

**GAMBIER ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 89**

A BYLAW TO AMEND KEATS ISLAND LAND USE BYLAW, 2002

WHEREAS the Land Use Contract (Bylaw No. 4, 1978) for DL 696, Group 1, New Westminster District, Keats Island, BC, (Convention of Baptist Churches) provides that except as otherwise provided in the Contract, the use and development of DL 696 shall comply with all regulations and bylaws in force on Keats Island;

WHEREAS the development of a camp and seasonal residences was permitted on DL 696 prior to the creation of individual lots;

WHEREAS the Keats Island Land Use Bylaw regulates the use and lot coverage of land on Keats Island,

WHEREAS the Gambier Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Gambier Island Local Trust Area, pursuant to the *Islands Trust Act*;

AND WHEREAS the Gambier Island Local Trust Committee has held a Public Hearing;

NOW THEREFORE the Gambier Island Local Trust Committee enacts in open meeting assembled the following:

1. This Bylaw may be cited for all purposes as “Keats Island Land Use Bylaw, 2002 – Amendment No. 1, 2004”.
2. Keats Island Land Use Bylaw, 2002 is amended as follows:
 - 2.1 Section 1.5 Definitions is amended by adding the following words to the end of the definition for public service utility use “, *or strata corporation.*”
 - 2.2 Section 4.2 Community Residential (CR 2) Zone is amended as follows:
 - a) Under the heading “Permitted Buildings and Structures”:

“4a Notwithstanding 4.2.4, the following additional existing structures within the marine area and subject of a moorage licence issued by Land and Water BC Inc. are permitted in the marine-based area associated with the following strata lots within District Lot 696, Plan ____:

 - *Lot 9 – boardwalk, fill, deck and wall*
 - *Lot 12 – fill and wall*
 - *Lot 13 – fill and wall and boardwalk*

- Lot 15 - deck
- Lot 18 – fill, wall and concrete abutment
- Lot 19 – wall and fill
- Lot 53 – deck and shed
- Lot 55 – deck, fill and wall
- Lot 60 – deck and fill and wall
- Lot 61 – fill and wall
- Lot 70 - deck
- Lot 71 – fill and concrete/rock wall
- Lot 72 – fill and concrete/rock wall
- Lot 73 – deck, fill and concrete/rock wall
- Lot 75 – deck
- Lot 78 – deck
- Lot 80 – deck, fill and concrete/rock wall
- Lot 83 – deck
- Lot 84 – deck
- Lot 89 – deck and shed
- Lot 98 – deck, rock wall and fill
- Lot 101 – deck
- Lot 102 – deck and ramp
- Lot 105 – rock wall, fill, gazebo and ramp”

b) Under the heading “Lot Coverage”:

“16 Notwithstanding 4.2.15, the maximum combined lot coverage of buildings and structures on the following individual strata lots within District Lot 696, Plan _____ is as follows:

- Lot 44 – 37.7%
- Lot 53 – 40.4%
- Lot 54 – 36.4%
- Lot 55 – 39.0%
- Lot 60 – 37.6%
- Lot 73 – 51.4%
- Lot 79 – 42.0%
- Lot 89 – 41.1%”

2.3 Section 4.6 Private Institutional 1 (PI1) Zone, is amended by:

- a) deleting the text “and located in the area identified on Schedule B as P11(a)” from the second and third bullets in Subsection .1 under the heading Permitted Uses and from the first and second bullets in Subsection .3 under the heading Permitted Buildings and Structures;
- b) adding the text “community water system facilities” to the list of bullets in Subsection .3 under the heading Permitted Buildings and Structures;

- c) replacing the text “per lot” with the text “in the P11 Zone” in the first two bullets in Subsection .7 under the heading Density;
- d) replacing the text “per lot” with the text “in the P11 Zone” in Subsection .9 and .10 under the heading Floor Area;
- e) replacing the text “of the lot area” with “area in the P11 Zone” in Subsection .18 under the heading Lot Coverage; and
- f) deleting Subsection .19 under the heading Subdivision Lot Area Requirements in its entirety and replacing it with the following:
“.19 the minimum lot area permitted by subdivision is 4.0 hectares (9.88 acre).”
- g) adding a new Subsection .20 under the heading Subdivision Lot Area Requirements as follows:
“.20 the average lot area permitted by subdivision is 30 hectares (74 acres).”
- h) adding a new Subsection .21 under the heading Special Use and Density Regulations, as follows:
“Special Use and Density Regulations

.21 The use of Strata Lot 100 (Campfire Rock) is limited to private institutional camp use and natural area parks and recreation use and no buildings or structures are permitted.”

2.4 Section 4.10 Community Service 2 (CS2) Zone is amended by adding two new subsections as follows:

a) under the heading Permitted Buildings and Structures:

“.2a Despite 4.10.2, the following structures and no buildings are permitted in the CS2 zoned areas adjoining the CR2 zoned bare land strata lots in DL696, Group 1, New Westminster District: septic fields and water, sewage and drainage works.”

b) under the heading Subdivision Lot Area Requirements:

“.10 Despite 4.10.9, the minimum lot area permitted by subdivision within District Lot 696, Group 1, New Westminster District is 1.5 hectares (3.7 acres).”

2.5 Section 4.11 Natural Area Community Park (P1) Zone is amended by adding a new subsection as follows:

“.2a Despite 4.11.2, no buildings are permitted in the community park within DL696, Group 1 New Westminster District.”

2.6 Section 7.2.2 is amended by inserting the words “a nature reserve” into the first bullet following the words “a conservation area”.

2.7 Section 7.4.1 is amended by adding: a new article (a) as follows:

PROPOSED

“(a) Pursuant to Section 944 (2) of the *Local Government Act*, District Lot 696, Group 1, New Westminster District is exempted from compliance with subsection 7.4.1.”

2.8 Section 7.9 Lots Divided by a Zone Boundary is amended by adding a new subsection .3 as follows:

“.3 Subsection 7.9.2 does not apply to District Lot 696, Group 1, New Westminster District.”

2.9 Section 7.10 Spit Lots is amended by adding a new subsection .2 as follows:

“.2 Subsection 7.10.1 does not apply to lots zoned P11 Zone, CR2 Zone and CS2 Zone within District Lot 696, Group 1, New Westminster District.

2.10 Schedule B – Land Use Map is amended as shown on Schedule “A” to this Bylaw.

READ A FIRST TIME this 6TH day of March 2005.

READ A SECOND TIME this 5th day of May, 2005.

PUBLIC HEARING HELD this day of , 200 .

READ A THIRD TIME this day of , 200 .

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST this day of , 200 .

ADOPTED this day of , 200 .

SECRETARY

CHAIRPERSON

GAMBIER ISLAND LOCAL TRUST COMMITTEE
 BYLAW NO. 89
 Schedule "A"

