



A NOTICE OF A BUSINESS MEETING OF **THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:15 AM on Thursday, September 5, 2013 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		
	RECESS FOR PUBLIC HEARING for Proposed Bylaw No. 267 (Mudge Island) & Proposed Bylaw No. 268 (DeCourcy Island)		
	RECONVENE		
3.	CLOSED MEETING: The Gabriola Island Local Trust Committee closes the next part of the September 5, 2013 business meeting to discuss matters pursuant to Section 90(1)(f) (Bylaw Enforcement) of the <i>Community Charter</i> and that Staff be invited to attend this meeting		10:45 am
4.	RECALL TO ORDER Rise and Report from Closed Meeting		
5.	MINUTES		
5.1	Local Trust Committee Meeting Minutes of July 18, 2013 – <i>for adoption - attached</i>	1	11:00 am
5.2	Section 26 Resolutions Without Meeting – <i>none</i>		
5.3	Gabriola Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
5.4	Mudge Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
5.5	Gabriola Island Agricultural Advisory Commission Meeting Minutes - <i>none</i>		
6.	BUSINESS ARISING FROM MINUTES		
6.1	Follow-up Action List dated August 27, 2013 - <i>attached</i>	17	
6.2	Promoting NAPTEP on Gabriola – <i>for discussion</i>		
7.	CORRESPONDENCE <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>		
7.1	Email dated August 21, 2013 from Mike Donnelly of the Regional District of Nanaimo regarding Water Budget Report - <i>attached</i>	23	
7.2	Email dated August 26, 2013 from Judith Graham regarding Rogers cell tower - <i>attached</i>	24	

8.	REPORTS	
8.1	Work Program Reports	11:20 am
8.1.1	Top Priorities Report & Projects List dated August 27, 2013 - <i>attached</i>	25
8.2	Applications Log	
8.2.1	Report dated August 27, 2013 – <i>attached</i>	29
8.3	Trustee and Local Expenses	
8.3.1	Expenses posted to July 31, 2013 - <i>attached</i>	33
8.3.2	Expenses posted to August 31, 2013 - <i>attached</i>	34
9.	NEW BUSINESS	
9.1	2014-15 Budget Submissions	
9.1.1	Memorandum dated August 1, 2013 - <i>attached</i>	35
9.2	Proposed Business Meeting Schedule for 2014 – <i>attached for discussion and decision</i>	44
9.3	Bike path referral from MoTI for discussion - <i>attached</i>	45
10.	TRUSTEES' REPORT	11:50 am
11.	CHAIR'S REPORT	
12.	REGIONAL DIRECTOR'S REPORT	
13.	DELEGATIONS - none	
14.	TOWN HALL SESSION	
15.	APPLICATIONS AND PERMITS - none	
	BREAK	12:15 pm
16.	LOCAL TRUST COMMITTEE PROJECTS	12:30 pm
16.1	Official Community Plan/Land Use Bylaw Review	
16.1.1	Parks Rezoning	46
	Staff Report dated August 19, 2013 – <i>attached</i>	
16.1.2	Riparian Areas Regulation Implementation	
	Questions & Answers document – <i>to be distributed</i>	
16.2	Development Approval Information Bylaw	
	Memorandum dated August 27, 2013 - <i>attached</i>	75
17.	BYLAWS	
17.1	Proposed Bylaw No. 267 cited as "Mudge Island Official Community Plan Bylaw 227, 2007, Amendment No. 1, 2012"- <i>for consideration of second and third readings and submission to Executive Committee and to the Minister of Community, Sport and Cultural Development for approval - attached</i>	85
17.2	Proposed Bylaw No. 268 cited as "Decourcy Island Official Community Plan Bylaw 16, 1981, Amendment No. 1, 2012"- <i>for consideration of second and third readings and submission to Executive Committee and to the Minister of Community, Sport and Cultural Development for approval - attached</i>	87
18.	ISLANDS TRUST WEBSITE	
	Gabriola Pages – <i>for discussion</i>	
19.	NEXT MEETING:	
	Thursday, October 10, 2013 at 10:15 a.m. at the Women's Institute, 476 South Road, Gabriola Island, BC	

20. TOWN HALL SESSION – *time permitting*

21. PRESENTATION of 2013 Community Stewardship Award to Chris and Judith Plant 1:30 pm

22. ADJOURNMENT

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



Gabriola Island Local Trust Committee Minutes of a Regular Meeting

Date of Meeting:	Thursday, July 18, 2013 at 10:15am
Location:	Women's Institute South Road, Gabriola Island, BC
Members Present:	David Graham, Chair Gisele Rudischer, Local Trustee Sheila Malcolmson, Local Trustee
Staff Present:	Courtney Simpson, Regional Planning Manager Jessie Sherk, Recorder
Media and Others Present:	Howard Houle, Regional Director Seth Wright, student planner 2 members of the local media and 16 members of the public were in attendance.

1. CALL TO ORDER

Chair Graham called the meeting to order at 10:17am. He acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations. Staff and trustees were introduced. He also acknowledged that it was Nelson Mandela day.

2. APPROVAL OF AGENDA

The agenda was approved by consensus with the following amendment:

- Late item added, 14.1.3.iii, Email from Robert Seaton dated July 3, 2013 regarding Riparian Areas Regulation (RAR).

3. MINUTES

3.1 Local Trust Committee Special Meeting Minutes from the Community Information Meeting of June 26, 2013

The adoption of the Community Information Meeting Minutes was deferred to give the members a chance to review the minutes.

3.2 Local Trust Committee Meeting Minutes of June 27, 2013

The minutes were adopted by consensus with the following amendments:

- Page 2, item 5.1, after "...regarding this matter", add ", and advised that Bonny's towing would write to the Local Trust Committee again with an updated request", and delete the second sentence starting "It was decided..."
- Page 3, 3.3, 3rd paragraph, "The following motions.." should read "motion..."
- Page 7, Town Hall Session, delete the words "to speak" in the second sentence after "Trustee Malcolmson used this time..."
- Page 7, 7.4, add the word "to" after "...Local Planning Committee has decided...."

3.3 Section 26 Resolutions Without Meeting – None.

3.4 Gabriola Island Advisory Planning Commission Meeting Minutes – None.

3.5 Mudge Island Advisory Planning Commission Meeting Minutes – None.

3.6 Gabriola Island Agricultural Advisory Commission Meeting Minutes – None.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated July 10, 2013

Planning Manager Simpson reviewed the Follow-up Action List. She requested that the Local Trust Committee move item number one under July 26, 2012 regarding staff advice on how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain in future LTC project work, to the Projects List. She also gave an update on the two items regarding bylaw enforcement under November 1, 2012 noting that the Director of Local Planning Services has indicated that the resources to deal with individual requests are not available and that it is the hope that this could be added to local trust committee work program/projects list. The possibility of removing the second item under November 1, 2012 on the Follow-up Action List was also discussed. After some discussion, the target dates for the second item under November 1, 2012 was changed to September 2013.

Trustee Malcolmson gave an update on the second item under March 14, 2013 regarding scheduling a meeting with the Ministry of Transportation and Infrastructure and the Gabriola Chamber of Commerce regarding signage in the road right-of-way saying that staff has passed the contact information to the trustees and she is working on dates for the meeting.

4.2 Letter of Opposition to Duke Point Incinerator

GB 065/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that its Chair convey to the City of Nanaimo the Local Trust Committees opposition to incineration of Metro Vancouver garbage at Duke Point, using the July 17 draft by Trustee Malcolmson as the basis for a letter.

CARRIED

Speaking to the motion Trustee Malcolmson talked about the advocacy policy that council adopted this term saying trustee committees can do their own advocacy. She suggested copying the Executive Committee and also recognized that there be some staff advice that the Chair might get giving better direction. She also noted that having the garbage incinerator at Duke Point would violate some of the principals of our founding documents. Chair Graham and Director Houle both expressed their support of the letter.

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 or project is on the Agenda for Consideration"

5.1 Email dated June 24, 2013 from Scot Merriam of Sustainable Resource Mechanical Engineering and Project Management regarding Marine Energy

After some discussion, Trustee Malcolmson stated she would be happy to write back to the author of this email to let him know that they are not the initiators of this.

5.2 Email dated June 24, 2013 from Ode Howard, Contact Person for Property Owners in the Seymour/Ferne/Tait Road Area regarding Gabriola Gun Club and Ground Water Concerns

It was noted that the author of this email is appearing as a delegation scheduled at 11:00 am. The committee will come back to this item then.

5.3 Email dated July 2, 2013 from Don and Glenna Gatley regarding Gabriola Gun Club and Lead Contamination

It was noted that the author of this email is appearing as a delegation scheduled at 11:00 am. The committee will come back to this item then.

6. REPORTS

6.1 Work Program Reports

6.1.1 Top Priorities Report and Projects List dated July 10, 2013

The Top Priorities Report and Projects List was discussed. The Planner and trustees discussed the items that were suggested to be moved to the project list. It was decided to leave the list as is.

6.2 Applications Log

6.2.1 Report date July 10, 2013

No updates.

6.3 Trustee and Local Expenses

6.3.1 Expenses posted to June 30, 2013

Reviewed for information.

7. NEW BUSINESS – None.

8. TRUSTEES' REPORT

Trustee Rudischer read her report from last month and indicated that it was also published in the newspaper. Highlights included her attendance at meetings with the Transportation Association, Trust Council on Mayne Island, and The Gabriola Streamkeepers Association.

Trustee Malcolmson noted some highlights since the last meeting including her attendance at the Canada Day celebration saying it was nice to see the community bus shuttling people around. She was reminded of what a rich ecological area we live in during her time last week kayaking along Valdes and Galiano Islands. Also noted was the new brochure that the Chamber of Commerce and Sustainable Gabriola created about food growers and she thanked those groups for their involvement. Also noted was that her first report on her Norway trip about oil spill preparedness is available in this week's Island Tides. Lastly she spoke of the presentation she attended yesterday by the Gabriola Rescue of Wildlife Society on river otters, noting that the organization does great work and is always looking for volunteers and donations.

9. CHAIR'S REPORT

Chair Graham attended meetings on Keats Island for the Gambier Local Trust Committee, Hornby Island, and mentioned that Denman Island is still trying to solve affordable housing.

10. REGIONAL DIRECTOR'S REPORT

Howard Houle read his report that will also be available online. Highlights included the Gabriola Island Canada Day celebration, the Parks and Open Spaces Advisory Committee meeting on July 2, 2013 and a meeting between the Regional District of Nanaimo and the Snuneymuxw First Nations. Also discussed were reports presented to the Sustainability Select Committee and the Renewable Energy Best Practices Guidebook that the committee has been working on. Director Houle also stated that at the Committee of the Whole meeting on July 9, 2013, a motion was passed that expressed their desire to not have an incinerator at Duke Point. Lastly he discussed the Huxley Park Management Plan.

11. DELEGATIONS

11.1 Ode Howard regarding Seymour/Ferne/Tait Road Area Groundwater Quality

Ode Howard read a letter he had prepared saying that he was speaking on behalf of himself and other property owners living near the gun club. He stated that several years of research has indicated that the Gabriola Gun Club may threaten groundwater and he was attending this Local Trust Committee meeting to request that the Islands Trust, with its mandate to preserve and protect, make serious inquiries to the gun club to ascertain whether this land is being managed in a way to prevent a serious environmental accident. Also requested is that an independent assessment be done to make sure there isn't contamination, or find out the extent of contamination, and what a cleanup would entail.

Discussion between Mr. Howard and the Trustees ensued. Mr. Howard spoke about what steps he has taken in speaking with the Province about this matter.

12. TOWN HALL SESSION

Marie Brannstrom, representing the Gabriola Rod Gun and Conservation Club (the Gun Club), stated that they are in full compliance with the requirements of the Ministry of Forests, Lands and Natural Resource Operations, and that there are no outstanding issues with any Ministry. She also noted all communication on this subject emanates from a current civil suit against the Province and the Club that is seeking a permanent injunction against firearm use at the Tait Road range.

A member of the public wanted to remind everyone that they are here today about water, soil and all the animals and birds that inhabit the island. She wanted to eliminate the personalities and other discussions around the Gun Club and focus on the environmental issue.

A member of the public who used to belong to the Gun Club but does not currently, spoke about this topic saying she had never thought about the lead concept until now. As a wildlife rescuer and a concerned Gabriolan, and knowing that lead shot has been banned in the hunting world, she feels that the right thing for the Gun Club to do, would be to take responsibility and find out if there is lead there or not, and settle all of this. Also noted; that although she is a member of Gabriola Rescue of Wildlife Society (GROWLS) she was making comments as a private citizen and was not representing GROWLS at this meeting.

Paul Metcalf who is an Executive of the Gun Club, but was speaking in a personal capacity, spoke about the toxicity of lead stating it is only a danger if it were to settle in a swamp and that there are no swamps at the Gun Club.

Mrs. Godson stated she is not a plaintiff, just a concerned person. She feels that there may be a misconception, and that the idea isn't to shut the Gun Club down, but to come into compliance about their interpretation of the lease on the property. Her opinion is that it would make sense for the Gun Club to get the environmental assessment done so this can be cleared up

Mr. Howard spoke again and thanked the Islands Trust and everyone for their input. He reiterated that he has come to ask Islands Trust to encourage the Province and the Gun Club to have the assessment done and put an end to all speculation.

Town Hall session closed.

- 5.2 Email dated June 24, 2013 from Ode Howard, Contact Person for Property Owners in the Seymour/Ferne/Tait Road Area regarding Gabriola Gun Club and Ground Water Concerns
- 5.3 Email dated July 2, 2013 from Don and Glenna Gatley regarding Gabriola Gun Club and Lead Contamination

It was noted that the Ministry of Environment did write back and say that the water is not contaminated on the site. The trustees and staff discussed if Islands Trust has the authority to do an independent environmental assessment on a property. It was agreed that it is out of the Local Trust Committee's authority to require and it would be up to the Province. Paul Metcalf of the Gun Club stated that they are conducting environmental assessments right now but they will not be complete until November, 2013.

Trustee Malcolmson stated that the Islands Trust's ability to affect the outcome of this is very limited but what they can do is convey to the province that this is still an area of conflict and is causing tension in the neighborhood.

GB 066/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that it's Chair convey to the Province of BC the correspondence and concerns of the neighbors about water contamination on the Gabriola Rod Gun and Conservation Club property.

CARRIED

Speaking to the motion, Trustee Malcolmson stated that this is simply a way to put this responsibility where it belongs.

13. APPLICATIONS AND PERMITS

13.1 GB-RZ-2010.2 (Gabriola Medical Clinic)

Memorandum dated July 10, 2013 regarding Covenant Planning Manager Simpson reviewed the memorandum that explains that the conditions of the rezoning have been completed.

Discussion ensued regarding occupancy permits and permissions.

Trustee Malcolmson thanked the Gabriola Medical Clinic for living up to the spirit of the Covenant and also noted that she received feedback that the planners who did the site visit were very professional.

13.2 GB-DP-2013.1 (Bishop – Flat Top Islands (Gaviola))

Staff Report dated July 7, 2013

Planner Wright reviewed his report noting that there was an error on Page 4 (69 of the agenda), it should read that the "photos do **not** suggest..."

Trustees and staff discussed the possibility of increasing the development permit fees if they are applied for after the fact/development. Trustees and staff also discussed climate change mitigation and sea level rise at length.

Trustees supported the first recommendation in the report but since the trustees haven't yet seen the development permit GB-DP-2013.1, the second recommendation will be decided during Resolution Without Meeting after they have had a chance to review it.

GB 067/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to draft a mail-out for trustees' signature to inform all Flat Top Island landowners of 1) the DP Area 4 – Flat Top Islands and their obligations in regard to any development, 2) the Natural Area protection Tax Exemption program, 3) A place in the islands, and 4) Greenshores for Homes Stewardship materials.

CARRIED

GB 068/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff add to the Land Use Bylaw housekeeping amendment list the inclusion of “ground-level detached deck” in the definition of “structure”.

CARRIED

Trustee Rudischer requested that a list of housekeeping bylaw amendments is sent to the trustees.

GB 069/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff add the topic of “notification to property owners that Development Permits may be required” to the next Regional District of Nanaimo protocol meeting agenda, in relation to the landowners comments on page 79 of the Gabriola Island Local Trust Committee July 18, 2013 agenda.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Official Community Plan/Land Use Bylaw Review

14.1.1 Agriculture Policies

Staff Report dated July 2, 2013

Planning Manager Simpson gave an introduction to the staff report and then staff and trustees reviewed and discussed each recommendation.

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GB 070/13

It was MOVED and SECONDED,

That the Gabriola Island Local Trust Committee request staff to draft Land Use Bylaw amendments for consultation including suites or cottages as an allowed accessory use on agricultural lots of two hectares or larger.

CARRIED

It was decided to delete the last 2 bullets on page 102 that say: "Permitting accessory dwelling units in the Agriculture designation" and "Appropriate average and minimum parcel sizes in the Agriculture designation".

The agricultural zoned land and Agricultural Land Reserve differences were discussed.

No direction was given to amend the minimum average lot size.

Chair Graham noted that on page 91 under number 4. "LUB Small Lot/Large Lot Residential Zone Regulations", should say "on lots 2.47 acres or **less**", not larger. It was noted by staff that the bylaw is correct, it was just the report had the error.

The second recommendation on page 93 of the staff report regarding inventory of agricultural land on Gabriola was discussed.

GB 071/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request advice from the Regional District of Nanaimo and Ministry of Agriculture on whether they can support an inventory of farmland on Gabriola, and that the Local Trust Committee add a policy in the Official Community Plan that farmland should be inventoried.

CARRIED

GB 072/13

It was MOVED and SECONDED,

That the Gabriola Island Local Trust Committee request more background on why a stronger position on Genetically Modified Organism isn't being recommended by staff, since other local governments are taking stronger positions.

CARRIED

The examples of agri-tourism activities on page 93 were discussed and how these could be regulated as per the

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Agriculture Advisory Commission recommendation on page 100 of the report.

Trustees and staff discussed setbacks.

The last recommendation under “The amendment of LUB regulations for;” on page 102 was discussed..

The potential Land Use Bylaw amendments on page 116 were discussed including the possibility of adding a bullet to “The Amendment of LUB Regulations” on page 102 that would read: “allow produce stands in front property line setbacks”.

Trustee Malcolmson summarized the changes discussed:

- last bullet under “The amendment of LUB regulations for:” should read “The addition of specific regulations for setbacks on lands adjacent to the Ag zone”;
- add bullet allowing produce stands; and
- delete the last two bullets on page 102 of the agenda.

BREAK 12:45 – 1:08 pm

16. COMMUNITY INFORMATION SESSION

Questions and Answers for Proposed Bylaw no. 267 (Mudge Island) & Proposed Bylaw No. 268 (Decourcy Island)

Planning Manager Simpson reviewed the purpose of the proposed bylaws. There were no questions from the public.

Community Information Session Closed

14.1.1 Agriculture Policies - Continued Staff Report dated July 2, 2013

Chair Graham recognized that Veronica from the Agriculture Advisory Planning Commission was now in attendance.

- Allowed location of public markets was discussed.
- Home occupations adjacent to agricultural lands and potential negative impacts as well as the extraction, processing and sale of water was discussed.

GB 073/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee direct staff to prepare a project charter and a communications strategy to guide the Gabriola Island Agricultural Policies project and to include the following items within the scope of the project:

- The amendment of current Official Community Plan policies:
 - o To remove the provision that allows a temporary use permit for water extraction/processing/sale to be applied for in the Agriculture designation.
- The addition of new Official Community Plan agriculture policies:
 - o Respecting the right to farm by not permitting land uses on adjacent properties that could adversely affect farming activities and by requiring buffers and/or setbacks on the adjacent properties;
 - o Supporting partnerships with the farming community, senior government and private enterprise to promote the development of the agriculture sector;
 - o Supporting local farmers' markets; and
 - o Supporting the amalgamation of lots in the Agriculture designation.
- The addition of new Official Community Plan agriculture advocacy policies:
 - o Discouraging the severance of agricultural land by utility corridor development;
 - o Encouraging farm operators to participate in the Canada-BC Environmental farm plan program;
 - o Encouraging farm operators to select production methods to maintain soil quality and to ensure surface and groundwater recharge areas are not contaminated by agricultural activities;
 - o Encouraging farm operators to construct physical barriers, including fencing and appropriate indigenous vegetation, to restrict access by farm animals to watercourses;
 - o Encouraging farm operators to employ sound environmental practices in accordance with current best practices;
 - o Encouraging farm operators and landowners and farms to preserve and protect seasonally flooded agricultural fields; and
 - o Discouraging farm operators from growing GMO food or nut trees, shrubbery, vegetables and commodity crops and from conducting any and all field tests for medical and experimental crops.
- The amendment of Land Use Bylaw regulations for:
 - o Pet breeding/boarding facilities to include a setback from domestic water supply intakes (i.e. wells);
 - o Greenhouses to reflect ALC recommendations and to clarify setbacks for large, non-illuminated greenhouses;
 - o Setbacks to watercourses;
 - o The addition of agriculture and horticulture as permitted uses in additional zones;

DRAFT

- o The addition of specific regulations for setbacks on non-agricultural lands adjacent to the agriculture zone; and
 - o Allow produce stands in front property line setbacks.
- The conduct of additional research, analysis and consultation, and the development of policy and regulatory recommendations for:
 - o Regulating land-based aquaculture; and
 - o Regulating agri-tourism operations.

CARRIED

15. ISLANDS TRUST WEBSITE

Gabriola Pages

No updates or comments

RECESSED FOR PUBLIC HEARING – 1:31pm

RECONVENED – 1:42pm

14.1.2 Climate Change Policy Implementation Staff Report dated July 5, 2013

Seth Wright reviewed the report by showing a PowerPoint presentation regarding climate change policy implementation recommendations.

The staff and trustees went through each “Potential LUB Amendment and Action” and “Potential LTC Actions” recommended in the report and discussed each item at great length.

It was decided to add “Promoting NAPTEP on Gabriola” to the next agenda.

GB 075/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff include in the next agriculture policy report, the produce stand recommendation from page 116 of the July 18 agenda, with a caution on the extent of food processing.

CARRIED

GB 076/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to draft an amendment to Guideline 7 from DP-7 The Village to require that parking is at the rear of businesses and that

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businesses open to the street to create a greater sense of intimacy and walkability in the village core.

CARRIED

Speaking to the motion, Trustee Malcolmson noted that only new businesses would be affected.

GB 077/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff draft the following amendments:

- In section B.5 Parking, define parking maximums instead of parking minimum requirements. Such an amendment would recognize that accommodation parking for average needs instead of peak parking needs more effectively balances the need for parking with its significant impact;
- In section B.5 Parking, include requirements for bicycle parking in a manner similar to how vehicle parking is currently required as a ratio of spaces to interior square footage. Ensure bike racks are located in a secure and accessible proximity to entrances. The provision of covered bicycle parking may also be considered as a desirable amenity in this climate; and
- In DP-7, the Village require permeable parking, including gravel, as an alternative to impervious parking surfaces. Where parking lot traffic demand requires hard surfacing, parking spaces shall be permeable. Interlocking brick pavers, or other visually appealing options, should be encouraged to support the village character.

CARRIED

GB 078/13

It was MOVED AND SECONDED,

that the Gabriola Island Local Trust Committee request that staff draft an amendment to the definition of Floor Area within the Gabriola Land Use Bylaw No. 166 from “the outer surface of the exterior walls” to “the interior surface of the exterior walls.”

CARRIED

Planner Wright explained the rationale behind his suggestion on page 121 of the agenda regarding the structural lifespan of buildings saying that by 2050 we should be examining what the latest science is and project accordingly. Discussion with trustees ensued.

GB 079/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee submit a resolution to Trust Council to amend development application forms to include climate change considerations such as energy efficiency, renewable energy and carbon sequestration.

CARRIED

GB 080/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee include passive solar, renewable energy, and energy efficient design into the scope of the village area plan review.

CARRIED

In closing, Planner Wright stated that there have been some critical moments in climate change awareness politically recently, and if the provincial and federal governments are encouraged to take action, it will make the Islands Trust work more possible, easy and likely that more significant action can be taken.

Trustees thanked Planner Wright for his work.

14.1.3 Riparian Areas Regulation Implementation

14.1.3.i Staff Report dated July 12, 2013

Planning Manager Simpson introduced the report saying that since the report was finalized she has received some further information about the issues from colleagues in the Islands Trust and has updated her recommendations from those in the report. In particular, more information is needed about the potential for using a simple assessment to influence development of the bylaws that amend development permit areas to implement the RAR. This is a new idea for the Islands Trust Area; the advice from senior staff over the past several years and until recently, has provided a few options for a local trust committee to become compliant with the RAR, and these options have all followed a strict interpretation of the legislation. The concept of using a simple assessment under the RAR to narrow down development permit area boundaries is a very new idea and needs to be further explored if it is to be pursued by the LTC.

Regional Planning Manager Simpson advised that she no longer recommends that the limit of pruning two

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trees without the need for a development permit changes to allow two trees per 200 metres of stream because there are other problems with this approach, such as the number of trees that are on the property in the first place.

Regarding an exemption for “public bodies” undertaking restoration work, more research needs to be done to determine who can be considered a public body under the RAR.

Discussion ensued around the following topics:

- Simple assessment costs;
- Streamside protection and enhancement areas;
- Possibility of reducing the development permit area; and
- The need for further planning research.

GB 081/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request funding in the 2014/2015 trust council budget to survey a simple riparian area regulation assessment to reduce the area affected by riparian area regulation on Gabriola.

CARRIED

GB 082/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request advice from staff, regarding the invasive species removal issue, in F.3.1.3 (f) “undertaken or authorized by public body” on how public body will be interpreted.

CARRIED

14.1.3.iii Email from Robert Seaton dated July 3, 2013

Staff and trustees discussed Robert Seaton’s recommendations.

14.1.3.ii Email dated June 26, 2013 from Eeva Gibson

Reviewed for information.

GB 083/13

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to forward the correspondence at 14.1.3.ii to the Ministry of Transportation.

CARRIED

17. BYLAWS

- 17.1 Proposed Bylaw No. 267 cited as “Mudge Island Official Community Plan Bylaw 227, 2007, Amendment No. 1 2012”- for consideration of second and third readings and submission to Executive Committee and to the Minister of Community, Sport and Cultural Development for approval

Deferred.

- 17.2 Proposed Bylaw No. 268 cited as “Decourcy Island Official Community Plan Bylaw 16, 1981, Amendment No. 1, 2012” for consideration of second and third readings and submission to Executive Committee and to the Minister of Community, Sport and Cultural Development for approval

Deferred.

18. NEXT MEETING

Thursday, September 5, 2013 at 10:15am at the Women's Institute, 476 South Road, Gabriola Island, BC.

19. TOWN HALL SESSION - None

20. ADJOURNMENT

By general consent the meeting adjourned at 3:30pm.

David Graham, Chair

CERTIFIED CORRECT:

Jessie Sherk, Recorder



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.	Courtney Simpson	May-19-2011	On Going

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.	Courtney Simpson	May-11-2012	On Going

Oct-04-2012

No.	Activity	Responsibility	Target Date	Status
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	Courtney Simpson	Nov-01-2012	On Going

Nov-01-2012

No.	Activity	Responsibility	Target Date	Status
1	Bylaw enforcement staff requested to provide a report on methods for proactive enforcement on advertised unlawful dwellings, as that is the point they are most likely to be unoccupied.	Miles Drew	Oct-10-2013	On Going

1	Bylaw enforcement staff requested to provide a report on proactive enforcement of unlawful foreshore structures.	Miles Drew	Oct-10-2013	On Going
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Jan-17-2013

No.	Activity	Responsibility	Target Date	Status
1	Staff submits the draft DAI bylaw and Request for Decision to Executive Committee (policy requires that this be submitted to Executive Committee at least 4 weeks before Trust Council)	Courtney Simpson	Oct-10-2013	On Going

Note: prior to this, the draft DAI bylaw must be endorsed by the LTC

Feb-21-2013

No.	Activity	Responsibility	Target Date	Status
1	The LTC releases up to \$600 from its Local Expense account 65220 620 for trustee newsletter printing and postbox mailing	Nancy Roggers	Mar-29-2013	On Going

April 18/13 update: newsletter deferred

1	The trustees invite Silva Bay comment, via a newsletter, on the proposed National Marine Conservation Area Reserve proposed boundary, and return the January 24, 2013 memo to the GBLTC April business meeting agenda. Trustee Malcolmson to do.	Becky McErlean	Oct-10-2013	On Going
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Mar-14-2013

No.	Activity	Responsibility	Target Date	Status
1	LTC to host a forage fish habitat mapping workshop and request staff advice on how to contract for that and coordinate with the 'forage fish assessment item 1.4.4' approved in the 2013/14 Trust Council budget.	Courtney Simpson	Sep-05-2013	On Going

July 2013 update: The Trust Fund Board project for forage fish mapping does not have a workshop on Gabriola planned. This will have to be a separate work program item if desired by the LTC. LTC requested to move this from the FUAL to Projects List.

May-16-2013

No.	Activity	Responsibility	Target Date	Status
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1	Revise OCP/LUB Review project budget as presented in May 8, 2013 memo, to remove expenditure for hiring a consultant to prepare a report on Food Security and Farmland Protection, and add budget for a second public hearing and CIM in the current fiscal year.	Courtney Simpson	Oct-10-2013	On Going
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Jun-27-2013

No.	Activity	Responsibility	Target Date	Status
1	Request update from the Ministry of Environment on whether it has been able to secure an agreement that MoTI and its contractors won't damage potential fish habitat, and that the LTC convey that when provincial agency dredge the same ditches landowners are being asked to protect, paying significant professional fees to comply with RAR, it erodes support for RAR implementation. <i>Update: There is no such agreement between MoE and MoTI but there are best management practices. We have conveyed this sentiment to MoE, but require further direction if the LTC wishes to send a formal letter.</i>	Jason Youmans	Sep-05-2013	Done
1	Advertise for new members for the Gabriola and Mudge APC's including contacting current Mudge members to ask if they are interested in serving another term. Mention the expected meeting frequency to prospective Mudge APC members.	Lisa Webster-Gibson	Sep-05-2013	On Going
1	Convey the GBLTC's intention to refer the draft Gabriola Parks rezoning bylaw amendment to the Parks and Open Spaces Advisory Committee via the RDN.	Courtney Simpson	Sep-05-2013	Done
1	Prepare draft bylaws to amend the Gabriola OCP and LUB to update land use designations and zoning categories of park areas [identified in resolution June 27 2013 LTC meeting] to reflect their current uses and management plans adopted by the RDN, and to ensure zoning boundaries match park boundaries.	Courtney Simpson	Sep-05-2013	Done
1	LTC to reduce fees for a development in DPA #3 from \$450 to \$200. <i>Next steps: LTC to indicate timeline for this and add "amendment of fees bylaw" to Top Priorities or Projects List. Consider impact on other projects.</i>	Courtney Simpson	Sep-30-2013	On Going

Jul-18-2013

No.	Activity	Responsibility	Target Date	Status
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1	Circulate draft DAI bylaw to trustees and the public in advance of the public hearing for bylaws 265 and 266.	Courtney Simpson	Jul-31-2013	Done
1	Add to September 5 LTC meeting agenda "promoting NAPTEP on Gabriola" as an item for discussion.	Becky McErlean	Sep-05-2013	Done
1	Request more information on staff recommendation for implementing climate change policies to allow produce stands in the front setback, particularly the suggestion that the LTC consider allowing food processing.	Courtney Simpson Seth Wright	Sep-05-2013	On Going
1	To implement climate change policies, make the following amendments to DP 7 The Village (refer to Staff Report at July 18 meeting): • require that parking is at the rear of businesses and that businesses open to the street to create a greater sense of intimacy and walkability in the village core • require permeable parking	Courtney Simpson	Sep-05-2013	On Going
1	To implement climate change policies, make the following amendments to the LUB: • Amend parking requirements in LUB section B5 as described in climate change policy implementation staff report on July 18 meeting agenda. • Amend definition of floor area to measure to the interior surface of exterior walls instead of exterior surface.	Courtney Simpson	Sep-05-2013	On Going
1	Submit resolution to Trust Council to amend development application forms to include climate change considerations such as energy efficiency, renewable energy, and carbon sequestration. <i>Update: for December Trust Council.</i>	Courtney Simpson Seth Wright	Sep-05-2013	On Going
1	Include passive solar, renewable energy and energy efficient design into the scope of the village area plan review.	Courtney Simpson	Sep-05-2013	Done
1	Schedule public hearing for bylaws 265 and 266	Lisa Webster-Gibson	Sep-05-2013	Done
1	Add the topic of "notification to property owners that Development Permits may be required to the next RDN protocol meeting agenda, in relation to the landowners' comments for GB-DP-2013.1 (Gaviola Island).	Courtney Simpson	Sep-05-2013	On Going

1	Prepare project charter and communications plan for Agriculture Policies project and include consideration of:	Courtney Simpson	Sep-05-2013	On Going
	• changing accessory use in AG zone to allow a cottage OR a suite; • adding policy in the OCP that farmland on Gabriola should be inventoried; • more information on AAC's recommendation to "regulate" agritourism • more information on public markets • allowing produce stands inside front lot line setbacks • a stronger position on GMO's than in the staff report at July 18, 2013 meeting • And list of other items as recorded in the minutes, from staff recommendation.			

1	Make enquiries with the Ministry of Agriculture and Regional District of Nanaimo about funding an inventory of agricultural land for Gabriola Island.	Courtney Simpson	Sep-05-2013	On Going
1	Staff to advise regarding invasive species removal (section F.3.3.1f of draft LUB amendment) on how "public body" will be interpreted.	Courtney Simpson Jason Youmans	Sep-05-2013	Done
1	Forward June 26, 2013 letter from Eeva Gibson to the Ministry of Transportation and Infrastructure.	Courtney Simpson	Sep-05-2013	Done
1	Include in the minutes of the July 18 meeting the staff explanation for updates to the recommendations in the RAR staff report that were given at the meeting.	Courtney Simpson	Sep-05-2013	Done
1	Write letter to province of BC re concerns of neighbours about lead contamination of water from the Gabriola Rod, Gun, and Conservation Club.	Seth Wright	Sep-05-2013	On Going
1	Provide draft permit for GB-DP-2013.1 (Gaviola Island) to LTC for issuance by RWM.	Seth Wright	Sep-05-2013	Done

1	Draft mailout for trustee's signature to inform all Flattop Island landowners of 1)the DP Area 4 and their obligations in regard to a permit, 2) the NAPTEP, 3)A Place in the Islands, and 4) Greenshores for Homes stewardship materials (see IT website under greenshores for homes).	Seth Wright	Sep-05-2013	Done
1	LTC requests funding in the 2014/15 budget to reduce the area of the RAR DPA on Gabriola.	Courtney Simpson	Sep-30-2013	Done
1	Add to housekeeping bylaw amendments list the inclusion of "ground-level detached deck" in the definition of "structure" and bring this list to next LTC meeting agenda. <i>Update: this will be provided at October 10 LTC meeting</i>	Courtney Simpson	Oct-10-2013	On Going

Jul-25-2013

No.	Activity	Responsibility	Target Date	Status
1	"That the Gabriola Island Local Trust Committee request that its Chair convey to the City of Nanaimo the Local Trust Committees opposition to incineration of Metro Vancouver garbage at Duke Point, using the July 17 draft by Trustee Malcolmson as the basis for a letter."	Jason Youmans	Aug-09-2013	Done

From: Donnelly, Mike [<mailto:mdonnelly@rdn.bc.ca>]
Sent: August-21-13 5:08 PM
To: Sheila Malcolmson
Cc: Alexander, Randy; Keim, Dawn; Howard Houle; Courtney Simpson; Thorkelsson, Paul
Subject: Gabriola and the Islands - Water Budget Report

Hello Sheila

You will have a copy of the recently completed "Water Budget Project: RDN Phase One (Gabriola, DeCourcy & Mudge Islands)" in your hands soon. This report builds on previous work done by Hydrogeologists and others on the Islands and was assisted by the involvement of Islands Trust staff. It provides an updated hydrogeological conceptual model, a data gap analysis with suggestions for additional data collection, an estimation of ground and surface water balance components and assessments of water stress in each of the regions within the Islands.

This report is an important addition to the water resource knowledge base and provides a path for continued improvements to the understanding of this important resource. We anticipate that this report will assist the Islands Trust in their land use decision making responsibilities and help define areas of future study.

We would be pleased to attend a meeting of the Islands Trust to provide an overview of the study if that would be the wish of your Board.

Kind regards,

Mike Donnelly ASCT
Manager of Water & Utility Services

Toll Free 1-877-607-4111
 250-954-3792 (Dist. 69)
 250-390-6560 (Dist. 68)



From: Judith Graham [<mailto:judith48@live.ca>]
Sent: August-26-13 10:04 PM
To: Sheila Malcolmson; David Graham; Gisele Rudischer; Marie Smith
Subject: ROGERS cellphone tower Gabriola

Dear Trustees,

I note in the August 19 issue of the Gabriola Sounder that Rogers Communications is considering erecting a cellphone tower on Gabriola, *right now*, and is looking to approach the local authorities "to determine if residents would like to see improved wireless service, and to seek input on potential tower locations and design."

While there may be a few people who might be interested in 'enhanced wireless service', I would venture to say that many more have moved here **specifically to avoid it**.

I have written to Shaun Morgan at Industry Canada, here is his response:

Rogers is free to apply for authority to install a new cell terminal wherever they choose.
 (this holds true for any citizen, or Canadian Corporation)
 That doesn't mean that they will receive approval for same.
 They are trying to grow their business, as is their right to do so.

They are still required to consult with the Land Use Authority, and get approval for any structures of 15 meters, or greater in height.

If the LUA (land use authority) does not approve the proposal, it is not likely to proceed. Rogers could ask Industry Canada to make a ruling, if there was an impasse between the two parties.
 However, that is not something I recall we have ever done, out of this District office, that I can recall.

This comment interests me, along with many others, greatly, as it provides an opportunity for our islands Trust to decide whether it wants to make a clear statement to Industry Canada as to whether it supports enhanced wireless services, or indeed any other kind of towers which support any kind of cell or broadcasting systems, or not. I know that the most recent application for a tower application was turned down. It appears from Industry Canada's comment, highlighted above, that you have the power to do so, if you choose to do so. I urge you to do so. Industry Canada appears to be inviting you to do so.

If such a request comes forward, I would like to request the Local Trust Committee to consider responding with a resounding 'NO'. .

As we are all painfully aware, over the past few years, there have been a few attempts at erecting transmission/cell phone towers, all of which have been met with a great deal of vociferous resistance.

According to a Loxcell Enhanced Cellular Service map, there are already over 9 Rogers towers anywhere between 45m and 80m in height within 10 km of Gabriola. Gabriola Island is located about 6 km from Nanaimo. Is there any possibility to put the question to Rogers that more research could be done to explore all other options, and requesting that they keep us fully advised on any of those outcomes, before jumping ahead and putting us through the anguish of another round of public meetings?

Thank you very much,

Judith Graham



Islands Trust

Top Priorities

Gabriola Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Gabriola Planning Area OCP Review:	This a targeted OCP/LUB review and each topic is listed and described below in order of priority	Jan-19-2012	Courtney Simpson	Sep-01-2014	On Going
1	<i>1) Riparian Areas Regulation</i>	Implement the provincial Riparian Areas Regulation (RAR). Bylaws 265 and 266 drafted that also include moving all DP guidelines from the OCP to the LUB. Next steps: Public hearing September 4, 2013.	Jun-28-2011	Courtney Simpson	Sep-14-2014	On Going
1	<i>2) Rezoning new RDN Parks and ITF nature reserves</i>	Draft bylaws complete, to LTC for early referral to park agencies prior to first reading.	Nov-29-2012	Courtney Simpson	Sep-01-2014	On Going
1	<i>3) Review and amend OCP & LUB to increase local food security and farmland protection</i>	Referred to APC in 2012. Initial staff report at July 18, 2013 LTC meeting. Next steps: Project charter and communications plan for October 10, 2103 meeting.	Jan-19-2012	Courtney Simpson	Sep-01-2014	On Going
1	<i>4) Implement OCP climate change policies into LUB</i>	Initial memo at January 17, 2013 meeting. Initial staff report from CitySpaces Consulting at May 16, 2013 meeting. Follow up report from Islands Trust staff at July 18, 2013 meeting. Next steps: draft bylaw amendments and further	Jan-07-2013	Courtney Simpson Seth Wright	Sep-01-2014	On Going

information for October 10,
2013 meeting.

1	5) Consider density transfer affordable housing policies for cottage densities	Not started				On Going
1	6) Review DP-7 form and character guidelines for Village Core, and review OCP/LUB to make Village more pedestrian friendly, and to consider passive solar, renewable energy and energy efficient design.	Overlaps with implementing climate change policies into the LUB and partially addressed in those staff reports.	Jan-17-2013	Courtney Simpson Seth Wright	Sep-01-2014	On Going
1	7) 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)	Not started				On Going
1	8) Implement First Nations and Archaeological Protection policies, including improved engagement on land use referrals	Not started				On Going
1	9) Review OCP and LUB to include protective measures for biodiversity	Not started				On Going
1	10) Review OCP and LUB to improve protection of coastal areas	Not started				On Going
1	11) Review OCP and LUB to protect water quality and quantity	Not started				On Going
2	Development Approval Information bylaw	Staff preparing draft bylaw. After public hearing for bylaws 265 and 266, it will be presented to the LTC for endorsement, then forwarded to Trust Council by way of Executive Committee for adoption.	Jun-28-2012	Courtney Simpson	Jun-30-2013	On Going

3	Snuneymuxw First Nation Protocol Agreement Implementation	2013/14 budget for implementation for meeting expenses. May 16, 2013 resolution to delay spending this budget until after top priority 1 (OCP/LUB review) topics have gone to public hearing.	David Marlor Courtney Simpson	Mar-31-2014	On Going
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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. Topics include: - park areas without park zoning		Apr-21-2011	On Going
2	Hazardous areas and steep slopes development permit area • also consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain		Feb-21-2013	On Going



Applications w/ Status - Gabriola Island Status: Open

Applications

Rezoning

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

Planning Status

Status Date: May-08-2013

No new information from applicant

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

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2009.1	Williamson & Associates Planner: Courtney Simpson	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.

Planning Status

Status Date: Apr-23-2013

Nothing new - still waiting to hear from applicant

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

Subdivision

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: Courtney Simpson

Planning Status

Status Date: Apr-23-2013

File reopened - Correspondence from MOTI says subdivision file is ongoing and that Preliminary Layout Approval has not yet been given

Status Date: Mar-08-2013

Correspondence with MOTI staff - PLA has expired. File to be closed

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.

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-2012.2	Don Powell Planner: Linda Prowse	Oct-24-2012	725 Church Street - subdivision to create one new lot and a remainder lot

Planning Status

Status Date: Nov-15-2012

Referral report sent to MoTI

Status Date: Oct-26-2012

Planner reviewing file

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2013.2	Centre Stage Holdings Ltd.	Aug-09-2013	Subdivision to 6 lots

Planner: Linda Prowse

Planning Status

Status Date: Aug-23-2013

Planner reviewing file

From: Nicole Ranger

Sent: July-29-13 10:06 AM

To: Courtney Simpson; David Graham; Gisele Rudischer; Sheila Malcolmson; Becky McErlean; Penny Hawley

Cc: Nancy Roggers

Subject: Gabriola LTC expenses - July 31/13

<i>Islands Trust</i> LTC EXP SUMMARY REPORT F2014 Invoices posted to July 31, 2013				
620 Gabriola	Invoices posted to July 31, 2013	Budget	Spent	Balance
65000 620	LTC "Trustee Expenses"	1,600.00	-	1,600.00
65200 620	LTC Local Exp LTC Meeting Expenses	5,000.00	336.58	4,663.42
65210 620	LTC Local Exp APC Meeting Expenses	1,000.00	-	1,000.00
65220 620	LTC Local Exp Communications	500.00	-	500.00
65230 620	LTC Local Exp Special Projects	3,500.00	-	3,500.00
65240 620	LTC Local Exp Miscellaneous	1,000.00	-	1,000.00
TOTAL LTC Local Expense		11,000.00	336.58	10,663.42
73001 620 2001	Gabriola OCP/LUB	12,000.00	1,584.04	10,415.96
TOTAL Project Expense		12,000.00	1,584.04	10,415.96

Nicole Ranger

Finance Clerk

Islands Trust

200-1627 Fort Street

Victoria, BC V8R 1H8

Phone: (250) 405-5152

Fax: (250) 405-5155

From: Nancy Roggers

Sent: August-26-13 1:39 PM

To: Courtney Simpson; David Graham; Gisele Rudischer; Sheila Malcolmson; Becky McErlean

Subject: Gabriola LTC expenses - August 2013

Islands Trust					
LTC EXP SUMMARY REPORT F2014					
Invoices posted to August 31, 2013					
620 Gabriola	Invoices posted to August 31, 2013	Budget	Spent	Balance	
65000 620	LTC "Trustee Expenses"	1,600.00	129.12	1,470.88	
65200 620	LTC Local Exp LTC Meeting Expenses	5,000.00	336.58	4,663.42	
65210 620	LTC Local Exp APC Meeting Expenses	1,000.00	-	1,000.00	
65220 620	LTC Local Exp Communications	500.00	-	500.00	
65230 620	LTC Local Exp Special Projects	3,500.00	-	3,500.00	
65240 620	LTC Local Exp Miscellaneous	1,000.00	-	1,000.00	
TOTAL LTC Local Expense		11,000.00	336.58	10,663.42	
73001 620 2001	Gabriola OCP/LUB	12,000.00	3,034.04	8,965.96	
TOTAL Project Expense		12,000.00	3,034.04	8,965.96	

Thanks!

Nancy Roggers
Finance Officer

Islands Trust
#200 1627 Fort Street
Victoria, B.C. V8R 1H8
Phone: (250) 405-5154
Fax: (250) 405-5155
www.islandstrust.bc.ca

Preserving *island* communities, culture and environment

Please consider the environment before printing this email.



Memorandum

9.1.1

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 August 1, 2013 File Number 6500-01

To Denman Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Executive Committee Acting as a Local Trust Committee
Gabriola Island Local Trust Committee
Gambier Island Local Trust Committee
Thetis Island Local Trust Committee

From Courtney Simpson
Regional Planning Manager, Local Planning Services

Re 2014-15 Budget Submissions

Local trust committees have been requested to submit budget requests for the next fiscal year (2014-15).

Local Trust Committee Expense Budgets:

A budget for Local Expense Account has been developed based on the historical spending. Local trust committees may make changes to this allocation; however, consideration should be given to the historical spending and a rationale provided for making the change.

The Special Projects line item in the Local Trust Committee Expense Account is intended to support local planning initiatives at the discretion of the local trust committee (a local trust committee resolution is required to use these funds). Generally, these funds would be for small projects of up to \$2,000, or could be used to supplement project budgets. This budget item was introduced in the 2013-14 budget.

LTC Projects Budgets:

Local trust committees should make a funding request to support project work, including OCP and LUB work that cannot be undertaken with the money available in the Expense Account Special Projects line.

Riparian Areas Regulation:

Local trust committees should discuss their requirements for RAR funding next fiscal to assist the Regional Planning Manager and Director in developing a budget for RAR. A briefing to Financial Planning Committee from their November 14, 2012 meeting is attached for reference to the five year plan recommended by the Director at that time.

Special Consideration:

When considering new work items for the 2014/15 fiscal year, Regional Planning Managers and LTCs have been requested to consider the following:

- 2014 is an election year, so no major new projects should start; rather funding should focus on completing on-going projects.

- Any new projects begun in the beginning of the fiscal year should be completed by September in advance of the election.
- Some funding could be provided to allow the new LTC to begin preliminary work prior to the end of the fiscal; however, this should be minimal as after orientation, there would not be much time left.
- Projects planned for the current fiscal (2013/14) which are not completed should be considered as a new project for the 2014/15 fiscal year with resources allocated to support that work.

Budget Request Timeline:

August 2013 Regional Planning Managers develop budget estimates for consideration by LTCs

Aug to Sept Local trust committees review and approve budget requests at LTC meeting

Aug 21, 2013 FPC reviews budget principles

Sept 27, 2013 Budget requests submitted to Director of Local Planning Services

Oct 4, 2013 Budget requests forwarded to Director of Administrative Services

Oct 30, 2013 FPC reviews first draft of budget

Nov 13, 2013 FPC approves the draft budget

Dec 4, 2013 Trust Council reviews draft budget

LTC Budget Requests

I have attached a table with all draft project submissions for information. LTCs should review the attached worksheet of its specific requests. The preliminary project requests have been drafted based on all Top Priority work program items which are currently anticipated to commence in, or to carry, into the next fiscal year. I have also included items from the Projects List which the planners anticipate commencing in the coming year. The LTC should identify any other projects it is currently considering and add them to the budget request (and the work program if necessary) and identify any additional expenses associated with the identified projects.

Resolution Wording

1. THAT the ____ Island Local Trust Committee approve and forward the draft 2014-145 LTC Project Budget submission to Financial Planning Committee as presented; or
2. THAT the ____ Island Local Trust Committee revise the draft 2013-14 LTC Project Budget submission and forward to Financial Planning Committee as revised.

Attachments:

1. Summary table of Northern LTC project budget requests
2. Table of Local Trust Committee Expense Budgets
3. Briefing to Financial Planning Committee regarding RAR funding dated November 8, 2012

pc Island Planners

Draft Northern LTC Program Budget Requests 2014/15 Fiscal				
LTC	Project Request	Cost (\$)	Description	Notes
Denman	Housing Review	\$ 2,500.00	Public consultation and bylaw commenced in 2013-14	1 public hearing (\$2000) stand-alone, communications material (\$500)
	RAR (completion)	\$ 2,500.00	Mapping to be completed in 2013-14, bylaw commenced in 2012-13	1 public hearing (\$2000) stand-alone, communications material (\$500)
Hornby	OCP and LUB Review (completion)	\$ 2,500.00	Major review, commenced approx. 2008	1 public hearing (\$2000) stand-alone, communications material (\$500)
Lasqueti	RAR (continuation)	\$ 6,500.00	QEP to investigate 8 unverified watersheds for RAR applicability	Contract with QEP (\$4,000), public hearing (2,000) and communication (\$500)
	False Bay Master Plan (continuation)	\$ 2,500.00	Review of parking and zoning in False Bay area, commenced 2012	1 public hearing (\$2000) stand-alone, communications material (\$500)
Executive	None	\$ -	Administrative bylaws to be developed but no budget required	
Gabriola	OCP/LUB Review (completion)	\$ 5,000.00	LUB and OCP amendments for 11 topics, continuation from 2013-14	Communications, CIM and public hearing
	RAR (continuation)	\$ 20,000.00	Further mapping to reduce the area of RAR DPA	Contract with QEP
Gambier	RAR	\$ 30,000.00	QEP to investigate 90+ unverified watersheds	Contract with QEP and communications
	Foreshore protection (continuation)	\$ 3,000.00	Public consultation and outreach commenced in 2013-14	Communications
Thetis	Associated Islands OCP and LUB (completion)	\$ 1,500.00	Major OCP and LUB creation, commenced in 2011-12 fiscal	1 public hearing (\$1500) stand-alone
	Foreshore protection (continuation)	\$ 3,000.00	Public consultation and outreach, commenced in 2011-12 including draft bylaw	Communications
TOTAL		\$ 79,000.00		

Attachment 2: Local Trust Committee Expense Budgets including Special Projects Allocations

2014/15 LTC EXPENSE BUDGET															Total 2014/15
	615-Denman	620-Gabriola	625-Galiano	630-Gambier	635-Hornby	640-Lasqueti	645-Mayne	650-N.Pender	655-Salt Spring	660-Saturna	665-S.Pender	670-Thetis	EC as LTC	LPC	
population	1095	4050	1258	313	1074	359	1112	1996	9780	359	236	372			22004
	5%	18%	6%	1%	5%	2%	5%	9%	44%	2%	1%	2%			
LTC EXPENSES **															
LTC Meeting Expenses	3,000	5,000	3,000	3,000	3,000	500	2,000	4,000	8,000	1,500	2,000	1,500			36,500
APC Meeting Expenses	1,000	1,000	500	1,000	1,000	500	1,000	1,000	2,000	500	500	500			10,500
Communications	500	1,000	500	500	500	500	500	500	1,500	500	500	500			7,500
Special Projects	2,000	3,500	2,000	2,000	2,000	2,000	2,000	2,000	10,000	2,000	2,000	2,000	2,000		35,500
Miscellaneous															0
SUB-TOTAL EXPENSES	6,500	10,500	6,000	6,500	6,500	3,500	5,500	7,500	21,500	4,500	5,000	4,500	2,000		90,000
Program	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	6,500	10,500	6,000	6,500	6,500	3,500	5,500	7,500	21,500	4,500	5,000	4,500	2,000	0	90,000
	5%	8%	5%	5%	5%	3%	4%	6%	17%	3%	4%	3%			
** Budget allocated based on historical information (see tab "Historical")															
** Does not include LTC Trustee Expenses (Account 65000)															



BRIEFING

To: Financial Planning Committee

For the Meeting of: November 14, 2012

From: David Marlor, DLPS

Date Prepared: November 8, 2012

pc: Cindy Shelest

File No:

**SUBJECT: RIPARIAN AREAS REGULATION – FUNDING TO MAP ALL STREAMS
SUBJECT TO THE RIPARIAN AREAS REGULATION (RAR) IN THE
TRUST AREA TO A CONSISTENT STANDARD**

DESCRIPTION OF ISSUE:

The Provincial government requires that local government bylaws comply with the *Riparian Areas Regulation* under Section 12 of the Fish Protection Act by March 31, 2005. Compliance with the *Riparian Areas Regulation* is a goal of Trust Council's Strategic Plan (Section 1.3).

A barrier to the local trust committees meeting this deadline has been the lack of accurate stream mapping on the islands. The Islands Trust local trust committees remain the last local governments still not compliant with the *Riparian Areas Regulation*. The reserve fund is healthy and taking the \$179,000 from this fund is appropriate to meet the Provincial requirement.

BACKGROUND:

During the preparation of the budget for the 2012/13 fiscal year, Staff provided a November 17, 2011 briefing note to the Financial Planning Committee and Trust Council that outlined how \$71,000 could be used for local trust committees to become compliant with the *Riparian Areas Regulation*. The briefing contained a table that illustrated how funds could be distributed over the next four years to complete the mapping of all RAR streams in each local trust area.

Generally, the following was recommended:

Fiscal Year	Amount	Comments
2012/13	\$71,000	Undertake public process to become compliant with RAR using existing mapping; mapping for Salt Spring
2013/14	\$58,000	Continue mapping on Salt Spring and one other island (Denman)
2014/15	\$63,000	Continue mapping on Salt Spring and one other island (Gambier)
2015/16	\$63,000	Continue mapping on Salt Spring and one other island (Lasqueti)
2016/17	\$58,000	Continue mapping on Salt Spring and two other islands (Gambier and Lasqueti)
Total	\$313,000	

As of October 23, 2012 the Denman, Gabriola, Gambier, Lasqueti and Thetis local trust committees have not used the funds allocated to bring their bylaws into compliance with the *Riparian Areas Regulation*. While Salt Spring Island Local Trust Committee has completed some RAR mapping using other budget funds, it has not used the \$45,000 allocated for RAR mapping, and will make a decision on whether or not to do further mapping using these funds later this month. Over the next couple of months, Denman, Gabriola, Gambier, Lasqueti and Thetis local trust committees will decide on whether to use the funds this fiscal year or to request that these funds be returned to surplus and budgeted for the 2013/14 fiscal year.

For the 2013/14 fiscal year, local trust committees have made the following requests for Riparian Areas Regulation funding:

LTC	Amount	Comments
Denman	\$42,000	Mapping for 4 remaining watersheds at \$10,000 per watershed, plus \$2000 for public process (DPA bylaw amendments based on the mapping).
Gambier	\$30,000	Initial review and assessment of all Gambier watersheds – additional funding likely required in following fiscal year to complete the mapping of RAR watersheds and bring bylaws into compliance with the RAR.
Hornby	\$22,000	Mapping of watersheds and development of development permit area bylaw amendments to bring bylaws into compliance with RAR.
Lasqueti	\$30,000	Initial review and assessment of all Lasqueti watersheds – additional funding likely required in following fiscal year to complete the mapping of RAR watersheds and bring bylaws into compliance with the RAR.
Mayne	\$4,000	Complete mapping and bylaw amendments to bring bylaw into compliance with RAR.

Salt Spring	\$51,000	Continue mapping of streams in RAR identified watersheds. Additional funding required in subsequent years to bring Salt Spring bylaws into compliance with the RAR.
Total	\$179,000	

The above requests do not follow the planned multi-year budget process proposed in the November 17, 2011 briefing to Trust Council.

To follow the multi-year plan, only Salt Spring and Denman would receive funding in 2013/14; Salt Spring to map 3 to 5 watersheds and Denman to complete the mapping (based on an estimate at the time of \$5,000 per watershed). This was estimated last year at \$50,000 (\$25,000 for Salt Spring and \$25,000 for Denman); however, based on the requests above, it would actually require \$93,000. Experience with mapping on Salt Spring and in the northern islands indicates that \$7,000 to \$10,000 per watershed is a more realistic figure.

Compliance with the Riparian Areas Regulation

Compliance with the *Riparian Areas Regulation* is a requirement for all local trust committee bylaws. While Provincial legislation requires that local trust committee bylaws be compliant with the *Riparian Areas Regulation*, this does not mean that local trust committees must undertake detailed mapping projects. There are other ways to bring the bylaws into compliance, such as establishing development permit areas for entire watersheds, or using existing mapping.

For most development applications, the lack of detailed mapping could result in landowners being required to engage professionals to determine compliance with the *Riparian Areas Regulation*, or to show that the *Riparian Areas Regulation* does not apply. The detailed mapping funded by the \$179,000 budget request would provide certainty on which streams are subject to the *Riparian Areas Regulation* and could reduce the number of development applications that would be required to engage a professional to determine compliance with the *Riparian Areas Regulation*.

Options to Gain Compliance

Given the above, the main obstacle to bringing the bylaws into compliance is a lack of accurate mapping of streams on the islands. To facilitate the local trust committees in bringing their bylaws into compliance sooner than later,

Option 1: Fund the entire \$179,000 in the 2013/14 Fiscal Year

There are advantages to funding the entire \$179,000 request for the next fiscal year. The first is that we may be able to use a single contract and save some money in doing so; undertake a significant portion of the mapping within the next year; bring bylaws into compliance with the *Riparian Areas Regulation* sooner than later; and continue the momentum of the local trust committees to bring their bylaws into compliance within this term.

Option 1A would involve using surplus to cover the \$179,000 budget.

Option 1B would involve increasing taxes to cover the \$179,000 budget.

Option 2: Fund \$71,000 in the 2013/14 Fiscal Year

When preparing the 2012/13 budget, Staff identified that \$71,000 would be required to allow Salt Spring to undertake some mapping and other islands to determine the need for stream mapping. As of the date of this briefing, this work has not been completed. In Option 2, staff proposes that the same amount of funding be provided in 2013/14 to allow local trust committees to complete some (but not all) mapping and explore other means of being compliant with the Riparian Areas Regulation.

Under this option, it is likely that not all local trust committees still required to do so will bring their bylaws into compliance by the end of the 2013/14 fiscal year and further funding in future fiscal years would be required.

Option 2A would involve using surplus to cover the \$71,000 budget.

Option 2B would involve increasing taxes to cover the \$71,000 budget.

Option 3: Fund \$50,000 in the 2013/14 Fiscal Year

When preparing the 2012/13 budget, Staff identified a multi-year project in which Salt Spring and one other island would receive funding to undertake stream mapping. This would allow local trust committees to become compliant with the Riparian Areas Regulation over a period of 4 years; many would likely remain non-compliant until mapping is completed as late as 2015/16 fiscal year.

In Option 3 staff proposes to follow the funding plan illustrated during the 2012/13 budget discussions; \$25,000 funding for Salt Spring to undertake mapping and \$25,000 for one other island to undertake mapping.

Under this option, it is likely that not all local trust committees still required to do so will bring their bylaws into compliance by the end of the 2013/14 fiscal year and further funding in future fiscal years would be required.

Option 3A would involve using surplus to cover the \$50,000 budget.

Option 3B would involve increasing taxes to cover the \$50,000 budget.

In order to hold the tax increase to 2 per cent, Staff recommends that the Financial Planning Committee illustrate in the draft 2013/14 budget that is presented to Islands Trust Council in December how the local trust committees' requests of \$179,000 could be accommodated through \$71,000 from tax revenue (Option 2A), with an appropriation from surplus of \$108,000 for the remainder.

ATTACHMENT(S):

November 17, 2011 briefing note to the Financial Planning Committee and Trust Council

AVAILABLE OPTIONS:

As illustrated above

FOLLOW-UP:

Develop a draft budget for December Trust Council.

Date: November 2, 2012

Prepared By: David Marlor, DLPS

Reviewed By: Linda Adams, CAO
Cindy Shelest, DAS



Islands Trust

GABRIOLA ISLAND LOCAL TRUST COMMITTEE

visit Our Website:

www.islandstrust.bc.ca

Contact us:

northinfo@islandstrust.bc.ca

BUSINESS MEETING SCHEDULE – 2014

THURSDAY, JANUARY 16, 2014	10:15 AM
THURSDAY, FEBRUARY 20, 2014	10:15 AM
THURSDAY, MARCH 13, 2014	10:15 AM
THURSDAY, APRIL 17, 2014	10:15 AM
THURSDAY, MAY 15, 2014	10:15 AM
THURSDAY, JUNE 26, 2014	10:15 AM
THURSDAY, JULY 17, 2014	10:15 AM
THURSDAY, SEPTEMBER 4, 2014	10:15 AM
THURSDAY, OCTOBER 9, 2014	10:15 AM
THURSDAY, NOVEMBER 20, 2014	10:15 AM

**The Women's Institute,
476 South Road, Gabriola Island, BC V0R 1X0**

THESE ARE REGULAR BUSINESS MEETINGS OF THE LOCAL TRUST COMMITTEE,
WHERE ITEMS SUCH AS
CORRESPONDENCE, APPLICATIONS AND BYLAWS WILL BE CONSIDERED.

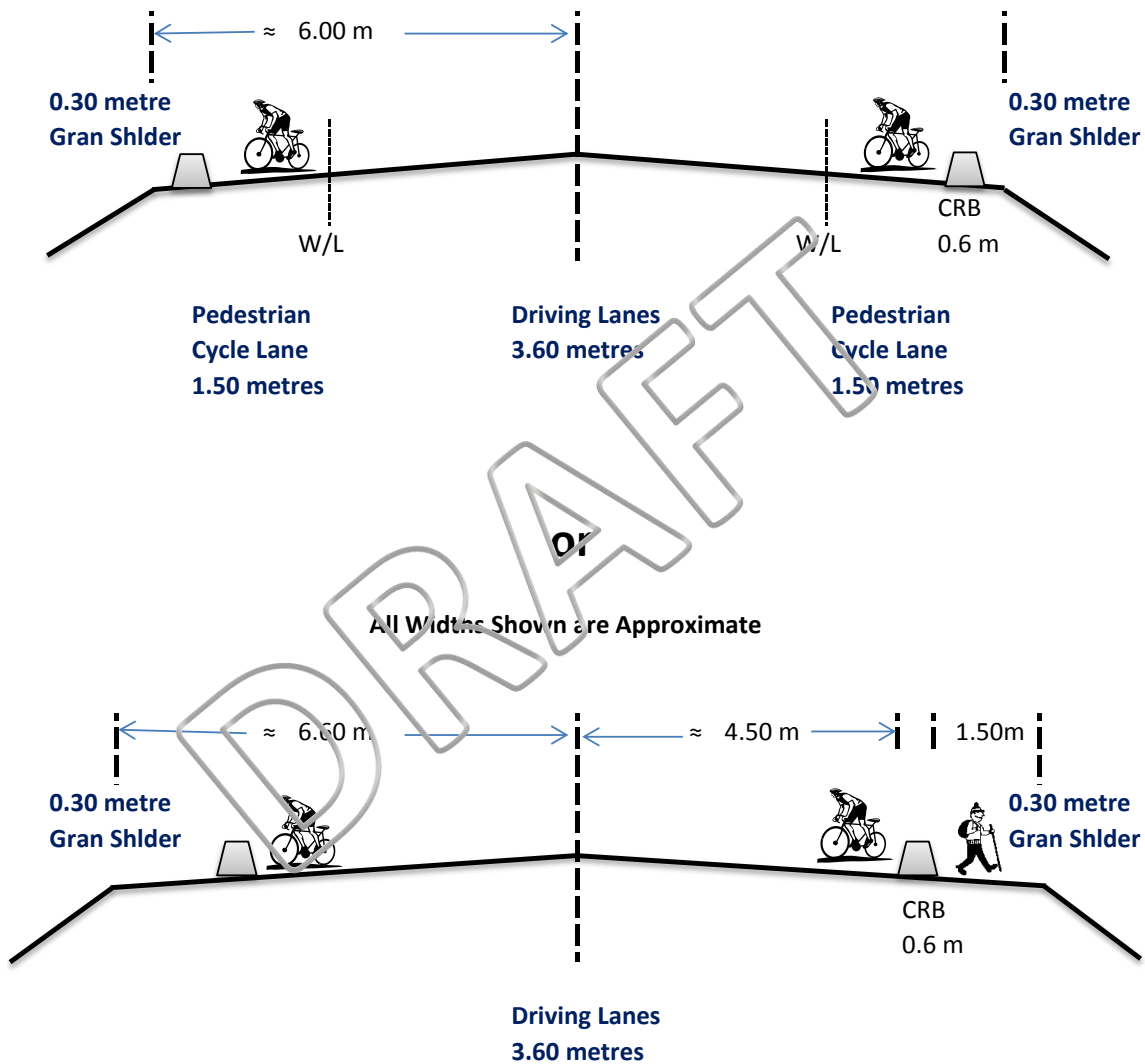
DATES AND LOCATIONS ARE SUBJECT TO CHANGE

ALL MEETINGS ARE OPEN TO THE PUBLIC

Proposed Typical Cross Sections - Gabriola Island (Taylor Bay Road)

FOR DISCUSSION PURPOSES ONLY

All Widths Shown are Approximate



* Pedestrian Safety Fence May be Required
Due to steep embankments on both sides

STAFF REPORT

Date: August 19, 2013

File No.: 6500-20 (Gabriola
Parks Rezoning)

To: Gabriola Local Trust Committee
For meeting of September 5, 2013

From: Chloe Fox, Contract Planner

Cc: Courtney Simpson, Regional Planning Manager

Re: Gabriola Island Parks Rezoning – Draft Bylaws

OVERVIEW:

At the June 27, 2013 meeting, the LTC considered a report presenting the results of preliminary consultation with the Regional District of Nanaimo (RDN), BC Parks and The Nature Trust of BC (TNT) and passed a resolution directing staff to prepare draft bylaws to amend the Gabriola OCP and the Gabriola Land Use Bylaw (LUB). These bylaws will update the land use designations and zoning categories of the following park areas to reflect their current uses and management plans adopted by the RDN, and to ensure zoning boundaries match park boundaries:

- Cox Community Park;
- Coats Marsh Regional Park;
- Descanso Bay Regional Park;
- 707 Community Park;
- Community Park – corner of Coast Rd and South Rd;
- Community Parks at northern edge of Drumbeg Provincial Park;
- Petroglyph Way trails;
- Accesses to Whalebone Community Parks;
- Community Park – trail off Seymour Rd;
- Sandwell Provincial Park – parking area and marine boundaries;
- Drumbeg Provincial Park – marine boundaries;
- Gabriola Sands Provincial Park – marine boundaries, and
- Community Park – Paisley Place.

The purpose of this report is to present draft bylaws for review and for consideration of proceeding with early referral of the draft bylaws to the RDN, BC Parks and TNT.

Other issues raised at the June 27, 2013 meeting that are further addressed in this report include:

- size limit of signs;
- regulation of public gatherings; and
- regulation of temporary structures that are included in park management plans.

BACKGROUND:

The review and update of land use designations and zoning of Gabriola Island parks is a component of the Local Trust Committee's (LTC) top priority, the Gabriola Planning Area Official Community Plan (OCP) Review. The LTC endorsed a project charter and communications strategy for this project at their November 29, 2012 meeting. For reference, these documents are included as Attachments 1 and 2 to this report.

In accordance with the workplan established by these documents, staff met with representatives of the RDN and TNT on February 5, 2013 and representatives of BC Parks on February 26, 2013. The purpose of the meetings was to discuss the scope of the project and to review existing zoning categories. A number of issues and concerns were identified at these meetings and are summarized in the June 13, 2013 staff report on this project.

DISCUSSION & STAFF COMMENTS:

Draft Bylaws

Draft bylaws have been prepared to amend the Gabriola OCP and LUB. These are presented in Attachments 3 and 4 respectively.

The majority of the park areas identified in the scope of the project, and included in the draft bylaws, require only a simple redesignation and rezoning to an existing land use designation and zoning category. These changes are summarized in Table 1 below.

Table 1: Current and draft proposed park designations

Park / Location	OCP Designation		LUB Designation	
	Current	Recommended	Current	Recommended
Provincial Parks				
Sandwell – Parking Area	LRR	P	LRR	P1
Drumbeg – Marine Boundaries	M	M	WP1 / WP2	WP2 / WP1
Gabriola Sands – Marine Boundaries	M	M	WG / WP2	WP2 / WG
Sandwell – Marine Boundaries	M	M	WG / WP2	WP2 / WG
Community Parks				
707	F	P	FWR1	P2
Cox	R and AG	P	R and AG	P2
Parks at northern edge of Drumbeg Provincial Park	AG and RR	P	LRR	P2
Corner of Coast & South Rds	RR	P	LRR	P2
Petroglyph Way trails	R	P	R	P2
Accesses to Whalebone Community Parks	SRR	P	SRR	P2
Trail off Seymour Road	R	P	RR1	P2
Paisley Place	IN	P	IN3	P2

Two park areas identified in the scope of the project, and included in the draft bylaws, require site-specific zone variants to capture their current uses and uses permitted and anticipated in their management plans, prepared and approved by the RDN. These areas are Coats Marsh

Regional Park and Descanso Bay Regional Park. Site-specific zoning provisions for each of these areas have been prepared and included in the draft bylaws and are discussed below.

1. Coats Marsh Regional Park

As a regional park, the typical zoning category for Coats Marsh Regional Park would be Parks 1 – Provincial and Regional Park (P1). The P1 zone allows for the following uses:

- Provincial park – defined in the LUB as “an area of land (water) established as provincial park under the “Park Act”; and
- Regional park – defined in the LUB as “an area of land (water) established as a regional park under the “Park (Regional) Act”.

The P1 zone also allows for buildings and structures to accommodate these uses. There are no specifications in relation to the number of buildings and structures permitted; however, there is a specified height limit of 7.5m (24.6ft), a minimum setback of 15m (49.2ft) and maximum combined lot coverage of 2% of the lot area.

Currently, Coats Marsh Regional Park is zoned Resource in the LUB. In addition, the Resource zone includes a site-specific provision for an AM/FM tower on the Coats Marsh Regional Park property. While there had been four radio transmitting towers on the property during the 1970s and 1980s, these have since been removed. During the initial phase of consultation, the RDN and TNT indicated that this was no longer a desired use for the site and, as such, the provision for AM/FM towers on the site has not been carried forward with the draft bylaws for re-designation and rezoning of the park.

The RDN has developed a management plan for Coats Marsh Regional Park for the period 2011 - 2021. The plan was developed with extensive public consultation and with the purpose of establishing a management direction to guide park development and stewardship. According to the management plan, environmental protection and associated opportunities for outdoor education and recreation are the primary management objectives for this park. The plan sets out a series of management goals and policies designed to realize these objectives, including such items as developing delineated trails, installing maps and amenities in designated areas.

While the majority of the management goals and policies for Coats Marsh Regional Park are consistent with the P1 zoning category, the management plan calls for occupation of a resident caretaker in the park until at least 2017. Consultation with the RDN and TNT has also revealed a desire to maintain the potential for a caretaker to reside on the property past 2017. The P1 zone does not currently accommodate any residential uses or residential structures in regional parks.

In order to accommodate the potential for a long-term caretaker in Coats Marsh Regional Park, staff recommends amending the P1 zone to include a site-specific provision for a ‘caretaker residential’ use as an accessory use to the principal use of the site as a regional park. As this is not a use currently defined or permitted in the LUB, staff recommends the following definition of ‘caretaker residential’ be considered for inclusion in the LUB:

“caretaker residence means a single family dwelling limited in floor area to 65.0 square metres (699.7 square feet) that is accessory to a principal regional park use;”

Staff recommends that a 'caretaker residence' be limited in floor area to 65.0m² (699.7ft²). This is the same floor area limitation placed on accessory cottages in the LUB and is consistent with the size of the existing caretaker residence on the Coats Marsh property, which is listed in the management plan as approximately 625ft².

2. Descanso Bay Regional Park

As with Coats Marsh Regional Park, the typical existing zoning category for Descanso Bay Regional Park would be P1, which, as indicated in the discussion above, currently allows for broadly defined provincial and regional park uses and buildings and structures to accommodate those uses.

Descanso Bay Regional Park is made up of two separate legal lots. The park includes 32 campsites and related facilities, a park operator's gatehouse and garage, a picnic area, boat launch, parking areas and a trail network. There is also a small trailer pad adjacent to the park operator's gatehouse that allows the park operator to locate a trailer and to reside on the property during the campground's high season.

Currently, Descanso Bay Regional Park is zoned Tourist Commercial 2 – Campgrounds (TC2) in the LUB. This zone permits campgrounds as a principal use and single family residential, retail sales (excluding the sale of liquor) and campground office as accessory uses. In addition, the TC2 contains the following regulations with respect to campgrounds:

- The minimum setback for campsites is 10m (32.8ft) from any lot line
- A maximum number of campsites is 10 per 1.0ha (4 per acre)
- A tent, tent-trailer, camper vehicle, or recreation vehicle is only permitted on a campsite a maximum of 60 days in a calendar year
- No campsite may be occupied by any person, consecutively or cumulatively within a year, for more than 60 days.

The RDN has developed a management plan for Descanso Bay Regional Park, which was developed with extensive public consultation and guides the management and operation of the park. According to the management plan, the long-term vision for the park is to continue to offer outdoor recreation and camping experiences, designed and operated in a manner that recognizes the natural environment and incorporates sustainable and best management practices. The plan establishes three management zones with associated objectives. The 'intensive recreation zone' is intended to provide high use and readily accessible visitor services and facilities, including day-use facilities, campground, parking and service facilities including rentals and ancillary retail. The 'natural environment zone' is intended to provide low-impact recreation opportunities in a largely undisturbed natural environment with development limited to trails and necessary signage. Finally, the 'conservation zone' is intended to favour conservation values over human use to protect and enhance the fish and wildlife habitat of the park.

The management plan envisions the continuing operation of current uses within the park, including the campground and associated administration facilities (including rental and ancillary retail services, as well as an operator's office and trailer pad). The management plan also allows for special events to be held within the park. These uses are only permitted by way of a valid park use permit, issued by the RDN. Park use permits are issued under Section 5.17 of the RDN *Park Use Regulations Bylaw, No. 1399, 2004* (Attachment 5). In accordance with this bylaw, a park use permit may not be issued unless the special event use conforms to the management plan produced for the particular park. According to the

management plan for Descanso Bay Regional Park, special events must meet the following criteria:

- The event is an appropriate outdoor recreation activity;
- The event will have minimal environmental impact;
- The site selected will be sensitive to the natural environment and the experience of other park users;
- No permanent or temporary facilities or structures associated with the service or activity are erected or constructed without prior permission of the RDN;
- On site advertising of events shall be limited to one sandwich board, sign, or banner.

While the majority of the management goals and policies for Descanso Bay Regional Park are consistent with the intention of the P1 zoning category, the operation of a campground and associated administrative activities, as well as the potential for the occupation of a park operator, are not currently accommodated in the P1 zone. In order to accommodate the continuation of these existing uses, staff recommends amending the P1 zone to include a site-specific provision for a campground as a principal use and associated administrative uses as accessory uses. Staff recommends that these provisions be taken from the existing TC2 zone and accommodated into the P1 zone for the Descanso Bay site only. In addition, staff recommends including 'caretaker residential', as discussed above, as a permitted accessory use on the Descanso Bay site, as opposed to the single family residential use permitted in the current TC2 zone, and to allow this use to be contained within a trailer.

Next Steps

The 'Workplan Overview' section of the project charter indicates that the next step in the project is early referral of draft bylaw amendments to the RDN, BC Parks, TNT and the ALC for comment prior to consideration of 1st reading.

OPTIONS:

The LTC has the following options with respect to the recommendations of this report:

1. Accept the draft bylaws as presented and direct staff to proceed with early referrals to the RDN, BC Parks and TNT.
2. Request amendments to the draft bylaws and direct staff to proceed with early referrals to the RDN BC Parks and TNT of the amended draft bylaws.
3. Request amendments to the draft bylaws and direct staff to present the amended draft bylaws to the LTC at a subsequent meeting, at which time the LTC may consider proceeding with early referrals to the RDN, BC Parks and TNT.

RECOMMENDATIONS:

THAT the Gabriola Island Local Trust Committee direct staff to send early referrals of Draft Bylaw No. 271 and Draft Bylaw No. 272 to the Regional District of Nanaimo Parks Department, BC Parks, The Nature Trust of BC and the Agricultural Land Commission.

Prepared and Submitted by:

Chloe Fox

RPP, MCIP, Contract Planner

August 19, 2013

Date

Concurred in by:

Courtney Simpson

RPP, MCIP, Regional Planning Manager

August 27, 2013

Date

Attachments:

Attachment 1 – Project Charter, dated November 9, 2012

Attachment 2 – Communications Strategy, dated November 9, 2012

Attachment 3 – Draft Bylaw No. 271, to amend the Gabriola Island Official Community Plan

Attachment 4 – Draft Bylaw No. 272, to amend the Gabriola Island Land Use Bylaw

Attachment 5 – Section 5.17 Park Use Permits, Excerpt from *Regional District of Nanaimo Park Use Regulations Bylaw, No. 1399, 2004*

Purpose To review and update current land use designations and zoning categories of parks on Gabriola Island to ensure that the designations and zoning are appropriate to their particular use.

Objectives

- Adoption of updated land use designations and zoning for parks on Gabriola Island that currently do not have zoning and/or land use designations that reflect their use.
- Long-term recognition and protection of park areas for the use of the Gabriola community.

Background

This project is part of the Gabriola Official Community Plan review. Over the years there have been a number of parks created on Gabriola Island through subdivision, density transfer and park acquisition processes that have not been reflected in the land use designations and zoning in the Official Community Plan and Land Use Bylaw. A number of these parks were identified in a September 2011 Memorandum from staff and a number have since been identified and are outlined in the scope of the project.

Project Scope

In Scope

Consideration of rezoning / redesignation of the following areas:

- Cox Community Park
- Coats Marsh Regional Park
- Descanso Bay Regional Park
- Northern Part of Drumbeg Provincial Park
- 707 Community Park

- Community Park—corner of Coast Road and South Road
- Community Parks—Petroglyph Way
- Community Parks—Accesses to Whalebone Community Parks
- Sandwell Provincial Park—Parking Area
- Park dedications acquired through subdivision since 1996
- Other park dedications may be identified through initial consultation with RDN / Province

Out of Scope

- Review of land use designation and zoning categories of other parks not listed in this section
- Review of park zoning categories in general
- Consideration of density banking of park densities

Project Team	
Name/Project Role	
Chloe Fox/Island Planner	
I.T. Victoria Mapping Department	
Gabriola LTC	
Becky McErlean/ A/Planning Clerk	

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

Workplan Overview	
Deliverable/Milestone	Targeted Completion
Consultation with RDN, Province and Nature Trust of BC who own / operate subject parks	January 2013
Development of draft bylaw amendments	February 2013
Consultation on draft bylaw amendments with RDN, Province, Nature Trust of BC and ALC	February / March 2013
1st reading of draft bylaws—agency and First Nation referrals	March / April 2013
Public Hearing and further readings	May 2013
Submission of draft bylaws to Executive Committee/Minister of CSCD	May 2013
Consideration of adoption	July 2013

Budget		
Item	Cost	Notes
Legislative Process	\$2,000	This will be from the 2013/14 Fiscal Year budget
Total	\$2,000	

Links & Dependencies

- LTC meeting schedule as framework for deliverables.
- Victoria mapping department for draft mapping schedules.
- Park owner / operator availability and response turn-around.
- Referral agency response turn-around.
- Island planner workload.

Regional Planning Manager Approval:
Courtney Simpson
Date: November 19, 2012

Interest Groups	
Name	
RDN Parks Department	
Province of British Columbia	
Snuneymuxw First Nation; other First Nations	
Nature Trust of BC (Coats Marsh Community Park)	
Agricultural Land Commission (Cox Community Park and Northern Part of Drumbeg Provincial Park)	

GBLTC Endorsement Resolution #:
GB-126-2012
Date: November 29, 2012

1.0 Objectives & Scope

Project Name	Gabriola Island Parks Rezoning	
What is the decision being made in this project?	Amendments to the OCP and LUB to update land use designation and zoning categories for existing park areas to reflect their use as parks.	
Who will make the final decision?	Gabriola Island Local Trust Committee	
What is the scope of this project?	Review and update of existing land use designations and zoning of a select group of park areas that have been identified by staff and additional areas that may be identified through initial consultation with park managers.	
How will this project decision impact: - Other LTC decisions or projects - Individuals / Businesses - Specific communities - Environment	- Updating land use designations and zoning for parks will ensure that Gabriola's park areas are appropriately recognized in zoning regulations and the official community plan and will ensure uses allowed in these areas are appropriate to their status as parks.	
Are there historical factors or previous decisions that will affect how this project is implemented?	Density banking of park densities has been raised as an issue in past consultations with the Regional District of Nanaimo (RDN) with regard to rezoning parks. At the November 1, 2012 meeting, the LTC resolved to include any park areas acquired through subdivision since 1996 in the scope of this project. Staff will review Islands Trust data to identify all such areas; however, there may be additional park dedications that are missed by staff and should be identified in consultation with the RDN, the Province and other park management authorities.	
Why would you involve the public in this decision? What exactly do you want to achieve?	This project will not involve consultation with the public aside from the required public hearing.	
What information do decision makers need to assist them in this decision?	The LTC needs to know the uses currently permitted in the subject park areas through park management plans and other documents produced by park management authorities so that future zoning categories and land use designations are consistent with these documents.	
What factors will influence the decision about level and scope of consultation? How?	FACTOR	IMPACT
	Resources	Staff time both internally and externally (park agencies) may limit the possibilities with respect to engagement and may affect the timing of engagement.
	Purpose	The lands affected by this project are already operated as parks and recognized as such by the community. The purpose of the project is to ensure that these areas have the appropriate zoning and land use designations to reflect their current use, not to introduce additional uses. As such, extensive consultation with the community is not recommended.
Driving questions: - What information are you seeking? - How will this add value to the decision making process?	This project seeks to identify all applicable park areas that fall within the scope of this project and to identify appropriate zoning categories and land use designations for the applicable park areas. In order to do so, we need to work with the agencies responsible for parks on Gabriola Island, the RDN, the Province and various conservancies that co-operate some park areas.	

2.0 Methods & Delivery

<i>Project Name</i>	<i>Gabriola Island Parks Rezoning</i>			
Methods	Cost	Content Focus	Audience	Target Date
Initial Meetings with Staff	Meetings to be held at Islands Trust office, RDN office or Provincial office, if possible. No cost anticipated.	Identifying any additional park areas that should be included, identifying appropriate land use designations and zoning categories, and identifying any modifications / new zones that may be required.	Appropriate staff from RDN, Province and Nature Trust of BC	January 2013
Draft Bylaw Review	Provide copies of draft bylaw with introductory letter for review by email. No cost anticipated.	Introduce and explain the draft bylaw amendments and how they relate to outcomes from initial meetings.	Appropriate staff from RDN, Province, Nature Trust, ALC	February 2013
Legislative Process	Estimated cost: \$2,000	Introduce and explain the proposed bylaw amendments.	First Nations, RDN, Province, ALC, Nature Trust of BC, other referral agencies, and the public	March to May 2013

DRAFT

Gabriola Island Local Trust Committee

BYLAW NO. 271

A BYLAW TO AMEND THE GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN, NO. 166

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under *the Islands Trust Act*, enacts as follows:

1. Bylaw No 166, cited as "Gabriola Island Official Community Plan (Gabriola Island) Bylaw No. 166, 1997" is amended as shown on Schedule 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as "Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2013"

READ A FIRST TIME THIS	DAY OF	, 2013
PUBLIC HEARING HELD THIS	DAY OF	, 2013
READ A SECOND TIME THIS	DAY OF	, 2013
READ A THIRD TIME THIS	DAY OF	, 2013
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST		
THIS	DAY OF	, 2013
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT		
THIS	DAY OF	, 2013
ADOPTED THIS	DAY OF	, 2013

SECRETARY

CHAIRPERSON

Gabriola Island Local Trust Committee

Bylaw No. 271

Schedule 1

The Gabriola Island Official Community Plan Bylaw No. 166 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw No. 166, 1997”, is amended by amending Schedule B – Land Use Designations as follows:

1. By changing the land use designation on the land legally described as The Northwest $\frac{1}{4}$ of Section 10, Gabriola Island, Nanaimo District, Except those Parts in Plans 29152, 30043 and 30051 (PID: 009-735-828) from Resource to Parks as shown on Plan No. 1 attached to and forming part of this bylaw.
2. By changing the land use designation on the land legally described as:
 - a. Lot B, Section 20, Gabriola Island, Nanaimo District Plan VIP73679 (PID: 025-417-681); and
 - b. Lot A, Section 20, Gabriola Island Nanaimo District Plan VIP73679 (PID: 025-417-673)

from Commercial (Tourist Recreational) to Parks as shown on Plan No. 2 attached to and forming part of this bylaw.

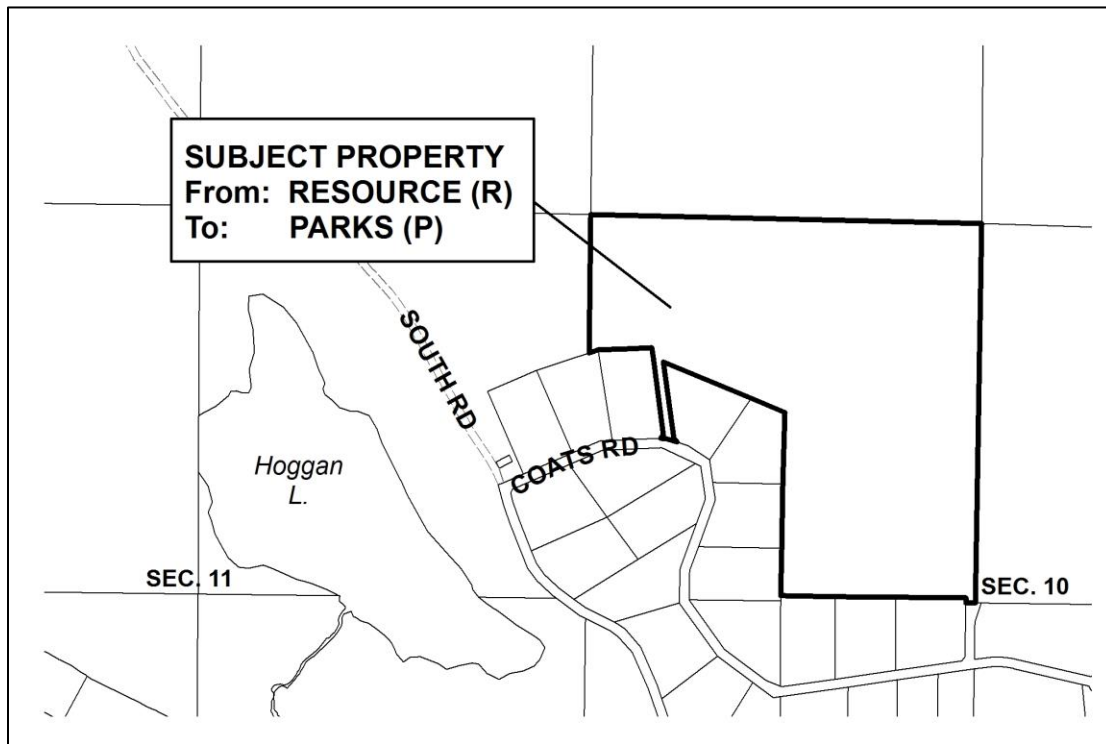
3. By changing the land use designation on the land legally described as:
 - a. The Northeast $\frac{1}{4}$ of Section 13, Gabriola Island, Nanaimo District (PID: 006-654-843);
 - b. The Northwest $\frac{1}{4}$ of Section 14, Gabriola Island, Nanaimo District (PID: 006-655-335);
 - c. The South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 14, Gabriola Island, Nanaimo District (PID: 006-649-815);
 - d. The Southeast $\frac{1}{4}$ of Section 14, Gabriola Island, Nanaimo District (PID: 006-649-599);
 - e. The North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 15, Gabriola Island, Nanaimo District (PID: 006-656-498); and
 - f. The East $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of Section 10, Gabriola Island, Nanaimo District (PID: 006-649-408)

from Forestry to Parks as shown on Plan No. 3 attached to and forming part of this bylaw.

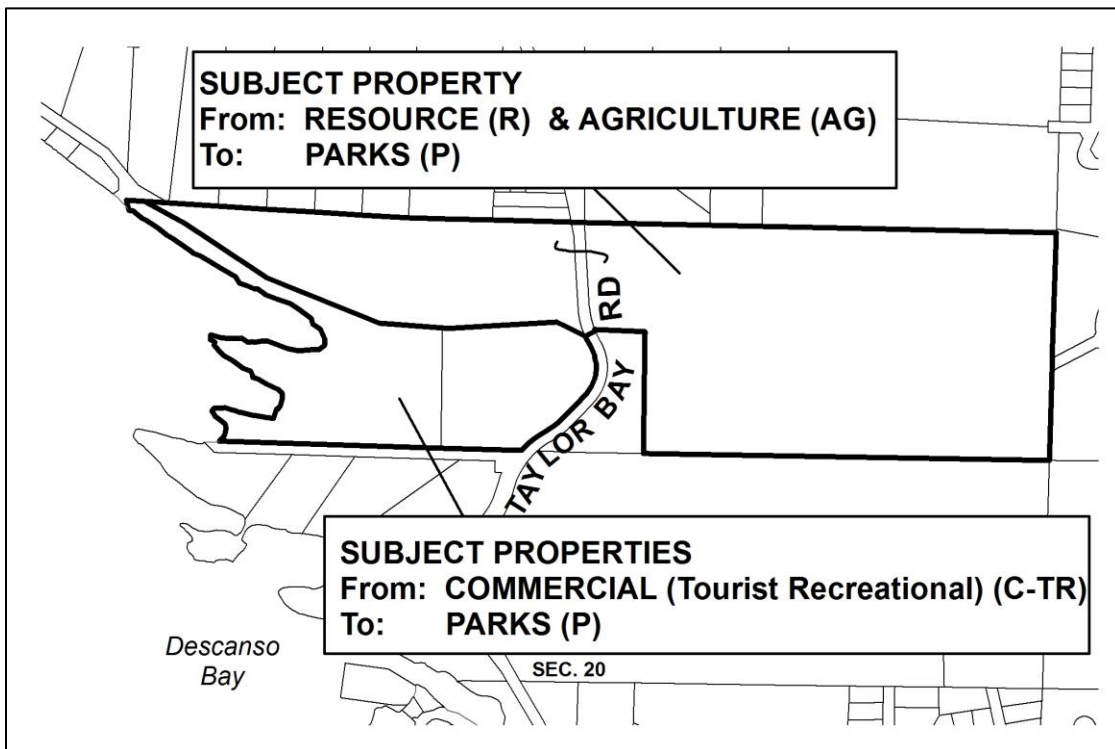
4. By changing the land use designation the land legally described as The North $\frac{1}{2}$ of the North $\frac{1}{2}$ of Section 20, Gabriola Island, Nanaimo District, Except Parts in plans 42874 and VIP73679 from Agriculture and Resource to Parks as shown in Plan No. 2 attached to and forming part of this bylaw.
5. By changing the land use designation of the land legally described as Lot 9, Section 18 & 23, Gabriola Island, Nanaimo District, Plan 45781 from Large Rural Residential to Parks as shown on Plan No. 4 attached to and forming part of this bylaw.

6. By changing the land use designation of the land designated as 'Park' on Plan VIP77409 from Agriculture and to Parks as shown on Plan No. 5 attached to and forming part of this bylaw.
7. By changing the land use designation of the land designated as 'Park' on Plan 41031 from Large Rural Residential to Parks as shown on Plan No. 5 attached to and forming part of this bylaw.
8. By changing the land use designation of the land designated as 'Park' on Plan VIP70945 from Large Rural Residential to Parks as shown on Plan No. 5 attached to and forming part of this bylaw.
9. By changing the land use designation of the land designated as 'Park' on Plan VIP66198 from Resource to Parks as shown on Plan No. 6 attached to and forming part of this bylaw.
10. By changing the land use designations of those portions of land designated as 'Park' on Plan 17658 from Small Rural Residential to Parks as shown on Plan No. 7 attached to and forming part of this bylaw.
11. By changing the land use designation of the land designated as 'Park' on Plan VIP82759 from Resource to Parks as shown on Plan No. 6 attached to and forming part of this bylaw.
12. By changing the land use designation of the land designated as 'Park' on Plan EPP11544 from Institutional to Parks shown on Plan No. 8 attached to and forming part of this bylaw.

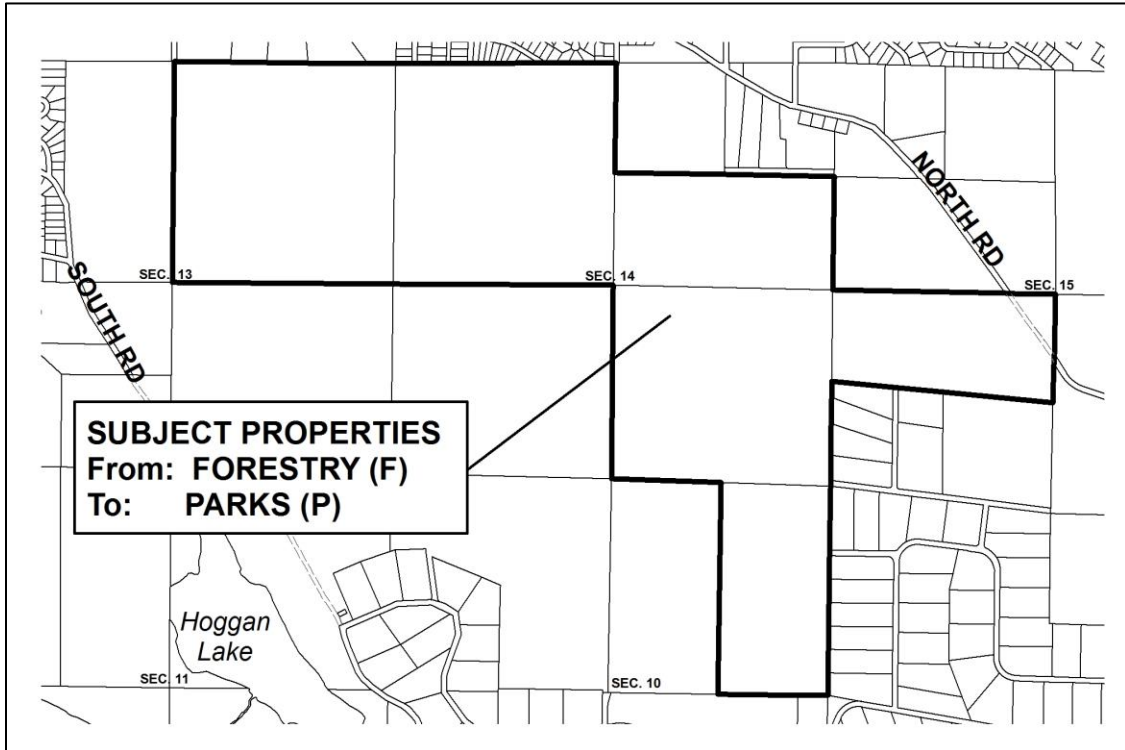
Plan No. 1



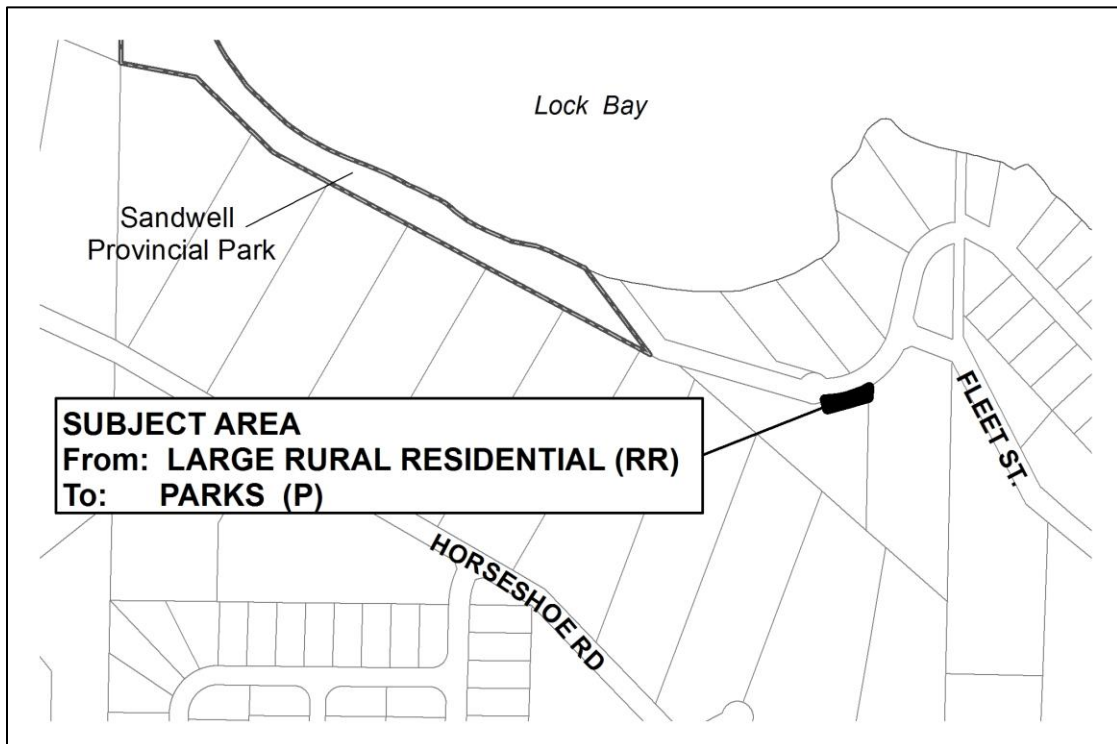
Plan No. 2



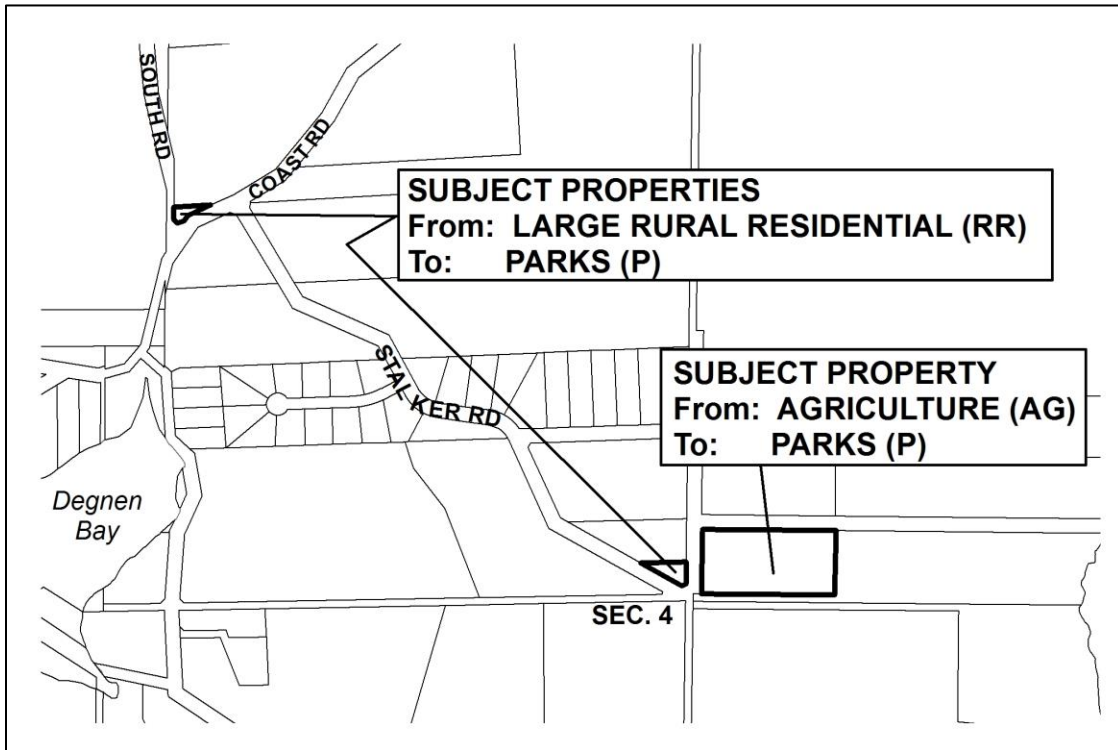
Plan No. 3



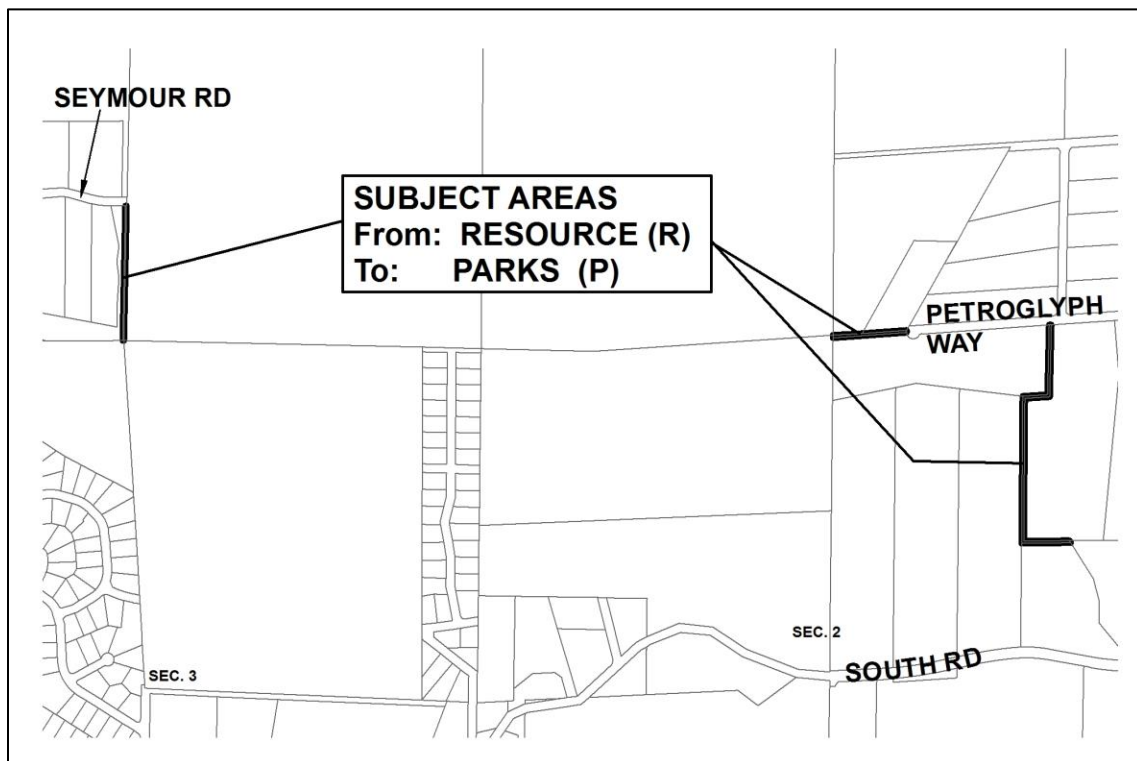
Plan No. 4



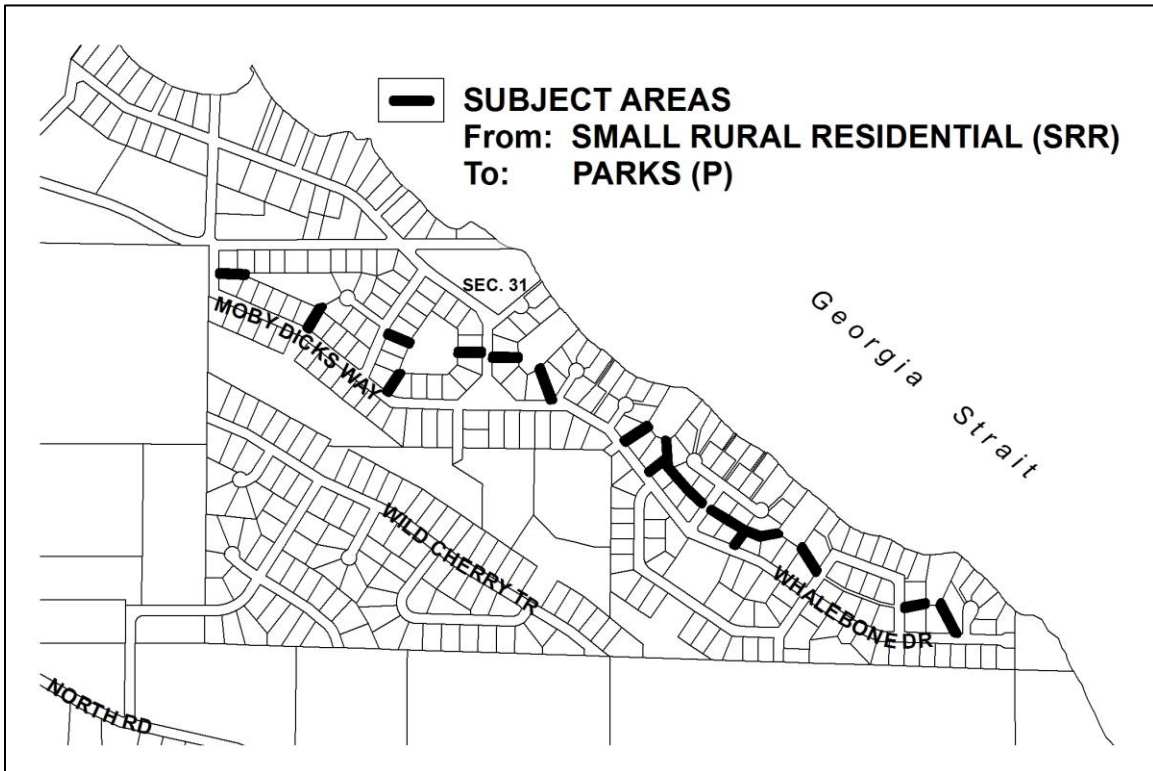
Plan No. 5



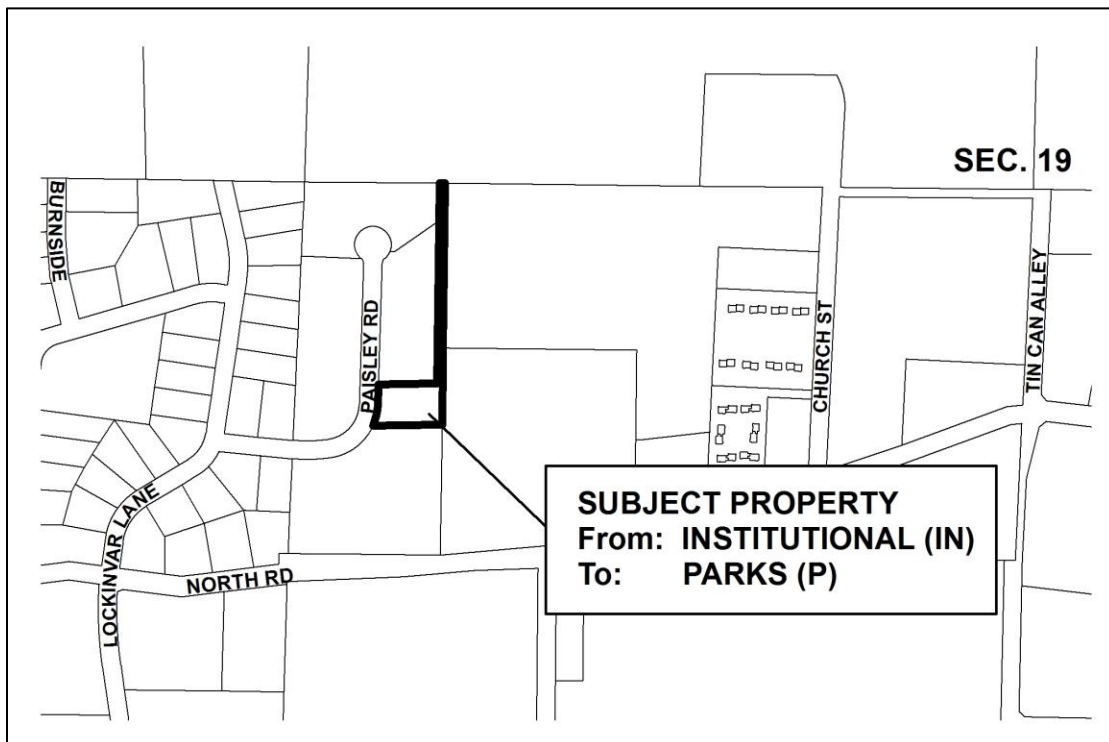
Plan No. 6



Plan No. 7



Plan No. 8



DRAFT

Gabriola Island Local Trust Committee

BYLAW NO. 272

A BYLAW TO AMEND THE GABRIOLA ISLAND LAND USE BYLAW, NO. 177

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under *the Islands Trust Act*, enacts as follows:

1. Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw No. 177, 1999” is amended as shown on Schedule 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2013”

READ A FIRST TIME THIS	DAY OF	, 2013
PUBLIC HEARING HELD THIS	DAY OF	, 2013
READ A SECOND TIME THIS	DAY OF	, 2013
READ A THIRD TIME THIS	DAY OF	, 2013
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST		
THIS	DAY OF	, 2013
ADOPTED THIS	DAY OF	, 2013

SECRETARY

CHAIRPERSON

Gabriola Island Local Trust Committee

Bylaw No. 272

Schedule 1

1. Schedule “A” of Gabriola Island Land Use Bylaw No. 177 cited as “Gabriola Island Land Use Bylaw No. 177, 1999”, is amended as follows:

a) To section D.2.4 Resource (R):

- i. sub-section D.2.4.1.a.iv is removed; and
- ii. under sub-section D.2.4.2.a.ii, the second bullet point which reads: “AM/FM Towers on lands shown on Schedule C, Map 5” is removed.

b) To section D.4.1 Parks 1 – Provincial and *Regional Park* (P1):

- i. under sub-section D.4.1.1.a “Permitted *Principal Uses*”, clause D.4.1.1.a.iii is inserted as follows:

“iii *campground*, on lands shown on Schedule C, Map 11”;

- ii. new sub-section D.4.1.1.b is inserted as follows:

“ **b. Permitted Accessory Uses**

- i *caretaker residence*, on lands shown on Schedule C, Maps 11 and 12
- ii retail sales and rentals, excluding the sale of liquor, on lands shown on Schedule C, Map 11
- iii *campground* office use, on lands shown on Schedule C, Map 11”;

- iii. under sub-section D.4.1.2.a “Permitted *Buildings and Structures*”, new subsections ii and iii are inserted as follows:

“ii *Buildings and structures* to accommodate *campground* office uses, retail sales and rentals not exceeding 200 square metres (2,152.9 square feet) of combined *floor area*, on lands shown on Schedule C, Map 11

iii Maximum of one *caretaker residence*, on lands shown on Schedule C, Maps 11 and 12”;

- iv. new clause D.4.1.3.b.ii, is inserted as follows:

“ii The minimum *setback* for *campsites* is 10.0 metres (32.8 feet) from any *lot line*.”;

- v. New sub-section D.4.1.3.d is added as follows:

“ **d. Other Regulations**

- i Despite Section B.6.4, a travel trailer or recreational vehicle may be used for a *caretaker residence* and may be used without a *principle dwelling unit* on the lot.
- ii The maximum number of *campsites* is 10 per 1.0 hectares (4 per acre).

- iii Despite section B.6.4.2, a tent, tent-trailer, camper vehicle, or recreation vehicle is only permitted on a *campsite* a maximum of 60 days in a calendar year.
- iv Despite section B.6.4.2, no campsite may be occupied by any person, consecutively or cumulatively within a year, for more than 60 days.”

c) To section F.1 Definitions, the following definition is added in alphabetical order:

“caretaker residence means a single family dwelling limited in floor area to 65.0 square metres (699.7 square feet) that is accessory to a principal regional park use;”

2. Schedule “B” of Gabriola Island Land Use Bylaw No. 177 cited as “Gabriola Island Land Use Bylaw No. 177, 1999”, is amended as follows:

a) By changing the zoning the land legally described as The Northwest ¼ of Section 10, Gabriola Island, Nanaimo District, Except those Parts in plans 29152, 30043 and 30051 (PID: 009-735-828) from Resource to Parks 1 – Provincial and Regional Park as shown on Plan No. 1 attached to and forming part of this bylaw.

b) By changing the zoning on the land legally described as:

- i. Lot B, Section 20, Gabriola Island, Nanaimo District Plan VIP73679 (PID: 025-417-681); and
- ii. Lot A, Section 20, Gabriola Island Nanaimo District Plan VIP73679 (PID: 025-417-673)

from Tourist Commercial 2 - Campgrounds to Parks 1 – Provincial and Regional Park as shown on Plan No. 2 attached to and forming part of this bylaw.

c) By changing the zoning the land legally described as:

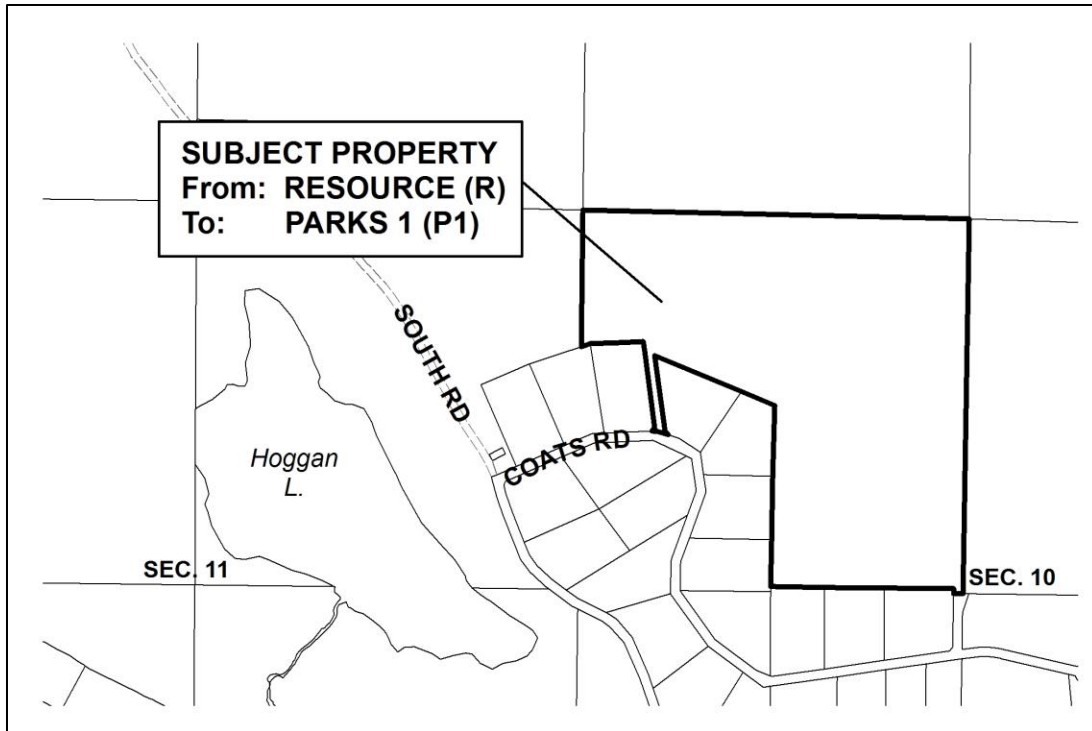
- i. The Northeast ¼ of Section 13, Gabriola Island, Nanaimo District (PID: 006-654-843);
- ii. The Northwest ¼ of Section 14, Gabriola Island, Nanaimo District (PID: 006-655-335);
- iii. The South ½ of the Northeast ¼ of Section 14, Gabriola Island, Nanaimo District (PID: 006-649-815);
- iv. The Southeast ¼ of Section 14, Gabriola Island, Nanaimo District (PID: 006-649-599);
- v. The North ½ of the Southwest ¼ of Section 15, Gabriola Island, Nanaimo District (PID: 006-656-498); and
- vi. The East ½ of the Northeast ¼ of Section 10, Gabriola Island, Nanaimo District (PID: 006-649-408)

from Forestry Wilderness/Recreation 1 to Parks 2 – Passive Recreation Community Park as shown on Plan No. 3 attached to and forming part of this bylaw.

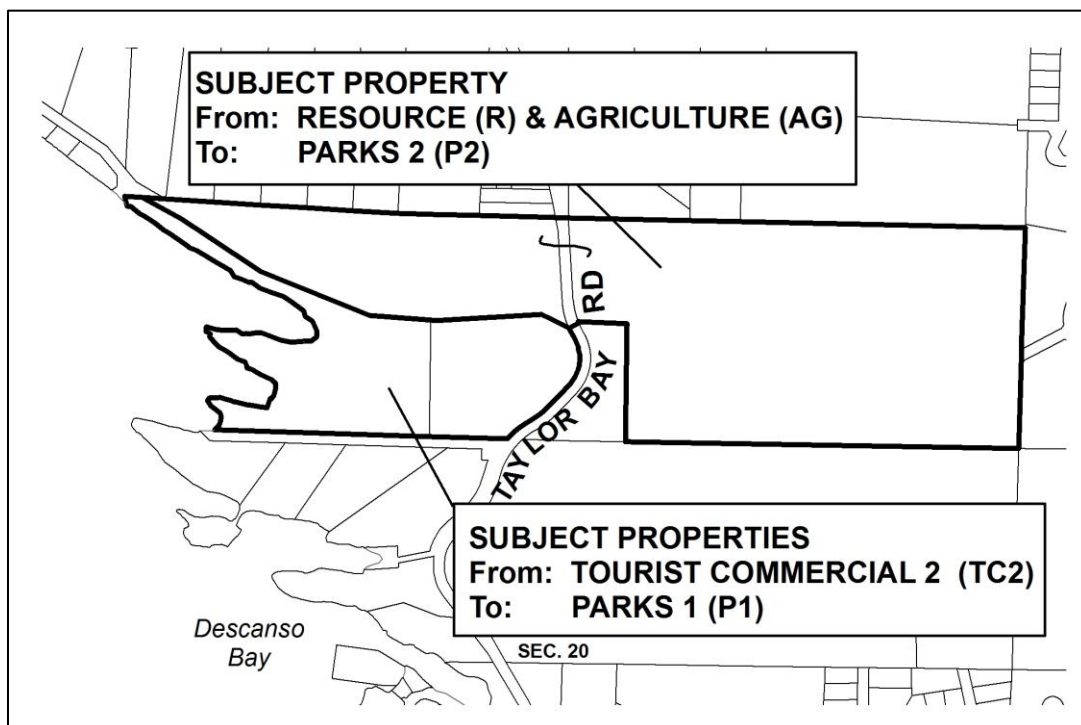
- d) By changing the zoning on the land legally described as The North ½ of the North ½ of Section 20, Gabriola Island, Nanaimo District, Except Parts in Plans 42874 and VIP73679 from Resource and Agriculture to Parks 2 – Passive Recreation Community Park as shown on Plan No. 2 attached to and forming part of this bylaw.
- e) By changing the zoning on the land designated as 'Park' on Plan 41031 from Large Rural Residential to Parks 2 – Passive Recreation Community Park as shown on Plan No. 4 attached to and forming part of this bylaw.
- f) By changing the zoning on the land designated as 'Park' on Plan VIP77409 from Agriculture to Parks 2 – Passive Recreation Community Park as shown on Plan No. 4 attached to and forming part of this bylaw.
- g) By changing the zoning on the land designated as 'Park' on Plan VIP70945 from Large Rural Residential to Parks 2 – Passive Recreation Community Park as shown on Plan No. 4 attached to and forming part of this bylaw.
- h) By changing the zoning on the land designated as 'Park' on Plan VIP66198 from Resource to Parks 2 – Passive Recreation Community Park as shown on Plan No. 5 attached to and forming part of this bylaw.
- i) By changing the zoning on the land designated as 'Park' on Plan 17658 from Small Rural Residential to Parks 2 – Passive Recreation Community Park as shown on Plan No. 6 attached to and forming part of this bylaw.
- j) By changing the zoning on the land designated as 'Park' on Plan VIP82759 from Resource Residential 1 to Parks 2 – Passive Recreation Community Park as shown on Plan No. 5 attached to and forming part of this bylaw.
- k) By changing the zoning on the land designated as 'Park' on Plan EPP11544 from Institutional 3 to Parks 2 – Passive Recreation Community Park as shown on Plan No. 7 attached to and forming part of this bylaw.
- l) By changing the zoning on that portion of land legally described as "lot 9, Section 18 & 23, Gabriola Island, Nanaimo District, Plan 45781" from Large Rural Residential to Parks 1 – Provincial and Regional Park as shown on Plan No. 8 attached to and forming part of this bylaw.
- m) By changing the zoning on that portion of water shown on Plan No. 8, attached to and forming part of this bylaw, from Water General to Water Protection 2.
- n) By changing the zoning on that portion of water shown on Plan No. 8, attached to and forming part of this bylaw, from Water Protection 2 to Water General.
- o) By changing the zoning on those portions of water shown on Plan No. 9, attached to and forming part of this bylaw, from Water Protection 1 to Water Protection 2.
- p) By changing the zoning on that portion of water shown on Plan No. 9, attached to and forming part of this bylaw, from Water Protection 2 to Water Protection 1.

- q) By changing the zoning on that portion of water shown on Plan No. 10, attached to and forming part of this bylaw, from Water General to Water Protection 2.
 - r) By changing the zoning on that portion of water shown on Plan No. 10, attached to and forming part of this bylaw, from Water Protection 2 to Water General.
3. Schedule "C" of Gabriola Island Land Use Bylaw No. 177 cited as "Gabriola Island Land Use Bylaw No. 177, 1999", is amended as follows:
- a) By deleting Map 5.
 - b) By adding Map 16 as shown on Plan No. 11, attached to and forming part of this bylaw.
 - c) By adding Map 17 as shown on Plan No. 12, attached to and forming part of this bylaw.

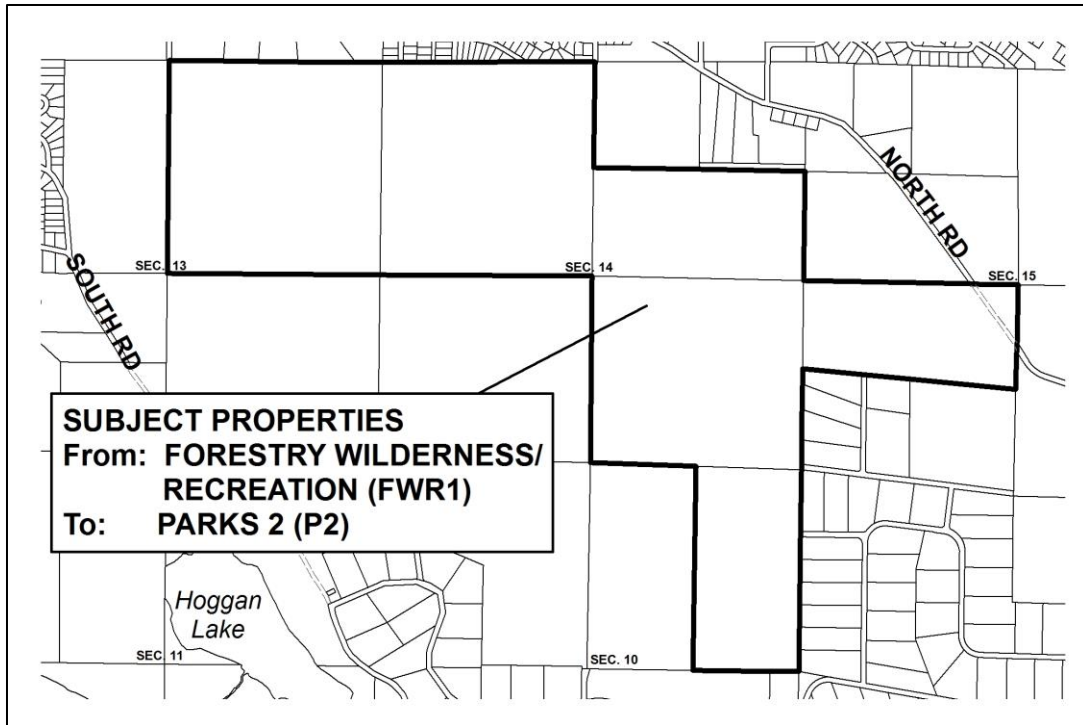
Plan No. 1



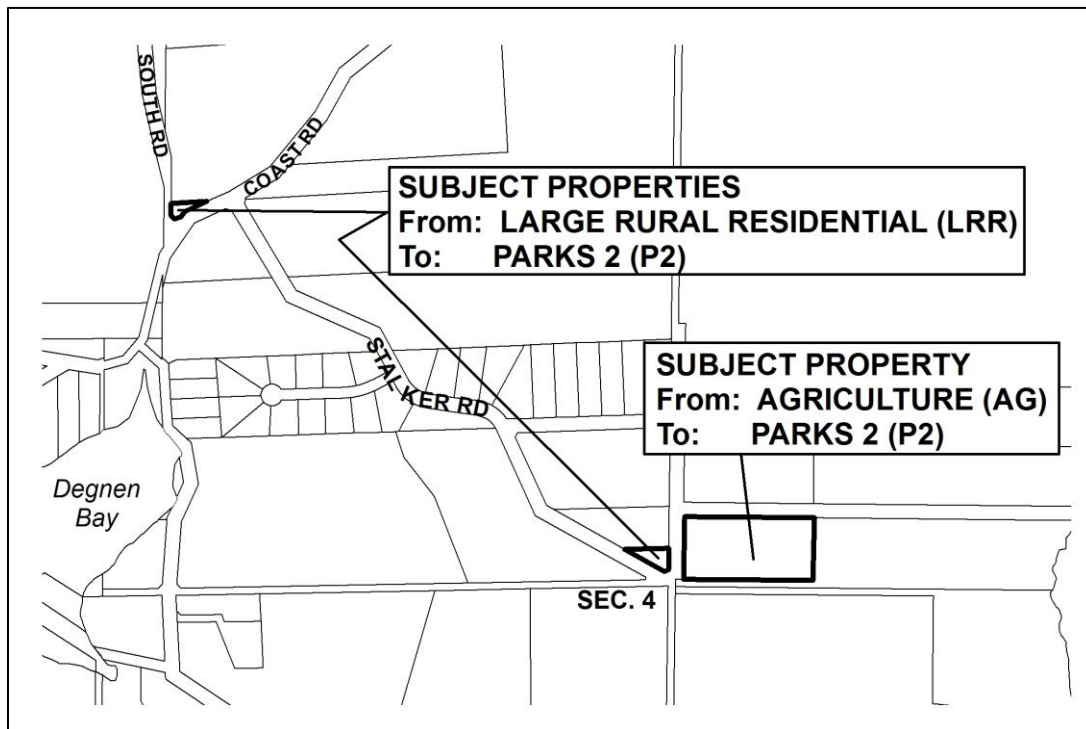
Plan No. 2



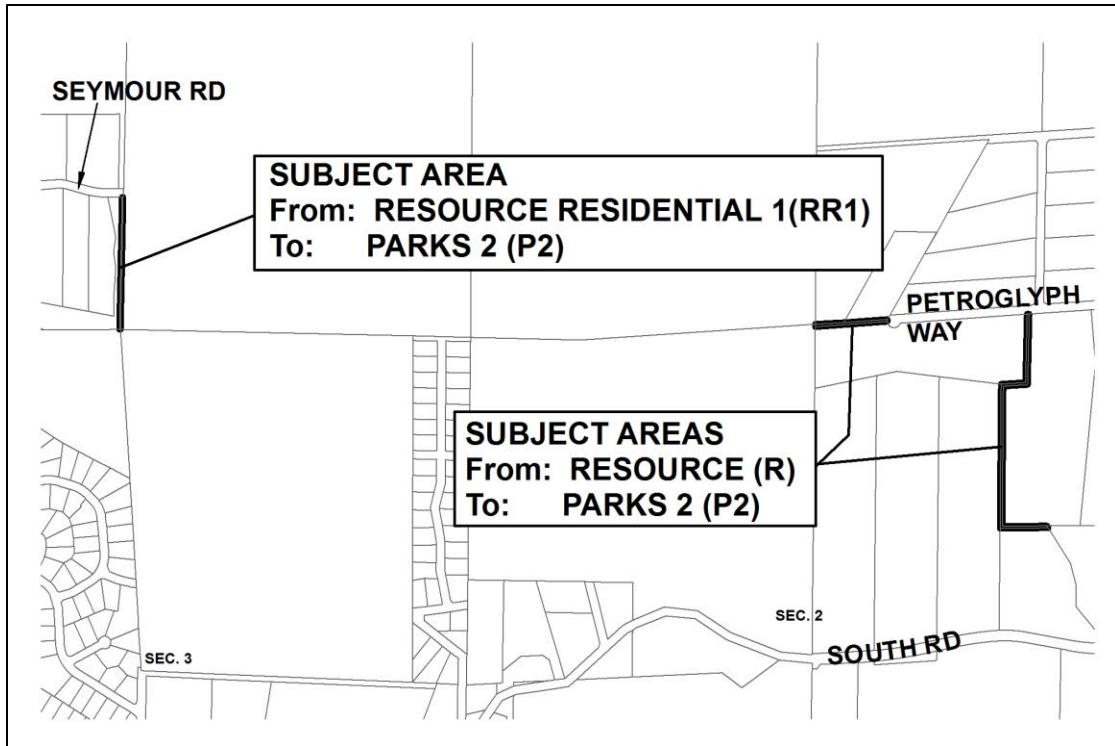
Plan No. 3



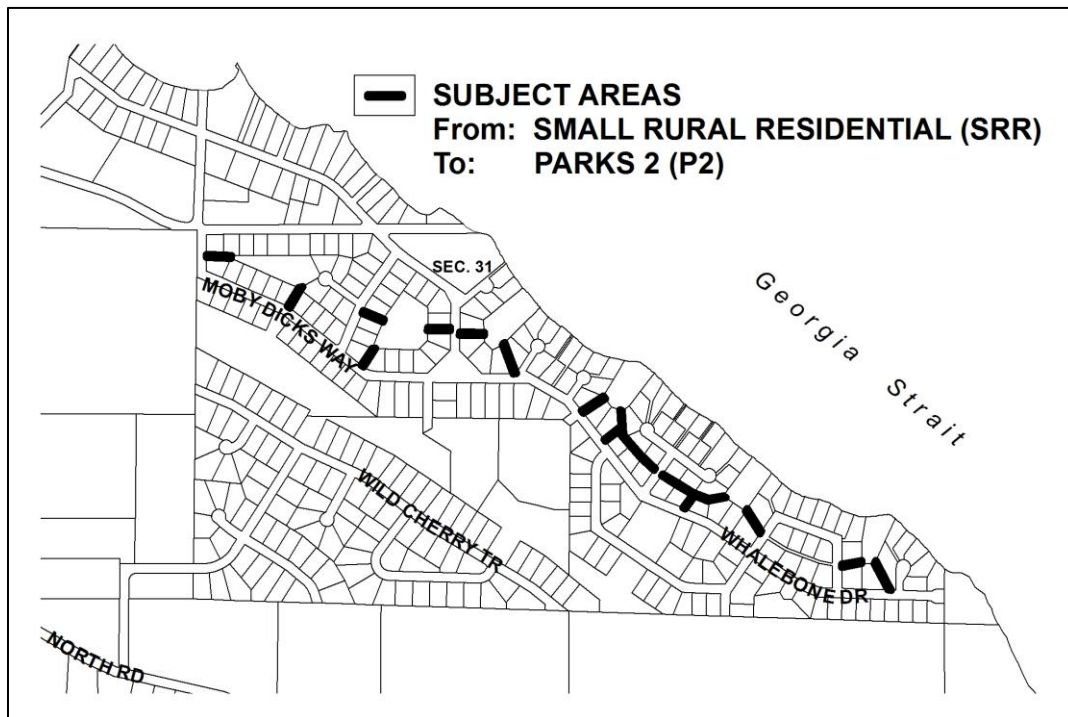
Plan No. 4



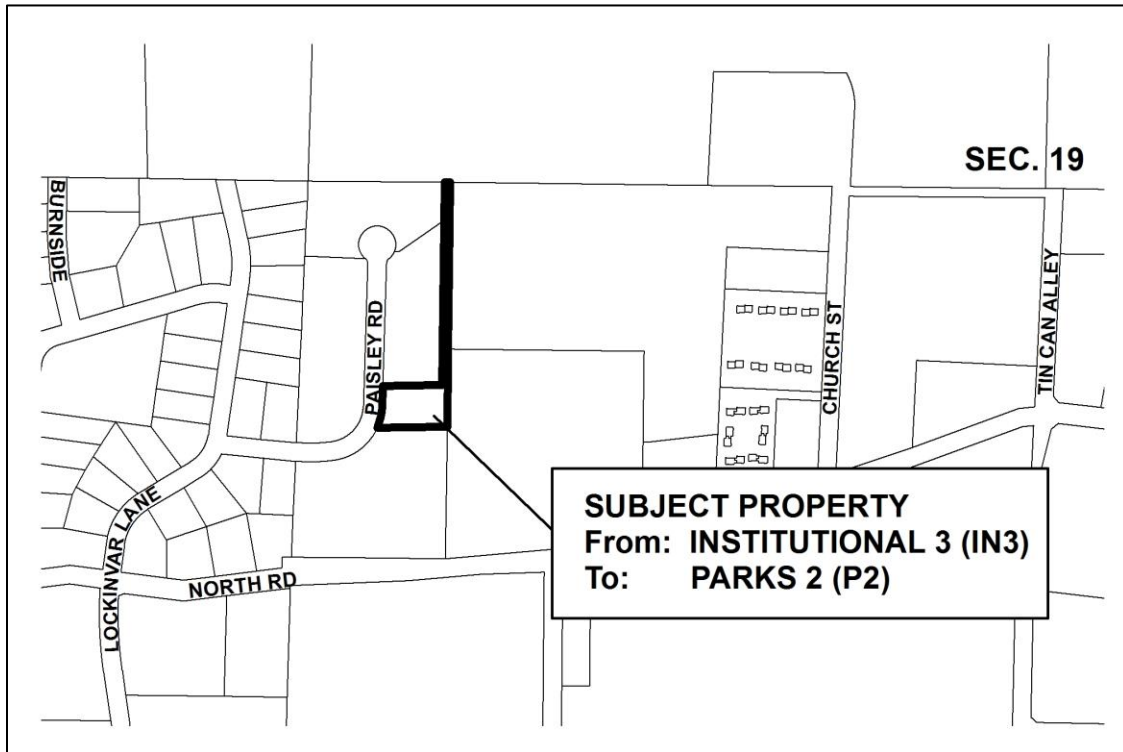
Plan No. 5



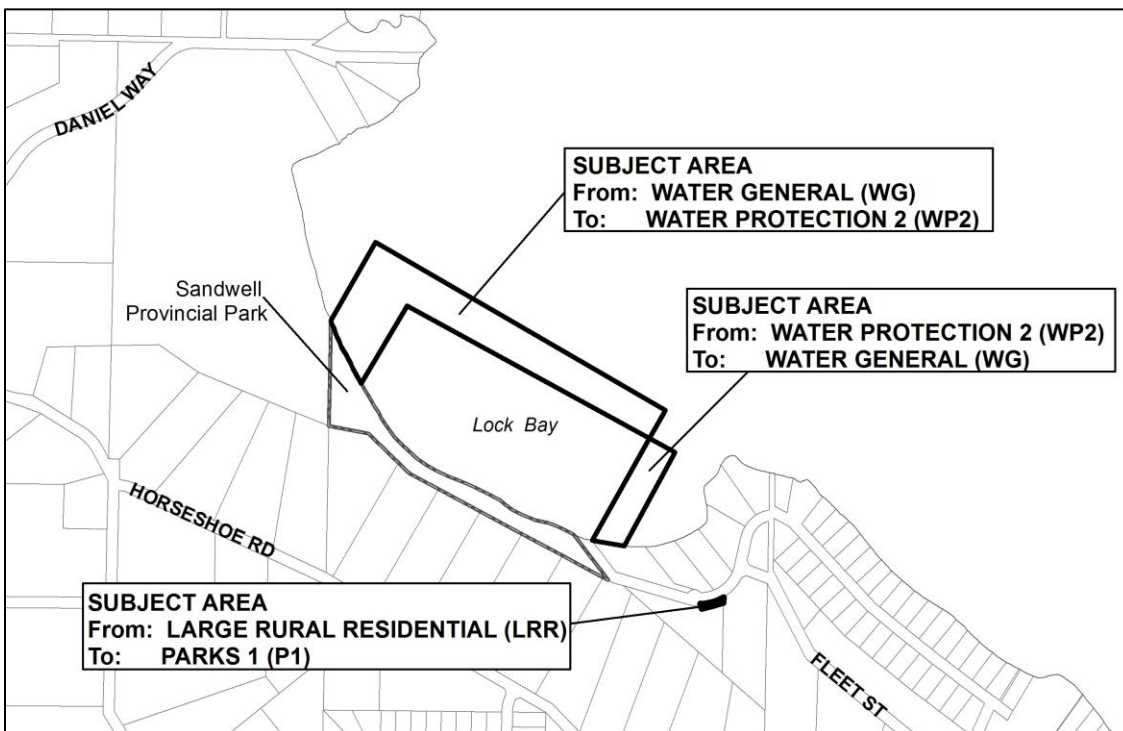
Plan No. 6



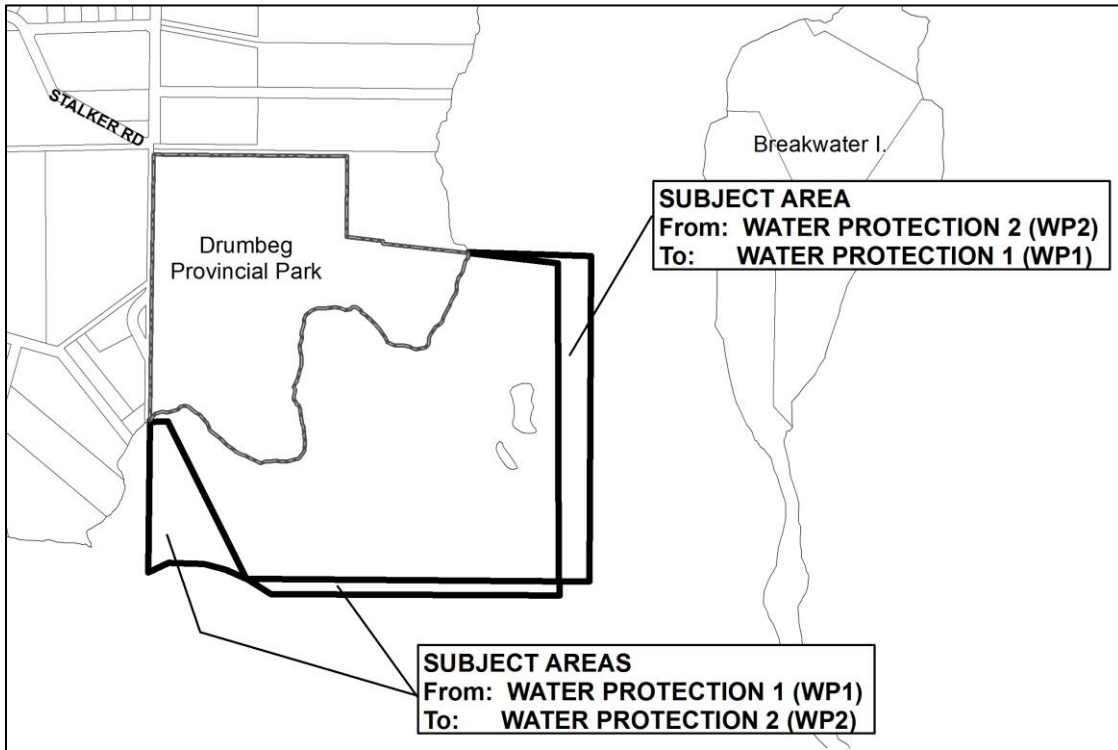
Plan No. 7



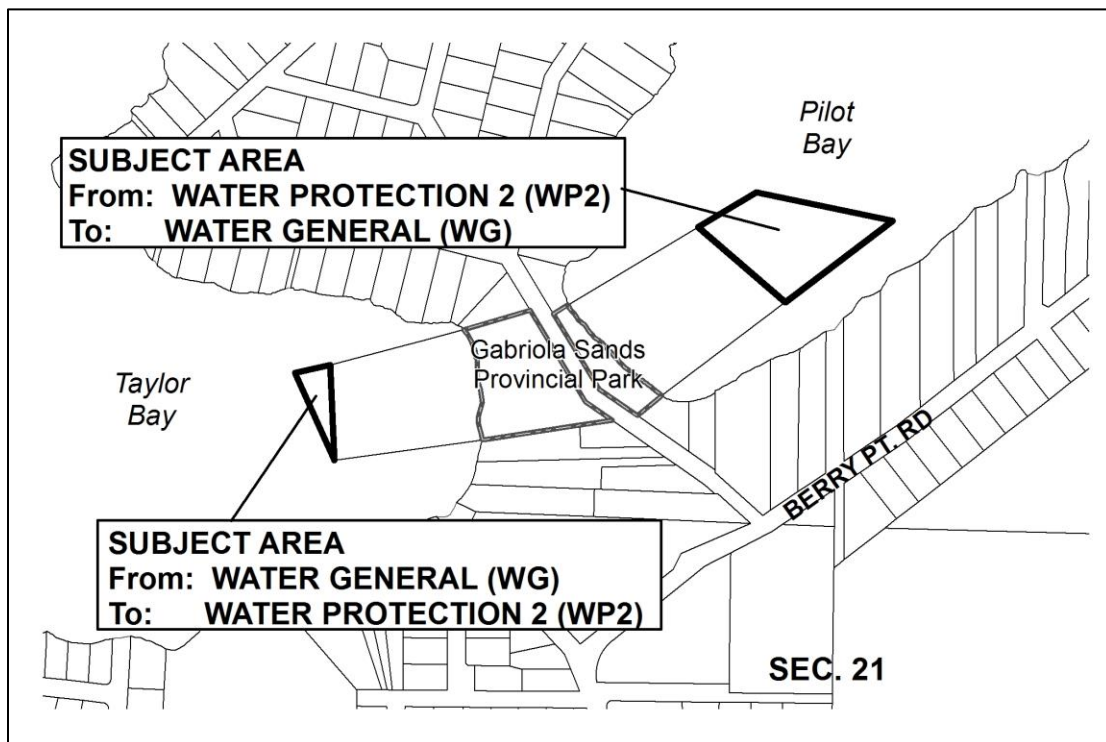
Plan No. 8



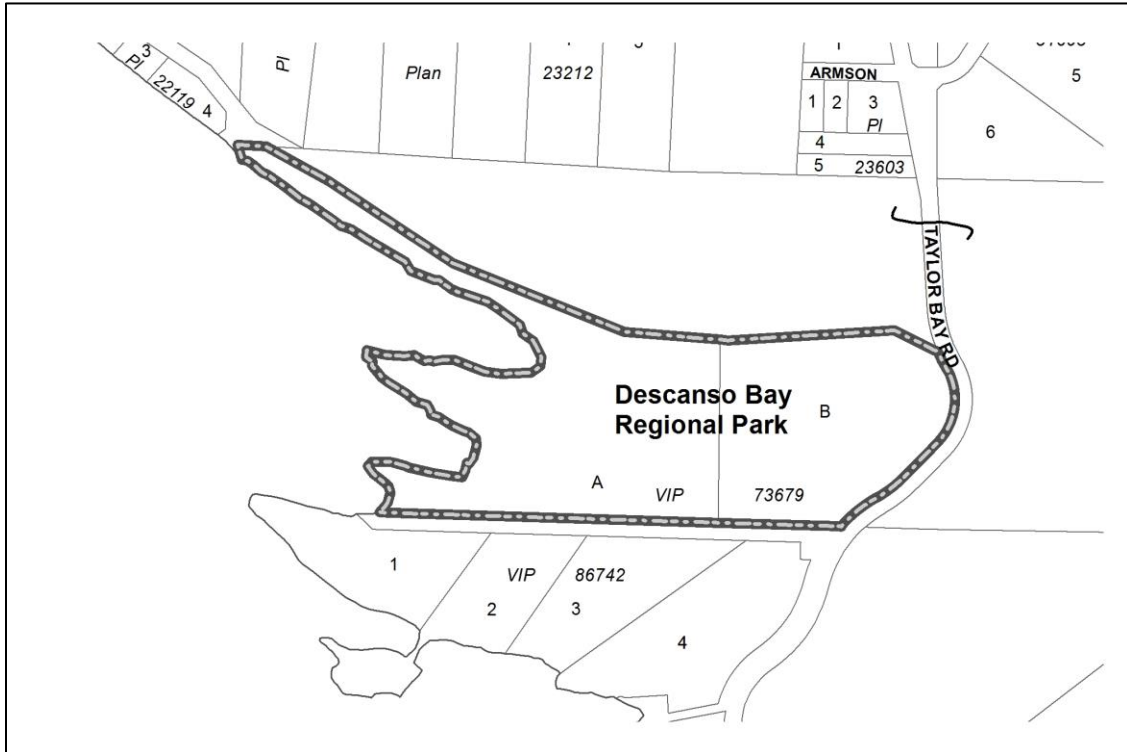
Plan No. 9



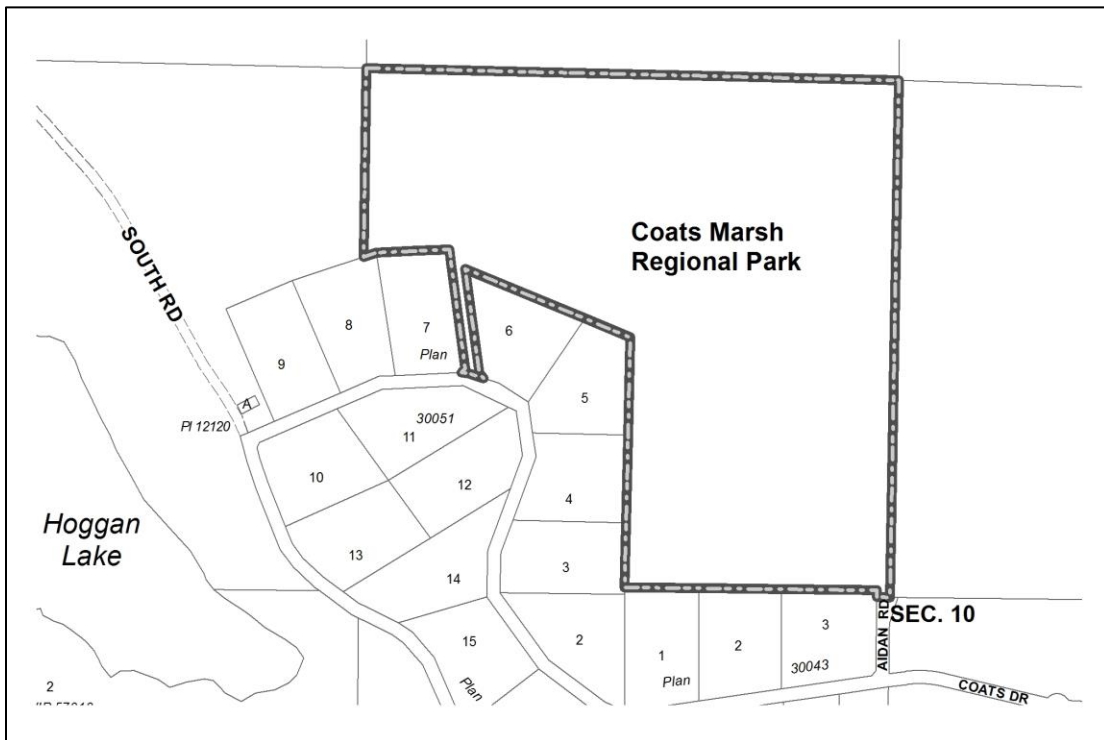
Plan No. 10



Plan No. 11



Plan No. 12



- Excerpt -
Regional District of Nanaimo Park Use Regulations Bylaw No. 1399, 2004

5.17 Park Use Permits

- a) Application for a park use permit shall be made to the District Manager who may:
 - i. grant, refuse, revoke, renew or refuse to renew a park use permit;
 - ii. establish park use permit fee amounts that differ from the general rates described in Schedule "C";
 - iii. impose terms and conditions on obtaining, holding or renewing a park use permit;
 - iv. determine the amount of a park use permit fee refund in the event of a cancellation; or
 - v. refer an application to the District Board for determination.
- b) An applicant for a park use permit may appeal the decision of the District Manager to the District Board by submitting a written request to the Board Chairman within 15 days of issuance of a decision by the District Manager.
- c) A park use permit application must be accompanied by the required permit fee, damage deposit and proof of comprehensive general liability insurance, as set out in Schedule "C".
- d) Conditions associated with a park use permit may include:
 - i. the confinement of a special use to a specific location within a park, to certain time periods or to participation by certain people;
 - ii. that the applicant supply, install and service additional garbage receptacles or portable toilets or pay the District for additional servicing required as a result of the permitted activity;
 - iii. that the applicant provide and pay for the provision of appropriate fire and police or security protection during the course of the special use;
 - iv. restrictions on the use of generators and other mechanical, electrical or electronic devices; the playing of live or recorded music; and the erection or placement of any temporary structures, seating, tables, flags, banners or other gear associated with the special use activity;
 - v. specific exemptions from provisions of this bylaw;
 - vi. any other terms and conditions specific to the nature of the special use requested given consideration of the impact of the special use on the park, park users and neighbours; and
 - vii. any other terms and conditions consistent with the intent of this bylaw.
- e) A park use permit may not be issued unless all the following criteria are met:
 - i. the special use conforms to any management plan produced for a park;

- ii. the location of the permitted activity will not cause a significant or permanent negative environmental impact on the park and is sensitive to the use of the park by others;
 - iii. the applicant assumes full responsibility for the special use and indemnifies the District to its satisfaction; and
 - iv. the applicant has satisfied the requirements of paragraphs (c) above and agreed to the conditions set out in his park use permit.
- f) Without limiting the authority of the District Manager, a park use permit may be refused if the applicant has previously contravened this bylaw.
- g) The holder of a park use permit must also comply with the regulations, prohibitions and requirements of all other government bodies and local authorities including this and other District bylaws, for example, Bylaw No. 1010 Special Events Regulatory Bylaw for events involving more than 500 people, unless specifically exempted in writing.
- h) In addition to any other penalties and enforcement actions, where the holder of a park use permit has not satisfied the terms and conditions of his permit:
 - i. a park use permit may be revoked;
 - ii. a park use permit fee or a damage deposit may be forfeited to the District;
 - iii. the District may exercise any rights under the applicant's insurance; and
 - iv. the applicant may be required to pay, at the rate specified in Schedule "C", the cost of preparations, repairs, clean-up or park restoration undertaken by the District consequent to special use, failure to do so entitling the District to do the work at the applicant's expense.



Memorandum

16.2

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 August 27, 2013 File Number 6500-20

To Gabriola Island Local Trust Committee

From Courtney Simpson
Regional Planning Manager

Re Development Approval Information Bylaw Draft

A development approval information (DAI) bylaw for Gabriola, Mudge and DeCourcy planning areas is to be completed in tandem with the review and updating of development permit area provision to implement the Riparian Areas Regulation on Gabriola Island and to move the development permit area guidelines from the OCP to the LUB for Mudge and DeCourcy. While staff has been developing this bylaw, as directed by the LTC, it has not yet been presented to the LTC as staff has been waiting for bylaws 265, 266, 267 and 268 to have gone to public hearing first, so that the DAI bylaw can reflect any amendments to these bylaws. The January 7, 2013 staff report should be referred to for a more complete background as to this bylaw development.

A DAI Bylaw is an administrative bylaw that will implement revised development permit area provision, and enable the Local Trust Committee to require information from an applicant of a development permit, rezoning or temporary use permit, as to the impacts of the proposed developments. The aim of the DAI is to establish a clear and transparent standard for the request of this information. Without a DAI this type of information is often still requested of applicants, because it may be necessary for properly evaluation an application, but there is no clear and standard process for the applicant.

The LTC has requested the draft DAI bylaw is presented for a better understanding of it as it relates to the development permit area amendments being considered. The attached is a draft for information. Once the LTC has considered bylaws 265, 266, 267 and 268 after their public hearings, staff will be able to make any necessary revisions to the DAI bylaw and present it again to the LTC for endorsement, after which it will be submitted to Trust Council.

**ISLANDS TRUST COUNCIL
BYLAW NO. 150**

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

WHEREAS the Gabriola Island Local Trust Committee, pursuant to s.920.01 of the *Local Government 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 *Local Government 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 "Gabriola Island Local Trust Committee Development Approval Information Bylaw No. 150, 2013".

PART II PURPOSE

2. The purpose of this bylaw is to allow the Local Trust Committee to obtain information on the anticipated impact of proposed activities or development on the community.

PART III APPLICATION OF BYLAW

3. The requirements of this Bylaw apply to:
 - a. applicants for amendments to a bylaw of the Gabriola Island Local Trust Committee enacted under s.903 of the *Local Government Act*;
 - b. applicants for a development permit; and
 - c. applicants for a temporary 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 Gabriola Island Official Community Plan Bylaw No. 166, Mudge Island Official Community Plan Bylaw No. 227 or Decourcy Island Official Community Plan Bylaw No. 16, or is an activity or development for which development approval information is otherwise required by those Bylaws.
4. 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*.
5. Where development approval information is to be provided, the information shall be provided by the applicant, at the applicant's cost, in the form of a report prepared by the appropriate professional as set out in this bylaw.

PART IV PROCEDURE

6. The official assigned from time to time to provide planning services to the Gabriola Island Local Trust Committee is the official for the purposes of this Bylaw.

7. Within 30 days of receipt of an application an official shall determine whether and to what extent development approval information will be required in accordance with this bylaw and shall communicate the requirement to the applicant in writing.
8. An official may determine that all or part of the required development approval information must be provided for each application, either in a report described in Sections 15 through 18 in the case of development permit applications described in those sections, or pursuant to terms of reference that establish the scope of the required impact information for applications described in Section 21.
9. 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 faxed or emailed to them.
10. A request for reconsideration must be delivered in writing to the Planning Clerk 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.
11. The Planning Clerk must place each request for reconsideration on the agenda of the next meeting of the Local Trust Committee following the date on which the request for reconsideration was delivered, provided the request is received at least 10 days prior to that meeting.
12. The Planning Clerk must notify the applicant and any other person who the Planning Clerk reasonably considers may be affected by the reconsideration, of the date of the meeting at which the reconsideration will occur.
13. 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 V S. 920 (DEVELOPMENT PERMIT) APPLICATION REQUIREMENTS

14. For Development Permit applications specified in Sections 15 through 18 of this bylaw, the applicant shall provide, as part of the development permit application, all or part of a report in the specified form as determined by the official.
15. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the *Local Government Act* for protection of **Riparian Areas**, the report shall contain the following information:
 - a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed development and associated features, the development permit area boundary, existing buildings and structures, roads and driveways, topographic features, the locations of the top of bank, high water mark, Streamside Protection and Enhancement Area (SPEA) widths, the width of any zones of sensitivity, and measures to maintain the integrity of the SPEAs. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included.
 - b. A site inventory providing a description and evaluation of the riparian values, including species of fish that frequent the waterbody, and riparian features and habitat present.
 - c. A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to

hydrological systems, alterations affecting the watercourse, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.

- d. An assessment of the nature and extent of the impact of the proposed development. For a stream, as defined under the *Riparian Areas Regulation*: the results of the riparian assessment, using a detailed or simple assessment as indicated in the *Riparian Areas Regulation*, and establishing the SPEA width for the subject parcel. For other watercourses, that is, those that do not meet the definition of a stream under the *Riparian Areas Regulation*: an assessment of anticipated impacts on riparian habitat and features, the watercourse, and site hydrology. The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development.
 - e. For a stream, as defined under the *Riparian Areas Regulation*: a description of all measures that will be taken to maintain and protect the SPEA from development, including, where appropriate, assessment and treatment of danger trees, windthrow, slope stability, tree protection during construction, encroachment and sediment and erosion control. For other watercourses, that is, those that do not meet the definition of a stream under the *Riparian Areas Regulation*: recommended measures to limit, mitigate and manage the impacts of the proposed development on riparian habit and features, the watercourse, and site hydrology.
 - f. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
 - g. Recommended actions to restore or enhance riparian functions or habitat that have been degraded prior to development or that would be impacted by the proposed development.
 - h. For a stream, as defined under the *Riparian Areas Regulation*, professional certification by the Qualified Environmental Professional(s) preparing the report that he or she is qualified to carry out the assessment, that the assessment methods have been followed, and provides his or her professional opinion that:
 - i. If the development is implemented as proposed there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area, or
 - ii. If the streamside protection and enhancement areas identified in the report are protected from the development and the measures identified in the report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area.
16. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the *Local Government Act* for protection of **Shoreline and Marine areas (Gabriola Pass, Flat Top Islands and Lock Bay Areas)**, the report shall contain the following information:
- a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed development and associated features, natural boundary of the sea, the landward development permit area boundary, existing buildings and structures, roads and driveways, topographic features, and

significant features identified in the site inventory. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included.

- b. A site inventory, providing information on existing plant communities, marine and terrestrial habitats, current on-site and adjacent land uses, slope stability, erosional processes, hydrology, topography and marine sediment transport. This baseline assessment may require the involvement of several suitably qualified professionals.
 - c. For land based developments, a site background analysis that includes the following known information on the site:
 - A check for observed species and ecosystems at risk;
 - A description of the context of the site including the use of adjacent lands and proximity to protected areas;
 - A check for the presence of raptor and heron nests; and
 - A check for the presence of fish-bearing watercourses.
 - d. A description of the proposed development detailing construction (e.g. buildings, dock, ramp, road or driveway, etc), cut and fill, blasting, vegetation clearing, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.
 - e. An assessment of the nature and extent of the impact of the proposed development, in particular anticipated impacts on identified site conditions, including but not limited to marine and terrestrial habitat, site hydrology, marine sediment transport, and public access to and along the foreshore. The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area. The assessment should also include identification of potential impacts on adjacent sites and proximate sensitive areas.
 - f. Recommended measures to limit, mitigate and manage the impacts of the proposed development on terrestrial and marine habitats, as well as geomorphic, hydrological and coastal processes. The report should describe mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.
 - g. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
 - h. Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development.
17. For an application for a permit in respect of a development permit area designated under s. 919.1(1)(a) of the *Local Government Act* for the purpose of requiring development permits for **Ecosystem Protection (The Tunnel)**, the report shall contain the following information:
- a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the proposed development and associated features, the development permit area boundary, existing buildings and structures, roads and

driveways, topographic features and significant features identified in the site inventory and conservation evaluation. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included.

- b. A site inventory, commenting on the ecosystem classification, and based on current best practices, such as the Resources Information Standards Committee Standards for Describing Terrestrial Ecosystems in the Field, providing information on the existing plant communities, aquatic and terrestrial habitats, sensitive ecosystems, nesting trees, the presence of rare species and rare plant communities, current on-site and adjacent land uses, slope stability, erosional processes, hydrology and topography.
 - c. A site background analysis that includes the following known information on the site:
 - A check for observed species and ecosystems at risk;
 - A description of the context of the site including the use of adjacent lands and proximity to protected areas;
 - A check for the presence of raptor and heron nests;
 - A check for the presence of fish-bearing water courses.
 - d. A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options.
 - e. An assessment of the nature and extent of the impact of the proposed development, in particular anticipated impacts on identified environmentally valuable features, including but not limited to sensitive ecosystems, rare plant communities, rare species habitat, and site hydrology. The assessment should identify impacts stemming from the construction phase, the intended long-term use of the site, and any cumulative impacts of development in the area. The assessment should also include identification of potential impacts on adjacent sites and proximate sensitive areas.
 - f. Recommended measures to limit, mitigate and manage the impacts of the proposed development on environmentally valuable features. The report should describe mitigation measures and their anticipated effectiveness in maintaining the health, form and function of environmentally valuable features.
 - g. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
 - h. Recommended actions to restore or enhance ecosystem functions or habitat that have been degraded prior to development or that would be impacted by the proposed development.
18. For an application for a permit within a development permit area designated under s. 919.1(1)(b) of the *Local Government Act* for protection of development from **Steep Slopes**, the report shall contain the following information:
- a. A site plan professionally prepared at an appropriate scale, based on a legal survey, delineating the topographic features and showing natural slope contours in 1 to 5 metre contour intervals, significant natural features, current and

proposed buildings and structures, roads and driveways, proposed site grading and post development contours. Site profiles and cross sections demonstrating terrain conditions prior to disturbance and intended conditions post development shall be included.

- b. An assessment of potential geotechnical hazards that may affect the subject site and neighbouring properties including all issues related to site drainage, soil slippage (surface or deep seated), rock fall hazards, seismic constraints, site clearing and vegetation retention. This should include a summary of the method of hazard analysis and the level of field work.
 - c. A description of the proposed development detailing construction, cut and fill, blasting, road or driveway construction, vegetation clearing, alteration to hydrological systems, alterations affecting the marine foreshore, septic field installation, landscaping, or other land alteration during or after the development phase. The report should also identify alternative development options and any recommended mitigation measures.
 - d. Any recommended monitoring requirements, identifying actions that will be taken to ensure all proposed activities are completed as described, including a monitoring schedule and process for resolving any non-compliance.
 - e. Where applicable, the report must meet the report guidelines for Legislated Landslide Assessments for Proposed Residential Development in British Columbia, May 2010, including submission of Schedule D (Landslide Assessment Assurance Statement).
19. Development Approval Information required in Sections 15 through 18 must be prepared by a professional or professionals, with qualifications specified in the table below, and in good standing with his/her professional organization within British Columbia, acting within his/her area of expertise, and with demonstrated and pertinent experience and/or training; except that the official may approve the involvement of a person having different qualifications if demonstrated, relevant, experience and qualifications are in the official's opinion suitable for the preparation of the information being provided in relation to a particular development permit application:

TYPE OF INFORMATION	CONSULTING PROFESSIONAL
Riparian Areas	Qualified Environmental Professional
Shoreline and Marine	Geotechnical/hydrological and marine considerations: - Geotechnical Engineer (P. Eng.) or Professional Geoscientist (P. Geo.) Biological / environmental considerations: - Registered Professional Biologist (R.P. Bio.)
Tree & Natural Vegetation Protection	Registered Professional Biologist (R.P. Bio.) or Registered Professional Forester (RPF)
Steep Slopes	Geotechnical Engineer (P. Eng.) or Professional Geoscientist (P. Geo.)

20. If the official is not satisfied that the impact information provided by the applicant is sufficient to comply with the requirements of the bylaw, either in scope, level of detail, accuracy or in any other respect, or does not address any particular information requirements that are identified in or arise from any applicable guidelines in an official community plan, the official may require the applicant to provide, at the applicant's

expense, further information reasonably required to comply with the bylaw, but a requirement for further information may be imposed once only.

PART VI TERMS OF REFERENCE

21. Within 30 days of the receipt of an application for the following:
 - a. amendments to a bylaw of the Gabriola Island Local Trust Committee enacted under s.903 of the *Local Government Act*,
 - b. a temporary use permit,

the official shall provide to the applicant written Terms of Reference for the preparation of information on the impact of the activity or development that is the subject of the application.
22. 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 sensitive ecosystems and the habitat of rare or threatened species, including surrounding habitats impacted by the development activity ;
 - b. hazards, including geological, flood, stormwater, and wildfire hazards;
 - c. greenhouse gas emissions, anticipated energy usage, and carbon emissions;
 - d. groundwater resources;
 - e. local infrastructure, including highways, ferry, water supply and sewage systems, fire protection systems, solid waste disposal and recycling facilities, utilities, local parking facilities and any other affected public infrastructure;
 - f. local and off-island public or community facilities;
 - g. local and off-island commercial services and employment opportunities;
 - h. affordable and seniors housing needs;
 - i. agricultural reserve lands and agricultural and forestry uses in the vicinity of the development;
 - j. cultural heritage resources including resources of historical, cultural, archaeological, paleontological or architectural significance whether on land or underwater; and
 - k. aesthetic values including the visual appearance of the development from adjacent properties, public lands, or the sea, and the effect of any artificial lighting proposed.
23. In addition to any matter listed in s.22, the official may include in the Terms of Reference any other matter on which the official 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.

24. 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.
25. 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;
 - c. the Islands Trust Fund Plan; and
 - d. in the case of a proposed zoning amendment, the official community plan of the Local Trust Committee.
26. 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.
27. The Terms of Reference must specify the date by which and the form and the number of copies in which the impact information will be provided.

PART VII PREPARATION OF DEVELOPMENT APPROVAL INFORMATION

28. The applicant must prepare the impact information in accordance with the accepted Terms of Reference and within the time specified in the Terms of Reference must provide it to the Local Trust Committee, at the applicant's expense.
29. For every matter within the scope of s.22 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 minimized or avoided,all in accordance with generally accepted impact assessment methodology.
30. If the Terms of Reference specify professional expertise in the preparation of impact information, prior to authorizing 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.

31. 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.
32. 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. If the additional information is found to be deficient by the official, the application will be declined.

PART VIII INDEPENDENT REVIEW

33. If the official considers that the impact information provided by the applicant, or any portion of it, requires an independent review prior to being considered by the Local Trust Committee, the official may require the applicant to provide such a review of the information including the methodology used in its preparation.
34. The official may specify that the independent review be conducted by a member of the relevant professional association, and may specify terms of reference for the review.
35. The applicant must arrange for the independent review to be conducted and submitted in writing to the Local Trust Committee, at the applicant's expense and within the time specified by the official.

PART IX PROPRIETARY RIGHTS IN INFORMATION

36. 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 *Local Government 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	, 20__.
READ A SECOND TIME this	day of	, 20__.
READ A THIRD TIME this	day of	, 20__.
ADOPTED this	day of	, 20__.

Chair

Secretary

PROPOSED

Gabriola Island Local Trust Committee

BYLAW NO. 267

A BYLAW TO AMEND THE MUDGE ISLAND OFFICIAL COMMUNITY PLAN BY- LAW NO. 227

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under *the Islands Trust Act*, enacts as follows:

1. Bylaw No 227, cited as “Mudge Island Official Community Plan Bylaw No. 227, 2007” is amended as shown on Schedule 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as “Mudge Island Official Community Plan Bylaw 227, 2007, Amendment No. 1, 2012”

READ A FIRST TIME THIS	21	DAY OF	FEBRUARY	, 2013
PUBLIC HEARING HELD THIS		DAY OF		, 2013
READ A SECOND TIME THIS		DAY OF		, 2013
READ A THIRD TIME THIS		DAY OF		, 2013
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 2013
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT				
THIS		DAY OF		, 2013
ADOPTED THIS		DAY OF		, 2013

SECRETARY

CHAIRPERSON

Gabriola Island Local Trust Committee

Bylaw No. 267

Schedule 1

Mudge Island Official Community Plan Bylaw No. 227 cited as “Mudge Island Official Community Plan Bylaw No. 227, 2007”, is amended by:

1. Amending “Section 3.5 Commercial and Industrial” as follows:

a) by replacing existing Policy 3, under sub-section “Policies”, with the following:

“Policy 3 Applications may be considered for temporary use permits in any designation. Applicants for a temporary use permit in all designations of this Plan may be required to provide development approval information. Temporary use permits may be considered where such uses are short term, of a fixed duration, comply with this Plan, and have minimal impact on the environment. Development approval information may be required in order to ensure that the proposed use may occur in a manner that sustains natural resources, environmentally sensitive areas and the rural character of the Plan Area. Development approval information may be required by the Local Trust Committee to determine appropriate uses, density and siting of temporary uses as well as appropriate permit conditions.”

2. Amending “Part 5 [Guidelines for Development]” as follows:

b) by inserting a new section with the heading “5.4 Development Approval Information”, after section “5.3 Guidelines for Amenity Zoning”, and the following sub-headings and policies be inserted below the heading:

Circumstances

- Applicants for a zoning amendment in all designations of this Plan may be required to provide development approval information.

Special Conditions / Justification

- This Plan attempts to preserve the unique environment of the Mudge Island Planning Area for future generations, including the protection of community heritage, rural character and natural ecosystems. There are significant challenges to this goal posed by a history of unregulated small lot subdivision in the 1960s and early 1970s, limited groundwater resources, water-only access and limited local infrastructure. In recognition of these challenges, the “precautionary principle”, erring on the side of the environment in land development decisions, has been adopted in the guidelines for development in the Plan area. Development approval information may be required to ensure that development may be adequately serviced and accommodated in a manner that sustains natural resources, environmentally sensitive areas and the rural character of the Plan Area. Development approval information may be required to help the Local Trust Committee determine appropriate uses, density and siting of future development.

BYLAW NO. 268

OFFICIAL COMMUNITY PLAN BY- LAW NO. 16

READ A FIRST TIME THIS	21	DAY OF	FEBRUARY	, 2013
PUBLIC HEARING HELD THIS		DAY OF		, 2013
READ A SECOND TIME THIS		DAY OF		, 2013
READ A THIRD TIME THIS		DAY OF		, 2013
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 2013
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT				
THIS		DAY OF		, 2013
ADOPTED THIS		DAY OF		, 2013

CHAIRPERSON

Gabriola Island Local Trust Committee

Bylaw No. 268

Schedule 1

Decourcy Island Official Community Plan Bylaw No. 16 cited as “Decourcy Island Official Community Plan Bylaw No. 16, 1981”, is amended by adding a new section, immediately following “Section 8. Climate Change Adaptation and Greenhouse Gas Emission Reduction”, as follows:

9. DEVELOPMENT APPROVAL INFORMATION

Circumstances

Applicants for a zoning amendment in all designations of this Plan may be required to provide development approval information.

Special Conditions / Justification

The objectives of this Plan include the preservation of those features of the natural and cultural environment that give the Plan area a marine-oriented rural atmosphere, the conservation of limited freshwater resources, and the minimization of aesthetics and physical impacts of development on the natural environment. Development approval may be required to ensure that development may be adequately serviced and accommodated in a manner that sustains natural resources, environmentally sensitive areas and the rural character of the Plan area. Development approval information may be required to help the Local Trust Committee determine appropriate uses, density and siting of future development.