



## Gabriola Island Local Trust Committee Regular Meeting Addendum

Date: October 12, 2017  
Time: 10:15 am  
Location: Gabriola Arts & Heritage Centre  
476 South Road, Gabriola Island, BC

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|                                                                                   | <b>Pages</b>        |
|-----------------------------------------------------------------------------------|---------------------|
| <b>10. APPLICATIONS AND REFERRALS</b>                                             | 11:30 AM - 12:00 PM |
| 10.1 GB-DVP-2017.2 (Usher) - Staff Report                                         |                     |
| 10.1.1 <i>GB-DVP-2017.2 (Usher) - Staff Memorandum (Supplemental Information)</i> | 2 - 8               |
| <b>13. REPORTS</b>                                                                | 1:30 PM - 2:15 PM   |
| 13.9 <i>Trust Fund Board Report dated October, 2017</i>                           | 9 - 10              |



DATE OF MEETING: October 12, 2017  
TO: Gabriola Island Local Trust Committee  
FROM: Madeleine Koch, Planner 2  
Northern Team  
SUBJECT: GB-DVP-2017.2 (Usher) **SUPPLEMENTAL INFORMATION**

## RECOMMENDATIONS

1. That the Gabriola Island Local Trust Committee defer consideration of application GB-DVP-2017.2 to allow for statutory notification of proposed variances to sections D.1.1.3(a)(i) and D.1.1.3(b)(i) of the Gabriola Island Land Use Bylaw No. 177, 1999;
2. That the Gabriola Island Local Trust Committee request that staff forward any public comments received in response to the statutory notification of application GB-DVP-2017.2 to the Local Trust Committee; and
3. That the Gabriola Island Local Trust Committee consider a decision on application GB-DVP-2017.2 via Resolution Without Meeting following statutory notification and receipt of public comments.

### *For reference, the following Resolution without Meeting is proposed:*

1. That the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit No. GB-DVP-2017.2 with the following variances to the Gabriola Island Land Use Bylaw No. 177, 1999:
  - a) A variance to Section D.1.1.3(a)(i) to reduce the permitted front lot line setback from 6.0 metres to 3.0 metres to permit the construction of a single car garage as shown on the proposed site plan and elevation drawings;
  - b) A variance to Section D.1.1.3(a)(i) to reduce the permitted interior lot line setback from 1.5 metres to 0.5 metres to legalize the location of three existing water cisterns, 2.1 metres in height, as shown on the proposed site plan ; and
  - c) A variance to Section D.1.1.3(b)(i) to increase the permitted lot coverage from 20% to 25.4%, to permit the construction of a single car garage as shown on the proposed site plan.

*Subject to the condition that, prior to issuance, the property owner shall be required to obtain a permit from the Ministry of Transportation and Infrastructure pursuant to Sections 62 and 90 of the Transportation Act.*

## PURPOSE

This memorandum supplements the staff report for application GB-DVP-2017.2 (Usher), to be presented to the Gabriola Island Local Trust Committee (LTC) on Thursday, October 12, 2017. Due to a technical error, the staff report and accompanying draft permit, in addition to the statutory notice which was previously distributed to neighbouring properties, omitted a proposed lot coverage variance. Staff recommend that the LTC consider application GB-DVP-2017.2, endorse the above-noted recommendations, and consider approving issuance of Development Variance Permit GB-DVP-2017.2 via Resolution Without Meeting following the statutory notification period.

## DISCUSSION

The prior statutory public notification for Development Variance Permit (DVP) application GB-DVP-2017.2 failed to include a proposed variance to increase lot coverage from 20% to 25.4%. The LTC is unable to consider issuance of a DVP prior to proper notification in accordance with Section 499 of the *Local Government Act*, and Section 8 of the Gabriola Island Trust Committee Development Procedure Bylaw No. 114. These regulations require that a notification period of at least 10 days be given before adoption of a resolution to issue the permit. Because of the need for re-notification, it is recommended that the LTC defer consideration of application GB-DVP-2017.2 (Usher) until the statutory notification has occurred.

Staff are of the opinion that the proposed variance to lot coverage is minor and would not be contrary to the Gabriola Island Official Community Plan. Furthermore, provided that the LTC supports the proposed variances, a resolution to approve issuance of application GB-DVP-2017.2 could occur via Resolution Without Meeting as opposed to at the next LTC meeting to be held December 14, 2017.

Notwithstanding, it should be noted that while no objections to the setback variances have been received from the public or neighbouring property owners to date, re-notification will provide a further opportunity for public comments and the LTC is obliged to receive these comments prior to rendering a decision. For this reason, staff are recommending that following the supplemental statutory notification period, any public comments be forwarded to the LTC prior to consideration of a Resolution Without Meeting.

The draft notice and permit are attached for reference.

## NEXT STEPS

Pending LTC concurrence with the recommendations noted on page 1 of the staff report, staff would proceed with the statutory notification

|               |                                                     |                  |
|---------------|-----------------------------------------------------|------------------|
| Submitted By: | Madeleine Koch, MCIP, RPP<br>Planner 2              | October 11, 2017 |
| Concurrence:  | Ann Kjerulf, MCIP, RPP<br>Regional Planning Manager | October 11, 2017 |

## ATTACHMENTS

1. Draft Supplemental Notice for application GB-DVP-2017.2
2. Draft Development Variance Permit GB-DVP-2017.2



## NOTICE

GB-DVP-2017.2 (USHER)  
GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
(Supplemental Notice)

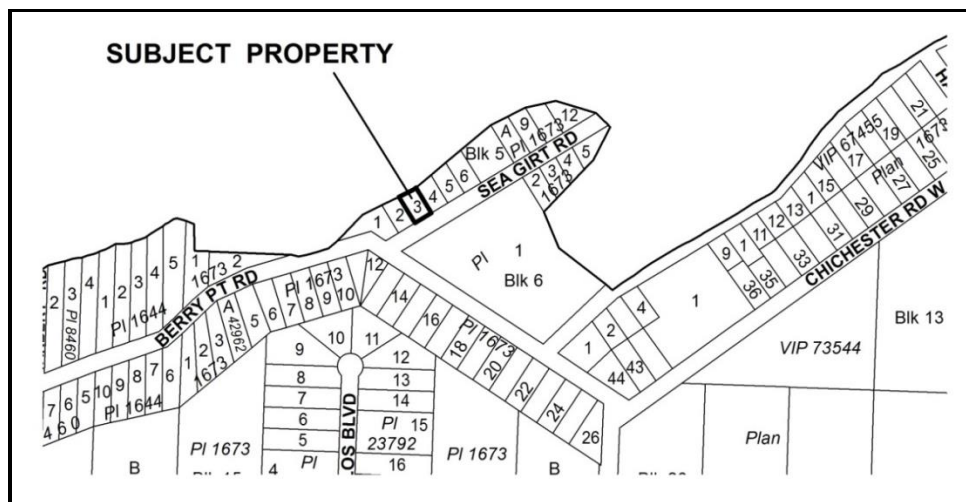
**NOTICE** is hereby given that the Gabriola Island Local Trust Committee will consider a resolution to approve issuance of a Development Variance Permit, pursuant to Section 498 of the *Local Government Act*, varying subsections of the Gabriola Island Land Use Bylaw No. 177, 1999, as follows:

- a) A variance to Section D.1.1.3(a)(i) to reduce the permitted front lot line setback from 6.0 metres to 3.0 metres to permit the construction of a single car garage;
- b) A variance to Section D.1.1.3(a)(i) to reduce the permitted interior lot line setback from 1.5 metres to 0.5 metres to legalize the location of three existing water cisterns, 2.1 metres in height; and
- c) A variance to Section D.1.1.3(b)(i) to increase the permitted lot coverage from 20% to 25.4%, to permit the construction of a single car garage.

The subject property is legally described as:

PID 006-982-123, Lot 3, Block 5, Section 22, Gabriola Island, Nanaimo District, Plan 1673

The general location of the subject area is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3, between the hours of 8:30 am and 4:00 pm, Monday to Friday inclusive, excluding Statutory Holidays, commencing **October 18** and continuing up to and including **November 1, 2017**. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed Permit, please contact Madeleine Koch, Planner 2, at 250-247-2207; for Toll Free Access request a transfer via Enquiry BC, in Vancouver 604-660-2421 and elsewhere in BC at 1-800-663-7867. Written submissions should be sent to: **Mail:** Islands Trust, 700 North Road, Gabriola, BC V0R 1X3; **Fax:** 250-247-7514 or **Email:** [mkoch@islandstrust.bc.ca](mailto:mkoch@islandstrust.bc.ca).

Following the end of the notice period, the Gabriola Island Local Trust Committee may consider issuance of the proposed Permit via Resolution Without Meeting or at its Regular Business Meeting to be held at 10:15 am, Thursday, December 14, 2017, at Gabriola Arts and Heritage Centre, 476 South Road, Gabriola, BC.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Becky McErlean  
Deputy Secretary

# PROPOSED



## GABRIOLA ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT NO. GB-DVP-2017.2

**TO:** Steven Usher and Frances Usher

1. This Development Variance Permit applies to the land described below:

PID 006-982-123

Lot 3, Block 5, Section 22, Gabriola Island, Nanaimo District, Plan 1673

2. Pursuant to Section 498 of the *Local Government Act*, the *Gabriola Island Land Use Bylaw No. 177, 1999* is varied as follows:

- a) **PART D – ZONES, Section D.1 - RESIDENTIAL ZONES, Subsection D.1.1 - Small Rural Residential (SRR), Article D.1.1.3 - Regulations, Clause a. - Buildings and Structures Siting Requirements, Item i:** “On lots less than 1 hectare (2.47 acres), except for a sign, fence or pump/ utility house, the minimum setback of buildings or structures” is varied:

- to reduce the front lot line setback from 6.0 metres to 3.0 metres to allow the construction of a single car garage 3.96 metres in height, in accordance with Schedule “A” – Site Plan and Schedule “B” – Elevation Plan, attached to and forming part of this permit, and;
- to reduce the interior lot line setback from 1.5 metres to 0.5 metres to allow the existing location of three rainwater cisterns in accordance with Schedule “A” – Site Plan attached to and forming part of this permit, provided the cisterns are limited to a height of 2.1 metres within the setback area.

- b) **PART D – Zones, Section D.1 – RESIDENTIAL ZONES, Subsection D.1.1 – Small Rural Residential (SRR), Article D.1.1.3 – Regulations, Clause b. – Lot Coverage Limitations, Item i:** “The maximum combined lot coverage by buildings and structures is 20 percent of the *lot area*” is varied:

- to increase the maximum permitted lot coverage from 20 percent to 25.4 percent to allow the construction of a single car garage, in accordance with Schedule “A” – Site Plan attached to and forming part of this permit.

Subject to the condition that, prior to issuance, the property owner shall be required to obtain a permit from the Ministry of Transportation and Infrastructure pursuant to Sections 62 and 90 of the *Transportation Act*.

The proposed development shall be consistent with Schedules “A” and “B”, which are attached to and form part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Gabriola Island Land Use Bylaw No. 177, 1999 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

**AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2017.**

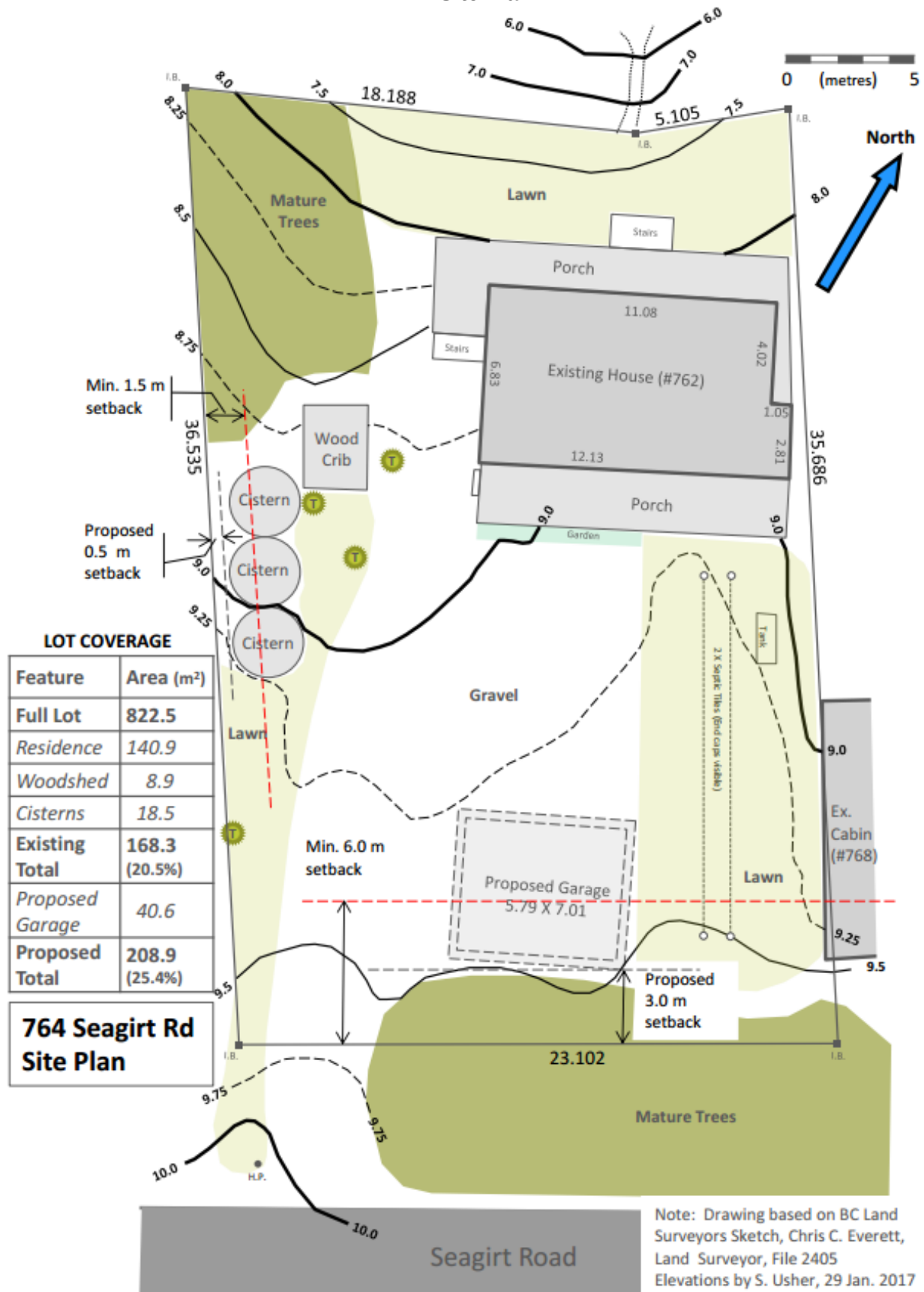
\_\_\_\_\_  
**Deputy Secretary, Islands Trust**

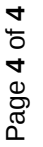
\_\_\_\_\_  
**Date of Issuance**

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY  
THE \_\_\_\_ DAY OF \_\_\_\_\_, 2019, THIS PERMIT AUTOMATICALLY LAPSES.**

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE  
GB-DVP-2017.2 – USHER**

**Schedule "A"  
Site Plan**







## Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality October 2017



### Regional Conservation Plan (RCP)

The Trust Fund Board (TFB) has approved the draft Regional Conservation Plan (RCP) for 2018-2027. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. A new element is a focus on relationship building with First Nations. The Board has referred the RCP to local trust committees and Bowen Island Municipality for review. (It has also been referred to partner agencies and First Nations and will be posted on the Islands Trust Fund (ITF) website with a mechanism to enable public feedback). Staff will be available to attend LTC and BIM meetings in person if possible and electronically if not. The Board is expecting to consider final approval of the Regional Conservation Plan in January 2018.

### Islands Trust Fund Five Year Plan

The *Islands Trust Act* requires the TFB to submit a plan to the minister every five years providing information on goals and key policies. The Board has approved a draft plan for 2018-2022 which references the new Regional Conservation Plan and describes relevant policies. This draft is also being referred to local trust committees, Bowen Island Municipality and First Nations. The Board expects to submit the plan to the Minister by the end of the year.

### Board Retreat

The TFB and senior staff will be participating in a day long retreat in October for high level discussions on future directions with a particular focus on fundraising, (with facilitation from an experienced expert in the field).

### Property Monitoring

The Board has received detailed reports on the results of this year's monitoring of our 27 nature reserves, the 24 NAPTEP covenanted areas and the 50 other covenants we hold. A number of management issues have been identified which are now being addressed (see below for highlights by island).

### Summary of Current Island-by-Island Activities

#### **Bowen**

Trees recently planted at the David Otter Nature Reserve are looking healthy.

#### **Denman**

Communication is continuing with neighbours of the Lindsay Dickson Nature Reserve to clearly delineate property boundaries. Mountain bike damage is a concern in the Morrison Marsh Nature Reserve; addressing this issue will be considered during the current review of the management plan. There is no further evidence of tree cutting at the Inner Island Nature Reserve following two large trees being felled there last year. The Trust Fund Board has registered a covenant on the Denman Conservancy Association's Settlement Lands.

**Gabriola**

The Elder Cedar Nature Reserve continues to suffer from vandalised signs and the impacts of unpermitted mountain bikes and horses. ITF is working with GaLTT to address these and other issues.

**Galiano**

Monitors were excited to see falcons at the cliffs on Trincomali Nature Reserve. ITF and Galiano Conservancy Association are looking into possible vehicle intrusions and tree removal in the Vanilla Leaf Land Nature Reserve.

**Gambier**

Recent plantings at Brigade Bay Bluffs and Long Bay Wetland Nature Reserves are looking healthy.

**Keats**

The fifth draft of a covenant for Sandy Beach has been sent to Sunshine Coast Conservation Association and The Land Conservancy of BC for review. A draft baseline report has been received and is now being reviewed.

**Lasqueti**

Sheep browsing is proving to be a challenge for restoration work at the John Osland Nature Reserve, (where approximately 50% of the plantings have died) and Mount Trematon Nature Reserve. Stronger materials will be required for protective cages.

**South Pender**

Progress is being made towards establishing the covenant for Brooks Point Regional Park.

**Salt Spring**

A trail location issue at Lower Mount Erskine Nature Reserve and a tree cutting incident at McFadden Creek Nature Reserve are being addressed.

**Thetis**

The first monitoring visit was completed at Moore Hill Nature Reserve and management planning is in progress. Pledges for Fairyslipper Forest are processed and there are two grant applications in progress to raise more funds to complete the purchase. Hydrological and ecosystem assessments are complete for the property.

*Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.*

Tony Law, Chair [tlaw@islandstrust.bc.ca](mailto:tlaw@islandstrust.bc.ca)  
Islands Trust Fund [itfmail@islandstrust.bc.ca](mailto:itfmail@islandstrust.bc.ca)