



## Islands Trust

A NOTICE OF A BUSINESS MEETING OF **THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE**  
to be held at 10:15 AM on Thursday, July 17, 2014 at the Women's Institute,  
476 South Road, Gabriola Island, BC

### AGENDA

	<b>Page No.</b>	<b>*Approx. Time*</b>
1. <b>CALL TO ORDER</b>		10:15 am
2. <b>APPROVAL OF AGENDA</b>		
3. <b>MINUTES</b>		
3.1 Local Trust Committee Special Meeting Minutes of June 25, 2014 – <i>for adoption</i>	1	
3.2 Local Trust Committee Meeting Minutes of June 26, 2014 – <i>for adoption</i>	6	
3.3 Local Trust Committee Public Hearing Record of July 16, 2014 – <i>late item, for receipt</i>		
3.4 Section 26 Resolutions Without Meeting – <i>none</i> .		
3.5 Gabriola Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
3.6 Mudge Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
3.7 Gabriola Island Agricultural Advisory Commission Meeting Minutes - <i>none</i>		
4. <b>BUSINESS ARISING FROM MINUTES</b>		10:30 am
4.1 Follow-up Action List dated July 8, 2014 - <i>attached</i>	14	
4.2 Roadside Aerial Pruning – guest, Johnathan Tillie, Operations Manager, Central Vancouver Island, Ministry of Transportation and Infrastructure (MoTI) – <i>July 17, 2013 letter from Chair to MoTI attached</i>	16	
4.3 Dormant Applications staff report dated July 7, 2014 – <i>attached</i>	18	
4.4 Taylor Bay Bike Lane – <i>for followup</i>		
5. <b>CORRESPONDENCE</b>		
<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>		
6. <b>REPORTS</b>		11:15 am
6.1 <b>Work Program Reports</b>		
6.1.1 Top Priorities Report & Projects List dated July 7, 2014 - <i>attached</i>	21	
6.2 <b>Applications Log</b>		
6.2.1 Report dated July 7, 2014 - <i>attached</i>	25	
6.3 <b>Trustee and Local Expenses</b>		
6.3.1 Expenses posted to month ending June 2014 - <i>attached</i>	28	
7. <b>NEW BUSINESS</b>		
8. <b>TRUSTEES’ REPORT</b>		
9. <b>CHAIR’S REPORT</b>		
10. <b>REGIONAL DIRECTOR’S REPORT</b>		
11. <b>DELEGATIONS</b>		

12.	<b>TOWN HALL SESSION</b>		11:30 am
13.	<b>APPLICATIONS AND PERMITS</b>		
	<b>BREAK</b>		11:40 am
14.	<b>LOCAL TRUST COMMITTEE PROJECTS</b>		12:00 pm
14.1	Official Community Plan/Land Use Bylaw Review		
	14.1.1 Climate Change Policy Implementation – Staff Report dated July 4, 2014 - <i>attached</i>	29	
	14.1.2 Agriculture Policies and Regulations – Staff Report dated July 7, 2014 – <i>attached</i>	35	
	14.1.3 Parks Rezoning - Staff Report dated June 30, 2014 – <i>attached</i>	37	
	14.1.4 Riparian Areas Regulation Implementation Staff Report dated July 7, 2014 - <i>attached</i>	49	
14.2	Housekeeping Bylaw Amendments		
	14.2.1 Staff Report – <i>to be distributed</i>		
15.	<b>BYLAWS</b>		
15.1	Proposed Bylaw 271 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2013” <i>for consideration of second and third readings and referral to executive committee.</i>	52	
15.2	Proposed Bylaw 272 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2013” <i>for consideration of second and third readings and referral to executive committee.</i>	59	
15.3	Proposed Bylaw 273 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 2, 2013” <i>for consideration of second and third readings and referral to executive committee.</i>	71	
15.4	Proposed Bylaw 274 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2014” <i>for consideration of second and third readings and referral to executive committee.</i>	78	
15.5	Proposed Bylaw 275 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2014” <i>for consideration of second and third readings and referral to executive committee.</i>	80	
15.6	Proposed Bylaw 276 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw No. 166, 1997, Amendment No. 2, 2014” - <i>for consideration of second and third readings and referral to executive committee</i>	86	
16.	<b>NEXT MEETING:</b> Thursday, September 4, 2014 at 10:15 a.m. at the Women’s Institute, 476 South Road, Gabriola Island, BC		
17.	<b>TOWN HALL SESSION – <i>time permitting</i></b>		
18.	<b>ADJOURNMENT</b>		1:00 pm

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



**Gabriola Island Local Trust Committee  
Notes of a Special Business Meeting to Hold a  
Community Information Meeting Regarding  
Proposed Bylaw Nos. 273, 274 and 275**

<b>DATE OF MEETING:</b>	<b>June 25, 2014</b>
<b>LOCATION:</b>	<b>The Haven – Heron Room 540 Davis Road Gabriola Island, BC</b>
<b>MEMBERS PRESENT:</b>	Gisele Rudischer, Local Trustee Sheila Malcolmson, Local Trustee
<b>STAFF PRESENT:</b>	Courtney Simpson, Regional Planning Manager Sonja Zupanec, Island Planner Jessie Sherk, Recorder
<b>REGRETS:</b>	David Graham, Chair
<b>MEDIA AND OTHERS PRESENT:</b>	Approximately (8) members of the public and (1) member of the local media were in attendance

**1. INTRODUCTIONS AND OPENING REMARKS**

The meeting commenced at 7:00 pm. Trustee Rudischer thanked the Agricultural Advisory Committee for their input. Planner Zupanec explained that tonight was about ensuring any questions that the public might have about these bylaws are answered. She stated there would be a public hearing regarding these bylaws on July 16, 2014.

**2. BYLAW NO 273  
IMPLEMENTING CLIMATE CHANGE AND GREENHOUSE GAS EMISSION  
REDUCTION**

Planner Zupanec explained the rationale behind this project. She stated that there are two policies that relate to this in the Official Community Plan; one deals with parking regulations and the other deals with measuring floor area for dwellings.

Planner Zupanec then went through the changes in the bylaw regarding green, sustainable energy in homes noting the existing definitions and comparing them to the new wording.

A member of the public noted that the new wording for the definition of a sustainable energy system utility room seemed very specific and asked how long this wording would

be useful with all the changes to technology. She suggested using words that would allow for technology changes.

Planner Zupanec replied that they did put a lot of thought into the wording and that ambiguity would be a problem as it could leave things open for interpretation and lead to illegitimate uses. .

A member of the public asked if the concept of attached sunrooms and greenhouses had been discussed.

Planner Zupanec replied that it had not.

Planner Zupanec discussed the next significant change in the bylaw regarding parking spaces in the village and at Twin Beaches mall. She noted that the changes deal with how the minimum parking regulations are interpreted.

A member of the public asked if bike parking factored into this.

Planner Zupanec replied that it did not.

A member of the public asked why the bylaw speaks only to the restaurants and bars in the village core.

Planner Zupanec stated that if there was a lack of parking for restaurants and bars in the neighborhood commercial zones, the adjacent residential uses would have to absorb the traffic. Therefore, the concentration for this project was on the downtown village area.

A member of the public asked if any thought was put into changing the number to 20 square metres.

Planner Zupanec stated that the Local Trust Committee (LTC) could amend the number if it felt this was more appropriate.

A member of the public asked if there was an impact study completed.

Planner Zupanec said no.

Trustee Rudischer advised that she opposes this bylaw, as it is hard to predict what the outcome of this may be.

Planner Zupanec stated that there has been a lot of discussion around whether or not this will work and that the onus will be on the property owners to provide for and be sensitive to the needs of traffic whether it is pedestrians, bikes or cars and accommodate the best case scenario.

A member of the public noted that Gabriola does not suit massive parking lots.

A member of the public stated that this is all about greenhouse gases and that promotes single occupancy vehicle use and that anything they can do to reduce the parking availability should be done. Cars are the main producer of greenhouse gasses on

Gabriola Island and something needs to be done that will get people to think about leaving their cars at home.

Planner Zupanec and members of the public then discussed the new small vehicle, bicycle, motorcycle and scooter parking requirements. Trustee Rudischer and Planner Zupanec discussed and then noted that it may be better to do the calculation for accessible parking spaces based on square footage rather than parking stalls.

Planner Zupanec discussed the new requirements regarding on-site storm water management plans, electric vehicle charging stations and landscape design that would facilitate water retention and break up expanses of paving and parking.

A member of the public asked who would be responsible for the electric bill of the charging station.

Planner Zupanec replied that it could be the tenants or owners of the building, but that would not be regulated.

A member of the public stated that charging stations are very important considering a lot of scooters don't have the capacity to go from the south end to the village and back without running out of power.

Discussion ensued regarding charging stations.

With regard to landscaping, a member of the public noted that the requirements seem rather vague. They wondered if there was a way to make it more specific.

Planner Zupanec stated that they could be as descriptive as needed.

Planner Zupanec then discussed the next steps for this project. She advised the public that they are currently at the public consultation stage until the close of the Public Hearing on July 16, 2014. She noted that after that point, no further submissions can be received by the LTC. After the Public Hearing, they will consider further readings and then the draft bylaws will go to the Executive Committee for approval and then adoption.

### **3. CALL TO ORDER**

Trustee Malcolmson arrived at 7:52 pm and the Community Information Meeting was called to order.

### **4. BYLAW NO 274 STRENGTHENING AGRICULTURE AND FARMLAND PROTECTION**

Planner Zupanec introduced the four proposed policies and eight proposed advocacy statements being considered.

A member of the public asked how an advocacy policy is policed. Planner Zupanec explained that advocacy policies are statements that the LTC puts in the Official

Community Plan for other agencies or bodies to act upon. She noted that we cannot control or police them, but the purpose of them is to advocate for positive change.

There was discussion regarding Genetically Modified Organisms and it was noted that there is no definition of Genetically Modified Organisms in the Land Use Bylaw or whether medical marihuana would be considered a genetically engineered seed or plant.

Planner Zupanec noted that clarity is being sought on whether indoor medical marihuana production could also be considered manufacturing or research of a genetically engineered seed or plant.

A member of the public asked if there was anything in the bylaw prohibiting chemical pesticides.

Planner Zupanec stated that it is difficult to regulate the use of chemical pesticides on private land, just as it is impossible to regulate the use or grow genetically modified seeds, plants or animals. Discouraging the use of chemical pesticides or herbicides could be included as an advocacy policy.

Trustee Rudischer noted that there is a policy in the Official Community Plan regarding pesticide use under the 'Water' section.

**5. BYLAW 275  
LAND USE BYLAW**

Planner Zupanec discussed the new prohibition of the use of land, buildings or structures in any zone for the manufacturing or research of genetically engineered seeds, plants and animals.

A member of the public asked about medical marihuana. Discussion ensued.

The minimum setback for greenhouses in all zones, and agri-tourism was discussed. It was noted that these new regulations would bring Gabriola Island to the level that the rest of the Province has already been allowing for land in the Agricultural Land Reserve.

Discussion regarding the new regulations for indoor production of medical marihuana licensed under the Marihuana for Medical Purposes Regulation ensued. It was noted that this was one of the recommendations that did not originate from the Agriculture Advisory Committee and has not had a lot of discussion.

There was discussion regarding permitted accommodation on lands 2-hectares or larger, zoned Agricultural and in the Agricultural Land Reserve with farm status.

A member of the public wondered about lands not in the Agricultural Land Reserve.

Planner Zupanec stated that those are not included, however, those who feel their land should be in the Agricultural Land Reserve is encouraged to apply to the Province to be included.

A member of the public asked if there is anything in the bylaws that would require an existing farmer to house a homeless person.

Planner Zupanec confirmed this is not the case.

A member of the public asked if cloned animals fall under the Genetically Modified Organism regulations.

Planner Zupanec confirmed that this is the case.

The public thanked Planner Zupanec for all her hard work and knowledge on these projects.

Planner Zupanec and the Trustees thanked the public for attending.

**4. ADJOURNMENT**

The Community Information Meeting adjourned at 8.30 pm.

---

David Graham, Chair

CERTIFIED CORRECT:

---

Jessie Sherk, Recorder




---

## Gabriola Island Local Trust Committee Minutes of a Regular Meeting

---

**Date of Meeting:** Wednesday, June 26, 2014  
**Location:** Women's Institute  
 476 South Road, Gabriola Island, BC

**Members Present:** David Graham, Chair  
 Sheila Malcolmson, Local Trustee  
 Gisele Rudischer, Local Trustee

**Staff Present:** Courtney Simpson, Regional Planning Manager  
 Sonja Zupanec, Planner  
 Jessie Sherk, Recorder

**Media and Others Present:** One (1) member of the public and two (2) local media representatives were in attendance

### 1. CALL TO ORDER

Chair Graham called the meeting to order at 10:15 am. Staff and trustees were introduced. He acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

By general consent the agenda was approved.

### 3. MINUTES

#### 3.1 Local Trust Committee Meeting Minutes of May 14, 2014

By general consent the minutes were adopted as presented.

#### 3.2 Section 26 Resolutions without Meeting

Reviewed for information

#### 3.3 Gabriola Island Advisory Planning Commission Meeting Minutes - none

#### 3.4 Mudge Island Advisory Planning Commission Meeting Minutes of June 8, 2014

Reviewed for information

**GB-2014-110**

It was **MOVED** and **SECONDED**,  
that the Gabriola Island Local Trust Committee add the topic of Medical  
Marihuana Zoning in the Mudge Island Bylaws to the Projects List.

**CARRIED**

**3.5 Gabriola Island Agricultural Advisory Commission Meeting Minutes – None**

**4. BUSINESS ARISING FROM MINUTES**

**4.1 Follow-up Action List dated June 12, 2014**

Planning Manager Simpson stated that everything was up to date. Some discussion ensued regarding the provincial approval of the Riparian Areas Regulation, Official Community Plan.

Planner Zupanec spoke briefly about the Community Information Meeting held on June 25, 2014. She advised the Local Trust Committee that they should proceed with the Public Hearing in July and that they will be receiving a staff report with recommendations,

**5. CORRESPONDENCE - None**

**6. REPORTS**

**6.1 Work Program Reports**

**6.1.1 Top Priorities Report and Projects List dated June 12, 2014**

The Top Priorities Report and Projects List were reviewed. It was noted that the housekeeping bylaw would be pushed back. The draft bylaw will be ready by the September 4, 2014 meeting. Discussion ensued and trustees asked for a next report on the housekeeping bylaw project at the July meeting.

**6.2 Applications Log**

**6.2.1 Report dated June 12, 2014**

The applications log was reviewed and discussed.

**6.3 Trustee and Local Expenses**

**6.3.1 Expenses posted to month ending May 2014**

Reviewed for information.

**7. NEW BUSINESS**

**8. TRUSTEE'S REPORT**

Trustee Rudischer reported that she attended meetings related to BC Ferries and the problem with the ferry line-up. She noted that the Ministry of Transportation and Infrastructure and BC Ferries are working together to come to a solution to the issue of safety in the ferry line up. She stated that one of the questions people asked was how is the new schedule a cost savings if you have to hire people to control the traffic? She also added that she asked why the 11:40 am ferry, which follows the break, is always late. The answer she received is that the Captain and Mate used to be paid overtime monies instead of receiving a break, but now they are having a dedicated lunch break.

Trustee Malcolmson reported that the ferry economic impact study that the Union of British Columbia Municipalities has been working on would be ready in draft form next week. She noted that it would be released in conjunction with the Union of British Columbia Municipalities Convention in September. She stated that the economic consultant that was hired is optimistic that he could make a strong case on the impact that the increased fares and service cuts are having on coastal communities. Trustee Malcolmson added that she hopes he chose Gabriola Island as one of the example communities.

Trustee Malcolmson also reported on Islands Trust's submission to the National Energy Board on the Kinder Morgan pipeline process. She discussed the meeting she attended with the Capital Regional District Trust Malcolmson reported on Trust Council last week stating that they met on Saturna Island. She stated that the highlights included a presentation from a scientist from the University of British Columbia and from the Coastal Douglas Fir partnership on the importance of the Islands Trust Area in protecting this endangered eco-system. She noted that they also met with the San Juan Council who gave them a power point presentation on their eco-system protection. She also noted that the stewardship awards were announced and that they enjoyed a local foods dinner with food from every island except for Gabriola.

**9. CHAIR'S REPORT**

Chair Graham reported that the presentation at Trust Council on the effects of grazing and the destruction of songbird nests by the cowbird was very informative. Also very interesting was that the current habit of shooting the male deer as opposed to the female deer, actually results in an increase in population. Chair Graham added that the Department of Fisheries attended the Trust Council meeting over the phone. Lastly he noted that the geoduck presentation at Trust Council was very interesting and that the San Juan Islands had not felt the threat of industrial expansion of geoduck aquaculture until they were showed how it can move very quickly from a small operation to large scale.

**10. REGIONAL DIRECTOR'S REPORT - None**

11. DELEGATIONS - None

12. TOWN HALL SESSION - None

13. APPLICATIONS AND PERMITS

13.1 GB-DVP-2014.1 (Vertlieb and Briscoe)

13.1.1 Staff Report dated May 23, 2014

Planning Manager Simpson introduced the staff report. She explained the purpose of the application. Trustees and staff reviewed the photos provided and discussed the application. It was noted that in the pictures it looks as though there is already a garage there. Also noted was that an archaeological study was encouraged prior to this development. Planning Manager Simpson stated that the study is only a recommendation and not a requirement. It was decided to come back to this item after they had a confirmation of what exactly was being shown in the pictures provided.

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Official Community Plan/Land Use Bylaw Review

14.1.1 Climate Change Policy Implementation  
Staff Report dated June 3, 2014

Planner Zupanec explained the purpose of the staff report. She discussed the definition of green space and open space to ensure the intention of the report is clarified. The wording recommended in the report as well as some of the public's suggestions from the Community Information Meeting, was reviewed and discussed by staff and trustees.

**GB-2014-111**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee direct staff to bring back prior to consideration of second reading of Proposed Bylaw 273, draft guidelines for DP-7 requiring a percentage of public open space for Local Trust Committee consideration, consistent with the June 3, 2014 staff report.

**CARRIED**

**13.1 GB-DVP-2014.1 (Vertlieb and Briscoe)**

13.1.1 Staff Report dated May 23, 2014

Planning Manager Simpson confirmed that what appears to be a garage door in the photograph is indeed a garage door. She stated that the applicant must be looking to expand the house and that the new garage would be adjacent to the door in the picture.

**GB-2014-112**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee approved issuance of Development Variance Permit GB-DVP-2014.1 to Beverly Briscoe and Arthur Vertlieb for Lot 7, Section 30, Gabriola Island, Nanaimo District, Plan VIP54635 (2931 Dragon's Lane).

**CARRIED**

Trustee Rudischer opposed

Speaking to the motion, Trustee Malcolmson stated that she is willing to take the staff recommendations as the change to the side lot line is not enormous and the neighbors are not opposed.

14.1.2 Climate Change Policy Implementation  
Staff Report Dated June 3, 2014

Planner Zupanec explained the purpose of the staff report. Discussion ensued. Trustee Malcolmson stated that she supports the intention of this as it is in line with the Official Community Plan. She noted that this is just a mechanical piece and that it is consistent with what is desired for the village core, which is to make it more walk-able and not entirely car reliant.

**GB-2014-113**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee advise the Executive Committee that it has reviewed the Policy Statement Directives Only Checklist and determined that Draft Bylaw No. 276 is not contrary to or at variance with the Islands Trust Policy Statement

**CARRIED**

**GB-2014-114**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee give first reading to Draft Bylaw No. 276, cited as "Gabriola Island Official Community Plan Bylaw 166, 1997, Amendment No. 2, 2014"

**CARRIED**

**GB-2014-115**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee direct staff to follow up on the notification pertaining to the changes proposed in Proposed Bylaw No. 276 that relate to the referral of Proposed Bylaw No. 273 with the following agencies and First Nations:

- Regional District of Nanaimo Building and Sustainability
- Thetis Island LTC
- Penelakut Tribe
- Snuneymuxw First Nations
- Cowichan Tribes
- Halalt First Nation
- H'ul'qumi'num Treaty Group
- Stz'uminus First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Te'Mexw Treaty Association

**CARRIED**

**GB-2014-116**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee request that staff schedule a public hearing for Proposed Bylaw No. 276.

**CARRIED**

14.1.3 Riparian Areas Regulation – fees bylaw amendment  
Staff Report dated June 3, 2014

Planning Manager Simpson explained the staff report. Discussion ensued.

**GB-2014-117**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee gives first, second and third readings to Bylaw No. 277, cited as “Gabriola Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2014” and refer it to Executive Committee.

**CARRIED**

Trustee Malcolmson stated that they had received a number of recommendations from members of the public and the Advisory Planning Commission that Islands Trust should subsidize the cost of the biologist report or pay for the mapping, however legislatively they are not allowed to spend taxpayer’s money on this. This was the one way that they could help with the financial burden; on that basis she supports the motion.

**15. BYLAWS**

**15.1 Proposed Bylaw 276 cited as “Gabriola Island Official Community Plan (Gabriola island) Bylaw No. 166, 1997, Amendment No. 2, 2014”**

**15.2 Proposed Bylaw 277 cited as “Gabriola Island Local Trust Committee Fees Bylaw, 2007, Amendment No. 1, 2014**

**BREAK – 11:25 – 11:35**

**16. CLOSED MEETING**

**GB-2014-118**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee close the next part of the June 26, 2014 business meeting to discuss matters pursuant to Section 90 (1) (d) of the Community Charter to consider adoption of closed meeting minutes and 90 (1) (f) of the Community Charter to consider a Bylaw Enforcement update; and that staff be invited to attend this meeting.

**CARRIED**

Committee closed the meeting at 11:30 am.

**17. RECALL TO ORDER**

Committee reconvened in open meeting at 11:55 am.

**18. ISLANDS TRUST WEBSITE - Gabriola Pages**

No updates.

**19. NEXT MEETING**

The next meeting will take place on Thursday, July 17, 2014 at 10:15 am at the Women’s Institute, 476 South Road, Gabriola Island, BC.

**20. TOWN HALL SESSION – None**

**21. ADJOURNMENT**

**By general consent** the meeting adjourned at 12:00 pm.

---

David Graham, Chair

**CERTIFIED CORRECT:**

---

Jessie Sherk, Recorder



# Islands Trust

## Follow Up Action Report w/ Target Date

### Gabriola Island

1	Proposed Bylaw 273 (Climate Change LUB) - bring back draft guidelines for consideration at second reading that require public open space for DP7 as per staff report recommendations. Include recommendations and analysis of CIM input on proposed changes to bylaw prior to consideration of second reading.	Sonja Zupanec		On Going
1	Proposed Bylaw 275 (Agriculture LUB): staff to return to LTC, recommendations based on CIM input prior to consideration of second reading.	Sonja Zupanec		On Going
1	Add "Roadside Aerial Pruning" with guest Johnathan Tillie, Operations Manager, Central Vancouver Island, Ministry of Transportation and Infrastructure to the July 17, 2014 LTC meeting agenda. Include the July 17, 2013 letter from the Chair to MoTI in the agenda package.	Lisa Webster-Gibson	Jul-17-2014	Done

### Jul-18-2013

No.	Activity	Responsibility	Target Date	Status
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.  Scheduled for Sept Trust Council at request of DLPS	Sonja Zupanec	Sep-28-2014	On Going

### Mar-13-2014

No.	Activity	Responsibility	Target Date	Status
1	Staff to advise whether there are implementation measures the Local Trust Committee could adopt to lessen the financial impact and increase understanding of Riparian Areas Regulation when and if implemented.	Courtney Simpson	Jun-26-2014	Done

## May-14-2014

No.	Activity	Responsibility	Target Date	Status
1	Staff to report back on for consideration of closing GB-RZ-2007.1, GB-RZ, 2009.1 and GB-SUB-2010.2 after having contacted applicants.	Courtney Simpson	Jul-17-2014	On Going

## Jun-26-2014

No.	Activity	Responsibility	Target Date	Status
1	Proposed Bylaw 276 (OCP -DP7): given first reading. Notify referral agencies from bylaw 273 of the rationale and implications of 276; schedule notification and public hearing on July 16th.	Lisa Webster-Gibson Sonja Zupanec	Jul-16-2014	Done
1	Add the topic of medical marihuana zoning in the Mudge Island bylaws to the projects list	Courtney Simpson	Jul-17-2014	Done
1	GB-DVP-2014.1 approved by LTC. Permit to be issued to owners.	Lisa Webster-Gibson	Jul-17-2014	Done
1	Bylaw 277 given first, second and third reading and referral to EC. Staff to update bylaw on website and refer to EC.	Lisa Webster-Gibson	Jul-17-2014	On Going



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**  
 Email northinfo@islandstrust.bc.ca  
 Web www.islandstrust.bc.ca

July 17, 2013

File Number: GB 3070-30

**VIA EMAIL: johnathan.tillie@gov.bc.ca**

Johnathan Tillie  
 Ministry of Transportation and Infrastructure  
 3rd Floor, 2100 Labieux Rd.  
 Nanaimo BC V9T 6E9

Dear Johnathan Tillie:

**Re: Aerial pruning, brushing, overhead brushing along roadsides on Gabriola Island**

The Gabriola Local Trust Committee would like to convey their concern with regard to the methods used for vegetation clearing along the road right-of-way on Gabriola Island. The current practice of aerial pruning (“brushing” and/or “overhead brushing”) in the road right-of-way is very damaging to the vegetation.

The LTC would like to make you aware, that this practice is inconsistent with the following:

- Gabriola Island Official Community Plan
  - Land Transportation Objectives 7.1.9:  
*To require island roads to be maintained in good repair, but to ensure they are constructed in a manner which respects the natural contours of the landscape and allow for the retention of the natural vegetation cover within the public road right of way.*
  - Land Transportation Policy e:  
*Where possible, the natural vegetation along side the travelled portion of a public road shall be retained.*
- Letter of Agreement between the MOTI and the Islands Trust on Road Standards, Classification and MoTH/IT Consultative Process in the Islands Trust Area
  - *Section E, 2b) Heights and Clearance Zone:*  
*Height of vegetation within the brushing and utility zone shall be controlled to maintain sight distance on curves and intersection sight triangles for traffic safety reasons.*

*Roadside vegetation will be retained where possible unless it becomes a hazard to public safety or interferes with utility or drainage requirements. Trees will be permitted to encroach within the road right of way if they do not interfere with Hydro and Telephone services, or where utility poles will not be within a right of way. The brushing zone will be minimum of 2.0 m from the shoulder. The height clearance area for utilities will be 2.75 m beyond the utility pole to meet Worker's Compensation Board requirements. Low brush up to 2 m in height is allowed in the utility clearance area except at intersection sight triangles (including driveways).*

*The clearing width for construction will be only to the width required to contain the roadworks and utilities. Trees and brush can be retained beyond this width.*

*Maintenance programs for brush cutting will be discussed as part of the yearly consultative process.*

Thank you for your attention to these concerns.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Graham', with a horizontal line extending to the right.

David Graham  
Chair, Gabriola Island Local Trust Committee

pc: Gabriola Local Trust Committee  
Courtney Simpson, Regional Planning Manager

k:\lrc\northern gabriola\correspondence - gabriola\2013 - gabriola\letter to moti 2013 re aerial pruning.docx



# STAFF REPORT

---

**Date:** July 7, 2014

**File No.:** 3110-01 (Land  
Administration General)

**To:** Gabriola Island Local Trust Committee  
**For meeting of July 17, 2014**

**From:** Courtney Simpson, Regional Planning Manager

**CC:** Marnie Eggen, Planner 2; Teresa Rittemann, Planner 1

---

**Re: Dormant Applications**

## THE PROPOSAL

To report to the Gabriola Island Local Trust Committee on the status of dormant applications.

## BACKGROUND:

At the May 15, 2014 meeting the Local Trust Committee received a report on dormant applications. The LTC passed the following resolution:

### **GB-2014-090**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee direct staff to give applicants of dormant applications GB-RZ-2007.1 (Powell) and GB-RZ-2009.1 (Williamson & Associates) two months notice to advance their files, after which if the application remains dormant, the Local Trust Committee will consider closing them and direct staff to report back on subdivision referral file GB-SUB-2010.2 for consideration of closing it, after contacting the applicant to determine whether or not it is dormant.

**CARRIED**

This report addresses subdivision referral file GB-SUB-2010.2 only, and the other two applications will be addressed in a subsequent staff report.

Islands Trust applications, including but not limited to development permit, development variance permit, and rezoning applications, that have not been advanced within one year are considered to be dormant. Subdivision referral files opened prior to 2012 (i.e. more than three years) that have received one or more Preliminary Layout Approval extensions without evidence of work having commenced, or that have not received Preliminary Layout Approval at all, are considered dormant.

**GB-SUB-2010.2 (McCollum & Krul)**

Location: 1520 McCollum Road

Purpose: To create 7 parcels

*Timeline as previously presented:*

October 7, 2010 – File opened

November 10, 2010 – revised subdivision proposal received

April 19, 2011 – referral response sent to MoTI listing a number of requirements from Islands Trust including parkland dedication and a covenant.

May 31, 2011 – memorandum to LTC to request waiver of road frontage requirement. LTC waived the requirement.

September 6, 2011 – Regional District of Nanaimo Electoral Area 'B' Parks and Open Space Advisory Committee resolved that the proposed trail for park dedication (1% of area) as part of this subdivision should be denied in favour of a full 5% park dedication.

May 4, 2012 – Email from applicant saying they plan to submit a revised proposal regarding the community water system and potentially lot reconfiguration. Have not received this information.

March 12, 2013 – File closed due to inactivity, letter sent to applicant.

April 23, 2013 – File reopened as applicant advised that MoTI had incorrectly advised us that PLA had expired, as PLA has not been issued.

*New information since May 15, 2014 staff report:*

June 10, 2014 – Confirmed with MoTI that there has been no activity on this application in the last year aside from one phone call with a general question. MoTI stated that when the file is reactivated, they will re-refer to agencies because of the length of time that has passed.

*Information from applicant since May 15, 2014 staff report:*

Staff has discussed the application with the applicant, who has indicated they are working on the application and would like it to remain open even though neither we nor the MoTI have seen activity for some time. Staff has asked for specific information on how the application has advanced in the past two years, but at the time of writing this report has not received this information.

**Conclusion** – As there has been no activity on this file that Islands Trust staff is aware of in two years, it is considered to be dormant.

**STAFF COMMENTS:**

Trust Council Policy 6.5.i “Application Processing Services” has the stated purpose of “distinguish[ing] services along a continuum from property tax subsidy to applicant cost responsibility”. Subdivision referrals are considered “processing services” which “provid[e] a specific service to applicants as a direct response to an application and [are] primarily funded by an established fees paid by an applicant”.

Trust Council Policies 6.5.ii “Cost Recovery Agreements” and 6.5.iii “Extraordinary Processing Service Guidelines” describe the policy and process for entering into cost recovery agreements for extraordinary processing. These agreements “will endeavour to recover all costs of processing that exceed the applicable average costs of processing”.

Based on this policy framework, subdivision referral files opened prior to 2012 (i.e. more than three years) that have received one or more Preliminary Layout Approval extensions without evidence of work having commenced, or that have not received Preliminary Layout Approval at all, are considered dormant, and are recommended for closure. Restarting work on a file that has been dormant typically results in exceeding of the average cost of processing that type of application. Opening a new application for the same property at such future time as work re-starts does not in any way reflect poorly on the proposal.

The LTC may resolve to support staff in closing this subdivision referral file unless new information is provided at this meeting.

**RECOMMENDATIONS:**

THAT the Gabriola Island Local Trust Committee direct staff to close subdivision referral file GB-SUB-2010.2.

---

Prepared and Submitted by:

*Courtney Simpson*

July 7, 2014

---

RPP, MCIP  
Regional Planning Manager

---

Date



Islands Trust

## Top Priorities

### Gabriola Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	<b>Gabriola Planning Area OCP Review:</b>	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) and reduce fee for DP 3 application to \$200.  Bylaws 265 and 266 approved by EC, Bylaw 265 waiting for Ministerial approval (as of May 6, 2014).	Jun-28-2011	Courtney Simpson	Sep-14-2014	On Going
1	<i>2) Rezoning new RDN Parks and ITF nature reserves</i>	First reading given Jan 16/14 to both bylaws with amendments as per resolution. Referrals to be sent to select agencies and First Nations.	Nov-29-2012	Sonja Zupanec	Sep-01-2014	On Going
1	<i>3) Review and amend OCP &amp; LUB to increase local food security and farmland protection</i>	LTC endorsed changes in March 2014 and early referral to AAC and ALC sent prior to consideration of first reading May 2014.	Jan-19-2012	Sonja Zupanec	Sep-01-2014	On Going
1	<i>4) Implement OCP climate change policies into LUB</i>	CIM held April 3 and LTC to consider possible revisions at April LTC meeting.	Jan-07-2013	Sonja Zupanec	Sep-01-2014	On Going

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	Sonja Zupanec	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
2	<b>Housekeeping Bylaw Amendments</b>	Note: the priority for this item falls after #4 (climate change policies) in the OCP targeted review list.	Feb-20-2014	Courtney Simpson	Sep-01-2014	On Going
3	<b>Snuneymuxw First Nation Protocol Agreement Implementation</b>	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
4	<b>Development Approval Information bylaw</b>	Draft prepared. January 17, 2013 resolution to submit to EC. Draft will require review after bylaws 265 and 266 receive third reading.	Jun-28-2012	Sonja Zupanec	Jun-30-2013	On Going



## Projects

### Gabriola Island

No.	Description	Activity	Received/Initiated	Status
1	Review OCP and LUB to include protective measures for biodiversity.	Species and Ecosystems at Risk (SEAR) Local Government Working Group may have resources for this project.	Jan-19-2012	On Going
1	Review OCP and LUB to improve protection of coastal areas.		Jan-19-2012	On Going
1	Review OCP and LUB to protect water quality and quantity.		Jan-19-2012	On Going
1	Bylaw enforcement staff requested to provide a report on methods of proactive enforcement on advertised unlawful dwellings, as that is the point they are most likely to be unoccupied.		Nov-01-2012	On Going
1	Bylaw enforcement staff requested to provide an update on proactive enforcement of unlawful foreshore structures.		Nov-01-2012	On Going
2	DeCourcy Island Official Community Plan Review and Advisory Planning Commission Appointments. Topics include: <ul style="list-style-type: none"> <li>• park areas without park zoning</li> <li>• DAI Bylaw</li> </ul>		Apr-21-2011	On Going
2	Hazardous areas and steep slopes development permit area <ul style="list-style-type: none"> <li>• also consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain</li> </ul>		Feb-21-2013	On Going
2	Forage Fish Mapping Workshop	March, 2013 resolution	Sep-05-2013	On Going

3	Land Based Aquaculture	Review most recent provincial direction on land based aquaculture and develop appropriate policies and regulations.	Jan-16-2014	On Going
3	First Nations cultural references in land use planning	Work with Snuneymuxw First Nation (SFN) to seek funding for archaeological mapping and host and invite SFN Councillor Geraldine Manson to make a storytelling presentation on Gabriola.	Jan-27-2011	On Going
3	Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).		May-14-2014	On Going
3	Medical marihuana zoning in Mudge Island bylaws	See Mudge APC minutes of June 8, 2014	Jun-26-2014	On Going



## Applications w/ Status - Gabriola Island Status: Open

### Applications

#### Development Permit

File Number	Applicant Name	Date Received	Purpose
GB-DP-2014.1	Intrascap Developments Inc. <b>Planner:</b> Sonja Zupanec	Jan-29-2014	development of 6790 square feet of leasable area within one building - addition of second building to phase 2 of Madrona Marketplace

#### Planning Status

**Status Date:** Feb-05-2014

Planner reviewing file.

#### Rezoning

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

#### Planning Status

**Status Date:** Jun-10-2014

Applicant contacted by staff. Applicant requested meeting to discuss next steps.

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2009.1	Williamson & Associates <b>Planner:</b> 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

## 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:** Apr-14-2014

parent lot is in transition of sale

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:** Linda Prowse

### Planning Status

**Status Date:** Jun-02-2014

Contacted applicant to determine if file is dormant.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2011.1	Williamson & Associates Professional Surveyors	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)

**Planner:** Marnie Eggen

### Planning Status

**Status Date:** Mar-14-2014

PLA received

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2012.2	Don Powell	Oct-24-2012	725 Church Street - subdivision to create one new lot and a remainder lot

**Planner:** Linda Prowse

### Planning Status

**Status Date:** Mar-18-2014

MOTI sent notification that the subdivision is NOT being approved. If the reasons for non-approval are not overcome in 1 year, the file will be closed. Note that Islands Trust staff re-sent our subdivision referral response as the notice of non-approval indicated that MOTI had not received it.

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:** Jun-27-2014

Still Awaiting PLA from Ministry.

<b>File Number</b>	<b>Applicant Name</b>	<b>Date Received</b>	<b>Purpose</b>
GB-SUB-2013.3	Smythies & Associates <b>Planner:</b> Linda Prowse	Oct-28-2013	411 Daniel Way subdivision to create 2 parcels

### **Planning Status**

---

**Status Date:** Mar-14-2014

MOTI did NOT give approval for this subdivision. The applicant has 1 year to overcome the two reasons for non-approval, and then the file will be closed.

<b>File Number</b>	<b>Applicant Name</b>	<b>Date Received</b>	<b>Purpose</b>
GB-SUB-2013.4	<b>Planner:</b> Marnie Eggen	Nov-13-2013	Driftwood Drive, Mudge Island Boundary Adjustment

### **Planning Status**

---

**Status Date:** Apr-23-2014

PLA issued

---

**Islands Trust**

LTC EXP SUMMARY REPORT F2015  
 Invoices posted to Month ending June 2014

620 Gabriola	Invoices posted to Month ending Jun 2014	Budget	Spent	Balance
65000-620	LTC "Trustee Expenses"	1,100.00	0.00	1,100.00
<b>LTC Local</b>				
65200-620	LTC - Local Exp - LTC Meeting Expenses	4,250.00	341.92	3,908.08
65210-620	LTC - Local Exp - APC Meeting Expenses	750.00	0.00	750.00
65220-620	LTC - Local Exp - Communications	750.00	304.97	445.03
65230-620	LTC - Local Exp - Special Projects	2,250.00	0.00	2,250.00
<b>TOTAL LTC Local Expense</b>		<u>8,000.00</u>	<u>646.89</u>	<u>7,353.11</u>
<b>Projects</b>				
73001-620-2001	Gabriola OCP/LUB	10,000.00	263.58	9,736.42
73001-620-4026	Gabriola RDN/SFU Groudwater Mapping	6,250.00	0.00	6,250.00
<b>TOTAL Project Expenses</b>		<u>16,250.00</u>	<u>263.58</u>	<u>15,986.42</u>



# STAFF REPORT

**Date:** July 4, 2014

**File No.:** 6500-20 (Gabriola  
Climate Change  
Policy  
Implementation)

**To:** Gabriola Local Trust Committee  
**For meeting of July 17, 2014**

**From:** Sonja Zupanec, Island Planner

**Copy:** Courtney Simpson, Regional Planning Manager

**Re: Climate Change Implementation - Proposed Bylaws 273 and 276**

## OVERVIEW:

The purpose of this report is to:

- 1) Review public input received at the June 2014 Community Information Meeting and referral responses for Proposed Bylaw 273 and recommend select revisions at second reading; and
- 2) Recommend second and third readings of Proposed Bylaw No. 273 and 276 and forward both bylaws to the Islands Trust Executive Committee.

## BACKGROUND:

At the time of report writing a public hearing for both proposed bylaws was scheduled for July 16, 2014. Any public input, agency or First Nations comments received between the date on this staff report and the close of the public hearing should be considered in conjunction with staff recommendations.

## PROPOSED BYLAWS:

Proposed Bylaw No. 273:

Table 1. (attached) summarizes public input, agency responses and LTC direction for potential revisions to the proposed bylaws received up to the time of report writing. Staff recommends the following changes be considered at second reading (summarized in Table 1 and listed below):

- 1) **Development Permit 7 Guidelines – Electric Vehicle Charging Stations:** The revision to the proposed DP guideline F.3.7.9 clarifies the intent to have charging stations suitable for charging bicycles and scooters as well as conventional electric vehicles. This guideline does not limit new charging stations to only Level 1 (110V) or Level 2(220/240V) capacity, and stipulates that both would need to be provided.

REVISE: *F.3.7.9 Where a building or use provides more than 25 parking spaces, one electric vehicle charging station capable of at least 110V and 220/240V charging must be provided and marked with a sign or symbol identifying the space as reserved for charging an electric vehicle, electric scooter or electric bicycle.*

- 2) **Development Permit 7 Guidelines – Public Open Space:** The Gabriola Local Trust Committee (LTC) passed a resolution at the June 26, 2014 regular business meeting requesting staff to bring back revisions to Proposed Bylaw 273 related to Development Permit 7 guidelines requiring public open space. The following revisions to the proposed bylaw can be made at second reading:

ADD:

*F.3.7.12 Fifteen percent of the property shall be devoted to public open space with fifty percent of that amount along the road frontage. Storm water retention areas or rain gardens may be used to meet this requirement.*

*F.3.7.13 Seventy-five percent of the designated public open space shall be contiguous with no portion less than two metres in width and designated spaces shall be connected, where possible, to public pedestrian paths or access points on adjacent properties or roads.*

- 3) **Development Permit 7 Guidelines – F.3.7.11 Landscaped islands in parking areas:** Public input has been received requesting that the wording of this guideline be more specific to ensure that the intent is met. The following revision can be made at second reading:

REVISE:

F.3.7.11 Landscaped islands of trees and shrubs no smaller in area than 4 square metres (43 square feet) each shall be used in parking areas located at a minimum of every 15 stalls to break up expanses of paving and parking and capture and infiltrate runoff.

- 4) **Accessible Parking Requirements – Table 2 of B.5.1.1:** As the parking requirements for the Village Commercial and District Commercial shopping centres are proposed to become minimum parking requirements, the accessible parking requirements could be amended to relate to leaseable floor area as opposed to the number of parking stalls.

REVISE:

*Table 2 of B.5.1.1. for commercial uses in the Village Commercial and District Commercial shopping centres, the accessible parking requirements in column 3 shall be replaced with “1 per 150 square metres (1,614.5 square feet) of leaseable floor area in the building.”*

- 5) **Bicycle Parking Requirements – Table 2 of B.5.1.1:** Bicycle parking requirements currently proposed are 1 per 250 square metres (2,690 square feet) of leaseable floor area in the building for the Village Commercial and District Commercial shopping

centres. More bicycle parking, consistent with accessible parking requirements can be required.

REVISE:

*Table 2 of B.5.1.1. for commercial uses in the Village Commercial and District Commercial shopping centres, the bicycle parking requirements in column 3 shall be replaced with "1 per 150 square metres (1,614.5 square feet) of leasable floor area in the building."*

- 6) Small Car Parking Requirements – B.5.3.6:** the proposed regulation applicable to all non-residential parking requirements currently stipulates that up to 20% of total vehicle parking spaces may be reduced to small vehicle spaces (in lots with 10 or more spaces). This is voluntary, and no greater than 20% of spaces could be reduced in size. Public input has suggested that this be revised to be a minimum requirement in order to ensure a minimum of small vehicle spaces. Staff suggests the following wording:

REVISE:

*B.5.3.6 "Where a building or use provides more than 10 parking spaces, **[a minimum of]** 20% of the total spaces ~~may~~ **[must]** be reduced to 2.4m in width and 4.6m in length and marked with the words 'SMALL VEHICLE ONLY' on the pavement or facing wall."*

Pending the review of any relevant public hearing submissions, staff recommends no additional revisions to Proposed Bylaw No. 273 and recommends second reading as revised and third reading, followed by submission to the Executive Committee for approval.

Proposed Bylaw No. 276:

Pending the review of any relevant public hearing submissions, staff recommends no further revisions to Proposed Bylaw No. 276 which would amend the Gabriola Official Community Plan. Staff recommends second and third readings. The proposed bylaw will be forwarded to the Islands Trust Executive Committee for approval and then the Minister of Community, Sport and Cultural Development before LTC consideration of final adoption.

**RECOMMENDATIONS:**

**THAT** the Gabriola Island Local Trust Committee:

- 1) give second reading as revised to Proposed Bylaw No. 273 cited as "Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 2, 2013";

- 2) give third reading to Proposed Bylaw No. 273 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 2, 2013” ;
- 3) give second reading to Proposed Bylaw No. 276 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 2, 2014”
- 4) give third reading to Proposed Bylaw No. 276 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 2, 2014”
- 5) request staff to forward Proposed Bylaws 273 and 276 to the Islands Trust Executive Committee for approval; and request staff to forward Proposed Bylaw 276 to the Minister of Community, Sport and Cultural Development for approval.

Prepared and Submitted by:

*Sonja Zupanec*

RPP, Island Planner

July 4, 2014

Date

Concurred in by:

*Courtney Simpson*

RPP, MCIP Regional Planning Manager

July 7, 2014

Date

Attachment:

1. Table 1. – summary of public, agency/FN referral suggestions for changes



**Islands Trust**  
Gabriola Island Local Trust  
Committee

## Table of Suggested Revisions for Gabriola Island Land Use Bylaw

### Climate Change Implementation Review Proposed Bylaw No. 273

July 2014

No.	Section or Regulation	Input on Proposed Bylaw 273
1	Proposed Table 2 of B.5.1.1	<p><b>Request:</b> Amend Accessible Parking Requirements in Column 3 in relation to leasable floor area, not number of parking stalls.</p> <p><b>Staff Recommendation:</b> amend regulation to read “1 per 150 square metres (1,614.5 square feet)”</p>
	Proposed Table 2 of B.5.1.1	<p><b>Request:</b> Increase Bicycle Parking Requirements in Column 3 for Village Commercial and District Commercial shopping centres from one per 250 square metres to 1 per 150.</p> <p><b>Staff Recommendation:</b> amend regulation to read “1 per 150 square metres (1,614.5 square feet)”</p>
2	Proposed Table 2 of B.5.1.1	<p><b>Request:</b> Amend maximum parking required for village commercial and district commercial to 1 per 20 square metres from 1 per 16 square metres.</p> <p><b>Staff Recommendation:</b> no change</p>
3	Proposed B.5.2.3	<p><b>Request:</b> Require a minimum of 15% of parking spaces to be designated for parking of motorcycles or scooters.</p> <p><b>Staff Recommendation:</b> no change</p>
4	Proposed B.5.3.6	<p><b>Request:</b> “Where a building or use provides more than 10 parking spaces, [a <b>minimum of</b>] 20% of the total spaces <del>may</del> [bust] be reduced to 2.4m in width and 4.6m in length and marked with the words ‘SMALL VEHICLE ONLY’ on the pavement or facing wall.”</p> <p><b>Staff Recommendation:</b> amend regulation as presented above.</p>
5	Proposed DP Guideline F.3.7.11	<p><b>Request:</b> Require 50% of parking space to be covered with tree canopy or landscaping.</p> <p><b>Staff Recommendation:</b> no change</p>

No.	Section or Regulation	Input on Proposed Bylaw 273
6	Proposed DP Guideline F.3.7.9	<p><b>Request:</b> <i>Require use of solar vehicle charge stations rather than plugging into the grid.</i></p> <p><b>Staff Recommendation:</b> <b>no change</b></p>
7	Proposed DP Guideline F.3.7.9	<p><b>Request:</b> <i>Require dual capability charging for all types of electric vehicles.</i></p> <p><i>F.3.7.9 Where a building or use provides more than 25 parking spaces, one electric vehicle charging station [capable of at least 110V and 220/240V charging] must be provided and marked with a sign or symbol identifying the space as reserved for charging an electric vehicle, [electric scooter or electric bicycle].</i></p> <p><b>Staff Recommendation:</b> <b>amend guideline as presented above.</b></p>
8	Proposed DP Guideline F.3.7.11	<p><b>Request:</b> <i>Require a specific size of landscape islands for new parking areas.</i></p> <p><i>F.3.7.11 Landscaped islands of trees and shrubs no smaller in area than 4 square metres (43 square feet) each shall be used in parking areas located at a minimum of every 15 stalls to break up expanses of paving and parking and capture and infiltrate runoff.</i></p> <p><b>Staff Recommendation:</b> <b>amend guideline as presented above.</b></p>
9	Proposed DP Guideline F.3.7.12	<p><b>LTC Direction:</b> <i>Stipulate a minimum public open space requirement.</i></p> <p><i>F.3.7.12 Fifteen percent of the property shall be devoted to public open space with fifty percent of that amount along the road frontage. Storm water retention areas or rain gardens may be used to meet this requirement.</i></p> <p><b>Staff Recommendation:</b> <b>add new guideline as presented above.</b></p>
10	Proposed DP Guideline F.3.7.13	<p><b>LTC Direction:</b> <i>Stipulate public open space criteria.</i></p> <p><i>F.3.7.12 Seventy-five percent of the designated public open space shall be contiguous with no portion less than two metres in width and designated spaces shall be connected, where possible, to public pedestrian paths or access points on adjacent properties or roads.</i></p> <p><b>Staff Recommendation:</b> <b>add new guideline as presented above.</b></p>



# STAFF REPORT

---

**Date:** July 7, 2014

**File No.:** 6400-20 Agriculture Policies

**To:** Gabriola Island Local Trust Committee  
For meeting of July 17, 2014

**From:** Sonja Zupanec, Island Planner

**Copy:** Courtney Simpson, Regional Planning Manager

---

**Re: Gabriola Agriculture Policies – Proposed Bylaws 274 and 275**

## PURPOSE:

The purpose of this report is to recommend second and third readings of Proposed Bylaw Nos. 274 and 275 and forward both bylaws to the Islands Trust Executive Committee.

## BACKGROUND:

At the time of report writing, a public hearing for both proposed bylaws was scheduled for July 16, 2014. Any public input, agency or First Nations comments received between the date on this staff report and the close of the public hearing should be considered in conjunction with staff recommendations outlined below.

### Proposed Bylaw No. 274:

Pending the review of any relevant public hearing submissions, staff recommends no further revisions to Proposed Bylaw No. 274 which would amend the Gabriola Official Community Plan (OCP) by adding several new OCP policies related to agriculture.

Confirmation that indoor medical marijuana production under Health Canada regulations does not involve the manufacturing or research of genetically engineered seeds or plants has been sought was not available at the time of report writing. A verbal update on this will be provided at the LTC meeting. Staff recommends second and third readings of the proposed bylaw. The bylaw will then be forwarded to the Islands Trust Executive Committee for approval and then the Minister of Community, Sport and Cultural Development before LTC consideration of final adoption.

### Proposed Bylaw No. 275:

Pending the review of any relevant public hearing submissions, staff recommends no further revisions to Proposed Bylaw No. 275 which would amend the Gabriola Island Land Use Bylaw with several new regulations pertaining to agriculture. Staff recommends second and third readings of the proposed bylaw. The bylaw will then be forwarded to the Islands Trust Executive Committee for approval before LTC consideration of final adoption.

**RECOMMENDATIONS:**

**THAT the Gabriola Island Local Trust Committee:**

- 1) Give second reading to Proposed Bylaw No. 274 cited as “Gabriola Island Official Community Plan Bylaw 166, 1997, Amendment No. 1, 2014”;
- 2) Give third reading to Proposed Bylaw No. 274 cited as “Gabriola Island Official Community Plan Bylaw 166, 1997, Amendment No. 1, 2014”;
- 3) Give second reading to Proposed Bylaw No. 275 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2014”;
- 4) Give third reading to Proposed Bylaw No. 275 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2014”;
- 5) Request staff to forward Proposed Bylaws 274 and 275 to the Islands Trust Executive Committee for approval; and request staff to forward Proposed Bylaw 274 to the Minister of Community, Sport and Cultural Development for approval.

---

Prepared and Submitted by:

*S. Zupanec*

July 7, 2014

---

Sonja Zupanec, RPP  
Island Planner

---

Date

Concurred in by:

*Courtney Simpson*

July 8, 2014

---

Courtney Simpson, RPP, MCIP  
Regional Planning Manager

---

Date



# STAFF REPORT

**Date:** June 30, 2014

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

**To:** Gabriola Local Trust Committee  
**For meeting of July 17, 2014**

**From:** Sonja Zupanec, Island Planner

**Copy:** Courtney Simpson, Regional Planning Manager

**Re: Gabriola Island Parks Rezoning – Proposed Bylaws 271 and 272**

## OVERVIEW:

The purpose of this report is to:

- 1) Recommend one correction to Proposed Bylaw 272 at second reading; and
- 2) Recommend second and third readings of Proposed Bylaw No. 271 and 272 and forwarding to Executive Committee.

## BACKGROUND:

A public hearing for both proposed bylaws was held on July 16, 2014. Any public input, agency or First Nations comments should be considered in conjunction with staff recommendations in this report which were prepared prior to the public hearing.

## PROPOSED BYLAWS:

### Proposed Bylaw No. 271:

Pending the review of any relevant public hearing submissions, staff recommends no further revisions to Proposed Bylaw No. 271 and recommends second and third readings. The proposed bylaw will be forward to the Islands Trust Executive Committee for approval and then the Minister of Community, Sport and Cultural Development before Local Trust Committee (LTC) consideration of final adoption.

### Proposed Bylaw No. 272:

Staff recommends the LTC give second reading as revised to incorporate one correction to the proposed regulations for the P2 (Active Recreation) and P3 (Passive Recreation) zones which are owned by the Regional District of Nanaimo. None of the parcels in the P2 and P3 zones are provincially owned/operated therefore the following reference to BC Parks can be deleted:

Proposed Bylaw Section:

**1. e) and f):**

**“special events under permit by the Regional District of Nanaimo or BC Parks”**

Pending the review of any relevant public hearing submissions, staff recommends no additional revisions to Proposed Bylaw No. 272 and recommends second reading as revised and third reading, followed by submission to the Executive Committee for approval.

**RECOMMENDATIONS:**

**THAT** the Gabriola Island Local Trust Committee:

- 1) give second reading to Proposed Bylaw No. 271 cited as “Gabriola Official Community Plan Bylaw 166, 1999, Amendment No. 1, 2013”
- 2) give third reading to Proposed Bylaw No. 271 cited as “Gabriola Official Community Plan Bylaw 166, 1999, Amendment No. 1, 2013”
- 3) give second reading as revised to Proposed Bylaw No. 272 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2013” by removing the words “or BC Parks” from 1. e) and f) ;
- 4) give third reading to Proposed Bylaw No. 272 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2013” ;
- 5) advise the Executive Committee that it has reviewed the Directives Only Policies and determined that Bylaws No. 271 and No. 272 are not contrary to or at variance with the Islands Trust Policy Statement and request staff to forward Proposed Bylaws 271 and 272 to the Islands Trust Executive Committee for approval; and
- 6) request staff to forward Proposed Bylaw 271 to the Minister of Community, Sport and Cultural Development for approval.

Prepared and Submitted by:

Sonja Zupanec  
RPP, Island Planner

June 30, 2014  
Date

Concurred in by:

Courtney Simpson  
RPP, MCIP Regional Planning Manager

July 2, 2014  
Date

Attachments:

1. Islands Trust Policy Statement Checklists – 271 and 272
2. Proposed Bylaw No. 271, to amend the Gabriola Island Official Community Plan
3. Proposed Bylaw No. 272, to amend the Gabriola Island Land Use Bylaw



Islands Trust

## POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw and File No: Gabriola Bylaw 271**

### **PURPOSE**

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

### **POLICY STATEMENT**

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

### **DIRECTIVES ONLY CHECK LIST**

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✘ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A** if the policy is not applicable.

**Part III Policies for Ecosystem Preservation and Protection**

CONSISTENT	NO.	DIRECTIVE POLICY
	<b>3.1</b>	<b>Ecosystems</b>
✓	<b>3.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	<b>3.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
n/a	<b>3.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2</b>	<b>Forest Ecosystems</b>
n/a	<b>3.2.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	<b>3.3</b>	<b>Freshwater and Wetland Ecosystems and Riparian Zones</b>
n/a	<b>3.3.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
n/a	<b>3.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
n/a	<b>3.4.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

**PART IV: Policies for the Stewardship of Resources**

CONSISTENT	NO.	DIRECTIVE POLICY
	<b>4.1</b>	<b>Agricultural Land</b>
n/a	<b>4.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
n/a	<b>4.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	<b>4.1.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	<b>Forests</b>
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
✓	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	<b>Wildlife and Vegetation</b>
	4.4	<b>Freshwater Resources</b>
n/a	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	<b>Coastal Areas and Marine Shorelands</b>
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	<b>Soils and Other Resources</b>
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
--	--	---------------------------------

### **PART V: Policies for Sustainable Communities**

<b>CONSISTENT</b>	<b>NO.</b>	<b>DIRECTIVE POLICY</b>
	<b>5.1</b>	<b>Aesthetic Qualities</b>
<b>n/a</b>	<b>5.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	<b>5.2</b>	<b>Growth and Development</b>
<b>n/a</b>	<b>5.2.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
<b>n/a</b>	<b>5.2.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
<b>n/a</b>	<b>5.2.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
<b>n/a</b>	<b>5.2.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	<b>5.3</b>	<b>Transportation and Utilities</b>
<b>n/a</b>	<b>5.3.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
<b>n/a</b>	<b>5.3.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
<b>n/a</b>	<b>5.3.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
<b>n/a</b>	<b>5.3.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
<b>n/a</b>	<b>5.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

<b>CONSISTENT</b>	<b>NO.</b>	<b>DIRECTIVE POLICY</b>
-------------------	------------	-------------------------

	<b>5.5</b>	<b>Recreation</b>
n/a	<b>5.5.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	<b>5.5.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
✓	<b>5.5.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
✓	<b>5.5.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	<b>5.5.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	<b>5.6</b>	<b>Cultural and Natural Heritage</b>
n/a	<b>5.6.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	<b>5.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	<b>5.7</b>	<b>Economic Opportunities</b>
n/a	<b>5.7.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	<b>5.8</b>	<b>Health and Well-being</b>
n/a	<b>5.8.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

<b>POLICY STATEMENT COMPLIANCE</b>	
✓	<b>COMPLIANCE WITH TRUST POLICY</b>
	<b>NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:</b>



Islands Trust

## POLICY STATEMENT DIRECTIVES ONLY CHECK LIST

**Bylaw and File No: Gabriola Bylaw 272**

### **PURPOSE**

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committee address certain matters in their official community plans and regulatory bylaws and Island Municipalities address certain matters in their official community plans and to reference any relevant sections of the Policy Statement.

### **POLICY STATEMENT**

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

### **DIRECTIVES ONLY CHECK LIST**

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is **consistent** with the policy from the Policy Statement, or
- ✘ if the bylaw is **inconsistent (contrary or at variance)** with a policy from the Policy Statement, or
- N/A** if the policy is not applicable.

**Part III Policies for Ecosystem Preservation and Protection**

CONSISTENT	NO.	DIRECTIVE POLICY
	<b>3.1</b>	<b>Ecosystems</b>
✓	<b>3.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	<b>3.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
n/a	<b>3.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	<b>3.2</b>	<b>Forest Ecosystems</b>
n/a	<b>3.2.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	<b>3.3</b>	<b>Freshwater and Wetland Ecosystems and Riparian Zones</b>
n/a	<b>3.3.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	<b>3.4</b>	<b>Coastal and Marine Ecosystems</b>
n/a	<b>3.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
n/a	<b>3.4.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

**PART IV: Policies for the Stewardship of Resources**

CONSISTENT	NO.	DIRECTIVE POLICY
	<b>4.1</b>	<b>Agricultural Land</b>
n/a	<b>4.1.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
n/a	<b>4.1.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
n/a	<b>4.1.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.

CONSISTENT	NO.	DIRECTIVE POLICY
n/a	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture
n/a	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
n/a	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	<b>Forests</b>
n/a	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
n/a	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
✓	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
	4.3	<b>Wildlife and Vegetation</b>
	4.4	<b>Freshwater Resources</b>
n/a	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
n/a	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	<b>Coastal Areas and Marine Shorelands</b>
n/a	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
n/a	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
n/a	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
n/a	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	<b>Soils and Other Resources</b>
n/a	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the

		protection of productive soils.
--	--	---------------------------------

### **PART V: Policies for Sustainable Communities**

<b>CONSISTENT</b>	<b>NO.</b>	<b>DIRECTIVE POLICY</b>
	<b>5.1</b>	<b>Aesthetic Qualities</b>
<b>n/a</b>	<b>5.1.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	<b>5.2</b>	<b>Growth and Development</b>
<b>n/a</b>	<b>5.2.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
<b>n/a</b>	<b>5.2.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
<b>n/a</b>	<b>5.2.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
<b>n/a</b>	<b>5.2.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	<b>5.3</b>	<b>Transportation and Utilities</b>
<b>n/a</b>	<b>5.3.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
<b>n/a</b>	<b>5.3.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
<b>n/a</b>	<b>5.3.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
<b>n/a</b>	<b>5.3.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	<b>5.4</b>	<b>Disposal of Waste</b>
<b>n/a</b>	<b>5.4.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

<b>CONSISTENT</b>	<b>NO.</b>	<b>DIRECTIVE POLICY</b>
-------------------	------------	-------------------------

	<b>5.5</b>	<b>Recreation</b>
n/a	<b>5.5.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	<b>5.5.4</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
✓	<b>5.5.5</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
✓	<b>5.5.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
n/a	<b>5.5.7</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	<b>5.6</b>	<b>Cultural and Natural Heritage</b>
n/a	<b>5.6.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
n/a	<b>5.6.3</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	<b>5.7</b>	<b>Economic Opportunities</b>
n/a	<b>5.7.2</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	<b>5.8</b>	<b>Health and Well-being</b>
n/a	<b>5.8.6</b>	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

<b>POLICY STATEMENT COMPLIANCE</b>	
✓	<b>COMPLIANCE WITH TRUST POLICY</b>
	<b>NOT IN COMPLIANCE WITH TRUST POLICY for the following reasons:</b>



# STAFF REPORT

---

**Date:** July 7, 2014

**File No.:** 6500-20 (RAR)

**To:** Gabriola Local Trust Committee  
For meeting of July 17, 2014

**From:** Courtney Simpson, Regional Planning Manager

---

**Re: Development Permit Area 3 – Riparian Areas – Implementation after bylaw adoption**

## THE PROPOSAL:

The Local Trust Committee (LTC) requested that staff “advise whether there are implementation measures the Local Trust Committee could adopt to lessen the financial impact and increase understanding of Riparian Areas Regulation when and if implemented.” (resolution GB-2014-073, March 13, 2014)

## BACKGROUND:

As a component of the Top Priority project “Gabriola Planning Area OCP Review”, the LTC is seeking to implement the provincial *Riparian Areas Regulation* (RAR) through amendments to Development Permit 3 – Riparian Areas (DP3). Proposed bylaws Nos. 265 and 266 that would implement the RAR have been approved by the Islands Trust Executive Committee, and bylaw No. 265 is awaiting ministerial approval.

The LTC has already taken a step to lessen the financial impact on property owners within DP-3 by giving first, second and third reading to a bylaw amendment to reduce the fee for a development permit from \$450 to \$200.

## STAFF COMMENTS:

The LTC has asked for information on two aspects of implementing the revised DP-3; lessening the financial impact and increasing understanding, which could also be considered as “education”.

### Financial Impact

The LTC has considered options for lessening the financial impact on property owners within DP-3, and has taken steps to use the one available option, reduction of the fee for a development permit application in DP-3. The LTC has considered the request from the public that the LTC pay for or subsidize the cost of a Qualified Environmental Professional’s (QEP) report, and determined that is not an allowable expenditure of LTC budget.

An indirect way of lessening the financial impact is to provide good educational materials that encourage property owners to build outside the Development Permit Area (DPA) whenever possible, so that the cost of a development permit and a QEP report is avoided.

### **Education**

Education to the Gabriola public could include both reaching out to stakeholders, as well as preparing information to be available to property owners upon request.

Staff would like to arrange a meeting with Emcon on island to share maps showing which roadside ditches on Gabriola are RAR-applicable, and to learn about their best management practices for ditch maintenance in these areas.

We are already planning to meet with Gabriola Streamkeepers to understand each other's role in stream protection and share information. This information sharing could lead to development of materials on the history and health of Gabriola's streams that would help increase understanding in the community.

We believe there is benefit to preparing information materials that focus on the value of protecting riparian areas as well as more technical guidance information on the process for making a development permit application. Numerous resources have been gathered and tailored for this project so far, and could be revised and added to, to create resources post-adoption of the bylaws.

Staff proposes to develop website and hard copy materials about the value of protecting riparian areas as well as guidance for developing in DP-3. This would be professional, easy to understand, and easy to access on the web. For example, the District of Saanich has a well presented webpage with links to a pamphlet and information sheet.  
<http://www.saanich.ca/living/natural/planning/streamside.html>

The exact type and number of print and website materials has yet to be scoped and will be influenced by staff time and budget available. This work can be done completely internally with no budget implications but could be done more professionally and with less staff time if budget was available.

While materials like this already exist, they are in the context of proposed bylaws, and these materials need to be reviewed and amended for adopted bylaws.

### **Budget and Timeline**

For the 2014/15 fiscal year there is a \$10,000 budget for the Community Plan Review project. At the time of writing this report some invoices were still outstanding, but there is estimated to be approximately \$6,500 remaining in the budget after the community information meetings, advertising and public hearing costs. Some of this budget could be used for preparing communication materials on DP-3, anticipating forthcoming adoption of bylaws 265 and 266.

## SUMMARY OF OPTIONS:

In summary, we are seeking LTC direction on the implementation options described above and listed below:

Action	Cost
Meet with Emcon	Staff time
Meet with Streamkeepers	Staff time
Prepare print materials	\$0-\$1,500 + staff time
Prepare web materials	\$0-\$800 + staff time

In considering the budget and staff time priority to allocate to this work, the LTC should consider their Top Priorities List. With the Parks, Climate Change and Agriculture Policies work likely winding down after the public hearing on July 16<sup>th</sup>, work on the Housekeeping Bylaw will continue, and there is a small amount of work remaining to submit the Fees Bylaw amendment to Executive Committee. With planner time for project work freed up, it could be devoted primarily to communications around the new DP-3. Project time could also be spent on the next items in priority on the OCP/LUB targeted review.

## RECOMMENDATIONS:

**THAT** the Gabriola Island Local Trust Committee:

1. request staff to meet with Emcon Services Inc on Gabriola Island to discuss roadside ditches that are applicable to the Riparian Areas Regulation
2. support staff to meet with Gabriola Streamkeepers to share information and develop a relationship
3. allocate \$\_\_\_\_\_ from the OCP/LUB project budget to development of print and web communication materials on riparian areas and the new Development Permit Area 3.

---

Prepared and Submitted by:

*Courtney Simpson*  
\_\_\_\_\_  
Courtney Simpson RPP, MCIP  
Regional Planning Manager

July 7, 2014  
\_\_\_\_\_  
Date

---

**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	16th	DAY OF	JANUARY	, 2014
PUBLIC HEARING HELD THIS		DAY OF		, 201x
READ A SECOND TIME THIS		DAY OF		, 201x
READ A THIRD TIME THIS		DAY OF		, 201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 201x
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT				
THIS		DAY OF		, 201x
ADOPTED THIS		DAY OF		, 201x

---

**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)

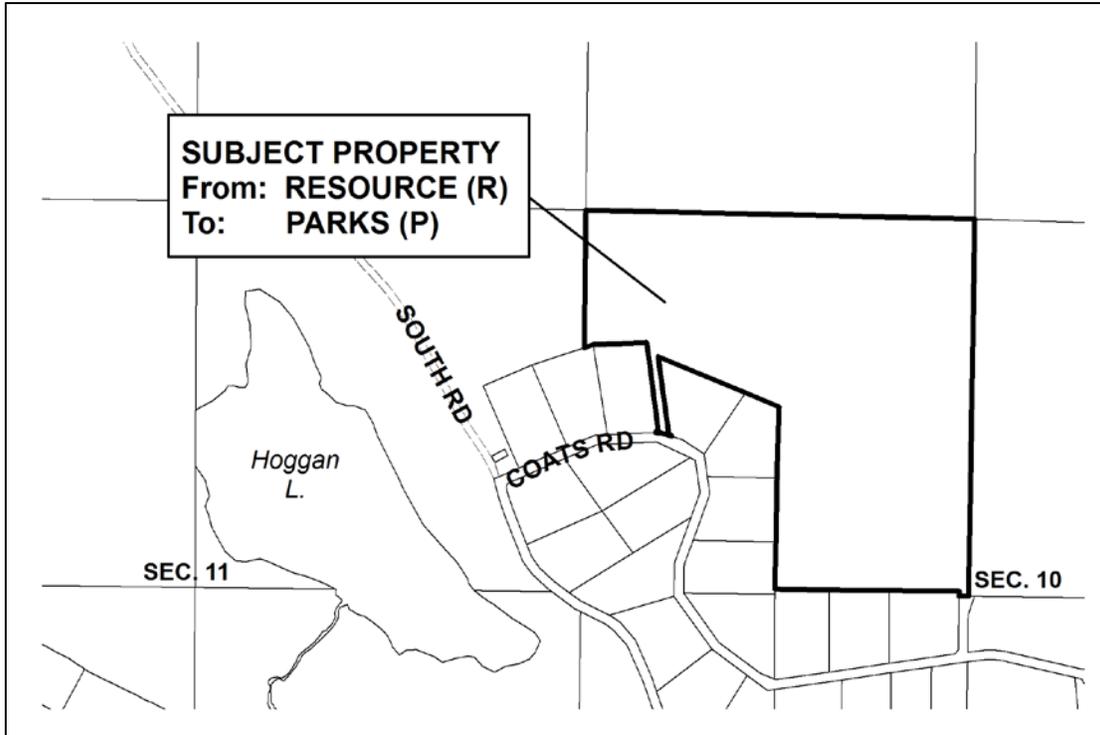
from Forestry to Parks as shown on Plan No. 3 attached to and forming part of this bylaw.

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

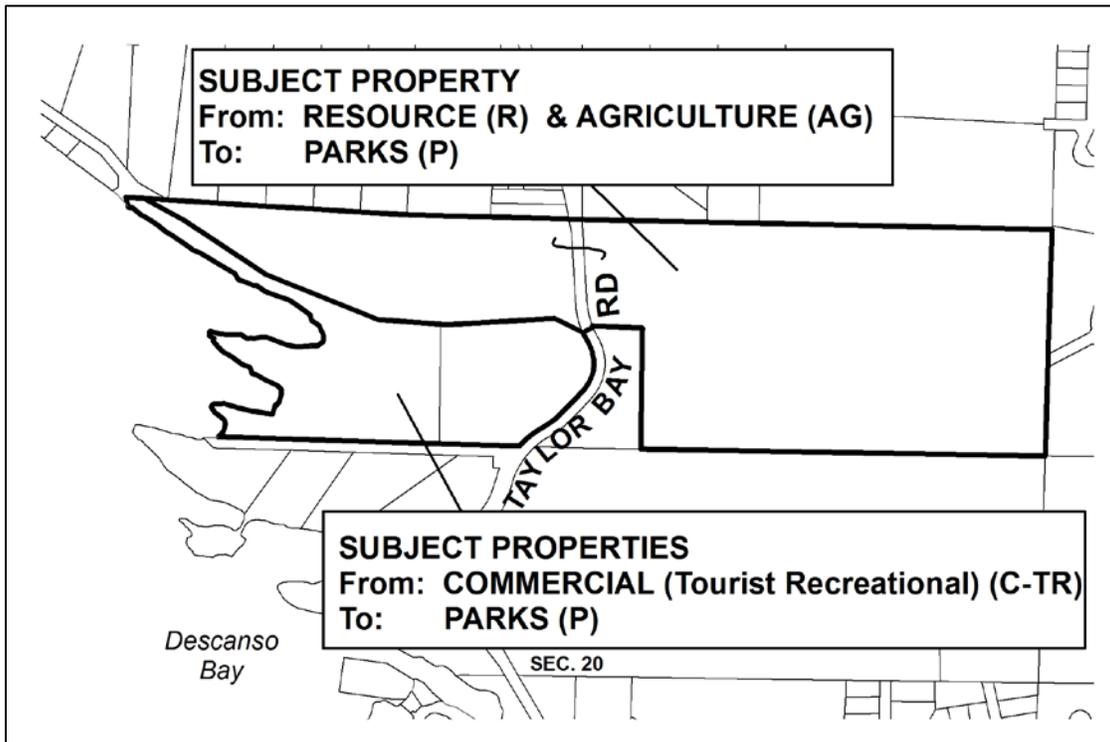
Parks and the portion of road allowance to Parks as shown on Plan No. 4 attached to and forming part of this bylaw.

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.

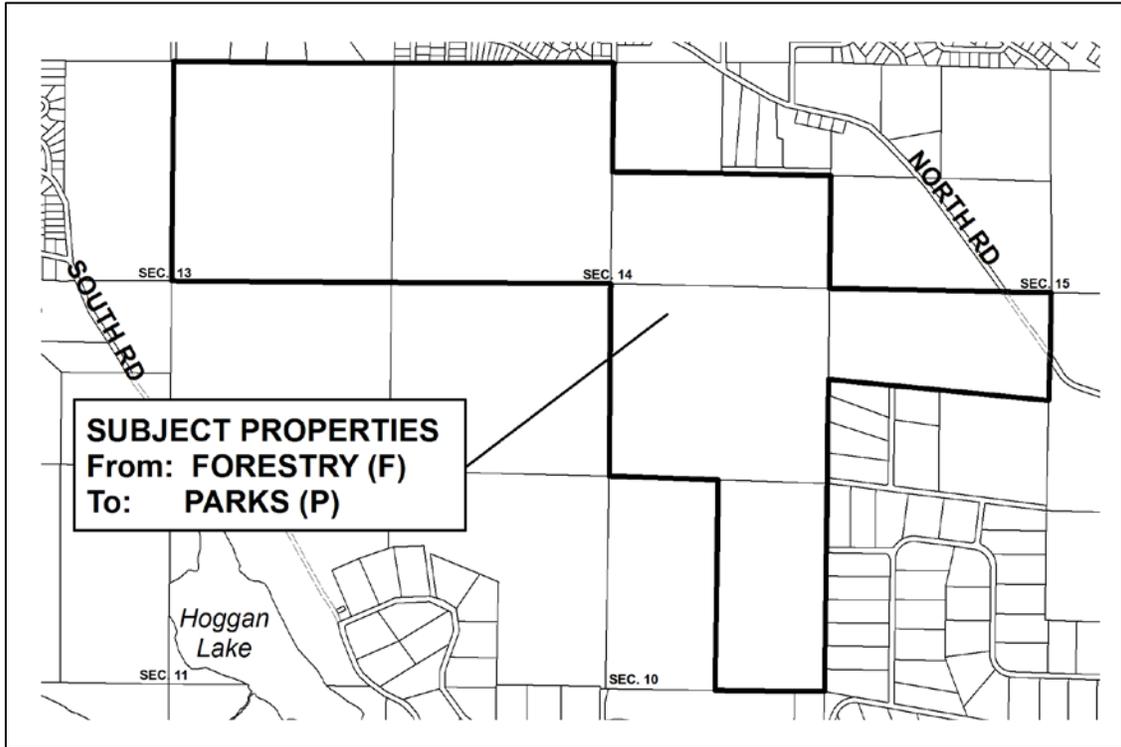
Plan No. 1



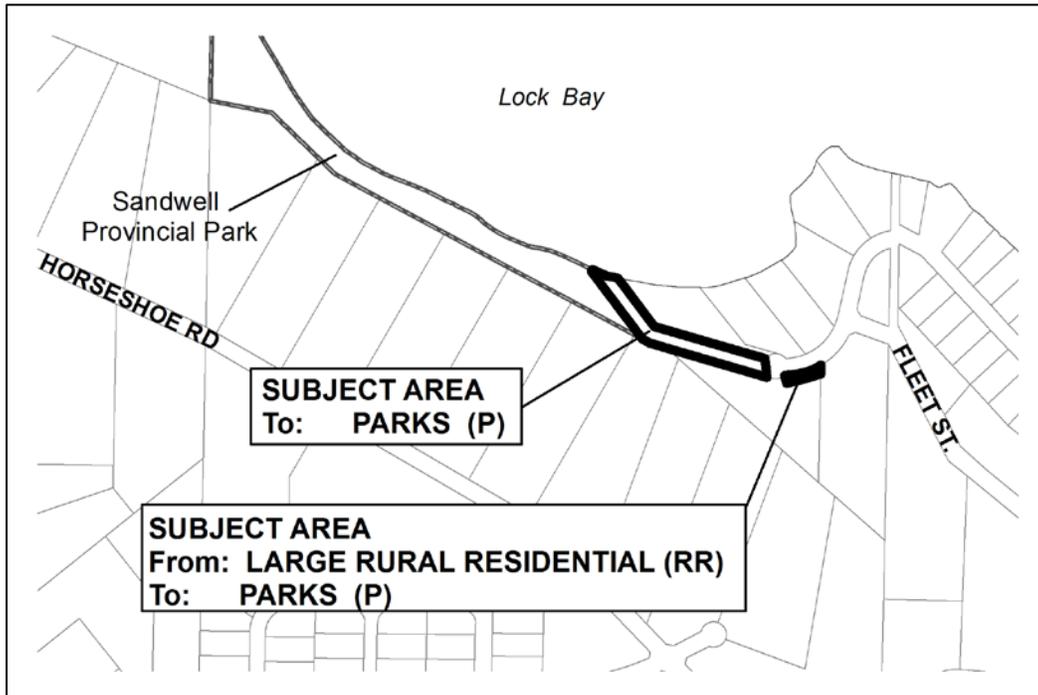
Plan No. 2



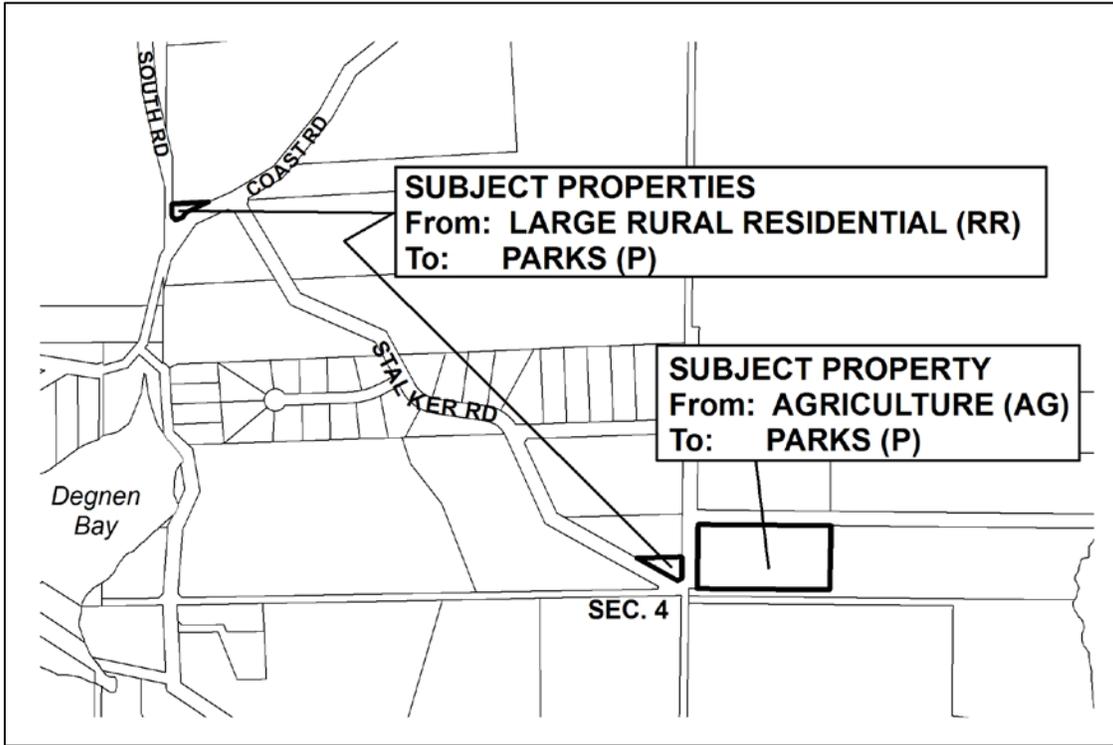
Plan No. 3



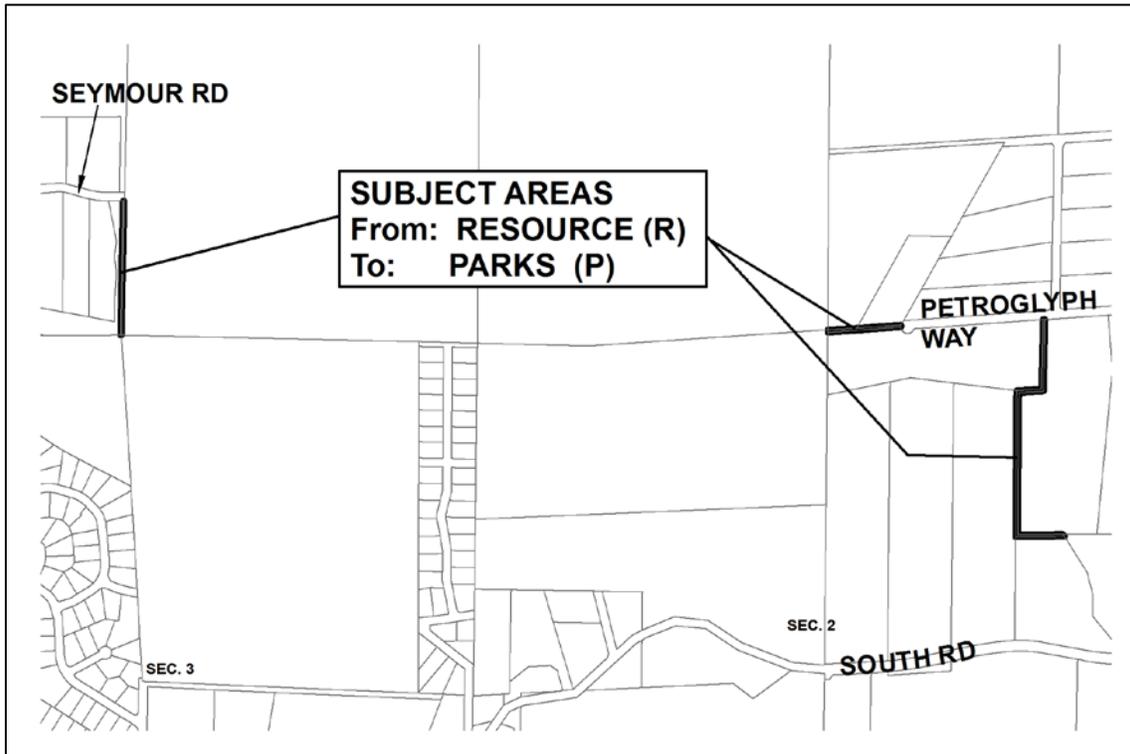
Plan No. 4



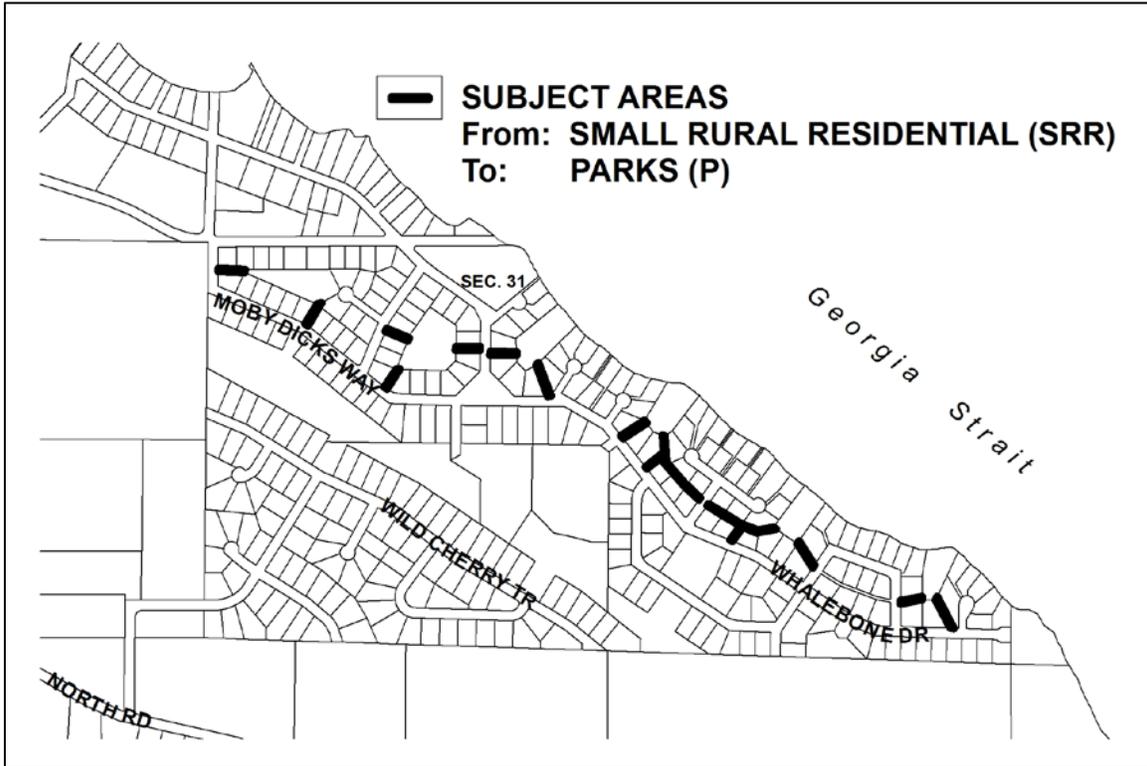
Plan No. 5



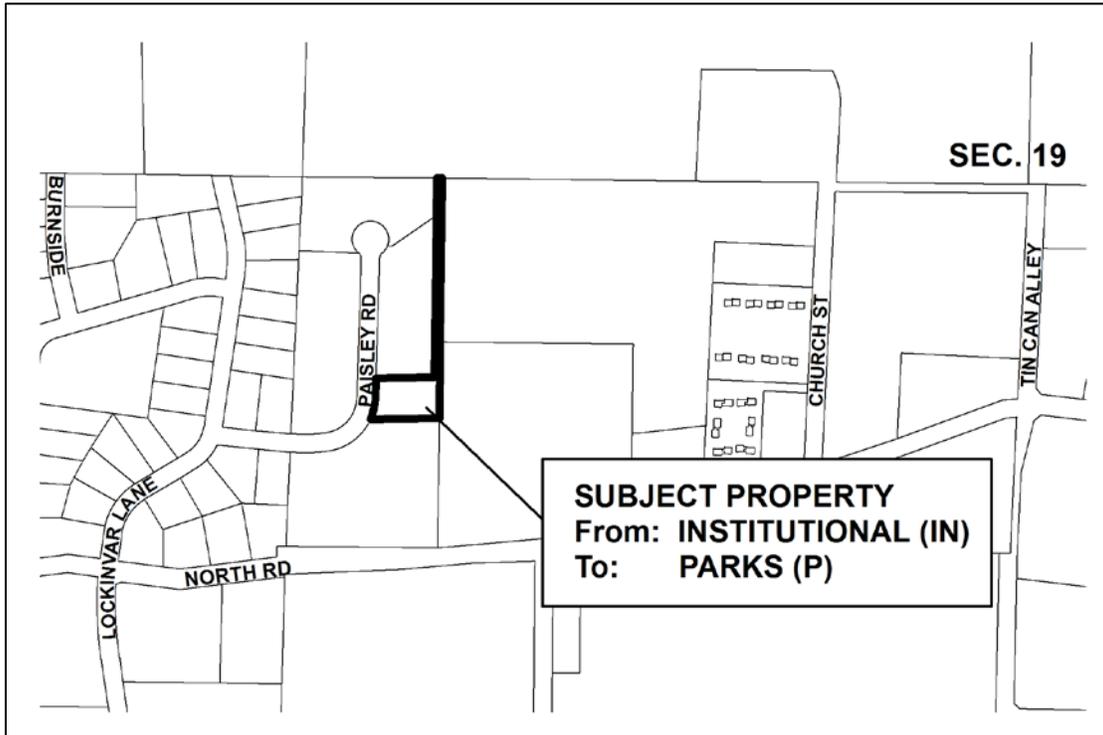
Plan No. 6



Plan No. 7



Plan No. 8



---

**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, 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	13th	DAY OF	March	, 2014
PUBLIC HEARING HELD THIS		DAY OF		, 201x
READ A SECOND TIME THIS		DAY OF		, 201x
READ A THIRD TIME THIS		DAY OF		, 201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 201x
ADOPTED THIS		DAY OF		, 201x

---

**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, 1999”, is amended as follows:

a) To section B.4 Signs:

i. Table 1. Sign regulations for Recreation and Institutional Zones – P1, P2, P3 is amended to read as follows:

Recreation and Institutional Zones		
P1, P2, P3	n/a	2.5 sq.m (27.0 sq.ft) per park entrance

i. article B.4.2.1 is amended to read as follows:

“B.4.2.1 Signs exempted from the provisions of Subsection B.4.1 are:

- a. directional, traffic and marine navigational signs sited and maintained by government agencies; and
- b. interpretive and directional signs sited and maintained by government agencies in the P1, P2 and P3 zones.”

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

- i. sub-section D.2.4.1.a.iv is removed and the rest of the list is renumbered accordingly; 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.

d) 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 and iv are inserted as follows:
  - “iii *campground*, on lands shown on Schedule C, Map 16
  - iv special events under permit by the Regional District of Nanaimo or BC Parks”
- 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 16 and 17
  - ii retail sales and rentals, excluding the sale of liquor, on lands shown on Schedule C, Map 16
  - iii *campground* office use, on lands shown on Schedule C, Map 16
- iii. under sub-section D.4.1.2.a “Permitted *Buildings and Structures*”, new sub-sections ii and iii and iv are inserted as follows:

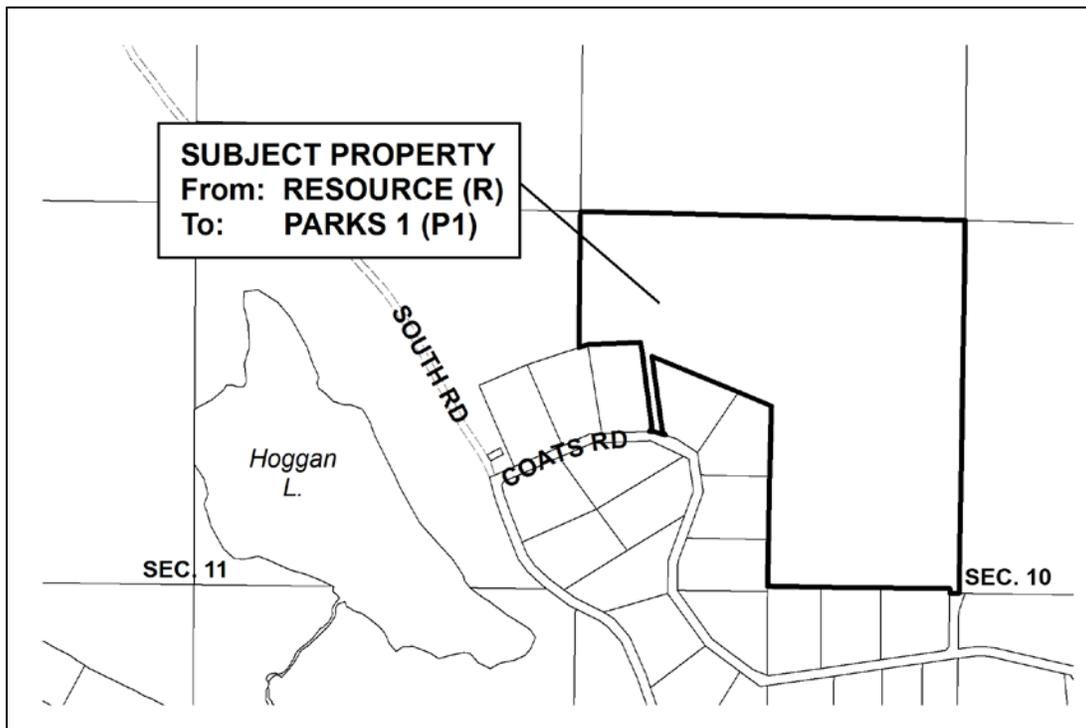


- a) To the legend the word “Park” is added after “PARKS 1 – Provincial and Regional”.
- b) By changing the zoning on the land legally described as The Northwest  $\frac{1}{4}$  of Section 10, Gabriola Island, Nanaimo District, Except those Parts in plans 29152, 30043 and 30051 (PID: 009-735-828) from Resource to Parks 1 – Provincial and Regional Park as shown on Plan No. 1 attached to and forming part of this bylaw.
- c) 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.
- d) By changing the zoning on the land legally described as:
- i. The Northeast  $\frac{1}{4}$  of Section 13, Gabriola Island, Nanaimo District (PID: 006-654-843);
  - ii. The Northwest  $\frac{1}{4}$  of Section 14, Gabriola Island, Nanaimo District (PID: 006-655-335);
  - iii. The South  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  of Section 14, Gabriola Island, Nanaimo District (PID: 006-649-815);
  - iv. The Southeast  $\frac{1}{4}$  of Section 14, Gabriola Island, Nanaimo District (PID: 006-649-599);
  - v. The North  $\frac{1}{2}$  of the Southwest  $\frac{1}{4}$  of Section 15, Gabriola Island, Nanaimo District (PID: 006-656-498); and
  - vi. The East  $\frac{1}{2}$  of the Northeast  $\frac{1}{4}$  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.
- e) By changing the zoning on 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 Resource and Agriculture to Parks 2 – Passive Recreation Community Park as shown on Plan No. 2 attached to and forming part of this bylaw.
- f) 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.
- g) 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.

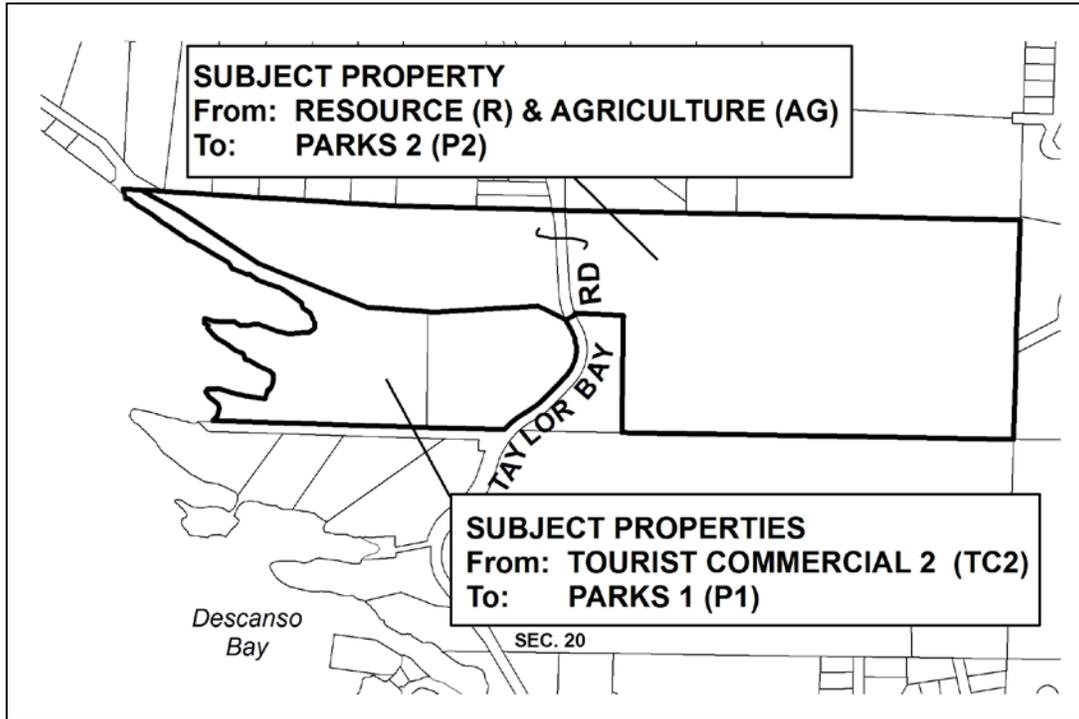
- h) By changing the zoning on the land designated as 'Park' on Plan VIP70945 from Large Rural Residential to Parks 2 – Passive Recreation Community Park as shown on Plan No. 4 attached to and forming part of this bylaw.
  - i) By changing the zoning on the land designated as 'Park' on Plan VIP66198 from Resource to Parks 2 – Passive Recreation Community Park as shown on Plan No. 5 attached to and forming part of this bylaw.
  - j) 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.
  - k) 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.
  - l) By changing the zoning on the land designated as 'Park' on Plan EPP11544 from Institutional 3 to Parks 3 – Active Recreation Community Park as shown on Plan No. 7 attached to and forming part of this bylaw.
  - m) 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.
  - 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 General to Water Protection 2.
  - o) 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.
  - p) 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.
  - q) 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.
  - 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 General to Water Protection 2.
  - s) 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.

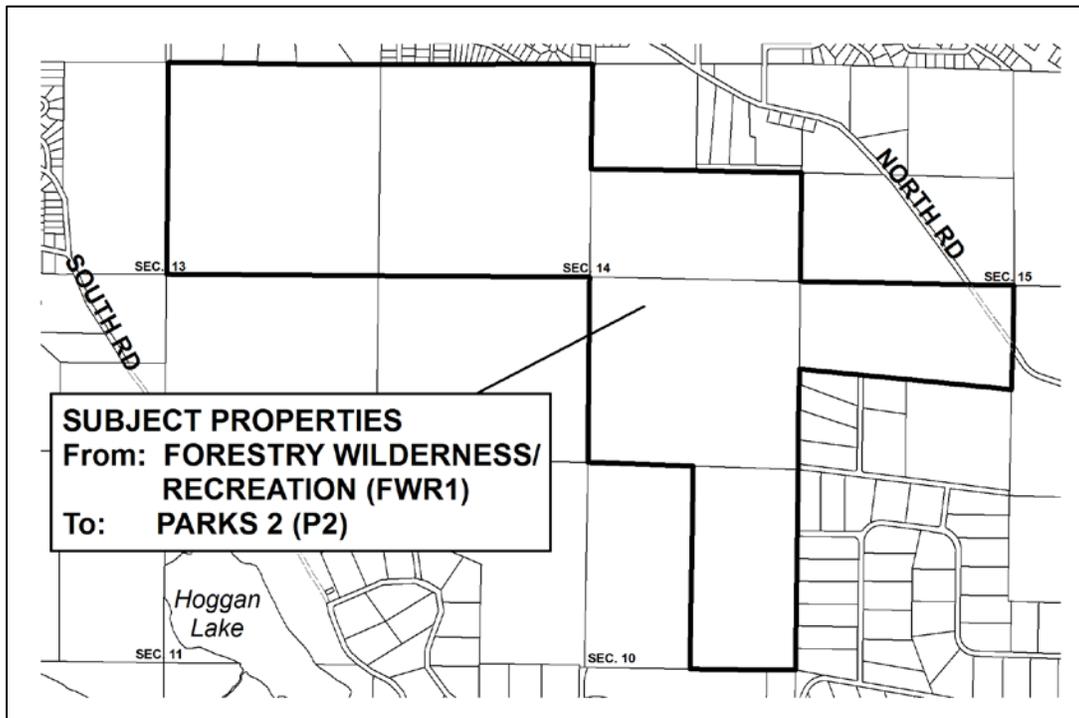
Plan No. 1



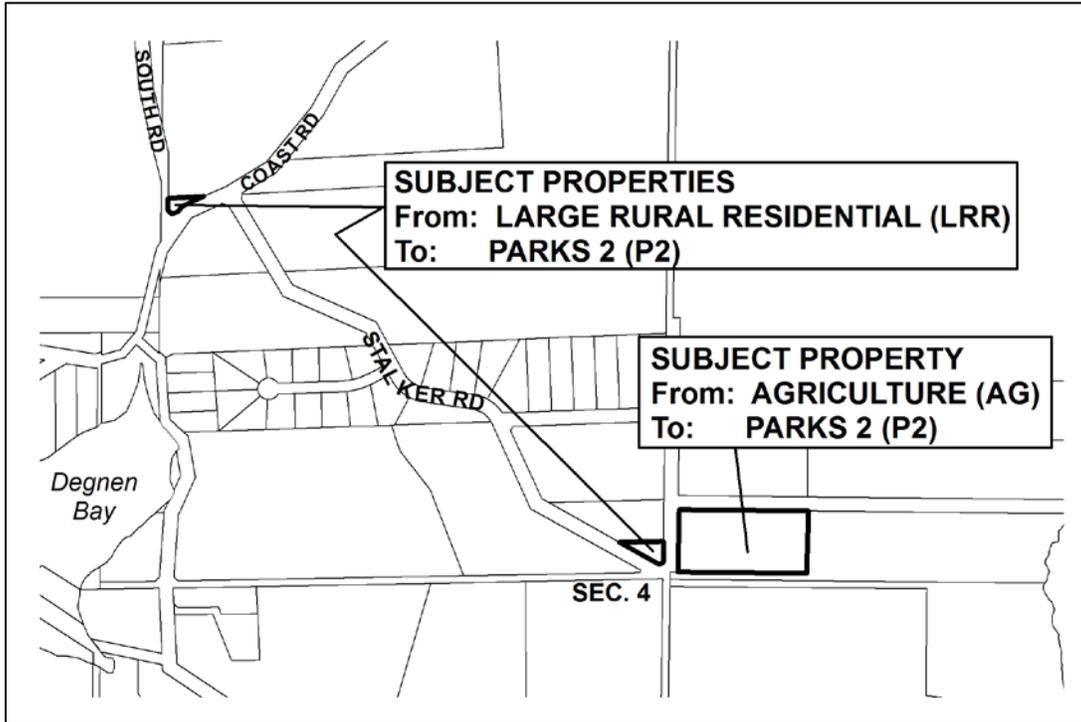
Plan No. 2



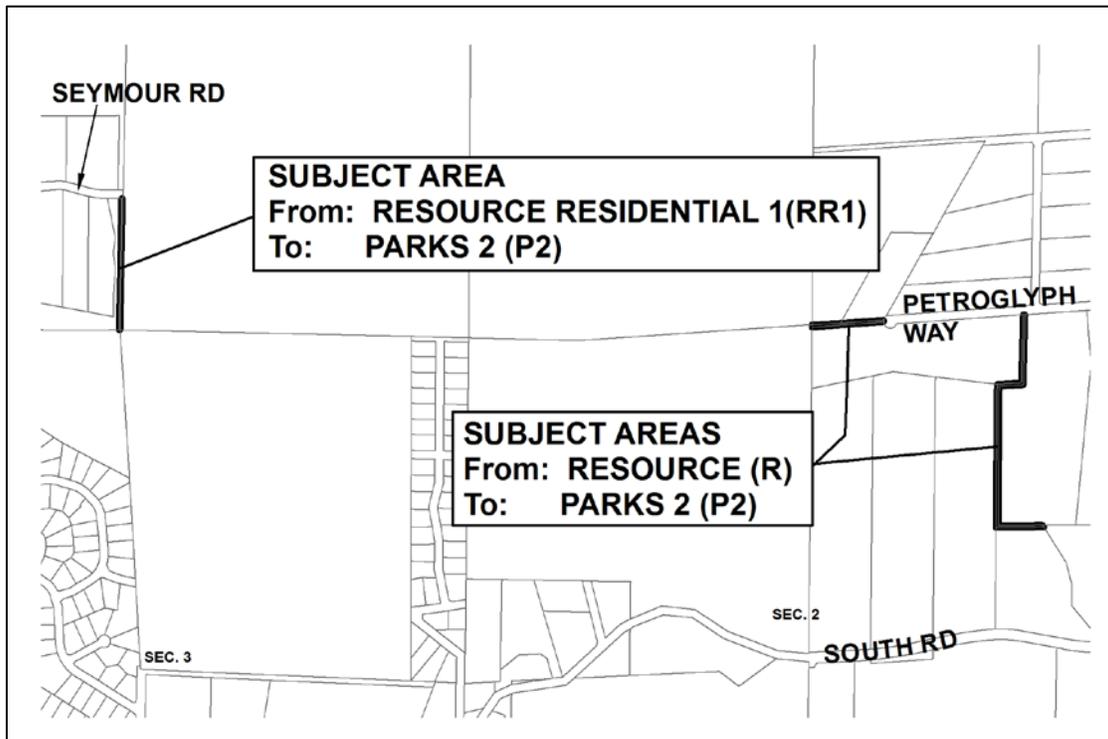
Plan No. 3



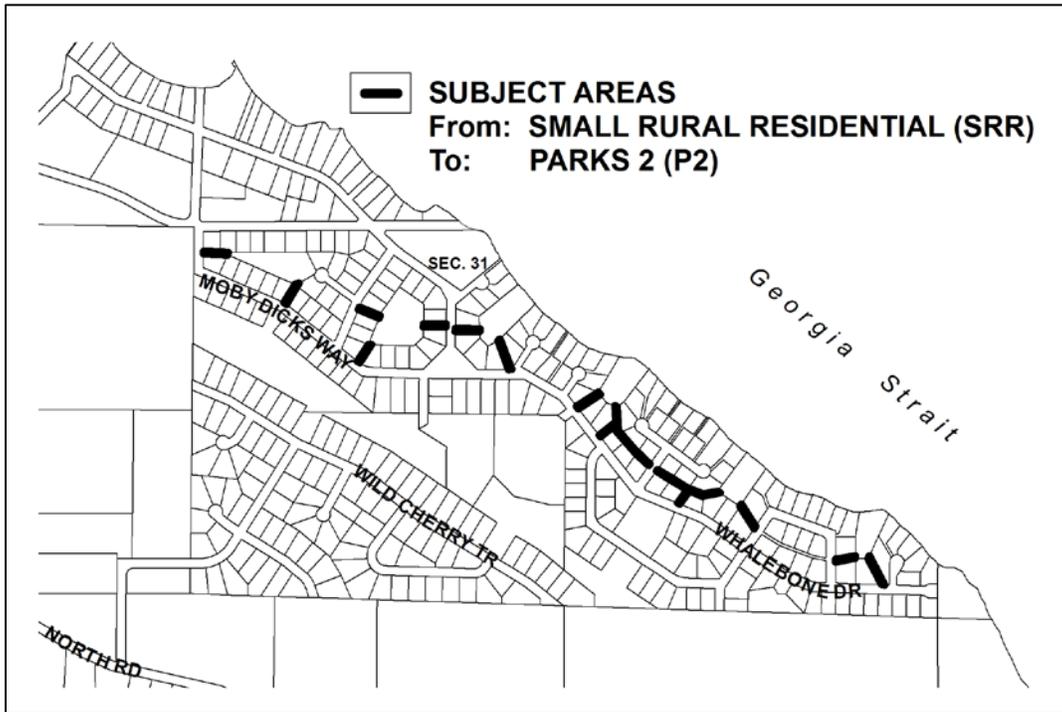
Plan No. 4



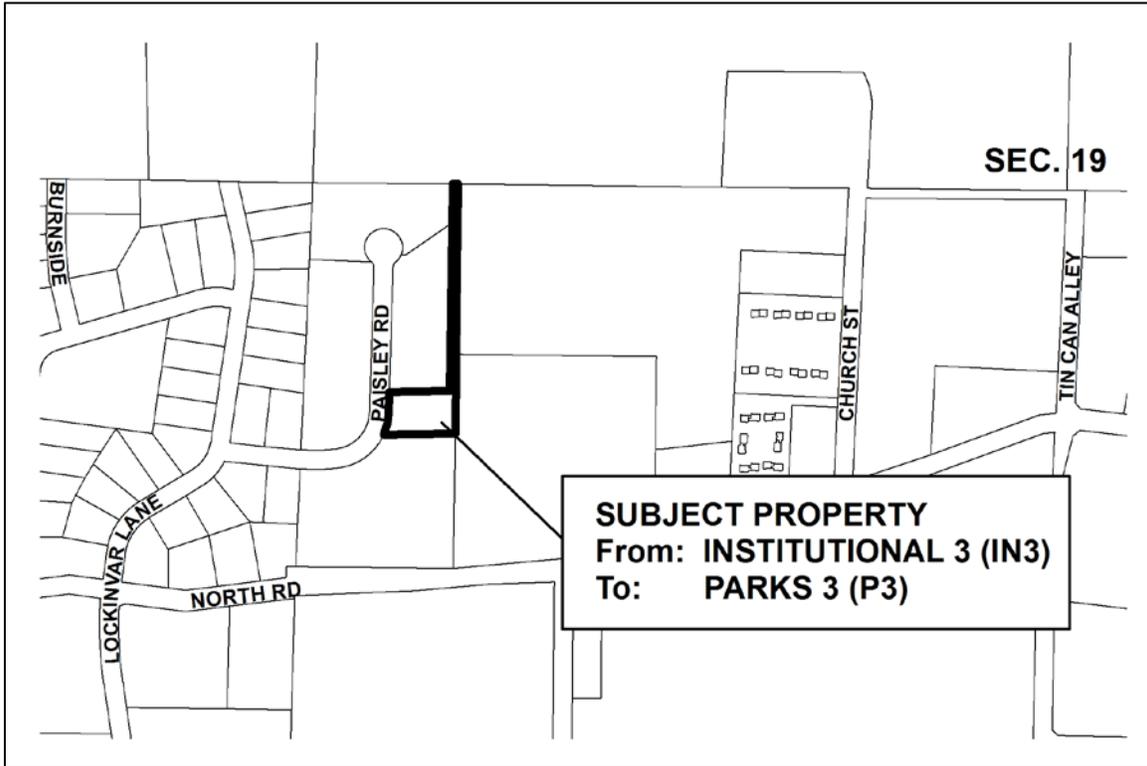
Plan No. 5



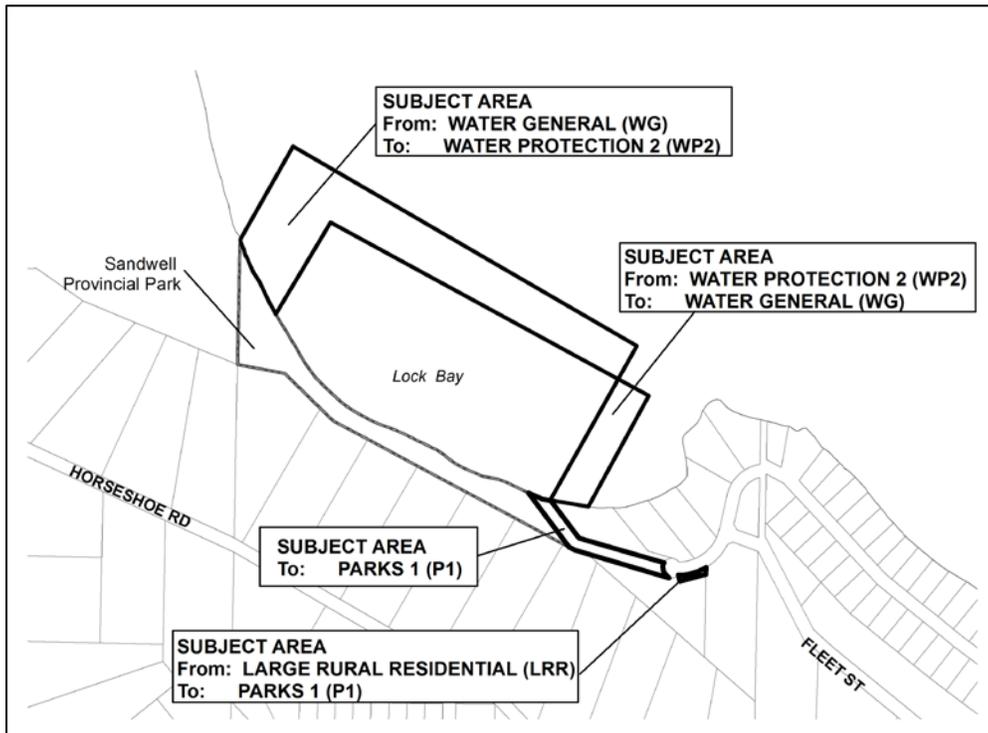
Plan No. 6



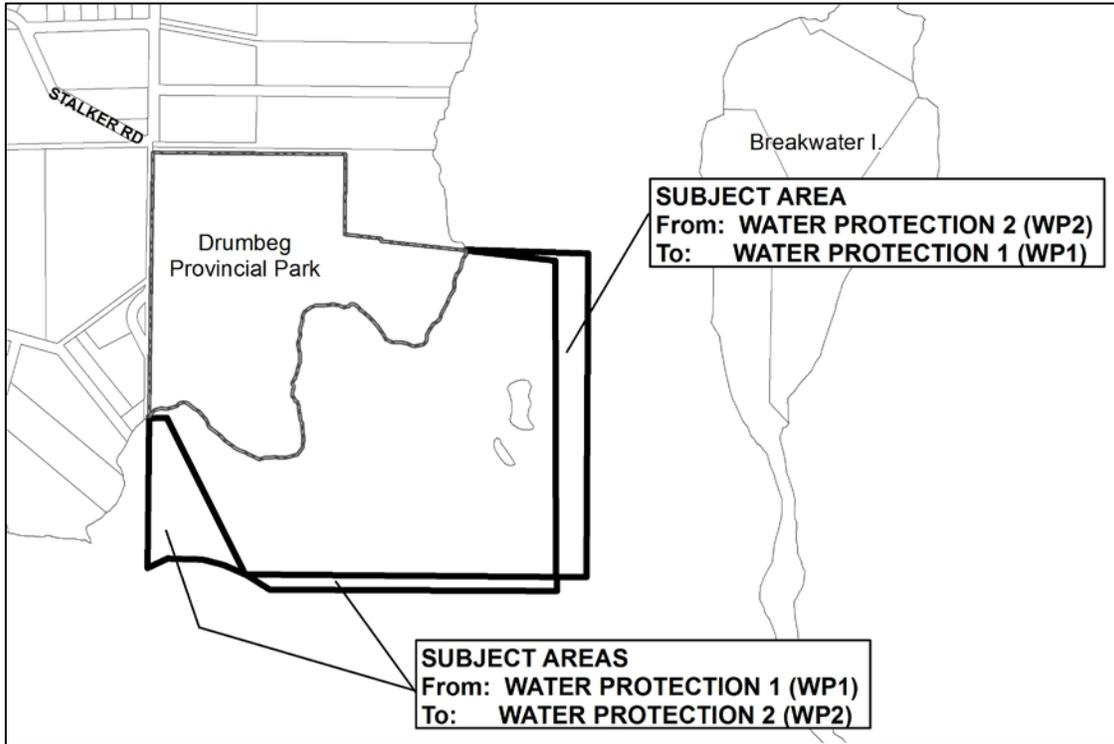
Plan No. 7



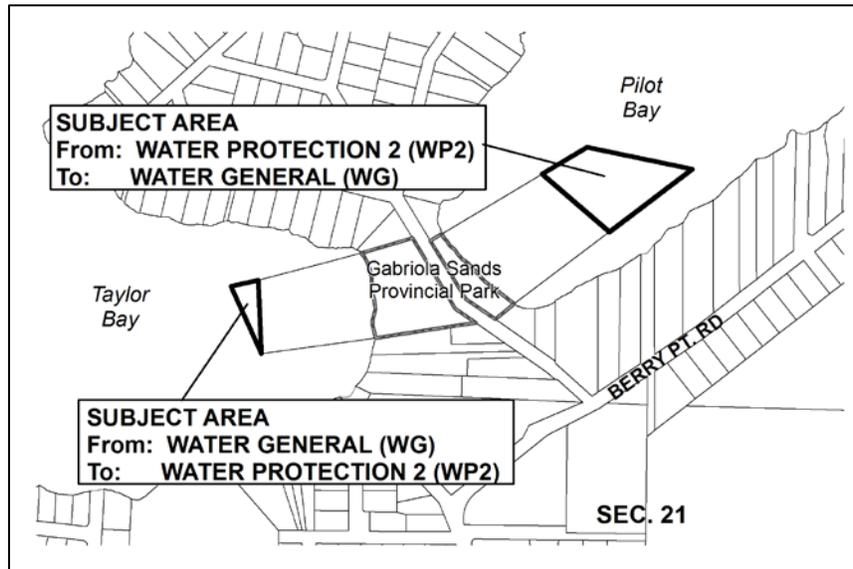
Plan No. 8



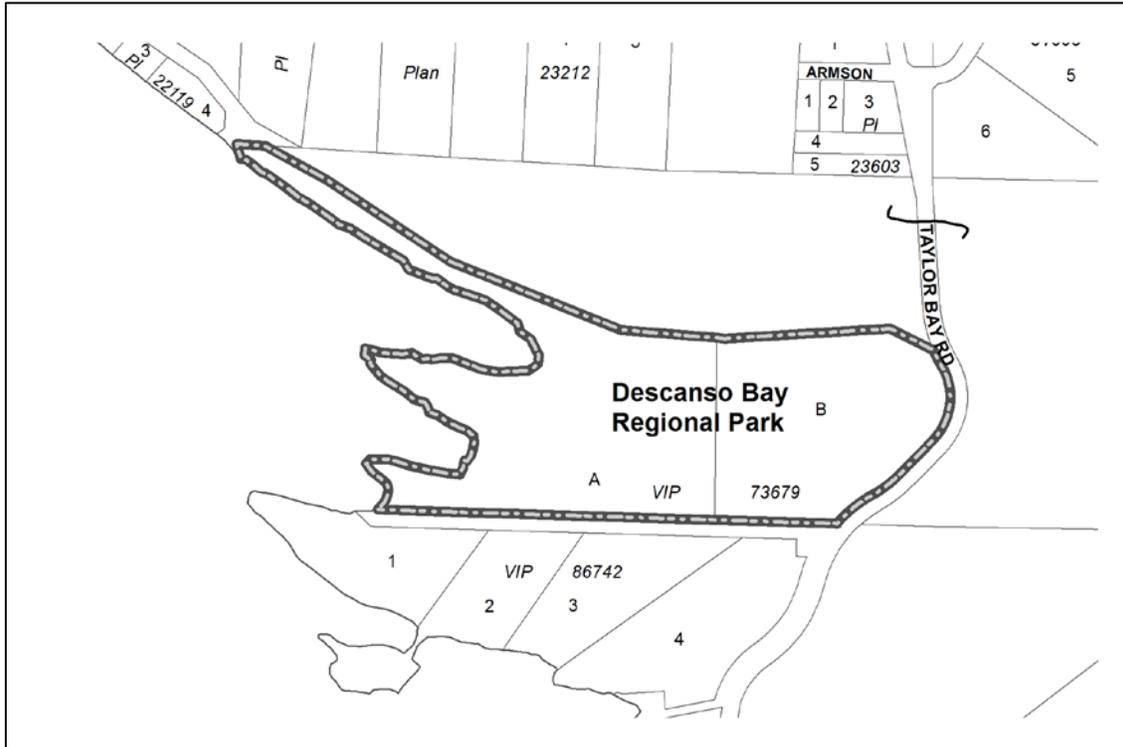
**Plan No. 9**



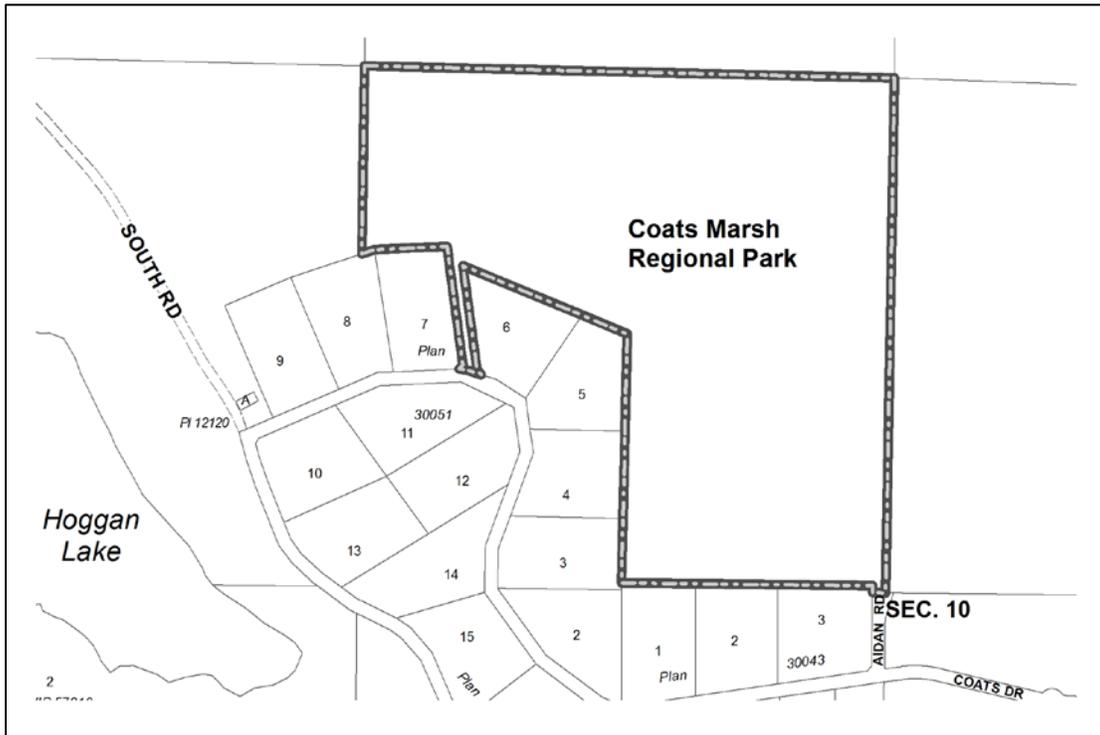
**Plan No. 10**



**Plan No. 11**



**Plan No. 12**



---

**Gabriola Island Local Trust Committee**

**BYLAW NO. 273**

\*\*\*\*\*

**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. 2, 2013”

READ A FIRST TIME THIS	14 <sup>th</sup>	DAY OF	MAY	, 2014
PUBLIC HEARING HELD THIS		DAY OF		, 201x
READ A SECOND TIME THIS		DAY OF		, 201x
READ A THIRD TIME THIS		DAY OF		, 201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 201x
ADOPTED THIS		DAY OF		, 201x

---

**SECRETARY**

---

**CHAIRPERSON**

**Gabriola Island Local Trust Committee**

**Bylaw No. 273**

**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 B.5 Parking:

- i. insert a new article B.5.2.2 as follows: "In calculating the parking spaces required in Table 2 of B.5.1.1, for commercial uses in the Village Commercial 1, Village Commercial 2, and District Commercial zones, the standard parking requirements in column 2 are to be maximum parking requirements; for all other zones and uses listed in Table 2 of B.5.1.1, standard parking requirements are to be minimum parking requirements.";
- ii. insert a new article B.5.2.3 as follows: "Where parking spaces are designated for the use of motorcycles or scooters, such designated motorcycle/scooter parking spaces shall each be counted as the provision of 0.5 required vehicle parking spaces, to a maximum of 15% of required parking spaces.";
- iii. replace article B.5.3.3 with " Accessible parking spaces must be a minimum of 3.9 metres in width and 6.25 metres in length and have an unobstructed vertical clearance of at least 2.0 metres."
- iv. insert a new article B.5.3.4 as follows: "Despite B.5.3.2 parking spaces for motorcycles or scooters must be a minimum of 1.4 metres in width and 2.5 metres in length."
- v. Insert a new article B.5.3.5 as follows: "Despite B.5.3.2 parking spaces for small vehicles must be a minimum of 2.4 metres in width and 4.6 metres in length."
- vi. Insert a new article B.5.3.6 as follows: "Where a building or use provides more than 10 parking spaces, 20% of the total spaces may be reduced to 2.4 metres in width and 4.6 metres in length and marked with the words 'SMALL VEHICLE ONLY' on the pavement or facing wall."
- vii. Replace article B.5.4.2 with "All accessible parking spaces, small vehicle and motorcycle/scooter parking spaces must be located adjacent to a main entrance of a building for which the parking is required and marked with a sign or symbol identifying each space reserved for such parking. Priority location adjacent to a main entrance must be for accessible parking spaces"
- viii. to B.5.1 add the words "and Bicycles" after "Automobiles"; and

ix. insert a new Column 4 to Table 2: Parking Requirements as follows:

<b>Table 2: Parking Requirements</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Use</b>	<b>Standard Parking Requirements</b>	<b>Accessible Parking Requirements</b>	<b>Bicycle parking requirements</b>
<b>RESIDENTIAL</b>			
<i>single family dwelling</i>	2 per <i>dwelling unit</i> plus 1 per <i>boarder</i>	None required	None required
<i>cottage</i>	2 per <i>cottage</i>	None required	None required
<i>multiple family dwelling</i>	1.25 per unit plus 1 per employee	Greater of 1 or 1 per 10 units	1 per unit without a garage
<b>HOME OCCUPATIONS</b>			
galleries and live theatre	1 per 16 square metres (172.2 square feet) of <i>floor area</i> or performance area used	None Required	None required
teaching of arts and crafts	1 per 2 students plus 1 per employee	None Required	None required
<i>bed and breakfast</i>	1 per rental room plus 1 per non-resident employee	None Required	None required
Instructional classes	1 per employee and 1 per 2 clients	None Required	None required
watercraft and bicycle rental	1 per 2 rentals	None Required	None required
other <i>home occupations</i>	1 per employee	None Required	None required
<b>COMMERCIAL</b>			
Village Commercial and District Commercial shopping centres	1 per 16.0 square metres (172.2 square feet) of leasable <i>floor area</i> in the <i>building</i>	Greater of 1 or 1 per 50 parking stalls	1 per 250 square metres (2690 square feet) of leasable <i>floor area</i> in the <i>building</i>
restaurants and bars	1 per 3 seats	Greater of 1 or 1 per 50 parking stall	1 per 15 seats
nurseries and greenhouses	1 per 16.0 square metres (172.2 square feet) of <i>floor area</i> of the retail sales <i>building</i>	Greater of 1 or 1 per 50 parking stall	1 per 10 parking stalls
Offices	1 per 35 square metres (376.7 square feet) of <i>floor area</i>	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls

<b>Table 2: Parking Requirements</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Use</b>	<b>Standard Parking Requirements</b>	<b>Accessible Parking Requirements</b>	<b>Bicycle parking requirements</b>
mini-storage	1 per 5 mini-storage units	Greater of 1 or 1 per 50 parking stalls	None required
tourist accommodation except campgrounds	1 per sleeping unit plus 1 per 3 seats in a food or beverage area	Greater of 1 or 1 per 20 accommodation units	Greater of 1 or 1 per 10 sleeping units
<i>marina</i>	1 per 2 boats berthed on an annual basis and 1 per employee	Greater of 1 or 1 per 50 parking stalls	1 per 20 parking stalls
golf course	50 per nine holes plus 1 per employee	Greater of 1 or 1 per 50 parking stalls	1 per 20 parking stalls
<i>limited public market</i>	1 per vendor	Greater of 1 or 1 per 50 parking stalls	None required
<b>INDUSTRIAL</b>			
<i>light industry</i> and shipyard use	1 per 2 employees	Greater of 1 or 1 per 50 parking stalls	1 per 10 employees
boat building school	1 per 2 students and 1 per employee	Greater of 1 or 1 per 50 parking stalls	1 per 10 of the total number of students and employees
<b>PUBLIC SERVICE AND UTILITY</b>			
<i>Church</i>	1 per 2 metres of pews	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls
community halls, auditoriums, lodges, theatres	1 per 4 seats	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls
<i>schools, elementary</i>	1 per 1 employee	Greater of 1 or 1 per 50 parking stalls	1 per 10 employees plus 1 per 10 students
<i>schools – secondary</i>	1 per employee plus 1 per 10 students	Greater of 1 or 1 per 50 parking stalls	1 per 10 employees plus 1 per 8 students
library, post office	1 per 20.0 square metres (215.2 square metres) of <i>floor area</i>	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls
police station	1 plus 1 per employee	Greater of 1 or 1	None required

<b>Table 2: Parking Requirements</b>			
<b>Column 1</b>	<b>Column 2</b>	<b>Column 3</b>	<b>Column 4</b>
<b>Use</b>	<b>Standard Parking Requirements</b>	<b>Accessible Parking Requirements</b>	<b>Bicycle parking requirements</b>
		per 50 parking stalls	
fire hall	1 per 1 employee or volunteer	Greater of 1 or 1 per 50 parking stalls	None required
Museums	1 per 30.0 square metres (322.9 square feet) of <i>floor area</i>	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls
Medical Offices and Clinics	1 per 20 m <sup>2</sup> (215 ft <sup>2</sup> ) of <i>floor area</i> .	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls

- x. Insert new subsection B.5.5 as follows:

**“Standards for Bicycle Parking Spaces**

- B.5.5.1 Each bicycle *parking space* must be accessible to a highway or vehicle *parking lot* via an access aisle that is not less than 1.2 metres (3.9 feet) in width.
- B.5.5.2 Bicycle *parking spaces* must be at least 0.8 metres (2.6 feet) in width and 1.8 metres (5.9 feet) in length with a minimum overhead clearance of 1.2 metres (3.9 feet).
- B.5.5.3 Bicycle *parking spaces* must include a fixed *structure* that supports the bicycle frame in a stable position without damage to the wheels, frame or components and that enables the frame and both wheels to be locked to the *structure* by the cyclist’s own locking device. Protection from precipitation must be provided for 50 per cent of all spaces required.
- B.5.5.4 Bicycle *parking spaces* are to be located at the primary entrance to the *building* or use being served.”

b) To section F.7 DP-7 The Village Centre:

- i. To F.7.3.6 replace with the following text “Pedestrian requirements include accessible, safe and landscaped walkways connecting the street to the businesses.”
- ii. To F.7.3.7 to add the following text after “eating areas”: “and businesses should open to the street to create a greater sense of intimacy and walkability in the village core”; and
- iii. Add the new Guidelines as shown below after F.7.3.7 and renumber the subsequent guidelines accordingly:
  - “F.3.7.8 On-site integrated storm water management plans prepared by a qualified professional shall be required and implemented to reduce impervious cover, promote infiltration and capture and treat storm water runoff from 90% of the average annual rainfall using acceptable best management practices.
  - F.3.7.9 Where a building or use provides more than 25 parking spaces, one electric vehicle charging station must be provided and marked with a sign or symbol identifying the space is reserved for charging/parking an electric vehicle.
  - F.3.7.10 Landscaping design and maintenance shall facilitate water retention, minimize the need for irrigation and discourage the use of lawns unless for a gathering or play area.
  - F.3.7.11 Landscaped islands of trees and shrubs shall be used in parking areas located at a minimum of every 15 stalls to break up expanses of paving and parking and capture and infiltrate runoff.
- iii. Add new exemptions below after iii.:
  - “iv. The installation of bicycle racks, bicycle or bus shelters or electric vehicle charging stations;
  - v. additions resulting in less than a 5% increase in floor area of a principal building or an accessory building where no changes to landscaping or access to the site are proposed.”

c) To section G.1 Definitions:

- i. amend the definition of “floor area” to delete “the outer surface of the exterior walls” and replace with “the interior surface of the exterior walls” and after number 3. add “4. a *sustainable energy systems utility room*; in a cottage, up to a maximum of 2.3 square metres (25 square feet) is excluded.”
- ii. amend the definition of “parking area” by adding the words “and bicycles” after “motor vehicles”;
- iii. amend the definition of “parking space” by adding the words “or bicycle” after “motor vehicle”; and

- iv. add a new definition after the definition of “structure” of “sustainable energy systems utility room” as follows: “a room in a cottage used for the installation and use of solar photo voltaic and solar domestic hot water conduits, electrical hardware or tanks; inverters; charge controllers; grey water treatment and/or heat pump components.”

---

**Gabriola Island Local Trust Committee**

**BYLAW NO. 274**

\*\*\*\*\*

**A BYLAW TO AMEND THE GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN, BYLAW 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, 2014"

READ A FIRST TIME THIS	14 <sup>TH</sup>	DAY OF	MAY	, 2014
PUBLIC HEARING HELD THIS		DAY OF		, 2014
READ A SECOND TIME THIS		DAY OF		, 2014
READ A THIRD TIME THIS		DAY OF		, 2014
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 2014
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT				
THIS		DAY OF		, 2014
ADOPTED THIS		DAY OF		, 2014

---

**SECRETARY**

---

**CHAIRPERSON**

## **Gabriola Island Local Trust Committee**

### **Bylaw No. 274**

#### **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 A – Policy Document as follows:

1. In section 3.8 Temporary Use Permit Designations and Guidelines, Designations a) vi) remove the word ‘Agriculture’.
2. In section 5.3 Agriculture Policies, add the following policies after i) and renumber subsequent policies accordingly:
  - j) This plan supports the amalgamation of lots in the AG designation.
  - k) This plan supports local farmers’ markets for the benefit of Gabriola farmers, consumers and the community.
  - l) The zoning bylaw shall prohibit the use of lands, buildings or structures in any zone being used for the manufacturing or research of genetically engineered seeds, plants or animals.
  - m) This plan supports agri-tourism on lands with farm status and the zoning bylaw shall regulate agri-tourism operations and accommodation. Any agri-tourism activities or agri-tourism accommodation shall be accessory to farming.
3. In section 5.3 Agriculture Advocacy Policies, add the following policies after p) (revised):
  - q) This plan discourages the severance of agriculture designated land by utility corridor development.
  - r) This plan discourages the use of genetically engineered or genetically modified seeds, plants or animals in the Plan area.
  - s) Land owners and operators of farms shall be encouraged to preserve and protect seasonally flooded agriculture fields.
  - t) Farm operators are encouraged to select production methods to maintain soil quality and to ensure surface and groundwater recharge areas are not contaminated by agricultural activities.
  - u) Farm operators are encouraged to construct physical barriers, including fencing and appropriate indigenous vegetation, to restrict access by farm animals to watercourses.
  - v) This plan supports partnerships with the farming community, senior government and private enterprise to promote the development of the agriculture sector.
  - w) Farm operators are encouraged to enhance environmental farming practices, for example by participating in the Canada – BC Environmental Farm Plan Program or other similar environmental farm programs.
  - x) This plan supports and encourages farmland edge planning inventory to inform future community conversations about the extent to which agriculturally zoned land and neighboring properties would benefit from further buffering.

---

**Gabriola Island Local Trust Committee**

**BYLAW NO. 275**

\*\*\*\*\*

**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, 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, 2014"

READ A FIRST TIME THIS	14 <sup>TH</sup>	DAY OF	MAY	, 2014
PUBLIC HEARING HELD THIS		DAY OF		, 2014
READ A SECOND TIME THIS		DAY OF		, 2014
READ A THIRD TIME THIS		DAY OF		, 2014
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 2014
ADOPTED THIS		DAY OF		, 2014

---

**SECRETARY**

---

**CHAIRPERSON**

## Gabriola Island Local Trust Committee

### Bylaw No. 275

#### Schedule 1

1. Schedule "A" of Gabriola Island Land Use Bylaw No. 177 cited as "Gabriola Island Land Use Bylaw, 1999", is amended as follows:
  - a) To section B.1.2.1 Prohibited Uses add item i) as follows:

"i) use of land, buildings or structures to manufacture or research genetically engineered seeds, plants or animals."
  - b) To section B.6.4 Use of Travel Trailers, Recreational Vehicles and Accessory Buildings revise article B.6.4.2 by adding the words "except as permitted in the Agriculture (AG) zone." After the word "each".
  - c) To section D.1.1 Small Rural Residential (SRR):
    - i. Revise item D.1.1.1 b.iii by inserting the words "agri-tourism and" between "including" and "the".
    - ii. revise item D.1.1.2 a. i. bullet number four as follows:
      - "one agricultural produce stand per lot, not exceeding 4.6 square metres (50 square feet) floor area.
    - iii. Revise the second bullet to item D.1.1.3 a. ii. to read "10.0 metres (32.8 feet) from any lot line, except the minimum setback for greenhouses is 7.5 metres (24.6 feet) from any lot line."
    - iv. Replace the two bullets of item D.1.1.3 a. iii. with the following:
      - "the minimum *setback* for agricultural waste storage is 30.0 metres (98.4 feet) from any *lot line* or well head;
      - the minimum *setback* for an agricultural produce stand in the Small Rural Residential (SRR) zone is 4.5 metres (14.7 feet) from the front *lot line*."
  - d) To section D.1.2 Large Rural Residential (LRR):
    - i. Under clause D.1.2.1.b add a new item "v. agri-tourism"
    - ii. Revise the first bullet of item D.1.2.3 a. iii. to read "the minimum setback of boarding and breeding kennels is 30.0 metres (98.0 feet) from any lot line or well head;"
    - iii. Replace the second bullets of item D.1.2.3 a. iii. to read "on lots 1.0 hectare (2.47 acres) or larger, the minimum *setback* for greenhouses is 7.5 metres (24.6 feet) from any *lot line*. "
    - iv. Add to the end of the third bullet of item D.1.2.3 a. iii. "or well head; and"
    - v. Add a fourth bullet to item D.1.2.3.a.iii. to read "the minimum setback for an agricultural produce stand in the Large Rural Residential (LRR) zone is 4.5 metres (14.7 feet) from the front lot line."
  - e) To section D.1.3 Seniors and Special Needs (SSN):
    - i. under clause D.1.3.1.b "Permitted *accessory Uses*", add ii. "horticulture, including sale of horticultural products grown on the lot."

- ii. under clause D.1.3.2. a. “Permitted *Buildings and Structures*”, add iii. “one horticulture produce stand per lot, not exceeding 4.6 square metres (50 square feet) floor area.”
  - iii. under clause D.1.3.3. b. “*Buildings and Structures Siting Requirements*”, add ii. “the minimum setback for a horticultural produce stand is 4.5 metres (14.7 feet) from the front lot line.”
- f) To section D.2.1 Agriculture (AG):
- i. Under clause D.2.1.1.a add “vi. Indoor production of medical marihuana licenced under the *Marihuana for Medical Purposes Regulation* on lots in the Agricultural Land Reserve that are 4.0 hectares (9.88 acres) or larger”
  - ii. under clause D.2.1.1.b “Permitted *Accessory Uses*”, replace item ii. with “secondary suite or cottage residential on lots 2.0 hectares (4.94 acres) or larger.\*”
  - iii. Under clause D.2.1.1.b add the following new items:
    - “agri-tourism; and
    - agri-tourism accommodation on lands in the Agricultural Land Reserve on lots 4.0 hectares (9.88 acres) or larger with farm classification under the *BC Assessment Act*”
  - iv. under item D.2.1.2 a. i.
    1. add a new bullet under the first bullet to read “on lots 2.0 hectares (4.94 acres) or larger in the Agriculture Land Reserve, one secondary suite per lot, not exceeding 90 square metres (968.7 square feet), or 40% of the habitable floor space of the dwelling, whichever is less and with the approval of the local Health Authority with respect to the provision of sewage disposal;”
    2. add a new bullet “four or fewer sleeping units for agri-tourism accommodation in the form of either seasonal campsites and/or short term use of bedrooms on a farm classified as a farm under the *Assessment Act* on lots 4.0 hectares (9.88 acres) or larger. Should farm classification discontinue for a period of two (2) consecutive years, agri-tourism accommodation is no longer a permitted accessory use on the lot.”
  - v. To item D.2.1.2 a. ii replace with “On lands in the Agriculture Land Reserve, a maximum of one manufactured home on lots 2.0 hectares (4.94 acres) or larger is permitted for immediate family or farm worker housing if:
    - The lot has farm classification under the *BC Assessment Act*; and
    - The manufactured home does not exceed 9 metres.(29.5 feet) in width and 120.7 m<sup>2</sup> (1300 ft<sup>2</sup>) in floor area; and
    - The manufactured home is sited so as to not have a negative effect on the existing farm operation; and
    - The owner of the lot on which the manufactured home is located shall register on the title of that lot a restrictive covenant under section 219 of the *Land Title Act* stating that the manufactured home will be removed if it is no longer being occupied by the approved user for a period of one year; and
    - The manufactured home is occupied by immediate members of the family that currently own the property; or

- The manufactured home is occupied by a farm employee(s) required for the farm operation and who provide a net benefit to the existing farm operation and written approval from the Agricultural Land Commission has been obtained.
- vi. under item D.2.1.3 a.i remove from the first bullet the words “accessory farm employee dwelling units” and replace with “a manufactured home for immediate family or farm worker housing”.
- vii. Under item D.2.1.3.a.ii remove from the first bullet the words “accessory farm employee dwelling units” and replace with “a manufactured home for immediate family or farm worker housing”.
- viii. under item D.2.1.3 a. iii.:
1. Revise the first bullet to read “the minimum setback of boarding and breeding kennels is 30.0 metres (98.0 feet) from any lot line or well head;”
  2. Revise the second bullet to read “the minimum setback for greenhouses on land in the AG zone is 7.5 metres from any lot line;”
  3. Delete the third bullet.
  4. Revise the fifth bullet by adding the words “or well head; and” after “lot line”
  5. Add a sixth bullet to read “the minimum setback for an agricultural produce stand in the Agriculture (AG) zone is 4.5 metres (14.7 feet) from the front lot line.”
  6. Add a seventh bullet to read “the minimum setback for buildings, structures and fencing used for the indoor production of medical marihuana licenced under the *Marihuana for Medical Purposes Regulation* is 30 metres (98.4 feet) from any lot line”.
- ix. Under item D.2.1.3 b. ii add a third bullet to read “the maximum combined lot coverage of agri-tourism and/or agri-tourism accommodation including buildings, access and parking is one (1) percent of the lot area.”
- g) To section D.2.2. Forestry (F):
- i. under clause D.2.2.1.b “Permitted Accessory Uses”, item D.2.2.1.b.v is inserted as follows:
    - v “agriculture, including agri-tourism and the sale of agricultural products grown or raised on the lot”
  - ii. under item D.2.2.2 a. i. “Permitted Buildings and Structures” add a fourth bullet to read “one produce stand per lot accessory to an agriculture use and not exceeding 20 square metres (215.3 square feet) floor area.”
  - iii. Replace item D.2.2.3 a.ii replace the bullet with: “10.0 metres (32.8 feet) from any lot line, except the minimum setback for greenhouses is 7.5 metres (24.6 feet) from any lot line “

- iv. Delete item D.2.2.3a.iii and replace with “iii. the minimum setback for an agricultural produce stand in the Forestry (F) zone is 4.5 metres (14.7 feet) from the front lot line.”
- h) To section D.2.4 Resource (R):
- i. Under clause D.2.4.1.b. add a new item “v. agri-tourism”
  - ii. Under item D.2.4.3.a.ii revise the first bullet to read “10.0 metres (32.8 feet) from any lot line, except the minimum setback for greenhouses is 7.5 metres (24.6 feet) from any lot line”
  - iii. Under item D.2.4.3 a. iii:
    1. Revise the first bullet to read “the minimum setback of boarding and breeding kennels is 30.0 metres (98.0 feet) from any lot line or well head;”
    2. Delete the second bullet.
    3. Revise the third bullet by adding the words “or well head; and” after “lot line”
    4. Add a fourth bullet to read “the minimum setback for an agricultural produce stand in the Resource (R) zone is 4.5 metres (14.7 feet) from the front lot line.”
- i) To section D.2.6 Resource Residential (RR1):
- i. Under clause D.2.6.1.b add item “iv. agri-tourism”
  - ii. Under item D.2.6.3 ii replace the bullet with: “10.0 metres (32.8 feet) from any lot line, except the minimum setback for greenhouses is 7.5 metres (24.6 feet) from any lot line“
  - iii. Delete item D.2.6.3 iii.
  - iv. Add a new item iii. to read “the minimum setback for an agricultural produce stand in the Resource Residential (RR1) zone is 4.5 metres (14.7 feet) from the front lot line.
- j) To section D.2.8 Gabriola Commons (GC) Comprehensive Zone:
- i. Under item D.2.8.1 b. add “vi. agri-tourism”
  - ii. Under item D.2.8.2 a. add “iii. one produce stand not exceeding 20.0 square metres (215.3 square feet) in floor area, accessory to an agricultural use.”
  - iii. Under item D.2.8.3 a. ii. replace the second bullet with “The minimum setback for all Agriculture buildings and structures is 20 metres (65.6 feet) from any lot line, except for a produce stand which has a minimum setback of 4.5 metres (14.7 feet) from the front lot line or greenhouses which have a minimum setback of 7.5 metres (24.6 feet) from any lot line.”
  - iv. Under item D.2.8.3.a.ii add to the end of the third bullet “or well head.”
- k) To section F.1 Definitions add the following definitions in alphabetical order:

- i. “agri-tourism means a tourist activity, service or facility which is accessory to a farm operation, as defined in the *Farm Practices Protection (Right to Farm) Act*, where the land is classified as a farm under the *Assessment Act*, and, where the farm is in active operation each year.”
  - ii. “farm product means a commodity that is produced from a farm use as defined in the *Agricultural Land Commission Act*.”
  - iii. “farm worker housing means a manufactured home authorized by the Agricultural Land Commission and used for the residential accommodation of a full-time farm employee who is required for the farm operation.”
  - iv. “immediate family means, with respect to an owner, the owner’s
    - (a) parents, grandparents and great grandparents,
    - (b) spouse, parents of spouse and stepparents of spouse,
    - (c) brothers and sisters, and
    - (d) children or stepchildren, grandchildren and great grandchildren.”
  - v. “seasonal means a use or activity in a facility or area for less than seven consecutive months of the year.”
  - vi. “secondary suite means an accessory, self-contained dwelling unit on land in the Agriculture Land Reserve located wholly within a building that is a single real estate entity which otherwise contains a single family dwelling, and having a floor area no greater than 90 square metres (968 square feet) or 40% of the habitable floor area of the dwelling, whichever is less.”
  - vii. “short term means the use of bedroom accommodation for agri-tourism for a period of not more than 30 consecutive days.”
  - viii. “sleeping unit means a) a bedroom in a dwelling or b) a tent or recreational vehicle on a campsite used for agri-tourism accommodation.”
  - ix. “temporary means a use or activity in a facility or area that is established and used on a limited time basis for agri-tourism activities, for less than seven consecutive months of the year. The building or structure may be used for other permitted uses during the course of or for the remainder of the year.”
- l) To section F.1 Definitions:
- i. remove the term “mobile home” and replace with “manufactured home” and maintain the same definition.
  - ii. Replace the definition of “intensive agriculture” with “means the use of land, buildings and other structures by a commercial enterprise or an institution for the confinement of poultry, livestock or fur bearing animals, or the growing of mushrooms.”

---

**Gabriola Island Local Trust Committee**

**BYLAW NO. 276**

\*\*\*\*\*

**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. 2, 2014"

READ A FIRST TIME THIS	26TH	DAY OF	JUNE	, 2014
PUBLIC HEARING HELD THIS		DAY OF		, 2014
READ A SECOND TIME THIS		DAY OF		, 2014
READ A THIRD TIME THIS		DAY OF		, 2014
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS		DAY OF		, 2014
APPROVED BY THE MINISTER OF COMMUNITY, SPORT AND CULTURAL DEVELOPMENT				
THIS		DAY OF		, 2014
ADOPTED THIS		DAY OF		, 2014

---

**SECRETARY**

---

**CHAIRPERSON**

## **Gabriola Island Local Trust Committee**

### **Bylaw No. 276**

#### **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:

1. Schedule A – Section 9 – Development Permit Areas, is amended as follows:

a) Delete the Section 9.3 title and replace with the following:

**“9.3 Development Permits to establish objectives for the form and character of commercial development, to promote water conservation, and to promote the reduction of greenhouse gas emissions”**

b) Delete DP-7 The Village Centre and replace with the following:

#### **“DP-7 The Village Centre**

Development Permit Area 7 (Schedule C) is designated according to Section 919.1(1)(f),(i) and (j) of the *Local Government Act* and is located in the commercial Village Centre area.

#### **Justification**

The Gabriola village centre area is designated as a development permit area for the purposes of establishing objectives for form and character, water conservation and reduction of greenhouse gas emissions. This designation will help ensure that commercial development will be pedestrian oriented, landscaped to conserve water resources and encourage fuel efficient vehicles and alternative modes of transportation.

#### **Objectives**

The objectives of this development permit area are as follows:

1. To promote small scale building design in the Village Centre.
2. To promote development in the Village Centre that is pedestrian oriented with amenities such as public open spaces and walkways.
3. To promote water conservation.
4. To promote the reduction of greenhouse gas emissions.

*Information Note: Development Permit Area Guidelines for DP-7 The Village Centre are in the Gabriola Island Land Use Bylaw.”*

c) Insert a new section heading of 9.4 before DP-8 Multi-dwelling Affordable Housing Development Permit Areas as follows:

**“9.4 Development Permits to Establish Objectives for the Form and Character of Industrial and Multi-dwelling Residential Development”**