



A NOTICE OF A BUSINESS MEETING OF **THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:15 AM on Thursday, November 1, 2012 at the Women's Institute,
476 South Road, Gabriola Island, BC

AGENDA

		Page No.	*Approx. Time*
1.	CALL TO ORDER		10:15 am
2.	APPROVAL OF AGENDA		
3.	MINUTES		
3.1	Local Trust Committee Meeting Minutes of October 4, 2012 – <i>for adoption</i>	1-9	10:20 am
3.2	Section 26 Resolutions Without Meeting Log dated October 24, 2012 – <i>attached for information</i>	10	
3.3	Gabriola Island Advisory Planning Commission Meeting Minutes- none		
3.4	Mudge Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
3.5	Gabriola Island Agricultural Advisory Commission Meeting Minutes dated September 25, 2012 – <i>attached for information</i>	11-12	
3.6	Gabriola Island Agricultural Advisory Commission Draft Meeting Minutes dated October 23, 2012 – <i>attached for information</i>	13-14	
4.	BUSINESS ARISING FROM MINUTES		10:25 am
4.1	Follow-up Action List dated October 24, 2012 - <i>attached</i>	15-18	
4.2	Draft Follow Up Letter regarding Meeting with Regional District of Nanaimo – <i>to be distributed</i>		
5.	CORRESPONDENCE		10:35 am
	<i>“Correspondence specific to an active development application and/or project will be received by the Gabriola Island Local Trust Committee when that application or project is on the Agenda for Consideration”</i>		
5.1	Email dated July 30, 2012 from Jim Ramsay regarding Madrona Phase 2 - <i>attached</i>	19	
5.2	Email dated July 28, 2012 from Steve Earle regarding Madrona Phase 2 - <i>attached</i>	20	
5.3	Email dated August 1, 2012 from Ken Gurr regarding Madrona Phase 2 - <i>attached</i>	21	

6.	REPORTS		
6.1	Strategic Plan for Local Trust Committees - <i>attached</i>	22-33	
6.2	Work Program and Official Community Plan/Land Use Bylaw Budget Allocation Memorandum dated October 24, 2012 - <i>attached</i>	34-36	
6.3	Work Program Reports Top Priorities Report and Projects List dated October 24, 2012 - <i>attached</i>	37-39	
6.4	Applications Log Report dated October 24, 2012 – <i>attached</i>	40-43	
6.5	Trustee and Local Expenses Expenses posted to October 31, 2012	43a	
7.	NEW BUSINESS		10:45 am
7.1	Shoreline Mapping Workshops Memorandum dated October 23, 2012 - <i>attached</i>	44-46	
8.	TRUSTEES' REPORT		
9.	CHAIR'S REPORT		
10.	REGIONAL DIRECTOR'S REPORT		
11.	DELEGATIONS		
11.1	Jenny MacLeod for Gabriola Groundwater Management Society – <i>submission attached for information</i>	47-72	
12.	TOWN HALL SESSION		11:30 am
13.	APPLICATIONS AND PERMITS		11:45 am
13.1	GB-SUB-2012.1 (Centre Stage Holdings Ltd.) Staff Report dated October 18, 2012 - <i>attached</i>	73-106	
14.	LOCAL TRUST COMMITTEE PROJECTS		
14.1	Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas & Steep Slopes)		
	14.1.1 Project Charter – standing item	107	
	14.1.2 Communication Strategy – standing item	108-109	
	14.1.3 Steep Slopes Mapping Memorandum dated October 19, 2012 - <i>attached</i>	110-111	
14.2	Development Approval Information Bylaw Staff Report dated October 12, 2012 - <i>attached</i>	112-121	
14.3	Rezoning of Regional District of Nanaimo Parks Memorandum dated October 16, 2012 - <i>attached</i>	122-124	
15.	BYLAWS		
16.	ISLANDS TRUST WEBSITE		
16.1	Gabriola Page – <i>attached</i>	125-127	

17. **CLOSED MEETING:** 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 12:15 pm
18. **RECALL TO ORDER**
Rise and Report from Closed Meeting
19. **NEXT BUSINESS MEETING**
Thursday, November 29, 2012 at 10:15 a.m. at the Women's Institute,
476 South Road, Gabriola Island, BC
18. **TOWN HALL SESSION – *time permitting***
19. **ADJOURNMENT** 1:00 pm

*Approximate time is provided for the convenience of the public only and is subject to change without notice

**MINUTES OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE MEETING
HELD AT 10:15 P.M. ON THURSDAY, OCTOBER 4, 2012
AT THE WOMEN'S INSTITUTE
476 SOUTH ROAD, GABRIOLA ISLAND, BC**

<u>PRESENT:</u>	David Graham	Chair
	Sheila Malcolmson	Local Trustee
	Gisele Rudischer	Local Trustee
	Chris Jackson	Regional Planning Manager
	Chloe Fox	Island Planner
	Stephen Orgill	Recorder

Two (2) local media representatives and fourteen (14) members of the public attended the meeting.

1. CALL TO ORDER

Chair Graham called the meeting to order at 10:15 am. He introduced himself, the Local Trust Committee and staff to the public in attendance. Chair Graham acknowledged that the meeting is taking place on the traditional territory of the Coast Salish People.

2. APPROVAL OF AGENDA

The Local Trust Committee reviewed the agenda and made the following changes:

- add item 6.3.2 *Local Expenses posted to September 30, 2012*
- add item 4.4.1 *Gabriola Streamkeepers*
- add draft letter to 4.3

The Local Trust Committee approved the agenda as amended by consensus.

3. MINUTES

3.1 *Local Trust Committee Meeting Minutes of September 6, 2012.*

The Local Trust Committee reviewed the minutes of the September 6, 2012 business meeting and made the following changes:

- Page 4, item 6.3.2, first sentence, insert "*budget*" after "*several*"; delete second and third sentences; last sentence, replace "*could*" with "*should*"; replace "*a later date*" with "*the next meeting*";
- Page 5, item 7.1, replace second sentence with: "*Trustee Malcolmson commented that the form of the plan is directed by a statutory requirement.*"
- Page 5, item 7.2, third paragraph, delete "a proposal for an"; replace "policy" with "policies";
- Page 5, item 7.3, first paragraph, delete last sentence;

- Page 6, item 7.4, first sentence, replace “*explained*” with “*summarized*”, delete “*and summarized the issues contained in the letter*”. Delete second sentence;
- Page 7, item 8, replace Trustee Malcolmson’s entire report with; “*Trustee Malcolmson added that Parks Canada is gathering public comments and the National Marine Conservation Area Atlas is available at the Gabriola Public Library. Trustee Malcolmson reviewed the proposed Trust Council Strategic Plan Priorities.*”;
- Page 9, item 13.1, replace “*The Local Trust Committee*” with “*The trustees*”; fourth paragraph, delete last sentence, fifth paragraph, insert “*additional*” after “*support*”;
- Page 9, resolution GB-086-2012, add reasons from August 15, 2012 staff report draft resolution:
 - “*Significant opposition among neighbouring property owners,*
 - *A lack of information provided by the applicant to address environmental requirements of Standing Resolution GB-025-2010 of the Gabriola Island Local Trust Committee, and*
 - *A lack of information provided by the applicant to determine the exact location of the tower, associated buildings and structures, and the proposed easement / lease area, in relation to property lines and covenants, as required by Standing Resolution Gb-025-2010, the Antenna Proposal Form and as requested by the Gabriola Island Local Trust Committee in Resolution GB-067-2012.*”;
- Page 10, correct reporting of amended resolution GB-087-2012, delete “*relevant Official Community Plan and Land Use Bylaw Provisions*”; restate amended resolution GB-087-2012 after amending resolution GB-088-2012;
- Page 11, items 14.1.1 – 14.1.3, replace “*Local Trust Committee*” with “*trustees*”;

The Local Trust Committee adopted the minutes of the September 6, 2012 meeting by consensus as amended.

3.2 Section 26 Resolutions Without Meeting

There were no Section 26 Resolutions Without Meeting to report.

3.3 Gabriola Island Advisory Planning Commission Draft Meeting Minutes dated September 17, 2012

The trustees reviewed, for information, the draft minutes of the Advisory Planning Commission meeting dated September 17, 2012.

3.4 Mudge Island Advisory Planning Commission Meeting Minutes

There were no minutes of the Mudge Island Advisory Planning Commission.

3.5 Gabriola Island Agricultural Advisory Commission Draft Meeting Minutes

There were no minutes of the Gabriola Island Agricultural Advisory Commission.

4. **BUSINESS ARISING FROM MINUTES**

4.1 *Follow-up Action Report dated September 25, 2012*

Planner Fox requested questions from the trustees on the Follow Up Action Report. Trustee Rudischer discussed several changes with the planner.

4.2 *Advocacy in Relation to Ministry of Transportation and Infrastructure List of Official Community Plan Policies*

The trustees discussed the list of Ministry of Transportation and Infrastructure Advocacy Policies in the Official Community Plan. The status of each policy was discussed in detail. Policies were discussed in terms of what could be referred to the Transportation Advisory Commission.

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

Trustee Malcolmson provided the trustees with her notes outlining what the Gabriola Local Trust Committee had identified as *follow-up* on the Protocol meeting of June 22, 2012.

GB-091-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee direct Islands Trust staff to assist with Protocol Agreement and Memorandum of Understanding amendments identified by the Regional District of Nanaimo.

CARRIED

GB-092-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee delegate Trustee Malcolmson to draft a letter to the Regional District of Nanaimo based on the October 3, 2012 draft, and attach a list of relevant Official Community Plan policies.

CARRIED

4.4 *Staff Advice regarding Letter from Gabriola Streamkeepers*

Planner Fox provided a verbal update on the request made by the Gabriola Streamkeepers

4.4.1 *Letter dated October 1, 2012 from Adrienne Vance*

Planner Fox distributed a recent letter dated October 1, 2012 from Adrienne Vance. Planner Fox advised the trustees that Islands Trust staff cannot release information about property owners. She suggested an option that Islands Trust could prepare the mail out to the owners of the properties identified in the vicinity of the streams. The trustees discussed additional options.

GB-093-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee direct staff to inform the Gabriola Streamkeepers of options for property identification information.

CARRIED

5. **CORRESPONDENCE**

Correspondence specific to an active development application and/or project will be received by the Gabriola Island Local Trust Committee when that application and/or project is on the agenda for consideration.

5.1 *Letter from Gabriola Rod, Gun and Conservancy Club dated September 10, 2012*

The trustees reviewed the correspondence dated September 10, 2012 from Paul Metcalfe, Director of the Gabriola Rod, Gun and Conservancy Club. Mr. Metcalfe expressed concern that the five letters received by the Local Trust Committee at the last business meeting were from plaintiffs in a civil suit against the Gabriola Rod, Gun and Conservancy Club. He pointed out that the only change in the club's sporting activity has been the cessation of shotgun sports in response to the petition of May 2011. Trustee Rudischer commented that the resolution was not asking for rezoning of the Gabriola Rod, Gun and Conservancy Club property. Trustee Malcolmson pointed out that the lack of definition in the Land Use Bylaw doesn't imply that this is threatening to the future of the Gabriola Rod, Gun and Conservancy Club. Trustee Malcolmson offered to respond to Mr. Metcalfe.

5.2 *Letter from Gabrielle Warden dated September 16, 2012 regarding Gabriola Rod, Gun and Conservancy Club*

Received.

5.3 *Letter dated August 22, 2012 from BC Hydro Regarding Funding Available for Electric Beautification Projects*

Received.

6. **REPORTS**

6.1 *Work Program Reports*

The trustees reviewed the Top Priorities Report and Projects List dated September 25, 2012.

GB-094-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee amend its top priority list to move item 3, "Development of policies regarding cottage density banking." to item 1, 5) on the top priorities list.

CARRIED

6.2 *Applications Log dated September 25, 2012*

The trustees briefly reviewed the Applications Log dated September 25, 2012. Planner Fox noted that application GB-SUB-2011.5 had now been completed.

6.3 *Trustee and Local Expenses posted to September 30, 2012*

The trustees reviewed the expense statement with postings to August 31, 2012 and Planner Fox distributed an update with postings to September 30, 2012. There was discussion about whether funds had been moved as directed at the last meeting.

GB-095-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff advice on yearend budget projections for the Official Community Plan and Riparian Areas Regulation budgets.

CARRIED

7. **NEW BUSINESS**

7.1 *Local Trust Committee Meeting Dates for 2013*

The trustees reviewed the Memorandum dated September 18, 2012 regarding the draft meeting schedule for 2013 and discussed alternate dates for several meetings.

GB-096-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee adopt the following business meeting schedule:

- Thursday, January 17, 2013
- Thursday, February 21, 2013
- Thursday, March 14, 2013
- Wednesday, April 18, 2013
- Thursday, May 16, 2013
- Thursday, June 27, 2013
- Thursday, July 18, 2013
- Thursday, September 5, 2013
- Thursday, October 10, 2013
- Thursday, November 29, 2013

CARRIED

7.2 *Local Trust Committee Budget Request for 2013/2014*

Regional Planning Manager Jackson summarized his memorandum dated September 18, 2012. The trustees discussed several proposed budget accounts with the Regional Planning Manager. Trustee Malcolmson suggested expanding several accounts with proposed expenditure detail.

GB-097-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee revise and approve funding requests for Projects Proposed for Next Fiscal, 2013/2014 and forwarded to the Financial Planning Committee as revised as follows:

- Change proposed project name to "Snuneymuxw First Nation Protocol Implementation"
- Continuation of OCP Review 19,000

The trustees continued discussion and concluded that the Local Trust Committee will propose a specific topic list for the Official Community Plan review.

7.3 Islands Trust Briefing Note dated September 18, 2012 from Clare Frater, Trust Area Policy Analyst, regarding BC Hydro Woodpole Test and Treat Program - 2012

Planner Fox summarized the briefing note regarding the hydro pole-testing program. The trustees discussed the program and the consequences for residents with wells close to a hydro pole.

By consensus, the Local Trust Committee agreed to consider items 13.1. and 13.2.

13. APPLICATIONS AND PERMITS

13.1 GB-DP-2012.3 (Intrascap Developments Inc. – Madrona, Phase 2)

Planner Fox reviewed the staff report dated September 25, 2012 regarding the second phase of the Madrona development. Planner Fox reiterated the advice of the Advisory Planning Commission and recommended that the Local Trust Committee instruct staff to issue a development permit. Further discussion considered the specific comments that arose from the Advisory Planning Commission. Trustee Rudischer commented that the list of Village Core amenities that was presented to the last Local Trust Committee are not being met in this development and recommended that in the future to be more specific in development permits. The trustees discussed how the applicant would implement the advice provided by the community.

The applicant commented that public space on private property provides an insurance problem for the property owner.

GB-098-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee direct staff to amend item 1 of the permit as follows:

1. Building and Structures

- a. "Building A" of 7480 ft² total, 7300 ft² leasable area, shall be constructed substantially in accordance with the Site Plan Attached to and forming part of this Permit.
- b. Despite 1.a., benches are permitted and encouraged throughout the property.

CARRIED

GB-099-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee instruct staff to issue development permit GB-DP-2012.3 (Intrascap Developments Inc.) as amended.

CARRIED

13.2 GB-DVP-2012.2 (Boulton)

Planner Fox reviewed the staff report dated September 13, 2012 regarding the development variance permit to relax the setback requirement in order to facilitate the construction of an open carport and enclosed storage area. Trustee Rudischer commented that she had visited the site and it appears to her that this is the only location on the property that a carport could be located.

GB-100-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee instruct staff to issue development variance permit GB-DVP-2012.2 (Boulton).

CARRIED

7.4 Gabriola Telephone Directory Renewal

The trustees discussed the renewal of the annual advertisement in the Gabriola Island telephone directory.

GB-101-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee release three hundred and ninety-two dollars (\$392.00) from its Local Expense account (65220) and request that staff renew the Local Trust Committee page in the Gabriola Directory by October 31, 2012.

CARRIED

7.5 Advisory Commissions Secretary Appointments

Planner Fox referred to her September 25, 2012 memorandum concerning Advisory Commission Secretary appointments.

GB-102-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee appoint the following members as Secretary for their respective Advisory Commissions:

1. Gabriola Advisory Planning Commission – Deb Scott
2. Gabriola Agricultural Advisory Commission – Eric Veale
3. Mudge Island Advisory Planning Commission – Bob Bollinger

CARRIED

7.6 Emcon Services Inc. Winter Stakeholder Meeting

The trustees reviewed a letter from the Operations Manager of Emcon Services Inc. regarding the winter stakeholder meeting on Monday October 15, 2012.

8. TRUSTEES' REPORTS

Trustee Rudischer reported that she had attended Trust Council and submitted a report to the local media. She also mentioned that she had attended meetings with the Advisory Planning Commission and the Gabriola Streamkeepers that also had extensive media coverage. Trustee Rudischer reported that she had attended the official opening of the People for a Healthy Community Resource Centre and remarked that current

funding only exists for one year. She reported on having attended the Agricultural Advisory Commission meeting that included a discussion on changing the way Farm Status is calculated by the BC Assessment Authority for tax purposes.

Trustee Malcolmson added that she had attended the Union of BC Municipalities Convention and described several of the meetings. She briefly reviewed highlights of other meetings and events.

9. CHAIR'S REPORT

Chair Graham reported on the recent Trust Council meeting on Bowen Island. He noted that the Bowen Municipal Councilors were invited to attend the session along with the 24 local trustees. The meeting focused on the adoption of the Strategic Plan and Chair Graham commented on several aspects. He also mentioned an interesting demonstration of oil spill collection.

10. REGIONAL DIRECTOR'S REPORT

Regional District of Nanaimo Director Howard Houle was not able to attend this portion of the meeting and provided a printed report summarizing his activities during the past month. Director Houle also attended the Union of BC Municipalities Convention and commented in his report on the two motions, of approximately 200, that received the most attention. (A5 – *decriminalization of marijuana* and A8 – *oil tanker traffic*)

11. DELEGATIONS

There were no delegations scheduled.

12. TOWN HALL SESSION

Jenny McLeod expressed her thanks as a former member of the Advisory Planning Commission to Regional Planning Manager Chris Jackson, for his guidance and professional advice. Jenny McLeod, on behalf of the Gabriola Groundwater Management Society, stated that she would be resubmitting to the Local Trust Committee the work that had been done on the Water Act modernization.

14. LOCAL TRUST COMMITTEE PROJECTS

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

Planner Fox updated the Local Trust Committee and summarized that it is still on schedule. The trustees discussed further.

14.1.1 *Project Charter – standing item*

The trustees reviewed the Gabriola Island Development Permit Areas – Project Charter.

14.1.2 Communication Strategy – standing item

The trustees reviewed the Communications Strategy.

15. BYLAWS

There were no bylaws for consideration on this agenda.

16. ISLANDS TRUST WEBSITE

The trustees reviewed the Gabriola Island Local Trust Committee page of the Islands Trust website and made no changes.

17. NEXT BUSINESS MEETING

The next Local Trust Committee meeting will be at 10:15 am on Thursday, November 1, 2012 at the Women's Institute, 476 South Road, Gabriola Island, BC.

18. TOWN HALL SESSION

There were no comments or questions from the public

19. ADJOURNMENT

The Local Trust Committee adjourned the meeting by consensus at 1:12 pm.

Chair



RWM From: January 02, 2012 To: October 24, 2012

Gabriola Island

Resolution #	Action	Resolution Description	Resolution Date
2012-01	In Favour	"THAT the Gabriola Island Local Trust Committee add the following items to the Gabriola Work Program, Top Priority Item #1, OCP Review, and that the Programs budget request for 2013-14 include the items listed here: • Review and amend OCP & LUB to increase local food security and farmland protection • Implement OCP climate change policies into LUB • Review DP7 form and character guidelines for Village Core, and review OCP/LUB to make Village more pedestrian-friendly • Implement First Nations and Archaeological Protection policies, including improved engagement on land use referrals • Consider Density Transfer affordable housing policies for cottage densities • Review OCP and LUB to include protective measures for biodiversity • Review OCP and LUB to improve protection of coastal areas • Review OCP and LUB to protect water quality and quantity."	Oct 23, 2012



**MINUTES OF THE GABRIOLA ISLAND
AGRICULTURAL ADVISORY COMMISSION MEETING**

Held on (date) Sept 25, / 2012 _____

At (venue) _Womens Institute Hall_____

PRESENT:

AAC Members: Eric Veale, Sal Dominelli, Veronica Hartman, John Switzer

Trustees: Gisele Rudisher

Recorder: Eric Veale

Regrets (if any): Jenny MacLeod _____

There were 1 members of the public present.

AGENDA:

1. Previous Minutes for adoption
2. Trustees' Report
3. New Business
4. Members' Issues
5. Next Meeting and Adjournment

1. Previous Minutes

____Adopted_____

2. Trustees' Report

3. New Business

Moved: That bulk groundwater extraction for commercial sale should not be an accepted use on Agricultural Land Reserve.

Moved: by Jenny MacLeod

Seconded: Sal Dominelli

Passed

Moved: That the LTC place as an Advocacy statement in the OCP

Resolved to work toward becoming a GMO Free Zone

This would include the recommendation that no GMO Fruit or Nut Trees, Shrubbery, GM Vegetables, GM commodity crops and any and all field tests for medical and experimental GM crops be grown in the Gabriola Local Trust Area

Moved: Eric Veale

Seconded: Jenny MacLeod

Passed

4. Members' Issues

5. Next Meeting and Adjournment

Sept 25th Womens Institute Hall 7:00PM (To be Confirmed)



Chair



Secretary

SEPT 25/2012
DATE



Islands Trust

**MINUTES OF THE GABRIOLA ISLAND
AGRICULTURAL ADVISORY COMMISSION MEETING**

Held on (date) Oct 23, 2012

At (venue) Women's Institute Hall , Gabriola

Draft

PRESENT:

AAC Members: Veronica Hartman, Sal Dominelli, John Switzer, Eric Veale

Trustees: Gisele Rudisher

Recorder: Eric Veale

Regrets (if any): Jenny MacLeod

There were one members of the public present.

AGENDA:

1. Previous Minutes for adoption
2. Trustees' Report
3. New Business
4. Members' Issues
5. Next Meeting and Adjournment

1. Previous Minutes

Adopted

2. Trustees' Report

3. New Business

Motion:

Request the LTC to ask RDN Director to attend our next meeting re: funding for local Agricultural website. Sal—Veronica—passed

Motion:

LTC to advocate the following:

In order to build food security it would be helpful for BCAA (British Columbia Assessment Authority) to reduce from \$10,000 to \$2500 (annually) the income threshold for farm status on parcels under two acres.

Sal, Eric, Passed

4. Members' Issues

—

5. Next Meeting and Adjournment

To be announced _____

Chair

Secretary

DATE



Islands Trust

Follow Up Action Report w/ Target Date

Gabriola Island Jan-27-2011

No.	Activity	Responsibility	Target Date	Status
1	Staff directed to do the following with respect to Snuneymuxw First Nation: 1) Staff to work with Snuneymuxw First Nation staff to finalize joint letter seeking funding for archaeological mapping and bring letter to an LTC meeting before sending. 2) GBLTC to host and invite Snuneymuxw First Nation Councilor Geraldine Manson to make a storytelling presentation on Gabriola.	Chloe Fox	May-19-2011	On Going

Feb-14-2012

No.	Activity	Responsibility	Target Date	Status
1	Staff requested to prepare a detailed report on open bylaw enforcement files in the Gabriola local trust area.	Miles Drew	Mar-22-2012	Done

Apr-19-2012

No.	Activity	Responsibility	Target Date	Status
1	Trustee Malcolmson to write to the Chief of the Snuneymuxw First Nation to discuss funding ideas in the memorandum from staff dated April 3, 2012.	Chloe Fox	May-11-2012	On Going

May-09-2012

No.	Activity	Responsibility	Target Date	Status
1	Staff instructed to reallocate staff time to a 70/30 split between projects and day-to-day (applications, inquiries, etc.)	Courtney Simpson	May-31-2012	On Going

Jul-26-2012

No.	Activity	Responsibility	Target Date	Status
1	Trustee Malcolmson to email the Gabriola Chamber of Commerce and the Gabriola Arts Council regarding their request for changes to Institutional zoning on Gabriola Island and ask them to clarify which option from the June 11, 2012 memorandum from staff they prefer.	Chloe Fox	Aug-31-2012	On Going
1	The LTC requests staff advice on how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain in future LTC project work	Chloe Fox	Jan-31-2013	On Going

Sep-06-2012

No.	Activity	Responsibility	Target Date	Status
1	Staff instructed to include in the final package to Industry Canada and the application for file 5590-20-01 (Gabriola Radio Society) a copy of the final resolution, a copy of all public correspondence received during the consultation period, a copy of all staff reports written on the application, a copy of all referral responses received on the application and a copy of relevant OCP and LUB provisions.	Chloe Fox	Sep-27-2012	Done
1	Move \$1000 from the LTC Local Exp Misc (65240) to LTC Local Exp LTC Meeting Expenses (65200) and move \$1000 from LT Local Exp Misc (65240) to LTC Local Exp APC Meeting Expenses (65210).	Chloe Fox Nancy Roggers	Oct-04-2012	Done
1	LTC refers draft DP-3 (Riparian Areas) and DP-6 (Steep Slopes) to the Gabriola APC for comment	Chloe Fox Theresa Warren	Oct-31-2012	Done
1	Staff requested to schedule a CIM as a Special Meeting of the Gabriola LTC to present and receive input on draft DP-3 (Riparian Areas) and draft DP-6 (Steep Slopes).	Chloe Fox Theresa Warren	Oct-31-2012	On Going

Oct-04-2012

No.	Activity	Responsibility	Target Date	Status
1	Top Priority list amended by moving current item 3, policies regarding cottage density banking, under current item 1, OCP review, as sub-item #5	Chloe Fox	Oct-05-2012	Done

1	The LTC endorses the following meeting schedule for 2013 regular business meetings: January 17, 2013 February 21, 2013 March 14, 2013 April 18, 2013 May 16, 2013 June 27, 2013 July 18, 2013 September 5, 2013 October 10, 2013 November 28, 2013	Chloe Fox Becky McErlean Theresa Warren	Oct-12-2012	Done
1	The LTC revise and approve the funding requests for Projects Proposed for Next Fiscal, 2013/14 as follows: Continuation of OCP Review - \$19,000 and Snuneymuxw First Nation Protocol Agreement Implementation - \$2,000, and forward to Financial Planning Committee as revised	Chris Jackson David Marlor	Oct-19-2012	On Going
1	Staff directed to inform the Gabriola Streamkeepers of options for property identification information	Chloe Fox	Oct-19-2012	Done
1	The LTC appoints the following members as Secretary for their respective advisory commissions: Gabriola APC - Deb Scott Agricultural Advisory Commission - Eric Veale Mudge APC - Bob Bollinger	Becky McErlean	Oct-19-2012	Done
1	Staff to amend development permit GB-DP-2012.3 to add reference to benches and staff instructed to issue the amended permit.	Chloe Fox Becky McErlean	Oct-19-2012	Done
1	Staff instructed to issue development variance permit GB-DVP-2012.2 (Boulton)	Becky McErlean	Oct-19-2012	Done
1	LTC releases \$392.00 from its Local Expense Account Communications Budget to renew its ad in the Gabriola Directory	Becky McErlean Nancy Roggers	Oct-31-2012	On Going
1	Staff to provide advice on year-end budget projections for OCP and RAR budgets	Chloe Fox	Nov-01-2012	Done

1	Trustee Malcolmson to draft a letter from the LTC to the Regional District of Nanaimo based on the October 3, 2012 draft letter and attach a list of relevant OCP policies	Chloe Fox	Nov-01-2012	On Going
1	Staff directed to assist with protocol agreement and memorandum of understanding amendments identified by the Regional District of Nanaimo	Chloe Fox David Marlor	Dec-31-2012	On Going

Chloe Fox

From: Sheila Malcolmson
Sent: Monday, July 30, 2012 10:16 AM
To: Chloe Fox
Subject: FW: Madrona Phase 2

Follow Up Flag: Follow up
Flag Status: Completed

-----Original Message-----

From: Jim Ramsay [<mailto:jgramsay@telus.net>]
 Sent: July-30-12 9:55 AM
 To: Sheila Malcolmson; Gisele Rudischer
 Subject: Madrona Phase 2

Hi Sheila and Gisele: Having looked over the plan for Phase 2 of the Madrona development, I am glad to see the parking located at the rear so the result is less like a typical strip-mall. To realize a more pedestrian-friendly Village area, we should strive to give precedence to the pedestrian spaces and access, and less to the vehicular aspects. If the parking allocation could be reduced to the minimum allowed and the building was move a little to the north, there would be more opportunity for the off-road pedestrian/cycling path to take centre stage and give room for the path to meander around the trees and other plantings.

This Phase 2 development is a great opportunity to set the stage for revitalization of our village area into a pedestrian-oriented precinct.

The proposal does a number of things right by putting much of the parking in the rear and allowing for a pedestrian trail. Their plan just needs tweaking to make it that much more pedestrian-friendly.

Hopefully, the LTC will be able to encourage Intrascap accordingly.

Thanks, Jim

--

Jim Ramsay
 2445 Spring Beach Drive
 Gabriola, BC V0R 1X7
 Phone/fax: (250) 247-9374

Chloe Fox

From: Sheila Malcolmson
Sent: Monday, July 30, 2012 10:22 AM
To: Chloe Fox
Subject: FW: Madrona Phase 2

Follow Up Flag: Follow up
Flag Status: Completed

From: Steven Earle [<mailto:Steven.Earle@viu.ca>]
Sent: July-28-12 10:28 AM
To: Sheila Malcolmson; Gisele Rudischer
Subject: Madrona Phase 2

Hi Sheila and Gisele,

Thanks to both of you for standing up to Intraspac on the “public space” issue. They can do better, and you’re right, it has to be space that the public doesn’t feel obligated to buy a latté to use.

In your PlaceSpeak post, Sheila, you ask for “... more local pressure...” to “...work to change land use regulations to actually use the few tools available.” So here is some local pressure, on the theme of parking as a fertility drug for cars.

The plan for Phase 2 has 69 parking spaces, where, according to Chloe, they are only required to build 53 (44 for Phase 2 and 9 left over from Phase 1). So they have 16 extra spaces, which, if each is 9 ft (wide) by 30 ft. (long – 20’ plus 10’ for access) amounts to a total of 4320 square ft. My suggestion is that they be asked to eliminate at least those 16 extra spaces, and then move the building to the northeast so that they can provide much more public space on the North Rd. side. That way the Village Trail wouldn’t have to be immediately next to the building, and there could be plenty of room to make it meander a little, back and forth between benches and other landscape elements.

These are my thoughts. I’d be happy to present them in some other format to the APC, either orally, or more formally in writing.

Thanks.

Steve

Chloe Fox

From: Ken Gurr <kkgurr1@telus.net>
Sent: Wednesday, August 01, 2012 3:23 PM
To: Chloe Fox; Sheila Malcolmson
Cc: Steven.Earle@viu.ca
Subject: followup query on LTC meeting re: madrona Phase 2

Hi Chloe --

I am on the team of people working behind the scenes a bit to get the Village-core moving in a more pedestrian, human friendly direction. Steve Earle was at the most recent LTC meeting for Phase 2 Madrona, and from his personal recap and the coverage in the paper, I am just writing to encourage the Planning Staff and Trustees about a couple of points. . .

I know there are a good number of us really committed community types wanting to see some big steps forward along the "path of paths and people-first thinking in village development". We see Madrona Phase 2 as a very important leading-edge to what may come with any future OCP changes for village core. I think all business landowners in the village core are watching this one.

Thus I really hope the IT relationship with Madrona owners is very encouraging and collaborative to get things accomplished. It is going to be a leading indicator to other landowners in the biz core to either encourage them or make them feel threatened.

I do think officials and staff should be more openly encouraging to help the landowner find ways to achieve those community green space and walkways amenities now and in kind of a partnership-building tone. Either in fully spelling-out, and reminding the developer clearly of the proactive OCP Climate Change Policy options available for parking density bonuses etc. to going on record to encourage the developer to work with the RDN to get their portion of trail walkway development underway instead of being marred in the MOTI road allowance intransigence game.

My strong feeling is that Chris and Lana are too busy working their demanding business to think on this, and that if planning expertise can be used to help them with a more template-style scenario or two for "parking density transfer in exchange for build out of bike racks and path work, we could maybe get another leg of the path system committed to sooner. Great to use the stick, but now time to give them a little more carrot!!

Thanks for listening, Ken Gurr

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Islands Trust

Preserving Island
communities, culture
and environment

Our Provincial Mandate

“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”

– Islands Trust Act



Islands Trust Council — Strategic Plan 2011-2014

Adopted September 12, 2012

The Trust Area

The Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island, including Howe Sound and as far north as Comox. This is a unique and special place composed of 13 major islands and more than 450 smaller islands covering approximately 5200 square kilometres.

The beauty, tranquility, and sometimes fragile natural environment of the islands in the Strait of Georgia and Howe Sound, characterized by an exceptional variety of species, have given the area national recognition.

The islands support strong communities characterized by a mix of lifestyles, livelihoods and individuals. Island residents bring unique skills, viewpoints and sense of place together to sustain a tradition of community involvement.

Our Council

The Islands Trust Council has a unique mandate from the province to preserve and protect the amenities and environment of the Islands Trust Area, for the benefit of residents and all British Columbians. It meets quarterly to make decisions about the Islands Trust's overall policy, advocacy positions, staff resources and budget. Trust Council is made up of the 26 locally-elected trustees who also sit on 12 local trust committees and one island municipality. There they have responsibilities for land use planning and regulatory decisions that are separate from their role at the Islands Trust Council. The current Council was elected for a 3-year term during BC Local General Elections in November 2011. Trustee terms will end in November 2014.

A Strategic Plan for the 2011-2014 term

The Islands Trust Policy Statement is partially implemented through Council's strategic plan. By identifying goals and developing a plan to achieve them, Council focuses finite resources and measures progress. After extensive review and public input, Trust Council has confirmed the following focus areas for its 2011-2014 term:

Goal A - Ecosystem Preservation and Protection

The Islands Trust will work to protect the natural environment of islands by:

- Encouraging and enabling islanders in voluntary stewardship actions that protect special areas, including the shoreline
- Working to protect fish habitat as required by the Riparian Area Regulation
- Protecting special ecosystems, managing shoreline areas and reducing greenhouse gas emissions when land use decisions are made
- Advocating for new approaches to oil spill preparedness, derelict vessels, industrial developments, aquaculture, marine sewage and national marine conservation

Goal B – Stewardship of Island Resources

The Islands Trust will focus on good management of island water resources by:

- Encouraging voluntary stewardship, advocating for legislative reform and exploring creative solutions for watershed management
- Using land use planning tools and decisions to protect the quality and quantity of water resources

Goal C – Sustain Island Character and Healthy Communities

The Islands Trust will work to enhance the economic sustainability and security of island communities by:

- Creating linkages between islanders and regional districts to share effective economic development models
- Continuing to advocate for sustainable, affordable and appropriate ferry services
- Using land use planning tools and decisions to positively affect housing affordability, food security and farmland protection

Goal D – In Cooperation with Others

The Islands Trust will work with others by:

- Strengthening relations with the many First Nations who have interests in island land use decisions
- Continually working to improve our organizational effectiveness

Shaded text=activities primarily proposed for future fiscal years and subject to future budget decisions

Policy Statement Goal A: Ecosystem Preservation and Protection...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
1 PROTECT the natural environment of islands	1.1 Encourage voluntary stewardship of natural environment	<u>FY 2011/12- 2014/15</u> Promote community participation in conservation through information sharing and education about private land stewardship options	TFB		Subject to funding in annual budgets or grant funding	By whether the Islands Trust Fund is actively promoting its conservation programs at community events, in publications and online	Ongoing
		<u>FY 2012/13</u> Share information about best practices for covenants and NAPTEP with all planning staff	TFB		Funded by base budget	By whether planners have been provided with covenant education opportunities and whether information is available through the Islands Trust Fund website	Website information in development, ITF staff planning to present information at an LPS Pro D day
		<u>FY 2012/13 – 2014/15</u> Improve and update mapping of natural and modified environments, including terrestrial ecosystem mapping, protected area networks, nearshore mapping and areas under sustainable forestry or sustainable agricultural use.	TFB		Subject to funding in annual budgets	By whether maps of natural and modified environments are available to LTC's and BIM, RDs, local conservancies and other partners	Draft Protected Area Network mapping available, eelgrass and forage fish habitat mapping underway and other mapping in development stages
		<u>FY 2013/14</u> Research and develop a pilot landowner contact program in collaboration with a local conservancy	TFB		Subject to funding in 2013/14 budget	By whether a landowner contact pilot program is implemented	Not started
		<u>FY 2011/12 - 2014/15</u> Support island-based land trusts with partnerships, funding and capacity building opportunities	TFB		Funded by base budget and donations	By whether the Opportunity Fund grows by at least 10% per year and by the amount of grants issued	In progress
		<u>FY 2013/14</u> Council workshop regarding invasive species	TFB		Funded by base budget	By whether a Trust Council workshop has been held	Not started
		<u>FY 2013/14 – 2014/15</u> Share information with the public about managing invasive species	TFB		Subject to funding in 2013/14 budget	By whether information has been shared with the public	Not started
	1.2 Expand Natural Areas Protection Tax Exemption Program (NAPTEP) program to entire Islands Trust Area	<u>FY 2012/13</u> Present NAPTEP program to BIM Council for consideration	TFB	BIM***	Funded by base budget	By whether or not BIM has considered participating in the NAPTEP program	Tax impact model complete. Further discussion in Sept/12
		<u>FY 2013/14</u> Seek support from Metro Vancouver RD for NAPTEP, subject to BIM approval of program	TFB	BIM***	Funded by base budget	By whether support from Metro Vancouver RD has been sought	Gambier LTC approval received. Pending BIM approval of program.

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		Launch NAPTEP on the islands in Metro Vancouver RD (subject to BIM and MVRD approval)	TFB	Subject to funding in 2013/14 program budget	By whether NAPTEP has been launched on the islands within the Metro Vancouver RD	Gambier LTC approval received. Pending BIM approval of program
	1.3 Protect fish habitat by implementing Riparian Areas Regulation	<u>FY 2013/14</u> Identify undesignated RAR watersheds	LTCs**	Subject to funding in 2013/14 program budget	By whether all RAR watersheds have been identified	Complete for 10 LTAs. Gambier and Lasqueti in progress
		<u>FY 2012/13</u> Improve mapping of some riparian areas on SSI	LTCs**	Funded by 2012/13 program budget	By whether new mapping of priority riparian areas is complete	New mapping of streams on SSI underway.
		<u>FY 2013/14 & 2014/15</u> Improve mapping of additional riparian areas on SSI and some northern islands	LTCs**	Subject to funding in 2013/14 program budget	By whether new mapping of priority riparian areas is complete	Not started
		<u>FY 2012/13</u> Adopt new bylaws to implement RAR on selected islands	LTCs**	Funded by 2012/13 program budget	By whether selected islands are RAR compliant through bylaw development	Work underway on SSI, Gabriola.
		<u>FY 2013/14 – 2014/15</u> Adopt new bylaws to implement RAR on all islands where still required		Subject to funding in future program budgets	By whether all LTAs are compliant with RAR through bylaw development	19 of 43 bylaws are compliant. 21 bylaw amendments in process
	1.4 Establish reliable, adequate and sustainable funding for the Islands Trust Fund	<u>FY 2012/13</u> Seek legislative change regarding TFB corporate structure and name	EC	Funded by base budget	By whether legislative change has been requested	Verbal request has been made. Chair correspondence requesting change is in progress
		<u>FY 2011/12 – 2014/15</u> Engage in outreach to expand donor base, develop legacy giving program and secure acquisition funds	TFB*	Partially funded through 2012-2013 program budget	By whether the TFB has implemented outreach regarding funding needs and legacy gifts	Not started
		<u>FY 2014/15</u> Develop and implement strategy re changes to corporate structure and name	TFB	Subject to 2014/15 program budget	By whether TFB corporate status and name change has been implemented	Pending legislative change
		<u>FY 2015/16</u> Review and launch long-term funding strategy	TFB	Subject to 2015/16 program budget	By whether the long-term funding strategy has been reviewed and launched	Not started. Pending legislative change
	1.5 Establish core conservation areas to protect biodiversity priorities	<u>FY 2011/12- 2012-13</u> Map and prioritize high biodiversity areas and develop a strategy for protection	TFB	Funded by base budget	By whether the TFB has a prioritized high biodiversity areas, and developed a strategy including a funding needs assessment)	Mapping of high priority areas underway

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		<u>FY 2011/12 – 2014/15</u> Protect land with high biodiversity, through acquisition, donation, or conservation covenant	TFB*		Partial funding through base budget; acquisitions funded by donations and external grants	By whether the TFB has protected at least 500 hectares of high biodiversity land in the timeframe of the Regional Conservation Plan 2011-2015	78.97 hectares protected since 2011
	1.6 Use land use planning tools and decisions to increase protection of special areas	<u>FY 2012/13</u> Explore model land use planning tools that protect species and ecosystems at risk	LPC		Funded by base budget	By whether a staff report on model land use planning tools has been completed	Not started. Pending provincial working group report.
		Trustee workshop about protection of special areas	TFB	LPC	Funded by base budget	By whether a trustee workshop has been held	Planned for December 2012 Trust Council meeting
		<u>FY 2011/12 – 2014/15</u> Develop policy, OCP and LUB amendments that include protective measures for biodiversity	LTCs**/BIM***		Subject to annual program budgets	By whether OCPs and LUBs have been amended to address improved protection of biodiversity	Some reviews underway
	1.7 Reduce greenhouse gas emissions	<u>FY 2012/13</u> Include GHG emission reduction targets, policies and actions in all OCPs, as required by LGA	LTCs		Funded by program budget	By whether all OCPs comply with LGA re GHG emissions	18 of 19 comply. Outstanding OCP (Piers Island) on work program for 2012
		<u>FY 2014/15</u> Use new planning tools (Bill 27) to reduce greenhouse gas emissions to implement OCP policies LTCs adopted last term (e.g. as illustrated in Trust Council toolkit Reducing Greenhouse Gases in the Islands Trust Area)	LTCs**/BIM***		Subject to funding in 2014/15 budget	By whether LTCs/BIM have used new planning tools to foster reduced GHG emissions from development	Not started
		<u>FY 2012/13</u> Develop policy regarding carbon-neutral operations and purchase of carbon credits to balance GHG emissions that cannot be eliminated	FPC		Funded by base budget	By whether Trust Council has adopted a policy	Draft going to FPC in Nov/12
2. PROTECT coastal and marine ecosystems	2.1 Encourage understanding of shoreline processes and voluntary stewardship of coastal and marine ecosystems	<u>FY 2012/13</u> Develop integrated shoreline and watershed protection mapping for major islands	LPC		Funded by external grants	By whether integrated shoreline and watershed protection mapping has been developed for major islands	Drafts complete. To be finalized and distributed by Mar/13
		<u>FY 2013/14</u> Identify and post updated website links regarding existing shoreline stewardship information	TAS		Funded by base budget	By whether website links have been updated	Not started

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		Pilot a Green Shores for Homes credit rating incentive system in one LTA	LTCs**		Subject to funding in 2013/14 budget or successful grant application	By whether an LTC has piloted a Green Shores for Homes credit rating incentive system	Not started
		Host a shoreline stewardship landowner workshop on one island	LPC	TFB	Subject to funding in 2013/14 budget	By whether a workshop has been held	Not started
	2.2 Use land use planning tools and decisions to improve protection of coastal areas	<u>FY 2013/14 – 2014/15</u> Adopt regulatory bylaws with respect to integrated shoreline and watershed protection mapping	LTCs**		Subject to funding in future program budgets	By whether LTCs have adopted regulatory bylaws	Reviewed by Thetis LTC
		Develop mechanisms for proactive bylaw enforcement of illegal structures on the foreshore	LPC/LTCs**		<i>Subject to funding in future budgets</i>	By whether mechanisms have been developed	Not started
	2.3 Participate in planning for National Marine Conservation Area Reserve	<u>FY 2011/12 – 2014/15</u> Advocate for implementation of the NMCA reserve	EC		Funded by base budget	By whether the EC has continued to actively advocate for implementation of the NMCA reserve	Successful resolution sponsored at UBCM 2010 Convention
		Participate in NMCA workshops and consultation opportunities	LTCs**/TAS		May require additional funds	By level of participation in NMCA workshops and consultation opportunities	August 2012 Parks Canada workshop
		<u>Future fiscal years (TBD)</u> Respond to NMCA implementation steps with complementary activities, as required	LTCs**		May require additional funds	TBD	Not started
	2.4 Advocate for protection of the Salish Sea and Howe Sound from oil spills, derelict vessels and industrial activities	<u>FY 2011/12 – 2014/15</u> Chair correspondence regarding oil spill prevention and response	EC		Funded by base budget	By whether the Chair has sent correspondence to advocate for oil spill prevention and response	2011:7 letters sent 2012:1 letter sent Resolution proposed for UBCM convention 2012
		Chair participation in hearings related to tanker traffic increases	EC		Funded by base budget	By whether the Chair has participated in hearings related to tanker traffic increase	One NEB hearing presentation August 2012
		Host local government workshops to raise awareness of gaps in oil spill prevention and response capacity	EC		Funded by base budget	By whether workshops have been held	One held at AVICC
		Participate in mock oil spill exercises to understand gaps in oil spill response capacity	EC		Funded by base budget	By whether participation has taken place	Participation in two exercises in 2012
		<u>FY 2011/12 – 2014/15</u> Continue to advocate for senior government solutions to derelict vessels	EC		Funded by base budget	By whether the Islands Trust has continued to advocate for derelict vessel solutions	Islands Trust participation on derelict vessel working group is on-going

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		<u>FY 2011/12 – 2014/15</u> Advocate regarding potential impacts of the proposed Raven Coal Mine upon Baynes Sound and the potential impacts of the proposed Burnco Gravel Mine upon Howe Sound	EC	Subject to base and project budgets	By whether the Executive Committee has advocated regarding the proposed Raven Coal Mine and the Burnco Gravel Mine	Two Trust Council resolutions passed One letter written
		<u>FY 2013/14</u> Clarify jurisdictional issues related to Islands Trust Area boundary	EC	Subject to 13/14 budget	By whether a formal report and request for provincial clarification has been completed	Not started
	2.5 Advocate for appropriate regulation of aquaculture	<u>FY 2013/14 – 2014/15</u> Collaborate with Department of Fisheries and Oceans regarding shellfish regulations through local government advisory committee as a pilot project for one LTC (Denman)	LTCS**	Subject to funding in 2013/14 budget	By whether the Denman Island LTC has collaborated with DFO on a pilot project	Not started
	2.6 Advocate for regulation of marine sewage	<u>FY 2011/12 – 2014/15</u> Chair correspondence regarding marine sewage regulation	EC	Funded by base budget	By whether the Chair has written to advocate for regulation of marine sewage	Pending
		Amend OCP policies to require sewage pump-outs as a condition of new/expanded marinas (i.e. during rezoning applications)	LTCS**/BIM***	Funded by base budget	By whether OCP policies require sewage pump-outs as a condition of marina development/expansion	Required or recommended in 8 OCPs

Policy Statement Goal B: Stewardship of Island Resources...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
3. PROTECT quality and quantity of water resources	3.1 Encourage understanding and voluntary stewardship of water resources	<u>FY 2013/14</u> Develop new educational materials about water resource concerns	TPC	Subject to 2013/14 program budget	By whether educational materials had been developed	Not started
		Hold community meetings to discuss local water resource concerns and encourage local stewardship actions	TPC	Subject to 2013/14 program budget	By whether community meetings have been held to encourage water stewardship	Not started
		<u>FY 2014/15</u> Develop an on-going water stewardship program	TPC	Subject to 2014/15 program budget	By whether an on-going water stewardship program has been funded and launched	Not started
	3.2 Advocate for provincial Water Act reform	<u>FY 2011/12 – 2014/15</u> Continue to participate in Water Act reform consultations	EC	Funded by base budget	By whether participation in Water Act reform has taken place	Pending provincial selection of pilot areas
	3.3 Use land use planning tools and decisions to protect water quality and quantity	<u>FY 2013/14</u> Develop toolkit for use by LTCs/BIM that illustrates options for using planning tools to protect water quality and quantity	LPC	Subject to 2013/14 program budget	By whether a toolkit has been developed	Not started
		<u>FY 2013/14 – 2014/15</u> Amend OCPs to include new policies for water resource protection	LTCs**/BIM***	Subject to annual program budgets	By whether OCPs have been amended to include new policies about water resource protection	Some reviews underway
		Amend LUBs to include new regulations aimed at protection of water quality and quantity	LTCs**/BIM***	Subject to annual program budgets	By whether LUBs have been amended to include new regulations aimed at protection of water quality and quantity	Not started
		<u>FY 2013/14</u> Develop model Development Permit Areas that LTCs and BIM may consider in regards to water conservation	LPC	Subject to 2013/14 program budget	By whether model Development Permit Areas have been developed	Not started
		<u>FY 2014/15</u> Adopt new Development Permit Areas to enhance water conservation	LTCs**/BIM***	Subject to 2014/15 program budget	By whether LTCs/BIM have adopted new Development Permit Areas to enhance water conservation	Not started
	3.4 Explore alternative tools for improving watershed management	<u>FY 2012-13</u> Identify options within the Islands Trust Act for coordination of watershed protection	EC	Funded by base budget	By whether options had been identified	Underway

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
		<u>FY 2013-14</u> Consider pilot project for coordination of watershed protection within one LTA	LTCs**	Subject to funding by program budget or grants	By whether a pilot project has been considered	Not started

Policy Statement Goal C: Sustain Island Character and Healthy Communities...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?	IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
4. ENHANCE community economic sustainability and security	4.1 Create linkages between islands and Regional Districts to share effective and appropriate economic development models	<u>FY 2013/14</u> Convene Trust Area opportunity to focus on effective and appropriate economic development models	TPC	Subject to funding in 2013/14 program budget	By whether an opportunity has been developed	Not started
	4.2 Advocate for sustainable, affordable and appropriate ferry service	<u>FY 2013/14</u> Commission economic impact study related to ferry fares and service	TPC	Subject to funding in 2013/14 budget	By whether a study is complete	Not started
		<u>FY 2011/12 – 2014/15</u> Continue advocacy program regarding ferry fares and service.	EC	Funded by base budget	By whether advocacy actions have been taken in regards to ferry fares and service	On-going
	4.3 Use land use planning tools and decisions to improve the availability of affordable/accessible/ appropriate housing (as described in Trust Council's toolkit, <i>Affordable Housing Guide</i>)	<u>FY 2011/12 – 2014/15</u> Amend OCPs to include affordable housing policies	LTCs**/BIM***	Subject to annual program budgets	By whether OCPs have been amended to include new affordable housing policies	Some OCP reviews underway
		Amend LUBs to improve availability of affordable housing	LTCs**/BIM***	Subject to annual program budgets	By whether LUBs have been amended to improve availability of affordable housing	SSI LUB amendments re secondary suites to public hearing in fall/2012
	4.4 Use land use planning tools and decisions to increase local food security and farmland protection (as described in Trust Council's toolkit, <i>A Seat at the Table</i>)	<u>FY 2012/13 – 2014/15</u> Amend OCPs to include food security and farmland protection policies	LTCs**/BIM***	Subject to annual program budgets	By whether OCPs have been amended to address food security and farmland protection	Reviews underway
		Amend LUBs to improve food security	LTCs**/BIM***	Subject to annual program budgets	By whether LUBs have been amended to improve food security	Reviews underway

Goal D: In cooperation with others...

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
5. STRENGTHEN relations with First Nations	5.1 Improve consultation/engagement with First Nations during land use referrals	FY 2012/13 Adopt First Nations Consultation Strategy	TAS		Funded by 2011/12 budget	By whether Trust Council has adopted a First Nations Consultation Strategy	First draft to TC Jun/12
		Trustee workshop on working with aboriginal peoples	EC		Funded by 2012/13 budget	By whether a trustee workshop has been held	Complete
		FY 2012/13 Implement 'essential and quick start' improvements to land use referral system that do not require additional resources, as identified in FN Consultation Strategy	LPS	TAS	Funded by base budget	By whether all 'essential and quick start' improvements that do not require additional resources have been implemented	Underway
		Identify resource needs for improved consultation and engagement	EC		Funded by base budget	By whether the resource needs for improved consultation and engagement has been identified	Not started
		FY 2013/14 – 2014/15 Implement improvements identified in the FN Consultation Strategy as longer term or requiring additional resources	LPS	TAS	Subject to funding in future base budgets	By whether all improvements identified in the FN Consultation Strategy as longer term or requiring additional resources have been implemented	Not started
	5.2 Improve consultation/engagement with First Nations during Trust Council's marine and terrestrial protection work	FY 2013/14 – 2014/15 Improve consultation and engagement re free Crown grant program	TAS		Subject to funding	By whether consultation and engagement has been improved	Not started
		FY 2012/13 – 2014/15 Improve communication and coordination during marine protection advocacy	EC		Funded by base budget	By whether consultation and engagement has been improved	Not started
6. IMPROVE organizational cost and operational effectiveness	6.1 Confirm a fair distribution of Islands Trust Services to Bowen Island Municipality	FY 2012/13 Review and amend Policy 7.2.vi (Municipal Requisition Cost Allocations)	FPC		Funded by base budget	By whether Policy 7.2.vi has been amended	Draft prepared for discussion with BIM in Sept/12
		Identify Bowen Island Municipality needs for services provided by Trust Area Services unit	TAS		Funded by base budget	By whether BIM needs for TAS services have been identified	Initial discussion planned Sep/12
		Identify improved opportunities for BIM to access services provided through Trust Area Services unit	TAS		Funded by base budget	By whether opportunities for BIM to access TAS services have been identified	Not started
		FY 2013/14 Provide additional TAS services to BIM	TAS		Funded by base budget	By whether BIM is accessing additional TAS services as identified	Not started

OBJECTIVE	STRATEGIES	POTENTIAL ACTIVITIES AND PHASES	WHO WOULD WORK ON IT?		IS FUNDING REQUIRED OR IN PLACE?	HOW WOULD WE MEASURE SUCCESS?	STATUS <i>Italics indicate status change since last TC meeting</i>
	6.2 Improve cost-recovery from development application fees	FY 2012/13 Develop model fees bylaw for consideration by LTCs	LPC	FPC	Funded by base budget	By whether a model bylaw has been developed	<i>TC referred to LPC/FPC before bylaw drafting begins</i>
		FY 2013/14 Consider adoption of amended fees bylaws.	LPC/LTCs**		Subject to funding in 2013/14 program budget	By whether LTCs have adopted an amended fees bylaw that improves cost recovery	Not started
	6.3 Prepare Island Trust organization for potential incorporation of Salt Spring Island (if province advances a provincial restructure study for SSI)	FY 2012/13 Review terms of reference for a transition strategy	FPC	EC	Possibly externally funded	By whether term of reference for a transition strategy have been developed	Pending provincial decision regarding SSI restructure study
		FY 2013/14 Identify and evaluate options and adopt a transition strategy	FPC	EC	Possibly externally funded	By whether a transition strategy is complete	Not started. Pending provincial decision regarding SSI restructure study
		FY 2014/15 - ? Implement adopted transition strategy	EC		Subject to future budgets	By whether the transition strategy has been implemented	Pending provincial and SSI decisions
		FY 2012/13 to 2013/14 Review existing IT-MCSCD protocol agreement regarding incorporation of municipalities in the Islands Trust Area	EC		Funded by base budget	By whether the protocol agreement with the ministry has been reviewed and amended	Pending provincial decision
	6.4 Review service delivery regarding application processing	FY 2013/14 Consider development and use of a quality management system pilot on Salt Spring island for processing of development applications	LTC**		Subject to funding in 2013/14 budget	By whether a quality management system has been considered by the SSILTC for one type of application process	Not started

* subject to decisions of Trust Fund Board

**subject to decisions of local trust committees

***subject to decisions of Bowen Island Municipality

Abbreviations:

AVICC – Assoc. of Vancouver Island Coastal Communities
 BIM – Bowen Island Municipality
 EC – Executive Committee
 FN – First Nations
 FPC – Financial Planning Committee
 FY – Fiscal Year
 IT – Islands Trust
 ITF – Islands Trust Fund
 ITPS – Islands Trust Policy Statement
 LGA – *Local Government Act*
 LPC – Local Planning Committee

LPS – Local Planning Services
 LTA – Local Trust Area
 LTC – Local Trust Committee
 LUB – Land Use Bylaw
 MCSCD – Ministry of Community, Sport and Cultural Development
 MVRD – Metro Vancouver Regional District
 NA – Not Applicable
 NEB – National Energy Board
 NAPTEP – Natural Area Protection Tax Exemption Program
 NMCA – National Marine Conservation Area
 OCP – Official Community Plan
 ProD – Professional Development

RAR – Riparian Areas Regulation
 RD – Regional District
 RFD – Request for Decision
 SSI – Salt Spring Island
 TAS – Trust Area Services
 TBD – To Be Determined
 TC – Trust Council
 TFB – Trust Fund Board
 TPC – Trust Programs Committee
 UBCM – Union of BC Municipalities

For more information, contact:

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www.islandstrust.bc.ca

Colour Key for middle column:

Colour	Potential committee / unit / body taking lead for a potential strategy
	Local Planning (through Local Planning Committee, Local Planning Services staff, Local Trust Committees or Bowen Island Municipality)
	Trust Programs Committee or Trust Area Services staff
	Executive Committee
	Trust Fund Board or Islands Trust Fund staff
	Financial Planning Committee



Islands Trust

Strategic Planning Process (2012-2013)



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Date: October 24, 2012 File Number: 6500-02 (Gabriola)

To: Gabriola Island Local Trust Committee
For meeting of November 1, 2012

From: Chloe Fox
Island Planner

Re: Work Program & Official Community Plan / Land Use Bylaw Budget Allocation

At the October 4, 2012 regular business meeting, the Local Trust Committee (LTC) requested staff advice on year-end budget projections for the Official Community Plan / Land Use Bylaw budget and the Riparian Areas Regulation budget. Staff have reviewed the remaining budget amounts with the Project Charter and Communications Plan for the Gabriola Island Development Permit Areas (Riparian Areas and Steep Slopes) Project currently underway and with the items currently listed on the LTC work program. The purpose of this memorandum is to highlight a variety of options for the LTC to consider in allocating the remaining budget amounts.

Remaining Budget Amounts

As of September 30, 2012, the Gabriola Official Community Plan / Land Use Bylaw (OCP/LUB) budget category had \$18,391.00 remaining (out of \$19,000 allocated) and the Gabriola Riparian Areas Regulation (RAR) budget category had \$3,805.95 remaining (out of \$4,000).

DPA's Project Budget Requirements

In order to complete the current DPAs project, staff anticipates a budget of approximately \$9,400 will be needed. This amount will cover the remaining communications items, the legislative process required in order to complete the project and work required to refine the steep slopes mapping (see Memorandum from staff dated October 19, 2012 regarding steep slopes mapping issues, included in the November 1, 2012 LTC meeting agenda package). This estimate amount is based on the budget projections outlined in the Project Charter and Communications Strategy, which are included as Standing Items on the LTC meeting agenda, as well as the estimate from EBA Engineering Consultants regarding the development of criteria to refine the steep slopes mapping. Of this, \$2,300 could come from the RAR budget category, while the remaining \$7,100 should come from the OCP/LUB budget category.

Current Work Program

Allocating \$9,400 to complete the DPAs project leaves approximately \$11,000 available for OCP / LUB work and approximately \$1500 for RAR work. Aside from the DPAs project, the LTC work program currently contains the following OCP / LUB items:

- Update the 2010 build out map and report (including the number of existing and potential residential cottages and a list of forestry parcels with the potential for density transfer);

- Rezoning new RDN Parks and ITF nature reserves;
- Development of policies regarding cottage densities for density banking;
- Review and amend OCP & LUB to increase local food security and farmland protection;
- Implement OCP climate change policies into LUB;
- Review DP7 form and character guidelines for Village Core, and review OCP / LUB to make Village more pedestrian-friendly;
- Implement First Nations and archaeological protection policies, including improved engagement on land use referrals;
- Consider density transfer affordable housing policies for cottage densities;
- Review OCP and LUB to include protective measures for biodiversity;
- Review OCP and LUB to improve protection of coastal areas; and
- Review OCP and LUB to protect water quality and quantity.

In addition, the Projects List contains the following OCP / LUB item:

- Decourcy Island Official Community Plan Review and Advisory Commission Appointments.

At present, staff are unable to move forward with the build-out mapping project due to current staffing capacity in our mapping department. Staff recommend putting this project on hold, and moving it farther down the Top Priorities list, until such time as the mapping department is back at full capacity in Spring 2013.

Given the inability to move forward with the build-out mapping project at this time, staff have advanced with work on the rezoning of RDN parks project and will be presenting a preliminary memorandum on the project at the November 1, 2012 LTC regular business meeting. Depending on the direction provided by the LTC, there may or may not be budget implications for this fiscal year associated with this project.

The LTC may wish to consider allocating some or all of the approximate projected \$11,000 remaining budget amount for OCP / LUB work to one or more of the above-noted OCP / LUB items. In considering budget allocations, staff provides the following comments for the LTC to contemplate:

- Development of policies regarding cottage densities for density banking and consider density transfer affordable housing policies for cottage densities – these items could be considered together and may be an appropriate project for a consultant to work on.
- Review and amend OCP & LUB to increase local food security and farmland protection – policy recommendations regarding food security and farmland are currently being development by the Agricultural Advisory Commission. As such, this may not be an appropriate project for a consultant to work on.
- Implement OCP climate change policies into LUB – this is a project more appropriately undertaken by staff.
- Review DP7 form and character guidelines for Village Core, and review OCP / LUB to make Village more pedestrian-friendly – staff consider this an appropriate project for a consultant.
- Implement First Nations and archaeological protection policies, including improved engagement on land use referrals – this project may benefit from the input of a consultant and may be an appropriate project for a consultant to work on.
- Review OCP and LUB to include protective measures for biodiversity – this may be an appropriate project for a consultant to work on.

- Review OCP and LUB to improve protection of coastal areas – this project relates to the Integrated Watershed and Shoreline Mapping project of Trust Council as well as the shoreline erosion mapping completed by EBA. Staff suggests that it may be prudent to wait until the Integrated Watershed and Shoreline Mapping project is complete to consider this item further.
- Review OCP and LUB to protect water quality and quantity – this project relates to the Water Budget Study currently being undertaken by the Regional District of Nanaimo (RDN). While the RDN has agreed to share the results of the project with the Islands Trust, the LTC may wish to consider allocating funds to the RDN in exchange for any additional information should gaps be identified during the study.

Other Options

1. As outlined in the October 19, 2012 Memorandum from staff on the steep slopes mapping, EBA Engineering Consultants is able to review draft Development Permit Area 6 – Steep Slopes from a geotechnical perspective at an estimated cost of \$3,300. In addition, they have the expertise available to also review the draft DPA from an environmental perspective for an additional cost.
2. At the July 26, 2012 regular business meeting, the LTC requested staff advice on how to address areas of potentially problematic soils, shoreline erosion and localized areas of steep terrain in future LTC project work. Although comprehensive staff advice has yet to be provided, the LTC may wish to explore one of these areas in greater depth for use of the remaining OCP/LUB budget amount. Pursuing this, or any other option not currently listed on the work program, would require an amendment to the current work program.
3. For the RAR budget, the LTC may wish to consider printing additional copies of the Riparian Areas brochure. Only 150 copies were printed originally at a cost of approximately \$120.
4. Another option for the RAR budget would be to contribute to the pool of money currently being allocated by other Northern Region LTCs to develop shared communications tools that could be used on all islands as implementation of the regulation moves forward. The timing of this may not coincide with the development of regulations on Gabriola, however, as the bylaw is anticipated to be considered for adoption by the end of this fiscal year. Any shared communications could, however, be used in ongoing communications regarding land stewardship and the importance of riparian areas.

Further direction is needed from the LTC in order to move forward with the options presented in this memorandum and, given the information presented in this memorandum, to provide direction to staff on LTC project priorities.

Respectfully prepared and submitted by:

Chloe Fox, MCIP, RPP
Island Planner

Pc: Courtney Simpson, Acting Regional Planning Manager



Islands Trust

Top Priorities

Gabriola Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Gabriola Planning Area OCP Review:			Chloe Fox		On Going
	1) Hazardous Areas & Steep Slopes DPA					
	2) Riparian Areas Regulation					
	3) Update the 2010 build out map and report (including the number of existing and potential residential cottages and a list of forestry parcels with the potential for density transfer)					
	4) Rezoning new RDN Parks and ITF nature reserves					
	5) Development of policies regarding cottage densities for density banking					
	6) Review and amend OCP & LUB to increase local food security and farmland protection					
	7) Implement OCP climate change policies into LUB					
	8) Review DP7 form and character guidelines for Village Core, and review OCP/LUB to make Village more pedestrian-friendly					
	9) Implement First Nations					

and Archaeological
Protection policies, including
improved engagement on land
use referrals

10) Consider density transfer
affordable housing policies for
cottage densities

11) Review OCP and LUB to
include protective measures
for biodiversity

12) Review OCP and LUB to
improve protection of coastal
areas

13) Review OCP and LUB to
protect water quality and
quantity

2	Development Approval Information bylaw	Jun-28-2012	Chloe Fox	Jan-31-2013	On Going
3	Snuneymuxw First Nation Protocol Agreement Implementation		Chris Jackson		On Going



Islands Trust

Print Date: Oct-24-2012

Projects

Gabriola Island

No.	Description	Activity	Received/Initiated	Status
2	Mudge and DeCourcy Island greenhouse gas emission inventories		Jan-27-2011	On Going
2	DeCourcy Island Official Community Plan Review and Advisory Planning Commission Appointments		Apr-21-2011	On Going



Applications w/ Status - Gabriola Island Status: Open

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GB-DP-2012.3	Intrascap Developments Planner: Chloe Fox	Apr-20-2012	480 North Road - Commercial development with both office and retail space - phase 2 of Madrona

Planning Status

Status Date: Oct-24-2012

permit issued

Status Date: Oct-04-2012

LTC amended permit and instructed staff to issue the amended permit

Status Date: Sep-17-2012

APC met to discuss application

File Number	Applicant Name	Date Received	Purpose
GB-DP-2012.4	Williamson & Associates Planner: Marnie Eggen	Oct-09-2012	Daniel Way - Lock Bay Area Create separate titles for land on opposite sides of Daniel Way

Planning Status

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2007.1	Donald and Brad Powell Planner: Chloe Fox	Feb-16-2007	725 Church Street To rezone a portion of approximately 2 acres from institutional to seniors.

Planning Status

Status Date: Aug-10-2012

Cost Recovery Agreement signed by applicant

Status Date: May-11-2012

Finance Officer working with applicant re Cost Recovery Agreement

Status Date: Apr-04-2012

Letter sent to applicant re March 22, 2012 LTC resolutions

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2009.1	Williamson & Associates	Nov-09-2009	Proposed Density Transfer - transfer of lands off South Road (south of 707 park) to lands off Daniel Way in the Locke Bay Development Permit Area to create 10 new lots.

Planner: Chloe Fox

Planning Status

Status Date: Jan-06-2012

Early referral responses sent to applicant, waiting to hear back from applicant on how he wishes to proceed

Status Date: Oct-19-2011

Supplemental information staff report including early referral responses to the LTC for their October 27, 2011 meeting

Status Date: Sep-08-2011

Staff met with applicant to discuss the conceptual plan as methods for protecting unique natural features on the receiver parcels.

Subdivision

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2001.1	Centre Stage Holdings Ltd.	Mar-15-2001	To create 49 lots from 2 lots. Revised application for 49 lots.

Planner: Chris Jackson

Planning Status

Status Date: Nov-28-2011

MOTI granted one-year extension to PLA, new expiry date is November 17, 2012

Status Date: Aug-14-2009

Contact with potential agent/new owner of lots within the approved subdivision. Awaiting information from applicant on potential DVP application and/or proceeding with subdivision of remaining lands.

Status Date: Aug-06-2009

Multi stage proposal - applicant has completed density transfer. Staff to send letter to applicant confirming that applicant intends to proceed.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2008.3	C.O. Smythies & Associates Ltd.	Oct-06-2008	To create 6 parcels btwn McCollum & Tait Roads. (PARCEL C (DD 51803I) OF THE NORTH 1/2 OF THE NORTH EAST 1/4 OF SECTION 9, GABRIOLA ISLAND, NANAIMO DISTRICT)

Planner: Marnie Eggen

Planning Status

Status Date: Aug-12-2011

Staff reviewed revised plan; parkland ded., no further sub. cov. and frontage relief conditions removed.

Status Date: Jul-20-2011

Applicant submitted new site plan. Plan omits park land dedication. Staff in contact with applicant and RDN regarding this.

Status Date: Aug-12-2010

Waiting for information from applicant

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2008.4	J.E. Anderson & Associates	Nov-28-2008	Boundary adjustment.

Planner: Marnie Eggen

Planning Status

Status Date: Aug-12-2010

please refer to GB-SUB-2001.1 for update

Status Date: Aug-14-2009

see GB-SUB-2001.1

Status Date: Aug-06-2009

File relates to 2001.1 (Centre Stage) and is a boundary adjustment. Requires a DVP. Staff are in discussions with new owner of subject property

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2010.2	Gary and Jane McCollum and Krul	Aug-13-2010	1520 McCollum Road Create 7 parcels

Planner: Chloe Fox

Planning Status

Status Date: May-03-2012

Correspondence with MOTI staff - applicant intends to submit a revised application. No revised plans have been received yet by MOTI.

Status Date: Sep-12-2011

Applicant is reviewing options for water/ sewer on small parcels as per VIHA referral response. MOTI awaiting revised plan.

Status Date: May-31-2011

Preliminary subdivision referral report sent to MOTI and applicant.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2011.1	Williamson & Associates Professional Surveyors Planner: Marnie Eggen	Dec-23-2010	To create 2 parcels on Daniel Way (THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, GABRIOLA ISLAND, NANAIMO DISTRICT, EXCEPT PARTS IN PLANS 22029, 30038, 32376 AND VIP54644)

Planning Status

Status Date: Oct-25-2011

PLA received

Status Date: Aug-22-2011

Referral review completed and sent to MOTI.

Status Date: May-11-2011

Related to GB-RZ-2009.1, but can proceed seperately. Planner currently reviewing file.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2012.1	Centre Stage Holdings Ltd. Planner: Marnie Eggen	Jun-29-2012	Stokes, Carrier and Bonnieview Roads 2 Lot subdivision

Planning Status

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2012.2	Don Powell Planner:	Oct-24-2012	

Planning Status



Memorandum

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Date: October 23, 2012 File Number: 3030-01

To: Gabriola Island Local Trust Committee
For meeting of November 1, 2012

From: Chloe Fox
Island Planner

Re: Integrated Watershed & Shoreline Mapping – Funding for Public Education / Outreach

External funding is available for public outreach / education with regard to Trust Council's Integrated Watershed and Shoreline Mapping project. At this time, this funding is only available until December 31, 2012.

The nature of the outreach / education, in terms of overall goals and content, is described in Attachment 1. It is anticipated that these events will assist local trust committees in determining an implementation strategy for the Integrated Watershed and Shoreline Mapping appropriate to their local trust area. Local trust committees are not, however, obligated to have an event in their local trust area.

Staff request additional direction as to whether or not the LTC would like to participate in this opportunity. In order to pursue this opportunity, local planning staff must complete Page 2 of Attachment 1 and return it to the Islands Trust Grants Administrator. If the LTC is interested in having a public education / outreach event on Gabriola Island, staff requests the following:

1. That the LTC provide input in identifying the appropriate target audience, consultant preference, and method of informing target audiences of the event, as per Page 2 of Attachment 1; and
2. That the LTC consider amending its work program to include this item on the Top Priority list.

Respectfully prepared and submitted by:

Chloe Fox, MCIP, RPP
Island Planner

Attachments:

Attachment 1 – Green Shores / Integrated Watershed and Shoreline Mapping: Request for a Public Education Consultation Event

Pc: Courtney Simpson, Acting Regional Planning Manager

Green Shores/Integrated Watershed & Shoreline Mapping

REQUEST FOR A PUBLIC EDUCATION/CONSULTATION EVENT

External funding for the public outreach and education is currently only available until December 31. Once the participating LTC's and possible dates for events are known, we will revisit the funding timelines and amounts with funders.

All LTC's are asked to decide whether to participate, find possible dates, and complete and return the preliminary project plan to their Regional Planning Manager

Goal:

Using the completed shoreline mapping products and funding for engaging expert consultants:

- Provide opportunities for engagement with the public in order to:
 - increase awareness about shoreline issues,
 - identify the issues of most concern to the community, and
 - receive input on mapping products to improve the level of accuracy.
- Work in partnership with other stakeholders and to ensure professional experts are involved with the community dialogue.
- To provide the Local Trust Committees with a comprehensive source of technical and science based knowledge of shoreline dynamics and features, and with consideration of community input, determine an implementation strategy appropriate for each Local Trust Area.

Content of workshops/presentations, messages:

- Introduction and Overview of Integrated Watershed & Shoreline Mapping, and of the Green Shores for Homes Program.
- Mapping component, show shoreline features and the interrelationships between them.
- Where is the shoreline most vulnerable? Understanding the conditions that make one type of shoreline more sensitive than others. Where are the critical areas locally?
- What are the aspects or shoreline features of most importance to individual community members?
- What has history taught us? Experience that has resulted in the Green shores movement to a softer, more effective method of dealing with coastal forces when necessary. Understanding of why past practices have often had untoward impacts with unexpected results.
- How can we continue to use the shoreline and marine environment with minimal impacts?
- What can we do as a community to provide better understanding of coastal processes and provide protection of the shoreline? Depending on local priorities, refer to stewardship measures or related regulations.
- Receive feedback, including critique and additions to maps.

PLEASE COMPLETE AND RETURN THIS SECTION TO YOUR REGIONAL PLANNING MANAGER

LTC _____

Planner: _____

Has a resolution been passed to hold the workshop? _____

Target Audience: _____ Yes/No

- All residents – foreshore is public land/shoreline as community amenity.
- Waterfront property owners – impacts of upland development.
- Builders and Developers – advise clients of best practises
- The boating community – impacts of marine activities
- Fishers – impacts on fisheries from alterations to shoreline.....
- Regional Districts & Municipalities – responsibilities in adjacent areas.....
- First Nations –aboriginal rights / archaeological sites.

Outreach and Education Methods (funding available) _____ Yes/No

Community information meeting and presentation by consulting experts -
education for the public and input from the public. (posters/mapping provided)

Consultant preferences:

Murdoch de Greef (mapping consultants).....
Will Marsh (UBC School of Architecture).....
Both, if possible (pending availability and funding).....
Other (pending availability and funding).....

Informing Target Audiences of the Event

Check preferred method:

- _____ News release to local paper (depending on publication dates)
 _____ E-mail only
 _____ E-mail & news release
 _____ Paid advertising (no external funding)
 _____ Mail out – targeted invitation to attend meeting
 _____ Other: _____

A generic news release can be developed by TAS, describing the shoreline mapping program and the importance of shoreline stewardship. Local versions for each island can be done locally or in cooperation with TAS (pending confirmation by Lisa/Laura).

Possible Locations for the Event: _____**Timing of Event**

Possible dates before December 15: _____

Possible dates before February 28*: _____

(*pending funder approval of extension of deadline)



GABRIOLA GROUNDWATER MANAGEMENT SOCIETY

**Submission to the Gabriola Local trust Committee
The Official Community Plan Review
June 24, 2010**

The Peoples Agreement: the path to save Mother Earth from Climate Destruction

Maude Barlow's (Council of Canadians chairperson) address to UN Secretary General Ban Ki-moon at the UN in New York, May 7, 2010

COUNCIL OF CANADIANS)

(Excerpts)

"Mr. President. Mr. Secretary,

Civil society groups and social movements applaud the initiative of the Bolivian Government for the space created for the World Peoples Climate Summit to happen in Cochabamba, Bolivia last month. It was a true space for social movements, environmental movements, indigenous peoples and governments to raise their voices, concerns and ideas on how to understand as well as how to tackle climate change. As groups comprising millions of peoples in the world this was a sorely needed space that was indeed inclusive and respectful. It was a space for frank examination of the climate crisis and the proffering of solutions... The climate debt is also about taking actions needed to restore the natural cycles of Mother Earth and one clear way of achieving this will be through the proclamation of a Universal Declaration on the Rights of Mother Earth with clear obligations on humans. (Adopted on April 27, 2010, at the World Peoples Climate Summit. Find at <http://climateandcapitalism.com/?p=2268>)

The Peoples Agreement recognizes that the causes of climate change are systemic and that systemic changes are needed to tackle them. On this note, the model of civilization that is hinged on uncontrolled development can only compound the crisis. The world needs to move towards Living Well and not continue on the path of domination of others and of conspicuous and wasteful consumption.

An area glossed over in the UNFCCC negotiations is the role of industrial agriculture in climate change. The Peoples Conference debated this key sector and reached the agreement that the way to a sustainable future is through the enthronement of food sovereignty based on agroecological and peasant agricultural systems. Water is a public trust and an inalienable human right and the global destruction of the world's water and its commodification was clearly highlighted in the Peoples Agreement.

In all, the Peoples Agreement recognizes that real strategies to tackle climate change must be based on the principles of equity and justice in dealing with the structural causes. Without climate justice it will clearly be impossible to achieve the much talked about Millennium Development Goals (MDGs)... As representatives of peoples from across the world we urge the United Nations system to embrace the contributions captured by the Peoples Agreement and other outcomes of the Cochabamba World peoples Conference on Climate Change and to use them as the key to untangle the gridlock that is keeping the world on the path to even more climate chaos.

We look to you, Mr. Secretary General, to help make this happen.
Thank you.

SCOPE

This is a model of our natural infrastructure, our water supply on Gabriola:

WATER comes in three forms, and it is named it for each form that it takes

SURFACE WATER is lakes, streams, and ponds etc., in other words, water which is found on the surface of the landscape.

GROUNDWATER is water within aquifers. This is water which is found underground within pores in the rock.

ATMOSPHERIC WATER is water that falls as rain or snow or condenses from fog or simply water vapor in the air. This water is equally as important to our management of water stocks. If this component of water is ignored, we cannot say that water is to be managed in a comprehensive water management plan.



The GGMS LOGO exemplifies this model of water.

Islands Trust Submission to Water Act Modernization – April 30, 2010

“Summary of Issues and Recommendations Relevant to the Islands Trust Area, Surface water/Groundwater, April 2010”

“Issue: Groundwater and surface water are interrelated and need to be treated as such, including regulation and licensing of both groundwater and surface water as one system.

Recommendation: Integrate the management of groundwater and surface water. Avoid conflict by updating the water allocations system. Move beyond first-in-time-first-in-right (FITFIR) system to a system that promotes conservation, discourages overconsumption, and prioritizes water for ecosystems, functioning watersheds and basic human needs.”

RECOMMENDATION:

Rainwater harvesting systems should be mandatory in all construction in the Islands trust Area.

TABLE OF CONTENTS

The Peoples Agreement: (Maude Barlow to UN Secretary General) The Path to save Mother Earth from Climate Destruction	2
SCOPE	3
TABLE OF CONTENTS	4
CLIMATE CHANGE	5
CLIMATE CHANGE ADAPTATION	6
PRINCIPLES	7
1 CHANGING WATER ACT	8
2 ESTABLISHING PRIORITIES OF GOVERNANCE	9
3 GROWTH	10
4 SPECIAL CASES	11
5 REGULATE GROUNDWATER EXTRACTION AND USE	12/13
6 STORMWATER MANAGEMENT	13
7 HYDROFRACTURING	13
8 WELL WATCHERS AND OBSERVATION WELLS	14
9 DROUGHT	15
10 SUMMARY OF RECOMMENDATIONS	16
APPENDIX A - RDN Report DW/WP Stewardship Committee	17
APPENDIX B – Polis Project - Soft Path Water, SaltSpring Isl.	20
APPENDIX C – Islands trust Submission WAM, Apr. 2010	22
APPENDIX D – GGMS – Measuring Static Levels of Well Water	25

CLIMATE CHANGE

We maintain that in the coming years we must consider the impact of climate change on the present practices of water management. We believe we do not have a water problem; we have a water storage problem.

Gabriola Groundwater Management Society embraces that principle of atmospheric water storage for use in dry seasons and our logo exemplifies this vision.

(From Living Water Smart website, BC Min of Environment, May, 2010)

<http://livingwatersmart.ca/water-act/climate-change.html>

“Climate Change Will Alter Patterns of Water Supply

Evidence shows that our climate has changed over the past 50 to 100 years. The average annual temperatures have warmed in different regions of the province and B.C. has lost up to 50% of its snow pack. Total annual precipitation has increased by about 20%. These observed changes have affected our natural resources and many people's livelihood:

- Faster melts and increased precipitation have resulted in floods in the Fraser Valley, Interior and throughout British Columbia;
- Warmer winters have resulted in the mountain pine beetle epidemic which has destroyed an area of pine forest equivalent to four times the size of Vancouver Island;
- Communities have been experiencing longer summer droughts as weather patterns grow increasingly erratic.

Current projections indicate that B.C. could experience a further warming by 2050. Predicted average temperatures will be warmer in the summer and winter for most of the province, while average rainfall will be higher in the winter and much less in the summer for the southern part of the province (Figures 1,2,3 and 4). As a result, stream flow patterns will be affected. The rain that replenishes our streams, lakes and reservoirs in the winter and spring may fall within a short period in the winter and not later in the year when we need this water to irrigate crops and for other important uses (Figure 5). Predicted effects include:

- While agriculture may enjoy longer, warmer growing seasons, more frequent and prolonged droughts as well as increased pest infestations are expected;
- Many areas will experience growing water shortages and increased competition among water uses, including municipalities, irrigation, industry, power generation, fisheries, recreation and aquatic ecosystems;
- The greater frequency and intensity of extreme weather events and related hazards, such as flooding and forest fires, will threaten key infrastructure (e.g., roads, ports) affecting B.C. communities and people's health and well-being;
- Sea levels are expected to rise on the north coast of British Columbia;
- The mountain pine beetle could expand its range to the north and east, with economic and environmental consequences for the forest industry, communities and ecosystems;
- Already stressed fisheries will face further challenges, in particular the highly important Pacific salmon species, which are sensitive to stream and ocean surface warming (LiveSmart BC website)."

CLIMATE CHANGE ADAPTATION

If atmospheric water is collected in wet seasons and saved until dry seasons and then used to make up any water deficit we encounter at that time, then we would find that we would have the assurance of adequate water stocks for the environment, agriculture and our communities.

In rural areas it would ensure that aquifers would be recharged with this collected atmospheric water at the time when they are most stressed and under threat.

This is addressed in the 2007 report of the Drinking Water-Watershed Protection Stewardship Committee (DW/WP SC) to the Regional District of Nanaimo (RDN), Program 7- Climate Change. This report was accepted unanimously by the RDN Board. We include this reference to the other local government on Gabriola Island and their work on climate change adaptation.

(SEE APPENDIX A)

“7B: Land and Water Use Adaptation

Taking action to reduce greenhouse gas emissions is one way of tackling climate change. This will help to slow the process, but it won't stop it. It is equally important to anticipate what the effects of climate change will be – in this case, on the Region's watersheds and water sources - and develop the means of dealing with them.

2) Develop a strategy that identifies the potential impacts of climate change on aquifers and watersheds and/or water service areas in the Region and measures for reducing the RDN's contribution to greenhouse gases, but also to adapting to anticipated changes. The study should involve local residents in identifying risks and developing adaptation tools. Some of the adaptations to be considered include:

- Vulnerabilities – to flooding, runoff, erosion and other geotechnical hazards, drought.
- Adapting to less water – e.g., protecting water quality will be even more important as the relative impact of pollutants rises.
- Adapting to increased storminess - increased vulnerability to contamination from flooding and runoff events.
- Drought resistance – ways of putting more water into the ground as a preventative strategy; e.g., infiltrating rainwater into the ground to recharge aquifers, thereby improving water supply during prolonged dry periods.
- Identifying potential development areas least vulnerable to climate change based on availability of water, low potential for flooding and landslip, etc.

Regional District of Nanaimo

Report of the DW-WP Stewardship Committee 25

“3) Incorporate consideration of local and regional hydro-climatic balance in the following:

- Improved data collection and evaluation of changes to groundwater, surface water, and available evapotranspiration moisture levels (Program 2).
- Public awareness and education for government officials, planners, engineers, developers, forestry and agricultural professionals (Program 1).
 - “Best management practices to maintain the balance between land use and hydro-climatic changes... including: improved storm-water management and utilization techniques; creating more water infiltration capacity to maintain groundwater levels (LID measures); balancing water usage with the recharge or recovery rate; encourage water conservation, and re-vegetation and planting trees.”

PRINCIPLES

- The PRECAUTIONARY PRINCIPLE should be adopted in all policies dealing with water.
- GGMS wishes to encourage an ethic of conservation
- Water Source protection should be established (i.e. watershed and aquifer protection).
- Priority for protection of allocation of water should be given first to the environment (e.g. wetlands and water courses), second to agriculture and third to human needs.
- Surface water, groundwater and atmospheric water must not be made into commodities.
- In the Gabriola OCP the Water Act should take precedence over other acts and legislation.
- Mechanisms are needed to review and report on functioning watersheds and aquifers.
- Legislation to enforce these protections must be in place and financially supported. Personnel should be designated inspectors and caretakers.
- Accountability of all parties should be established in law.
- Protection of the rights of the individual "the Commons in law", is essential so that commercial interests do not override personal rights protection. (I.e. personal rights vs. commercial operations).
- WATER SECURITY and FOOD SECURITY should be the main goal of any legislation to establish healthy, sustainable communities.
- Water should be purchased as an emergency measure only.

1 THE CHANGING WATER ACT

We have been waiting for the completion of Phases 2 and 3 of the Water Act. The province has just introduced the Water Act Modernization Consultation, in which both Gabriola Groundwater Management Society and the Islands Trust have participated.

GGMS would like to view this as an opportunity for the Islands trust, through the Gabriola local Trust Committee, to be urged to encourage a sustainable and holistic approach to water governance in the Gabriola OCP Review.

In this document the GGMS seeks to add to the OCP elements that are needed for sustainable water supply to the environment, local agriculture and the community.

GGMS was created under the Societies Act on April 8th, 2000.

GGMS OBJECTIVES

The objectives of the Gabriola Groundwater Management Society are to:

- **Promote groundwater management on Gabriola;**
- **Provide information regarding groundwater use to all interested groups and individuals;**
- **Develop a data base regarding distribution, quantity, quality and recharging capability of existing wells;**
- **Explore potential for alternative individual household sewage disposal systems;**
- **Provide “on island” laboratory water testing services at a nominal fee;**
- **Promote groundwater management with reference to the island watersheds;**
- **Develop strategies for dispute resolution regarding neighbourhood water problems;**
- **Explore the potential for septic tank effluent treatment “on island”; and**
- **Raise funds to enable the GGMS to carry out its stated purposes.**

The Gabriola Groundwater Quality Management Program was started by Jeremy Baker.

The test used measured total coliforms and e-coli. The results were used as a tool for Gabriola residents to manage their well water and monitor their water quality.

GGMS promotes public education on groundwater on Gabriola. This driving principle led us into the realm of water catchment. We started to advocate water catchment for domestic use in 2005.

We believe that we do not have a water problem. We have a water storage problem: we need water storage so that water is collected in the wet season and used in the dry season. This will replenish the aquifers in the dry season when they are most stressed, instead of pulling excessive amounts of groundwater out of the aquifers in the summer when our population triples and these water stocks are low.

GGMS believes that a program of water conservation, public education and responsible public best-practices will help to create a sustainable, healthy community based on a natural, replenished infrastructure.

This is in harmony with the Islands Trust’s mandate to “Preserve and Protect”

2 ESTABLISHING PRIORITIES of GOVERNANCE

We strongly support the idea that the priorities of water supply should be placed in the following order:

2 A THE ENVIRONMENT

We will rise or fall in the way we live within our own environment. Water is a component of that environment, and it is already fully allocated to the plants and animals, birds and fish that it sustains. Human use is also a component, but the way we have managed it, to the detriment of other species and life forms, has come back to damage us. We are losing biodiversity in plants, animals, fish and birds. We are losing adaptability to stress and change in our environment. We are losing the buffer that needs to be in place between us and extremes of weather and other natural disasters like extreme heat and cold.

RECOMMENDATIONS:

There needs to be clear and overarching priority for environmental concerns and conservation measures in the Islands Trust spirit of Preserve and Protect. The protection of seasonal wetlands should be identified and respected in zoning land use.

2 B AGRICULTURE

In one example, the balance of green space and concrete in urban areas, we are losing the cooling effect of evapotranspiration, the breathing out of water as a plant life form exhales. (See Appendix 1- Hydro-Climatic balance)

Farmers are well aware of this cooling component as they balance their irrigation needs in each season of growth.

Irrigation systems become more efficient each year as new technology improves the way we supply food plants with water.

The BC Agriculture Council has stated that farming needs:

- Water security: protecting agricultural access to water which recognizes principles of adequate supply, assured access, and affordability.
- Development of a Drought Management Strategy
- Regulation of the water supply, to ensure that all users contribute to conservation.

RECOMMENDATIONS:

We support drip irrigation in our conservation ethic.

There is a need for a clear priority to support farmers in their efforts to grow food locally, reducing our carbon footprint by replacing imported food with local food supplies; and to produce programs to assist farmers to improve their water management practices as new technology is developed.

2 C COMMUNITIES

We would like to see some effort to regulate some form of conservation of water within the population. Double flush toilets and aerated shower heads could be mandated in all new construction. Motion activated faucets could also be mandated. All these new

innovations should be encouraged, especially in government and other public buildings. In Nevada when just the toilets and shower heads were installed in a major hotel, water use was reduced by 50%. (SEE APPENDIX B)

RECOMMENDATIONS:

The practice of recharge of aquifers with treated wastewater should not be allowed. We have concerns about pharmaceuticals and other unfiltered chemical contaminants in the water that cannot be removed.

GGMS is against groundwater use on lawns.

Water saving utilities (e.g. low flush toilets) should be mandated in all new construction. Refit should be encouraged for all public buildings.

Education is needed within communities to alert people to the real danger of prolonged and frequent water shortages, the benefits of water conservation, and the part they can play to conserve and protect this precious resource.

3 GROWTH

Some have said that we grow or we perish. We question this statement. The place for growth in urban settings can be established through creating urban infill and in the best case scenario, creating neighborhoods within the urban landscape.

In the case of Salt Spring Island the Polis Project has written the “Soft Path Strategy for Salt Spring Island” (See Appendix B)

This approach addresses the need for planning for water conservation in a Gulf Island Community to allow for sustainable growth of the community.

3 A DEVELOPMENT

Water is already scarce, wells are going dry earlier and more often, and wells which historically were good all year are starting to fail. New wells drilled to service new development can severely affect older established wells and even cause them to go dry. Most wells on Gulf Islands are clustered near the ocean boundary. Depletion of an aquifer can lead to salt water intrusion.

We would also like to see the rural areas planned with rural trained planners. Many urban planners are employed in rural development. This can lead to some very basic misunderstandings and errors in building sustainable rural communities.

Groundwater is referred to as the Natural Infrastructure of the rural landscape. We have neither the capacity nor the geology in many rural areas to support development in any concentrated form.

One option is to introduce a time factor into the building permit process. We could adopt a ratio of 1/5; that is: prove water for five homes and then allow the contractor to build 1 home and then wait for five years before another home can be built on that site.

Another option is to cap development at a certain level.

The best option is to adopt an ethic of environmental conservation. (SEE APPENDIX C) Islands Trust Submission to Water Act Modernization – April 30, 2010

Page 4

“Water Conservation

Issue: Low and declining supplies of groundwater require careful management to ensure all public and private needs can be met in a balanced way.

Recommendation:

Integrated rainwater catchment systems should be mandatory in all new construction on the gulf islands. Storage and re-use of grey-water should also be considered as a mandatory feature in areas of acute water shortage. Grey water / purple pipe systems must require backflow prevention valves. Education is

needed within communities to alert people to the real danger of prolonged and frequent water shortages, the benefits of water conservation, and the part they can play to conserve and protect this precious resource.”

RECOMMENDATIONS:

The Islands Trust Areas should be classified as a slow development zone.

We need a clear statement of what development will be allowed based on present water stocks and taking into consideration the fact that in some areas the water table falls lower every year in the dry months. It recharges to the same levels in the wet months, but that ever declining water table in the dry months is an established trend and it concerns us.

Integrated water catchment systems should be mandatory in all new construction on the gulf islands.

We have 1800 developable properties on Gabriola. We need an approach like the Salt Spring study that relates water use to buildout capability. This is not possible with the old build-out plan obligations. All we can do now is regulate the allowed development. (Appendix B)

Storage and re-use of grey-water should also be considered as a mandatory feature in areas of acute water shortage.

Grey water/purple pipe systems must require backflow prevention valves.

3 B ILLEGAL SUITES

To create a situation where we have a number of illegal suites sanctioned means that we are stressing the capacity of our groundwater infrastructure. This is a situation where the well and septic which were designed for a one family dwelling are being stressed by the doubling of their use.

There is also the practice of guest buildings being used as a one family dwelling.

Any well that services more than one family dwelling is considered a water system.

To operate a water system you need to become a water system operator. You need to become qualified through government courses and maintain the system according to water system regulations. The maintenance required is two water tests at an accredited lab twice a month. You also need insurance because of possible water delivery shortages and water quality issues like water borne illness.

The Ministry of Health has indicated that any permit to add to a dwelling will trigger an onsite wastewater system assessment (\$200.00) and that the upgrading or replacement of that system will probably be recommended by the MOH. Replacing Onsite Wastewater Systems costs from \$15,000 to \$40,000.

4 SPECIAL CASES: Areas held in trust for all BC citizens

There are areas in BC that are specifically dedicated to certain principles. We are thinking of the Agricultural Land Reserve (ALR) and The Islands Trust Area. Each area has this in common: they are held in trust for all BC citizens.

Water on the ALR should be prioritized for agricultural uses and not for commercial sale.

Some method of determining the extent of aquifers beneath ALR lands and the boundary for agricultural use and restrictions for non agricultural use should be applied to that aquifer. Water does not recognize the human determination of geography like lines on a map. The aquifer boundaries could be determined much like surface water boundaries.

5 REGULATE GROUNDWATER EXTRACTION AND USE

We think that the time has come for regulations that protect all water systems, groundwater in particular.

If you dam a stream the results are quite evident.

If you deplete an aquifer, the results are less obvious except to people whose wells are supplied by that aquifer, and who have no means of proof that this sudden depletion of water supply to their well is a result of third party interference.

There is no regulation for bulk groundwater pumped from the aquifer for sale.

The water thus removed is no longer available to recharge the aquifer from which it is taken. This happens in the dry season as other wells are diminished or depleted and the aquifer used for extraction is also under stress.

This is an excerpt from the Islands Trust Submission to Water Act Modernization Consultation, April 30, 2010

“Bulk water extraction

Issue: The current system puts the burden of proof about water table damage on those who are affected, rather than on those responsible for large withdrawals. Local governments have little legal authority to manage bulk water extractions, even though they are threatening neighbouring residential water supplies.

Recommendation: Where there is high demand in relation to aquifer capacity, the threshold should be just above the volume required for normal domestic purposes. The threshold for what are considered “large” bulk water withdrawals should be based upon the characteristics of particular aquifers and the demand upon them, with a lower threshold for fractured bedrock aquifers. Some have suggested that the extraction of groundwater for sale should be prohibited altogether in the Islands Trust area.”

Further to this we have a position for consideration by the Islands Trust on bulk groundwater extraction requirements:

5 A GGMS POSITION on Bulk Groundwater Extraction

1 The first requirement for a permit for Bulk Groundwater Extraction is an independent assessment of the subject location for ground water availability by an independent, registered, professional engineer/geohydrologist who has a proven history of planning a community water supply and who has liability insurance to cover potential damages or short falls.

2 The perimeter limits of the subject aquifer shall be delineated by a similarly qualified professional engineer/hydro-geologist.

3 A dedicated monitoring well shall be in place on the subject aquifer for a minimum of one year before bulk groundwater extraction can take place. The monitoring well shall be capable of recording daily baseline groundwater/aquifer levels and these shall be recorded in a log. This log shall be a reporting tool to the agency that oversees the extraction permit.

4 All residents shall be notified one year in advance of application to extract bulk groundwater, to provide existing residents an opportunity to establish pre-existing groundwater conditions in their residential wells.

5 No single source bulk groundwater extraction shall be permitted as a long term supply.

6 Until these issues are satisfactorily resolved in the Islands Trust Area, emergency deliveries of bulk groundwater shall be supplied from existing municipal sources on Vancouver Island in order to protect the sustainability of gulf island aquifers.

7 For sustainability issues regarding food security there shall be no bulk groundwater extraction from the ALR for non-agricultural use.

Submitted by Jeremy Baker, GGMS Board

RECOMMENDATIONS:

Bulk groundwater extraction for sale should not be an approved practice in the Islands Trust area.

There should be no bulk groundwater extraction from the Agricultural Land Reserve for non-agricultural use.

6 STORMWATER MANAGEMENT

6 A Ditches

Ditches are dug with large machines from the Ministry of Highways that uproot any plant life in them. This plant life would slow the water flow enough so that more time could be allowed for stormwater to enter the ground and recharge the local aquifers.

RECOMMENDATION:

Plant life in ditches should be replaced to slow stormwater flow along the ditches.

6 B PERMEABLE SURFACES

In as much as it is feasible, the owner of every property upon such property being developed shall and must provide for soil infiltration of rainwater that runs off of any non-permeable surface created by development. Channeling of these waters to stormwater ditches off of the property shall only be allowed upon proving that the local soils will not allow for infiltration for all or some portion of the water. That portion that can be absorbed onsite, shall be.

Ed Hoepfner, HORNBY ISLAND

RECOMMENDATION:

Permeable areas should be maintained as much as possible.

7 HYDROFRACTURING

This is an excerpt from the Islands Trust Submission to Water Act Modernization Consultation, April 30, 2010

“Issue: This volume-increasing process which was introduced by the oil industry is now being used to increase water supply in domestic wells on the Gulf Islands. No studies have been made by professional hydrogeologists on the impact of hydrofracturing on the region. The islands are small, water is a fragile resource, and domestic wells are vulnerable to salt water intrusion. Hydrofracturing may occur anywhere, without prior notification to neighbours, and with no recourse if a neighbour’s well is depleted by the process or ruined by salt water or septic intrusion.

Recommendations:

We are relaying the recommendations on hydrofracturing expressed by the Mayne

Island Integrated Water Systems Society to the Ministry of Environment and the Ground Water Advisory Board:

- That no hydrofracturing be permitted, for any reason, within a set distance from the ocean (100 meters minimum distance recommended);
- That those using a hydrofracturing process be required to test the production capacity of community and private wells within a set circumference before the process begins, at the cost of the well driller. This will enable owners of nearby wells to identify negative effects resulting from hydrofracturing;
- That all hydrofracturing must be pre-approved by the ministry, recorded on drillers' reports and maintained as part of the permanent well record;
- That community and private water providers be given advance notice and an opportunity to comment when hydrofracturing is proposed within or adjacent to a community water system, and
- That as part of the process to determine what regulations and policies will be adopted that consultation take place with the Islands Trust and with community groups with local knowledge on water issues.

We strongly urge that professional studies be made of the effects of hydrofracturing in the Gulf Islands at the earliest possible date and that each individual well to be hydrofractured in that region require a license from the Ministry of the Environment.

8 WELL WATCHERS AND OBSERVATION WELLS

Excerpt from GGMS letter to Gabriola Local Trust Committee, November 3, 2006

"First of all, well records of static levels of water in the well kept for a few years prior to the beginning of pumping of groundwater for bulk water sales are very useful. This refers to the Well Watchers we have seen installed around prospective bulk water sales operations.

These records and readings can be used to signal to the homeowner when their well is under stress and when water use should be reduced. They can signal that a well is or is not recovering quickly or if there is a slowing down of the measured recovery rate of water in the well itself.

A body of seasonal records can be used to establish a benchmark level below which the static level of groundwater in the well should not drop (in each season) as this might indicate that the level of the groundwater in the aquifer had dropped and this would indicate that the well (and the aquifer) were under stress.

There is a problem, however, in using this information legally, (to prove damage to a well caused by commercial bulk groundwater extraction in the area) as the monitored well is also used by the person/family for domestic and/or horticultural and in some cases, agricultural use. It could be argued that the homeowner's use of the water had escalated in the period of time when water levels recorded indicated a drop in the static level or recovery rate of the personal well. That increased personal use could be argued as the reason for the indicated changes in static water level or recovery rate, and the possible result of reduced water quality and/or loss of water to the well.

It can also be argued that when the Well Watcher is installed at the same time that the bulk water operation starts that there is no prior data, no control statistics going back a few years to indicate what the performance of the personal well was like before the bulk water extraction process commenced. Therefore there would be no way to prove the

reduced or changed groundwater in a well was the result of bulk water extraction. A true observation well must not be used for any other purpose but recording static water levels and water quality testing. Readings taken from the well would then be a more accurate indication of groundwater conditions in the aquifer.”

RECOMMENDATIONS:

The use of Well Watchers is recommended as a tool for the individual home owner’s water management.

Observation wells are to be used to monitor bulk groundwater extraction.

9 DROUGHT

Gulf Islands were areas especially affected by drought last year. Water leases were limited or cancelled across BC. This is historically important in BC as it was unprecedented. The Water Act was tried as an authority to suspend these leases and found wanting and so Department Of Fisheries was used to restrict water leases. Planning under drought conditions is too late. We must plan in advance. Drought indicators can not be universally applied. Snow melt is not an indicator on a gulf island. As conditions change and different levels of government become involved, the drought level can change from normal to extreme. Drought levels classified by the province can be tied to insurance policy requirements and this would provide relief to farmers and others who work in affected areas. Think of this as you would any risk management assessment. We have clear patterns emerging as climate change becomes more apparent. It is far more cost efficient in terms of property and social costs to plan for emergency situations like drought that to try to deal with it at the last minute.

RECOMMENDATIONS:

Drought response should be tied into the Provincial Emergency Plan (PEP) program then the same kind of response and reporting back to government becomes possible.

Levels of drought could be tied in to PEP to coordinate farmer protection.

Levels of drought could also be used to trigger emergency response planning and activate the Gabriola Emergency Response Committee.

10 SUMMARY OF GGMS RECOMMENDATIONS

1. Rainwater harvesting systems should be mandatory in all construction in the Islands trust Area.
2. The practice of recharge of aquifers with treated wastewater should not be allowed. We have concerns about pharmaceuticals and other unfiltered chemical contaminants in the water that cannot be removed.
3. There needs to be clear and overarching priority for environmental concerns and conservation measures in the Islands Trust spirit of Preserve and Protect.
4. The protection of seasonal wetlands should be identified and respected in zoning land use.
5. We support drip irrigation in our conservation ethic.
6. There is a need for a clear priority to support farmers in their efforts to grow food locally, reducing our carbon footprint by replacing imported food with local food supplies; and to produce programs to assist farmers to improve their water management practices as new technology is developed.
7. GGMS is against groundwater use on lawns.
8. Water saving utilities (e.g. low flush toilets etc.) should be mandated in all new construction. Refit should be encouraged for all public buildings.
9. Education is needed within communities to alert people to the real danger of prolonged and frequent water shortages, the benefits of water conservation, and the part they can play to conserve and protect this precious resource.
10. The Islands Trust Areas should be classified as a slow development zone.
11. We need a clear statement of what development will be allowed based on present water stocks and taking into consideration the fact that in some areas the water table falls lower every year in the dry months. It recharges to the same levels in the wet months, but that ever declining water table in the dry months is an established trend and it concerns us.
12. Integrated water catchment systems should be mandatory in all new construction on the gulf islands.
13. We have 1800 developable properties on Gabriola. We need an approach like the Salt Spring study that relates water use to buildout capability. This is not possible with the old build-out plan obligations. All we can do is regulate the allowed development.
14. Storage and re-use of grey-water should also be considered as a mandatory feature in areas of acute water shortage. Grey water / purple pipe systems must require backflow prevention valves.
15. Bulk groundwater extraction for sale should not be an approved practice in the Islands Trust area.
16. There should be no bulk groundwater extraction from the Agricultural Land Reserve for non-agricultural use.
17. Plant life in ditches should be established to slow the stormwater flow along the ditches.
18. Permeable areas should be maintained as much as possible.
19. GGMS supports the Islands trust stand on Hydrofracturing in well construction.
20. The use of Well Watchers is recommended as a tool for the individual home owner's water management.
21. Observation wells are to be used to monitor bulk groundwater extraction.
22. Drought response should be tied into the Provincial Emergency Plan (PEP) program then the same kind of response and reporting back to government becomes possible.
23. Levels of drought could be tied in to PEP to coordinate farmer protection.
24. Levels of drought could also be used to trigger emergency response planning and activate the Gabriola Emergency Response Committee.

APPENDIX A

24 *Report of the DW-WP Stewardship Committee*

Program 7: Climate Change

Climate change is permeating almost every aspect of government decision-making. The potential impacts on watersheds could be profound – from bigger floods in winter to deeper droughts in summer.

The RDN has released a “Corporate Climate Change Plan 2007” in which it sets out ways and means by which it, as a corporate entity, can reduce its greenhouse gas emissions by 4% over 2004 levels by 2012. The report details the measures that the RDN can take to reduce energy consumption, and thereby greenhouse gas emissions, in buildings, lighting, water and wastewater operations, the vehicle fleet and corporate waste management.

Objectives:

- To assess and adapt to the potential impacts of climate change on water sources and supplies in the Region.
- To promote actions that will reduce the Region’s contribution to climate change.

Actions:

7A: Follow the Science

1) Monitor the evolving science on the relationship of climate change to water quantity and quality, and the health of watersheds.

7B: Land and Water Use Adaptation

Taking action to reduce greenhouse gas emissions is one way of tackling climate change. This will help to slow the process, but it won’t stop it. It is equally important to anticipate what the effects of climate change will be – in this case, on the Region’s watersheds and water sources - and develop the means of dealing with them.

2) Develop a strategy that identifies the potential impacts of climate change on aquifers and watersheds and/or water service areas in the Region and measures for reducing the RDN’s contribution to greenhouse gases, but also to adapting to anticipated changes. The study should involve local residents in identifying risks and developing adaptation tools. Some of the adaptations to be considered include:

- Vulnerabilities – to flooding, runoff, erosion and other geotechnical hazards, drought.
- Adapting to less water – e.g., protecting water quality will be even more important as the relative impact of pollutants rises.
- Adapting to increased storminess - increased vulnerability to contamination from flooding and runoff events.
- Drought resistance – ways of putting more water into the ground as a preventative strategy; e.g., infiltrating rainwater into the ground to recharge aquifers, thereby improving water supply during prolonged dry periods.
- Identifying potential development areas least vulnerable to climate change based on availability of water, low potential for flooding and landslip, etc.

Regional District of Nanaimo

Report of the DW-WP Stewardship Committee 25

- Protection of riparian vegetation and wetlands – beyond preserving fish habitat, to protecting water supplies and managing rainwater runoff.

- Climate change-adaptive building requirements – increased setbacks, shading and sun orientation, window strength and size, shutters and overhangs, graywater separation, rainwater collection.
- Potential long term shifts in population from highly vulnerable areas (low-lying coastal areas, drought-prone areas) to less vulnerable areas.

7C: Assessing Local Hydro-climatic Balance

In addition to greenhouse gas emissions, many of the land use practices that are taken for granted - draining surface water into pipes, extracting ground water from aquifers, creating large impervious surfaces, eliminating wetlands and reducing the amount of forest land - can affect regional as well as global climates. These land use activities disrupt and even eliminate evapotranspiration from the earth's surface, which in turn alters the thermal balance in the atmosphere, and the hydro-climatic recycling of water. The loss of water/moisture stored in soil, plants and trees can reach a critical level. At that point, there becomes less and less water/moisture available to maintain the hydro-climatic recycling process. The compounding effect can cause local droughts and in turn increased temperatures, reduced groundwater levels, lower river and lake levels, die-off of trees and vegetation, increased wildfires, and extreme weather events. Maintaining a more sustainable hydro-climatic balance relies on incorporating these considerations into the Programs described in this Action Plan.

- 3) Incorporate consideration of local and regional hydro-climatic balance in the following:
- Improved data collection and evaluation of changes to groundwater, surface water, and available evapotranspiration moisture levels (Program 2).
 - Public awareness and education for government officials, planners, engineers, developers, forestry and agricultural professionals (Program 1).
 - Best management practices to maintain the balance between land use and hydro-climatic changes (Programs 3-6), including: improved storm-water management and utilization techniques; creating more water infiltration capacity to maintain groundwater levels (LID measures); balancing water usage with the recharge or recovery rate; encourage water conservation, and re-vegetation and planting trees.

Acknowledgements

The Drinking Water-Watershed Protection Stewardship Committee wishes to thank the Board of the Nanaimo Regional District for this opportunity to help shape the future protection of watersheds and surface and groundwater drinking water sources in the RDN. The Committee also thanks RDN staff – particularly John Finnie and Mike Donnelly – for their support, guidance and active participation in the Committee's deliberations. We also thank David Reid and Harriet Rueggeberg of Lanarc Consultants Ltd. for the skills that they brought to the task of helping us define the issues, priorities and actions that are important to protecting the Region's water resources. Gilles Wendling and Allan Dakin provided valuable insight into the scientific and technical sides of surface and groundwater management, and our various presenters (Doug Backhouse, Lori Henderson, Adrian Irwin, Ed Hoepfner, Berni Sperling, and Howard Stiff) enriched our understanding of important aspects of water use and conservation.

Drinking Water-Watershed Protection Stewardship Committee members:

Gary Anderson Vancouver Island Health Authority
Dave Bartram RDN Board Member

Gordon Buckingham Electoral Area Resident
Brian Epps Ministry of Environment
Jim Fyfe Well Drilling Industry Representative
Grace Gunderson Electoral Area Resident
Jennifer Ann MacLeod Electoral Area Resident
Stuart MacPherson Private Forest Lands Council
Sheila Malcolmson Islands Trust
Pearl Myres/Joyce Bartram Coastal Water Suppliers Association
Faye Smith Mid Vancouver Island Habitat Enhancement Society
J. Stanhope (Chair) RDN Board Chair
David Vincent Electoral Area Resident
Trevor Wicks Arrowsmith Watershed Coalition Society
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**APPENDIX B
POLIS PROJECT**

A Soft Path Strategy for Salt Spring Island, BC

A Soft Path for Water Case Study

By Carol Maas and Susanne Porter-Bopp

with the Salt Spring Island Water Council

Executive Summary

Many Canadians believe that our fresh water resources are boundless. The truth is that only a small proportion of our water is renewable and located close to where most Canadians live. Continuing to take more and more water from nature while ignoring wasteful use at farms, factories and households will likely lead us to an arid future of our own making. The best way to secure the future for fresh water is to develop a plan that draws all “new” water from better use of existing supplies and to change habits and attitudes.

The “soft path” is a planning approach for fresh water that differs fundamentally from conventional, supply-focused water planning. The soft path approach allows us to unleash the full potential of demand management by changing water-use habits, technologies and practices. As a matter of principle, the soft path works within ecological limits and promotes local public participation to ensure sustainability of our water resources.

Salt Spring Island (popn: 9,640)¹ is the largest of the 13 main Gulf Islands in the Georgia Strait off the coast of the lower mainland of British Columbia. Salt Spring Island (popn:9,279)² is the largest of the 13 main Gulf Islands in the Georgia Strait off the coast of the lower mainland of British Columbia. Summer population can approximately double. As with the lower mainland, Salt Spring has experienced considerable growth over the past twenty years. Population is predicted to continue to grow with the current total build-out scenario predicting approximately a doubling of the current population (OCP Review, 2007). Due in part to its proximity to the fast-growing Greater Vancouver area, Salt Spring will see continued growth with the population expected to grow from approximately 10,000 in 2006 to more than 15,000 by the mid 2050's.

Development pressures, high rates of seasonal tourism, high dependence on groundwater for drinking water and the presence of small community and private systems make Salt Spring a unique study for the application of water conservation planning.

This heavy growth and growing demand for water has increasingly strained the island's water supplies. For example, the North Salt Spring Island Water District (the largest publicly-managed centralized water system on the island) is projected to reach the limit of its license well before the build-out projection in the OCP is met. Elsewhere on the island, there are increasing constraints – regulatory, economic, hydrologic, environmental, legal and water quality – that may further stress water demands and stretch water supply. Salt Spring is faced with a choice to build costly infrastructure to tap into greater surface and groundwater supplies or to defer the need for new infrastructure by engaging in long-term conservation planning.

This strategy seeks to provide direction to this second option.

A Sustainable Future for Salt Spring Island

A commitment to “preserve water for the next generation” – meaning that all new demands for water will be met through conservation and efficiency rather than expanding supply, would be a significant step toward water sustainability and sustainable water leadership on Salt Spring.

Aiming for water neutrality on Salt Spring would mean mandating the highest level of water efficient fixtures and appliances in all new construction, use of alternative sources of water (e.g. rainwater capture and recycled water) for toilet flushing and landscape management, the use of off-site recycled water where available, conservation-based pricing for the residential and ICI sectors drawing water from centralized systems, and a progressive program that targets reductions in residential outdoor water use and in the agricultural sector.

Using the POLIS Water Smart Scenario Builder, we constructed a desired future condition as the simplified goal of preserving water supplies for future generations by meeting all new water needs until 2026 through conservation and efficiency measures. This target is based on the understanding that expanding current water takings and constructing the associated infrastructure may damage local aquatic ecosystem health and can be avoided through conservation and increased water productivity.

Based on population projections, three scenarios for future water use were calculated:

1) Business as Usual

2) No New Water Until 2026

3) 20% Reduction of 2006 Levels

The **No New Water Until 2026** scenario targets average day reductions from **Business As Usual** of approximately 30% by 2026.

The **No New Water Until 2026** scenario should be considered readily achievable provided funds and personnel are directed to the program.

The **20% Reduction of 2006 Levels** scenario explores a commitment to securing the water necessary for a thriving community through conservation efforts. A 40% reduction in annual average daily water use over 24 years would be required to meet this target while providing services for the increasing population.

For both of these scenarios, short-term strategies include expanding the prohibited uses of water, enforcing prohibited uses of water, extending outreach efforts, and encouraging regional conservation measures. Long-term strategies include increasing water conservation through reduction of outdoor water use and new technology, maximizing water recycling, and enhancing stormwater capture.

APPENDIX C

Islands Trust Submission to Water Act Modernization – April 30, 2010

SUBMISSION TO WATER ACT MODERNIZATION CONSULTATION

APRIL 30, 2010

In June 2008, the Islands Trust Chair wrote to Minister of Environment Barry Penner to convey its support of the commitments expressed in the ministry's new Living Water Smart plan. In particular we were encouraged by the identification of the Gulf Islands as a priority area for the regulation of groundwater use and offered to work with MOE staff to provide advice in the development of such regulation.

Minister Penner's August 2008 reply was to instruct the Director of Innovation and Planning to meet with our staff, which she did along with several other senior MOE staff in September 2008. We appreciated this, but have since had no further consultation on the development of surface water or groundwater regulations suitable for the Trust Area's unique circumstances. Staff, trustees and island residents attended the multistakeholder workshop in Nanaimo on March 5th, but there were dozens of other interests in the room representing a wide range of circumstances, and discussing volumes of groundwater that are far beyond those found in the Islands Trust Area. If a proposed regulation only addresses such high volumes of water, it will not address groundwater concerns on BC's coastal islands.

We are using this current consultation opportunity to reiterate the requests we made as a federation of 13 local governments. While we are respecting the April 30th deadline, we sincerely hope this is not the end of the conversation with the Islands Trust. Since at least 2008, the Islands Trust has been waiting to participate in a more focused consultation process dedicated to resolving the particular regulatory issues facing the Islands Trust Area. The schedule currently proposed for the legislative drafting does not seem designed to fulfil the commitments made by Minister Penner.

Several island communities within the federation have made submissions on specific issues of water governance such as bulk water extraction, salt water intrusion, hydrofracturing and water conservation measures such as re-use of grey water. We will not repeat the content of their detailed submissions here but we are committed to following up with MOE staff to implement their ideas. A summary of the most significant issues is attached. Our first priority would be to define groundwater allocation and groundwater extraction "thresholds" based on the characteristics of particular aquifers which vary from island to island.

Our staff contact for this purpose is Lisa Dunn, Director of Trust Area Services, 250-

405-5174.

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Islands Trust Submission to Water Act Modernization – April 30, 2010

Page 2

Summary of Issues and Recommendations

Relevant to the Islands Trust Area

Surface water / Groundwater

Issue: Groundwater and surface water are interrelated and need to be treated as such, including regulation and licensing of both groundwater and surface water as one system.

Recommendation: Integrate the management of groundwater and surface water. Avoid conflict by updating the water allocations system. Move beyond first-in-time-first-in-right (FITFIR) system to a system that promotes conservation, discourages overconsumption, and prioritizes water for ecosystems, functioning watersheds and basic human needs.

Bulk water extraction

Issue: The current system puts the burden of proof about water table damage on those who are affected, rather than on those responsible for large withdrawals. Local governments have little legal authority to manage bulk water extractions, even though they are threatening neighbouring residential water supplies..

Recommendation: Where there is high demand in relation to aquifer capacity, the threshold should be just above the volume required for normal domestic purposes. The threshold for what are considered “large” bulk water withdrawals should be based upon the characteristics of particular aquifers and the demand upon them, with a lower threshold for fractured bedrock aquifers. Some have suggested that the extraction of groundwater for sale should be prohibited altogether in the Islands Trust area.

Saltwater intrusion (the movement of saline water into freshwater aquifers)

Issue: Intrusion is usually caused by groundwater pumping from coastal wells. Most wells on Gulf Islands are clustered near the ocean boundary, in the salt water / freshwater interface zone. Depletion of an aquifer can lead to salt water intrusion which can spread to many wells along that interface.

When fresh water is withdrawn at a faster rate than it can be replenished, the water table is drawn down as a result. This draw-down also reduces the hydrostatic pressure.

When this happens near an ocean coastal area, salt water from the ocean is pulled into the fresh water aquifer. The result is that the aquifer becomes contaminated with salt water. This is happening to many coastal communities. In coastal aquifers, there is a sensitive balance between the amount of recharge and the position of the saltwater interface.

- A decrease in recharge will result in encroachment of the interface.
- A rise in sea level will also result in the interface moving inland.

Increased pumping can also cause this interface to shift.

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Islands Trust Submission to Water Act Modernization – April 30, 2010

Page 3

Recommendation: Licensing of groundwater wells, based on careful assessments and on-going monitoring of aquifer capacity and potential impacts of saltwater intrusion.

Hydrofracturing

Issue: This volume-increasing process which was introduced by the oil industry is now being used to increase water supply in domestic wells on the Gulf Islands. No studies have been made by professional hydrogeologists on the impact of hydrofracturing on the region. The islands are small, water is a fragile resource,

and domestic wells are vulnerable to salt water intrusion. Hydrofracturing may occur anywhere, without prior notification to neighbours, and with no recourse if a neighbour's well is depleted by the process or ruined by salt water or septic intrusion.

Recommendations:

We are relaying the recommendations on hydrofracturing expressed by the Mayne

Island Integrated Water Systems Society to the Ministry of Environment and the Ground

Water Advisory Board:

- That no hydrofracturing be permitted, for any reason, within a set distance from the ocean (100 meters minimum distance recommended);
- That those using a hydrofracturing process be required to test the production capacity of community and private wells within a set circumference before the process begins, at the cost of the well driller. This will enable owners of nearby wells to identify negative effects resulting from hydrofracturing;
- That all hydrofracturing must be pre-approved by the ministry, recorded on drillers' reports and maintained as part of the permanent well record;
- That community and private water providers be given advance notice and an opportunity to comment when hydrofracturing is proposed within or adjacent to a community water system, and
- That as part of the process to determine what regulations and policies will be adopted that consultation take place with the Islands Trust and with community groups with local knowledge on water issues.

We strongly urge that professional studies be made of the effects of hydrofracturing in the Gulf Islands at the earliest possible date and that each individual well to be

hydrofractured in that region require a license from the Ministry of the Environment.

Water Conservation

Issue: Low and declining supplies of groundwater require careful management to ensure all public and private needs can be met in a balanced way.

Recommendation:

Integrated rainwater catchment systems should be mandatory in all new construction on the gulf islands. Storage and re-use of grey-water should also be considered as a mandatory feature in areas of acute water shortage. Grey water / purple pipe systems must require backflow prevention valves. Education is needed within communities to alert people to the real danger of prolonged and frequent water shortages, the benefits of water conservation, and the part they can play to conserve and protect this precious resource.

APPENDIX D

GGMS LETTER Nov 3, 2006 to Gabriola Local trust Committee
GABRIOLA GROUNDWATER MANAGEMENT SOCIETY

November 3, 2006

TO: ISLANDS TRUST LOCAL TRUST COMMITTEE
Trustee Gisele Rudischer
Trustee Sheila Malcolmson

FROM: Jenny MacLeod, President

RE: Records of Static Levels of Water in the Well

Dear Sheila and Gisele:

In the recent debates on groundwater pumping of bulk water for sale on Gabriola there have been certain bits of information that do not seem to be completely understood.

First of all, well records of static levels of water in the well kept for a few years prior to the beginning of pumping of groundwater for bulk water sales are very useful. This refers to the Well Watchers we have seen installed around prospective bulk water sales operations.

These records and readings can be used to signal to the homeowner when their well is under stress and when water use should be reduced. They can signal that a well is or is not recovering quickly or if there is a slowing down of the measured recovery rate of water in the well itself.

A body of seasonal records can be used to establish a benchmark level below which the static level of groundwater in the well should not drop (in each season) as this might indicate that the level of the groundwater in the aquifer had dropped and this would indicate that the well (and the aquifer) were under stress.

There is a problem, however, in using this information legally, as the monitored well is also used by the person/family for domestic and/or horticultural and in some cases, agricultural use. It could be argued that the homeowner's use of the water had escalated in the period of time when water levels recorded indicated a drop in the static level or recovery rate of the personal well. That increased personal use could be argued as the reason for the indicated changes in static water level or recovery rate, and the possible result of reduced water quality and/or loss of water to the well.

It can also be argued that when the Well Watcher is installed at or around the same time that the bulk water operation starts in that area that there is no prior data, no control statistics going back a few years to indicate what the performance of the personal well was like before the bulk water extraction process commenced. Therefore there would be no way to prove the reduced or changed groundwater in a well was the result of bulk water extraction.

A true observation well must not be used for any other purpose but recording static water levels and water quality testing. Readings taken from the well would then be a more accurate indication of groundwater conditions in the aquifer.

Observation wells should ideally be placed not only next to the bulk water source but also in positions that access the same groundwater source (aquifer). This can span a distance of one or two kilometers. This situation is ideal and will give the most nearly complete picture of groundwater conditions.

I am told that to determine which wells are sourced from which aquifer can be determined by

water conductivity tests. You can chart the "footprint" of water by matching the chemical components of each groundwater sample. This part of determining a "zone of influence" of the effects of pumping is simple.

To determine the complete "zone of influence" of a groundwater pumping operation would require monitoring the freshwater/saltwater interface to determine whether it was retreating inland in the dry season. This would indicate a decrease in pressure in the aquifer (groundwater) and the possible threat of saltwater intrusion in wells in that interface area.

Conductivity testing also indicates the stress an aquifer might be under. As groundwater levels in an aquifer fall the chemicals (minerals, metals, salts) in the water become more concentrated. This increase in conductivity can also indicate the threat of salt-water intrusion as the pressure within an aquifer drops because the volume of fresh water drops, or the increasing mineralization of the water makes it less than ideal for human consumption.

So we believe that observation wells and testing for bacteria (as per health regulations) should also be accompanied by conductivity testing to give a more nearly complete set of indicators of groundwater quality and volumes available and a better assessment of aquifer health.

Sincerely,

Jenny MacLeod
President



STAFF REPORT

Date: October 18, 2012

For meeting of November 1, 2012

File No.: GB-SUB-2012.1
(Centre Stage
Holdings Ltd.)

To: Gabriola Island Local Trust Committee

From: Marnie Eggen, A/ Planner 2

CC: Chloe Fox, Island Planner
Courtney Simpson, Acting Regional Planning Manager

Re: **Endorsement of Deposit of Plan of Subdivision for Proposed 1 Lot and Remainder on North East ¼ of Section 3, Gabriola Island, Nanaimo District, Except Parcel A (DD77326I) (PID 003-134-806)**

And

Endorsement of a proposed covenant for no further subdivision on Lot 20, Section 8, Gabriola Island, Nanaimo District, Plan VIP 82759 (PID 027-086-500)

Owner: Centre Stage Holdings Ltd. Inc. No. 204577

Applicant: Same as Owner

Location: Bonnie View Road, off Lackhaven Drive

THE PROPOSAL:

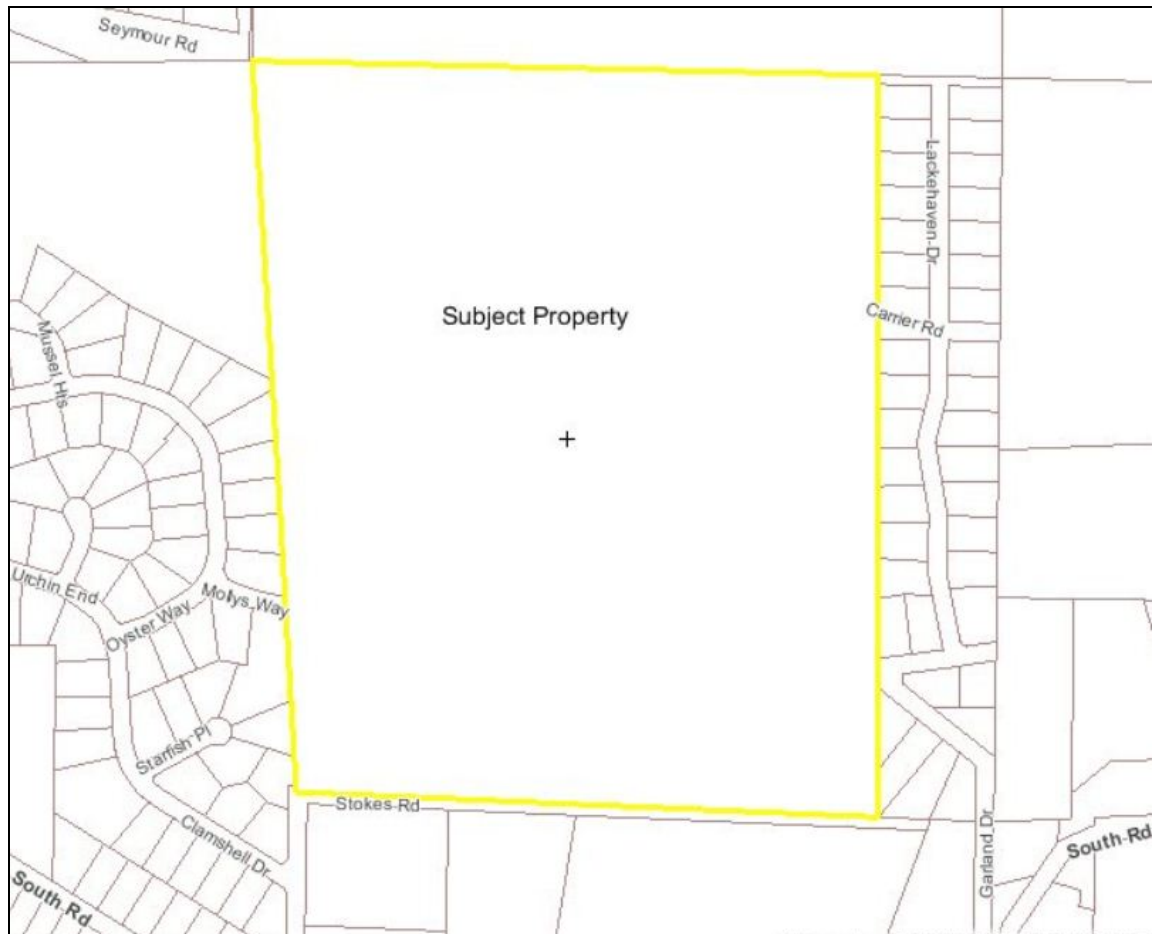
As a part of the process to register the above noted proposed subdivision, the Gabriola Island Local Trust Committee is required by the BC Land Title Office to endorse this subdivision in consideration of an existing covenant (EX113595) charged to the Gabriola Island Local Trust Committee. The covenant permits subdivision subject to several conditions that must be satisfied. As a part of the subdivision referral application process, staffs reviewed the conditions and conclude that the proposed plan of subdivision is consistent with the covenant. In addition, the applicant is requested to register an additional covenant for no further subdivision.

The Local Trust Committee is requested to consider endorsement of the proposed 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. See Attachments for both documents.

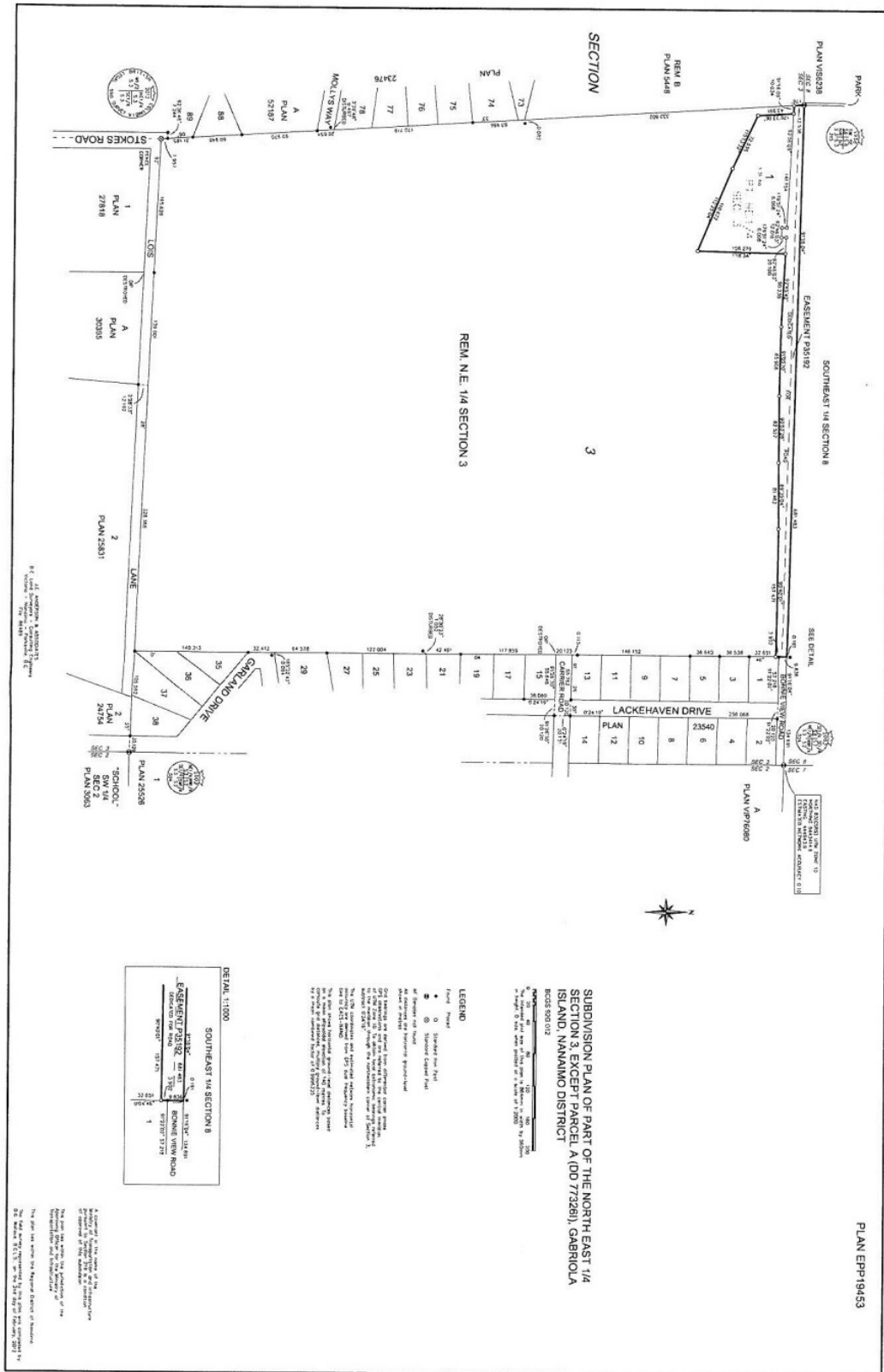
SITE CONTEXT:

The subject property is located just west of Lackhaven Drive. The proposed one lot subdivision includes a road dedication that lengthens Bonnie View Road along the northern lot boundary of the subject property.

Subject Property



Proposed Subdivision



CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The proposal is not contrary to or at variance with the Islands Trust Policy Statement.

Official Community Plan

The subject property is designated Resource (R) in the *Gabriola Island Official Community Plan, No. 166*.

Land Use Bylaw

The subject property is zoned Resource Residential 1 (RR1) as per the *Gabriola Island Land Use Bylaw, No.177*.

Islands Trust Fund:

This application does not directly affect Islands Trust Fund Board (TFB) interests.

Regional Conservation Plan:

The Islands Trust Fund Regional Conservation Plan (RCP) identifies areas of medium to high relative composition importance on the subject property. This indicates a medium to high occurrence of special habitats. The RCP also states that Gabriola is vulnerable to a loss of natural ecosystems to residential and associated uses.

Sensitive Ecosystems and Hazard Areas:

The subject property includes mature forest, wetland swamp and woodland forest sensitive and important ecosystems.

Two large portions of medium hazard classified slopes and several smaller sized dispersed portions of low to medium hazard classified slopes are mapped on subject property.

Archaeological Sites:

Several sites are located on the subject property according to Remote Access to Archaeological Data (RAAD).

Covenants and Easements:

Covenant EX113595

This covenant (see Attachments) is registered to the subject property and to another adjacent parcel, located to the North West of the subject property. The covenant is charged to the Gabriola Island Local Trust Committee. The covenant permits further subdivision of all the lands subject to the following several conditions, which have been met by the applicant during this subdivision referral application process:

1. Subdivision of the lands into a maximum of forty-nine (49) parcels.
 - The other parcel has been subdivided into 25 lots, which currently leaves 24 lots to be allocated between the other parcel and the subject property. Staff requested the applicant provide a covenant that clarifies to which parcel the remaining lots will be allocated in order to provide certainty should the parcels be sold. A no further subdivision covenant has been drafted and will be registered on the other parcel, clarifying that the largest remaining lot (Lot 20) will not be further subdivided, leaving the remaining 24 lots to be allocated to the subject property. Only in the event that the current owner of Lot 20, as it remains the owner, obtains subdivision approval of Lot 20 and does not create any lots in excess of that permitted pursuant to covenant EX113595, shall the proposed covenant be released and discharged. Staff have reviewed the covenant and are satisfied with its provisions.
2. That the final plan of subdivision takes into account:
 - a. To use their best efforts, in good faith, to locate as many First Nation heritage sites of interest, as identified in the Archaeology report of I.R. Wilson prepared by Darcy Mathews dated October 2002; on as few lots as possible and covenant these areas,
 - The proposed lot does not have First Nation sites. The applicant intends to move forward with further subdivision of the remainder of the property in the future and at such time intends to utilize the I.R. Wilson report and subsequent reports prepared for the purposes of providing protection to sites.
 - b. Government of British Columbia, Heritage Branch recommendations for archaeological sites;
 - Not applicable because the lot created does not have First Nation sites.
 - c. Buffer areas for noise and privacy;
 - Buffer areas for noise and privacy were created under the existing covenant for adjacent lots backing onto the subject property from Lackhaven Drive and Oyster Way, limiting the removal of trees or other vegetation in this area. No trees or vegetation are proposed to be removed from the buffer area.
 - d. Steep slopes within Development Permit Areas;
 - Road construction is proposed outside of the Development Permit Area. Previously issued GB-DP-2001.2 and GB-DP-2002.2 allow for subdivision of the subject property and permits tree and vegetation removal according to the Development Permit recommendations.
 - e. Public road and non-vehicular access;
 - Public road access is created by the extension of Bonnie View Road and non-vehicular access was already created on the other lot during the previous subdivision through the dedication of a linear park along the

Strata Road in order to ensure public non-vehicular access through those private lands.

- f. Lot layout configuration in accordance with community bylaw subdivision standards and other requirements of the *Local Government Act*.
 - The proposed subdivision meets the Gabriola Island subdivision regulations and *Local Government Act* requirements.
3. Minimum lot area of 1 ha (2.47 acres)
 - The proposed subdivision meets this minimum lot area.

Easement P35192

This easement allows the property (Lot B Plan 5448), directly West of the subject property, access to Bonnie View Road across the subject property. The Ministry of Transportation and Infrastructure have requested the applicant to dedicate public road, extending Bonnie View Road across the northern boundary of the subject property, overlapping the easement area. As a result of the creation of public road access to Lot B Plan 5448, the existing easement is no longer necessary and is intended to be dissolved.

Climate Change Mitigation and Adaptation

Staff are unable to comment on potential GHG emission changes resulting from approval of this subdivision or any potential impacts on the proposed development from anticipated or possible climate change induced hazards.

COMMUNITY INFORMATION MEETING(S):

No community information meetings are required.

RESULTS OF CIRCULATION:

Not applicable.

STAFF COMMENTS:

The proposed 1 lot subdivision is consistent with existing Covenant EX113595. Staff are satisfied with the provisions of the proposed covenant for no further subdivision.

RECOMMENDATIONS:

THAT the Gabriola Island Local Trust Committee:

1. Endorse the proposed plan of subdivision for a 1 lot subdivision on North East $\frac{1}{4}$ of Section 3, Gabriola Island, Nanaimo District, Except Parcel A (DD77326I) (PID 003-134-806); and
2. appoint a trustee, that 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 a trustee, that on behalf of the Local Trust Committee, be a signatory on the proposed covenant for no further subdivision.

Respectfully Prepared and Submitted by:

Marnie Eggen
A/ Planner 2
October 23, 2012

Concurred in by:

Courtney Simpson, MCIP
A/ Regional Planning Manager
October 23, 2012

Attachments:

1. Application to Deposit Plan of Subdivision
2. Proposed covenant for no further subdivision
3. Covenant EX113595

Attachment 1: Application to Deposit Plan of Subdivision

FORM_DSPL_V9

APPLICATION TO DEPOSIT PLAN AT LAND TITLE OFFICE PROVINCE OF BRITISH COLUMBIA

[HELP GUIDE](#)

[LOCK](#)

PAGE 1 OF 5 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.732, and a true copy, or a copy of that true copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

[Import Profile](#)

David G Wallace
Suite 1A
3411 Shenton Road
Nanaimo

BC V9T 2H1

JE Anderson & Associates
Email: dgw@jeanderson.com
File: 86489 PH2

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

003-134-806

[No PID NMBR](#)

NORTH EAST 1/4 OF SECTION 3, GABRIOLA ISLAND, NANAIMO DISTRICT, EXCEPT PARCEL A (DD77326 I)

[Use 30 Parcel Schedule](#)

[Use 3 Parcel Schedule](#)

3. APPLICATION FOR DEPOSIT OF:

PLAN TYPE
Subdivision

PLAN NUMBER
EPP19453

CONTROL NUMBER
133-848-9056

NUMBER OF NEW
LOTS CREATED
1

4. OWNER(S): (updated owner(s) name(s), occupation(s), postal address and postal code)

[Use Schedule](#)

**CENTRE STAGE HOLDINGS LTD.
6676 KNIGHT DRIVE**

DELTA

V4E 1S5

BRITISH COLUMBIA
CANADA

Incorporation No
204577

[Joint Tenants ?](#)

5. ADDITIONAL INFORMATION:

☐

Is there a supporting document required for this plan application?
Click on the Help Guide button on the top of this form for more information.

[Add Owner/Charge Signatures](#)

[Add Approver Signatures](#)

[Add SG Signatures](#)

[Use Schedule](#)

PLAN NUMBER: EPP19453

CONTROL NUMBER: 133-848-9056

Owner/Charge Owner - Corporate

☒ Is a covenant the approving officers condition of subdivision and indicated on the plan?

The registered owner(s) designated hereon declares that they have entered into a covenant in favour of the Ministry of Transportation & Infrastructure under Section 219 of the Land Title Act.

Witness to All Signatures

Owner

[signature]

Centre Stage Holdings LTD.

INC. NO. 204577

[fill in witness name]

[fill in occupation]

[signature] Authorized signatory

[fill in address line 1]

Print the name of signatory

[fill in address line 2]

[signature] Authorized signatory

Print the name of signatory

Owner/Charge Owner - Corporate

Witness to All Signatures

Charge Owner: Holder of Charge EX113595

Gabriola Island Local Trust Committee

[signature]

[signature] Authorized signatory

[fill in witness name]

[fill in occupation]

Print the name of signatory

[fill in address line 1]

[signature] Authorized signatory

[fill in address line 2]

Print the name of signatory

Add Owner/Charge Signatures

Add Approver Signatures

Add SG Signatures

PLAN NUMBER: **EPP19453**CONTROL NUMBER: **133-848-9056**

Owner/Charge Owner - Corporate

☐ *Is a covenant the approving officers condition of subdivision and indicated on the plan?*

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Charge Owner Island Savings Credit Union

Holder of Charges CA1806610 & CA1806611

Incorporation No. FI-29

[signature] Authorized signatory

Print the name of signatory

[signature] Authorized signatory

Print the name of signatory

Owner/Charge Owner - Individual

Witness to Signature

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Charge Owner - Geoffrey Norman Goodall

Holder of Charge P35192

[signature]

Print the name of owner

Add Owner/Charge Signatures**Add Approver Signatures****Add SG Signatures**

PLAN NUMBER: EPP19453

CONTROL NUMBER: 133-848-9056

Owner/Charge Owner - Individual

☐ *Is a covenant the approving officers condition of subdivision and indicated on the plan?*

Witness to All Signatures

[signature]

[fill in witness name]

[fill in occupation]

[fill in address line 1]

[fill in address line 2]

Charge Owner - Individual Morris Charles Soronow

Holder of Charge CA2751159

[signature]

Morris Charles Soronow
Print the name of Charge owner

Add Owner/Charge Signatures

Add Approver Signatures

Add SG Signatures

PLAN NUMBER: EPP19453

CONTROL NUMBER: 133-848-9056

Select the approval type from the following selections in the drop down. *Appropriate editable text will auto fill in the text box*

Approval - Approving Officer - LTA Section 88

Plan EPP19453 is Approved under the Land Title Act on _____, 2012

[signature] Approving Officer

[Fill in name of Approving Officer]

Ministry of Transportation & Infrastructure

[Fill in name of municipality, or as case may be]

MOTI File: 27155

[include file reference if desired]

Select the approval type from the following selections in the drop down. *Appropriate editable text will auto fill in the text box*

Add Owner/Charge Signatures

Add Approver Signatures

Add SG Signatures

Attachment 2: Proposed Covenant for No Further Subdivision

FORM C-V16 (Charge)

**LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia**

PAGE 1 OF 11 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Morin Law Corporation
Barristers and Solicitors
15245 18 Avenue
Surrey

BC V4A 1W9

Telephone: (604) 538-9887
LTO Client Number: 12023
File Number: Centre Stage R12694

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

SEE SCHEDULE

STC? YES ☐

3. NATURE OF INTEREST
SEE SCHEDULE

CHARGE NO. ADDITIONAL INFORMATION

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.

(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

CENTRE STAGE HOLDINGS LTD. (INC. NO. 204577)

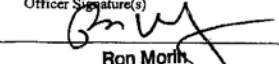
6. TRANSFEREE(S): (including postal address(es) and postal code(s))

SEE SCHEDULE

7. ADDITIONAL OR MODIFIED TERMS:

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

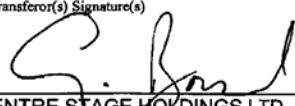
Officer Signature(s)


Ron Morin
Barrister & Solicitor
Notary Public
15245 - 18 Avenue
Surrey, B.C., Canada V4A 1W9
Ph: 604-538-9887 Fax: 604-538-7432

Execution Date

Y	M	D
12	10	03

Transferor(s) Signature(s)


CENTRE STAGE HOLDINGS LTD.
by it Authorized Signatory
GLENNA BORSUK

OFFICER CERTIFICATION:

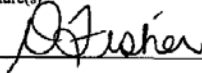
Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

LAND TITLE ACT
FORM D

EXECUTIONS CONTINUED

PAGE 2 of 11 pages

Officer Signature(s)



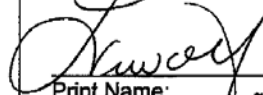
DEBBY FISHER
 Commissioner for taking Affidavits
 for British Columbia
 Island Savings Credit Union
 300 - 499 Canada Avenue
 Duncan, BC V9L 1T7

Execution Date

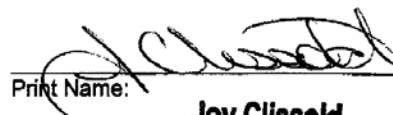
Y	M	D
12	10	11

Transferor / Borrower / Party Signature(s)

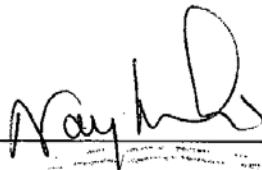
ISLAND SAVINGS CREDIT UNION, by
 its Authorized Signatory(ies)



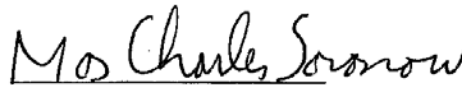
Print Name:

Lisa Verwolf

Print Name:

Joy Clissold

Emily Naghmeh Hedayat Baig
 Barrister & Solicitor
 700 West 16th Avenue Tel: 604-689-8228
 Vancouver BC V6Z 1S7 Fax: 604-689-8281
 Canada hedayat@desfriedland.com


MORRIS CHARLES SORONOW

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM D**

EXECUTIONS CONTINUED

PAGE 3 of 61 pages

Officer Signature(s)

Execution Date

Transferor / Borrower / Party Signature(s)

Y M D

12

GABRIOLA ISLAND LOCAL TRUST
COMMITTEE, a corporation under the
Islands Trust Act (British Columbia), by
its authorized signatory(ies)

Print Name (s):

As to both signatures

GEOFFREY WILLOUGHBY POWER

NANCY JEAN POWER

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

**LAND TITLE ACT
FORM E**

SCHEDULE

PAGE 4 OF 11 PAGES

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

**027-086-500 LOT 20 SECTION 8 GABRIOLA ISLAND NANAIMO DISTRICT PLAN
VIP82759**

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES ☐

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
[PID] [LEGAL DESCRIPTION]

STC? YES ☐

**LAND TITLE ACT
FORM E
SCHEDULE**

PAGE 5 OF 15 PAGES

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Covenant		Section 219

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Priority Agreement		granting Section 219 Covenant priority over Mortgage CA1806610 and Assignment of Rents CA1806611. Part 2 Page 10

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
Priority Agreement		granting Section 219 Covenant priority over Mortgage CA . Part 2 Page 11

NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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NATURE OF INTEREST	CHARGE NO.	ADDITIONAL INFORMATION
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**LAND TITLE ACT
FORM E**

SCHEDULE

PAGE 6 OF 11 PAGES

ENTER THE REQUIRED INFORMATION IN THE SAME ORDER AS THE INFORMATION MUST APPEAR ON THE FREEHOLD TRANSFER FORM, MORTGAGE FORM, OR GENERAL INSTRUMENT FORM.

Part 8 Transferee

GABRIOLA ISLAND LOCAL TRUST COMMITTEE, a corporation under the Islands Trust Act (British Columbia) having an office at 200-1627 Fort Street, Victoria, British Columbia, V8R 1H8

TERMS OF INSTRUMENT-PART 2

Section 219 Covenant- Subdivision Restrictive Covenant

THIS AGREEMENT dated for reference Oct. , 2012 is

BETWEEN:

Centre Stage Holdings Ltd., a company duly incorporated under the laws of the province of British Columbia and having offices at 2761 McBride Ave., in the City of Surrey , Province of British Columbia, V4A 3G3 (the "Owner").

AND: Gabriola Island Local Trust Committee, a corporation under the Islands Trust Act (British Columbia), having an office at 200 – 1627 Fort Street, Victoria, British Columbia, V8R 1H8 , (the "Local Trust Committee")

WHEREAS Gabriola Island Land Use Bylaw, 1999 permits the subdivision of land into lots having an area equal to or greater than the specified minimum lot area for the relevant zone where the average area of all lots created by subdivision is at least equal to the minimum average lot area specified for that relevant zone.

WHEREAS the Owner was, at all material times , the owner of the South West Quarter, Sec. 8, Gabriola Island , Nanaimo District, PID 003 134 792 (the "South West Quarter lot") and is the owner in fee simple of the North East Quarter of Section 3, Gabriola Island, Nanaimo District, Except Parcel A(DD77326I), PID 003 134 806 (the "North East Quarter lot") against both of which was registered a covenant in favour of the Gabriola Island Local Trust Committee under number EX 113595 (The "Initial Covenant") which restricts subdivision of the said North East Quarter Lot and the South West Quarter Lot into a maximum of forty-nine (49) lots.

WHEREAS the Owner subdivided the South West Quarter Lot into 25 lots, one of which includes Lot 20, Section 8, Gabriola Island, Nanaimo District, Plan VIP 82759, PID 027 086 500 ("Lot 20") which has an area equal to or greater than the specified minimum lot area for the relevant zone and is further subdividable.

WHEREAS the Owner remains the owner of the North East Quarter Lot which is also further subdividable.

WHEREAS the parties intend to restrict any further subdivision of Lot 20.

AND WHEREAS sec. 219 of the Land Title Act provides that a covenant in favour of the Crown or a municipality in respect of the use of land may be required as a charge against title to the land.

THIS AGREEMENT is evidence that in consideration of payment of \$1.00 by the Local Trust Committee to the Owner (the receipt of which is acknowledged by the Owner), and in consideration of the promises exchanged below, the Owner covenants and agrees with the Local Trust Committee in accordance with s.219 of the Land Title Act as follows:

Covenant

1. Lot 20 shall not be further subdivided.

Obligations

2. The parties agree that this Agreement creates only contractual obligations and obligations arising out of the nature of this document as a covenant under seal. The parties agree that no tort obligations or liabilities of any kind exist between the parties in connection with the performance of, or any default under or in respect of, this Agreement. The intent of this section is to exclude tort liability of any kind and to limit the parties to their rights and remedies under the law of contract and under the law pertaining to covenants under seal.

Indemnify

3. The Owner releases, and must indemnify and save harmless, the Local Trust Committee, its elected and appointed officials and employees, from and against all liability, actions, causes of action, claims, damages, expenses, costs, debts, demands or losses suffered or incurred by the Owner, or anyone else, arising from the granting or existence of this Agreement, from the performance by the Owner of this Agreement, or any default of the Owner under or in respect of this Agreement.

No Effect on Laws or Power

4. Where the Local Trust Committee is required or permitted by this Agreement to form an opinion, exercise discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the Local Trust Committee is under no public law duty of fairness or natural justice in that regard and agrees that the Local Trust Committee may do any of those things in the same manner as if it were a private party and not a public body.
5. This Agreement does not
 - (a) affect or limit the discretion, rights or powers of the Local Trust Committee under any enactment (as defined in the Interpretation Act, on the reference date of this Agreement) or at common law, including in relation to the use or subdivision of the Land;
 - (b) affect or limit any enactment relating to the use or subdivision of the Land, or
 - (c) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Land.

Covenant Runs with the Land

6. Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under s. 219 of the Land Title Act in respect of the Land and this Agreement burdens the Land and runs with it and binds the successors of title to the Land. This Agreement burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which the Land is consolidated. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.

Release of Covenant

7. The parties hereto agree this Covenant shall be released and discharged in the event the Owner herein, Centre Stage Holdings Ltd., at such time as it remains owner of Lot 20, obtains subdivision approval of the said Lot 20 and provided such approval and subdivision does not create any lots in excess of the forty-nine (49) lots permitted pursuant to the Initial Covenant.

Waiver

8. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.

Severance

9. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

Entire Agreement

10. This Agreement is the entire agreement between the parties regarding its subject.

Enurement

11. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.

Deed and Contract

12. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

Further Assurances

13. The Owner agrees to do everything reasonably necessary, at the Owner's expense, to ensure that this Agreement is registered against title to the Lands with priority over all financial charges, liens and encumbrances registered, or the registration of which is pending, at the time of application for registration of this Agreement.

14. The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part 1 of the Land Title Act Form C to which this Agreement is attached and which forms part of this Agreement.

CONSENT AND PRIORITY AGREEMENT

OF

ISLANDS SAVINGS CREDIT UNION

15. Islands Savings Credit Union, (the "Chargeholder") is the holder of a mortgage and assignment of rents registered against the Land legally described in item 2 of the Form E to which this Agreement is attached, which mortgage and assignment of rents are registered in the Victoria Land Title Office under instrument numbers CA 1806610 and CA 1806611 respectively (collectively, the "Charge").

In connection with the Section 219 Covenant (the "Covenant") granted herein by Centre Stage Holdings Ltd. to The Local Trust Committee (the "Transferee"), the Transferee requires the Chargeholder to grant the Covenant priority over the Charge.

This Consent and Priority Agreement is evidence that in consideration of payment to the Chargeholder of \$1.00 by the Transferee, the Chargeholder agrees with the Transferee as follows:

1. The Chargeholder consents to the granting and registration of the Covenant and the Chargeholder agrees that the Covenant binds its interest in and to the Land.
2. The Chargeholder grants to the Transferee priority for the Covenant over the Chargeholder's right, title and interest in and to the Lots and the Chargeholder postpones the Charge, and all of its right, title and interest thereunder, to the Covenant as if the Covenant had been executed, delivered and registered prior to the execution, delivery and registration of the Charge.

18. As evidence of its agreement with the Transferee to be bound by this Consent and Priority Agreement, as a contract and as a deed executed and delivered under seal, the Chargeholder has executed and delivered this Agreement by executing the *Land Title Act* Form D to which this Agreement is attached and which forms part of this Agreement.

CONSENT AND PRIORITY AGREEMENT

OF

GEOFFREY WILLOUGHBY POWER

AND

NANCY JEAN POWER

16. GEOFFREY WILLOUGHBY POWER and NANCY JEAN POWER, (the **"Chargeholder"**) is the holder of a mortgage registered against the Land legally described in item 2 of the Form E to which this Agreement is attached, which mortgage and assignment of rents are registered in the Victoria Land Title Office under instrument numbers CA _____ (the **"Charge"**).

In connection with the Section 219 Covenant (the **"Covenant"**) granted herein by Centre Stage Holdings Ltd. to The Local Trust Committee (the **"Transferee"**), the Transferee requires the Chargeholder to grant the Covenant priority over the Charge.

This Consent and Priority Agreement is evidence that in consideration of payment to the Chargeholder of \$1.00 by the Transferee, the Chargeholder agrees with the Transferee as follows:

1. The Chargeholder consents to the granting and registration of the Covenant and the Chargeholder agrees that the Covenant binds its interest in and to the Land.
2. The Chargeholder grants to the Transferee priority for the Covenant over the Chargeholder's right, title and interest in and to the Lots and the Chargeholder postpones the Charge, and all of its right, title and interest thereunder, to the Covenant as if the Covenant had been executed, delivered and registered prior to the execution, delivery and registration of the Charge.

As evidence of its agreement with the Transferee to be bound by this Consent and Priority Agreement, as a contract and as a deed executed and delivered under seal, the Chargeholder has executed and delivered this Agreement by executing the *Land Title Act* Form D to which this Agreement is attached and which forms part of this Agreement.

END OF DOCUMENT

Attachment 3: Covenant EX113595

R EX113595 C28250

LAND TITLE ACT
FORM C
(Section 233)
Province of British Columbia

-7 SEP 2005 14 01

EX113595

GENERAL INSTRUMENT-PART 1 (This area for Land Title Office use)

Page 1 of 10 Pages

1. APPLICATION: (Name, address, phone number and signature of applicant, applicant's solicitor or agent)

GLENNA BORSUK
12428 - 55th AVE.
SURREY, BC V3X 3B1
(604) 596-4268

DYE & DURHAM CO. INC.

Applicant's Solicitor */agent*

X

2. PARCEL IDENTIFIER(S) AND LEGAL DESCRIPTION(S) OF LAND:*		02	05/09/07 14:01:45 02 VI	656456
(PID)	(LEGAL DESCRIPTION)	CHARGE		\$64.75
003-134-806	N.E. 1/4, Sec. 3, Gabriola Island, Nanaimo District, Except Parcel A (DID 773261)			
003-134-792	S.W. 1/4, Sec. 8, Gabriola Island, Nanaimo District			

3. NATURE OF INTEREST:*

Description	Document Reference (page and paragraph)	Person Entitled to Interest
Section 219 Covenant	Entire Instrument	Transferee

4. TERMS: Part 2 of this instrument consists of (select one only)

- (a) Filed Standard Charge Terms ☐ D.F. No.
- (b) Express Charge Terms ☒ Annexed as Part 2
- (c) Release ☐ There is no Part 2 of this Instrument.

A selection of (a) include any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument. If (c) is selected, the charge described in Item 3 is released or discharged as a charge on the land described in Item 2.

5. TRANSFEROR(S):*

CENTRE STAGE HOLDINGS LTD. (Inc. No. 204577)

6. TRANSFEE(S): (including postal address(es) and postal code(s))*

GABRIOLA ISLAND LOCAL TRUST COMMITTEE, a corporation under the *Islands Trust Act* (British Columbia) having an office at 700 North Road, Gabriola Island, BC V0R 1X3

on /hr

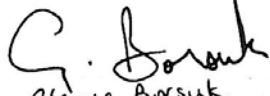
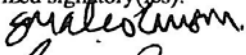
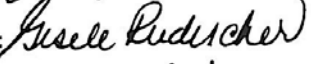
LAND TITLE ACT
FORM C
 (Section 233)
 Province of British Columbia

GENERAL INSTRUMENT-PART 1

Page 2

7. ADDITIONAL OR MODIFIED TERMS:
 N/A

8. EXECUTION(S):**This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature	Execution Date Y M D	Transferor Signature
 Andrew Gabrielson Solicitor 2100-1075 W. Georgia Street Vancouver, B.C. V6E 3G2 (as to both signatures)	2005 <u>09</u> <u>01</u>	CENTRE STAGE HOLDINGS LTD. by its authorized signatory(ies): Name:  Glenn Borsuk Name:
		Transferee Signature
(as to both signatures)	2005 <u>09</u> <u>01</u>	GABRIOLA ISLAND LOCAL TRUST COMMITTEE by its authorized signatory(ies):  Name:  Sheila Malcolmson Name: BISELE RUDISCHER

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the Evidence Act, R.S.B.C. 1979, c. 116, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the Land Title Act as they pertain to the execution of this instrument.

4

on 1/1

TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT

THIS COVENANT dated for reference the 30 day of September, 2005

BETWEEN:

CENTRE STAGE HOLDINGS LTD. (Inc. No. BC0204577), a company incorporated under the laws of the Province of British Columbia and having an address at 12428 55th Avenue, Surrey, BC V3X 3B1

(the "Owner")

AND:

GABRIOLA ISLAND LOCAL TRUST COMMITTEE, a corporation under the *Islands Trust Act* (British Columbia) having an office at 700 North Road, Gabriola Island, V0R 1X3

(the "Trust Committee")

WHEREAS:

A. The Owner is the registered owner in fee simple of lands on Gabriola Island, British Columbia legally described as:

PID: 003-134-792, South West 1/4 of Section 8, Gabriola Island, Nanaimo District; and,

PID: 003-134-806, North East 1/4 of Section 3, Gabriola Island, Nanaimo District, except Parcel A (DD 77326I),

(collectively, the "Land")

B. The Owner has applied to the Trust Committee to rezone the Land from Resource (R) zone to Resource Residential 1 (RR1) zone, and the Owner has agreed to certain conditions ensuring that the proposed bylaw amendment will be in the public interest;

C. The Owner has agreed to grant a covenant under s. 219 of the *Land Title Act* to the Trust Committee in the terms and conditions herein, to induce the Trust Committee to adopt the proposed bylaw amendment.

D. Attached to this agreement as Schedule A is a reference plan of the Land (the "Reference Plan");

The Owner wishes to grant, and the Trust Committee accepts, the s.219 covenants contained in this agreement over the Land.

sm /GR

NOW THEREFORE THIS AGREEMENT WITNESSES that pursuant to S. 219 of the *Land Title Act*, and in consideration of the terms of this Covenant and the sum of ONE DOLLAR now paid by the Trust Committee to the Owner (the receipt and sufficiency of which is hereby acknowledged), the Owner hereby covenants and agrees with the Trust Committee as follows:

1. Covenants

The Owner covenants and agrees with the Trust Committee that the Land shall not be built upon or used for any purpose or subdivided by any method unless the Owner is in compliance with all of the conditions set out in Schedule "B".

2. Subdivision requirements

The parties agree that this covenant does not presume or permit that all of the 49 lots may be approved for final subdivision. Final approval of any subdivision lies with the Approving Officer of the Ministry of Transportation, and only through that Ministry's subdivision process may the lots be authorized for final subdivision.

The Owner agrees that the Land lies within development permit areas and are subject to Development Permit Area guidelines in the Gabriola Island Official Community Plan (Gabriola Island), Bylaw No. 166, 1997.

3. Costs

The Owner shall comply with all the requirements of this Agreement at its own cost and expense. Where a covenant or other document required by this Agreement requires a survey or other plan, the Owner shall be solely responsible, at its own cost, for preparation of the document, including the survey and the plan.

4. Indemnity

The Owner releases, and must indemnify and save harmless, the Trust Committee, its elected and appointed officials and employees, from and against all liability, actions, causes of action, claims, damages, expenses, costs, debts, demands or losses suffered or incurred by the Owner, or anyone else, arising from the granting or existence of this Agreement, from the performance by the Owner of this Agreement, or any default of the Owner under or in respect of this Agreement.

5. Obligations

The parties agree that this Agreement creates only contractual obligations and obligations rising out of the nature of this document as a covenant under seal. The parties agree that no tort obligations or liabilities of any kind exist between the parties in connection with the performance of, or any default under or in respect of, this Agreement. The intent of this section is to exclude tort liability of any kind and to limit the parties to their rights and remedies under the law of contract and under the law pertaining to covenants under seal.

SM BR

6. No Effect on Laws or Power

(a) Where the Trust Committee is required or permitted by this Agreement to form an opinion, exercise discretion, express satisfaction, make a determination or give its consent, the Owner agrees that the Trust Committee is under no public law duty of fairness or natural justice in that regard and agrees that the Trust Committee may do any of those things in the same manner as if it were a private party and not a public body.

(b) This Agreement does not:

- (i) affect or limit the discretion, rights or powers of the Trust Committee under any enactment (as defined in the Interpretation Act, on the reference date of this Agreement) or at common law, including in relation to the use of subdivision of the Land;
- (ii) affect or limit any enactment relating to the use or subdivision of the Land, or
- (iii) relieve the Owner from complying with any enactment, including in relation to the use of subdivision of the Land.

7. Covenant Runs with the Land

Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under s. 219 of the Land Title Act in respect of the Land and this Agreement burdens the Land and runs with it and binds the successors of title to the Land. This Agreement burdens and charges all of the Land and any parcel into which it is subdivided by any means and any parcel into which the Land is consolidated. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Land.

8. Discharge of the Covenant

The Trust Committee agrees that within a reasonable time after a demand by the Owner, the Trust Committee must prepare and deliver to the Owner, at the Owner's expense, a discharge of this Agreement in remittable form from title to the Land if proposed Bylaw 236 has not been finally adopted by the Trust Committee on or before December 31, 2005.

9. Priority

The Owner agrees to register this Agreement, at its own cost, in priority to all registered and pending financial charges over the Land. Where any part of this Agreement requires the Owner to grant the Trust Committee or another government body a further covenant, statutory right of way or other interest in land as a condition of a subdivision or use of the Land, the Owner shall apply to register that document, at its own cost, in priority to all registered and pending financial charges.

sm GR

10. Waiver

An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver of a breach of this Agreement does not operate as a waiver of any other breach of this Agreement.

11. Severance

If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

12. Entire Agreement

This Agreement is the entire agreement between the parties regarding its subject.

13. Enurement

This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.

14. Further Assurances

- (a) The Owner agrees, at the Owner's expense, to ensure that this Agreement is registered against title to the Land with priority over all financial charges, liens and encumbrances registered, or the registration of which is pending, at the time of application for registration of this Agreement.
- (b) The Owner agrees to execute all other documents and provide all other assurances necessary to give effect to the covenants contained in this Agreement.

15. Deed and Contract

By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

As evidence of their agreement to be bound by the above terms, the parties each have executed and delivered this Agreement under seal by executing Part of the Land Title Act Form C to which this Agreement is attached and which forms part of this Agreement.

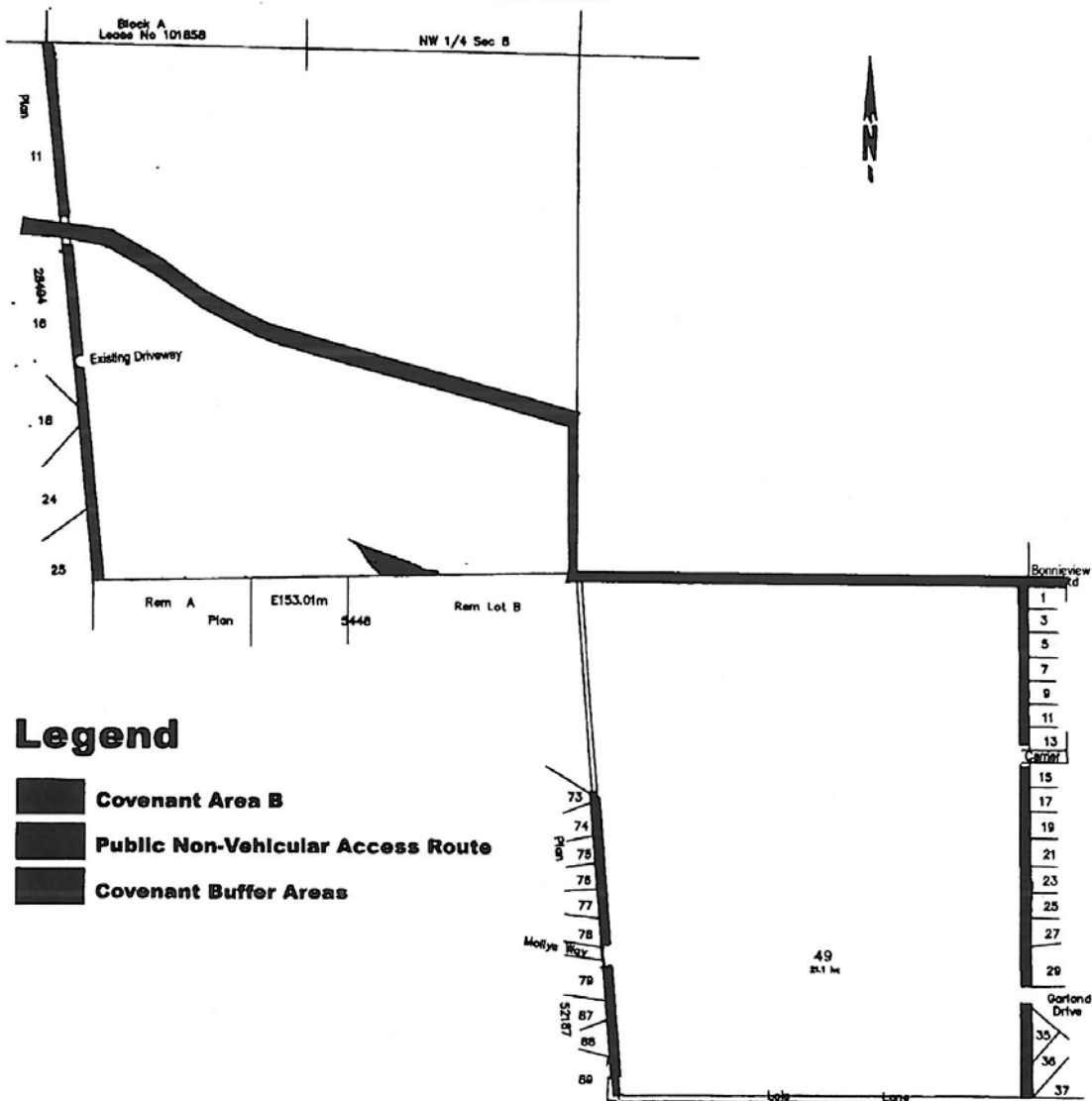
SM BL

SCHEDULE A - "Reference Plan"

SM JR

Covenant Areas Showing Grandfathered Driveway SW 1/4 Section 8 and Rem of NE 1/4 Section 3 Gabriola Island, BC.

Scale 1:7500m



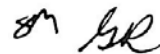
SCHEDULE "B" – CONDITIONS

Subdivision

1. The Owner shall only subdivide the Land into a maximum of forty-nine (49) parcels.
2. The Owner agrees that any final plan of subdivision shall take into account the following matters:
 - (a) To use their best efforts, in good faith, to locate as many First Nation heritage sites of interest, as identified in the Archaeology report of I.R. Wilson prepared by Darcy Mathews dated October 2002; on as few lots as possible,
 - (b) Government of British Columbia, Heritage Branch recommendations for archaeological sites;
 - (c) Buffer areas for noise and privacy;
 - (d) Steep slopes, within Development Permit Areas;
 - (e) Public road and non-vehicular access; and
 - (f) Lot layout configuration in accordance with community bylaw subdivision standards and other requirements of the *Local Government Act*.
3. No lot less than one hectare (2.47 acres) in size shall be created by subdivision, by any method, of the Land.

Buffer Areas

4. The Owner shall not establish or drill wells, site septic fields or any structure, except fences, within those areas marked "Covenanted Buffer Area" on the Reference Plan, attached as Schedule "A".
5. For the purpose of providing a privacy buffer, the Owner shall not, nor permit anyone to, cut down, trim, prune, defoliate, alter, remove or in any way tamper with or work on any trees or other vegetation within those areas marked "Covenanted Buffer Area" on the Reference Plan without prior written consent of the Trust Committee, which consent shall be in the sole discretion of the Trust Committee and may not be unreasonably withheld.
6. Notwithstanding Section 5 above, a tree taller than nine (9) metres in height within the Covenanted Buffer Areas shown on the Reference Plan may be topped or limbed above the nine (9) metre height.
7. When seeking the consent of the Trust Committee under Section 5 above, the owners of each lot adjacent to the area within the Covenanted Buffer Area shown on the Reference Plan in which works prohibited in section 5 are proposed, shall provide the Trust Committee with written notice that the said owners agree that the action proposed may be carried out to their mutual satisfaction. Adjacent lots refers to those lots existing as of July 27, 2005 and those that may be created by a future plan of subdivision.



8. Notwithstanding section 5 above, an unsafe or dangerous tree or vegetation within the Covenanted Buffer Area shown on the Reference Plan may be removed as determined by a Registered Professional Arborist or similarly qualified professional, in which case that qualified professional shall be consulted as to appropriate replacement trees or vegetation to replace those removed. The Owner shall maintain the replacement vegetation and trees until their maturity. If the replacement vegetation or trees do not provide adequate screening between the parcels, such replacement vegetation and trees shall be replaced such that an adequate privacy screen is achieved.

Development of the Land

9. The Owner shall ensure that at the time of subdivision appropriate non-motorized public access routes shall be located substantially in accordance with the areas illustrated on the Reference Plan.

10. All development, construction, land alteration, or removal of vegetation within the areas marked "Covenanted Area B" on the Reference Plan shall be in accordance with the Best Management Practices for Urban and Rural Land Development in British Columbia, as published by the Ministry of Environment.

Other Governments

11. The Owner shall not subdivide the Land until satisfactory provision has been made by the Owner for a covenant over the Land in favour of Her Majesty the Queen in the Right of the Province of British Columbia as represented by the Minister of Tourism, Sports, and the Arts, to provide protection to those First Nations archaeological sites on the Land identified in the Archaeology report of I.R. Wilson prepared by Darcy Mathews dated October 2002 and pursuant to the Heritage Protection Act and the recommendations of the Heritage Branch.

END OF DOCUMENT

on SR

Purpose To review and update current Development Permit Areas (DPAs) in the Gabriola Island Official Community Plan to implement the provincial *Riparian Areas Regulation* and to update the mapping and guidelines for hazardous and steep slope areas to better assist in planning future development to protect riparian ecosystems and to avoid hazardous areas.

Background This project is part of the Gabriola Official Community Plan review. In 2010, EBA Engineering Consultants were contracted to provide geohazard mapping and a management strategy. In 2011, Madrone Environmental Services Ltd. was contracted to assess and map watercourses subject to the provincial *Riparian Areas Regulation*. The mapping and recommendations of these reports will assist in the development of updated DPAs. During these processes, concern has been expressed regarding the general level of knowledge in the community around DPAs.

Objectives

- Adoption of amended mapping and guidelines for DPA-6 to provide precise detail on the location of hazardous areas and more detailed / appropriate guidelines to protect future development from the hazards associated with these areas.
- Adoption of amended mapping and guidelines for DPA-6 that are consistent with the Islands Trust Policy Statement.
- Adoption of mapping and guidelines to implement the provincial Riparian Areas Regulation, including review of existing DPA-3.
- Ongoing notification and effective engagement with property owners, residents and the Snuneymuxw First Nation.

In Scope

- Review and update of existing DPA-3 and DPA-6, including mapping, justification, objectives and guidelines.
- Consideration of clarification around when a development permit will be required, including possible exemptions for certain types of development.
- Consistency of with the Islands Trust Policy Statement.
- Consistency with *Riparian Areas Regulation* requirements.
- Low Hazard Terrain, Moderate / High Hazard Terrain, Gentle Over Steep and Areas Proximal to Toes of Moderate / High Hazard Terrain, as per EBA report.

Out of Scope

- Review of other DPAs
- Review of other areas of the OCP
- Major applications to amend the OCP while review is in progress.
- Areas of Potentially Problematic Soils, Areas of Potential Shoreline Erosion, and Localized Areas of Steep Terrain

Links & Dependencies

- LTC meeting schedule as framework for deliverables.
- Victoria mapping department for draft mapping schedules.
- Referral agency response turn-around
- Island planner workload

Critical Success Factors

- Stay within reasonable budget
- Clear and timely communication of project, timelines and opportunities for input to community
- Development and implementation of a Development Approval Information bylaw in conjunction with the project
- Cooperative, respectful environment
- Executive Committee approval

Project Team
Name/Project Role
Chloe Fox/Island Planner
I.T. Victoria Mapping Department
Gabriola LTC
Jacquie Hill/Planning Clerk (Legislative Process)

Governance	
Name/Project Role	Responsibility
GBLTC	Bylaw review / consideration /adoption
Executive Committee	Bylaw approvals
Minister of Community, Sport & Cultural Development	Bylaw approval

Interest Groups
Name
Property owners and residents
Snuneymuxw First Nation; other First Nations
RDN; MOTI; VIHA; other referral agencies
Advisory Planning Commission
Local Realtors, Contractors, Excavators

Risk Assessment				
Risk	Probability	Impact	Response Strategy	Residual Risk
LTC efforts focused on other regional or trust wide work program items	Low	High	Promote project to work program priority #1 until final adoption	Low
Unable to meet deliverable dates due to aggressive timelines	Med	High	Detailed planning, clear roles and responsibilities of team members	Low
Property owner discourse over private property rights or implications of land use regulations being proposed	Med	High	Clear communications; ample opportunity for public review of draft regulations	Low
Unable to meet deliverable dates due to staff time commitments to development applications	Med	High	LTC direction on staff time allocation. RPM to balance application workload between Planner 1 / 2 / Island Planner	Low

Workplan Overview	
Deliverable/Milestone	Targeted Completion
General education on DPAs with community	Aug. 2012
Release of draft DPA amendments	Sept. 2012
Consultation with community / APC on draft DPA amendments	Sept. / Oct. 2012
1st reading of draft bylaw—agency and First Nation referrals	Nov. 2012
Community Information Meeting/Public Hearing and further readings	Jan. / Feb. 2013
Submission of draft bylaw to Executive Committee/Minister of CSCD	Feb. 2013
Consideration of adoption of DPA amendments	Spring 2013

Budget	
Item	Cost
Consultation	\$3,500
Legislative Process	\$2,000
Advertising	\$900
Total	\$6,400

Regional Planning Manager Approval:
Date: July 18, 2012

GBLTC Endorsement Resolution #:

GB-080-2012
Date: July 26, 2012

1.0 Objectives & Scope

Project Name	Gabriola Island DPAs (RAR, Hazardous Areas & Steep Slopes)	
What is the decision being made in this project?	OCP amendments to update development permit areas mapping and guidelines for hazardous areas and steep slopes and for implementation of the provincial <i>Riparian Areas Regulation</i> (RAR).	
Who will make the final decision?	Gabriola Island Local Trust Committee	
What is the scope of this project?	Review and update of existing Development Permit Area No. 6 – Escarpment Areas (DPA-6) and Development Permit Area No. 3 – Hoggan Lake (DPA-3), including mapping, justification, objectives and development guidelines.	
How will this project decision impact: - Other LTC decisions or projects - Individuals / Businesses - Specific communities - Environment	- The guidelines adopted will direct future LTC decisions on DP applications within these areas - The updating of DPAs will impact landowners within the areas identified as they will be subject to updated and/or new regulations for land development - The project is intended to add further protection to private property and the environment by ensuring development occurs in an appropriate manner near sensitive riparian ecosystems and hazardous slopes	
Are there historical factors or previous decisions that will affect how this project is implemented?	In 2006 the provincial government introduced RAR, which local governments are required to implement through their land use planning powers. Gabriola Island has yet to achieve compliance with this legislation. For steep slope areas, concern has been expressed about the reliability of current DPA-6 mapping, which has resulted in little enforcement. A lack of understanding amongst the general public around DPAs has been identified, in particular around the obligations of the LTC under the <i>Local Government Act</i> with respect to DPAs. The LTC has developed a DPA factsheet to foster greater levels of public knowledge around DPAs and additional education regarding DPAs should be incorporated into consultation at the outset of the project to ensure informed engagement. While this will incur additional costs on the project, there will be benefit to future projects involving DPAs.	
Why would you involve the public in this decision? What exactly do you want to achieve?	The intention is to first inform the public about DPA legislation and the purpose of DPAs and then, to consult on proposed amendments. We want the public to be more informed on the purpose and application of DPAs and how they are affected by the designation of a DPA. Secondly, we want public feedback on proposed amendments and additions to DPAs.	
What information do decision makers need to assist them in this decision?	The LTC needs to know that the proposed amendments will bring Gabriola Island into compliance with RAR, will protect development from hazards associated with steep slopes and will preserve environmental values.	
What factors will influence the decision about level and scope of consultation? How?	FACTOR	IMPACT
	Resources	Limited budget and staff time may limit the possibilities with respect to engagement
	Potential tie-ins	A Development Approval Information bylaw will be developed in conjunction with the project
Driving questions: - What information are you seeking from the public? - How will this add value to the decision making process?	Seeking to inform the community and to come to some common ground for implementation that achieves the objectives of the project in a way that is implementable and understood by those working with them. This will provide the basis for future LTC decisions on DP applications and should mitigate community concern regarding future decisions.	

2.0 Methods & Delivery

CONSULTATION STAGE 1 – General Education

<i>Project Name</i>	<i>Gabriola Island DPAs (RAR, Hazardous Areas & Steep Slopes)</i>			
Methods	Cost	Content Focus	Audience	Publication Date
Web Page	To be developed in-house by staff using Wordpress. Launch advertised in both local papers. Rough estimate: \$300	Repository for general information and project specific information	Property owners, residents, local realtors & contractors, general community	Aug. 2012
Newspaper Article Series	To be written by staff, featured in both local newspapers Rough estimate: \$1000	Series of three short articles written by staff focused on certain general aspects of DPAs	Property owners, residents, local realtors & contractors, general community	Aug. 2012

CONSULTATION STAGE 2 – Public Input on Proposed Amendments

<i>Project Name</i>	<i>Gabriola Island DPAs (RAR, Hazardous Areas & Steep Slopes)</i>			
Methods	Cost	Content Focus	Audience	Publication Date
Blog on web page	To be developed in-house by staff using the same web page developed in Stage 1 Rough estimate: N/A	Allow individuals to post comments on draft amendments, possibility of hosting surveys	Property owners, residents, local realtors & contractors, general community	Sept. 2012
Mail-out	To all affected property owners Rough estimate: \$2500	Explaining the proposed amendments and how they will affect property owners and residents	Property owners and residents	Sept. 2012
Advisory Planning Commission	Rough estimate: N/A	Referral of draft amendments to APC for comment	Advisory Planning Commission members	Sept. / Oct. 2012
Community Information Meetings (2)	Two consecutive advertisements for each, run in both local papers Rough estimate: \$600	To present and obtain feedback on draft amendments. One prior to 1 st reading, one immediately prior to public hearing.	Property owners, residents, local realtors & contractors, general community	1) Oct. 2012 2) Jan. 2013

Memorandum

700 North Road Gabriola Island, BC V0R 1X3

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northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date: October 19, 2012 File Number: 6500-20
(Gabriola RAR, Hazard Land / Slope Study)

To: Gabriola Island Local Trust Committee
For meeting of November 1, 2012

From: Chloe Fox
Island Planner

Re: Steep Slopes Mapping

At the September 6, 2012 regular business meeting, the Local Trust Committee (LTC) received draft text and mapping for Development Permit Area 6 – Steep Slopes. At the meeting, the LTC resolved to refer the draft mapping and text, along with draft Development Permit Area 3 – Riparian Areas, to the Advisory Planning Commission (APC) for comment and requested staff to schedule a Community Information Meeting for the purpose of receiving input from the general public on the draft amendments. Since that time, there have been discussions amongst staff regarding the accuracy of the steep slopes mapping and logistical considerations in using the mapping in a development permit area. The purpose of this memorandum is to update the LTC on a number of issues and considerations with regard to the steep slope mapping.

Background & Mapping Issues

The mapping used to create draft Development Permit Area 6 – Steep Slopes was developed by EBA Engineering Consultants in 2010-2011. The mapping was created using a slope gradient generated from a digital elevation model (DEM). A DEM is a digital representation of ground surface topography, built using remote sensing techniques and aerial photography. There are a number of limitations associated with the use of aerial photographs to develop DEMs, which should be noted when considering the spatial resolution of the mapped hazard areas. Most importantly, the quality of the DEM may vary according to a number of conditions, including: terrain roughness, sampling density, grid resolution (or pixel size), interpolation algorithm, vertical resolution and terrain analysis algorithm. The quality of the aerial photography used in this case may not have captured all topographic elements, such as ravines, localized bluffs or other small scale features. At the same time, it may have picked up a variety of minor features. The Gabriola DEM has a horizontal and vertical accuracy of 0.5m on open ground surfaces. For areas with extensive forest canopy, the elevation accuracy may vary as much as half of the tree height.

There may be a number of features represented in the draft mapping that do not necessarily warrant designation under a development permit area. A number of roadside ditches, for example, are currently represented on the mapping. In addition, there are a number of very small polygons that may not represent features that pose a significant hazard to development. The inclusion of these features in a development permit area, however, may cause increased application load for staff and the LTC and unnecessary burden to landowners.

Considerations

Mapping sensitivity for steep slopes is an issue that has been addressed on many islands in the Islands Trust Area. In many areas, development permit area maps have been refined by removing any polygons located within the road right-of-way, on crown land and within parks. In addition, on the southern islands, staff worked with the consultant, C.N Ryzuk and Associates, to identify supportable criteria for filtering out smaller polygons. In the case of the southern islands, polygons with an area of 36m² or less were filtered out of the development permit area mapping resulting in the removal of many smaller occurrences. While this was deemed appropriate for the southern islands, the development of such criteria must be specific to the geology of the island in question. As such, in the case of Gabriola, application of a 36m² threshold may not be supportable from a geotechnical perspective.

Next Steps

Staff has contacted EBA Engineering Consultants with regard to developing criteria to filter out smaller occurrences, particularly in the Moderate and Low Hazard classes, in the draft development permit area mapping. EBA has provided a cost estimate of \$3,800 to complete this work and has suggested that they would be able to complete the work by the end of November 2012. Staff recommends that criteria be developed to filter out smaller polygons in the draft mapping for Development Permit Area 6 – Steep Slopes prior to moving forward with the Community Information Meeting. Once suitable criteria for refining the data is identified, revised mapping for draft Development Permit Area 6 – Steep Slopes will be brought forward to the LTC for information and staff will move forward with scheduling the Community Information Meeting. In addition, staff will work to remove polygons on roadways, crown lands and within parks. Unfortunately, moving forward with this work will delay the project slightly with consideration of first reading of the bylaw, agency and First Nations referrals occurring in January 2013, as opposed to November 2012 as indicated on the Project Charter.

EBA also suggested that they would be able to review draft Development Permit Area 6 – Steep Slopes from a geotechnical perspective for an additional \$3,300 by December 20, 2012. In addition, they advise that they also have the expertise to review the draft DPA from an environmental perspective. While this work would be useful, given that staff do not have the appropriate expertise to undertake these assessments, it is not necessary in order to move forward with implementation of draft Development Permit Area 6 – Steep Slopes. In deciding how to move forward, staff suggest considering the budget implications of this work against any additional work the LTC may wish to move forward on with the remaining OCP / LUB Review budget this fiscal year. Should the LTC be interested in this work, staff do not anticipate any serious implications for timing as first reading of the proposed bylaw would not be considered until January 2013. Staff request further direction in this regard.

The APC has scheduled a meeting on Monday, November 5, 2012 to consider the referral of draft Development Permit Area 6 – Steep Slopes and draft Development Permit Area 3 – Riparian Areas. Staff will attend this meeting and update the APC as to mapping issues with draft Development Permit Area 6 – Steep Slopes and any direction provided by the LTC on this issue at the November 1, 2012 regular business meeting. Staff will prepare a revised Project Charter reflecting the timing of the mapping refinements and any other direction provided by the LTC for endorsement at the November 29, 2012 regular business meeting.

Respectfully prepared and submitted by:

Chloe Fox, MCIP, RPP
Island Planner

Pc: Courtney Simpson, Acting Regional Planning Manager



STAFF REPORT

Date: October 12, 2012 **File No.:** 6500-20 (Development Approval Information Bylaw)

To: Gabriola Island Local Trust Committee
For the meeting of November 1, 2012

From: Chloe Fox
Island Planner

CC: Courtney Simpson
Acting Regional Planning Manager

Re: Development Approval Information Bylaw

PROJECT OVERVIEW:

The Gabriola Island Local Trust Committee has identified the creation and adoption of a Development Approval Information (DAI) Bylaw as a Top Priority item on its work program. This was added to the work program in conjunction with the current riparian areas and steep slopes development permit areas project, with the intention that a DAI bylaw would be adopted at the same time as updated development permit areas. A DAI bylaw is an administrative bylaw and is the statutory mechanism through which local governments are able to require applicants to provide information on the anticipated impact of proposed development. The development of a DAI bylaw is recommended for the entire Gabriola Local Trust Area as a tool to ensure that staff have the authority to require information on the anticipated impacts of proposed development in a way that is administratively consistent. The adoption of a DAI bylaw will also effectively implement existing and proposed new development permit area designations as well as existing temporary use permit provisions.

LEGISLATIVE & POLICY CONTEXT:

Since the provision for the adoption of DAI bylaws was introduced into the *Local Government Act* in 1997, advice from legal counsel has consistently been that the traditional mechanisms for obtaining information related to proposed development from applicants – requirements in DPA guidelines, OCP policies and/or ad hoc requests – are contrary to the legislation. In other words, unless a DAI exists, local governments have no legal mechanism for requiring information from applicants related to the anticipated impact of proposed development. In the absence of a DAI bylaw, the LTC may **request** information from applicants that would assist them in making a decision and the applicant may decide whether or not to provide the requested information. In the case of rezoning and temporary use permit applications, if the applicant decides not to provide the information, they risk the LTC rejecting the application due to lack of information. The only means to **require** information from an applicant is through authorization of a DAI bylaw.

Local Government Act:

Sections 920.01 and 920.1 of the *Local Government Act* provide the legislative authority for local governments in BC to establish DAI bylaws. In accordance with Section 920.1 of the *Local Government Act*, development approval information is defined as “information on the anticipated impact of the proposed activity or development on the community.” This may include, but is not limited to:

- The natural environment of the area affected;
- Transportation patterns including traffic flow;
- Local infrastructure;
- Public facilities including schools and parks; and,
- Community services.

Local governments may require applicants to provide this information, at their own expense, for zoning bylaw amendments, development permits, and/or temporary use permits.

Where a local government wishes to establish a DAI bylaw, there are several legislative requirements. First, in accordance with Section 920.01 of the *Local Government Act*, local governments must, in an official community plan, do one or more of the following: specify circumstances in which development approval information may be required, designate areas for which development approval information may be required and/or designate areas for which, in specified circumstances, development approval information may be required. In all cases, the official community plan must also contain a description of the special conditions or objectives that justify the designation or specification.

In addition, the content of a DAI bylaw must establish policies and procedures for the process for requiring development approval information as well as the substance of that information. A DAI bylaw may authorize staff to require development approval information provided that the applicant is entitled to have the local government (i.e. the LTC) reconsider the decision of staff to require development approval information without charge. In this case, the DAI bylaw must establish procedures regarding applying for and dealing with these reconsiderations.

Islands Trust Act:

Section 29(3.1) of the *Islands Trust Act* establishes that DAI bylaws in the Islands Trust Area must be adopted by Trust Council. This means that while DAI bylaw is developed for an individual LTC, it must be read and adopted by Trust Council.

Islands Trust Policy Manual:

Policy 2.1.viii of the *Islands Trust Policy Manual* describes the process for Trust Council to consider DAI bylaws proposed by local trust committees. Key elements of the policy include:

- Each DAI bylaw may vary according to LTC needs;
- The criteria for Trust Council approval include financial, procedural and policy considerations;
- The LTC is responsible for initiating the creation of the bylaw;
- The purpose of the bylaw must be stated in the bylaw;
- The bylaw must be generally in the form of the model bylaw developed in conjunction with the policy;
- The planner assigned to the local trust area will prepare the substance of the bylaw;
- The LTC must give notice to Trust Council that it intends to forward a bylaw for adoption;
- Application for approval will be in the form of a Request for Decision (RFD); and,
- If the bylaw is not approved it will be returned to the LTC with reasons.

PROPOSED BYLAW:

Content:

In addition to the required content established through the *Local Government Act*, staff proposes the creation of a DAI bylaw that would establish two approaches for the provision of development approval information:

- 1) For development permit applications, the DAI bylaw would establish the report content. The bylaw would lay out the content requirements of the reports for each type of development permit area (riparian area, steep slopes, etc.) and the requirements may be reduced by staff (or the LTC upon appeal by the applicant) based on the specifics of the application. This is the approach taken in the North Pender and Galiano DAI bylaws and, in the case of North Pender, has for the most part been functioning well for several years.
- 2) For more complex discretionary rezoning and temporary use permit applications, the bylaw would use a 'terms of reference' procedure through which staff would provide a written 'terms of reference' for the provision of specified development approval information to the applicant. This reflects the fact that, in the Islands Trust Area, most applicants are not sophisticated developers, are not experienced in providing impact assessments, and are unable to provide meaningful 'terms of reference' themselves. In addition, although the *Gabriola Island Official Community Plan, No. 166* specifies guidelines for temporary use permit applications, the specification of such guidelines is optional under the *Local Government Act*. The LTC can, should it choose, impose ad hoc conditions on a temporary use permit that are not stated in the OCP. In order to preserve this power, staff recommends using the 'terms of reference' approach to development approval information for temporary use permits as opposed to establishing the report content through the DAI bylaw. This is the approach taken on North Pender and Galiano through their respective DAI bylaws.

In practice, particularly for development permit applications, the applicant will consult with the planner in the pre-application stage and submit the required reports with the application, which results in efficient processing of the application. Only if the reports are inadequate or the applicant has not consulted with the planner pre-application does a formal letter detailing report requirements need to be sent. Typically, it is only with rezoning that there is an extensive process of drafting and approving a terms of reference.

Approval Process:

In order to advance the establishment of a DAI bylaw for the Gabriola Local Trust Area, the following steps are required:

- 1) The LTC gives formal notice to Trust Council by resolution that it intends to prepare a DAI bylaw to require information for development permit, temporary use permit and zoning amendment applications;
- 2) The LTC directs staff to prepare a draft bylaw, consistent with the model DAI bylaw shown in Attachment 1;
- 3) Staff submits the draft DAI bylaw and RFD to Executive Committee (policy requires that this be submitted to Executive Committee at least 4 weeks before Trust Council);
- 4) Trust Council considers three readings of the DAI bylaw at a regularly scheduled meeting. Adoption may be considered by RWM.

STAFF COMMENTS:

In the Gabriola Local Trust Area there is currently no DAI bylaw and, therefore, no legal mechanism for requiring the provision of information related to the anticipated impact of proposed development from applicants. The development and adoption of a DAI bylaw will benefit staff, the LTC, development applicants and the broader community in the following ways:

- *Quicker application processing*
Where a DAI is in place, applicants will typically be aware of the information they will be required to provide prior to submitting an application. In most cases, the required information will be provided with the application, reducing the staff time currently taken by liaising with applicants to request and receive information in an acceptable form.
- *Transparent process for applicants and the public*
By specifying the requirements for each type of application, applicants and the broader public know what to expect when embarking on the development process. In the case of rezoning and temporary use permits, applicants and the public will be aware of how development approval will be requested (i.e. through the Terms of Reference) and will have an avenue to appeal the requirement through the LTC.
- *Reduced staff time in processing applications*
A significant amount of staff time is frequently consumed requesting information from applicants. Often, this information is contained in OCP policies and/or development permit area guidelines, is outside the expertise of staff and is crucial to staff analysis and recommendations. Instead of spending time coercing applicants into providing the necessary information, a DAI bylaw will allow staff time to be more effectively employed during application processing, increasing the overall rate of application processing, and leaving more staff time available for work on LTC projects

Given the benefits associated with having a DAI bylaw, staff recommend that a draft DAI bylaw, consistent with the attached draft version, be prepared and presented to Trust Council.

RECOMMENDATIONS:

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;

THAT the Gabriola Island Local Trust Committee direct staff to prepare a draft Development Approval Information Bylaw, consistent with the version attached to the staff report dated October 12, 2012;

THAT the Gabriola Island Local Trust Committee direct staff to prepare a Request for Decision for submission to the Executive Committee; and

THAT the Gabriola Island Local Trust Committee 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.

Attachments:

Attachment 1 – Trust Council Model Development Approval Information Bylaw

Prepared and Submitted by:

Chloe Fox

MCIP, RPP
Island Planner

October 12, 2012

Date

Concurred in by:

Courtney Simpson

MCIP, RPP
Acting Regional Planning Manager

October 15, 2012

Date

ISLANDS TRUST COUNCIL

BYLAW NO.

A bylaw to establish procedures and policies for requiring development approval information for the Sample Island Local Trust Area

WHEREAS the Sample Island Local Trust Committee, pursuant to s.879.1 of the *Municipal Act*, has specified in an official community plan, areas and circumstances for which development approval information may be required;

The Islands Trust Council, pursuant to s.920.1 of the *Municipal Act* and s.29(3.1) of the *Islands Trust Act*, enacts as follows:

PART I **TITLE**

1. This Bylaw may be cited for all purposes as "Sample Island Local Trust Committee Impact Assessment Bylaw No. 57, 1998".

PART II **APPLICATION OF BYLAW**

2. The requirements of this Bylaw apply to
 - (a) applicants for amendments to a bylaw of the Sample Island Local Trust Committee enacted under s.903 of the *Municipal Act*;
 - (b) applicants for a development permit; and
 - (c) applicants for a temporary industrial or commercial use permit,if the activity or development that is the subject of the application is in an area specified for the provision of development approval information in the Sample Island Official Community Plan Bylaw No. # or is an activity or development for which development approval information is otherwise required by that Bylaw.
3. The requirements of this Bylaw do not apply to any application for an activity or development that is a reviewable project under the Environmental Assessment Act.

PART III **PROCEDURE**

4. The official assigned from time to time to provide staff services to the Sample Island Local Trust Committee is the official for the purposes of this Bylaw.
5. An applicant may request reconsideration by the Local Trust Committee of a decision of an official under this Bylaw within 30 days of the date on which the decision is mailed or faxed to the applicant.
6. A request for reconsideration must be delivered in writing to the Secretary and must set out the grounds on which the applicant considers the requirement is inappropriate and

what, if any, requirement the applicant considers the Local Trust Committee ought to substitute.

7. The Secretary must place each request for reconsideration on the agenda of a meeting of the Local Trust Committee to be held not earlier than 2 weeks from the date on which the request for reconsideration was delivered.
8. The Secretary must notify the applicant and any other person who the Secretary reasonably considers may be affected by the reconsideration, of the date of the meeting at which the reconsideration will occur.
9. If the meeting specified in s.8 is a meeting under s.26 of the *Islands Trust Act*, the Secretary will provide notice specifying that any representations the applicant or other person wishes to make, must be in writing and received by the Secretary not less than one clear business day prior to the day on which the meeting is to be held.
10. At the meeting, the Local Trust Committee may either confirm the requirement or decision of the official or substitute its own requirement or decision.

PART IV TERMS OF REFERENCE

11. Upon the request of an official, an applicant described in s.2 must provide to the official, written Terms of Reference for the preparation of information on the impact of the activity or development that is the subject of the application.
12. To the extent that the proposed activity or development can reasonably be expected to have an appreciable impact on any of the following matters, the Terms of Reference must include those matters in the scope of the information that is to be prepared:
 - (a) the natural environment of the area affected including adjacent marine areas, surface drainage and groundwater, ecosystems and biological diversity, with particular emphasis on areas of unusual environmental sensitivity and any rare plant or animal species;
 - (b) local highways, ferry facilities including off-island parking areas, water supply and sewage disposal systems including wells and ground sewage absorption systems, fire protection systems, municipal solid waste disposal and recycling facilities, utilities, local parking facilities and any other affected public infrastructure;
 - (c) local and off-island school facilities; local, regional and provincial parks; hospitals and other health care services; local transportation services including public transit and water taxis;
 - (d) local and off-island commercial services and employment opportunities, but the question of market demand for the activity or development need not be dealt with when the application is for a development permit;
 - (e) agricultural and forest reserve lands and agricultural and forestry uses in the vicinity of the development;
 - (f) cultural heritage resources including resources of historical, archaeological, paleontological or architectural significance whether on land or underwater; and

- (g) aesthetic values including the appearance of the development from vantage points on and off the island and the effect of any artificial lighting proposed.
13. In addition to any matter listed in s.12, the applicant may include in the Terms of Reference any matter on which the applicant considers information ought to be provided to the Local Trust Committee to permit a full understanding of the impact of the proposed activity or development on the island community affected.
14. In the case of an application for a development permit or temporary use permit, the Terms of Reference must address any particular information requirements that are identified in or arise from any applicable guidelines in an official community plan, and in all cases must address any particular information requirements specified for such an application in any development application procedures bylaw of the Local Trust Committee.
15. In addition to any other requirements the Terms of Reference may require the person preparing the impact information to provide information on the relationship between the proposed activity or development and
- (a) the object of the Islands Trust set out in the *Islands Trust Act*;
 - (b) the Islands Trust Policy Statement; and
 - (c) in the case of a proposed zoning amendment, the official community plan of the Local Trust Committee.
16. The Terms of Reference may specify that the impact information will be prepared by a person having professional expertise in the matters included in the Terms of Reference, and may include information specifying the identity, qualifications and experience of the person who the applicant proposes to engage to prepare the information.
17. The Terms of Reference must specify the form and the number of copies in which the impact information will be provided.
18. Within 10 business days of receipt of the Terms of Reference the official must indicate in writing to the applicant that
- (a) the Terms of Reference submitted by the applicant are acceptable;
 - (b) the Terms of Reference submitted by the applicant are acceptable if additional matters specified by the official and within the scope of s.12 of this Bylaw are included;
 - (c) the Terms of Reference submitted by the applicant are acceptable if a person other than one who has been proposed by the applicant in the Terms of Reference, whose selection has been approved in writing by the official, prepares the impact information; or
 - (d) the Terms of Reference are unacceptable and must be replaced by the applicant.
19. For the purposes of s.22(b), when accepting Terms of Reference the official may advise the applicant of other projects proposed or under development in the area that may be affected by the applicant's proposed activity or development.

20. If the official does not provide advice pursuant to s.18 by the end of the tenth business day the official is deemed to have accepted the proposed Terms of Reference.

PART V

PREPARATION OF DEVELOPMENT APPROVAL INFORMATION

21. Upon receipt of notice accepting the Terms of Reference or where the Terms of Reference have been deemed to be accepted, the applicant must prepare the impact information in accordance with the accepted Terms of Reference and provide it to the Local Trust Committee, at the applicant's expense.
22. For every matter within the scope of s.12 that is included in the Terms of Reference, the applicant must
- (a) identify relevant baseline information and document the nature of the resource or other matter on which the proposed activity or development may have an impact;
 - (b) identify and describe the potential and likely impacts of the activity or development including any cumulative effects when combined with other projects proposed or under development;
 - (c) evaluate the impacts in terms of their significance and the extent to which and how they might be mitigated; and
 - (d) make recommendations as to conditions of approval that may be appropriate to ensure that undesirable impacts are minimised or avoided,

all in accordance with generally accepted impact assessment methodology.

23. If Terms of Reference approved under s.18 specify professional expertise in the preparation of impact information, prior to authorising the preparation of the information by any person the applicant must deliver to the official information specifying the identity, qualifications and experience of the person who the applicant proposes to engage to prepare the information, unless that information was included in the approved Terms of Reference.
24. Within 10 business days of receipt of the information, the official must advise the applicant whether the proposed person is acceptable, and if the person is not acceptable the official must advise the applicant in writing of the reason and may propose one or more alternative acceptable persons. If such advice is not provided by the end of the tenth business day, the official is deemed to have accepted the proposed person.
25. If the official is not satisfied that the impact information provided by the applicant is sufficient to comply with the Terms of Reference, either in scope, level of detail, accuracy or in any other respect, the official may require the applicant to provide, at the applicant's expense, further information reasonably required to comply with the Terms of Reference, but a requirement for further information may be imposed once only.

PART VI

PROPRIETARY RIGHTS IN INFORMATION

26. The information that is provided to the Local Trust Committee pursuant to this Bylaw is required by the Local Trust Committee in the exercise of its powers under the *Municipal Act* and the *Islands Trust Act*. Every report or other document provided to the Local Trust Committee pursuant to this Bylaw must accordingly contain an express grant of permission to the Local Trust Committee to use and reproduce the information contained in the report or other document for non-commercial purposes.

READ A FIRST TIME this ____ day of _____, 199.

READ A SECOND TIME this ____ day of _____, 199.

READ A THIRD TIME this ____ day of _____, 199.

ADOPTED this ____ day of _____, 199.

Chair

Secretary

S:\MANUALS\POLICY\SampleDA\byl...doc



Memorandum

700 North Road Gabriola Island, BC V0R 1X3

Telephone 250. 247-2063 FAX: 250. 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC 1.800.663.7867

northinfo@islandstrust.bc.ca www.islandstrust.bc.ca

Date: October 16, 2012 File Number: 6500-20
(Gabriola Parks Rezoning)

To: Gabriola Island Local Trust Committee
For meeting of November 1, 2012

From: Chloe Fox
Island Planner

Re: Rezoning of Regional District of Nanaimo Parks – Preliminary Considerations

As work continues on the Gabriola Island Development Permit Areas (Riparian Areas and Steep Slopes) Project, staff now have time to embark on the next item on the Top Priorities list. Given the current capacity of the mapping department, however, at this time staff are unable to proceed with updating the 2010 build-out map, currently the third item listed under the top priority Official Community Plan Review. Instead, staff have begun work on the fourth item, the rezoning of Regional District of Nanaimo parks and Islands Trust nature reserves. Staff note that the Islands Trust Fund Elder Cedar Nature Reserve is currently zoned and designated for park purposes and, therefore, should not be considered in this project. The purpose of this memorandum is to present a preliminary outline of the project including areas that require additional direction from the Local Trust Committee.

Background

At the September 22, 2011 meeting of the Gabriola Island Local Trust Committee (LTC), the LTC received a memorandum from staff dated September 12, 2011 regarding the rezoning of parks on Gabriola Island, which highlighted a number of considerations in relation to this project. In particular, the memorandum identified a number of additional parks, aside from those originally identified, that the LTC may wish to include in future Official Community Plan (OCP) and Land Use Bylaw (LUB) mapping amendments for redesignation / rezoning. In addition, the memorandum highlighted the need for additional LTC direction in order to move forward. According to the adopted minutes of the meeting, no additional direction was given from the LTC.

Discussion

Current Zoning Categories

Currently, the *Gabriola Island Land Use Bylaw, No. 177* contains the following Park zones:

- Parks 1 – Provincial and Regional Park (P1): The principal permitted uses in this zone are provincial and regional parks only.
- Parks 2 – Passive Recreation Community Park (P2): The principal permitted uses in this zone are passive outdoor recreational activities, including walking, hiking and nature appreciation.
- Parks 3 – Active Recreation Community Park (P3): The principal permitted uses in this zone are active recreational activities including tot lots, and playground equipment; outdoor sport facilities including ball

diamonds, tennis and basketball courts, swimming pool and playing fields; and indoor sport facilities including swimming pool, gymnasium, and courts for racket sports.

In addition, the Descanso Bay Regional Park is currently zoned Tourist Commercial 2 – Campground (TC2). The permitted principal use in this zone is campground, while permitted accessory uses include single family residential, retail sales (excluding the sale of liquor) and campground office use.

Potential Designation / Zoning Amendments

The September 12, 2011 memorandum from staff contained a version of the following table, which highlights various OCP and LUB amendments that the LTC may wish to consider:

Table 1: Current and potential park designations

Park / Location	OCP Designation		LUB Designation		Staff Comments
	Current	Potential	Current	Potential	
Cox Community Park	R and AG	P	R and AG	P2	ALC involvement may be required in re-designating the AG portion of this park.
Coats Marsh Regional Park	R	P	R	P1	
Descanso Bay Regional Park	C(TR)	P	TC2	P1(a)	OCP designation is Commercial (Tourist Recreational). A site-specific P1 zone variant may be appropriate for capturing the campground and the fact that this is now a regional park.
707 Community Park	F		FWR1		The LTC may wish to explore the rezoning of the 707. Current OCP and LUB designations speak to the establishment of this park through density transfer; however, a parks designation and zoning may be more appropriate.
Northern part of Drumbeg Provincial Park	AG and RR	P	LRR	P2	ALC involvement may be required to re-designate the AG portion. (see Attachment 1 for area)
Community Park - corner of Coast Rd and South Rd	RR	P	LRR	P2	(see Attachment 2 for area)

Density Banking

Section 2.5 of the *Gabriola Island Official Community Plan, No. 166*, establishes and contains policies regarding the use of the Gabriola Island Density Bank. Density banking refers to a process wherein unused residential densities are held by the LTC for an unlimited time and for the purpose of enabling affordable multi-dwelling housing for low-income families without any net increase in the allowable density on the island. The deposit of densities into the density bank results from bylaw amendments where lands are rezoned for park purposes and/or from the voluntary donation of residential densities. An OCP amendment is required to deposit the density into the density bank.

Given that this project may rezone some existing parks that have existing residential densities, there may be potential to add densities to the Gabriola Island Density Bank. Parks that may have density banking potential include Cox Community Park and Coats Marsh Regional Park.

Consultation

Given that the park areas identified in Table 1 are variously owned and operated by the Regional District of Nanaimo and the Province of BC, in some cases in conjunction with land conservancies, staff recommend that, should this project move forward, these parties be consulted early in the process to ensure that future designations and zoning categories are consistent with park management plans. In addition, should this project move forward involving those parks with areas zoned for agriculture and located in the ALR, staff recommend that the ALC also be consulted early in the redesignation / rezoning process.

Options

Further direction is needed from the LTC in order to move forward with the options presented in this memorandum. Options, in relation to this project, that the LTC may wish to consider include:

- Proceeding with this project, including consideration of redesignation and rezoning of all park areas listed in Table 1;
- Proceeding with this project, but only considering a limited number of park areas identified in Table 1; or
- Not proceeding with this project at this time and revising the Top Priorities list on the work program to reflect this.

Should the LTC wish to proceed with this project in some fashion, staff will bring forward a Project Charter and Communications Strategy for endorsement at the next available meeting.

Respectfully prepared and submitted by:

Chloe Fox, MCIP, RPP
Island Planner

Pc: Courtney Simpson, Acting Regional Planning Manager



Islands Trust

Preserving **island** communities, culture and environment.

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Population (2011):

Approximately 4,045

Size:

5,256 hectares (12,987 acres)

Location:

6 kilometres east of Nanaimo located on Vancouver Island.

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Gabriola Island Local Trust Committee

Latest News

In this section you will find current news items that are relevant to your Local Trust Area and your community. [Subscribe](#) to the Gabriola Island Latest News updates and receive the latest information on official community plan reviews, staff reports, notifications and other documents published in the latest news section.

September 2012

The Gabriola Island Local Trust Committee is currently looking to establish Development Permit Areas to protect ecologically sensitive riparian areas and to protect development from steep slope hazards. Please visit the new project [website](#) for more information and opportunities to become involved!

July 2012

- [Living Near Riparian Areas Brochure](#)

April 2012

- [Gabriola Island Riparian Area Regulation Stream Identification – Final Report, Madrone Environmental Services Ltd.](#)
- [Trustee Newsletter – April 2012](#)

February 2012

- [Gabriola Island Development Permit Area Factsheet](#)

September 2011

- [Trustee Newsletter - September 2011](#)

[^ top](#)

Gabriola Island Local Trust Committee Projects

Communication Towers and Antenna

Background Information

- [Staff Report dated January 2010](#)
- [Gabriola Island Local Trust Resolution GB-025-2010](#)
- [Cellular Antenna Proposal Form](#)
- [Industry Canada's Client Circular Radiocommunications and Broadcasting Antenna Systems](#)

Gabriola Radio Society Proposal

- [Staff report dated July 18, 2012](#)
- [Compilation of Public Correspondence to July 25, 2012](#)
- [E-mail Response from Applicant to July 18, 2012 Staff Report dated July 25, 2012](#)
- [Staff Report dated March 23, 2012 - Gabriola Radio Society Application](#)
- [Community Information Meeting Agenda - Gabriola Radio Society Radio Tower Proposal - June 25, 2012 5pm-9pm](#)
- [Community Information Meeting on the Gabriola Radio Society's proposed radio tower to be held June 25, 2012](#)
- [Application Process / Site Location & Covenants / Contact Information Handout](#)
- [Application Notification - Gabriola Radio Society Application](#)

Committee Links

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Local Trust Committee Support Action for Water

Climate Change Action

- [Staff Report - October 2009](#)
- [Staff Report - January 15, 2010](#)
- [Staff Report - February 21, 2010](#)
- [Climate Wise Islands](#)
- [Newsletter - November 2009](#)
- [Newsletter - Mudge Island - March 2010](#)
- [Newsletter - DeCourcy Island - March 2010](#)
- [Fact Sheets](#)
- [Minutes - November 26, 2009](#)
- [Minutes - March 10, 2010](#)
- [Minutes - March 20, 2010](#)
- [2007 Community Energy and Emission Inventory Reports \(CEEIs\) now available](#)
- [New Islands Trust GHG Emission Inventories webpage posted](#)

Build-Out Project Map (3rd Edition)

- [Final Report](#)
- [Map of Development Potential \(May 2010\)](#)
- [Map of Development Potential \(January 2006\)](#)

Ecosystem Mapping

- [Draft Gabriola Island Local Trust Area ecosystem maps and feedback form](#)

[^ top](#)

Official Community Plan and Land Use Bylaw Review

- [Gabriola Island Affordable Housing Needs Assessment](#)
- [Community Profile](#)
- [Shared Roadways - Gabriola Island Bicycle Route Plan, 2010](#)
- [Geohazard and Mapping - Report from Consultant](#)
- [List of Recommended OCP/LUB Review Phase 2 Topic Areas](#)

November 22, 2010 Community Meeting - Information Packages

- [Community Context, Plan Principle and Major Goals Information Package](#)
- [Bicycle and Bus Route Policies Information Package](#)
- [Affordable Housing, Density Transfer and Density Bank Information Package](#)

Advisory Planning Commission

- December 1, 2010 – [Agenda Package and LTC Referral](#) | [Minutes](#)
- February 15, 2011 – [LTC Referral Package](#) | [Approved Minutes](#)
- July 21, 2011 - [LTC Referral Package](#)
- September 17, 2012 - [Agenda Package](#)
- November 5, 2012 - [Referral Package](#)

Agriculture Advisory Committee

- [Terms of Reference](#)

Meetings

- [March 15, 2012 – Agenda Package and LTC Referral](#)

Transportation Advisory Committee

- [Terms of Reference](#)

Volunteer Review Committee

- [Terms of Reference](#)

Meetings

- **2011**
 - January 11, 2011 - Cancelled
 - January 17, 2011 [Agenda - revised](#) | [Minutes](#)
 - February 7, 2011 [Agenda - revised](#) | [Minutes](#)

- May 9, 2011 [Agenda](#) | [Minutes](#)
 - June 20, 2011 [Agenda](#) | [Minutes](#)
 - [October 25, 2011 Agenda](#)
- **2010**
- December 15, 2009 [Agenda](#) | [Minutes](#)
 - January 26, 2010 [Agenda revised](#) | [Minutes](#)
 - February 9, 2010 [Agenda](#) | [Minutes](#)
 - March 30, 2010 [Agenda - revised](#) | [Minutes](#)
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 - June 15, 2010 [Agenda - revised](#) | [Minutes](#)
 - July 20, 2010 [Agenda](#) | [Minutes](#)
 - August 17, 2010 - Cancelled
 - September 7, 2010 [Agenda - revised](#) | [Minutes](#)
 - October 5 , 2010 [Agenda - revised](#) | [Minutes](#)
 - November 2, 2010 - Cancelled
 - December 7, 2010 - Cancelled

Community Wildfire Protection Plan

- [Community Wildfire Protection Plan May 2008](#)

[^ top](#)

Applications

GB-RZ-2009.1 (Williamson & Associates, density transfer)

- [Preliminary Staff Report dated July 11, 2011](#)
- [Technical reports from Applicant submitted November 2, 2010](#)
- [Staff Report dated October 18, 2011](#)

Trustee Newsletters

- [March 2010](#)
- [April 2009](#)
- [September 2008](#)

DeCourcy Island

- No items at this time

Mudge Island

GB-RZ-2010.1 (Littlejohn & Beckstead)

- [Staff Report dated October 13, 2010](#)
- [Staff Report dated April 14, 2011](#)
- [Staff Report dated September 9, 2011](#)
- [Staff Report dated December 15, 2011](#)
- [Staff Report dated February 29, 2012](#)

[^ top](#)