may be determined by the Provincial Land Commission.

**8.2.7 Private and Public Institutional**

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8.2.7.1 Private Institutional

The three summer camps operated by non-profit organizations afford an excellent opportunity for off-island groups to experience the Island's beauty, rural lifestyle and recreational opportunities, and should be encouraged. Any expansion of facilities should be rural in character and comply with the provincial sewage disposal regulations.

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8.2.7.2. Public Institutional

These areas are to be utilized for community or public service uses as such needs arise.

### **8.2.8 Extractive Industry**

- 8.2.8.1 Altering the landscape by extracting minerals for gravel is not in keeping with preserving the rural character and natural beauty of the Island. However, it is recommended that small-scale gravel extraction be allowed in designated areas to serve Island needs.
- 8.3.8.2 Gravel extraction should only be permitted if it does not create erosion or drainage problems, and provided an acceptable plan of reclamation has been submitted.
- 8.2.8.3 Gravel extraction from the Island's beaches shall be prohibited.
- 8.2.8.4 Removal of topsoil for commercial purposes shall not be permitted.

### **8.2.9 Commerce**

- 8.2.9.1 No land has been set aside in the Plan for commercial use. However, it is recognized that if the Island's year-round population, especially of elderly people, continues to grow, a general store will be increasingly desirable. To establish a store a change in zoning would be necessary, which would mean that the matter would be discussed at the public hearing that is required prior to rezoning. Such rezoning should be in compliance with the provisions of this Plan.
- 8.2.9.2 Other commercial activities would not be in keeping with the Island's character and should not be permitted at this time.

### **8.2.10 Light Industrial**

- 8.2.10.1 These are areas set aside for small-scale light industry. Such industry should be:
  - non-polluting and suitably screened from public view
  - labour-intensive in relation to the amount of land being used
  - established primarily to service Island needs.
- 8.2.10.2 Any use under this category should require a change in zoning and thus be subject to a public hearing. Such rezoning should be in compliance with the provisions of this Plan.

### **8.2.11 Residual Areas**

Residual areas of land shall have a 20 hectare (49.41 acres) minimum lot size.

**9. TEMPORARY COMMERCIAL AND INDUSTRIAL USE PERMITS**

Pursuant to Section 975 of the *Municipal Act*, R.S.B.C., 1979, Chapter 290, as amended, the Gambier Island Trust Committee may designate areas where temporary commercial and industrial uses may be allowed and where Temporary Commercial and Industrial Use Permits may be issued, upon the application of an owner of land.

**9.1 Designation of Temporary Commercial and Industrial Use Permit Areas**

Lands identified in Schedule "B" by means of maps or lists are designated as areas for which Temporary Commercial and Industrial Use Permits may be issued. Schedule "B" also specifies the land uses for which a permit may be issued.

**9.2 Criteria for Temporary Commercial and Industrial Permit Designation**

Applications for Temporary Commercial and Industrial Use Permits considered by the Gambier Island Trust Committee shall specify the purposes for which the permit is sought, including the nature of all proposed temporary commercial or industrial land uses. The Trust Committee shall examine each application for a permit with regard to the policies contained within this plan.

**9.3 Areas Designated as Temporary Commercial and Industrial Use Permits and Land Uses for Which Permits May Be Issued - Schedule "B"**

SCHEDULE "B"

<u>Designated Area</u>	<u>Land Use for Which Temporary Permit May Be Issued</u>
Foreshore and adjacent waters as shown on Map No. 1, forming part of this Schedule.	siting, construction, and operation of log dumps for logs originating from Gambier Island.

**SCHEDULE "B"**

**Map No. 1**