

File No.: 6500-20 (Keats Island
Shoreline Protection Project)

DATE OF MEETING: November 19, 2020
TO: Gambier Island Local Trust Committee
FROM: Jaime Dubyna, Planner 2
Northern Team
SUBJECT: Keats Island Shoreline Protection Project – Project Charter

RECOMMENDATION

1. That the Gambier Island Local Trust Committee endorse the 'Keats Island Shoreline Protection' Project Charter v.1, dated November 19, 2020.
2. That the Gambier Island Local Trust Committee deem 'Phase 2' of the Keats Island Shoreline Protection Project to be complete and amend the Top Priorities item to read, "Keats Islands Shoreline Protection Project Phase 3".

REPORT SUMMARY

The purpose of this report is to request that the Gambier Island Local Trust Committee (LTC) consider endorsing a draft project charter for 'Phase 3' of the 'Keats Island Shoreline Protection' project. The draft project charter outlines the process to establish a Shoreline Development Permit Area (DPA) and to develop potential land use bylaw amendments to restrict marine structure size and type in marine areas for Keats Island.

BACKGROUND

'Phase 2' of the project included a review and update of the relevant Keats Island Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations, and the establishment of a Working Group made up of eight (8) community members. The Working Group provided the LTC with recommendations for the project, which are summarized in the [staff report](#) dated October 1, 2020. Staff consider 'Phase 2' to be substantially complete and have recommended that the project proceed to 'Phase 3'.

The following resolutions were passed by the LTC at their October 1, 2020 business meeting:

GM-2020-031

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee request staff revise the 'Keats Island Shoreline Protection' Project Charter to reflect our direction to establish a Shoreline Development Permit Area.

CARRIED

GM-2020-032

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee request staff prepare draft bylaw language for the purpose of establishing a Shoreline Development Permit Area or the purpose of protecting the natural environment, its ecosystems and biological diversity, and to protect development from hazardous conditions.

CARRIED

GM-2020-033

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee request staff explore whether a Development Permit Area can restrict the proliferation of development in the marine area.

CARRIED

GM-2020-034

It was MOVED and SECONDED,

that the Gambier Island Local Trust Committee request staff develop potential Land Use Bylaw amendments to restrict wharf size, ramp size, type and size of access ramps and stairs, and mooring buoy anchor systems.

CARRIED

PROJECT CHARTER

Staff have prepared a draft project charter to reflect LTC direction for a third phase of the Keats Island Shoreline Protection project. The objectives of the project are to improve protection of the Keats Island shoreline, increase protection of development from hazards, and to update regulations for marine structures. To achieve these objectives, the Keats Island Official Community Plan (OCP) and Land Use Bylaw (LUB) will need to be amended in order to designate a Shoreline DPA and establish effective development permit guidelines, and include potential amendments to regulations related to marine structures. The draft project charter is found in Attachment 1.

ANALYSIS

Statutory Requirements and Consultation

Amending the OCP and LUB will be required to follow the statutory process for bylaw amendments, including holding a public hearing in accordance with the *Local Government Act (LGA)*. In accordance with the *Islands Trust Act*, the amendment bylaws must be approved by the Islands Trust Executive Committee, and the bylaw amending the OCP must be approved by the Minister of Municipal Affairs and Housing before final adoption by the LTC.

As the project would involve an OCP amendment, the LTC is required by the *LGA* to also consider opportunities for consultation with persons, organizations and authorities it considers will be affected.

The Workplan Overview in the draft project charter reflects the statutory requirements for bylaw adoption and no additional public consultation:

April 2021	July 2021	September 2021	November 2021	December / January/February 2022
1 st Reading of bylaw and referrals to First Nations and agencies	LTC consideration of referral responses / 2 nd Reading	CIM & Public Hearing	LTC Consideration of 3 rd Reading	Referral to EC and Ministry of Municipal Affairs

The LTC has the discretion to include additional public consultation as part of the project; options include a second Community Information Meeting or an open house, ongoing consultation with the Working Group, or distribution of communication materials. Staff note that consideration of additional consultation should take into account project budgets as well as staffing resources. The LTC should consider if it wishes to undertake additional consultation and direct staff accordingly by requesting amendments to the draft Project Charter.

Rationale for Recommendation

The draft project charter reflects LTC direction to establish a Shoreline DPA and to develop potential land use bylaw amendments for marine structures. Staff are recommending the LTC endorse the draft project charter, as per the recommendation found on Page 1 of this report.

ALTERNATIVES

1. Amend the project charter

The LTC may request further changes to the project charter. If significant changes are made to the project charter as presented, staff will need to bring back a revised timeline, workplan overview and budget for review. Recommended wording for the resolution is as follows:

That the Gambier Island Local Trust Committee amend the ‘Keats Island Shoreline Protection’ project charter by (specific details to be provided by the LTC) and endorse the project charter as amended.

NEXT STEPS

Once the project charter has been endorsed by the LTC, staff will proceed with a workplan and request funding confirmation, along with preparation of draft bylaw language.

Submitted By:	Jaime Dubyna Planner 2	November 4, 2020
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	November 10, 2020

ATTACHMENTS

- 1. Project Charter, dated November 19, 2020

Keats Island Shoreline Protection 'Phase 3' – Project Charter v.1 **DRAFT**

Gambier Island Local Trust Committee

Date: November 19, 2020

Purpose: The Gambier Island Local Trust Committee (LTC) seeks to establish a Shoreline Development Permit Area (DPA) for the purposes of protecting the natural environment, its ecosystems and biological diversity, and protecting development from hazardous conditions; and to develop potential land use bylaw amendments to restrict the size and type of identified marine structures.

Background: 'Phase 1' of this project involved community consultation to solicit input on policy, regulation and voluntary stewardship options to address shoreline protection on Keats. 'Phase 2' established a community Working Group to discuss the project and provide recommendations to the LTC, which included establishment of a Shoreline DPA. A Shoreline DPA aligns with Islands Trust Policy Statement (ITPS) direction to protect sensitive coastal areas and coastal processes, and identify areas hazardous to development; and Keats Island Official Community Plan (OCP) policies that support environmental and rural conservation on Keats.

Objectives

- Improve the protection of Keats Islands' shoreline and foreshore areas, including sensitive ecosystems and species at risk;
- Increase protection of development from sea level rise and flood hazards;
- Update marine structure regulations.

In Scope

- Amend the Keats Island OCP by designating a Shoreline Development Permit Area and guidelines for the marine and near shore areas of Keats Island;
- Amend the Keats Island Land Use Bylaw for marine zones to restrict marine structure size and type (wharves, ramps, mooring buoys), in accordance with best practices for marine structures.

Out of Scope

- Amendments to the setback from the natural boundary of the sea.
- Proposed new OCP designations or LUB zones.
- Proposed heritage conservation areas.
- Flood Protection Bylaw.

Workplan Overview

Deliverable/Milestone	Date
LTC endorsement of Project Charter	November 2020
Staff prepare draft bylaw language, LTC consideration of draft bylaw language	February 2021
LTC consideration of 1 st reading, bylaw referrals to First Nations, Agencies and adjacent LTAs	April 2021
<i>Legal Review (discretionary)</i>	May / June 2021
LTC consideration of referral responses, legal review and 2 nd Reading	July 2021
Community Information Meeting & Public Hearing	September 2021
3 rd reading of proposed bylaws, Executive Committee approval	Nov/Dec 2021
Ministerial approval, adoption of bylaw amendments, distribution of communication materials	January/February 2022
LTC Adoption of bylaws	Spring 2022

Project Team

Planner 2	Project Manager
Regional Planning Manager	Project Sponsor
Legislative Clerk	Administrative Support
GIS Department	Mapping Support
RPM Approval: Date:	LTC Endorsement: Resolution #: Date:

Budget

Budget Sources:		
Fiscal	Item	Cost
2020-2021	Legal Review (<i>discretionary</i>)	\$3000
2020-2021	CIM, Public Hearing notice	\$2000
	Total	\$5000 (*pending approval)

PROJECT CHARTER WORK PLAN OVERVIEW			
Meeting	Deliverable/Milestone	Target Date	Cost
LTC regular business meeting	Revised project charter to LTC for consideration	November 19, 2020	n/a
LTC regular business meeting	Staff present draft bylaw language to LTC for consideration	February 2021	n/a
LTC regular business meeting	LTC consideration of 1 st reading, LTC direct staff to send bylaw referrals to First Nations, Agencies and adjacent LTAs	April 2021	n/a
n/a	<i>Legal review of draft bylaws (discretionary)</i>	<i>May / June 2021</i>	<i>Approx. \$3000 (pending approval)</i>
LTC regular business meeting	LTC consideration of referral responses and consideration of 2 nd Reading	July 2021	n/a
CIM, Public Hearing	Community Information Meeting and Public Hearing* <i>*alternative option to hold CIM & PH between 1st and 2nd reading</i>	September 2021	Approx. \$2000 <i>(pending approval)</i>
LTC regular business meeting	LTC consideration 3 rd reading of proposed bylaws	November 2021	n/a
Executive Committee meeting	Executive Committee approval	December 2021	
LTC regular business meeting	Ministerial approval	January / February 2022	n/a
LTC regular business meeting	LTC adoption of bylaws	Spring 2022	
TOTAL			\$5000 (pending approval)