

## Keats Planning Review, Fall 2001 Update

by Kim Benson, Local Trustee, Islands Trust

The current Official Community Plan (OCP) for Keats Island (Bylaw 107) was adopted in January 1977. The Islands Trust is conducting a public review of the Keats OCP. The end result of the public review process will be to combine updated and revised Keats Island Community goals, objectives, and policies with revised regulations for zoning and subdivision into one comprehensive planning document, called a Rural Land Use Bylaw (RLUB).

The new planning document will outline a shared community vision on how Keats Island should evolve in the coming years. It will also provide direction to guide government agencies, current residents and property owners, and prospective landowners about existing and future land and foreshore use and development, and publicly funded services on Keats Island.

### **The Current Situation**

Keats Island has had the same community plan and regulations for zoning and subdivision of land for almost 25 years. The current Keats Island planning process is about reviewing the existing 3 bylaws, and updating them to reflect the values of today's Keats Island community, within the context of the Islands Trust legislation and the current legislative framework in the Province of B.C.

The current zoning and subdivision bylaws for Keats Island (OCP Bylaw No. 107, Zoning Bylaw No. 96, and Subdivision Bylaw No. 103) total more than 110 pages. These bylaws are confusing. It's hard to relate one bylaw to the next, and to know which sections are relevant to Keats. These bylaws cover Keats, Anvil, the Pasley, Trail, and Thormanby Islands but not Gambier.

While some sections of the current bylaws are relevant to Keats, many are not relevant to any of the islands. They have been repealed on those parts of the mainland that they covered, when the Sunshine Coast Regional District (SCRD) had the land use planning function for Keats and other islands. The Islands Trust acquired full land use planning and regulatory powers for the islands in 1978, and inherited the current Keats OCP, zoning, and subdivision bylaws from the SCRD at that time.

The old bylaws are very blunt and insensitive to local circumstances in some sections, and very vague and open to interpretation in others. The new Keats Island Rural Land Use Bylaw will replace these documents with a single, streamlined one, totaling about 65 to 75 pages, which will be tailored specifically to Keats Island and surrounding Shelter, Home, and Preston islets. The new Keats RLUB will recognize traditional Keats Island circumstances, land and foreshore uses. It will be more sensitive to local situations, and will include clear policy guidelines and community processes to handle any future proposals for new subdivisions or changes in zoning of land or foreshore in the Keats Island planning area.

### **The Legislative Process and the *Islands Trust Act***

In 1974, the Government of B.C. enacted special protective legislation for the Gulf Islands in the Strait of Georgia and Howe Sound. The *Islands Trust Act* establishes the Islands Trust as an autonomous local government for the Islands within this Trust Area. Under the *Act*, the 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 British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations, and the government of British Columbia*”.

There is a local trust committee (LTC) for each group of islands designated as a local trust area, and 1 committee for Bowen Island. Keats Island is within the Gambier Island Local Trust Area. Each LTC has 3 members – 2 locally elected trustees and 1 Islands Trust Executive Committee member who serves as Chair. The members of the Gambier Local Trust Committee, currently serving a 3-yr term, are Bob Gibson from Gambier (604-931-1455), Kim Benson from Keats (604-886-9868), and Committee Chair John Money, a Local Trustee from Saturna Island (250-539-2975).

The Gambier LTC has, with respect to Keats, all the power and authority of a regional district board, including preparation and adoption of Official Community Plans, rural land use bylaws, zoning and subdivision bylaws, regulation of soil removal and deposit, and authorization of permits under Part 26 of the *Local Government Act* (Management of Development). This ensures that Keats Island land use decisions are made by elected islanders, rather than by a “mainland-oriented” Regional District Board in Sechelt. And decisions are made with the “preserve and protect” objective of the *Islands Trust Act* in mind. Approximately 9% of Keats Island property taxes go to the Islands Trust.

The Keats Planning Review Process is being undertaken in a manner consistent with both the *Islands Trust Act*, and the *Local Government Act*. As such, the new Keats RLUB must include goals, objectives, policies, map designations, and regulations to guide decisions on planning and management of land and foreshore use for Keats and surrounding islets.

The content of the new Keats RLUB, must address the following: the approximate location, amount, type and density of present and proposed residential development (including affordable housing, rental housing and special needs housing, institutional, agricultural, recreational, public utility, commercial and industrial land and foreshore uses; policies relating to the preservation, protection, restoration and enhancement of the natural environment, its ecosystems and biological diversity; location and phasing of any major publicly owned road, sewer and water systems; location and type of present

and proposed public facilities, including schools, parks, waste treatment and disposal sites; and restrictions on the use of land that is subject to hazardous conditions or that is environmentally sensitive to development.

Responsibility for certain matters lies outside the jurisdiction of the Islands Trust and are the responsibility of individual property owners, or the Provincial Government, the Federal Government, the SCRD, or the Coast Garibaldi Health Region. In some cases, more than one agency may have overlapping jurisdiction for a matter addressed in the new Keats RLUB. In these cases, other levels of government and the public are requested to regard these policies as the stated desires of the LTC and the Keats Island community.

The process for preparing and adopting the new Keats Island RLUB is also being done in accordance with the *Islands Trust Act* and *Local Government Act*. During the development of the new Keats RLUB, the local trust committee must provide one or more opportunities for consultation with persons, organizations and authorities that will be affected by the new RLUB. The RLUB can only be adopted through a statutory process which includes a public hearing, approval of the Islands Trust Executive Committee, and approval of the Minister of Community, Aboriginal and Women's Services (formerly Municipal Affairs).

The process is virtually the same as for any municipality or regional district in the province. However, the LTC is endeavouring to go "above and beyond" the statutory requirements for community consultation through a number of island-wide mail-outs, holding meetings both on and off the island, and posting all relevant information on [www.keatsisland.net](http://www.keatsisland.net).

The LTC is also designing the Keats Review process based on the advice of the Keats Island Advisory Planning Group (APG). The 8-member APG is appointed by the LTC to advise on Islands Trust related matters involving Keats, and has representation from nearly all the communities on Keats.

### **Where's the Process at Now?**

The Process began in June 2000. During Phase 1, an information mailer, including a *Workbook/Questionnaire* about the existing Keats OCP and a *Community Values Questionnaire*, was sent to all Keats Island residents and property owners. In July 2000, two *Orientation and Visioning* community forums were held on Keats and in North Vancouver.

Phase 2 began in June 2001. A second information mailer was sent out. It included the First Working Draft of the Keats Island Rural Land Use Bylaw- Part 1 (Working DRAFT 1 – "Keats Island Goals, Objectives, and Policies"), as well as a *Community Response Form/Questionnaire* seeking input on the DRAFT 1 policy document. This document was based on community input, legislative and Islands Trust Policy requirements, requirements of other government agencies, technical data and data gathered during Phase 1. Also, two more community forums were held in July 2001 to provide additional opportunities for public input.

Since June 2001, approximately 70 Response Forms and three written submissions have been returned. This translates into about 187 pages of written input received during Phase 2, not including the flip chart comments recorded at the July 2001 forums. About 75 islanders attended the forums.

Gillian Saxby, Project Planner for the Keats Planning Review Process is busy compiling and analyzing the input. She will be making recommendations to the local trust committee regarding revisions to the DRAFT RLUB based on this material and additional consultations being undertaken with the Eastbourne Community Association, Keats Camp, Barnabas Family Ministries, other affected individuals and agencies such as the SCRD.

Gillian has other duties with Islands Trust besides the Keats Planning Review. She is also the Project Planner for the Hornby Island OCP Review. In addition, she does research and policy work for the Islands Trust Council on groundwater management, marine stewardship initiatives and other Trust Area issues.

Thus, Derek Pratt, a consultant with Planistics Management Inc., has been hired to assemble the first draft Part 2 of the Keats Island RLUB, which must be consistent with the policies in the revised Part 1. The revision and redrafting process will take place throughout this fall and winter.

### **What are the Next Steps?**

**Early 2002.** As soon as it's ready, the Complete First DRAFT of the new Keats Rural Land Use Bylaw will be mailed to Keats Islanders for review. This should occur in winter or early spring of 2002. Information regarding any public meetings and other opportunities for community input will be included in the mailer, posted on island notice boards, and on [www.keatsisland.net](http://www.keatsisland.net).

**Spring & Summer 2002.** Once all three members of the Gambier LTC believe that subsequent revisions have produced a document that will have broad public support, the Final DRAFT Keats Island Rural Land Use Bylaw will be considered for 1st Reading. At this stage, under a formal statutory review process, the Proposed Bylaw will be referred to government agencies for final comment, posted on-line, and mailed to Keats Islanders. The public will be invited to submit comments at a formal public hearing, to be held on Keats, probably sometime in June or early July 2002.

After the Public Hearing, the LTC will decide to either: (1) give 2<sup>nd</sup> and 3<sup>rd</sup> Reading to the Bylaw; (2) amend the Bylaw before 2<sup>nd</sup> and 3<sup>rd</sup> Reading; or (3) amend the Bylaw and hold another Public Hearing to consider further public comment. Agency approvals may also be required if revisions are made to the Bylaw.

After 2<sup>nd</sup> and 3<sup>rd</sup> Reading, the Bylaw will be sent to the Islands Trust Executive Committee for approval, to confirm that the Bylaw conforms to the legislated “preserve and protect” objective, and the *Islands Trust Policy Statement*. The Bylaw will then be sent to the Minister of Community, Aboriginal & Women’s Services for approval. After Ministerial approval is given, a 4<sup>th</sup> Reading and Final Adoption may be given by the LTC – which implements the Bylaw. And the Keats Island Planning Review Process will then be complete.

### **Who to Contact For More Information**

The Gambier Island Local Trust Committee is seeking the widest possible input of the Keats Island community in developing the new planning documents for Keats. It’s not too late to get involved. The DRAFT RLUB documents, questionnaires, and all relevant background materials can be found and downloaded at [www.keatsisland.net](http://www.keatsisland.net). Please send any Community Response Forms, or written comments to Gillian Saxby:

Phone: (250) 335-1616 or Toll Free (via Enquiry BC)

Fax: (250) 335-3105 E-mail: gsaxby@islandstrust.bc.ca

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