

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

DATE OF MEETING: July 22, 2021  
TO: Gambier Island Local Trust Committee  
FROM: Jaime Dubyna, Island Planner  
Northern Team  
SUBJECT: Keats Island Shoreline Protection Project 'Phase 3' – Draft Bylaws No. 153 and 154

## RECOMMENDATION

1. That the Gambier Island Local Trust Committee Bylaw No. 153, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2021”, be read a first time.
2. That the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 153, cited as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2021”, is not contrary or at variance with the Islands Trust Policy Statement.
3. That the Gambier Island Local Trust Committee Bylaw No. 154, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021”, be read a first time.
4. That the Gambier Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 154, cited as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021”, is not contrary or at variance with the Islands Trust Policy Statement.
5. That the Gambier Island Local Trust Committee request staff to refer Bylaw No. 153 and 154 to the following agencies and First Nations:
  - a. Ministry of Forests, Lands, Natural Resource Operations and Rural Development, Sunshine Coast Regional District, Islands Trust Conservancy, Lasqueti Island Local Trust Committee, Gabriola Island Local Trust Committee and Galiano Island Local Trust Committee.
  - b. Squamish Nation, Tsleil-Waututh Nation, Musqueam Nation, Sechelt First Nation, Halalt First Nation, Penelakut Tribe, Lake Cowichan First Nation, Cowichan Tribes, Stz’uminus First Nation, Lyackson First Nation, Snaw’Naw’As Nation and Te’Mewx Treaty Association.
6. That the Gambier Island Local Trust Committee endorse the revised ‘Keats Island Shoreline Protection Phase 3’ Project Charter v.1 dated July 22, 2021.

## REPORT SUMMARY

The Gambier Island Local Trust Committee (LTC) is asked to consider draft Bylaw Nos. 153 (OCP) and 154 (LUB), which would amend the Keats Island Official Community Plan (OCP) and Land Use Bylaw (LUB), respectively, to establish a new Shoreline Development Permit Area (DP-3) and amend siting regulations in relation to the setback from the natural boundary of the sea, and marine structure regulations.

The draft bylaws have been developed in accordance with LTC direction, OCP policies and the project charter (see Attachment 1).

Staff are recommending the LTC consider giving the bylaws first reading and direct staff to proceed with referrals to First Nations and agencies.

## **BACKGROUND**

Draft Bylaw Nos. 153 (OCP) and 154 (LUB) were presented to the LTC at the April 1, 2021 regular business meeting. The LTC provided staff with amendments to the draft bylaws, and passed the following resolution at that meeting:

### **GM-2021-018**

**It was MOVED and SECONDED,**

that the Gambier Island Local Trust Committee direct staff to forward Draft Bylaw Nos. 153 and 154 to Squamish Nation and Tsleil-Waututh Nation for early review and comment.

**CARRIED**

Early notification of the draft bylaws were sent to Squamish Nation on May 6, 2021, and Tsleil-Waututh Nation on May 3, 2021. At the time of this report, staff have received comments from Tsleil-Waututh Nation. These comments are discussed on page 10 of this report.

At the May 27, 2021 regular business meeting, during discussion of Development Variance Permit application GM-DVP-2020.2, which proposed to construct a structure (sea wall) within the setback from the natural boundary of the sea, the LTC passed the following resolution:

### **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**

Copies of the draft Bylaw Nos. 153 and 154 are found in Attachments 2 and 3.

## **ANALYSIS**

### **Policy/Regulatory**

#### ***Local Government Act***

The authority to designate a development permit area (DPA) in an official community plan (OCP) for the purpose of protecting the natural environment, its ecosystems and biodiversity, and protecting development from hazardous conditions, is granted through Section 488(1) of the *Local Government Act* (LGA). Pursuant to Section 489 of the LGA, the following prohibitions apply unless an exemption applies, or the owner first obtains a development permit:

- Land within the DPA must not be subdivided;
- Construction of, addition to or alteration of a building or other structure must not be started; and
- Land must not be altered.

Pursuant to Section 479(1) of the LGA, a local government may, by bylaw, regulate the density and use of land, buildings and other structures, and the siting, size and dimensions of buildings, other structures and uses that are permitted on the land.

### ***Islands Trust Policy Statement***

The Islands Trust Policy Statement (ITPS) provides the guiding policy framework for the development of LTC OCPs and Land Use Bylaws (LUBs). Staff have completed the ITPS Directive Policies Checklist and determined the draft Bylaw Nos. 153 and 154 are not contrary to or at variance with the ITPS (see Attachment 4 and 5).

### ***Official Community Plan***

As described in the [Discussion Paper](#), dated June 2020, the Keats Island OCP provides numerous policies that support the protection of the natural environment, and specifically that support protecting natural features and processes and maintaining the integrity of the foreshore and shoreline areas.

OCP Policy 4.20 supports maintaining the integrity of foreshore and shoreline features, and intertidal processes by regulating waterfront development to be setback sufficiently to allow natural erosion and accretion processes, without endangering structures.

OCP Policy 4.21 supports minimizing impacts to sensitive coastal environments and protecting public access to, from and along the shoreline by regulating the siting of new buildings and structures.

### **Issues and Opportunities**

Staff have identified the following for LTC consideration:

- Summary of draft Bylaw No. 153 (OCP)
- Shoreline Maps
- Summary of draft Bylaw No. 154 (LUB)
- Setback from the Natural Boundary of the Sea
- Other Permitted Marine Related Structures
- Mooring Buoys
- First Nations – Early Review and Comment

### **Draft Bylaw No. 153 (OCP)**

Draft Bylaw No. 153 would amend the Keats Island Official Community Plan (OCP) Bylaw No. 77 to establish a new Development Permit Area 3: Shoreline (DP-3), for the purpose of protecting the natural environment, its ecosystems and biodiversity, and to protect development from hazardous conditions.

A copy of draft Bylaw No. 153 was presented to the LTC at the April 1, 2021 regular business meeting, where minor amendments were made by the LTC.

At the May 27, 2021 regular business meeting, the LTC resolved to consider draft amendments to draft Bylaw No. 153 that would increase the land-based area of the DP-3 for all new buildings and structures to 15 metres upland of the present natural boundary of the sea. Staff have amended draft Bylaw No. 153 to reflect LTC direction.

Amendments to draft Bylaw No. 153 since the April 1, 2021 regular business meeting are as follows:

Section	Previous Language in draft Bylaw No. 153	Amendments made to draft Bylaw No. 153 (shown in bold)
.3 DEVELOPMENT PERMIT AREA 3: SHORELINE Location	(paragraph 2) The Shoreline Development Permit Area applies to all land measured 7.5 metres upland of the present natural boundary of the sea, the foreshore area and all that area of land covered by water between the natural boundary of the sea and a line drawn parallel to and 100 metres seaward of the natural boundary of the sea.	(paragraph 2) The Shoreline Development Permit Area applies to all land measured <b>15</b> metres upland of the present natural boundary of the sea, the foreshore area and all that area of land covered by water between the natural boundary of the sea and a line drawn parallel to and 100 metres seaward of the natural boundary of the sea.
.3 DEVELOPMENT PERMIT AREA 3: SHORELINE Justification	(paragraph 6) The subdivision and development of these parcels may, cumulatively, have a detrimental impact on the 13.72 km of shoreline habitat and function.	(paragraph 6) The subdivision and development of these parcels <b>in combination with the development that has already occurred</b> , may, cumulatively, have a detrimental impact on the 13.72 km of shoreline habitat and function.
.3 DEVELOPMENT PERMIT AREA 3: SHORELINE Justification	(paragraph 7) In 2013, approx. 9% of the Keats shoreline was identified to have been structurally altered by development, principally by boat ramps, seawalls, rip rap and revetments.	(paragraph 7) In 2013, approx. 9% of the Keats shoreline was identified to have been <b>modified by 30% or more by development</b> , principally by boat ramps, seawalls, rip rap and revetments.
Schedule 2, Plan No. 1	<i>Map amended.</i>	<b><i>Map amended to show the land-based area of DP-3 measured 15 m upland of the natural boundary of the sea.</i></b>

A copy of draft Bylaw No. 153 is found in Attachment 2.

#### Shoreline Maps

At the April 1, 2021 meeting, the LTC requested clarification on the following statement in paragraph 7 of the “Justification” section of draft Bylaw No. 153:

*“In 2013, approx. 9% of the Keats shoreline was identified to have been structurally altered by development, principally by boat ramps, seawalls, rip rap and revetments.”*

This information comes from [Shoreline Maps](#) prepared for the Islands Trust in 2011 (published in 2013) to broaden understanding of natural shoreline features and systems across the Gulf Islands. The “structurally altered” shorelines were identified separately from natural shoreline classifications (i.e. boulder/cobble, low-rock/boulder,

pebble/sand, sea cliff) to show that while modified, there were still natural shorelines present. The [project methodology](#), dated September 2011, provides the following:

*“For the purposes of the map inset graphic, 30% was selected as the minimum alteration within a given ShoreZone shore unit as the criterion for inclusion of shore units on the inset map (“30% modified” means that for the shoreline units illustrated, more than 30% of a given shoreline unit’s length has been structurally altered in some way, generally through the installation of riprap walls, groynes, breakwaters, seawalls, wharf or other typical shoreline modifications). The 30% criterion provided an effective graphic representation of areas along the shoreline that had the most intensive shoreline development. A higher percentage eliminated significant shore modifications from displaying, and a lower percentage resulted in the display of a larger number of insignificant alterations at an island scale.”*

While the methodology is not clear on whether docks were included, it does include boat ramps, wharves and “other typical shoreline modifications”. According to Islands Trust mapping and orthophotos, the areas identified as 30% modified appear to correspond with areas of Keats Island where there is a high density of existing docks, specifically within Plumper Cove, along the shoreline of the leaseholder lots of District Lot 696 and in parts of Melody Point. See Figure 1.

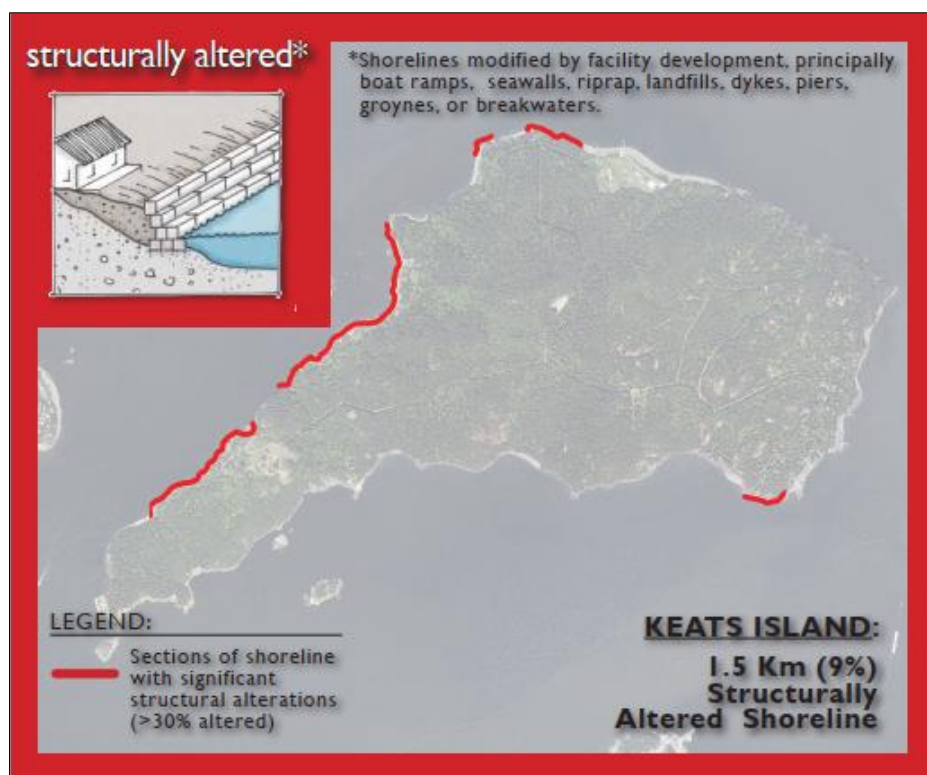


Figure 1. Inset map of Shoreline Map, Keats Island, 2013.

#### Draft Bylaw No. 154 (LUB)

Draft Bylaw No. 154 would amend the Keats Island Land Use Bylaw No. 78 (LUB) for marine structure regulations, including:

- Reducing the area, number and types of structures in the setback from the natural boundary of the sea;
- Increasing the setback from the natural boundary of the sea;

- Increasing setbacks between neighbouring private floats and docks, and between lot lines;
- Reducing the maximum area of dock floats in the marine-based area;
- Reducing dock ramp width.

Draft Bylaw No. 154 also includes DP-3 applicability, exemptions and guidelines.

A copy of draft Bylaw No. 154 was presented to the LTC at the April 1, 2021 regular business meeting, where minor amendments were made by the LTC.

At the May 27, 2021 regular business meeting, the LTC resolved to consider draft amendments to draft Bylaw No. 154 that would increase the setback from the natural boundary of the sea for all new buildings and structures to a minimum of 15 metres upland of the present natural boundary of the sea. Staff have amended draft Bylaw No. 154 to reflect LTC direction.

Amendments to draft Bylaw No. 154 since the April 1, 2021 regular business meeting are as follows:

Section	Previous Language in draft Bylaw No. 154	Amendments made to draft Bylaw No. 154 (shown in bold)
Part 1, Section 1.5 Definitions, Subsection 1.5.1	<i>n/a</i>	Definition added for “platform”:  <b><i>platform</i> means an unenclosed flat surface raised from the ground to serve for the loading and offloading of materials and supplies.</b>
Part 2, Section 2.7 Measurement of Setbacks, Subsection 2.7.3	<i>n/a</i>  <i>Current Subsection 2.7.3 provides:</i>  No building or structure except platforms not exceeding a combined floor area of 10 square metres, a permitted boathouse, pump/utility house, or stairs, or walkways required to access the foreshore or a permitted float, dock, wharf, or other permitted marine related structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (24.6 feet) of the natural boundary of the sea.	<b>No building or structure except a platform with a maximum area of 5 square metres, or a set of stairs or a walkway for the purposes of accessing the foreshore or a permitted float, dock, wharf or other permitted marine related structure, may be constructed, reconstructed, moved, extended or located within 15 metres (49.2 feet) of the natural boundary of the sea.</b>
Part 2, Section 2.7 Measurement of Setbacks, new Subsection 2.7.7	Private floats and docks shall not be sited or extended towards the sea beyond 30 metres from the present natural boundary of the upland parcel.	<i>Removed.</i>

Part 2, Section 2.7 Measurement of Setbacks, existing Subsection 2.7.6	Renumbered to Subsection 2.7.8.	Renumbered to Subsection <b>2.7.7</b> .
Appendix 1, 9.3.2 Exemptions	b) Repair, maintenance or alteration of pre-existing lawful buildings, structures or utilities, except for shoreline protection structures, provided there is no alteration of undisturbed land or vegetation and that they are entirely within the existing footprint;	b) <b>Repair and maintenance</b> of pre-existing lawful buildings, structures or utilities, except for shoreline protection structures, provided there is no alteration of undisturbed land or vegetation and that they are entirely within the existing building or structure footprint;
Appendix 1, 9.3.2 Exemptions	c) The installation of a mooring buoy;	<i>Removed.</i>
Appendix 1, 9.3.2 Exemptions	<i>Replaces “c” above.</i>	c) <b>Construction, reconstruction or repair of the following structures sited within the setback from the natural boundary of the sea:</b> i. <b>A platform not exceeding 5 square metres in area;</b> ii. <b>A set of stairs or a walkway for the purpose of accessing the foreshore or a permitted marine related structure.</b>
Appendix 1, 9.3.3 Guidelines	c) New upland structures or additions should be located and designed to avoid the need for shoreline protection works throughout the life of the structure	c) <b>New, or additions to, upland buildings or structures</b> should be located and designed to avoid the need for shoreline protection works throughout the life of the structure.
Appendix 1, 9.3.3 Guidelines	Guideline ‘h’ and ‘i’ moved to “General Guidelines” (from “Guidelines for the Construction and Replacement of Docks and Ramps”).	
Appendix 1, 9.3.3 Guidelines	j) Construction details such as design, materials, methods, timing of construction and access should be provided at the time of permit application.	j) Construction details such as design, materials, methods, timing of construction and access <b>shall</b> be provided at the time of permit application.
Appendix 1, 9.3.3 Guidelines	k) Docks should be located and designed to avoid the need for shore defence works or breakwaters.	<i>Removed.</i>  <i>Sequential renumbering of guidelines in this section.</i>

Appendix 1, 9.3.3 Guidelines	p) Dock and float design should allow the free flow of water beneath it.	<i>Removed.</i>  <i>Sequential renumbering of guidelines in this section.</i>
Appendix 1, 9.3.3 Guidelines	s) Residential docks should not extend from shore any further than necessary to accommodate a small pleasure craft. Residential docks should not accommodate boats with a draft greater than 2.2 metres or have floats more than 35 square metres total surface area, unless two or more parcels have legal access to the dock, in which case permitted total surface area may be increased in accordance with the regulations in the Land Use Bylaw.	<i>Removed.</i>  <i>Sequential renumbering of guidelines in this section.</i>
Appendix 1, 9.3.3 Guidelines	x) Applications for shoreline protection or stabilization works shall include a report, prepared by a Professional Engineer with experience in coastal and/or geotechnical engineering, which describes the proposed modification and shows:	<b>u)</b> Applications for shoreline protection or stabilization works <b>may be considered to protect existing structures, and</b> shall include a report, prepared by a Professional Engineer with experience in coastal and/or geotechnical engineering, which describes the proposed modification and shows:
Appendix 1, 9.3.3 Guidelines	x)  ii. Where the modification is proposed to protect new structures, the locations on the property where those structures could be build and not require shoreline modification;	<i>Removed.</i>  <i>Sequential renumbering of guideline.</i>
Appendix 1, 9.3.3 Guidelines	(new)	<b>w)</b>  <b>b. It is not feasible to instead construct a retaining wall that meets the land use bylaw setback;</b>  <i>Sequential renumbering of guideline.</i>

A copy of draft Bylaw No. 154 is found in Attachment 3.

#### Setback from the Natural Boundary of the Sea

The existing setback from the natural boundary of the sea is found in Section 2.7.3 of the LUB, which provides:

.3      *No building or structure except platforms not exceeding a combined floor area of 10 square metres, a permitted boathouse, pump/utility house, or stairs, or walkways required to access the foreshore or a*



*permitted float, dock, wharf, or other permitted marine related structure may be constructed, reconstructed, moved, extended or located within 7.5 metres (24.6 feet) of the natural boundary of the sea.*

The proposed amendment to Section 2.7.3 would increase the setback to 15 metres for buildings and structures, and limit the size, number and type of permitted structures within the setback area to:

- One platform, with a maximum area of 5 m<sup>2</sup>, or
- One set of stairs or a walkway to access the foreshore or a permitted float, dock, wharf or other permitted marine related structure.

Increasing the setback from the natural boundary of the sea reduces the impact to the foreshore and increases protection of sensitive areas within close proximity to the natural boundary. As well, increasing the setback from the natural boundary of the sea would increase protection of documented and undocumented archaeological sites and cultural heritage areas.

Updating the setback also aligns with provincial "[Flood Hazard Area Land Use Management Guidelines](#)" that indicate buildings should be setback at a minimum of 15 metres from the future estimated natural boundary of the sea at Year 2100.

Due to historic development (subdivision) on Keats Island, staff acknowledge that a 15 metre setback from the natural boundary of the sea may limit smaller lots; however, it is noted land owners have the option to submit a development variance permit (DVP) application alongside a development permit application where it may be difficult to conform to an increased setback. Such applications would be considered by the LTC on a case-by-case basis.

#### "Other Permitted Marine Related Structures"

At the April 1, 2021, the LTC noted the wording in Section 2.7.3 of the LUB which states, "float, dock, wharf, or other permitted marine related structures". To clarify what is meant by "other permitted marine related structures", a list of permitted "marine-based" structures (other than a float, dock or wharf) in the Part 4 – Zone Regulations of the LUB are as follows:

- Mooring buoys,
- Stairs (providing marine access to a lot abutting the water area in which the structure is located),
- Piers (providing marine access to a lot abutting the water area in which the structure is located),
- Dolphins and pilings (necessary for the establishment or operation of use permitted in the zone),
- Dock ramps,
- Floating boathouse, swimming float (PI2 zone),
- Walkways (M1, M2 zone)
- Floating breakwaters (PI2, M1, M2 zones)
- Barge ramp (PI2, M3 zone)
- Marine navigational aids,
- Signs, subject to Part 5.

## Mooring Buoys

Staff had previously included placement of a mooring buoy under the “exemptions” from the requirement for a development permit in DP-3, based on the following:

- Mooring buoys are permitted in the marine-based area of the CR1, CD1, RR, RC, PI2, M1, M2 and M4 zones on Keats Island;
- Mooring buoys are listed as “exempt” from the requirement for a DP in the Galiano Island Shoreline and Marine DPA and the North Pender Island Commercial and Industrial DPA;
- Preference is given to the placement of mooring buoys instead of docks in the Salt Spring Island Shoreline DPA;
- Preference is given to the placement of mooring buoys for personal use, instead of docks, in the Stewardship Centre for British Columbia’s [“Green Shores – Policy and Regulatory Tools for Local Governments”](#), dated May 2016.

It is noted private buoys are regulated by the federal government under the Private Buoy Regulations (PBR), and is subject to the *Navigable Waters Protection Act* (NWPA). Under the PBR, an owner is not required to get permission to place a private buoy, but it is the owner’s responsibility to comply with federal regulations related to marking, lighting, size and placement requirements. Under the NWPA, an owner must ensure the buoy is built and installed in a way that maintains its position, meets all legal requirements and is in good working order.

The provincial government does not require an application for private buoys; but provincial authorization is required for commercially operated mooring buoys under the Province’s Commercial – General Land Use Operational Policy.

In the Keats LUB a “mooring buoy” meets the definition of “structure”, and is therefore subject to applicable use, density and siting regulations:

***STRUCTURE*** means anything that is constructed or erected and that is fixed to, supported by or sunk into land or water, but excludes:

- fences;
- surfaced areas of gravel, concrete, or other similar material comprising driveways and uncovered parking areas; and
- underground sewage disposal systems including septic tanks, absorption fields and related appurtenances.

Mooring buoys for commercial or industrial use are prohibited in Section 2.1.1 of the LUB.

Staff have removed “placement of a mooring buoy” from the “exemptions” in DP-3, and have included a guideline in draft Bylaw No. 154 that encourages use of “seagrass-friendly” mooring buoys that reduce scouring of the sea floor. Should the LTC resolve to include additional regulations for mooring buoys in draft Bylaw No. 154, the LTC may direct staff accordingly.

## First Nations – Early Review and Comment

As directed by the LTC resolution GM-2021-018, staff forwarded copies of Draft Bylaw Nos. 153 and 154 to Squamish Nation and Tsleil-Waututh Nation.

The Islands Trust has received the following comments from Tsleil-Waututh First Nation:

*Given the information you have provided in the email it seems that the proposed bylaws are aligned with Tsleil-Waututh's environmental values and objectives. As a note, Tsleil-Waututh has recently reviewed the VFPA's recreational dock guidelines and is providing feedback. I'm sure you are also aware of the Sechelt Nation's recreational dock guidelines as well- I'm not sure if those guidelines have been or would be useful in providing specifics around dock construction and material requirements. We look forward to receiving the formal referral after the first reading.*

At the time of this report, staff have not received comment from Squamish Nation.

## **Consultation**

The *Local Government Act* requires local governments consider opportunities for consultation with persons, organizations and authorities it considers will be affected during an OCP amendment. The general process for proposed bylaws after first reading includes referrals of the bylaws to First Nations, provincial agencies, local governments and other referral agencies.

Staff have identified the following agencies to refer the Bylaw Nos. 153 and 154 to:

- Ministry of Forests, Lands, Natural Resource Operations and Rural Development,
- Sunshine Coast Regional District,
- Islands Trust Conservancy,
- Lasqueti Island Local Trust Committee,
- Gabriola Island Local Trust Committee, and
- Galiano Island Local Trust Committee.

The provincial Consultative Areas Database (CAD) has identified the following First Nations with treaty or established rights, or with identified geographic areas for consultation purposes, within the Gambier Island Local Trust Area:

- |                              |                              |
|------------------------------|------------------------------|
| • Squamish Nation            | • Cowichan Tribes            |
| • Tsleil-Waututh Nation      | • Stz'uminus First Nation    |
| • Musqueam Nation            | • Lyackson First Nation      |
| • Halalt First Nation        | • Snaw'Naw'As Nation         |
| • Penelakut Tribe            | • Te'Mexw Treaty Association |
| • Lake Cowichan First Nation | • Sechelt First Nation       |

The LTC may identify additional agencies for bylaw referrals and direct staff accordingly.

A community information meeting and public hearing are included as part of community consultation, and may occur between first and second reading, or between second and third reading.

## **Timeline**

The Project Charter (Attachment 1) provides an estimated timeline for the project in the Workplan Overview (Deliverable/Milestone). Staff have amended the Project Charter to reflect changes to the project timeline. The LTC is asked to endorse the revisions.

## Rationale for Recommendation

Staff have prepared draft Bylaw Nos. 153 and 154 for LTC consideration. These bylaws would designate a new Shoreline Development Permit Area (DP-3) for the purpose of protecting the natural environment, its ecosystems and biodiversity, and protecting development from hazardous conditions. Draft Bylaw No. 154 would amend the LUB siting regulations in relation to the setback from the natural boundary of the sea and marine structure regulations.

The establishment of DPAs for protection of the natural environment, its ecosystems and biodiversity is supported by the Keats Island OCP and the Islands Trust Policy Statement.

The recommendations are noted on Page 1 of the report.

## ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

### 1. Amend the draft bylaws prior to first reading

The LTC may amend the draft bylaws prior to consideration of first reading. Recommended wording for the resolution is as follows:

*That the Gambier Island Local Trust Committee amend Draft Bylaw No. XXX, cited as “...” with the following: [list amendments].*

### 2. Request additional information

The LTC may request specific additional information from staff prior to consideration of first reading. Recommended wording for the resolution is as follows:

*That the Gambier Island Local Trust Committee request staff provide the following [specify information request] prior to further consideration of Draft Bylaw Nos. 153 and 154.*

## NEXT STEPS

Following first reading, Bylaw Nos. 153 and 154 would be referred to agencies and First Nations for comment. In order to accommodate a minimum 45-day referral period for First Nations, staff anticipate reporting back to the LTC in winter 2021.

Submitted By:	Jaime Dubyna Island Planner	July 12, 2021
Concurrence:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	July 13, 2021

## ATTACHMENTS

1. Project Charter, dated July 22, 2021 (revised)
2. Draft Bylaw No. 153 (OCP)
3. Draft Bylaw No. 154 (LUB)
4. Islands Trust Policy Statement Directive Policies Checklist – Bylaw No. 153
5. Islands Trust Policy Statement Directive Policies Checklist – Bylaw No. 154

# Keats Island Shoreline Protection 'Phase 3' – Project Charter v.1 revised

Gambier Island Local Trust Committee

Date: November 19, 2020

Revised: July 22, 2021

**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 19, 2020
Staff prepare draft bylaw language, LTC consideration of draft bylaw language	February 2021
Early referrals to First Nations	May 2021
LTC consideration of 1 <sup>st</sup> reading, bylaw referrals to First Nations, Agencies and adjacent LTAs	July 2021
Legal Review (discretionary)	July/August 2021
LTC consideration of referral responses, legal review and 2 <sup>nd</sup> Reading	Fall 2021
Community Information Meeting & Public Hearing	Winter 2021
3 <sup>rd</sup> reading of proposed bylaws, Executive Committee approval	Winter 2021/2022
Ministerial approval, adoption of bylaw amendments, distribution of communication materials	Spring 2022
LTC Adoption of bylaws	Spring/Summer 2022

## Project Team

Planner 2	Project Manager
Regional Planning Manager	Project Sponsor
Legislative Clerk	Administrative Support
GIS Department	Mapping Support
<b>RPM Approval:</b> Date: Nov. 19/20	<b>LTC Endorsement:</b> Resolution #: 2020-054 Date: Nov. 19/20

## Budget

Budget Sources:		
Fiscal	Item	Cost
2020-2021	Legal Review (discretionary)	\$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
n/a	Early referrals to First Nations	May 2021	n/a
LTC regular business meeting	LTC consideration of 1 <sup>st</sup> reading, LTC direct staff to send bylaw referrals to First Nations, Agencies and adjacent LTAs	July 2021	n/a
n/a	<i>Legal review of draft bylaws (discretionary)</i>	<i>July/August 2021</i>	<i>Approx. \$3000 (pending approval)</i>
LTC regular business meeting	LTC consideration of referral responses and consideration of 2 <sup>nd</sup> Reading	Fall 2021	n/a
CIM, Public Hearing	Community Information Meeting and Public Hearing*	Winter 2021	Approx. \$2000 (pending approval)
LTC regular business meeting	LTC consideration 3 <sup>rd</sup> reading of proposed bylaws	Winter 2021/2022	n/a
Executive Committee meeting	Executive Committee approval	Winter 2021/2022	
n/a	Ministerial approval	Spring 2022	n/a
LTC regular business meeting	LTC adoption of bylaws	Spring/Summer 2022	n/a
<b>TOTAL</b>			<b>\$5000 (pending approval)</b>

# DRAFT

## GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 153

### A BYLAW TO AMEND KEATS ISLAND OFFICIAL COMMUNITY PLAN, 2002

The Gambier Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Gambier Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Bylaw No. 77, cited as “Keats Island Official Community Plan, 2002” is amended as per Schedules “1” and “2” attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as “Keats Island Official Community Plan, 2002, Amendment No. 1, 2021”.

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

PUBLIC HEARING HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary

**GAMBIER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 153**

**Schedule “1”**

1. Schedule “A” of “Keats Island Official Community Plan, 2002” is amended as follows:
  - 1.1 **PART A – ADMINISTRATION AND INTERPRETATION**, is amended by replacing *Local Government Act* references to “Section 911” with “Section 528”.
  - 1.2 **PART B – GOALS, OBJECTIVES AND POLICIES**, is amended by replacing *Local Government Act* references to “Section 946” with “Section 514”.
  - 1.3 **PART C – DEVELOPMENT PERMIT AREAS**, is amended by replacing *Local Government Act* references to “Section 919.1(1)” with “Section 488(1)” and “Section 920.01” with “Section 485”.
  - 1.4 **PART C – DEVELOPMENT PERMIT AREAS**, is amended by adding a new subsection 3:

**“3. DEVELOPMENT PERMIT AREA 3: SHORELINE**

The development permit area (DPA) is established, pursuant to Section 488(1)(a) of the *Local Government Act* for the protection of the natural environment, its ecosystems and biological diversity; and Section 488(1)(b) of the *Local Government Act* for the protection of development from hazardous conditions.

The Shoreline DPA (DP-3) is designated as an area for which development approval information may be required as authorized by Section 484 of the *Local Government Act*.

**Location**

The Shoreline Development Permit Area (DP-3) includes all land designated on **Schedule E – Development Permit Areas** of this plan.

The Shoreline Development Permit Area applies to all land measured 15 metres upland of the present natural boundary of the sea, the foreshore area and all that area of land covered by water between the natural boundary of the sea and a line drawn parallel to and 100 metres seaward of the natural boundary of the sea.

**Justification**

It is the Object of the Islands Trust to “preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

It is the policy of the Islands Trust Council that protection must be given to the natural processes, habitats and species of the Trust Area, and that development activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.



## **Draft Bylaw No. 153 (OCP)**

It is also policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address:

- the protection of sensitive coastal areas;
- the planning for and regulation of development in coastal regions to protect natural coastal processes;
- the protection of public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments; and
- the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and to direct development away from such hazards.

Keats Island includes a mix of rock (hard) and sediment (soft) shorelines that offer a range of natural habitats, ecological functions, cultural heritage and aesthetic values. The shoreline has environmental and cultural significance for forage fish, eelgrass, shorebirds and shellfish, marine mammals such as seals and many other marine organisms, as well as values that define the character of the Keats Island community. The Keats shoreline has been the location of cultural sites, canoe landings and gathering places for First Nations since time immemorial. The shoreline also includes area that are transition zones of uplands and wetlands that may be susceptible to erosion or flooding.

Development activities on the upland such as land clearing and increasing impermeable surfaces can have harmful impacts on site drainage, bank stability, nesting habitat, sensitive natural areas, shading of intertidal areas critical for fish habitat and cultural and heritage sites.

Since the adoption of the OCP, there has been an increase in residential development on Keats Island along the shoreline. As of 2020, there were 90 individual parcels fronting the natural boundary of the sea on Keats Island. The subdivision and development of these parcels in combination with the development that has already occurred, may, cumulatively, have a detrimental impact on the 13.72 km of shoreline habitat and function.

In 2013, approx. 9% of the Keats shoreline was identified to have been modified by 30% or more by development, principally by boat ramps, seawalls, rip rap and revetments. Applications for private docks and shoreline protection structures have increased since that time. Shoreline armouring, such as retaining walls, alter the shoreline and can result in loss of habitat and upland connectivity and may increase wave action and erosion on adjacent properties. Marine structures, such as ramps or docks, and their supporting pilings can have significant impact on fish movement and their habitat, and damage important marine vegetation.

Anticipated sea level rise and more frequent severe storm events as a result of climate change, may increase coastal flooding and erosion. It is recognized that there is a need for balance between ecological protection or other environmental values and the use of privately owned land.

### **Objectives**

**The objectives of this development permit area are as follows:**

### **Draft Bylaw No. 153 (OCP)**

- OBJ 3.1** TO PLAN AND REGULATE NEW DEVELOPMENT IN A MANNER THAT PRESERVES, PROTECTS AND RESTORES THE LONG-TERM PHYSICAL INTEGRITY, CONNECTIVITY, AND ECOLOGICAL AND MARINE RESOURCE VALUES OF SHORELINES AND ASSOCIATED FORESHORE AND UPLAND AREAS;
- OBJ 3.2** TO BALANCE DEVELOPMENT OPPORTUNITIES WITH THE ECOLOGICAL CONSERVATION AND RESTORATION OF THE SHORELINE AND MARINE ENVIRONMENT;
- OBJ 3.3** TO MINIMIZE THE DISRUPTION OF NATURAL FEATURES AND PROCESSES AND TO RETAIN, WHEREVER POSSIBLE, NATURAL VEGETATION AND NATURAL FEATURES;
- OBJ 3.4** TO MAINTAIN THE PUBLIC'S SAFE USE AND ACCESS TO IMPORTANT RECREATION AREAS IN A WAY THAT DOES NOT COMPROMISE THE ECOLOGICAL INTEGRITY OF THE SHORELINE;
- OBJ 3.5** TO ADAPT TO THE ANTICIPATED EFFECTS OF CLIMATE CHANGE;
- OBJ 3.6** TO PROTECT COASTAL PROPERTIES AND DEVELOPMENT FROM DAMAGE AND HAZARDOUS CONDITIONS THAT CAN ARISE FROM EROSION AND FLOODING.

#### **Development Approval Information**

Development Permit Area 3 is designated as an area for which development approval information may be required as authorized by Section 485 of the *Local Government Act*. Development approval information in the form of a report from a Qualified Professional may be required due to the special conditions and objectives described above.

**INFORMATION NOTE:** Development Permit Area guidelines for DP-3 Shoreline are in the Keats Island Land Use Bylaw."

**Draft Bylaw No. 153 (OCP)**

**GAMBIER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 153**

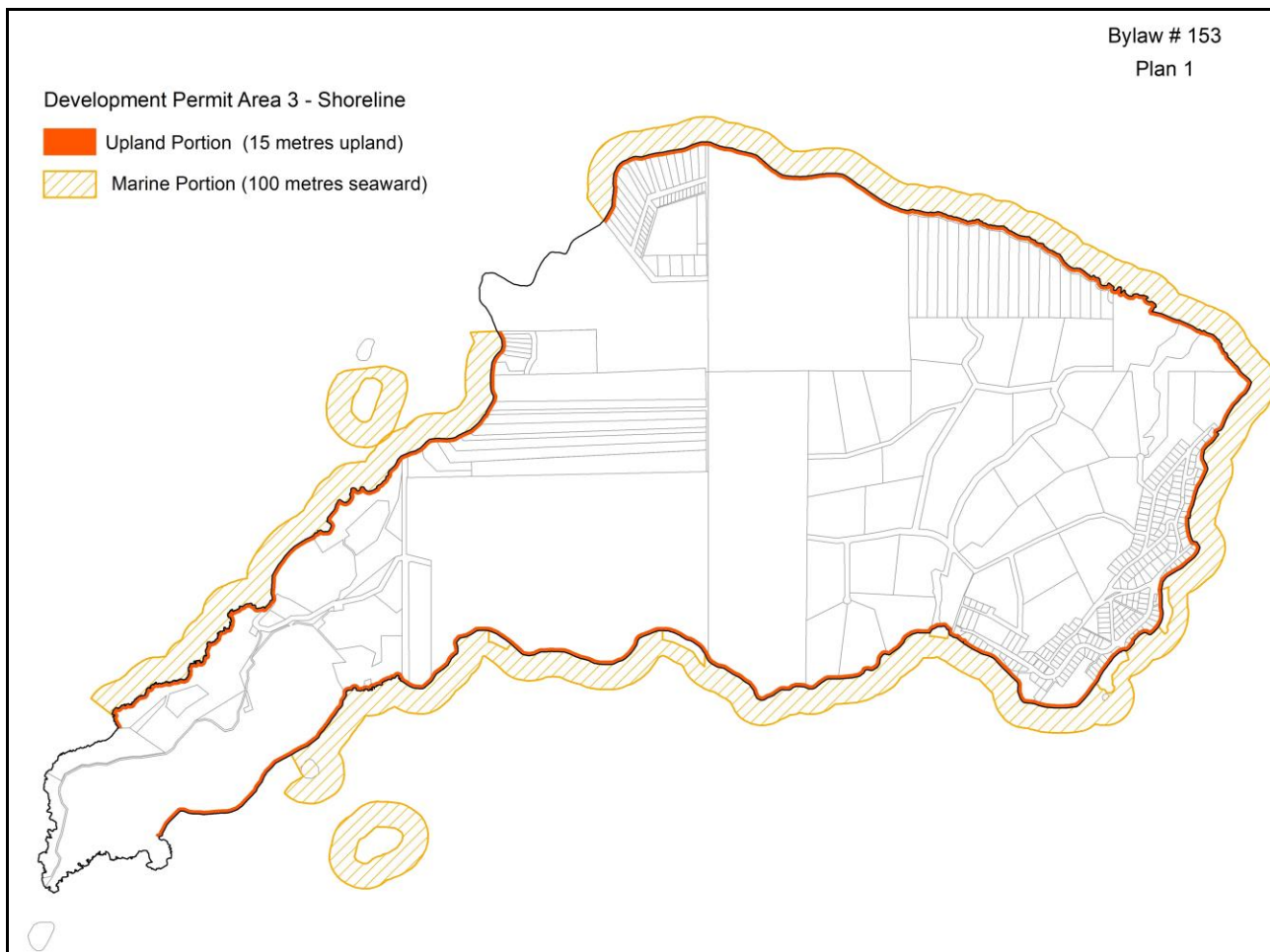
**Schedule "2"**

1. **Schedule "E" – DEVELOPMENT PERMIT AREAS**, is amended by designating a new Development Permit Area 3: Shoreline as shown on Plan No. 1 attached to and forming part of this bylaw and by making such alterations to Schedule "E" of Bylaw No. 77 as are required to effect this change.

**Draft Bylaw No. 153 (OCP)**

**GAMBIER ISLAND LOCAL TRUST COMMITTEE**  
**BYLAW NO. 153**

**Plan No. 1**



# DRAFT

## GAMBIER ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 154

### A BYLAW TO AMEND KEATS ISLAND LAND USE BYLAW, 2002

The Gambier Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Gambier Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Bylaw No. 78, cited as “Keats Island Land Use Bylaw, 2002” is amended as per Schedule “1” attached to and forming part of this bylaw.
2. This bylaw may be cited for all purposes as “Keats Island Land Use Bylaw, 2002, Amendment No. 1, 2021”.

READ A FIRST TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

READ A SECOND TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

PUBLIC HEARING HELD THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

READ A THIRD TIME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

\_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

ADOPTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Secretary

**GAMBIER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 154**

**Schedule “1”**

1. Schedule “A” of Keats Island Land Use Bylaw, 2002 is amended as follows:
  - 1.1 **PART 1 – ADMINISTRATION AND INTERPRETATION**, Section 1.5 **DEFINITIONS**, Subsection 1.5.1 is amended by adding the following definition in alphabetical order:

“**platform** means an unenclosed flat surface raised from the ground to serve for the loading and offloading of materials and supplies.”
  - 1.2 **PART 2 – GENERAL LAND USE REGULATIONS**, Section 2.7 **MEASUREMENT OF SETBACKS Buildings and Structures**, Subsection 2.7.3 is amended by removing it in its entirety and replacing it with the following:

“No building or structure except a platform with a maximum area of 5 square metres, or a set of stairs or a walkway for the purposes of accessing the foreshore or a permitted float, dock, wharf or other permitted marine related structure, may be constructed, reconstructed, moved, extended or located within 15 metres (49.2 feet) of the natural boundary of the sea.”
  - 1.3 **PART 2 – GENERAL LAND USE REGULATIONS**, Section 2.7 **MEASUREMENT OF SETBACKS Buildings and Structures**, Subsection 2.7.5 is amended by replacing “3.0 metres” with “5.0 metres”.
  - 1.4 **PART 2 – GENERAL LAND USE REGULATIONS**, Section 2.7 **MEASUREMENT OF SETBACKS Buildings and Structures**, is amended by inserting the following new subsection as follows:

“**2.7.6** Private floats and docks shall be sited at least 10 metres from any existing dock or structure.”
  - 1.5 **PART 2 – GENERAL LAND USE REGULATIONS**, Section 2.7 **MEASUREMENT OF SETBACKS Buildings and Structures**, is amended by renumbering Subsection 2.7.6 – Sewage Disposal Fields to Subsection 2.7.7.
  - 1.6 **PART 4 – ZONE REGULATIONS**, Section 4.1 **COMMUNITY RESIDENTIAL 1 (CR1) ZONE**, Subsection 4.1.4 is amended by inserting the words “, dock ramps” after “docks” and before “and stairs”.
  - 1.7 **PART 4 – ZONE REGULATIONS**, Section 4.1 **COMMUNITY RESIDENTIAL 1 (CR1) ZONE**, Subsection 4.1.6 is amended by replacing “65 square metres (700 square feet)” with “35 square metres (377 square feet)”.
  - 1.8 **PART 4 – ZONE REGULATIONS**, Section 4.1 **COMMUNITY RESIDENTIAL 1 (CR1) ZONE**, Subsection 4.1.7 is amended by replacing “47 square metres (500 square feet)” with

**Draft Bylaw No. 154 (LUB)**

“25 square metres (269 square feet)” and by replacing “158 square metres (1,700 square feet)” with “85 square metres (915 square feet)”.

- 1.9 **PART 4 – ZONE REGULATIONS**, Section 4.1 **COMMUNITY RESIDENTIAL 1 (CR1) ZONE**, Subsection 4.1.8 is amended by replacing “2.4 metres (8 feet)” with “1.5 metres (4.9 feet)”.
- 1.10 **PART 4 – ZONE REGULATIONS**, Section 4.4 **RURAL RESIDENTIAL (RR) ZONE**, Subsection 4.4.6 is amended by replacing “65 square metres (700 square feet)” with “35 square metres (377 square feet)”.
- 1.11 **PART 4 – ZONE REGULATIONS**, Section 4.4 **RURAL RESIDENTIAL (RR) ZONE**, Subsection 4.4.7 is amended by replacing “47 square metres (500 square feet)” with “25 square metres (269 square feet)” and by replacing “158 square metres (1,700 square feet)” with “85 square metres (915 square feet)”.
- 1.12 **PART 4 – ZONE REGULATIONS**, Section 4.4 **RURAL RESIDENTIAL (RR) ZONE**, Subsection 4.4.8 is amended by replacing “2.4 metres (8 feet)” with “1.5 metres (4.9 feet)”.
- 1.13 **PART 4 – ZONE REGULATIONS**, Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE**, Subsection 4.5.7 is amended by replacing “Article 6 of this subsection” with “Subsection 4.5.6”.
- 1.14 **PART 4 – ZONE REGULATIONS**, Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE**, Subsection 4.5.6 is amended by replacing “65 square metres (700 square feet)” with “35 square metres (377 square feet)”.
- 1.15 **PART 4 – ZONE REGULATIONS**, Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE**, Subsection 4.5.7 is amended by replacing “47 square metres (500 square feet)” with “25 square metres (269 square feet)” and by replacing “158 square metres (1,700 square feet)” with “85 square metres (915 square feet)”.
- 1.16 **PART 4 – ZONE REGULATIONS**, Section 4.5 **RURAL COMPREHENSIVE (RC) ZONE**, Subsection 4.5.8 is amended by replacing “2.4 metres (8 feet)” with “1.5 metres (4.9 feet)”.
- 1.17 **PART 4 – ZONE REGULATIONS**, Section 4.6 **PRIVATE INSTITUTIONAL 2 (PI2) ZONE**, Subsection 4.6.5 is amended by replacing “3,000 square metres (32,970 square feet)” with “1,000 metres (10,764 square feet)”.
- 1.18 **PART 4 – ZONE REGULATIONS**, Section 4.10 **PROVINCIAL MARINE PARK (P2) ZONE**, Subsection 4.10.6 is amended by replacing “dock floats” with “a wharf float”.
- 1.19 **PART 4 – ZONE REGULATIONS**, Section 4.10 **PROVINCIAL MARINE PARK (P2) ZONE**, Subsection 4.10.7 is amended by replacing “dock” with “wharf”.
- 1.20 **PART 4 – ZONE REGULATIONS**, Section 4.12 **MARINE 2 – COMMUNAL MOORAGE (M2) ZONE**, Subsection 4.12.5 is amended by replacing “2.4 metres (8 feet)” with “1.5 metres (4.9 feet)”.

**Draft Bylaw No. 154 (LUB)**

- 1.21 **PART 4 – ZONE REGULATIONS**, Section 4.12 **MARINE 2 – COMMUNAL MOORAGE (M2) ZONE**, Subsection 4.12.6, **Table 4.1**, Site Specific Regulation (a) is amended by replacing “65 square metres (700 square feet)” with “35 square metres (377 square feet)” and by replacing “47 square metres (500 square feet)” with “25 square metres (269 square feet)” and by replacing “158 square metres (1,700 square feet)” with “85 square metres (915 square feet)”.
- 1.22 **PART 9 – DEVELOPMENT PERMIT AREA GUIDELINES**, is amended by adding a new Section **9.3 DP-3 SHORELINE** as shown on Appendix 1 attached to and forming part of this bylaw.



**GAMBIER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 153**

**Appendix 1**

**9.3 DP-3 SHORELINE**

**Applicability**

**.1** The following activities shall require a development permit whenever they occur within the Development Permit Area 3: Shoreline (DP-3), unless specifically exempted under Subsection 9.3.2:

- construction of, addition to or alteration of a building or structure;
- land alteration, including vegetation removal and disturbance of soils; and
- subdivision of land.

**Exemptions**

**.2** The following activities are exempt from the requirement to obtain a development permit for DP-3:

- a) Development or alteration of land to occur outside the designated Development Permit Area, as determined by a BC Land Surveyor;
- b) Repair and maintenance of pre-existing lawful buildings, structures or utilities, except for shoreline protection structures, provided there is no alteration of undisturbed land or vegetation and that they are entirely within the existing building or structure footprint. For clarity, repair, maintenance, alteration or reconstruction of shoreline protection works such as retaining walls, requires a development permit whether or not they meet the definition of 'structure' in the Keats Island Land Use Bylaw;
- c) Construction, reconstruction or repair of the following structures sited within the setback from the natural boundary of the sea:
  - i. A platform not exceeding 5 square metres in area;
  - ii. A set of stairs or a walkway for the purpose of accessing the foreshore or a permitted marine related structure;
- d) Small-scale manual removal of non-native, invasive plants or noxious weeds, conducted in accordance with best management practices;
- e) Construction of a fence so long as no trees of native species are removed and the disturbance of native vegetation is restricted to 0.5 metres on either side of the fence;
- f) The construction of a trail if all of the following apply:
  - i. Trail design and location must minimize vegetation disturbance;
  - ii. No native trees are removed;
  - iii. The trail is 1 metre wide or less;
  - iv. The trail is for personal, non-vehicular use only;
  - v. The trail is constructed of soil, gravel, mulch or other pervious surface;
  - vi. The trail is designed to prevent soil erosion where slopes occur;
- g) Repair and maintenance of existing roads, driveways, paths and trails, provided there is no expansion of the width or length of the road, driveway, path or trail, and no creation of additional impervious surfacing, including paving, asphaltting or similar surfacing;
- h) Gardening and property maintenance activities, not involving artificial fertilizer, pesticides or herbicides, within a pre-existing landscaped area, including lawn mowing, weeding,

## Draft Bylaw No. 154 (LUB)

shrub pruning, vegetation planting and minor soil disturbances that do not alter the general contours of the land;

- i) Pruning of not more than two trees in one growing season in accordance with the standards and recommendations of the International Society of Arboriculture (ISA), which does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown, or the pruning or removal of a structural root within the critical root zone;
- j) The removal of trees that have been examined by an International Society of Arboriculture (ISA) certified arborist or registered professional forester and certified in writing to pose an immediate threat to life or property;
- k) Emergency works required to prevent, control or reduce an immediate threat to human life, the natural environment or public or private property, including:
  - i. Forest fire, flood and erosion protection works;
  - ii. Protection, repair or replacement of public facilities;
  - iii. Clearing of an obstruction from a bridge, culvert, dock wharf or stream;
  - iv. Bridge repairs.
- l) A farm operation as defined in the *Farm Practices Protection (Right to Farm) Act*;
- m) Forest management activities, as defined in the *Private Management Forest Land Regulation*, on land classified as managed forest land under the *Private Managed Forest Land Act*;
- n) The subdivision of land parcels where a conservation covenant satisfactory to and in favour of the Gambier Island Local Trust Committee or the Islands Trust Conservancy Board has already been registered for the maintenance of natural drainage and protection of environmentally sensitive areas;
- o) Subdivision involving lot consolidation;
- p) Works conducted and/or authorized by the Province and its Ministries or Agencies, and by Fisheries and Oceans Canada (or subsequent federal department).

### Guidelines

- .3** Prior to undertaking any applicable development activities within DP-3, an owner of property shall apply to the Local Trust Committee for a development, and the following guidelines apply:

#### **General Guidelines:**

- a) In general, development of the shoreline area should be limited, should minimize negative impacts on the ecological health of the immediate area, should not disrupt coastal sediment transport processes, and should not impede public access.
- b) It should be demonstrated that locating development entirely outside of the Development Permit Area has been considered, and a description of why that is not being proposed should be provided.
- c) New, or additions to, upland buildings or structures should be located and designed to avoid the need for shoreline protection works throughout the life of the structure.
- d) New development on steep slopes or bluffs should be set back sufficiently from the top of the slope or bluff to ensure that shoreline protection measures will not become necessary during the life of the structure, as demonstrated by a geotechnical analysis and recommendations for the site by a Geotechnical Engineer or Professional Geoscientist.
- e) Sea level rise, storm surges and other anticipated effects of climate change should be addressed in all development permit applications.
- f) All development within this Development Permit Area is to be undertaken and completed in such a manner as to prevent the release of sediment to the shore or to

## **Draft Bylaw No. 154 (LUB)**

any watercourse or storm sewer that flows to the marine shore. An erosion and sediment control plan, including actions to be taken prior to land clearing and site preparation and the proposed timing of development activities to reduce the risk of erosion, may be required as part of the development permit application.

- g) Where this Development Permit Area includes critical habitat of any Species at Risk, including terrestrial or aquatic provincial red- and blue-listed species or SARA-listed species; or where a unique, sensitive or rare species has been identified by Islands Trust mapping, these areas should be left undisturbed. If disturbance cannot be entirely avoided, development and mitigation and/or compensation measures shall be undertaken only under the supervision of a Registered Professional Biologist with advice from applicable senior environmental agencies.
- h) Development activities along the foreshore or in marine areas should be conducted during the low risk timing window for spawning and nursery periods.
- i) All development that takes place below the natural boundary of the sea should be done in a way that minimizes degradation of water quality and disturbance of the substrate.

### ***Guidelines for the Construction and Replacement of Docks and Ramps***


- j) Construction details such as design, materials, methods, timing of construction and access shall be provided at the time of permit application.
- k) Docks, floats and ramps should be sited to avoid sensitive ecosystems such as eelgrass beds, forage fish habitat and to avoid interference with natural processes such as currents and littoral drift. This may require an environmental assessment by a Qualified Professional Biologist to identify such features and processes on the site in question.
- l) Docks must be designed to ensure that public access along the shore is maintained.
- m) Dock and float design should allow natural light penetration to the submerged land underneath. Natural light penetration can be facilitated by spacing the decking surface of the dock, incorporating grating and minimizing the width of the structure. Where possible, docks should be aligned in a north-south direction to allow for the maximum extent of light.
- n) Piers on pilings and floating docks are preferred over solid-core piers or ramps. Piers should use the minimum number of pilings necessary, with preference to large spans over more pilings.
- o) All docks shall be constructed so that they do not rest on the bottom of the seabed at low water/low tide levels. Dock and float design shall allow the free flow of water beneath it.
- p) Docks should not use unenclosed plastic foam or other non-biodegradable materials that have the potential to degrade over time. Docks should be constructed of stable materials that will not degrade water quality. The use of creosote-treated pilings is not permitted.
- q) The access ramps, walkways and stairs for docks should not exceed a maximum width of 1.5 metres.
- r) Preference is given to mooring buoys that are considered “seagrass-friendly” and are designed to reduce scouring of the sea floor. These include buoys with a mid-line float so as to prevent unnecessary damage to eelgrass habitat.

### ***Guidelines for Shoreline Modifications***

## Draft Bylaw No. 154 (LUB)

- s) Shoreline protection or stabilization measures shall not be permitted for the sole purpose of reducing the setback regulations in the Land Use Bylaw or for reclaiming land lost due to erosion.
- t) Shoreline protection measures should not be allowed for the purpose of extending lawns or gardens, or to provide space for additions to existing or new structures.
- u) Applications for shoreline protection or stabilization works may be considered to protect existing structures and shall include a report, prepared by a Professional Engineer with experience in coastal and/or geotechnical engineering, which describes the proposed modification and shows:
  - i. The need for the proposed modification to protect existing structures;
  - ii. If any natural hazards, erosion, or interruption of geohydraulic processes may arise from the proposed modification, including at sites on other properties or foreshore locations;
  - iii. The cumulative effect of shoreline protection or stabilization along the drift sector where the works are proposed;
  - iv. Whether there will be any degradation of water quality or loss of fish or wildlife habitat because of the modification;
  - v. Whether conditions should be incorporated into the development permit to achieve the objectives of this Development Permit Area.
- v) Where shoreline protection or stabilization measures are proposed, they shall be designed by a Professional Engineer with experience in coastal and/or geotechnical engineering, and:
  - i. Limit the size to the minimum necessary to prevent damage to existing structures or established uses on the adjacent upland;
  - ii. Apply the 'softest' possible shoreline protection measure that will still provide satisfactory protection;
  - iii. Not be expected to cause erosion or other physical damage to adjacent or down-current properties, or public land;
  - iv. Address compatibility with adjacent shoreline protection works.

Shoreline protection or stabilization measures are modifications to the shoreline, or adjacent seaward or landward areas, for the purpose of protection against erosion. Structural protection measures are often referred to as 'hard' or 'soft'. 'Hard' measures refer to those with solid, hard surfaces, such as concrete bulkheads, while 'soft' measures rely on less rigid materials such as biotechnical vegetation measures (i.e. the specialized use of woody plant materials to stabilize soil) or beach enhancement. There is a range of measures varying from soft to hard that include:

<ul style="list-style-type: none"> <li>• <b>Vegetation enhancement</b></li> <li>• <b>Upland drainage control</b></li> <li>• <b>Biotechnical measures</b></li> <li>• <b>Beach enhancement</b></li> <li>• <b>Anchor trees</b></li> <li>• <b>Gravel placement</b></li> <li>• <b>Rock (rip rap) revetments</b></li> <li>• <b>Gabions</b></li> <li>• <b>Concrete groins</b></li> <li>• <b>Retaining walls or bulkheads</b></li> <li>• <b>Seawalls</b></li> </ul>	<div style="text-align: center;"> <p><b>SOFT</b></p>  <p><b>HARD</b></p> </div>
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In general, the harder the construction measure, the greater the impact on shoreline processes, including sediment transport, geomorphology and biological functions.

- w) Entirely 'hard' structural shoreline protection measures such as concrete walls, lock block or stacked rock (rip rap), may be considered as a last resort only when a geotechnical and biophysical analysis demonstrates that:
  - i. An existing structure is at immediate risk from shoreline erosion caused by tidal action, currents or waves. Evidence of normal sloughing, erosion or steep bluffs, or shoreline erosion itself, without a scientific or geotechnical analysis, is not sufficient demonstration of need;
  - ii. It is not feasible to instead construct a retaining wall that meets the land use bylaw setback;
  - iii. The erosion is not being caused by upland conditions, such as the loss of vegetation and uncontrolled drainage associated with upland development;
  - iv. All possible on site drainage solutions by directing drainage away from the shoreline have been exhausted;
  - v. Non-structural or 'soft' shoreline protection measures are not feasible or not sufficient to address the stabilization issues;
  - vi. The shoreline protection measure is designed so that neighbouring properties are not expected to experience additional erosion; and
  - vii. All shoreline protection structures are installed upland of the present natural boundary of the sea.
- x) An existing shoreline protection structure may be replaced if the existing structure can no longer adequately serve its purpose, provided that:
  - i. The replacement structure is of the same size and footprint as the existing structure;
  - ii. The replacement structure is designed, located, sized and constructed to mitigate the loss of ecological functions, and include habitat restoration measures when feasible;
  - iii. Replacement walls or bulkheads do not encroach seaward of the natural boundary or seaward of the existing structure unless there are significant safety or environmental concerns. In such cases, the replacement structure should utilize the 'softest' approach possible and should abut the existing shoreline protection structure;
  - iv. Where impacts to critical marine habitats would occur by leaving the existing works in place, they can be removed as part of the replacement measure.
- y) Materials used for shoreline protection or stabilization should consist of inert materials. Materials should not consist of debris or contaminated material that could result in pollution of tidal waters.
- z) Placement of fill upland of the natural boundary of the sea greater than (10) cubic metres in volume shall only be considered when necessary to assist in the enhancement of the natural shoreline's stability and ecological function. Such fills shall be located, designed and constructed to protect shoreline ecological functions and ecosystem-wide processes, including channel migration. This may require a sediment and erosion plan prepared by a Professional Engineer or Geoscientist with experience in coastal and/or geotechnical engineering.
- aa) Placement of fill below (seaward of) the natural boundary shall be considered only when necessary to assist in the enhancement of the natural shoreline's stability and ecological function, typically as part of a beach nourishment design. All fill proposals

## **Draft Bylaw No. 154 (LUB)**

below the natural boundary are subject to approval by the appropriate provincial and/or federal authorities.

- bb) All upland fill and beach nourishment materials should be clean and free of debris and contaminated material.

### ***Guidelines for Vegetation Management, Restoration and Enhancement***

- cc) Existing native vegetation and trees should be retained or replaced wherever possible to protect against erosion and slope failure, and to minimize disruption to fish and wildlife habitat.
- dd) Existing vegetation and trees to be retained should be clearly marked prior to development, and temporary fencing installed at the drip line to protect them during clearing, grading and other development activities.
- ee) If the area has been previously cleared of native vegetation, or is cleared during the process of development, the development permit may specify replanting requirements to restore or enhance the natural environment or control erosion. Areas of undisturbed bedrock exposed to the surface or sparsely vegetated areas should not require planting. The Local Trust Committee may require provision of a security to be used to fulfill the replanting and vegetation maintenance conditions of the permit if the permit holder fails to do so.
- ff) Vegetation species used in replanting, restoration or enhancement should be selected to suit the soil, light and groundwater conditions of the site, should be native to the area, and be selected for erosion control and/or fish and wildlife habitat values as needed. While native species are preferred, suitably adapted, non-invasive, non-native vegetation may be acceptable.
- gg) All replanting shall be maintained by the property owner for a minimum of 2 years from the date of completion of the planting to ensure survival. This may require removal of invasive, non-native weeds and irrigation. Unhealthy, dying or dead stock will be replaced at the owner's expense within that time in the next regular planting season. The Local Trust Committee may require provision of a security to be used to fulfill the replanting and vegetation maintenance conditions of the permit if the permit holder fails to do so.

### ***Guidelines for Subdivision***

- hh) All lots in a proposed subdivision must be configured to have sufficient area for permitted principal and accessory uses without encroaching into land use bylaw setbacks, the Development Permit Area, or creating a likelihood of shoreline protection measures for the permitted level of development.
- ii) New roads, driveways and wastewater disposal (septic) systems should not be located within the Development Permit Area.

## ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

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

File Name: Draft Bylaw No. 153 (OCP)

### PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

### POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

### DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

### PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	<b>3.1</b>	<b>Ecosystems</b>
✓	<b>3.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	<b>3.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
n/a	<b>3.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2</b>	<b>Forest Ecosystems</b>
n/a	<b>3.2.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	<b>3.3</b>	<b>Freshwater and Wetland Ecosystems and Riparian Zones</b>
n/a	<b>3.3.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
✓	<b>3.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
✓	<b>3.4.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

### PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	<b>4.1</b>	<b>Agricultural Land</b>
n/a	<b>4.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
n/a	<b>4.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	<b>4.1.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
n/a	<b>4.1.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
n/a	<b>4.1.8</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
n/a	<b>4.1.9</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
CONSISTENT	No.	DIRECTIVE POLICY
	<b>4.2</b>	<b>Forests</b>
n/a	<b>4.2.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	<b>4.2.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
n/a	<b>4.2.8</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY



	<b>4.3</b>	<b>Wildlife and Vegetation</b>
	<b>4.4</b>	<b>Freshwater Resources</b>
n/a	<b>4.4.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	<b>4.4.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	<b>4.5</b>	<b>Coastal Areas and Marine Shorelands</b>
✓	<b>4.5.8</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
✓	<b>4.5.9</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
✓	<b>4.5.10</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
✓	<b>4.5.11</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	<b>4.6</b>	<b>Soils and Other Resources</b>
n/a	<b>4.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

## PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	<b>5.1</b>	<b>Aesthetic Qualities</b>
✓	<b>5.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	<b>5.2</b>	<b>Growth and Development</b>
✓	<b>5.2.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	<b>5.2.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	<b>5.2.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	<b>5.2.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	<b>5.3</b>	<b>Transportation and Utilities</b>
n/a	<b>5.3.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	<b>5.3.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	<b>5.3.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	<b>5.3.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
n/a	<b>5.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	<b>5.5</b>	<b>Recreation</b>
n/a	<b>5.5.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	<b>5.5.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
✓	<b>5.5.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	<b>5.5.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	<b>5.5.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	<b>5.6</b>	<b>Cultural and Natural Heritage</b>
n/a	<b>5.6.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	<b>5.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	<b>5.7</b>	<b>Economic Opportunities</b>
n/a	<b>5.7.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	<b>5.8</b>	<b>Health and Well-being</b>
n/a	<b>5.8.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	<b>POLICY STATEMENT COMPLIANCE</b>
✓	<b><i>In compliance with Trust Policy</i></b>
	<b><i>Not in compliance with Trust Policy for the following reasons:</i></b>

## ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

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

File Name: Draft Bylaw No. 154 (LUB)

### PURPOSE

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CONSISTENT	No.	DIRECTIVE POLICY

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	<b>4.4</b>	<b>Freshwater Resources</b>
n/a	<b>4.4.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
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	<b>4.5</b>	<b>Coastal Areas and Marine Shorelands</b>
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	<b>4.6</b>	<b>Soils and Other Resources</b>
n/a	<b>4.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

## PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
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✓	<b>5.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	<b>5.2</b>	<b>Growth and Development</b>
✓	<b>5.2.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	<b>5.2.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	<b>5.2.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
✓	<b>5.2.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	<b>5.3</b>	<b>Transportation and Utilities</b>
n/a	<b>5.3.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
n/a	<b>5.3.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
n/a	<b>5.3.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
n/a	<b>5.3.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
n/a	<b>5.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	<b>5.5</b>	<b>Recreation</b>
n/a	<b>5.5.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	<b>5.5.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
✓	<b>5.5.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
n/a	<b>5.5.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
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	<b>5.6</b>	<b>Cultural and Natural Heritage</b>
n/a	<b>5.6.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	<b>5.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	<b>5.7</b>	<b>Economic Opportunities</b>
n/a	<b>5.7.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	<b>5.8</b>	<b>Health and Well-being</b>
n/a	<b>5.8.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	<b>POLICY STATEMENT COMPLIANCE</b>
✓	<b><i>In compliance with Trust Policy</i></b>
	<b><i>Not in compliance with Trust Policy for the following reasons:</i></b>