

Islands Trust

KEATS ISLAND

OFFICIAL COMMUNITY PLAN

BYLAW NO. 77, 2002

AS AMENDED BY THE GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW: 112, 129

NOTE: This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

Consolidated: December 20, 2018

CONSOLIDATED BYLAW TEXT AMENDMENTS

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BACKGROUND

KEATS ISLAND OFFICAL COMMUNITY PLAN

The Keats Island official Community Plan (OCP) is a document prepared and adopted, in accordance with the *Local Government Act* and the *Islands Trust Act*, by the Gambier Island Local Trust Committee being the locally elected land use authority for Keats Island. The purpose of the Bylaw is to define general objectives and more detailed policies with respect to land use on Keats Island and the smaller surrounding islets.

The Official Community Plan has been developed in consultation with Keats Islanders, other citizens and relevant government agencies concerned with the island's future. The Community Plan becomes "official" when it is adopted by bylaw, in accordance with statutory procedures. This process requires a public hearing and the approval of the Minister of Community, Aboriginal and Women's Services. Once adopted, the Official Community Plan guides the decisions of the Local Trust Committee on all land use matters and, particularly, the form and character of future land use patterns on Keats and surrounding islets, including uses of surrounding foreshore.

The Official Community Plan also ensures that decisions of the Local Trust Committee are compatible with the *Islands Trust Act* and *Islands Trust Policy Statement*, as well as legislation and policies established by various other levels of government. The legislated Object of the Islands Trust is 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 the British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."

LOCAL TRUST COMMITTEE

Keats Island and surrounding smaller islands, including Preston Island on the south, Home Island on the west and Shelter Island on the northwest, are part of the Gambier Local Trust Area, and hence within jurisdiction of the Gambier Island Local Trust Committee. Little Shelter Islet is categorized as an Indian Reserve (IR) and is excluded.

The Gambier Island Local Trust Area, of which Gambier is the principal island, also includes North and South Thormanby Islands, Anvil, Bowyer, Passage, Trail and Pasley groups, Woolridge and other small islands in the Howe Sound. The Gambier Island Local Trust Committee is composed of three members: two locally elected Trustees, who each serve a three-year term, and one appointed member of the Island Trust Executive Committee to act as Chairperson.

The Local Trust Committee (LTC) possesses similar land use powers and authority to that of a Regional District. On Keats Island, as part of the Gambier group of islands, the LTC also submits bylaws to the Island Trust Executive Committee for approval and regulates development. In addition, the LTC makes recommendations to government agencies concerning initiatives affecting the Local Trust Area in order to ensure that activities are consistent with objectives and goals of the community and the Islands Trust, as outlined in the Keats Island Official Community Plan, the *Islands Trust Act*, and the *Islands Trust Policy Statement*.

INTERGOVERNMENTAL CONSIDERATIONS

Responsibility for certain matters lie outside the jurisdiction of the Islands Trust and are instead the responsibility of individual property owners, or the Provincial Government, the Federal Government, the Sunshine Coast Regional District, or the Vancouver Coastal Health Authority. In some cases,

more than one agency may have overlapping responsibility for a matter addressed in the Keats Island Official Community Plan.

The Local Trust Committee seeks to work cooperatively with, and requests the assistance of the public and other government agencies to ensure the orderly and effective management and regulation of the island's land base, resources, and marine environment to the mutual benefit of all.

In the case of policies in Part B that advocate or encourage other levels of government and the public, they are requested to regard them as the stated desires of the Local Trust Committee and the Keats Island community and to take them into consideration in making decisions concerning their own land use decisions with respect to Keats Island and surrounding islets.

Part B of the Keats Island Official Community Plan provides policy guidance to the Gambier Island Local Trust Committee in responding to any action, contemplated action, or enforcement activity of other government agencies having jurisdiction on Keats Island, surrounding islets, and marine foreshore. In this regard, particular attention shall be given to: use of Crown foreshore issues; marine transportation and access issues; road access and maintenance issues; provision of publicly funded utilities and services issues; parks planning and management issues; protection of the environment issues; and public safety issues.

KEATS ISLAND NATURAL FEATURES

Keats Island is situated in Howe Sound, less than one mile east of the Town of Gibsons. The island has a land area of approximately 600 hectares (1500 acres), primarily made up of sloping terrain rising to a central ridge with summits around 200 metres (650 feet). The shoreline consists of rock bluffs, separated by beaches of sand or gravel at several points on all sides of the island. On the west side, there is a small bay (Plumper Cove) protected by the two Shelter Islets. These islands are approximately 1.6 hectares (4 acres) and 0.6 hectares (1.5 acres) respectively. The smaller of the Shelter Islets is an Indian Reserve.

There are no lakes or major streams on the island, but ground water has been tapped at low elevations in several locations.

There is extensive tree cover, mostly second-growth coniferous, but some first growth trees remain. A considerable population of deer and other small animal life inhabits the island's forests. The soil contains large proportions of rock, sand, and gravel, in common with much of the Sunshine Coast.

KEATS ISLAND EXISTING ACCESS AND SERVICES

Keats is an rural residential and recreational island with no car ferry, no paved roads, relatively few automobiles, and limited year-round moorage potential for private boats. The island is served by BC Hydro electric power, and Telus telephone land-line service. In 2002, there were no stores or commercial visitor accommodation facilities on Keats Island.

Keats Island has no curbside garbage pickup or publicly funded fire protection services. Most Keats Island properties are required to provide their own water supply and sewage disposal on-site. However, the Eastbourne, Keats Landing, and Melody Point developments all have their own small-scale water supply and distribution systems. The Eastbourne system is a tax-based Local Service, owned and managed by the Sunshine Coast Regional District, and funded on a user-pay basis.

Keats island has two public wharves, owned and operated by the Sunshine Coast Regional District: Keats Landing (on the northwest side of the island adjacent to Keats Camp), and Eastbourne (on the southeast side). These wharves are the main public access points on Keats Island.

There is one public barge ramp facility adjacent to the Keats Landing wharf, which is used to transport vehicles and heavy freight on and off the island. There is also a public dock located at Plumper Cove Provincial Marine Park. However, this moorage facility is not accessible by road, and is for the exclusive use of park visitors.

Both Eastbourne and Keats Landing public wharves are serviced by a passenger-only ferry service operated by BC Ferries between Langdale on the mainland, Gambier Island and Keats Island. Water taxis and private boats also load and unload passengers and cargo at the public wharves on a daily basis.

Some parts of Keats Island, such as Plumper Cove, Melody Point, and the waterfront lots on the North side of the island are not accessible by public road. These properties and some of the Keats Landing cottages on D.L. 696 are accessed by water via private docks and moorings.

KEATS ISLAND POPULATION

Population data for Keats Island is based mostly on local information, either by verbal communication or recent social profiles. Census data from Statistics Canada is not adequate as data prior to 1996 has been aggregated with data from other locations, also referred to as data suppression. This occurs when population counts are below 40. In addition, for reasons of confidentiality, the 1996 data has been randomly rounded up or down to the nearest five or ten, sometimes even fifteen and, thus, is not representative.

The population varies considerably on Keats Island at any given time depending on the season and can fluctuate from a low of fewer than 50 to a high of more than 1300 persons (including visitors to the island's 2 summer camps and Plumper Cove Marine Park).

In 2002 there were approximately 50 to 80 full-time residents on Keats Island. Part-time residents are a significant year-round presence on Keats Island. Many of the part-time residents can spend 3-4 days a week on Keats Island. The population in Eastbourne climbs to approximately 300 to 400 when all cottagers and weekend residents are included. In total the number of part-time residents is about 900, however, this number could be higher due to the multigenerational use of the cottages by many Keats Island families. The number of visitors to the Keats and Barnabas camps and the Marine Park is approximately 350 visitors on the island at any one time during the summer.

KEATS ISLAND SETTLEMENT PATTERNS

There are four main areas of settlement and they occur along the shores of the island, Eastbourne, Keats Landing, Melody Point-Plumper Cove, and the North Side (Cotton Point area). Currently, of the 359 developed properties, about 20 to 25 (6 - 7%) are occupied on a full-time basis. The remaining 334 to 339 lots (93 - 94%) are used for weekend, seasonal and recreational purposes.

On Keats Island in 2002 there was a total of 466 lots of land (including both fee simple lots plus 110 leasehold lots on District Lot 696, the Keats Baptist Camp property). Approximately 457 of these lots or 98% were residential land use. Of the remaining nine lots; two had private institutional (non-profit 'summer camp') use, one is the (82.5 acre) Plumper Cove Provincial Marine Park and campground, one is a (33 acre) local area or community park, four are small 'pocket' parks in Eastbourne, and one is used for telephone utility purposes near the Keats Landing Public Wharf. There is a small shorefront right of way further south on the Keats Camp property, which is not considered a lot, but is part of the hydro utility.

Over $\frac{3}{4}$ of the lots (358) on Keats Island are $\frac{1}{2}$ acre or less and occupy less than 5% of the island's total land base of 1500 acres (600 hectares). Just over $\frac{1}{10}$ of the lots (60) are between 10 and 30

acres and occupy 28% of the island. The remaining 6 large lots (over 30 acres) cover about 54% of the area of Keats Island and total 815 acres. Approximately 89.5% of Keats Island is private land, 8% is park, and about 2.5% is road allowances.

KEATS ISLAND SUBDIVISION POTENTIAL

In 2002 there were four lots on Keats Island that could potentially be subdivided: District Lots 876; 1829; 1469; and D.L. 1467 lot number 1. There were two lots that were in process of subdivision (D.L.696 and 1467 lot number 7). If subdivision occurred, the total number of potential residential lots on Keats Island could increase to a theoretical maximum of 501 lots (359 existing developed residential lots, including lease lots + 97 vacant residential lots + 45 new lots through subdivision) on a total island area of 600 hectares (1500 acres). The overall island density would be of one residential lot per approximately 1.2 hectares (3 acres).

SCHEDULE A – OFFICAL COMMUNITY PLAN TEXT

PART A - ADMINISTRATION AND INTERPRETATION

1 APPLICATION

- 1.1 This Bylaw shall apply to that part of the Gambier Island Local Trust Area as shown on Schedule B. Without limiting the generality of the foregoing, this includes Keats Island, Home Island, Preston Island, the larger of the two Shelter Islets and the area 1,000 metres seaward of the Keats Island shoreline. Encompassed in this area of application are the entire land area of all islands, islets, reefs, rocks, and the seabed, and also all surface waters and air spaces.

2. INTERPRETATION

Referencing

- 2.1 In the system used for referencing provisions in this Bylaw, the first reference indicates parts of the bylaw, the second indicates sections, the third indicates subsections, the fourth indicates articles, the fifth indicates clauses, and the sixth indicates items, as follows:

Part	A
Section	2.
Subsection	2.1
Objective	OBJ 2.1
Policy	P2.1

Units Of Measurement

- 2.2 Metric dimensions are used in this Bylaw. Imperial equivalents, shown in parentheses are approximate, are provided for convenience only, and do not form part of this Bylaw.

Severability

- 2.3 If any provision of this bylaw is for any reason held invalid by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Bylaw.

Covenants

- 2.4 Where under this bylaw an owner of land is required or authorized to grant any covenant, the covenant shall be granted to the Gambier Island Local Trust Committee (Local Trust Committee) in priority to all financial charges and all other covenants and easements (whether registered or not) and delivered in registerable form satisfactory to the Local Trust Committee prior to the granting of the approval or authorization in respect of which the covenant is required. The covenant shall indemnify the Local Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenantor.

3. COMPLIANCE

Conformity

- 3.1 No person may use or occupy or permit any land, water surface, building or structure to be used or occupied, or subdivide any land, except as permitted by this Bylaw.
- 3.2 No person may construct, reconstruct, place, alter, extend or maintain any building, structure or sign except as permitted by this Bylaw.

- 3.3 Nothing contained in this Bylaw relieves any person from the responsibility to comply with other legislation applicable to their use of land, buildings or structures.
- 3.4 No lot or area of land may be subdivided, no building, structure or land may be used, and no building or structure may be sited in a manner which renders any existing use, building or structure non-conforming with respect to siting or density.
- 3.5 The use of land, buildings or structures that is lawful at the time of adoption of this Bylaw, although not conforming to the provisions of Part B of this Bylaw, may be considered as “legal non-conforming”, and continued subject to the provisions of Section 911 of the *Local Government Act*.

Inspection

- 3.6 The Bylaw Investigations Officer and any other officer of the Islands Trust who may be appointed in that capacity, are authorized to enter, at all reasonable times, upon any property subject to the provisions of this Bylaw, to ascertain whether the regulations of this Bylaw are being or have been complied with.

Enforcement

- 3.7 Violation

Any person who does any act or thing or permits any act or thing to be done in contravention of the provisions of this Bylaw, or who neglects to do or refrains from doing any act or thing which is required to be done by any of the provisions of this Bylaw is deemed to have violated the provisions of this Bylaw.

- 3.8 Penalty

Any person who violates any of the provisions of this Bylaw is, upon summary conviction by a court of competent jurisdiction, liable to a penalty of not more than five thousand dollars (\$5000) and the cost of prosecution. Each day that such violation continues, or is allowed to continue, constitutes a separate offence.

4. AMENDING THE OFFICIAL COMMUNITY PLAN

Person Responsible

- 4.1 This Bylaw shall be administered by the Secretary of the Islands Trust or other employee of the Islands Trust appointed by resolution of the Gambier Island Trust Committee.

Implementation

- 4.2 There are three instruments available to the Trust Committee to implement this Plan; land use regulations, subdivision regulations, and covenants.

Amendment Procedure

- 4.3 This Bylaw may be amended by the Gambier Island Trust Committee at its initiative or in response to an application. Individuals seeking amendment shall submit applications in the form provided for in the bylaws of the Trust Committee.
- 4.4 Where an application for amendment of this bylaw has been refused, no application for the same amendment shall be considered within twelve months of the date of refusal, unless the Gambier Island Trust Committee waives this requirement.

Update and Revision

- 4.5 The local trustees, in consultation with the Advisory Planning Group and the community may initiate review of the Community Plan at any time. The Bylaw should be reviewed in its entirety at least every five years from the adoption date.
- 4.6 All amendments of the Community Plan shall comply with the mandate and policies of the Islands Trust, as well as with procedures specified in the *Local Government Act* and shall be accompanied by public review and discussion.

Development Approval Information – Circumstances and Special Conditions

- 4.7 Development approval information may be required to ensure that development may be accommodated in a manner that sustains natural resources, environmentally sensitive areas and the rural character of the Keats Planning Area. Development approval information may be required to help the Local Trust Committee determine appropriate uses, density and siting of future development.

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PART B – GOALS, OBJECTIVES AND POLICIES

1. BACKGROUND AND HISTORICAL PERSPECTIVE

Background

The Keats Island Official Community Plan outlines a shared community vision as to how Keats Island should evolve in the coming years. It also provides direction to guide government agencies, current residents and property owners, and new or prospective landowners about existing and future land use and development, and publicly funded services on Keats Island.

The Official Community Plan contains goals, objectives and policies to guide the Gambier Island Local Trust Committee in developing land use regulations. The plan also guides the Local Trust Committee in reviewing any applications for rezoning, or other types of applications for management of property, and in responding to any matters initiated by other government agencies which may have an impact on Keats Island and surrounding islets. The Keats Island Official Community Plan is also intended as a useful reference for the public and other government agencies regarding the community's desires for the future of Keats Island.

Property owners and residents are not subject to regulation under the goals, objectives and policies of this Part B, but are subject to the land use regulations contained in the Land Use Bylaw. If a property owner is considering a request for change to the regulations in the Land Use Bylaw, they should review the goals, objectives and policies of the Official Community Plan to determine if the Gambier Island Local Trust Committee can consider such changes to the Land Use Bylaw.

Historical Perspective

Keats Island Before the Islands Trust

Before the creation of the Islands Trust in 1974, land use and subdivision of land on Keats Island and surrounding islets was relatively unregulated. Between 1926 and 1968, more than 375 small residential lots (both fee simple and leasehold lots) of between one-quarter acre and one-half acre were created on Keats Island's total land base of 1500 acres (600 hectares). Eastbourne, the largest subdivision of approximately 220 small lots, was created on the southeast corner of the Island. And on the southwest corner of the island at Keats Landing, 110 leasehold lots had been created on District Lot 696, a large parcel owned by the Convention of Baptist Churches of B.C. A non-profit Christian summer camp had been established on D.L. 696 in 1926, and has been in continuous operation since.

During this time period, some 58 residential lots of between one acre and 25 acres had also been created through subdivision of land on Keats Island. And an 83 acre Provincial Marine Park had been created at Plumper Cove.

The nine un-subdivided district lots remaining on Keats had a combined total area of about 1117 acres (447 hectares). These included: 231 acres owned by the Baptist Church (D.L. 696); 480 acres owned by the Corkum Family (D.L. 876, 1469, 1829); 385 acres owned by Eastbourne Estates (D.L. 1593, 1594, 1595, 6729); and a 21 acre holding near Cotton Point (D.L. 6031).

The “10-acre Freeze” and the Creation of the Islands Trust

In 1968, when it became evident that “small lot” suburban-density subdivisions were being created at an unsustainable rate on the islands in the Strait of Georgia and Howe Sound (including Keats Island), the Lieutenant Governor in Council of the legislature of British Columbia imposed a “10 acre freeze” over subdivision of land on these islands.

In 1972, an all-party special committee of the legislature of British Columbia was established to investigate the unique problems facing the islands. The committee concluded that pressures arising from the islands' proximity to major urban centres were damaging the very features that made the islands so attractive to residents and visitors.

The significance and sensitivity of these fragile islands was internationally recognized in 1973. An International Joint Commission proposed that the islands and waters in proximity to the British Columbia-Washington State border be protected as an international park, in order to maintain water quality and to preserve and protect marine and land-based wildlife habitats and archaeological and historical sites.

In response to all these findings, the provincial government enacted the *Islands Trust Act* in 1974. The Act established the Islands Trust as a unique land-use planning agency, acting for residents of both the Islands Trust Area and the province generally, and having a special conservation-oriented responsibility – to preserve and protect the Trust Area and its unique amenities and environment.

1973-1975 The First Keats Island Official Community Plan (Bylaw No. 107, 1975)

In the fall of 1973, the Sunshine Coast Regional District (SCRD) received a petition from several Keats Island property owners requesting that a study be made of Keats Island with the aim of introducing a community plan to govern development of the island. The Keats Island petition was made as a local response to the findings of the 1972 joint legislative committee, the 1973 International Joint Commission, and in anticipation of the proclamation of the *Islands Trust Act*. (NOTE: The SCRDC held the land-use function for Keats Island from 1967 until 1978, when the Islands Trust officially acquired full and autonomous local government powers with respect to land use planning and regulation of development on the islands.)

A community process ensued on Keats Island, beginning early in 1974. A three-person committee of islanders (from Eastbourne, Keats Landing, and Plumper Cove) was struck. And a questionnaire was circulated to all property owners in order:

- to notify islanders that the development of a community plan for Keats Island was in process;
- to determine the extent of existing development on the island; and
- to survey the attitudes of Keats Islanders concerning existing island problems and preferred island futures.

Two rounds of on-island public meetings were held, including one meeting with over 300 persons in attendance. A Community Plan to guide the regulation of island development on Keats Island was prepared on the basis of information received concerning the island's physical condition and the attitudes of islanders.

A Public Hearing was held in October of 1975 and the first Official Community Plan for Keats Island (Bylaw No. 107) was reconsidered and adopted by the SCRDC on January 13, 1977.

Between 1975 and 2002, about 38 new ten-acre lots were created on Keats Island (in addition to the 375+ previously existing small lots and 58 "in between" lots). Notably, the holdings of Eastbourne Estates was subdivided into 33 ten acre lots in 1981, and a 33 acre local park was created in the middle of that subdivision. And, in 2002, the 110 leasehold lots and summer camp on D.L. 696 were in the process of being subdivided under the terms of a 1978 Land Use Contract (Bylaw No. 4) between the Gambier Island Local Trust Committee and the Convention of Baptist Churches of B.C. This left a subdivision potential of about 46 more residential lots on Keats under the so-called "10-acre rules".

In 2002, there were only four parcels of land with subdivision potential left on Keats Island (D.L. 876, 1469, 1829, and 1467 lot number 1).

2000 – 2002 The Keats Island Planning Review Process

In early 2000, the locally elected Gambier Island Local Trust Committee (LTC), received a specific allocation of planning grant funds and staffing resources from the Islands Trust Council in order to conduct a two year public review of the 1975 Keats Island Official Community Plan and Sunshine Coast Regional District zoning and subdivision regulations (Bylaws No. 96 and 103) which still were then in effect on Keats and surrounding islets.

The Keats Island Advisory Planning Group (APG), a committee of eight Keats Islanders from across the island (Eastbourne, 10-acres, Melody Point, Plumper Cove, Keats Landing, and summer camps), appointed by the LTC to advise on local Islands Trust-related matters, made recommendations on how to proceed with a community consultation process for review of the 1975 Keats Island Official Community Plan and old SCR D zoning and subdivision bylaws.

Over the next two years, a new Keats Island Planning Review Process ensued. A community internet website, www.keatsisland.net, established with Islands Trust planning grant funds and maintained by Keats Island volunteers, was created. Also, the Local Trust Committee commissioned the preparation of a detailed “Community Profile Report” which combined physical, geological, demographic and other known data about Keats into a single reference document.

Then, in June 2000, an information mailer was sent out to all Keats Island residents and property owners to inform them of the Keats Island Planning Review Process and to seek their participation in the Review. The mailer included a “Workbook/Questionnaire” with 34 goal, objective and policy statements from the 1975 Keats Island OCP. Islanders were asked to indicate their “Level of Agreement” with each statement and to provide new ideas, as well.

A “Community Values Questionnaire” with three questions was also included:

“What do you envision or hope Keats Island will be like in the next five to ten years?”

“What aspects of Keats Island do you value most and why?”

“Do you have any concerns or any other comments?”

Two “Orientation, and Visioning” community forums were held in July, 2000 – one in North Vancouver, and one at Barnabas Camp (Corkum Farm) on Keats. At both meetings, islanders worked together to provide input regarding their community values and vision for the future of Keats Island. Additionally, information and update articles were provided on-line at www.keatsisland.net, and in the “Keats Island Tidelines”, a community-based newsletter distributed twice yearly to all Keats Island residents and property owners.

The Community Goal and Objective statements in this revised Official Community Plan for Keats Island and surrounding islets were drafted using wording derived directly from community input received from islanders during the Planning Review Process. Using the original bylaws as a starting point, policy wording in the OCP, and updated zoning and subdivision regulations were prepared based on: community responses; legislative and Islands Trust Policy requirements; comments from other government agencies; and technical data.

Over the course of the two and a half year Keats Island Planning Review Process, all public information related to the process, including Islands Trust staff reports, information and update articles, property owner questionnaires, questionnaire results, public input tables, draft and proposed bylaw wording were all posted on the www.keatsisland.net web-site. Three more rounds of community-wide mail-outs and community meetings were conducted to provide opportunities for public input before a final proposed set of Keats Island Official Community Plan, and Land Use Bylaws were considered by the Local Trust Committee at a Public Hearing.

A Reaffirmation of Guiding Principles for Land Use and Development on Keats Island

Throughout the 2000 – 2002 Keats Island Planning Review Process, Keats Islanders from across the island indicated a high level of community support for reaffirming many of the values and principles expressed in the 1975 Keats Island Official Community Plan. This general Keats Island philosophy, taken directly from the 1975 Keats Island OCP but still relevant in 2002, is summarized here as follows:

Future Development Problems

“While it is possible for an increase in development of an area to improve the area’s livability, such an increase usually aggravates existing problems and creates new ones. It is clear from an examination of the questionnaires Keats Islanders have returned that the Islanders fear that increased development of the island will reduce its current pleasantness.”

1. The Quality of New Development

“Since the rural peacefulness and natural beauty of the island are highly valued, any new development should be of such a type and design that these features are not harmed. It is also necessary to ensure that new development helps to remove the problems now being experienced by islanders, rather than to increase the intensity of these problems. The balance between the services needed by new developments and new services must be regulated to ensure that strain on existing services is not increased.”

2. The Quantity of New Development

“There is little doubt that demand for the use of property on Keats Island will continue to rise. This demand will be reflected in higher bid prices for island property, and increased pressure from developers for higher intensity use of property. For the purposes of the plan, it is plausible to consider this demand as insatiable – that is, no amount of concessions to the demand will significantly reduce the demand. As a result, the quantity of new development to be permitted should be considered on the basis of the desired condition of the island, not on the basis of the demand for island property.”

2. KEATS ISLAND COMMUNITY GOALS

Background

The following statements of Keats Island Community Goals express the values that are significant to the people of Keats Island and surrounding islets, and together with the specific Objectives listed in each topic area throughout the plan, set the direction to be followed when interpreting and implementing the policy statements contained in the Keats Official Community Plan.

GOAL 2.1 TO PRESERVE KEATS ISLAND AS IT IS NOW...

The community desires to preserve the island, for the future, as much like it is now as is possible. The community continues to share values regarding the need and desire to preserve and protect the existing natural beauty, peace and quiet, and the unique rural character of Keats Island and surrounding islets.

GOAL 2.2 TO PRESERVE THE ECOLOGICAL INTEGRITY AND NATURAL BEAUTY OF KEATS ISLAND

The community is interested in protecting the island's limited and fragile natural environment, including: forests, wildlife, drinking water sources, the ocean, beaches, and the marine environment.

GOAL 2.3 TO PRESERVE PRIVACY, PEACE AND QUIET

It is important to the community to retain the peace, quiet, tranquility and serenity, as well as the slow paced island life style. The ambience of the island should be retained as a refuge in contrast to the traffic and noise of urban areas.

GOAL 2.4 TO ENCOURAGE AND MAINTAIN A SENSE OF COMMUNITY

There is a shared desire within the community to improve island wide communication and cooperation. Suggestions have been made to encourage Islanders to work together to resolve issues and achieve cooperative goals. A balanced, consultative approach to decision-making is important to achieve.

GOAL 2.5 TO PRESERVE UNIQUE RURAL CHARACTER

The "unique rural character" of Keats Island has been identified to include: the natural beauty, tranquility, unspoiled views, passenger-only ferry, lack of development, rustic, small number of roads, cars and traffic; the slow paced ambience, and the feeling of "remoteness" within close proximity to Vancouver. Keats is a clean, quiet sanctuary that is safe, friendly and self-reliant. There is lots of community spirit and the island has a family-oriented, "summer cottage community" atmosphere.

GOAL 2.6 TO MANAGE GROWTH AND DEVELOPMENT

Careful holistic planning and management of existing and future development is required if the natural beauty, peace and quiet, and unique rural character of Keats Island are to be preserved and protected in a sustainable manner over the long term.

3. ECOSYSTEM PRESERVATION AND PROTECTION

KEATS ISLAND OBJECTIVES

OBJ 3.1 TO MAINTAIN ACCESS TO THE NATURAL ENVIRONMENT

Retention of intact forested areas and undeveloped natural areas is supported within the community as well as ensuring that non-vehicular public access to beaches, scenic areas and pedestrian hiking trails is maintained.

OBJ 3.2 TO INCREASE PARKLAND AND PROTECTED NATURAL AREAS

There is a strong interest in increasing the amount of public parkland as well as protected areas on private land on Keats Island in order to preserve the island's natural beauty, ecological integrity, natural processes, habitats and species.

OBJ 3.3 TO PROTECT FRESHWATER AND WETLAND ECOSYSTEMS

Protecting all of Keats Island's limited freshwater resources (including wetlands, watercourses, watersheds and water catchment areas) from depletion, overuse, or contamination is essential in order to preserve the quality and quantity of both surface and groundwater for domestic purposes, and sustenance of the island's ecosystems and species.

OBJ 3.4 TO PROTECT THE MARINE ENVIRONMENT

Protecting Keats Island's natural foreshore and public recreational beaches from pollution, environmental degradation, or modification by inappropriate development or use is extremely important to the community.

KEATS ISLAND POLICIES

Forests and Representative Island Ecosystems

- P.3.1 Voluntary stewardship is strongly encouraged to ensure protection and maintenance of adequate forested areas for the retention of the Island's characteristic forested landscape, sustenance of groundwater supplies, and retention of habitat for wildlife, lesser vegetation, significant individual trees or stands, and any unfragmented forest ecosystems.
- P 3.2 Measures which assist in maintaining and protecting unfragmented forest ecosystems and habitats, groundwater supplies, scenic areas, undeveloped beaches and pedestrian hiking trails is encouraged and supported by the Local Trust Committee. Such measures may include incentives to: retain large lots; register conservation or restrictive covenants which protect natural features or limit development; dedicate hiking trails and beach accesses.
- P 3.3 Residents and property owners are encouraged to assume ongoing long term stewardship of environmentally sensitive features and undeveloped natural areas on private lands. The voluntary use of conservation covenants to protect the natural environment of Keats Island and surrounding islets is strongly supported by the Local Trust Committee.
- P 3.4 The issuance of "Natural Area Tax Exemption Certificates" on properties subject to a protection covenant, pursuant to Part 7.1 of the *Islands Trust Act (Natural Area Protection Tax Exemptions)*, as prescribed by regulation, and in accordance with the Protocol Agreement on "The Natural Area Protection Tax Incentive in the Gambier Island Local Trust Area", between the Sunshine Coast Regional District Board and the Islands Trust Council, is supported by the Gambier Island Local Trust Committee.

- P 3.5 Areas considered to be environmentally sensitive are shown generally on Schedule “C”, Environmentally Sensitive Areas. The Local Trust Committee encourages the cooperation of relevant senior government agencies to further identify and protect environmentally sensitive features and areas.
- P 3.6 Natural features and areas identified as environmentally sensitive to development may be protected by land use regulation. In considering permits, referrals, applications and rezoning proposals, the Gambier Island Local Trust Committee may request or require, as a condition of approval, the registration of restrictive covenants to maintain undeveloped specified portions of lots in order to protect specific features or retain certain undisturbed natural areas.
- P 3.7 New development detrimental to environmentally sensitive features and areas is discouraged. Setbacks for all buildings and structures shall be designed to protect significant riparian and wildlife habitat and encourage maintenance of indigenous vegetation within these areas.
- P 3.8 Hazardous lands are those with natural characteristics that may endanger land use and related development. These can include areas susceptible to damage from natural phenomena such as storm wave action, flooding, severe erosion, land slippage, and rock fall.
- a) Areas of land where land use and related development is or may have to be restricted due to hazardous natural conditions include:
 - Lots or portions thereof having registered upon their title restrictive covenants prohibiting or limiting placement of buildings or structures due to hazardous conditions; and
 - Areas of land identified during the subdivision or building inspection processes as having natural conditions that may be hazardous to land use and related development.
 - b) The Local Trust Committee is supportive of measures implemented by the Ministry of Transportation during the subdivision process and the Sunshine Coast Regional District during the building inspection process that protect land use development from hazardous conditions.

Parkland Ecosystems

- P 3.9 Existing provincial and community park types and uses such as Plumper Cove Provincial Marine Park and natural area community parks are identified as Park on Schedule B. At the time of subdivision, trails should be created as linear parks to link Plumper Cove Provincial Park, Hard-to-come-by Cove, Pebble Beach, Highest Peak, Bridgman’s Bluff, Cotton Point and Andy’s (Silver Beach) in a manner that limits traffic, noise and litter and other effects on neighbouring properties.
- P 3.10 Public overnight camping shall only be permitted in the Plumper Cove Provincial Marine Park campground.
- P 3.11 BC Parks is requested to: adequately supervise public recreational use of Plumper Cove Provincial Marine Park, particularly where overnight camping is permitted; require the use of holding tanks for vessels moored within the Park’s water lot lease; and require that park users take their own garbage with them when they leave the site.
- P 3.12 Applicants for subdivision will be required to dedicate parkland in accordance with the requirements of the *Local Government Act*. Lands dedicated at the time of subdivision as parkland shall be maintained by land use regulation as natural area parks, or greenway corridors unless rezoned for community recreation purposes. A natural area park or greenway

corridor use may be located in any land use designation without requiring a land use regulation amendment.

- P 3.13 Development of recreation parks shall be permitted only when authorized by land use regulation amendment following extensive community consultation and a public hearing.

INFORMATION NOTE: Section 14 of the *Interpretation Act* exempts the Province from being constrained by local bylaws; therefore the policies of this Official Community Plan have no effect on Provincial parks. For clarity, zoning does apply if Provincial parkland is sold or leased to a third party, and zoning does apply to regional and local parks.

- P 3.14 The Local Trust Committee supports the Letter of Understanding, dated October 2, 1996, between the Gambier Island Local Trust Committee and the Regional District of Sunshine Coast Board regarding the identification of land suitable for park and the acquisition, development, operation and maintenance of parkland.

- P 3.15 A community parks, greenways and trails plan should be developed with community input, in coordination with the Sunshine Coast Regional District, to help identify any further requirements as to the location and type of future community parkland, the location and development of an island greenways and trail system and the location of strategic beach access locations.

- P 3.16 Appropriate tools and mechanisms to acquire additional parkland such as dedications, purchases, voluntary donations, and transfer of density may be considered by the Local Trust Committee in accordance with Schedule D - Amenity Zoning and Density Transfer Guidelines.

Freshwater and Wetland Ecosystems and Riparian Zones

- P 3.17 Freshwater wetlands, bodies of surface water, natural drainage patterns, watercourses, watershed and groundwater recharge areas should be identified, protected and, where possible, restored or rehabilitated.

- P 3.18 Actions preventing further loss or degradation of freshwater bodies or water courses, wetlands and riparian zones and which protect freshwater sources is supported by the Local Trust Committee. Adequate setbacks should be maintained to discourage development encroachment and prevent contamination of such freshwater sources.

- P 3.19 The Province of British Columbia's *Riparian Areas Protection Act* requires that local governments establish regulations to protect riparian areas. This designation is intended, in part, to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

Areas where land use and related development may have to be restricted to protect riparian areas include lands falling within Development Permit Area 1: Riparian Areas.”

Coastal and Marine Ecosystems

- P 3.20 In order to protect the island's foreshore and beaches from pollution, environmental degradation, and inappropriate development or use, zoning regulations for coastal areas should be designed to ensure protection of natural coastal processes and features.

4. STEWARDSHIP OF RESOURCES

KEATS ISLAND OBJECTIVES

OBJ 4.1 TO PROMOTE STEWARDSHIP OF THE ISLAND'S LIMITED FOREST RESOURCES

Since 89% of Keats Island is private land and logging on private land is not regulated, voluntary stewardship of the limited forest land base is essential if the island's unique rural character, wildlife habitat, water recharge capabilities, natural beauty and scenic qualities are to be sustained over the longer term.

OBJ 4.2 TO RESOLVE WATER SUPPLY ISSUES

Protection of water resources, sources, and water supply management issues, such as water quality and quantity, water consumption levels and capacity and drinking water contamination from septic fields need to be addressed.

OBJ 4.3 TO RESOLVE ISSUES REGARDING THE USE OF FORESHORE

Concerns have been raised about conflicts regarding appropriate uses of foreshore, especially at public beaches.

KEATS ISLAND POLICIES

Forestry and Agriculture

- P 4.1 The retention of large land holdings and lot sizes for existing sustainable forestry use is supported by the Local Trust Committee. The minimum lot size for sustainable forestry use should be 20 hectares (50 acres).
- P 4.2 On smaller lots (for example 10 hectares (25 acres) or less), tree removal should be discouraged, excepting: modest clearing for home-sites, domestic gardens, and septic fields; or provision of firewood and lumber for use by the owners or residents of the lot.
- P 4.3 The voluntary designation by individual private property owners of protected natural areas where no extraction will take place to ensure the preservation of native biological diversity is supported and encouraged by the Local Trust Committee.
- P 4.4 Due to the island's limited land base, rugged terrain, poor soil conditions, and concerns regarding groundwater retention and contamination of limited drinking water supplies by agricultural and animal husbandry activities, expansion of existing agriculture, and land clearing for additional agricultural uses is discouraged.

Wildlife and Vegetation

- P 4.5 Residents and property owners are encouraged to retain areas of land and water in their natural state to ensure sufficient natural habitat is retained for maintenance of wildlife and bird populations or retention of rare or significant native vegetation.

Freshwater Resources

- P 4.6 There are general concerns regarding water quality and quantity, water consumption levels and capacity, and drinking water contamination from septic fields that the local community should work towards resolving through, voluntary measures, cooperative efforts, regulations and interagency agreements with provincial and regional authorities.

- P 4.7 The Local Trust Committee should consider means to resolve water quality, quantity, consumption and contamination concerns through a Sunshine Coast Regional District managed tax based water system for Eastbourne that is paid for by the property owners who use the system. On request, the Local Trust Committee should also consider means to resolve water quality, quantity, consumption and contamination concerns in other areas of Keats island through locally acceptable means.
- P 4.8 The Local Trust Committee supports and encourages measures such as voluntary covenants, easements, and density transfer which ensure:
- a) neither the density nor intensity of land use is increased in areas which are know to have a problem with the quality or quantity or the supply of freshwater,
 - b) water quality is maintained, and
 - c) existing, anticipated and seasonal demands for water are considered and allowed for.
- P 4.9 Measures that ensure water use is not to the detriment of instream uses are supported by the Local Trust Committee.
- P 4.10 Streams, and catchment areas should be protected from disturbance or contamination that would diminish their value for water supplies.
- P 4.11 The use of water storage tanks and cisterns on private lands and on designated community water storage sites is encouraged, and may be required in areas served by a Sunshine Coast Regional District managed tax based water system, to augment limited water resources, provided there are no adverse impacts on downstream users.
- P 4.12 Sources of water should be protected from contamination by means of land use regulations to the standards of the Ministry of Health and the Ministry of Water, Land and Air Protection.
- P 4.13 The establishment and use of supplementary water supplies on private lands and on designated community water storage sites for fire suppression, existing agriculture, and other non-domestic use is supported by the Local Trust Committee.
- P 4.14 The Local Trust Committee encourages water conservation. Wherever appropriate, supportive measures may include but are not necessarily limited to:
- a) information programs to increase user awareness of water conservation measures;
 - b) installation of water saving plumbing fixtures and appliances;
 - c) the use of rainwater catchment for garden irrigation or watering of lawns, plants, and animals;
 - d) the use of drought tolerant plant materials for landscaping purposes;
 - e) discouragement of the use of ground water for the irrigation of lawns.

Coastal Areas and Marine Shorelands

- P 4.15 Public access and the right to recreational use of the foreshore should be supported and protected, and such access and use should also respect the interests of adjacent residents and tenure holders. The use of public beaches should be regulated to ensure public access to and enjoyment of beaches is not impeded or impaired by inappropriate development or use of the foreshore.
- P 4.16 Zoning regulations should provide for the existing public wharves, public barge ramp, public marine park moorages, private docks and moorages, cooperatively owned or operated moorage, docking and swimming facilities for private institutional (non-profit) camps, marine conservation zones, and log dumping associated with existing island forestry requirements.

P 4.17 Upon application for rezoning, a change, expansion, or downsizing in existing foreshore uses including public wharves, public and private barge ramps or boat launches, public marine park moorages, private docks and moorages, cooperatively owned or operated moorage, docking and swimming facilities for private institutional (non-profit) camps, marine conservation zones, and log dumping associated with existing island forestry requirements may be considered by the Local Trust Committee. Each application should address issues such as ensuring public access to the foreshore and safety issues.

INFORMATION NOTE: Once the Local Trust Committee has considered the application, a public hearing is required by legislation prior to a change in use of the foreshore. As part of the application review process, the Local Trust Committee will consider location, proposed use and scale, level of community support, environmental impacts, impacts on the immediate surroundings, and the potential impacts on Keats Island growth and development patterns. Community information and consultation meetings should be held on Keats Island prior the public hearing.

P 4.18 Any foreshore rezoning proposal should only receive favourable consideration by the Local Trust Committee when the proposal is made in response rather than in anticipation of the needs and desires of the Keats Island community, at a time when establishment of such a use would enjoy widespread support within the community as a whole.

P 4.19 Given that most of the foreshore in the planning area is heavily used for recreational purposes, zoning regulations should not permit shellfish and finfish farms in the planning area; however, on application, the zoning regulations may be amended to permit shellfish aquaculture provided that the aquaculture uses do not preclude the traditional enjoyment of the shoreline by the public or upland owners and do not preclude recreational uses traditionally enjoyed by the people in the Howe Sound area.

P 4.20 The integrity of foreshore features, shoreline features, and intertidal processes should be maintained by:

- a) discouraging uses that disrupt natural features and processes, and encouraging owners of shoreline properties to retain, wherever possible, natural vegetation and natural features on areas sloping towards the foreshore;
- b) supporting the prohibition of filling, deposit, excavation, or removal of foreshore and seabed materials, except for maintenance of navigational channels and existing wharfage areas;
- c) land use regulations should provide for waterfront developments to be setback sufficiently to allow for natural erosion and accretion processes, without endangering structures;
- d) where land use regulations provide for private docks, the use of communal or shared docks is encouraged, where feasible, to limit the need for multiple dock development along the shoreline.

P 4.21 The location of new buildings and structures should be regulated so as to protect public access to, from and along the marine shoreline and to minimize negative impacts on sensitive coastal environments.

P 4.22 Foreshore and adjacent coastal water area land use regulations should place emphasis on retaining natural characteristics.

- P 4.23 The Ministry of Sustainable Resource Management and Land and Water British Columbia Inc. are encouraged to respect land use regulations of local government when authorizing uses of the foreshore and adjacent marine waters.
- P 4.24 The Federal Department of Fisheries and Oceans is encouraged to require holding tanks in boats and to designate all waters surrounding Keats Island and adjacent islets, including and especially Plumper Cove Provincial Marine Park, as non discharge areas for purposes of sewage disposal from boats.
- P 4.25 The Federal Department of Fisheries and Oceans is encouraged to impose restrictions on the operation of Personal Water Craft in the waters surrounding Keats Island.

5. SUSTAINABLE COMMUNITIES

KEATS ISLAND OBJECTIVES

OBJ 5.1 TO ESTABLISH A LIMIT TO GROWTH

Any future development on Keats Island needs to be carefully managed and limited so as to preserve unique community character and minimize negative impacts. The community believes there is a need for island wide consultation prior to any new proposed expansion or change in existing uses or density.

OBJ 5.2 TO MAINTAIN EXISTING LAND USES

The community supports limiting land uses to seasonal and permanent residential, public park, existing private institutional (camps), and existing agriculture, with the possibility of expanding uses to include more public use land such as for a community hall and for outdoor recreation playing fields.

OBJ 5.3 TO MAINTAIN EXISTING ISLAND DEVELOPMENT TYPE

If the natural beauty, peace and quiet, and unique rural character of Keats Island are to be preserved and protected in a sustainable manner over the long term, land use planning and management of existing and future development must resist “suburbanization”, “citification”, and “commercialization” of the island to ensure that potential and cumulative negative impacts from existing and future development are minimized.

OBJ 5.4 TO MAINTAIN EXISTING ROAD STANDARDS AND MINIMAL VEHICLE USE

Cross-island private motor vehicle transportation and road expansion should remain minimal and community access to existing walking trails should be maintained.

OBJ 5.5 TO MAINTAIN EXISTING FERRY SERVICE

Retaining the existing passenger-only ferry service to Keats Island is important to the community and consultation is encouraged regarding any future scheduling changes.

OBJ 5.6 TO RESOLVE ISSUES REGARDING PUBLIC WHARVES AND MOORAGE

Concerns have been identified regarding public access, moorage, vehicular access and parking at Keats Island public wharves (Keats Landing and Eastbourne).

OBJ 5.7 TO RESOLVE WATER AND SEPTIC ISSUES

There are local area concerns regarding water quality and quantity, water consumption levels and capacity, and drinking water contamination from septic fields.

OBJ 5.8 TO ESTABLISH GARBAGE DISPOSAL SERVICES

Limited Regional District involvement in island waste management issues may be requested so that garbage disposal is more effective for islanders.

OBJ 5.9 TO IMPROVE COMMUNITY SAFETY AND WELL BEING

Hunting and shooting on Keats Island should be discouraged due to concerns for safety, and lack of enforcement. Community-based fire protection services should be improved on the island.

KEATS ISLAND POLICIES

Aesthetic Qualities

P 5.1 Preservation and protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic values of Keats Island and surrounding islets is encouraged.

Existing and Future Land Uses

P 5.2 The total number of residential lots should not be increased beyond the number possible under Sunshine Coast Regional District Subdivision Bylaw No. 103 as it applied to Keats Island, presently calculated as 501 lots.

P 5.3 The unique historical character of distinctive settlement areas on Keats Island, including surrounding islets, should be respected and considered in decision-making. The recognized settlement areas include: Eastbourne and the “10 acres” subdivision (D.L. 1593, 1594, 1595, 6729, 6031); the North-side subdivision (D.L. 3043); the Corkum Lands (D.L. 1469, 1829, 876); Melody Point (D.L. 1468); Plumper Cove (D.L. 1467); Keats Landing (D.L. 696); Shelter Island (D.L. 1428); and Preston Island (D.L. 6233).

P 5.4 New proposals for future development should only be permitted to occur at a scale and rate of growth that is respectful of: community-held values; the island’s unique rural character; consideration of the historical character of distinctive settlement areas including water-only access; the islands’ limited infrastructure; the requirements of applicable land use regulations.

P 5.5 Zoning regulations should establish minimum lot sizes for all lands subdivided before 2002 consistent with BC Reg 274/69, which established a minimum lot size of 10 acres before the creation of the Islands Trust.

P 5.6 All residential lots in all designations should be serviced by an approved sewage disposal system and have a source of water supply suitable for the intended uses permitted on the lot before any sewage generating use is initiated on the lot.

P 5.7 Any cost associated with the provision of additional local infrastructure required due to land development should be borne by the developer as a condition of development approval.

P 5.8 Provisions pertaining to lot site coverage, building or structure setbacks, heights, floor area regulations, screening, and water-only access or parking requirements shall be included in the land use regulations and should be developed with regard to maintenance of residential privacy, and with regard to retaining the unique rural character, historical character of distinctive settlement neighbourhoods, and natural landscapes of Keats Island.

P 5.9 Buildings in keeping with the island’s rural recreational atmosphere, environment and topography are encouraged by the Local Trust Committee.

P 5.10 Consolidations of lots that are undersized relative to existing lot size requirements and consolidations of lots in areas with water supply or septic disposal capability problems are encouraged by the Local Trust Committee.

P 5.11 For subdivisions under Section 946 of the *Local Government Act* (provisions relating to subdivisions for purposes of providing a residence for a relative) on non-Agricultural Land Reserve Lands, the Local Trust Committee may establish a minimum lot size for which Section

946 applies; the zoning regulations should establish a large minimum lot size of approximately 20 hectares.

P 5.12 The Local Trust Committee encourages land owners to retain, on a voluntary basis, undeveloped natural areas on their properties in order to protect specific features or retain natural landscapes.

P 5.13 There are no known sand or gravel resources except those comprising, on District Lot 1829, lands on which a gravel pit use is already in operation.

P 5.14 Public schools, waste treatment facilities and disposal sites are provided off the island.

Residential Land Use

P 5.15 On small properties designated on Schedule B as “Residential” or “Eastbourne Residential”, residential use, permanent or seasonal, shall be the primary use, with other accessory uses, buildings and structures such as woodsheds, toolsheds, garages, etc. being compatible with smaller lot residential neighbourhoods. The zoning regulations should limit the number of single family dwelling to one per small lot.

P 5.16 On large properties designed on Schedule B as “Residential” (properties ranging from approximately 1 ha to 8 ha) designated on Schedule B as “Residential” the zoning regulations should permit no more than one single family principal dwelling and one accessory guest cottage of limited size. On larger properties (those exceeding approximately 8 ha) residential, zoning regulations should permit no more than two single family principal dwellings. However, special zones of limited application may be applied to accommodate historical situations where separate dwellings were built lawfully, prior to January 2000, by cooperative owners who are tenants in common.

P 5.17 Despite policies P 5.15 and P 5.16:

- a) If a natural area of at least one hectare of a lot is protected by a conservation covenant acceptable to the Local Trust Committee, the zoning regulations may be amended to permit one additional dwelling on the lot. This policy does not apply to lots that are smaller than two hectares.
- b) If an existing trail corridor or greenway buffer, acceptable to the Local Trust Committee is dedicated on a lot, the zoning regulations may be amended to permit one additional dwelling unit on the lot. If the existing trail or greenway corridor is dedicated within a bare land strata subdivision, the zoning regulations may be amended to permit one additional dwelling unit per lot in the bare land strata.

P 5.18 The total lot density under the provisions of Policy P 5.17 shall not exceed 3 single family dwellings and 1 guest cottage.

P 5.19 Relaxations of lot densities or dwelling densities beyond those stated in policies P 5.15 and P 5.16 should not be permitted in any residential zone, except in cases where a significant community amenity is secured, subject to compliance with Schedule D - Amenity Zoning and Density Transfer Guidelines.

P 5.20 Despite policy 5.19, the Local Trust Committee should initiate a zoning amendment process for District Lot 1467 (Plumper Cove), and District Lot 1468 (Melody Point) in order to develop two site-specific Rural Residential zoning designations for these existing water-access-only developments, both of which were created prior to the establishment of the Islands Trust.

- P.5.21 The Local Trust Committee should develop and adopt guidelines for the approval of Development Variance Permit applications for the purpose of varying the gross floor area of accessory guest cottages and sleeping cabins in Rural Residential zones in circumstances where a lot was created prior to July 1, 2002, and where at least one residence was legally established on the lot prior to the adoption of this Bylaw.
- P 5.22 The existing Land Use Contract (Gambier Island Local Trust Committee Bylaw No. 4), shown on Schedule B relating to the Convention of Baptist Churches of BC, for District Lot 696 (November 21, 1978) is supported; and the Local Trust Committee will work cooperatively with all relevant parties and agencies, prior to subdivision approval, to resolve and address any and all outstanding land use, access, and servicing issues relating to the completion of the contract.

Rural Comprehensive Land Use

- P 5.23 District Lots 876, and 1829 are designated on Schedule B as “Rural Comprehensive” and have a total area of 124.4 hectares (311 acres). Without increasing the current total subdivision potential of 30 residential lots within the Rural Comprehensive designated area, the zoning regulations should address the following:
- a) the approximate location, amount, type and density of present and potential residential development;
 - b) the approximate location, amount and type of present and proposed agricultural, sustainable forestry, sand and gravel extraction, public utility, land and foreshore uses;
 - c) the approximate location and type of present and proposed or potential protected natural areas, parks, trails, and roads or access routes (if any) to be created at the time of subdivision (should this ever occur).
- P 5.24 As a means of managing land use and development so as to minimize potential negative impacts, while encouraging stewardship of the ecological integrity and unique rural character of Keats Island over the longer term, the zoning regulations should provide for minimum and average lot sizes, density transfer from one lot to another within the zone, and potential community amenities which the Gambier Island Local Trust Committee may consider as acceptable for consideration under Schedule D - Amenity Zoning and Density Transfer Guidelines of this Bylaw.
- P 5.25 The minimum lot area for subdivision established by zoning regulations in the Rural Comprehensive Zone should be at least 1.5 hectare (3.75 acres) and the average lot area for subdivision should be at least 8 hectares (20 acres) unless density bonus is provided in accordance with Schedule D - Amenity Zoning and Density Transfer Guidelines of this Bylaw, in which case, the minimum lot area for subdivision may be reduced to 1.0 hectare (2.5 acres) and the average lot area for subdivision may be reduced to 4.0 hectares (10 acres).
- P 5.26 Where lot averaging is permitted by land use regulation, clustering of smaller sized lots may be encouraged to retain large remainder lots as a means to: maintain unique rural character and natural beauty; minimize the need for road expansions; minimize fragmentation from utility corridors; protect groundwater recharge areas; and ensure that any and all land and foreshore development is located in areas which are suitable to support the intended use.
- P 5.27 Any remainder lot and new lots created from the parent lot which are larger than the permitted average lot size shall be required to have a covenant registered on title limiting the number of additional lots (if any) which may be created.

Home Occupations

- P 5.28 Home occupations are small scale business enterprises that provide a service or a product and are conducted by residents from within a dwelling unit or an accessory building. Home occupations are permitted and shall be regulated. Home Occupations:
- a) shall only be permitted as a secondary use to a permitted residential use;
 - b) shall be regulated to help minimize any adverse effects they may have on residential use and to the environment, the peaceful enjoyment of surrounding lands, and on the residential character of the premises upon which they are conducted;
 - c) should not increase traffic and should be quiet and non obtrusive;
 - d) home occupations involving storage of heavy machinery (that is not for use on the site), should only be permitted on lots 4 hectares (10 acres) or greater in area; and
 - e) should only allow portable sawmills for local domestic purposes and for incidental milling of timber.
- P 5.29 Home occupation land use regulations may address:
- a) categories of home occupations;
 - b) the extent of buildings and structures used for home occupation;
 - c) minimum lot size requirements and minimum set-back requirements;
 - d) exterior storage of materials and screening requirements;
 - e) off-street parking requirements;
 - f) signage; and
 - g) water and septic concerns associated with home occupation uses.

Affordable and Special Needs Housing

- P 5.30 A range of housing options may arise to accommodate special needs. Proposals for special needs and/or affordable housing should be considered when these needs develop to an extent that such projects are acceptable to the community and are consistent with this bylaw.

Private Institutional Camps

- P 5.31 The existing private institutional (non profit) camp sites on Keats Island are: Keats Camps (D.L. 696); and Barnabas Family Ministries (D.L. 1469). Keats Camp is in the Land Use Contract area shown on Schedule B, and Barnabas Family Ministries is designated “Institutional” on Schedule B.
- P 5.32 The existing private institutional (non profit) camps are recognized as a traditional and appropriate land use on Keats Island, which contributes to the unique rural character of the island, and should be afforded appropriate zoning designations. Existing private institutional camps are located on areas of land large enough, so that provision can be made for participant activities to be conducted primarily on-site and so that protection of natural beauty and water resources is maintained.
- P 5.33 The scale of private institutional (non profit) camp uses on Keats Island should remain compatible with the community’s vision of the island’s traditional role in providing recreational-based experiences for off-island visitors.
- P 5.34 Land use regulations for private institutional (non profit) camp uses should address minimum lot size, extent and use of land-based facilities development, including residential uses, foreshore uses and facilities, on site water supply, sewage disposal, and fire suppression requirements, building and structure set backs, participant accommodation capacity, height, screening, signage, and areas to be kept free from development.

P 5.35 Land use regulations for private institutional (non profit) camp uses should be established with regard to minimizing negative impacts of institutional camp activities on adjacent land uses, as well as minimizing negative impacts on private institutional camps by land use activities initiated from elsewhere on the island.

P 5.36 New private institutional camp proposals shall be subject to rezoning. As part of the application review process, consideration should be given to location, proposed use and scale, level of community support, environmental impacts, impacts on the immediate surroundings, and the potential impacts on existing Keats Island facilities and services.

INFORMATION NOTE: Once the Local Trust Committee has considered a rezoning application, a public hearing is required by legislation prior to the establishment of any new private institutional camp use on Keats.

Community Facilities

P 5.37 The community well sites in Eastbourne and the existing Hydro shed and parking area near Keats Landing are the only community facilities designated as Community Service on Schedule B. Consideration for other community use facilities, such as a community hall, a tennis court and/or outdoor playing field can be addressed by the Local Trust Committee in response to an application for rezoning amendment.

P 5.38 In evaluating applications to establish new community facility uses on Keats Island, the Local Trust Committee should consider : location, proposed use and scale, level of community support, environmental impacts, impacts on the immediate surroundings, the availability of services and resources necessary to operate the facility, potential public costs, and the potential impacts on existing Keats Island facilities and services.

P 5.39 Multi-purpose use of community facilities is encouraged by the Local Trust Committee.

P 5.40 The provision of community facilities or land for community facilities, may be considered an amenity under terms of Schedule D - Amenity Zoning and Density Transfer Guidelines of this Bylaw, subject to the amenity and land use proposal being:

- a) in compliance with the object of the Islands Trust;
- b) reviewed through adequate public consultation; and
- c) examined in terms of public costs and the financial sustainability of the amenity facility.

P 5.41 Other appropriate tools and mechanisms to acquire additional community facilities such as dedications, purchases, voluntary donations, and transfer of density may receive favourable consideration by the Local Trust Committee in decision making in accordance with the goals, objectives and policies in Part B of this Bylaw, and the terms of Schedule D - Amenity Zoning and Density Transfer Guidelines of this Bylaw.

Private Conservation

P 5.42 Lands in the Keats Island planning area deemed to be of special importance for environmental, heritage, recreational or aesthetic reasons should be designated “Conservation” on Schedule B.

P 5.43 The primary intent of the Conservation designation is to retain certain lands in their natural state and to prohibit residential use. The zoning regulations should specify a minimum range of principal uses for lands in the Conservation designation.

- P 5.44 Land provided or protected as a community amenity in exchange for an increase in density under Schedule D - Amenity Zoning, and Density Transfer Guidelines, may be re-designated and re-zoned as Private Conservation with the owners' written consent.
- P 5.45 As provided for in Schedule D - Amenity Zoning, and Density Transfer Guidelines, as a condition of density transfer, some lands may be re-designated and re-zoned as Private Conservation, with the owners' written consent.

Commercial Retail

- P 5.46 Upon application for redesignation and rezoning, one small corner store type commercial retail activity use within Eastbourne may receive favourable consideration by the Local Trust Committee. As part of the application review process, consideration should be given to location, proposed use and scale, economic viability, level of community support, environmental impacts, impacts on the immediate surroundings, and the potential impacts on Keats Island growth and development patterns.

INFORMATION NOTE: Once the Local Trust Committee has considered the application, a public hearing is required by legislation prior to the establishment of a store or commercial undertaking on Keats.

- P 5.47 Any commercial retail rezoning proposal should only receive favourable consideration by the Local Trust Committee when the proposal is made in response rather than in anticipation of the needs and desires of the Keats Island Community, at a time when the envisioned business could reasonably be supported by the island's resident population, and when establishment of such a use would enjoy widespread support within the community as a whole.
- P 5.48 The minimum lot size, permitted uses, set backs, extent of commercial development and activity, the provision of on-site servicing for water supply and sewage disposal, and the provision of facilities such as parking, screening, lighting, and signage shall be regulated by bylaw.

Rental Housing and Commercial Visitor Accommodation

- P 5.49 Rental of private residential dwellings to the same person(s) for a period of 30 days or more for purposes of a residence may be permitted by zoning regulations on land designated "Eastbourne Residential", Rural Comprehensive", "Land Use Contract" or "Institutional" on Schedule B.
- P 5.50 The rental of a residential dwelling, accessory guest cottage, sleeping cabin, accessory building, or campsite by the day, week, or any period less than 30 consecutive days to travelers or vacationers who maintain a residence elsewhere is considered a commercial vacation rental and is not permitted in residential designations.
- P 5.51 Public camping at Plumper Cove Provincial Marine Park, and group accommodations at Keats Island's existing private institutional (non-profit) camps are recognized as the traditional and preferred means of providing for the accommodation needs of the large majority of island visitors.
- P 5.52 The zoning regulations should prohibit commercial visitor accommodation hotels, large-scale commercial lodges, commercial campgrounds, and recreational vehicle or trailer parks.

P 5.53 Small scale bed and breakfast uses, small commercial lodges, vacation rental opportunities, or other future Commercial Visitor Accommodation development proposals shall be subject to redesignation on Schedule B and subsequent rezoning on an application by application basis.

INFORMATION NOTE: Once the Local Trust Committee has considered the rezoning application, a public hearing is required by legislation prior to the establishment of a bed and breakfast or small scale Commercial Visitor Accommodation use on Keats Island. Small scale bed and breakfasts, which are limited in number and scale, are the preferred means of providing for future Commercial Visitor Accommodations on Keats Island.

P 5.54 In reviewing applications to establish bed and breakfast or small scale Commercial Visitor Accommodation uses on Keats Island, the Local Trust Committee should give consideration to: location, proposed use and scale, level of community support, environmental impacts, impacts on the immediate surroundings, and the potential impacts on existing Keats Island facilities and services.

Roads and Vehicle Use

P 5.55 Land use patterns which reduce dependency on private automobile use on Keats Island should be supported by land use designation and regulation.

P 5.56 Intrusion or expansion of roads and vehicular access into water-access-only lots is strongly discouraged.

P 5.57 Measures which minimize the need for cross-island private motor vehicle transportation are encouraged.

P 5.58 The establishment of a “cross island shuttle”, land taxi or trucking service on Keats Island is supported, as a means of reducing dependency on private automobile use.

P 5.59 The use of unlicensed and unsafe vehicles is discouraged and regular enforcement of the *Motor Vehicle Act* in respect of these types of vehicles is requested from the RCMP.

P 5.60 Owners of unsafe or derelict vehicles are strongly encouraged to have the vehicles removed from the island.

P 5.61 Parking restrictions associated with use of the existing public wharves at Eastbourne and Keats Landing should be addressed through land use regulations, where appropriate.

P 5.62 The use of safe, efficient, low impact forms of alternative transportation, such as golf carts or all terrain vehicles, for the purposes of transporting passengers and supplies is encouraged.

P 5.63 The RCMP is encouraged to consider issuing permits, under the Motor Vehicle (All Terrain Act), such that All Terrain Vehicles (as defined by the Act) may be licensed and insured for operation, under strictly defined conditions, and only on dedicated island roadways which are specified by the permit.

P 5.64 As a means of ensuring safety for pedestrians, cyclists, and operators of alternative transportation vehicles, and of reducing road dust and minimizing the need for road maintenance on Keats Island, the Ministry of Transportation is requested to reduce posted speed limits on Keats island to: 15 km/h on constructed public roadways which are within 1 km of the existing public wharves; 20 km/h on secondary access roads; and 20 km/h on Keats Road, the main road across Keats Island.

- P 5.65 The Letter of Agreement between the Ministry of Transportation (MoT) and the Islands Trust, respecting road standards, classification, and a MoT/Islands Trust consultative process in the Islands Trust Area, including Keats Island, is supported by the Gambier Island Local Trust Committee.
- P 5.66 The classification system of rural roadways including scenic or heritage road designations in recognition of the object of the Islands Trust should be supported in land use regulations where appropriate. Scenic/heritage road designations are shown on Schedule B.
- P 5.67 Regular, consistent, and “accountable” maintenance of existing constructed Keats Island roads in consultation with islanders is requested from the Ministry of Transportation.
- P 5.68 The rustic, narrow, winding, gravel “country lane” roads on Keats Island contribute to the island’s unique rural character and ambience. The Ministry of Transportation is requested to:
- a) consult with the Local Trust Committee on the location of any new road rights-of-way as part of the subdivision review and approval process;
 - b) not increase road widths, straighten road alignments, or pave any existing constructed gravel roads;
 - c) neither close, nor develop any existing unconstructed road rights-of-way without extensive public consultation;
 - d) address issues of road runoff and erosion when requested;
 - e) not require clearing or construction of any right-of-way providing access to water or to lands beyond and to permit the rights-of-way to be used for pedestrian trail access, instead; and
 - f) provide safe public beach accesses on the end of certain existing road allowances which provide access to public recreational beach areas in Eastbourne, when requested.
- P 5.69 At the time of subdivision involving waterfront properties, where dedication of public water accesses is a consideration, such accesses should not be located in areas where topography renders them unusable. Consolidation of public water accesses may be considered, if appropriate to site specific circumstances. The use of pedestrian trails along portions of public water accesses should be considered.
- P 5.70 It is a policy of the Islands Trust and Gambier Island Local Trust Committee that no island in the Gambier Island Local Trust Area should be connected to the mainland or to another island by a bridge or tunnel.

Trails and Dedication

- P 5.71 Landowners are encouraged to preserve and retain existing trails on their property for public recreational activity through trail dedication, by placing signage in appropriate locations, or by other means, in accordance with Section 3 of the *Occupiers Liability Act*.

INFORMATION NOTE: Under the *Occupiers Liability Act*, an individual entering private property to use a recreational trail that is marked as a recreational trail is deemed to have willingly assumed all risks associated with his or her use of the trail. Landowners are therefore only obliged to ensure they do not create a danger with intent to harm the individual’s person or property or act with reckless disregard to the individual’s safety.

- P 5.72 Members of the public using designated trails across private lands are requested to respect private property.

P 5.73 The Local Trust Committee should give high priority to the provision of pedestrian trails, as opposed to roads. Subdivision applicants are encouraged to design proposals that reduce road construction and that encourage non-automotive travel. No motorized vehicles should be permitted on trails designated for pedestrian purposes.

Passenger Only Ferry Service

P 5.75 Retaining the existing BC Ferries operated passenger-only ferry service to Keats Island is important to the community and should:

- a) provide an adequate level of passenger-only ferry service, for which expansion follows rather than anticipates demand;
- b) consult with the Keats Island community on all aspects of proposed changes to their ferry service;
- c) address concerns regarding excessive ferry noise and wake;
- d) retain, improve, and upgrade access to the pickup/drop off float in Langdale for private boats and water taxis;
- e) retain on-call ferry services for emergency evacuation purposes;
- f) retain “cost recovery only” parking rates in Langdale;
- g) consider increased ferry service to Eastbourne as one means of reducing cross-island traffic; and
- h) a car ferry should not be provided.

P 5.76 Proposals for enhanced water taxi access to Eastbourne, Gibsons, Horseshoe Bay or Downtown Vancouver may be supported by the Local Trust Committee, subject to island wide consultation, and wide spread community support.

Public Wharves

P 5.77 The existing publicly owned wharves, Eastbourne and Keats Landing, which are shown on Schedule B, were approved for transfer to the Sunshine Coast Regional District, on Oct. 21, 2000, are essential public access facilities, and should be retained for public use.

P 5.78 The traditional use of Keats Island public wharves for the loading and unloading of passengers and cargo, emergency evacuation purposes, and for day use or temporary moorage purposes, is strongly supported by the Local Trust Committee.

P 5.79 Use of existing public wharf facilities shall be addressed by land use zoning regulations. Any change in use, expansion or downsizing, should only be considered subject to extensive consultation with the Keats Island community as a whole.

P 5.80 The Sunshine Coast Regional District is requested to involve the Local Trust Committee and the Keats Island community in developing Regional District policies and guidelines respecting ongoing maintenance, repairs, and management of both Keats Island public wharf facilities. Such policies and guidelines should clearly and consistently address issues, such as:

- a) priorities, scheduling, and funding of annual maintenance, repairs, improvements and capital expenditures on ports facilities;
- b) vehicle parking restrictions on public wharves;
- c) vessel loading and unloading;
- d) emergency evacuation;
- e) day use, temporary moorage, and long term moorage for private vessels (if any);
- f) private subleasing arrangements for community moorage purposes (if any);
- g) enforcement;
- h) amendment procedures for changes in policy;
- i) opportunities for ongoing public consultation and involvement in ports issues.

- P 5.81 In developing its long term ports repairs, maintenance, and capital improvements strategies, the Sunshine Coast Regional District is requested to consider the Eastbourne wharf as a priority facility for repairs, maintenance, and any proposed improvements, as a means of making the facility more available for safe year round use.
- P 5.82 When accessing Keats Island via public wharf, island residents, property owners, and visitors are encouraged to utilize the public wharf facility which is located in closest proximity to where they reside, or where they are visiting, as a means of reducing cross island traffic.
- P 5.83 The Local Trust Committee may consider a proposed location for long term public moorage for private vessels, in response to an application for rezoning. Environmental impact information may be required and community information and consultation meetings should be held on island prior to the public hearing. Issues to be resolved prior to approval consideration should include: location; proposed use and scale; level of community support; environmental impacts; impacts on the immediate surroundings; impacts on existing Keats Island facilities and services; the availability of services and resources necessary and potential impacts on cross island traffic, and Keats Island growth and development patterns.

Private Moorage

- P 5.84 Water-access lots are recognized as areas suitable for private docks and moorings.

INFORMATION NOTE: Landowners intending to install and use a private dock, are required to first obtain licenses of occupation from Land and Water BC Inc, the Crown agency responsible for administering Crown lands. The zoning regulations in the Keats Island Land Use Bylaw apply to license of occupations; therefore, landowners intending to construct a dock are advised to check the relevant zoning regulations.

- P 5.85 Waterfront property owners are encouraged to consider sharing the use of private docks and wharves with one or more of their neighbours, including upland neighbours (if any), through joint ownership or non-commercial cooperative agreements and through the use of easements or other forms of agreed upon access to the facilities rather than erecting individual private docks or wharves.
- P 5.86 The zoning regulations should require that docks be setback from the seaward extension of the property lines to ensure right of access to adjacent foreshore and to protect privacy.
- P 5.87 When considering applications for new development on lots that do not have waterfront access, the Local Trust Committee should consider the impacts of the proposed development on the existing public wharves, including parking and access requirements, and encourage the landowners to provide other means of access.

Public Boat Launches and Barge Ramps

- P 5.88 The existing barge ramp at Keats Landing is recognized as a public use facility, for the purposes of transporting supplies, equipment, and vehicles to Keats Island.
- P 5.89 The Ministry of Transportation, and Land and Water British Columbia Inc., in consultation with the Local Trust Committee, and Keats Island community as a whole, are encouraged to consider proposals for local, cooperative, community-based management of existing or proposed public barge ramps sites, on designated public rights-of-way, when such proposals would serve to resolve issues related to: barge ramp maintenance and repairs; suitable hours of operation; and suitable scheduling for barge landing activities.

P 5.90 Locations for additional public or private barge ramp or boat launch facilities may be considered for rezoning in response to an application, in consultation with the Ministry of Transportation, and the Keats Island community as a whole, as a means of reducing cross island traffic, pursuant to the provisions of Policy P 5.83. Prior to the public hearing, a community information and consultation process should occur including an on island meeting addressing specific details of the proposal such as environmental impact studies, any obstruction of public access to beaches and safety issues.

INFORMATION NOTE: Once the Local Trust Committee has considered the rezoning application, a public hearing is required by legislation prior to the establishment of a public or private barge ramp or boat launch facility.

Utilities

P 5.91 Where telephone and hydro are provided, they should, where feasible, be placed underground.

P 5.92 The use of island parkland for local servicing or utility purposes is discouraged, and should be addressed through land use regulation.

Water Supply Services

P 5.93 The protection of water resources and water supply management issues such as water quality and quantity, water consumption levels and capacity and drinking water contamination from septic fields, and from agricultural uses, should be addressed through local land use regulations, and monitored through provincial authorities, where appropriate.

P 5.94 The use of chemical fertilizers, pesticides and herbicides by any agency, farmer or individual is discouraged in order to protect water sources and the natural environment from contamination.

P 5.95 The existing community-managed water supply systems at Keats Landing (D.L. 696), and Melody Point are recognized and supported by the Local Trust Committee.

P 5.96 The Local Trust Committee supports the establishment of a small scale, conservation-oriented local service area water supply, storage and distribution system within Eastbourne that is owned and managed by the Sunshine Coast Regional District, provided that the system is funded on a user pay basis.

P 5.97 The establishment of tax-based local service area(s) for all or part of the island to fund services and utilities may be considered by the Local Trust Committee, in accordance with the Service Delivery requirements of the Letter of Understanding between the Gambier Island Local Trust Committee and the Regional District of Sunshine Coast Board. Appropriate means and methods used in the provision of such services and utilities (i.e. location, who pays, scale, community support, etc) should be addressed with full community consultation.

P 5.98 Proposals to establish any new water supply system serving more than five lots should be conditional on a water management review being prepared by a Professional Engineer that examines:

- a) the potential impact on existing water users in the immediate area;
- b) the recharge capability of the water source relative to the anticipated maximum water demand of the proposed system;
- c) remedies available in the event of a water system failure;
- d) means to ensure that, prior to connection, every lot to be served by the proposed water supply system is serviced by an approved sewage and wastewater disposal system

- capable of handling the maximum anticipated effluent flows from the water supply source;
- e) ownership and management of the system;
 - f) compliance with the Service Delivery requirements of the Letter of Understanding between the Gambier Island Local Trust Committee and the Regional District of Sunshine Coast Board, if the Regional District Board provides this service;
- until such a time as the requirements of the *Drinking Water Protection Act* are applied to such systems.

P 5.99 Keats Island and surrounding islets should not be connected by water pipeline to the mainland, but should be self-sufficient in regard to their supply of freshwater, in accordance with the Islands Trust Policy Statement.

Sewage Disposal Services

- P 5.100 Land use regulations should specify minimum standards for effluent disposal for new buildings and subdivisions and should provide for back up sewage disposal capability to cover cumulative impacts of development from soil infiltration and cross contamination to adjacent properties.
- P 5.101 The Ministry of Transportation is requested to permit public washroom facilities to be constructed at public beach accesses located on the end of certain existing public road allowances in Eastbourne.
- P 5.102 If existing fee simple lots cannot achieve the sewage disposal requirements established by regulation, then the proposed land uses should not be permitted and consolidation of the lot with adjacent properties to increase opportunities for soil percolation is encouraged.
- P 5.103 In bare land strata subdivisions, or on cooperatively owned land, the joint use or sharing of approved common septic fields on common property is encouraged.
- P 5.104 The use of alternative technology to the traditional septic field, and the safe recycling of gray water, is supported by the Local Trust Committee if methods can provide effective non-polluting and energy efficient means to treat and dispose of effluent and are in compliance with all other government regulations.
- P 5.105 Septic fields should be set back from any well, spring, water course, wetland, or high water mark, in accordance with health regulations.
- P 5.106 The amount of area that is developed with impervious materials should be kept to a minimum and natural drainage systems should be maintained to allow for maximum absorption of groundwater and to minimize any increase in sedimentation or contamination of surface water.
- P 5.107 The impacts of surface water runoff and septic systems should be considered by the Local Trust Committee when considering a rezoning application near any well, spring, water course, wetland, or the natural boundary of the sea.
- P 5.108 Property owners are encouraged to maintain their sewage disposal systems to prevent contamination of potable water supplies.
- P 5.109 The Ministry of Health is be requested to: investigate and allow innovative, safe, effective, non-polluting alternatives to septic fields; and ensure that effluent flow from septic fields is regulated so as not to contaminate surface or groundwater.

P 5.110 The Ministry of Water, Land and Air Protection and the Environmental Health Officer are requested to prohibit any ocean dumping of untreated sewage.

Disposal Of Waste

P 5.111 Limited Regional District involvement in island waste management issues may be requested so that garbage disposal is more effective for islanders. Continued Regional District sponsorship of an annual island junk removal program for all islanders (including those in water-access-only areas), island recycling program and the provision of bins in Langdale and Gibsons for islander use are requested.

P 5.112 Information programs regarding effective installation and maintenance of septic tank/sewage disposal field systems are encouraged, including the use of effective alternate human waste disposal methods.

Recreation

P 5.113 Low impact, nature-based recreational activities are encouraged and facilities and opportunities for high impact recreational activities are discouraged.

P 5.114 Land-based and marine-based recreational activities which generate excessive noise and disruption of the rural peace, quiet, tranquility and serenity of Keats and surrounding islets are strongly discouraged.

P 5.115 The use of dirt bikes, personal water craft (jet skis), and other land-based or marine-based recreational pleasure craft which generate excessive noise is strongly discouraged.

Cultural and Natural Heritage

P 5.116 The preservation and protection of the heritage value and character of historic Keats Island settlement patterns and remains is encouraged.

P 5.117 The protection of archaeological and heritage sites afforded under the *Heritage Conservation Act* is acknowledged by the Local Trust Committee.

P 5.118 The use of voluntary conservation covenants to protect heritage resources is encouraged by the Local Trust Committee.

Economic Opportunities

P 5.119 Economic opportunities compatible with conservation of resources and protection of community character may be permitted through land use regulation by the Local Trust Committee.

Health and Well-Being

P 5.120 Hunting and shooting on Keats Island is not supported by the Local Trust Committee due to concerns for safety, and lack of enforcement. However, owners of large lots may, from time to time, conduct limited wildlife management activities within the boundaries of their own properties in accordance with Provincial Regulations.

P 5.121 Cooperative community-based fire protection services should be improved on Keats island. Measures that reduce the threat of wild fire in forested, and residential or other occupied areas are to be supported, and measures to increase awareness of fire danger and fire safety amongst residents, property owners, and visitors are encouraged.

- P 5.122 Proposals for any new development should include provisions for fire fighting equipment, and for emergency water storage.
- P 5.123 Additional police service from the RCMP, and fire protection awareness and services from the Ministry of Forests is requested during the peak recreation season, which is approximately from May 15th to October 15th.
- P 5.124 The RCMP, Canadian Coast Guard, and search and rescue organizations are requested to respond to islander requests for emergency assistance and to set up adequate safety, protection and communication mechanisms for local island communities.
- P 5.125 The RCMP is requested to respond to reports of island crimes, and to work with the island community to develop crime prevention strategies.
- P 5.126 The Sunshine Coast Regional District is encouraged to: support the development and maintenance of search and rescue services for Keats Island; and invite the residents of Keats Island, and surrounding islets, to be involved in the ongoing development of an Emergency Response Program.
- P 5.127 Keats Island self-sufficiency should be retained and government involvement limited in island affairs within the current legal framework (ie. *Islands Trust Act, Local Government Act*, etc).

6. CLIMATE CHANGE ADAPTATION AND MITIGATION

Background

Climate change results from the increasing concentration of heat-trapping greenhouse gases in the atmosphere as the result of human activities— primarily the burning of fossil fuels and large-scale deforestation. A 2007 report from the Intergovernmental Panel on Climate Change reveals that between 1970 and 2004, greenhouse gas emissions have increased by 70%. This dramatic rise in atmospheric greenhouse gas concentrations has in turn triggered an increase in the average temperatures of near-surface air and ocean water, with temperatures projected to rise 1.1° to 6.4° C over the next century. Although seemingly slight, these temperature changes should have dramatic and negative impact on ecological systems around the globe.

In response to climate change issues, the provincial government gave Royal Assent to Bill 27 [*Local Government (Green Communities) Statutes Amendment Act, 2008*] on May 29, 2008. Bill 27 amends the *Local Government Act* and other Provincial regulations to provide new tools for local governments. Most significantly, Bill 27 requires that all local governments include in their Official Community Plans targets to reduce greenhouse gas emissions and policies and actions to achieve these targets.

The following targets, objectives, policies and actions are the first step to ensuring that the reduction of greenhouse gas emissions specifically and the impact of climate change in general become part of the planning process for Keats Island.

This plan sets the following targets:

- *To reduce greenhouse gas emissions by 33% by 2020 and 85% by 2050 from 2007 levels. Within the local trust area this reduction will be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations*

Keats Island Objectives

OBJ 6.1 **TO GIVE CONSIDERATION TO THE IMPACTS OF CLIMATE CHANGE IN ALL LAND USE DECISIONS**

The impacts of climate change are real and rapidly evolving. Keats Island will likely be faced with sea level rise, warmer temperatures, reduced rainfall and species disturbances, among other changes.

OBJ 6.2 **TO PROMOTE THE USE OF RENEWABLE ENERGY AND THE DEVELOPMENT OF RENEWABLE ENERGY SOURCES**

Alternative energy sources lessen our footprint on the earth's surface that produce fewer impacts are encouraged on Keats Island.

OBJ 6.3 **TO ADVOCATE FOR SUPPORT FROM OTHER AGENCIES AND LEVELS OF GOVERNMENT TO ACHIEVE SIGNIFICANTLY HIGHER LEVELS OF ENERGY CONSERVATION AND SIGNIFICANTLY LOWER LEVELS OF GREENHOUSE GAS EMISSIONS**

It is recognized that we are all involved in achieving reductions in greenhouse gas emissions; individual actions must be supported by changes in policy and regulations at all levels of government.

Keats Island Policies

- P 6.1 The Local Trust Committee should consider ways of balancing seemingly competing interests, such as encouraging shifts in density while protecting the rural nature of the island, by considering these issues from a perspective of reducing greenhouse gas emissions and adapting to or mitigating the impacts of climate change.
- P 6.2 The Local Trust Committee should consider the development of new criteria for assessing official community plan or zoning amendment applications from the perspective of climate change adaptation and mitigation. These criteria should address issues such as the impact of proposed density on reducing greenhouse gas emissions, the land use and the form of development, building materials and construction methods, energy efficiency and sources, and the long-term potential for the development to decrease footprint on the landscape. The criteria should also include a comprehensive cost benefit analysis to illustrate the benefits of a green approach to land use and development.
- P 6.3 The Local Trust Committee supports cluster development only if it is appropriate for Keats Island and fits with the existing community.
- P 6.4 The Local Trust Committee should look for new methods for better understanding and monitoring greenhouse gas emissions, as well as other measures of climate change, that are relevant to Keats Island. Relevant baseline data are needed to map future reductions in greenhouse gas emissions.
- P 6.5 The Local Trust Committee encourages the use of small, fuel efficient vehicles such as gators, and alternative forms of shared transportation. Provincial authorities are encouraged to examine existing legislation that do not support these forms of transportation from the perspective of climate change adaptation and mitigation.
- P 6.6 The Local Trust Committee supports cycling and walking trails that permit non-automobile forms of travel, where they are safe, easy to travel, and can be well maintained.
- P 6.7 A number of Climate Change Adaptation and Mitigation Policies have been identified by the community that can only be achieved through initiatives resulting from individuals and the community, the actions of other levels of government, technological changes, and changes to land use policies and regulations. The following actions are encouraged to reduce greenhouse gas emissions:
- i) The Local Trust Committee should develop improved methods of determining and assessing the energy efficiency and climate change impacts of proposed development when it is processing land use applications. Application checklists should be revised to include climate change mitigation and adaptation criteria, such as energy efficiency, renewable energy and carbon sequestration impacts.
 - ii) The Local Trust Committee encourages residents to consider heat recovery ventilation systems as a cost effective means of increasing energy efficiency and reducing greenhouse gases emissions.
 - iii) The Local Trust Committee encourages residents to work beyond the requirements of Provincial and National Building Codes and find new ways to incorporate high energy efficiency into building design and construction. In addition, residents are encouraged to seek out new ways of reducing their own greenhouse gases emissions through alternative transportation methods, reduced use of fossil-fuel burning engines or generators, and increased use of alternative energy sources.
 - iv) The Local Trust Committee encourages the amendment of Provincial and National Building Codes to include the requirement for water storage with every dwelling unit, and requests that Provincial authorities consider additional methods for recognizing the impacts of climate change within building code regulations.

- v) The Local Trust Committee encourages Trust Council to add a “carbon neutral calculator” to the Islands Trust website to assist residents in calculating their personal and household greenhouse gases emissions. Ideally, residents should be provided with a printout that compiles a list of suggested personal actions that could be taken to reduce emissions, tailored to the individual conditions entered into the calculator.
- vi) The Local Trust Committee encourages the Ministry of Forests to implement a “fire smart” public education campaign on Keats Island on how to maintain a fire safe property within a forested area, and to reinforce the dangers of smoking, open flames, and fireworks in wooded areas.
- vii) The Local Trust Committee encourages residents and visitors to take all available actions to limit the potential for forest fires. It is encouraged that prior to tree removal, forest ecologists be consulted to provide recommendations on spacing, debranching, and debris removal to create and maintain a fire safe property.
- viii) The Local Trust Committee encourages the continued use of the Langdale float by the public in order to maintain efficiencies in travel.

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MAR, 2018

PART C – DEVELOPMENT PERMIT AREAS

BACKGROUND

Pursuant to Section 919.1(1) of the *Local Government Act*, a community plan may designate areas as development permit areas for the:

- a) protection of the natural environment, its ecosystems and biological diversity;
- b) protection of development from hazardous conditions;
- c) protection of farming;
- d) revitalization of an area in which commercial use is permitted;
- e) establishment of objectives for the form and character of intensive residential development;
- f) establishment of objectives for the form and character of commercial, industrial and multi-dwelling residential development;
- g) establishment of objectives to promote energy conservation;
- h) establishment of objectives to promote water conservation; and,
- i) establishment of objectives to promote the reduction of greenhouse gas emissions.

For a property in a development permit area, no construction, structural alteration, or addition to a building or structure may take place prior to a development permit being obtained. In addition, a property in a development permit area may not be subdivided, nor the land altered, prior to a development permit being obtained.

As a condition of designating a development permit area in a community plan it is necessary to briefly describe the feature or site to be designated, state the objective to be achieved through designation and outline the guidelines to be complied within the development permit area. This format is used below to describe the development permit areas in the Keats Planning Area. These locations are also shown in map form in Schedule E.

1. DEVELOPMENT PERMIT AREA 1: RIPARIAN AREAS

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This development permit area (DPA) is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

The Riparian Areas Development Permit Area (DPA-1) is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified environmental professional (QEP) may be required.

Terms used in this section that are defined in the *Riparian Areas Protection Act* are intended to be interpreted in accordance with the definition given in the *Regulation*.

Location

The Riparian Areas Development Permit Area, DP-1, includes all land designated on Schedule E of this plan, and any of the following that provides fish habitat:

- a) a watercourse, whether it usually contains water or not;
- b) a pond, lake, river, creek or brook; or
- c) a ditch, spring or wetland that is connected by surface flow to something referred to in paragraph (a) or (b).

For a stream that is not located in a ravine, the development permit area is a 30 metre (98.4 feet) strip on both sides of the stream measured from the high water mark;

For a stream located within a ravine that is less than 60 metres (197 feet) wide, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 30 metres (98.4 feet) beyond the top of the ravine bank;

For a stream located within a ravine that is 60 metres (197 feet) wide or greater, the development permit area is a strip on both sides of the stream measured from the high water mark to a point that is 10 metres (32.8 feet) beyond the top of the ravine bank;

For a lake, wetland or other water body, the development permit area is 30 metres (98.4 feet) around the water body measured from the high water mark of the water body;

The designation and delineation of Development Permit Area 1 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust. The actual location of the streams and water bodies and the actual extent of the Development Permit Area may need to be determined on a site-specific basis by a qualified environmental professional or a surveyor.

Justification

This development permit area contains streams, lakes and wetlands and their associated riparian areas, which have been identified as potential fish habitat. Riparian areas are necessary for stream and watershed health. Our job as stewards of the land is to ensure that these areas continue to function well into the future.

Riparian ecosystems perform a number of valuable services to humans, plants and animals alike. They support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support fish life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and

flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Riparian vegetation provides food and shelter for fish. Shade from trees within the riparian area regulates water temperatures within the stream, which is critical for salmon, trout and other fish species that need cool water to survive. Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Keats Island.

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Furthermore, the Province of British Columbia's *Riparian Areas Protection Act*, requires that local governments establish regulations to protect riparian areas. This designation is intended to protect riparian areas from development so that the areas can provide natural features, functions and conditions that support fish life processes.

Objectives

The objectives of this development permit area are as follows:

- OBJ 1.1** TO PROTECT THE BIOLOGICAL DIVERSITY AND HABITAT VALUES OF RIPARIAN AND AQUATIC ECOSYSTEMS;
- OBJ 1.2** TO PROTECT THE NATURAL ENVIRONMENT NECESSARY TO CONSERVE PRODUCTIVE FISH HABITAT, INCLUDING BOTH STREAMS AND THE ADJACENT LAND AND VEGETATION; AND
- OBJ 1.3** TO MINIMIZE ADVERSE IMPACTS OF LAND USE PRACTICES ON WILDLIFE HABITATS AND PLANT HABITATS IN RIPARIAN AREAS.

Development Approval Information

Development Permit Area 1 is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a Qualified Environmental Professional (QEP) may be required due to the special conditions and objectives described above.

INFORMATION NOTE: Development Permit Area Guidelines for DP-1 Riparian Areas are in the Keats Island Land Use Bylaw.

2. DEVELOPMENT PERMIT AREA 2: STREAMSIDE PROTECTION

This development permit area (DPA) is established, pursuant to Section 919.1(1)(a) of the *Local Government Act*, for the protection of the natural environment, its ecosystems and biological diversity.

The Streamside Protection Development Permit Area (DPA-2) is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*.

Location

The Streamside Protection Development Permit Area, DP-2, includes all land designated on Schedule E of this plan. The development permit area is 30 metres (98.4 feet) measured from the natural boundary of the stream.

Justification

Streamside areas support a diversity of plants and animals, provide important refuges and migration routes for birds and wildlife, and support aquatic life processes. Vegetation in riparian areas moderates the volume and rate of water flowing through the watershed and stabilizes stream banks by holding soil in place. Plant root systems enhance the soil's ability to absorb water by making it more porous. This allows water to be stored and released slowly into the watercourse, reducing potential for erosion and flooding. Soils also filter impurities and sediment from runoff water, improving water quality in the stream channel.

Logs and other woody debris fall into streams from the riparian area influencing stream channel morphology, dissipating the stream's natural erosive energy and providing habitat for a diverse range of species. Land use practices, including land clearing, road building, construction of buildings and structures, and location of septic systems in or near riparian areas, can jeopardize these habitats and water quality. Protection of riparian vegetation and watercourses is therefore necessary to protect the natural environment, ecosystems and biological diversity of Keats Island.

It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or water courses, wetlands or riparian zones and to protect aquatic wildlife.

Objectives

The objectives of this development permit area are as follows:

- OBJ 2.1** TO PROTECT THE BIOLOGICAL DIVERSITY AND HABITAT VALUES OF STREAMSIDE AND AQUATIC ECOSYSTEMS; AND,
- OBJ 2.2** TO MINIMIZE ADVERSE IMPACTS OF LAND USE PRACTICES ON HABITATS FOUND IN STREAMSIDE AREAS.

Development Approval Information

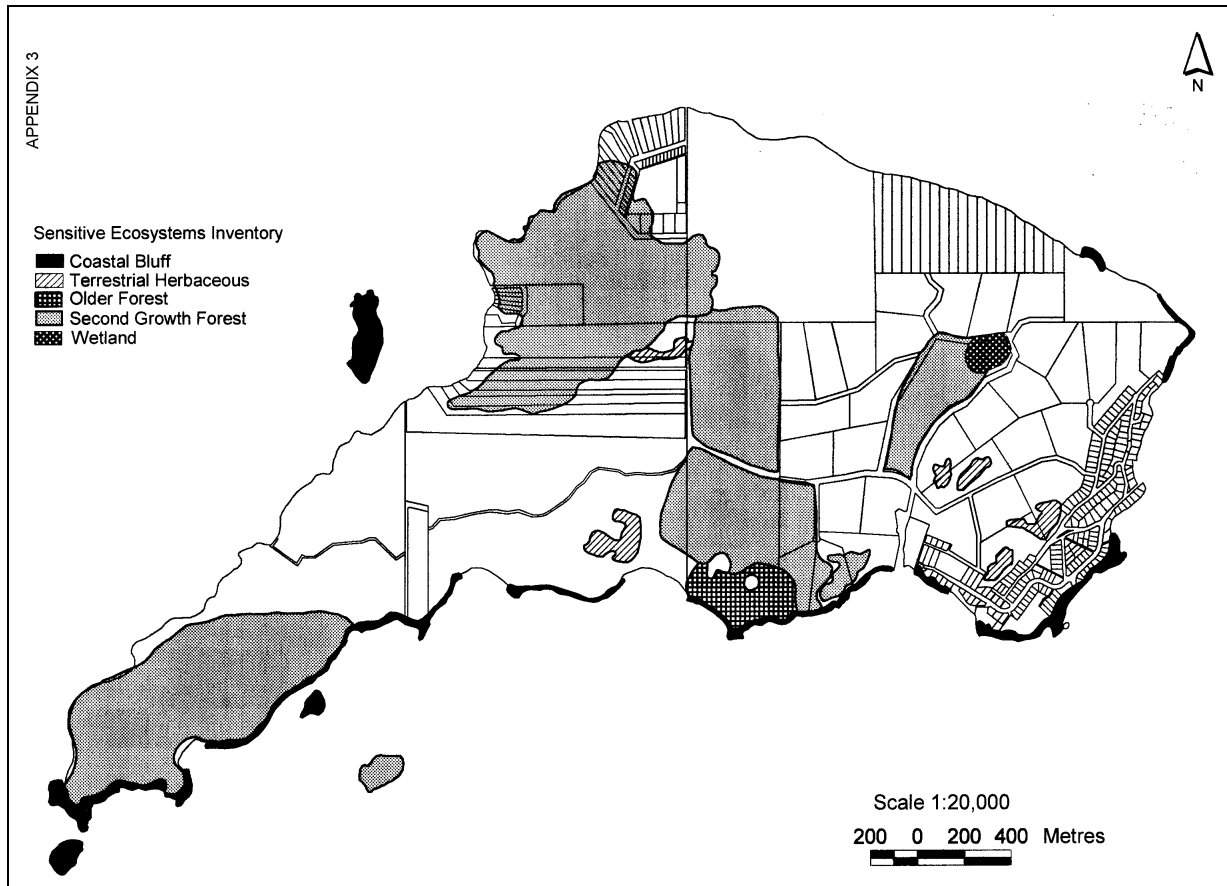
Development Permit Area 2 is designated as an area for which development approval information may be required as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a Qualified Environmental Professional (QEP) or another professional may be required due to the special conditions and objectives described above.

INFORMATION NOTE: Development Permit Area Guidelines for DP-2 Streamside Protection are in the Keats Island Land Use Bylaw.

SCHEDULE B – LAND USE DESIGNATION MAP

(See the fold-out map attached to the end of this document)

SCHEDULE C – ENVIRONMENTALLY SENSITIVE AREAS



This map is for information purposes only and is based on Provincial databases and has no regulatory implications . For up to date information, please contact the Ministry of Water, Land and Air Protection.

SCHEDULE D – AMENITY ZONING AND DENSITY TRANSFER GUIDELINES

AMENITY ZONING GUIDELINES

1. Approval of an amenity zoning shall be subject to compliance with the policies of this Bylaw;
2. In the case where a property owner offers a community amenity as a condition of subdivision or rezoning consideration may be given to increasing the permitted density on a lot through a rezoning process, which may or may not include transferring density from one lot to another lot, in accordance with the “Amenity Zoning Guidelines” under this section.
3. The following community amenities represent a list of potential community amenities which may be acceptable for consideration under this section:
 - a) The provision or dedication of land for preservation of unique natural environments and sensitive areas such as forested areas, water catchment areas, wetlands, scenic areas visible from the waters surrounding the island, and areas visible from or adjacent to public roads, trails, or parks;
 - b) The provision of land for community park, public open space, public assembly and/or community recreation;
 - c) The provision of buildings and/or facilities for community service, public assembly, or community recreation, such as a fire hall, community hall, or recreational playing field;
 - d) The provision of fire fighting water storage reservoirs for community use;
 - e) The provision of land for community water system storage reservoirs, especially within 1.0 km of Eastbourne;
 - f) The provision of community wells for domestic water supply, especially within 1.0 km of Eastbourne;
 - g) The provision of community moorage facilities in Eastbourne;
 - h) The provision of land for community service facilities, such as a public parking lot in the vicinity of the public wharf in Eastbourne;
 - i) The provision of any other amenity which is similar in nature to the foregoing and/or is consistent with the objectives and policies of this Bylaw.
4. In evaluating a proposal to increase density through amenity zoning, which may or may not include transfer of density, consideration shall be given to:
 - a) The appropriateness of the proposed amenity that would be granted;
 - b) The implications for the lot and adjoining lots of permitting the proposed amenity; and
 - c) The implications for the lot and adjoining lots of permitting the increased density.
5. Where, as a condition of providing a community amenity, a lot is to be granted greater density than would otherwise be the case in the zone in which it is located, the zoning shall be amended on the property to reflect the new maximum density permitted on the lot.
6. Where a community amenity has been provided, consideration may be given to protection of the amenity through mechanisms of a covenant or a zoning amendment or a combination of both.

DENSITY TRANSFER GUIDELINES

1. Approval of a density transfer shall be subject to compliance with the policies of this Bylaw;
2. The transfer of density from one lot in the Rural Comprehensive Zone, the Private Institutional 2 Zone, the Rural Residential Zone, or the Community Residential 1 Zone to another lot in the Rural Comprehensive Zone, the Private Institutional 2 Zone, or the Rural Residential Zone shall be conditional on compliance with the following requirements, in accordance with the “Density Transfer Guidelines” under this section:
 - a) In the case where a density transfer is approved, the following should be considered, where appropriate:
 - i) amending the zoning on all or part of the donor lot to reflect the reduced density;
 - ii) re-designating and rezoning all or a part of the donor lot to Private Conservation, and/or Natural Area Community Park, and/or Community Services, as deemed appropriate;
 - iii) placing a restrictive covenant on the donor lot, limiting further subdivision and development, as deemed appropriate; and/or
 - iv) placing a conservation covenant on all or part of the donor lot, as deemed appropriate, stipulating that the portion of land that is subject to the conservation covenant may only be used for conservation purposes, environmental protection; heritage site protection, community forest, park, community service, or heritage area.
 - b) In calculating the density entitlement that may be transferred from land within the Rural Comprehensive Zone or Private Institutional 2 Zone, any fractional amount of a lot which is equal to or greater than half the area of a Rural Comprehensive or Private Institutional 2 density unit shall be counted as a full density entitlement for purposes of transfer.
 - c) The affected lots shall be rezoned to reflect the new maximum density permitted on the recipient lot and to denote that the density has been removed from the donor lot, which may be rezoned in all or part to Private Conservation, and/or Natural Area Community Park, and/or Community Services, as deemed appropriate.

SCHEDULE E – DEVELOPMENT PERMIT AREAS

BL 129/
MAR, 2018

