

**MINUTES OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE MEETING
HELD ON THURSDAY, NOVEMBER 1, 2012 AT 10:15 AM
AT THE WOMEN'S INSTITUTE
476 SOUTH ROAD, GABRIOLA ISLAND, BC**

PRESENT: David Graham Chair
 Sheila Malcolmson Local Trustee
 Gisele Rudischer Local Trustee
 Chloe Fox Island Planner
 Vicky Bockman Recorder

There were two (2) local media representatives and five (5) members of the public in attendance.

1. CALL TO ORDER

Chair Graham called the meeting to order at 10:15 am. He welcomed the public and introduced Trustees and staff. He acknowledged that the meeting is being held in traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The agenda was adopted by consensus with the following amendments:

- Add item 5.4: Email dated October 31, 2012 from Laura-Jean Kelly of Topographics regarding Mapping of Shoreline Ecosystems
- Add item 7.2: Email dated October 31, 2012 from Gabriola Land and Trails Trust
- Add item 14.2.1: Copy of the Galiano Island 2012 Development Approval Information Bylaw
- Add item 7.3: Ferry Consultation

3. MINUTES

3.1 Local Trust Committee Meeting Minutes of October 4, 2012

The minutes were adopted by consensus with the following amendments:

- Page 6, item 13.1, first paragraph, ninth line: change “in development permits.” to read “in development permit guidelines in the Official Community Plan.”
- Page 7, item 8: add a new first paragraph to read “Local Trust Committee members acknowledged the contributions of Chris Jackson, Regional Planning Manager and former Gabriola Planner.”
- Page 7, item 13.2, first paragraph, last line: after “located” add “without great expense”

3.2 *Section 26 Resolutions Without Meeting Log dated October 24, 2012*

The Resolutions Without Meeting Log dated October 24, 2012 was reviewed.

3.3 *Gabriola Island Advisory Planning Commission Meeting Minutes – None.*

3.4 *Mudge Island Advisory Planning Commission Meeting Minutes – None.*

3.5 *Gabriola Island Agricultural Advisory Commission Meeting Minutes dated September 25, 2012*

The Gabriola Island Agricultural Advisory Commission meeting minutes dated September 25, 2012 were received for information.

3.6 *Gabriola Island Agricultural Advisory Commission Draft Meeting Minutes dated October 23, 2012*

Committee members reviewed the Gabriola Island Agricultural Advisory Commission meeting minutes dated October 23, 2012. It was noted that the minutes included a motion requesting the Local Trust Committee to ask the Regional District of Nanaimo Director to attend the next Agricultural Advisory Commission meeting and to advocate for a reduction in the income threshold for farm status on parcels less than two acres.

GB-103-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee invite the Regional District of Nanaimo Director to attend the next meeting of the Agriculture Advisory Commission.

CARRIED

4. BUSINESS ARISING FROM MINUTES

4.1 *Follow-up Action List dated October 24, 2012*

Planner Fox indicated that there were no changes to the Follow-Up Action List and responded to questions that arose.

4.2 *Draft Follow Up Letter regarding Meeting with Regional District of Nanaimo*

Trustee Malcolmson advised that she will draft the follow-up letter as discussed at the October 4, 2012 meeting and will circulate the draft for signature with a copy to staff.

5. CORRESPONDENCE

5.1 *Email dated July 30, 2012 from Jim Ramsay regarding Madrona Phase 2*

Received.

5.2 *Email dated July 28, 2012 from Steve Earle regarding Madrona Phase 2*

Received.

5.3 *Email dated August 1, 2012 from Ken Gurr regarding Madrona Phase 2*

Received.

5.4 *Email dated October 31, 2012 from Laura-Jean Kelly of Topographics regarding Mapping of Shoreline Ecosystems*

Committee members reviewed and discussed the above noted email which requested a response from the Local Trust Committee indicating interest in receiving a proposal to provide eelgrass and shoreline mapping services.

GB-104-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee seek staff advice on completing eelgrass mapping as described in Topographics' email dated October 31, 2012.

CARRIED

6. REPORTS

6.1 *Strategic Plan for Local Trust Committees*

Received.

6.2 *Work Program and Official Community Plan/Land Use Bylaw Budget Allocation Memorandum dated October 24, 2012*

Planner Fox summarized the memorandum, providing options for the Local Trust Committee to consider in allocating the budget amounts remaining after completion of the Development Permit Areas project for the Official Community Plan/Land Use Bylaw and Riparian Areas Regulation work.

There was discussion on allocating the remaining budget as follows:

- current mapping department staffing capacity limits the ability to proceed on build out mapping and cottage densities projects at this time;
- relevant current work program and projects list items were considered and prioritized;
- costs to complete the Development Permit Area 6 – Steep Slopes project were clarified;
- the desire to complete projects with a real “on the ground” impact was considered.

GB-105-2012 It was **MOVED** and **SECONDED** that any extra funds left in the Official Community Plan budget be allocated to implementing Official Community Plan climate change policies into the Land Use Bylaw and reviewing and amending the Official Community Plan and Land Use Bylaw to increase local food security and farmland protection.

CARRIED

6.3 *Work Program Reports*
Top Priorities Report and Projects List dated October 24, 2012

GB-106-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee amend the Top Priority List to move 1.3) build out and 1.5) cottage densities to follow 1.8) DP7 form and character.

CARRIED

Before the vote, the timing of completion of projects was discussed and it was confirmed that the Top Priority List is reviewed monthly and position of items in the list can be modified and moved up in priority as circumstances warrant.

6.4 *Applications Log*
Report dated October 24, 2012

Planner Fox reported that there were no updates to the Applications Log.

6.5 *Trustee and Local Expenses*
Expenses posted to October 31, 2012

The expenses posted to October 31, 2012 were received.

7. NEW BUSINESS

7.1 *Shoreline Mapping Workshops*
Memorandum dated October 23, 2012

Planner Fox reported that funding is available to engage expert consultants for public outreach and education workshops using the completed shoreline mapping products, to increase awareness of shoreline issues and to determine an implementation strategy for each individual Local Trust area. She requested input to gauge interest in participation.

There was discussion on the proposal and the following points were debated:

- Planner time requirements;
- the effect on the Work Program;
- efforts of education versus concentration on actual foreshore disruption occurring.

GB-107-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee amend its Work Program at 6.3 on the agenda to include Shoreline Mapping Workshop as the No. 1 item.

CARRIED

GB-108-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee support holding an Integrated Watershed and Shoreline Mapping workshop as described in the October 23, 2012 staff report.

CARRIED

Before the vote, rationale was provided for consideration of this opportunity:

- funding for this workshop is provided through a grant and will provide access to shoreline maps otherwise unavailable at this time;
- this issue is central to climate change with storms and sea level rise already having an effect;
- stewardship education may reduce incidents of shoreline hardening and construction of hard shoreline structural stabilization practices requiring bylaw enforcement;
- Planner time on this workshop would be minimal;
- the effect on the Work Program would be short-lived.

Preliminary project plan discussion included the following:

- consultant preferences would be Will Marsh and/or Murdoch de Greef;
- target audiences would be primarily waterfront property owners and builders and developers;
- preferred methods of informing audiences would be by email and news release with targeted mail out to shoreline property owners;
- staff to research if funding for mail out is covered by the grant;
- the Community Hall would be the suggested workshop location or the possibility of a web cast could be considered.

Planner Fox will complete the request for the public education/consultation event and return the preliminary project plan to the Acting Regional Planning Manager.

7.2 Email dated October 31, 2012 from Gabriola Land and Trails Trust

This email expressed general support of encouraging a coastal workshop and this topic was discussed in item 7.1.

7.3 Ferry Consultation

Trustee Malcolmson advised that the Ministry of Transportation and Infrastructure will be conducting a public consultation and engagement process with BC Ferries on ferry service with submissions required by December 21, 2012. She noted that there is a short timeline and requested input regarding what should be done in preparation for this meeting.

GB-109-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee send a referral to the Transportation Advisory Commission seeking advice on what submission the Local Trust Committee should make to the Ministry of Transportation and Infrastructure consultation on ferry service.

CARRIED

By general consensus the meeting was recessed at 11:25 am and reconvened at 11:30 am.

Trustee Malcolmson indicated that she would forward the link to the consultation discussion guide and relevant Official Community Plan policies to Planner Fox for inclusion with the Transportation Advisory Commission referral.

8. TRUSTEES' REPORT

Trustee Rudischer reported that in October she met with representatives from the Garry Oak Ecosystem Recovery Team, Ministry of the Environment and Emcon to try to locate the endangered Bog Birds-foot Lotus and to discuss arrangements to try to improve growing conditions for this rare plant. She also attended a meeting to discuss Emcon's winter snow removal program and heard explanations of the plowing priorities which are: the ferry to Bertha, the school bus route and lastly, the subdivisions.

Trustee Rudischer commented that in October she attended a Regional District of Nanaimo Sustainability meeting which included presentation of a Rainwater Harvesting Best Practices Guidebook as well as reporting on the Gabriola water budget program and new observation wells in the area. She reported that the cistern subsidy program included the receipt of 31 applications from Gabriolans with 14 of the 40 approved applications coming from Gabriola.

Trustee Rudischer reported that the Agricultural Advisory Commission met to review the Regional Farm Plan and advised of resolutions made at that meeting. She noted that she was invited to attend the official opening of the new library and commended the Friends of the Library group for their hard work in achieving this wonderful asset for the community.

Trustee Malcolmson recognized the community loss in the passing of Ken Capon, who served as a former Advisory Committee member and offered his ideas in many ways to benefit Gabriola Island.

Trustee Malcolmson provided an update on the Bog Birds-foot Lotus inter-agency project, noting that Emcon is cooperating in the effort and that selective work to help this at-risk species will be conducted and will include upcoming experimental dredging at the best advice of the conservation biologists.

Earlier this month, Trustee Malcolmson attended a meeting with the Ministry of Transportation and Infrastructure to consult on the upcoming ferry consultations. She advised of the Gabriola Island and Nanaimo consultation dates and times.

Trustee Malcolmson reported that at the invitation of the United Church she gave a presentation on increased oil tanker traffic concerns and noted that they will be following up with a letter-writing program. On the subject of pipelines, she reported that Kinder Morgan has confirmed that they will be meeting on December 4, 2012 in Nanaimo in their community consultation process.

Since the last Local Trust Committee meeting, Trustee Malcolmson attended a Shoreline Stewardship workshop on Pender Island and she reported on the presentation by engineers on the effects of hardening shorelines and sea level rise. She also attended a recent meeting regarding the National Marine Conservation Area for the southern Strait of Georgia area and reported on the proposed transfer of zoning authority, the interim management plan and the intention to solicit Trust Council's support in December for suggesting the retention of local zoning use as the starting point for the interim management plan.

Trustee Malcolmson reported that she attended a Streamkeepers meeting where it was noted that the Planner's letter with suggestions regarding contact of landowners had been received, options will be discussed and that they will inform the Local Trust Committee on their decision as to how they want to proceed. She commented on an Agricultural Land Commission meeting she attended last week where the Gabriola Groundwater Management Society's position on the topic of bulk groundwater extraction from the Agricultural Land Reserve as a non-farm use was discussed.

In closing, Trustee Malcolmson noted that the Library opening was a wonderful event and commended the former Trustees for their foresight in including an advocacy statement in the Official Community Plan to encourage a permanent library to be built on Gabriola.

9. CHAIR'S REPORT

Chair Graham reported that he attended a Financial Planning Committee meeting recently and that work has begun on consideration of the budget cycle for the next fiscal year.

10. REGIONAL DIRECTOR'S REPORT

The Regional Director was not in attendance and a report was not received.

11. DELEGATIONS

*11.1 Jenny MacLeod for Gabriola Groundwater Management Society
Submission Attached for Information*

Jenny MacLeod presented an overview of the report: Gabriola Groundwater Management Society's Submission to the Gabriola Local Trust Committee, The Official Community Plan Review June 24, 2010. She noted that this report, which lists many recommendations to address water issues, was originally presented in 2010 and that effects of climate change since that time have validated the information in the report. She expressed concern that there is no groundwater legislation in place in British Columbia.

Committee members asked questions and recommended the report also be submitted to the Regional District of Nanaimo as many of the recommendations fall under their authority. They expressed their appreciation

for the reissuing of this report, noting that there is work to be done on the Official Community Plan in this regard and advised that the Trust Council's Strategic Plan identifies provincial groundwater protection as a priority.

By general consensus the meeting was recessed at 11:55 am and reconvened at 12:00 pm.

12. TOWN HALL DISCUSSION

Judith Graham – asked if the Gabriola Radio Society package had been sent to Industry Canada.

Planner Fox responded that it had been sent.

13. APPLICATIONS AND PERMITS

*13.1 GB-SUB-2012.1 (Centre Stage Holdings Ltd.)
Staff Report dated October 18, 2012*

Planner Fox presented the staff report, requesting consideration of endorsement of the proposed 1 lot subdivision and the proposed covenant for no further subdivision, and to designate a signatory to sign the Application to Deposit of Plan of Subdivision and the proposed covenant on behalf of the Local Trust Committee. She reported that the proposed subdivision includes a road dedication that lengthens Bonnie View Road along the northern lot boundary of the subject property.

There was discussion regarding the public road access and non-vehicular access clause, noting that the Ministry of Transportation and Infrastructure has requested the applicant to dedicate public road. Concern was expressed that this might be inconsistent with previous understandings of non-vehicular access.

Don Gatley, the applicant, explained that there was always an expectation that the road would be extended and that people would continue to be allowed to walk through. He confirmed that dedicated public road does allow people to walk through. He indicated that there is a need to service lots however it is not the intention to create vehicular traffic.

GB-110-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee:

1. endorse the proposed plan of subdivision for a 1 lot subdivision on North East ¼ of Section 3, Gabriola Island, Nanaimo District, Except Parcel A (DD773261) (PID 003-134-806); and
2. appoint Sheila Malcolmson, on behalf of the Local Trust Committee, be a signatory on the Application to Deposit of Plan of Subdivision; and
3. endorse the proposed covenant for no further subdivision on Lot 20, Section 8, Gabriola Island, Nanaimo District, Plan VIP82759 (PID 027-086-500); and
4. appoint Sheila Malcolmson, on behalf of the Local Trust Committee, be a signatory on the proposed covenant for no further subdivision.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas and Steep Slopes)

14.1.1 Project Charter – standing item

The Gabriola Island Development Permit Areas Project Charter was received with no discussion.

14.1.2 Communication Strategy – standing item

The Gabriola Island DPAs Communications Strategy was received.

*14.1.3 Steep Slopes Mapping
Memorandum dated October 19, 2012*

Planner Fox presented the memorandum regarding Steep Slopes mapping. She reported that the limitations associated with the use of aerial photographs to develop the digital elevation model used to create draft Development Permit Area 6 – Steep Slopes mapping in 2010-2011 may not have captured all topographic elements and may have picked up a variety of minor features which may cause increased application load for staff and unnecessary burden to landowners in a development permit area. The cost estimate for the engineering consultants to refine the data and the cost to review draft Development Permit Area 6 – Steep Slopes from a geotechnical perspective were considered.

The mapping issues, budget considerations and Advisory Planning Commission referral were discussed.

GB-111-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee support the staff recommendation to release Official Community Plan funds for Steep Slope Development Permit review as described in the October 19, 2012 staff report.

CARRIED

GB-112-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee refer the October 19, 2012 Steep Slopes staff report to the Advisory Planning Commission, indicating the Local Trust Committee's support and encouraging the Advisory Planning Commission to focus first on the Riparian Areas Regulation draft bylaw.

CARRIED

Planner Fox indicated that she would revise the Project Charter and it was requested that the total cost for the Steep Slope project be provided for information. The timing for the Community Information Meeting and budget process considerations were discussed.

*14.2 Development Approval Information Bylaw
Staff Report dated October 12, 2012*

Planner Fox outlined the staff report regarding the Development Approval Information Bylaw including the project overview; proposed bylaw content and approval process; benefits to staff, the Local Trust Committee, applicants and the broader community and recommendations.

The Galiano Island 2012 Development Approval Information Bylaw was considered in addition to the sample bylaw as it has gone through legal review and has been informed by more recent planning experiences.

GB-113-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee:

- give notice to Trust Council that it intends to forward a Development Approval Information Bylaw for Trust Council's consideration at the regularly scheduled March 2013 Trust Council meeting for the purpose of allowing the Gabriola Island Local Trust Committee to obtain information on the anticipated impacts of development permit, temporary use permit and zoning amendment applications; and
- direct staff to prepare a draft Development Approval Information Bylaw, consistent with the version attached to the staff report dated October 12, 2012 and with the Galiano Island 2012 Development Approval Information Bylaw; and
- direct staff to prepare a Request for Decision for submission to the Executive Committee; and
- direct staff to prepare a draft bylaw to amend the Gabriola Island Official Community Plan, No.166 to designate circumstances and/or areas for which Development Approval Information may be required.

CARRIED

Before the vote Planner Fox was asked if there is any emerging federation-wide advice on if Development Permits would be more enforceable if Development Permit Area guidelines were in the Land Use Bylaw rather than in the Official Community Plan. Planner Fox responded that the Development Approval Information designations and the Development Permit Area designations must be in the Official Community Plan. She added that the guidelines can be in the Land Use Bylaw and that there would be no difference in the enforceability.

14.2.1 Copy of the Galiano Island 2012 Development Approval Information Bylaw

This item was discussed in item 14.2.

14.3 Rezoning of Regional District of Nanaimo Parks Memorandum dated October 16, 2012

Planner Fox summarized the memorandum regarding preliminary considerations on rezoning of Regional District of Nanaimo Parks. She noted that there may be density banking potential to consider.

Discussion followed with the following points noted:

- it was recommended that staff discuss the zoning of the Islands Trust Fund Elder Cedar Nature Reserve with the Trust Fund staff to ensure that the zoning is clear;
- there has been a request to provide a density to both Coats Marsh and Descanso Bay Parks for caretaker dwellings;
- the series of resolutions made by the Local Trust Committee regarding the 707 Community Park in the past should be recognized;
- this might be an opportunity to include community garden use in community park zoning;
- it was suggested that density banking for affordable housing should not be considered with this proposal, but rather at another time.

GB-114-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee direct staff to proceed with the rezoning of parks project, including consideration of redesignation and rezoning of all park areas listed in Table 1 of the October 16, 2012 staff report.

GB-115-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee amend proposed resolution GB-114-2012 to add “and parks acquired through subdivision since 1996” at the end of the proposed resolution.

CARRIED

The question on the following main motion, as amended, was then called:

GB-114-2012 That the Gabriola Island Local Trust Committee direct staff to proceed with the rezoning of parks project, including consideration of redesignation and rezoning of all park areas listed in Table 1 of the October 16, 2012 staff report and parks acquired through subdivision since 1996.

CARRIED

15. **BYLAWS** – None.

16. **ISLANDS TRUST WEBSITE**

16.1 *Gabriola Page*

There were no changes requested to the Gabriola page of the website.

17. **CLOSED MEETING**

GB-116-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee closes the next part of the November 1, 2012 business meeting to discuss matters pursuant to Section 90(1)(f) of the Community Charter, in order to consider matters related to bylaw enforcement and that staff be invited to attend this meeting.

CARRIED

Chair Graham closed the meeting at 1:30 pm.

18. **RECALL TO ORDER**

Rise and Report from Closed Meeting

GB-117-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff to provide a report on methods for proactive enforcement of advertised unlawful dwellings as that is the point that they are most likely to be unoccupied.

CARRIED

GB-118-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request bylaw enforcement staff to provide a report on proactive enforcement of unlawful foreshore structures.

CARRIED

19. NEXT MEETING DATE

The next meeting of the Gabriola Island Local Trust Committee will take place on Thursday, November 29, 2012 at 10:15 am at the Women's Institute, 476 South Road, Gabriola Island, BC.

20. TOWN HALL SESSION

There were no comments or questions from the public.

21. ADJOURNMENT

The Gabriola Island Local Trust Committee meeting was adjourned by consensus at 2:12 pm.

Recorder

Chair