

GAMBIER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 90

A BYLAW TO AMEND BYLAW NO. 4, 1978 (LAND USE CONTRACT)

WHEREAS the Gambier Island Local Trust Committee and the Convention of Baptist Churches, owner of DL 696, Group 1, New Westminster District, Keats Island, BC, agree to amend the Land Use Contract for Keats Camp respecting matters relating to density or use of an area covered by the contract;

WHEREAS Section 930 (2) (a) of the *Local Government Act* permits such amendments by bylaw;

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 as follows:

1. The Land Use Contract attached to Bylaw No. 4, 1978 is amended as outlined in Schedules 'A' and 'B' to this Bylaw.
2. This Bylaw shall be registered in the New Westminster Land Title Office in accordance with the *Land Title Act*.
3. This Bylaw may be cited for all purposes as "Gambier Island Local Trust Committee Bylaw No. 4, 1978 – Amendment No. 1, 2004".

READ A FIRST TIME this 6<sup>th</sup> day of March , 2005.

READ A SECOND TIME this 5<sup>th</sup> 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 .

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**SECRETARY**

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**CHAIRPERSON**

**GAMBIER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 90**

**SCHEDULE 'A'**

1. Land Use Contract, Paragraph 3 is amended by deleting the last line "... permitted on each lot shown in the inset plans of Schedule "C"." and replacing it with the following text:

*"... permitted on each of 110 residential lots shown within Areas A, B and C on the plan accompanying Schedule "C"."*

2. Land Use Contract, Paragraph 8 is amended by replacing the text "Public Park and a natural area shall be provided and preserved in accordance with Schedule "E"." with the following text:

*"A nature reserve and a habitat area shall be provided and preserved in accordance with Schedule "E"."*

3. Land Use Contract, Paragraph 11 is amended by replacing the text "The Owner shall dedicate the Park, Road and Trail Right-of-Way within one year of the registration of the Land Use Contract." with the following text:

*"The Owner shall dedicate the Road, register the Trail Right-of-Way and create the Nature Reserve at the time of subdivision of the Land."*

4. Land Use Contract, Schedule "B" is amended by:

- (i) inserting the word "residential" in the second line of the second paragraph before the words ".. lot created", and;
- (ii) adding Area "F" to the Areas listed in the paragraph,

so that the second paragraph reads:

*"No more than one (1) residence or seasonal cottage shall be constructed on any residential lot created under the provision of Schedule "C" and no residence other than residences required for the exclusive use of employees of the Owner and their families, and in any case not more than five (5) residences for such employees, shall be constructed on land not within Areas A, B, C, D, E and F as shown on the plan accompanying Schedule "C"."*

5. Land Use Contract, Schedule “C” is amended by:
  - (i) inserting the word “residential” in the second line of the first paragraph before the words “...lots being restricted” and numbering the paragraph (a), so that the first part of the paragraph reads:
 

*“(a) Within District Lot 696, lots for residence and seasonal cottages may be subdivided, or created by other means subject to the number of residential lots being restricted to a maximum of 110...”*
  - (ii) inserting at the top of the list in the first paragraph the words:
 

*“- in the parent parcel a maximum of 3 lots (in 3 parts) as Areas A, B and C,”*
  - (iii) amending the second paragraph by inserting the word “residential” between the words “110 lots”, deleting the words “approximately in the inset” and numbering the paragraph (b), so that the second paragraph reads:
 

*“(b) The location of the 110 residential lots shall, subject to minor variation upon survey, be as shown on the plan accompanying this Schedule.”*
  - (iv) adding a new paragraph (c) to the end of the Schedule as follows:
 

*“(c) Within District Lot 696, in addition to the maximum 110 residential lots that may be created by subdivision, the following 6 non-residential lots may be created by subdivision as shown on the plan accompanying and being part of this Schedule, subject to minor variation upon survey:*

    - *In Area C one lot in the area known as Campfire Rock;*
    - *In Area E one lot for a nature reserve;*
    - *In Area F one lot or lease area for a BC Hydro facility and one lot for a designated parking area; and*
    - *In the Remainder lot two lots for camp buildings.”*
  
6. The plan accompanying Land Use Contract, Schedule “C” is deleted in its entirety and replaced by Schedule ‘B’ to this Bylaw.
  
7. Land Use Contract, Schedule “D” is amended as follows:
  - a) Paragraph (a) is deleted in its entirety and replaced with the following text:

*“A 20 metre wide public road right-of-way shall be dedicated from the community dock (D.L. 6215) through the camp campus through to the eastern boundary of D.L. 696 as shown generally on the inset plan accompanying Schedule “C”. Such road shall be constructed on an alignment and to the standards required by the Ministry of Transportation but shall not involve any clearing beyond a 12 metre width. Other public roads may be required by Ministry of Transportation. Road standards shall not exceed the Ministry of Transportation/Islands Trust Letter of Agreement dated October 20, 1992 and amended July 18, 1996 regarding Road Standards, Classification and the Consultative Process in the Islands Trust Area.”*

- b) Paragraph (b) is amended by inserting the words “or access routes” after the words “...common lots ...” so that it reads:

*“Other access ways required for the servicing of the lots created in Areas A, B, and C, shall be registered as common lots or access routes or dedicated as public road as may be required by the Approving Officer, when the lots are created.”*

- c) Paragraph (c) is amended by replacing “dedicated” with “registered”, replacing “public park” with “nature reserve” and replacing “Ministry of Highways” with “Gambier Island Local Trust Committee” so that it reads:

*“A public right-of-way not exceeding 6 metres in width shall be registered and shall extend from the public road in the vicinity of the Government dock to the nature reserve referred to in Schedule “E”. The trail shall be constructed and located to the satisfaction of the Gambier Island Local Trust Committee but there shall be a minimum disturbance of trees and bushes and in no event shall a tree in excess of 22 (twenty-two) centimetres in diameter, measured 62 (sixty-two) centimetres above the ground, be cut and the constructed trail shall not exceed 2.0 metres in width.”*

8. Land Use Contract, Schedule “E” is amended as follows:  
 a) By deleting the first paragraph in its entirety and replacing it with the following text:

*“A 3.32 hectare nature reserve shall be created by subdivision in the area indicated as Area E on the plan accompanying Schedule “C”. Title to the nature reserve shall be transferred to Trust Fund Board and Baptist Camp officials shall work with Trust Fund Board and the Keats Island community to develop a management plan for the nature reserve. The management*

*plan shall indicate that no fires or overnight camping, toilet or picnic facilities or pole lights are to be permitted in the nature reserve and the management plan shall include provisions to address management of public use and protection of natural values.”*

- b) By deleting the second paragraph in its entirety and replacing it with the following.

*“The 21.1 hectare habitat covenant area shown in Area D on the plan accompanying Schedule “C” shall be the subject of a restrictive covenant in favour of the Trust Fund Board registered under Section 219 of the Land Title Act and such restrictive covenant shall provide for the development of vehicle access to the future camp area at Beachcomber Point and the transportation by vehicle of campers requiring special assistance and maintenance and emergency equipment to Salmon Rock.”*

GAMBIER ISLAND LOCAL TRUST COMMITTEE  
BYLAW NO. 90  
SCHEDULE 'B'

