

Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: November 13, 2014
Time: 10:15 am
Location: Gabriola Women's Institute Hall
 476 South Road, Gabriola Island, BC

	Pages
1. CALL TO ORDER	10:15 AM - 10:20 AM
2. APPROVAL OF AGENDA	
3. MINUTES	
3.1 Local Trust Committee Meeting Minutes of October, 2014 - for adoption	4 - 10
3.2 Section 26 Resolutions Without Meeting - none	
3.3 Gabriola Island Advisory Planning Commission Meeting Minutes - none	
3.4 Mudge Island Advisory Planning Commission Meeting Minutes - none	
3.5 Gabriola Island Agricultural Advisory Commission Meeting Minutes - none	
4. BUSINESS ARISING FROM MINUTES	10:20 AM - 10:30 AM
4.1 Follow-up Action List dated November 4, 2014	11 - 13
4.2 Dormant Applications Staff Report dated November 4, 2014	14 - 16
5. CORRESPONDENCE	10:30 AM - 10:40 AM
(Correspondence received concerning current applications is considered with the application)	
5.1 Email from N. Morgan and K. Morrison dated October 8, 2014 - regarding dogsitting as home occupation	17 - 20
5.2 Letter from Gabriola Rod, Gun and Conservation Club dated November 4, 2014 re Proposed Changes to Land Use Bylaw	21 - 21

6. REPORTS	10:40 AM - 10:50 AM	
6.1 Work Program Reports		
6.1.1 Top Priorities Report & Projects List dated November 4, 2014		22 - 25
6.2 Applications Log		
6.2.1 Report dated November 4, 2014		26 - 29
6.3 Trustee and Local Expenses		
6.3.1 Expenses posted to end of September, 2014		30 - 30
6.3.2 Expenses Posted to end of October, 2014		31 - 31
7. NEW BUSINESS		
8. TRUSTEES' REPORT	10:50 AM - 11:00 AM	
Verbal Report		
9. CHAIR'S REPORT		
Verbal Report		
10. REGIONAL DIRECTOR'S REPORT		
Verbal Report		
11. DELEGATIONS		
12. TOWN HALL SESSION	11:15 AM - 11:25 AM	
13. APPLICATIONS AND PERMITS	11:25 AM - 12:25 PM	
13.1 GB-DVP-2014.4 Intrascap Developments Inc. (Madrona)		
13.1.1 Staff Report dated November 4, 2014		32 - 48
13.2 GB-DP 2014.3 Intrascap Developments Inc. (Madrona)		
13.2.1 Staff Report dated November 4, 2014		49 - 105
13.3 Antenna Siting Proposal (Gabriola Radio Society)		
13.3.1 Staff Report dated October 27, 2014		106 - 122
13.4 GB-DVP-2014.2 Hessels (Baker)		
13.4.1 Staff Report dated October 29, 2014 - to be distributed		
14. LOCAL TRUST COMMITTEE PROJECTS		
15. BYLAWS		

16. ISLANDS TRUST WEBSITE

16.1 Gabriola Island Pages

The Gabriola Island Local Trust Committee
Website can be found at:
<http://www.islandstrust.bc.ca/islands/local-trust-areas/gabriola.aspx>

17. NEXT MEETING DATE

To Be Announced

18. TOWN HALL SESSION - time permitting

12:30 PM - 12:40 PM

19. ADJOURNMENT



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: October 2, 2014
Location: Gabriola Women's Institute Hall
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
Jessie Sherk, Recorder

Others Present Teresa Ritteman, Planner

Two (2) members of the public and one (1) member of the local media were in attendance.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

By general consent, the agenda was approved as presented.

3. MINUTES

3.1. Local Trust Committee Meeting Minutes of September 4, 2014 – for adoption

The following additions/deletions to the agenda were presented for consideration:

- Page 1, add to Staff Present – “Jessie Sherk”
- Page 2, in the resolution at the bottom of the page, change “Chair Malcolmson’s” to “Chair Graham’s”.
- Page 4, Trustees Report, on the first line delete the word “happened” and replace with “she attended”. In the second sentence delete “Stanhope’s wife” and replace with “RDN Chair Stanhopes wife, Jane”
- Page 5, Town Hall Session, delete the end of the last sentence “as it is character building and the pluses strongly outweigh the negatives.”
- Page 7, 15.3, add to the minutes the sentence “ These bylaws were addressed in 14.2”
- Page 7, 15.4, add to the minutes the sentence “These bylaws were addressed in 14.2”

By general consent, the agenda was approved as amended.

- 3.2. Section 26 Resolutions Without Meeting - none
- 3.3. Gabriola Island Advisory Planning Commission Meeting Minutes - none
- 3.4. Mudge Island Advisory Planning Commission Meeting Minutes - none
- 3.5. Gabriola Island Agricultural Advisory Commission Meeting Minutes - none
- 4. BUSINESS ARISING FROM MINUTES

4.1. Follow-up Action List dated September 24, 2014 - attached

Planning Manager Simpson had no updates. A short discussion ensued regarding adding the Riparian Areas Regulation Bylaw to the item "Bylaws Awaiting Ministry Approval" noted in the Follow-up Action list.

4.2. Referral response from the DeCourcy Island Community Association regarding the New Federal Marihuana for Medical Purposes Regulation

4.2.1. Memorandum dated September 24, 2014 - attached

The memorandum was discussed. It was noted that there was an error in the memorandum (page 14 of the agenda); it should read "DeCourcy Island LUB" not Mudge Island.

GB-2014-149

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee direct staff to add to the projects list an amendment to the DeCourcy Island Bylaw No. 44 regarding the production of medical marihuana under the Marihuana for Medical Purposes Regulation.

CARRIED

It was explained for the benefit of the public, that staff identified that because of the federal regulation change, there was a potential weakness in all of the bylaws. Since the Gabriola bylaw had already been opened up it made sense to address this now. It was referred to the Mudge Island Advisory Planning Commission and the DeCourcy Island Ratepayers Association and they both agreed that they would like to see the change made.

5. CORRESPONDENCE

5.1. Email dated September 20, 2014 from Penny Sidor regarding Dogsitting and Home Occupation definition of Kennel

Trustees reviewed the email.

GB-2014-150

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee add to the projects list a new definition of in-house dog boarding to allow this use in the small rural residential zone.

CARRIED

The Local Trust Committee received thirty-two (32) letters in support of Penny Sidor.

5.2. Letter dated September 22, 2014 from Gabriola Community Hall Association regarding Zoning

Trustees discussed the email. Trustee Rudischer stated that she would call the author and let her know that this subject was on the agenda today.

5.3. Email dated September 22, 2014 from Joyce Babula regarding Gabriola Community Hall Variance for Renovation

Trustees discussed the email. It was noted that the variance application has not been received in the office yet. The possibility of having the fees sponsored was discussed.

6. REPORTS

6.1. Work Program Reports

6.1.1. Top Priorities Report & Projects List dated September 24, 2014 - attached
Planning Manager Simpson had no updates.

6.2. Applications Log

6.2.1. Report dated September 24, 2014 – attached

The staff report was reviewed for information. Planning Manager Simpson gave a short recap on the Madrona development permit application. It was noted that the planner is working on a staff report for the November Local Trust Committee meeting. Discussion ensued.

6.3. Trustee and Local Expenses Report - none

None.

7. NEW BUSINESS

7.1. Gabriola Telephone Directory Renewal - attached for discussion

Discussion ensued regarding the renewal.

GB-2014-151

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee spend \$378 from its local expense budget under the communications category to renew its advertising in the 2015 Gabriola Phone Directory.

CARRIED

8. TRUSTEES' REPORT

Trustee Malcolmson reported on some of the Union of British Columbia Municipalities (UBCM) resolutions that were of community interest. Regarding ferries, she spoke about the UBCM's economic impact study that the province was asked to do but did not, noting that it was well reported. She stated that it has been very important for coastal communities to recognize that this is a province-wide problem and to have solidarity of all the local governments. Trustee Malcolmson reported that there was also debate on pipeline policies and oil spill response environmental assessment process, which showed a real coastal/interior split in opinions. She noted that most resolutions won on the floor were things that the Islands Trust has been advocating for. There were also strong resolutions of support for the Agricultural Land Reserve and a well funded independent Agricultural Land Commission, climate change and affordable housing. Also reported on were the weakened regulations regarding pleasure craft sewage noting that Islands Trust would be writing a letter of concern.

In closing Trustee Malcolmson commented in response to hearing in the press that the Islands Trust does not support bridges, that this is not the Islands Trust imposing, this is from the Official Community Plan and policy statement derived from expensive public consultation and then adopted by local trustees elected by the people. She stated that if anyone thinks these are the wrong policies they should try to change it. All these policies can be changed.

No report from Trustee Rudischer.

9. CHAIR'S REPORT

Chair Graham reported that he attended his first UBCM general meeting and enjoyed the agricultural tour as well as seeing the Pemberton valley. He noted that it was interesting to speak with interior municipalities about their concerns.

10. REGIONAL DIRECTOR'S REPORT

None.

11. DELEGATIONS

None.

12. TOWN HALL SESSION

Chris Bowers said thank you to Trustee Malcolmson for the great work she did regarding ferries and the UBCM report.

13. APPLICATIONS AND PERMITS - none

14. LOCAL TRUST COMMITTEE PROJECTS

14.1. Housekeeping Bylaw Amendments

14.1.1. Staff Report dated September 22, 2014 - attached

Planner Manager Simpson summarized the staff report. She stated that the report goes through all the items where changes or further information was requested at the last meeting. She noted two errors on page 57 of the agenda package – in g) that the letter has not been sent from the Chair yet, and in h) it has been added to the draft bylaw. Discussion ensued regarding tourist accommodation densities, specifically the effects of the amendment to remove density at the Surf Lodge.

BREAK: 11:10 – 11:20

GB-2014-152

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend 9 d) of Bylaw 279 to read “to D.3.8.2.a.i, delete the words “area in the zone” and replace with “or where there are one or more or more adjacent TC1 lots, per this group of lots”

CARRIED

Discussion ensued regarding the definition of a clubhouse.

GB-2014-153

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend Bylaw 279, 12 b) definition of clubhouse, to add after "means a facility used by a club;" the words “that does not provide for overnight accommodation except in a permitted single family dwelling. “

CARRIED

The Local Trust Committee then discussed the requested Land Use Bylaw amendments regarding forestry. In the second paragraph of page 55 in the agenda, under b) Forestry, it was asked that staff clarify that the change requested does not reduce a property owner’s ability to practice forestry.

Group moorage was discussed. The Local Trust Committee agreed with the suggested amendment.

Ms. Robinson’s request to remove density on her property was discussed at length. Planning Manager Simpson stated that it would take some staff time to determine how to amend the Official Community Plan, and that

after the discussion today, new options had emerged.

GB-2014-154

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct staff to write a letter to the landowner explaining the options for removing development potential, and ask staff to examine Official Community Plan amendments to achieve the landowners' wish that the density be extinguished and not transferred to a density bank.

CARRIED

GB-2014-155

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee give first reading to Bylaw No. 278 cited as Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 3, 2014

CARRIED

GB-2014-156

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee give first reading to Bylaw No. 279 cited as Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 2, 2014 as amended.

CARRIED

GB-2014-157

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee refer proposed Bylaw No.s 278 and 279 to the Agricultural Land Commission, Regional District of Nanaimo Building Department, Islands Trust Bylaw Enforcement Department, and the following First Nations: Snuneymux First Nation, Cowichan Tribes, Halalt First Nation, Hul'quimi'num Treat Group, Lake Cowichan First Nation, Lyackson First Nation, Semiahmoo First Nation, Stz'umins First Nation, and Te'Mexw Treaty Association.

CARRIED

GB-2014-158

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct staff to prepare an annotated version of Bylaws 278 and 279 to assist the reader in understanding each of the proposed changes.

CARRIED

15. BYLAWS

- 15.1. Draft Bylaw No. 278, cited as "Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 3, 2014" - for consideration of first reading - attached**

These were addressed in 14.1.1

- 15.2. Draft Bylaw No. 279, cited as "Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 2, 2014" - for consideration of first reading - attached**

This was addressed in 14.1.1

16. ISLANDS TRUST WEBSITE

- 16.1. Gabriola Pages - for discussion**

The Gabriola Island Local Trust Committee Website can be found at:
<http://www.islandstrust.bc.ca/islands/local-trust-areas/gabriola.aspx>

No updates.

17. CLOSED MEETING

18. RECALL TO ORDER

- 18.1. Rise and Report from Closed Meeting**

None.

19. NEXT MEETING DATE

Thursday, November 13, 2014 at 10:15 am at the Women's Institute, 476 South Road, Gabriola Island, BC

20. TOWN HALL SESSION - time permitting

None.

21. ADJOURNMENT

By general consent, the meeting was adjourned at 12:10 pm.

David Graham, Chair

Certified Correct:

Jessie Sherk



Follow Up Action Report w/ Target Date

Gabriola Island Jul-17-2014

No.	Activity	Responsibility	Target Date	Status
1	LTC deferred decision on closing dormant application GB-SUB-2010.2 until November 13 LTC meeting. LTC is looking for evidence of the file being advanced before that date.	Courtney Simpson	Nov-13-2014	Done
1	Staff to meet with Emcon to discuss roadside ditches that are applicable to the Riparian Areas Regulation Deferred until Bylaws 265 and 266 are adopted.	Courtney Simpson	Nov-13-2014	On Going
1	LTC allocates \$1500 from the OCP/LUB project budget for development of print and web communications materials on the Riparian Areas Regulation. Deferred until Bylaws 265 and 266 are adopted	Courtney Simpson	Feb-28-2015	On Going

Sep-04-2014

No.	Activity	Responsibility	Target Date	Status
1	Draft letter to MoTI for Chair's signature recommending changes to the Taylor Bay Hill 2013 bike path and include the TAC recommendations.	Courtney Simpson	Oct-02-2014	On Going

Oct-02-2014

No.	Activity	Responsibility	Target Date	Status
1	It was MOVED and SECONDED, that the Gabriola Island Local Trust Committee direct staff to add to the projects list an amendment to the DeCoursey Island Bylaw No. 44 regarding the production of medical marihuana under the Marihuana for Medical Purposes Regulation.	Courtney Simpson	Nov-13-2014	Done

1	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee add to the projects list a new definition of in-house dog boarding to allow this use in the small rural residential zone.	Courtney Simpson	Nov-13-2014	Done
1	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee spend \$378 from its local expense budget under the communications category to renew its advertising in the 2015 Gabriola Phone Directory. Note: phone book ad will be finalized after the election.	Becky McErlean	Nov-13-2014	Done
1	Staff to make amendments to housekeeping bylaw 279 as in resolutions 152 and 153.	Courtney Simpson	Nov-13-2014	On Going
1	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee direct staff to write a letter to the landowner explaining the options for removing development potential, and ask staff to examine Official Community Plan amendments to achieve the landowners' wish that the density be extinguished and not transferred to a density bank. Note: landowner is Sally Robinson	Karin Kronstal	Nov-13-2014	On Going
1	It was MOVED and SECONDED, that the Gabriola Island Local Trust Committee give first reading to Bylaw No. 278 cited as Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 3, 2014	Lisa Webster-Gibson	Nov-13-2014	On Going
1	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee give first reading to Bylaw No. 279 cited as Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 2, 2014 as amended.	Courtney Simpson Lisa Webster-Gibson	Nov-13-2014	On Going
1	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee refer proposed Bylaw No.s 278 and 279 to the Agricultural Land Commission, Regional District of Nanaimo Building Department, Islands Trust Bylaw Enforcement Department, and the following First Nations: Snuneymux First Nation, Cowichan Tribes, Halalt First Nation, Hul'quimi'num Treaty Group, Lake Cowichan First Nation, Lyackson First Nation, Semiahmoo First Nation, Stz'umins First Nation, and Te'Mexw Treaty Association.	Karin Kronstal Lisa Webster-Gibson	Nov-13-2014	On Going

- 1 It was MOVED and SECONDED that the Gabriola Island Local Trust Committee direct staff to prepare an annotated version of Bylaws 278 and 279 to assist the reader in understanding each of the proposed changes.
-

Karin Kronstal

Dec-01-2014

On Going

STAFF REPORT

Date: November 3, 2014

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

To: Gabriola Island Local Trust Committee
For meeting of November 13, 2014

From: Courtney Simpson, Regional Planning Manager

CC: N/A

Re: Dormant Applications

THE PROPOSAL

To report to the Gabriola Island Local Trust Committee on the status of dormant application GB-SUB-2010.2.

BACKGROUND:

At the July 17, 2014 meeting the Local Trust Committee received a report on dormant application GB-SUB-2010.2 (McCollum & Krul). The LTC passed the following resolution:

GB-2014-120

It was **MOVED** and **SECONDED**,
that the Gabriola Island Local Trust Committee direct staff to defer the decision on subdivision referral file GB-SUB-2010.2 to the November 13, 2014 Local Trust Committee meeting.

CARRIED

And the minutes of the July 17, 2014 meeting recorded that "It was noted that the LTC would be looking for evidence of the applicant advancing the file in order to make their decision" at the November 13, 2014 meeting.

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.

Having an application closed or withdrawing an application does not reflect poorly on the proposal, and the property owner is welcome to apply again in the future. It is understood that there are many reasons why an application would be started then put on hold, reasons such as market conditions, unexpected site conditions influencing development, or personal

circumstances, to name a few. Having the application closed and the applicant reapply when they are ready to actively proceed is often in the best interests of both the Local Trust Committee and the applicant.

GB-SUB-2010.2 (McCollum & Krul)

Location: 1520 McCollum Road

Purpose: To create 7 parcels

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.

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.

July 17, 2014 – Staff report reported to the LTC at a regular business meeting that 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. The LTC passed a resolution to give the applicant until the November 13, 2014 meeting to actively advance the application or they would consider closing it at that time.

November 3, 2014 – at the time of writing this report, staff had not received any new information and has not heard from the applicant since the July 17, 2014 meeting at which they were in attendance. Shortly prior to the deadline for completing this report, staff contacted the applicant by email to ask if they had any updates.

Conclusion: As there has been no activity on this file that Islands Trust staff is aware of in two and a half 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

November 3, 2014

RPP, MCIP
Regional Planning Manager

Date

November 3, 2014

Dear Gabriola Local Trust Committee,

This letter is in regard to the proposal, made at the last LTC meeting, to change bylaws to allow dog sitting/boarding/kennelling businesses on small rural residential lots. As homeowners who have been negatively affected by the operation of a such a business, we feel we can speak from experience as to the inherent problems involved, and would like to express our extreme opposition to any such plans for change. I would respectfully request the LTC consider our reasons for opposition, and decline to pass a resolution for a review of the bylaw.

I will leave aside the discussion of the meaning of "kennelling", as I believe the LTC members are the people most equipped to interpret bylaws. Instead, I would ask you to consider why we believe dog sitting/boarding/kennelling is not a suitable home based business on SRR lots:

Gabriola Island Land Use Bylaw No. 177 - B.3.3. General Provisions

--B.3.3.1(e): No home occupation may create or permit noise which disturbs persons, or is clearly audible, off the lot on which the home occupation is conducted;

1. Noise and disturbance: In my experience, the operation of a dog boarding/kennelling business involving between three and eight dogs (or more) on a SRR lot creates an enormous amount of noise and disturbance, which has been more than clearly audible on my adjacent lot. While there was discussion of boarded dogs being kept "in a home", in my experience this is not entirely accurate. In fact, the dogs spent a considerable amount of time outside; advertisements for the boarding business operated beside my lot specifically stated that dogs would have access to a "fenced yard". While the dogs were outside, they barked, a great deal. I have hours and hours of recorded barking coming from the property on which this business was operated and have at times spent days logging the barking incidents, which were numerous and daily, and ranged from a few barks by one dog to hundreds and hundreds of barks by five plus dogs, lasting for 10 minutes and up. As my house is quite close to the business operator's, as many houses on SRR lots are, we experienced the barking as very loud, not only audible outside our house, but inside--in our bedroom/office/living room and kitchen--even with all windows closed.

Further, even when the dogs were in the business operator's home, the barking was still quite loud and clearly audible on my property. The business operator had other activities to attend to and did at times leave the dogs alone in the house, or even sometimes outside, during which time they sometimes barked

non-stop. In one incident in July of this year, which prompted me to contact the RDN and begin a noise complaint, one dog was left outside and at least three dogs were in the house: I recording a solid hour of barking by all four dogs simultaneously.

Also, dog owners were frequently coming and going to drop off/pick up their dogs at the dog boarding property, which caused further disturbance. All the dogs barked. The dog owners would often use our driveway as a turn around when leaving.

I contacted the Nanaimo SPCA for an "expert" or at least experienced perspective on the general issue of dog boarding. The spokesperson there stated that in their opinion, it would very difficult to have such a dog sitting/boarding/kennelling operation without a considerable amount of barking. In fact, the person noted that even such businesses located on five-acre properties often have a difficult time remaining within noise control bylaw limits.

--B.3.3.1(f): No home occupation may result in contamination of any soil or surface water by solvents, glues, chemicals or other substances deleterious to human and environmental health and safety;

2. Ground water contamination and disease: Even apart from the barking, we had serious concerns about what was happening to the dog waste, and also the spreading of disease. Our water well is situated only 10 to 20 feet away from the business operator's property. I have no knowledge that the waste was disposed of responsibly. If such businesses were to become allowable under the bylaw, would there be an environmental impact study, and also ongoing monitoring of waste disposal? I also have no knowledge that the dogs boarding beside my property were not carrying infectious diseases. The SPCA spokesperson also stated that the SPCA would not recommend such a business to dog owners because it would not meet its kennelling standards in terms of ensuring proper vaccinations and preventing the spread of disease between dogs.

3. Lowered property value: An undesirable location, including proximity to noise, is consistently a reason given for the failure of a property to sell. I believe that were a dog sitting/boarding/kennelling business formally allowed under bylaws, it would have a significant negative impact on the desirability of properties in the surrounding neighbourhood and reduce their resale value. This is, of course, of great concern to us, and should also be concerning to other homeowners who could suddenly find themselves next door to, or down the street from, such a business. This is a particularly serious issue.

4. Interpersonal conflict: When the business operator informed us she was

planning on starting a dog boarding/kennelling operation my husband and I were concerned, but we decided to give it a chance to see if it would work out, as we wanted to have a good relationship with her as a neighbour. However, it did not work out, and has resulted in a very strained relationship. We believe that having this type of business in small residential areas would inevitably result in conflicts between neighbours, which could potentially become very serious, legal issues.

5. Negative personal impacts: The disturbance caused by the dog boarding activities on the adjacent lot has caused my husband and myself a considerable amount of anxiety and distress. I work at home and the noise from the barking has had a negative impact on my ability to concentrate and do my job properly, not to mention the time and disruption caused by documenting/recording the barking to have some evidence in order to bring a noise complaint. The stress has had a negative impact on my relationships, on my ability to sleep and thus my health and has significantly diminished my ability to enjoy my property. In the past year, I have rarely gone outside to enjoy my yard or garden because I found the barking intolerable. I do not invite guests over anymore. Part of the reason my husband and I decided to purchase a property on Gabriola Island was to have a peaceful place to work, relax and retire. I believe many people who decide to live here do so for the same reason; Gabriola has a significant number of retired persons and artists/craftspeople, who I'm sure highly value their peace and quiet. The impact of allowing dog sitting/boarding/kennelling on SSR lots on the residents of this island should be carefully considered.

6. No compelling reason for review of bylaw: I agree that the ability to review bylaws from time to time is vital for a community to respond to important changing conditions. However, I do not feel there has been a significant social, cultural, economic or demographic change on Gabriola that would warrant review of the existing home based business or dog sitting/boarding/kennelling SRR land use bylaws. People have always had dogs and they have also always had a need and desire for the peaceful enjoyment of their properties and protection of their land values. The demographic composition has remained the same, and as I mentioned earlier, is comprised of a great many people who particularly value peace and quiet. In as much as land use bylaws are meant to balance the different needs, rights and desires of all the residents of a community, I believe the existing bylaws are doing so adequately when it comes to dog sitting/boarding/kennelling on SRR land. Provisions are already made in the bylaws to allow such businesses, and give dog owners access to needed care, but only on larger lots where the activity will not cause undue disturbance to others. If individuals are interested in pursuing a dog sitting/boarding/kennelling business, they have every right to acquire a suitable lot. Such properties are available on Gabriola.

In summary, we believe a change to the applicable bylaws would be a serious,

complex and contentious issue and serious thought should be given to whether a review is necessary or desirable at this time.

Thank you for your time in considering my proposal. We very much appreciate the attention the LTC has paid to the matter.

Nancy Morgan and Kenneth Morrison
1790 Oyster Way
Gabriola Island, V0R 1X6
(250) 325-0770



1825 Tait Road
PO Box 114
Gabriola, BC
V0R 1X0

<http://www.gabriolargcc.com>

gunclub@shaw.ca

04 November, 2014

Mr. David Graham
Gabriola Local Trust Committee
700 North Road
Gabriola Island, BC
V0R 1X3



Delivered via electronic mail to: bmcerlean@islandstrust.bc.ca

Re: File no. 6500-20; letter dated 28 October 2014

Dear Mr. Graham:

Thank you for your letter dated 28 October 2014 inviting the Gabriola Rod, Gun and Conservation Club (GRGCC) to comment upon proposed changes to Gabriola's Land Use Bylaw as they pertain to the zoning of lands which it occupies.

The GRGCC operates a shooting range at 1825 Tait Road, Gabriola Island, in compliance with the federal Firearms Act and pertinent Shooting Clubs and Shooting Range Regulations. The latter defines a shooting range as "a place that is designed or intended for the safe discharge, on a regular and structured basis, of firearms for the purpose of target practice or target shooting competitions, (champ de tir)" (SOR/2004-268, s. 1.; <http://laws-lois.justice.gc.ca/eng/regulations/sor-98-212/page-1.html#h-1>). The GRGCC recommends that this definition be used, to preclude conflict with federal law.

Range opening hours have been 9 a.m. to 5 p.m. for the last several years. Shooting days have been reduced to a maximum of six days per week as the result of a negotiated, legally binding settlement agreement between the GRGCC and certain residents in March of this year. Both parties to the aforementioned agreement are accustoming themselves to the effects of a newly minted schedule, and questions of refinement have already been put forth to the GRGCC. The GRGCC therefore recommends that the present restriction of **9 a.m. to 5 p.m., six days per week** be adopted as the range operating hours within the Land Use Bylaw. This will provide the community certainty with regard to its hours of operations and preserve the ability for both parties to negotiate mutually beneficial refinements *within the confines of these hours*.

Yours sincerely,

Dr. Paul Metcalfe
President, GRGCC

Top Priorities

Gabriola Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Housekeeping Bylaw Amendments		Feb-20-2014	Karin Kronstal	Sep-04-2014	On Going
2	Gabriola Planning Area OCP Review:	This a targeted OCP/LUB review and each topic is listed and described below in order of priority	Jan-19-2012	Courtney Simpson	Sep-01-2014	On Going
2	<i>1) Riparian Areas Regulation</i>	Implement the provincial Riparian Areas Regulation (RAR), reduce fee for DP 3 application to \$200, and update communications materials. Bylaws 265 and 266 approved by EC, Bylaw 265 waiting for Ministerial approval (as of May 6, 2014). Fees Bylaw adopted.	Jun-28-2011	Courtney Simpson	Sep-14-2014	On Going
2	<i>2) Rezoning new RDN Parks and ITF nature reserves</i>	Awaiting approval from MCSCD.	Nov-29-2012	Karin Kronstal	Sep-01-2014	On Going
2	<i>3) Review and amend OCP & LUB to increase local food security and farmland protection</i>	Awaiting approval from MCSCD	Jan-19-2012	Karin Kronstal	Sep-01-2014	On Going
2	<i>4) Implement OCP climate change policies into LUB</i>	Awaiting approval from MCSCD	Jan-07-2013	Karin Kronstal	Sep-01-2014	On Going
2	<i>5) Consider density transfer affordable housing policies for cottage densities</i>	Not started				On Going

2	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 bylaws.	Jan-17-2013	Karin Kronstal	Sep-01-2014	On Going
2	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
2	8) Implement First Nations and Archaeological Protection policies, including improved engagement on land use referrals	Not started				On Going
3	Snuneymuxw First Nation Protocol Agreement Implementation	May 16, 2013 resolution to delay spending this budget until after OCP/LUB review topics have gone to public hearing.		David Marlor Courtney Simpson	Mar-31-2014	On Going
4	Development Approval Information bylaw	DAI Bylaw adopted - project complete.	Jun-28-2012	Sonja Zupanec	Jun-30-2013	Done



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
1	Mudge Island MMPR bylaw amendments	See Mudge APC minutes of June 8, 2014	Jun-26-2014	On Going
1	DeCourcy Island MMPR bylaw amendments	Amendment to the DeCourcy Island Bylaw No. 44 regarding the production of medical marihuana under the Marihuana for Medical Purposes Regulation See staff report dated April 28, 2014	Oct-02-2014	On Going
2	DeCourcy Island Official Community Plan Review and Advisory Planning Commission Appointments. Topics include: • park areas without park zoning • DAI Bylaw		Apr-21-2011	On Going

2	Hazardous areas and steep slopes development permit area		Feb-21-2013	On Going
	• also consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain			
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	In-house dog boarding definition (Gabriola)	Consider new definition of in-house dog boarding to allow this use in the small rural residential zone	Oct-02-2014	On Going
3	Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).		May-14-2014	On Going

Applications w/ Status - Gabriola Island Status: Open

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GB-DP-2014.3	Intrascap Developments Inc Planner: Rob Milne	Oct-23-2014	DP Amendment to GB-DP-2012.3

Planning Status

Status Date: Nov-03-2014

To be considered at November 13, 2014 LTC meeting

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2014.2	John Hessels Planner: Marnie Eggen	Sep-30-2014	Concrete retaining wall located at toe of slope - seawall on beach

Planning Status

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2014.3	Alexander and Kelli Langran & Kienas Planner: Teresa Ritemann	Oct-03-2014	variance for deck and pre-existing shed

Planning Status

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2014.4	Intrascap Developments Inc.	Oct-28-2014	Application for amendment to Part B.5, "Parking" of Schedule "A" of Gabriola Island Land Use Bylaw No. 177

Planner: Rob Milne

Planning Status

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

Status Date: Oct-25-2013

PLA extension

Status Date: Aug-22-2012

PLA extension

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

Planner: Courtney Simpson

Planning Status

Status Date: Jul-17-2014

LTC resolved to give applicant until November 13 to advance file or will close it

Status Date: Jun-02-2014

Contacted applicant to determine if file is dormant.

Status Date: Apr-23-2013

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

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

Status Date: Feb-19-2014

Request for extension

Status Date: Oct-12-2012

PLD extension granted

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

Planning Status

Status Date: Sep-03-2014

Status has not changed. Still awaiting MOTI direction that reasons for non-approval have been overcome

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.

Status Date: Dec-05-2013

No PLA received at the Islands Trust office as of yet.

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

Planning Status

Status Date: Oct-09-2014

Waiting further direction from applicant and confirmation that our conditions in original referral report have been met. Need final plan of subdivision before we can issue final approval.

Status Date: Oct-06-2014

MOTI sent PLA. Apparently was issued in Nov 2013 but a copy was not on file.

Status Date: Sep-03-2014

Still awaiting PLA from MOTI

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2013.3	Smythies & Associates Planner: Teresa Rittermann	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.

Status Date: Nov-14-2013

Subdivision referral report sent to MOTI

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

Planning Status

Status Date: Nov-04-2014

no change

Status Date: Apr-23-2014

PLA issued

Status Date: Feb-13-2014

Referral Report complete, forwarded to MOTI

Islands Trust
LTC EXP SUMMARY REPORT F2015
Invoices posted to Month ending September 2014

620 Gabriola	Invoices posted to Month ending September 2014	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	1,100.00	115.97	984.03
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	4,250.00	1,231.71	3,018.29
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
TOTAL LTC Local Expense		<u>8,000.00</u>	<u>1,536.68</u>	<u>6,463.32</u>
Projects				
73001-620-2001	Gabriola OCP/LUB	10,000.00	5,983.70	4,016.30
73001-620-4026	Gabriola RDN/SFU Groudwater Mapping	6,250.00	6,250.00	0.00
TOTAL Project Expenses		<u>16,250.00</u>	<u>12,233.70</u>	<u>4,016.30</u>

Islands Trust

LTC EXP SUMMARY REPORT F2015

Invoices posted to Month ending October 2014

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65230-620	LTC - Local Exp - Special Projects	2,250.00	0.00	2,250.00
TOTAL LTC Local Expense		<u>8,000.00</u>	<u>1,536.68</u>	<u>6,463.32</u>
Projects				
73001-620-2001	Gabriola OCP/LUB	10,000.00	6,071.20	3,928.80
73001-620-4026	Gabriola RDN/SFU Groudwater Mapping	6,250.00	6,250.00	0.00
TOTAL Project Expenses		<u>16,250.00</u>	<u>12,321.20</u>	<u>3,928.80</u>

STAFF REPORT

Date: November 4, 2014

File No.: GB-DVP-2014.4
(Intraspice Developments Inc.)

To: Gabriola Island Local Trust Committee
For the meeting of November 13, 2014

From: Rob Milne
Island Planner

Copy: Courtney Simpson
Regional Planning Manager

Re: Application for an Amendment to Part B.5, "Parking", of Schedule "A" of Gabriola Island Land Use Bylaw No. 177– Madrona Marketplace West Phase 2

Owner / Applicant: Intraspice Developments Inc.

Location: Lot A, Section 20, Gabriola Island, Nanaimo District Plan 42582
PID: 001-867-253
(480 North Road)

THE PROPOSAL:

The applicants are applying for an amendment to Part B.5, "Parking" of Schedule "A" of the Gabriola Land Bylaw No. 177 in order to proceed with the development of Phase 2 of Madrona Marketplace development project. The amendments to the parking provisions, which align with those provisions of Proposed Bylaw No. 273, are necessary for the approval of application GB-DP-2014.3 which is also being presented for the consideration of the Local Trust Committee at this meeting.

The applicant applied for and was issued a development permit (DP) in 2012 in order to facilitate a proposed commercial development on the subject property. That permit would have lapsed on October 24, 2014, however, substantial commencement of the construction was deemed to have commenced by that date. The applicant has finalized plans for the second phase of development on the subject property,

The development permit application for the second phase of the Madrona Marketplace West project which, as noted, is also being considered at this meeting, includes enhanced landscaping, parking and an additional building under the authorization of Development Permit Area 7 – "The Village Centre" in the Gabriola Island Official Community Plan, No. 166, 1997. The development permit area (DPA) has been designated for the purpose of establishing objectives for the form and character of commercial, industrial and multi-dwelling residential development; water conservation and greenhouse gas emissions reduction.

The applicants originally submitted their Phase 2 application in January, 2014. However, at the February 21, 2014 meeting the Gabriola Island Local Trust Committee passed the following resolution:

GB-2014-046**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request staff convey that development applications in the Village Commercial and District Commercial zones will be delayed while the Trust Committee is considering policy amendments for those zones.

In discussions with staff the applicant decided to put their application on hold pending the approval of draft Bylaw No. 276 which proposes to clarify the justification and objectives for the DPA and Bylaw No. 273, which proposes to amend the Gabriola Land Use Bylaw (LUB) by expanding the DP guidelines and moving them from the OCP to the LUB as well as introducing revised parking requirements.

Bylaw No. 267 was referred to the Minister of Community, Sport and Cultural Development on July 31, 2014, and it had been anticipated that adoption of those bylaws would have occurred by now. However, the Minister has not yet approved Bylaw No. 267. As may be seen in the submission provided with the development variance permit application this has created a situation where the project may be put into financial jeopardy.

The development project which is the subject of DE-DP-2014.3 has embraced the intent and guidelines of the proposed bylaws and the site design has largely been developed based upon those bylaws. The site plan proposes increased greenspace, reduced parking, improved stormwater management as well as enhanced landscaping and increased bicycle parking and small car parking amongst its proposed features. However, this new proposal cannot be approved under the current bylaws due to the current parking requirements of Bylaw No. 177 which would see much of the proposed open space consumed by parking stalls. It is calculated that the existing parking requirements for the full development of the subject property would require approximately 45 more parking spaces than the bylaws currently awaiting approval.

The purpose of this application, which is meant to be considered in relationship with application DE-DP-2014.3, is to request a reduction in the current parking requirements to allow the proposed development, which otherwise meets or exceeds DPA and zoning requirements, to proceed. The applicants are requesting that the parking requirements, as they apply to the subject property and the proposed Phase 2 Madrona Marketplace West, be varied to the size, location and number shown on Attachment 1, "Site Plan".

SITE CONTEXT:

The location of the subject property is shown in Figure 1, below. The subject property is approximately 0.8 hectares (1.97 acres) in area and is zoned Village Commercial 1 (VC1). The subject property is located at the intersection of North and South Roads and is bounded by North Road to the south and a large, predominantly vacant parcel zoned Large Rural Residential (LRR) to the north. Adjacent properties to the east are zoned Village Commercial 1 (VC1), while properties across North Road to the south and across South Road to the west are zoned Institutional 1 (IN1) and Institutional 2 (IN2).

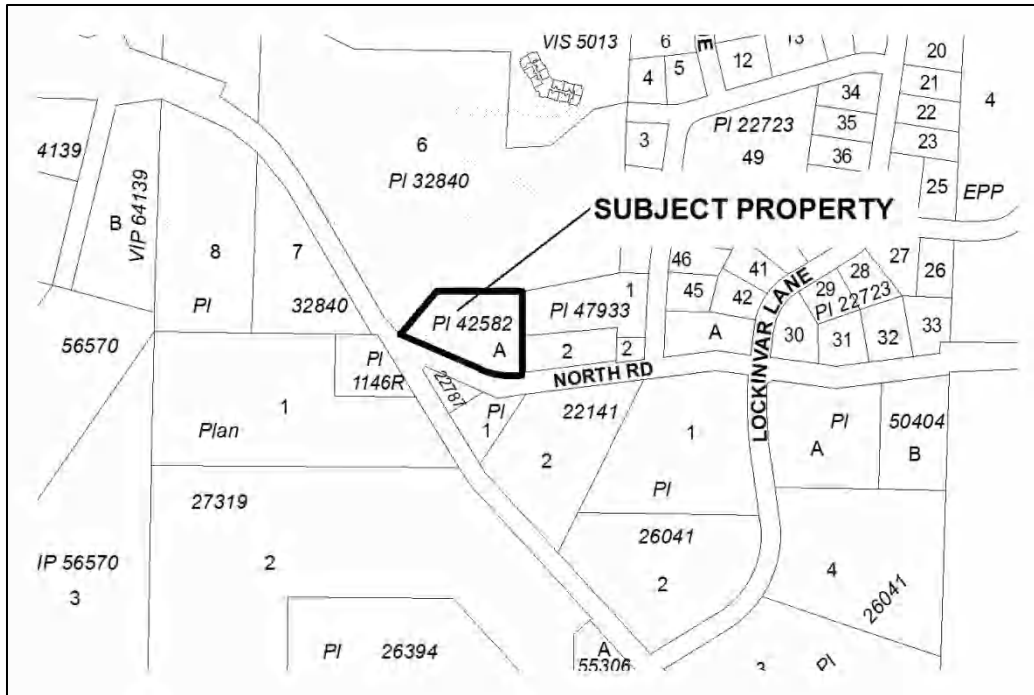


Figure 1: Subject Property



Figure 2. Aerial Photo (2011) of Subject Property

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The Islands Trust Policy Statement contains directive policies related to growth and development, the following of which is relevant to this application:

5.2.3 *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.*

The proposed development variance permit amendment is not contrary to or at variance with the Islands Trust Policy Statement.

Gabriola Island Official Community Plan Bylaw No. 166, 1997 (OCP):

The subject property is designated Commercial (Village) as per the OCP. In addition, the subject property is affected by Development Permit Area 7 – “The Village Centre”, as shown in Figure 3, which requires the issuance of a development permit prior to construction, structural alteration, or addition to a building or structure.

As has been noted, Bylaw No. 276 which proposes to clarify the justification and objectives for the DP area, and Bylaw No. 273, which proposes to amend the Gabriola Land Use Bylaw (LUB) by expanding the DP guidelines and moving them from the OCP to the LUB, are currently waiting for Ministerial approval. This development variance permit application which would enable the proposed Madrona Marketplace West project aligns with the amendments proposed by those bylaws.

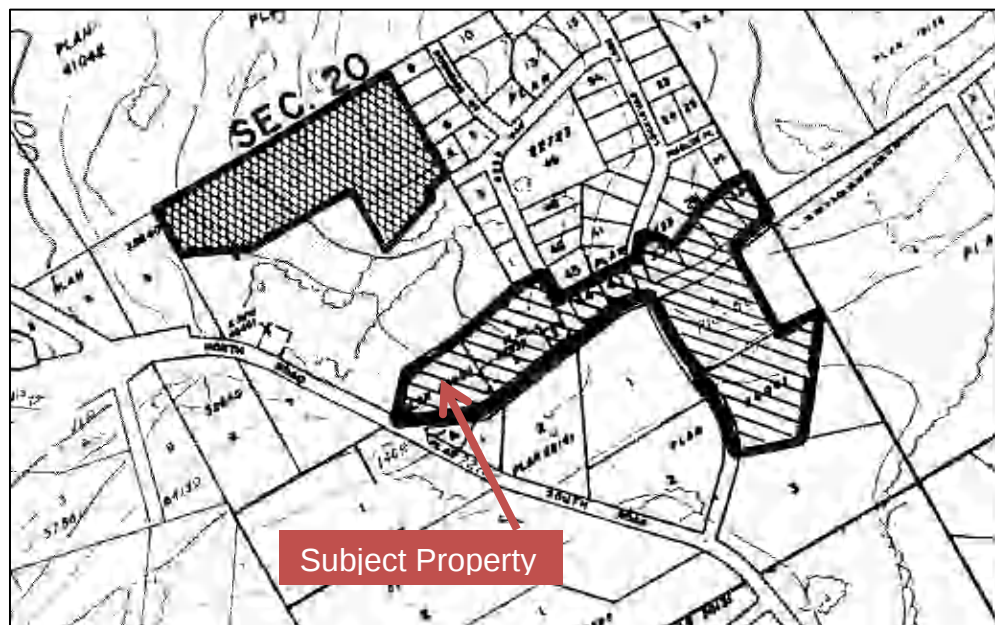


Figure 3: Location of DPA 7 – The Village Centre in relation to Subject Property

Gabriola Island Land Use Bylaw No. 177, 1999 (LUB):

The subject property is zoned Village Commercial 1 (VC1) as per the LUB. This zone permits a variety of commercial and office uses and includes the provision for an accessory single family residential use. Table 1, below, compares the siting, density and the proposed, revised parking provisions of the VC1 zone against the proposed development.

**Table 1: Comparison of Madrona Marketplace Phase 2 & Applicable LUB Provisions
Based upon Proposed Bylaw No. 273**

Permitted		Proposed
Building Height	9.0m (29.5ft)	Building A - 8.14m (26.7ft) Building B – 7.51m (24.7ft)
Setbacks	Front lot line (North Road): 6m (19.7ft) Interior lot lines: East – 0m (0ft) North – 3.0m (9.8ft) West – 3.0m (9.8ft)	Front lot line (North Road): Approx. 40m (130 ft) Interior lot lines: East – 1.2m (4.0 ft) North – Approx. 26m (86 ft) West – Approx. 67m (219 ft)
Lot Coverage	40%	15%
Floor Area Ratio	0.25	0.17
Parking	maximum standard parking stalls = 89 (with 18 reduced to small vehicle parking) = 71 standard; 18 small accessible spaces = 9.5 bicycle parking spaces = 9.5 motorcycle/scooter = none required	standard spaces = 54* small car spaces = 22 (14 required) accessible spaces = 10 motorcycle/scooter = 10 bicycle parking spaces = 26 electric vehicle charging = 2 *minus 7 spaces dedicated to Phase 1 (spaces 20-26)
Signage	2 per business 4m ² (43ft ²) max. sign area / business	No signage being proposed

RESULTS OF CIRCULATION:

Notification, required pursuant to the *Local Government Act* and Islands Trust policies and bylaws, will take place from October 31, 2014 to November 12, 2014. The proposed permit and the notice are attached to this report as Attachment 2 and 3 respectively. Any correspondence received on this application will be forwarded to the Local Trust Committee at the November 13, 2014 meeting.

STAFF COMMENTS:

This development variance permit application has been made in support of application DE-DP-2014.3 which makes application for approval of the Madrona Marketplace West Phase 2 project. That application would see the completion of the development of the subject property. However, due to the delay in Ministerial approvals for proposed Bylaw Nos. 276 and 273 the

current proposal does not meet the existing parking requirements of Bylaw No. 177. At such time as those two bylaws are adopted the proposed site development will align with, and meet or exceed the requirements and intent of, those bylaws.

Should it be the decision of the LTC to approve this development variance application to reduce the current parking requirements of Bylaw No. 177 application DE-DP-2014.3 is otherwise approvable under the current OCP and LUB and will exceed the open space and other requirements of those bylaws.

Approval of this application will allow for the Phase 2 development to proceed.

RECOMMENDATION:

That the Gabriola Island Local Trust Committee approve development variance permit GB-DVP-2014.4 to Intrascap Developments Inc. for Lot A, Section 20, Gabriola Island, Nanaimo District Plan 42582.

Rob Milne

November 4, 2014

Rob Milne, RPP
Island Planner

Date

Concurred in by:

Courtney Simpson

November 4, 2014

Courtney Simpson, RPP
Regional Planning Manager

Date

Attachments:

1. Application- (Intrascap Developments Inc.)
2. Development Permit GB-DVP-2014.4
3. Development Permit GB-DVP-2014.4 Notice



700 North Road
Gabriola Island, BC V0R 1X3
Telephone: 250.247.2063
Fax: 250.247.7514
northinfo@islandtrust.bc.ca
*Denman, Gabriola, Gambier,
Hornby, Lasqueti, Thetis*

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

The processing of your application will be delayed if it is incomplete. Please read the guide before you complete the application form. Keep the guide for your reference during the application process. Contact a staff person for assistance.

Mail or deliver the completed application form, fee, plans and supporting material to the Islands Trust Office. The fee is payable to the Islands Trust. Contact Islands Trust staff for the current fee prior to submitting your application as fees may change annually.

SECTION 4: Provide one full-scale, and three (3) reduced (11 x 17) copies of a detailed site plan and other drawings that must include the following:

- ☐ existing and proposed uses on parcel
- ☐ existing bylaw requirements and proposed variance with accurate dimensions
- ☐ uses of existing and proposed buildings
- ☐ dimensions and/or floor areas of existing and any proposed buildings
- ☐ height of existing and proposed buildings/additions
- ☐ setbacks for all existing and proposed buildings to property lines, natural boundary of sea, watercourses and cliffs
- ☐ setback of existing and proposed septic field to natural boundary of the sea and watercourses (where applicable)
- ☐ parking areas including numbered parking stalls, aisle widths, stall dimensions (where applicable)
- ☐ all wetlands, sewage disposal field(s), septic tanks, wells, drainage areas, ponds and topography
- ☐ landscaping showing existing and proposed landscaping. Also, include an estimate of the cost of landscaping, provided by a Landscape Architect or qualified professional. This estimate will be used to determine the amount of any security required.
- ☐ elevation plan

If the space provided below for each section is not sufficient, please attach additional information using a Microsoft Word, Excel, Text or a separate PDF Document.

SECTION 5: Describe the current uses of the land and buildings on the property.

Currently Building A has been started and will be leased out for service, retail and office space.

SECTION 6: Describe the proposed uses of the land and buildings, and show on your site plans the location of any proposed buildings or structures. If required, submit an elevation plan showing side views of the proposal.

AS PER ATTACHED SITE PLAN AND DP APPLICATION
GB-DP-2014.3

SECTION 7: Describe the proposed variances to the bylaw requirements that are needed for the proposed development of the property. On your site plan, show the existing bylaw requirement and your proposed variance with accurate dimensions.

We would like to offer less parking than the current bylaw requires. Rather than extra parking we would like to add more landscaping, more pathways, more accessible parking. We would like to incorporate some covered bike shelters, electric charging stations and rain gardens. We would also like to provide benches for public use throughout the property.

SECTION 8: Describe the reasons for the proposed variance and why the current bylaw requirements cannot be met in the proposed development.

The current bylaws could be met with our development but our DP Variance would better fit proposed bylaws 273 and 276 which are expected to be adopted in the next couple of months.

SECTION 9: Describe how the property and the surrounding lands may be affected by the proposed variance, show any of the affected features on your site plan, and describe how you propose to mitigate.

Neither the property or surrounding lands would be negatively affected, in fact the intent of the changes is to enhance the said property and adjacent land.

SECTION 10: Describe any consultation you have undertaken with your neighbours and strata corporation (if applicable).

Rick Jackson (Fire Chief), Dallas Smith (Arbutus Building Supplies) and Andrew Coates (Private land owner at 440) have been supportive of our development.

SECTION 11: APPLICATION COMPLETION CHECKLIST

- ☐ I have completed all sections of this application form
- ☐ I have included detailed site plans and elevation drawings as required in Section 4 of this application form
- ☐ I have included recent State of Title Certificate (not more than 30 days old)
- ☐ I have included copies of all covenants registered against this title
- ☐ All owners listed on the title have signed the application
- ☐ I have included the correct fee (Contact Islands Trust staff for current fees)

IMPORTANT: Your application will not be considered complete unless it contains all of the information above.

A Note about Obtaining State of Title Certificate and Covenants: State of Title Certificate and covenants may be obtained from the Land Title Office or through your local government agent office for a fee.

SECTION 12: OWNER'S CONSENT AND AUTHORIZATION

(Signature of all registered owners is required. For additional owners, including Strata Corporations, attach a separate sheet)

In order to assist Islands Trust Planners in the review and evaluation of my application, by signing below, I authorize the Planners assigned to this application to enter onto the land at reasonable times, after making reasonable efforts to arrange to schedule a convenient time for such a visit, to inspect the land. I acknowledge a right, if a convenient time can be scheduled, to accompany the Planner on the site visit.

By signing below, I authorize the Applicant named in Section 3 of this application to represent this application:

First Consent and Authorization

Consent and Authorization Signature

Date

Second Consent and Authorization

Consent and Authorization Signature

Date

Contaminated Sites Regulation

Please note that pursuant to Section 4(4) of the Contaminated Sites Regulation, B.C. Reg. 375/96, site profile is not required and will not be accepted by the Islands Trust. If you have any questions, please contact the Islands Trust office.

Dear Local Trust Committee;

Intrascapè Developments is applying for a Development Variance Permit requesting that the Local Trust Committee (LTC) allow a reduced amount of parking so Intrascapè Development's current revised development permit application can be adopted. This variance permit would allow the full development of Madrona Marketplace West to conform to the pending amended Bylaw No's. 273 and 276 in accordance with the new Climate Change Policy initiative. If this variance is permitted Intrascapè would be increasing the public/open space by 30 %, adding landscaping islands to the parking lot and increasing connectivity and usability throughout the development using pathways and benches. More area could be dedicated to storm water retention through use of rain gardens and landscape gardens. Permitting the variance would also allow for a greater variety of parking types like small car parking, bike parking, electric charging stations and an increase in accessible parking spaces.

Intrascapè Developments applied for a development permit for its second building (B) on Madrona Marketplace West in January 2014. The LTC determined it would not look at our January, 2014 application until Bylaws 273 and 276 were adopted. That was 10 months ago and due to a variety of reasons, including a delay in Ministry approval, it has still not been considered.

This has put Intrascapè Developments in a precarious situation as the development permit freeze has gone beyond what we feel is a reasonable time to hold up an application. If our current development permit application is not approved at the LTC's November meeting it would be impossible for Intrascapè Developments to live up to its obligations to its tenants in Building "B" which can be seen on the site plan submitted with our application. This would create very serious financial repercussions.

Intrascapè Developments is as fully supportive of the climate change policy as is the LTC. Approval of this development variance permit would allow both parties to achieve what they have been working toward for a long time. Intrascapè Developments has been working with the local planners for the last six months ensuring every aspect of the revised development permit meets or exceeds the new climate change initiatives. A lot of work by both parties has been put into the revised development permit application and the only way it could be realized would be for it to go through at this meeting and for that to happen this variance permit application would have to be approved.

There are several reasons beyond the tenant obligations and financial repercussions that cause time to be of the essence. Building "A" of the overall project was approved under the existing development permit guidelines which are not reflective of the new climate change policies. If the pending application is not approved the infrastructure development of the first building and surrounding area would be too far along to incorporate the changes reflected in the proposed bylaws and the site would have to be developed based upon the existing bylaws. This is the one window of opportunity to roll back the process and include the existing building under construction and the frontage around it in the new climate change initiative. Once this window passes the new climate change initiative would only address the undeveloped portion of this project (Building "B").

The goal of the climate change initiative was to increase public spaces, make developments pedestrian oriented, increase landscaping, promote water conservation, reduce greenhouse gases, encourage fuel

efficient vehicles and promote alternative modes of transportation. The revised development permit application which is intended to amend the existing development permit addresses all these issues including the area with the approved development permit and changing that area to reflect these initiatives.

The result of the approval of this development variance permit and the revised development permit would be:

- an increase in public space/green space by 30%, and an increase in pedestrian walkways and inclusion of benches;
- increased bike parking and covered bike parking, and the creation of small car parking thus promoting fuel efficient vehicles;
- the creation of landscape islands throughout the parking spots; and
- an increase in the amount of H/C parking spots and includes a commitment to a storm water management plan to deal with all water of the overall development thus promoting water conservation.

This would be a result of reducing the required amount of parking spots as per the intent of the proposed bylaws.

This plan under the current parking requirements would need 90 spaces plus the 7 from the first phase putting the total at 97 full size parking spots. Beyond that the remaining 6000+ square feet that can still be built would push that number to 132 parking spots! This would not allow for much else on this site but buildings and parking which is not what anyone wants.

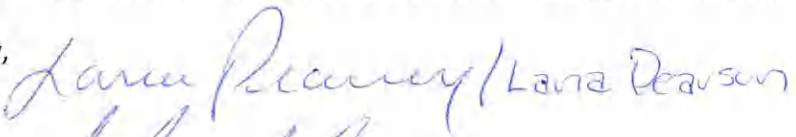
With the revised development permit application there are 81 spaces including small car parking and charging stations with the possibility of adding five more with the development of the remaining 6000+ square feet maximizing the parking at 86 spaces. This means 46 parking spaces less, plus the roadway to access these parking spaces. This translates to approximately 15,000 square feet of landscaping and public spaces/pathways instead of parking! That is much more reflective of the climate change policies. All these are initiatives that Intrascapes Developments and the Island Trust believes in which is why the climate change policies were put forward for adoption.

These changes are also in the best interest of the general community on Gabriola as well as the wider population as anything that helps in the reduction of climate change/green house gases benefits everyone. I feel to not approve this variance permit and the following revised development permit would be a disservice to the environment and the community as a whole. Due to the delay at the Ministry's office we stand the chance that a lot of the work that has gone into the climate change initiative would be wasted. We are left with a technicality that is preventing the right thing from happening. It is in your power to correct this through this development variance application leaving a legacy promoting the environment/climate. To not approve this is something that is not in anyone's best interest and it would result in Madrona Marketplace West developing under the climate change policies for a small portion of it at best, depending on the delay for the adoption. We have put everything we have into this process as well as participating in and promoting the climate change

policies, but we are now cornered by financial responsibilities and without the approval of this variance and the subsequent revised development permit application we are left with very few options in moving forward.

Intrascap Developments is therefore asking that the Local Trust Committee approve this development variance permit application to vary and reduce the required parking for the proposed Madrona Marketplace West development to that which is shown on the Site Plan which is attached to and forms part of this application and which is the same as the Site Plan contained within the development permit amendment application which is also before the Committee for consideration at this meeting.

Sincerely,

 Lana Pearson / Lana Pearson
 Chris Hock

LAND TITLE OFFICE
STATE OF TITLE CERTIFICATE

Certificate Number: STSR1611757

Folio/File Reference: Intrascap

LAURA E WANSBROUGH
207 MILTON STREET
NANAIMO BC V9R 2K5

100100

I certify this to be an accurate reproduction of title number **FB236806** at 00:28 this 15th day of October, 2014.



REGISTRAR OF LAND TITLES



Land Title District

Land Title Office

VICTORIA

VICTORIA

Title Number

From Title Number

FB236806

EX44444

Application Received

2008-12-16

Application Entered

2008-12-18

Registered Owner in Fee Simple

Registered Owner/Mailing Address:

INTRASCAPE DEVELOPMENTS INC., INC.NO. BC828761
480 NORTH ROAD
GABRIOLA ISLAND, BC
V0R 1X0

Taxation Authority

NANAIMO/COWICHAN ASSESSMENT AREA

Description of Land

Parcel Identifier:

001-867-253

Legal Description:

LOT A, SECTION 20, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582

Legal Notations

COAL TSN DF 45586, 18/10/1939, FORFEITED TO CROWN, 02/10/1940 DF 47743

LAND TITLE OFFICE
STATE OF TITLE CERTIFICATE

Certificate Number: STSR1611757

NOTICE OF AGREEMENT UNDER THE CONDITIONAL SALES ACT FILED 12.06.1967
UNDER NO. 3153 (PART FORMERLY LOT 1, PLAN 7868)

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE MUNICIPAL
ACT, SEE EN4637

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE FB464311

THIS TITLE MAY BE AFFECTED BY A PERMIT UNDER PART 26 OF THE LOCAL
GOVERNMENT ACT, SEE FB482854

Charges, Liens and Interests

Nature: UNDERSURFACE RIGHTS
Registration Number: M76301
Registered Owner: HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF
BRITISH COLUMBIA
Remarks: A.F.B. 38.89.D32024, DD 51764G, SECTION 172(3)
PART FORMERLY LOT 1, PLAN 7868, INTER ALIA

Nature: RESERVATION OF MINERALS
Registration Number: 58454G
Registration Date and Time: 1926-06-04 11:13
Registered Owner: DAVID TAYLOR
Remarks: AFB 13.333.13837A
PART FORMERLY LOT 6, PLAN 32840

Nature: RIGHT OF WAY
Registration Number: L43215
Registration Date and Time: 1982-06-23 12:42
Registered Owner: BRITISH COLUMBIA HYDRO AND POWER AUTHORITY
Remarks: PART INTER ALIA

Nature: UNDERSURFACE RIGHTS
Registration Number: S13098
Registration Date and Time: 1987-02-19 09:00
Remarks: PURSUANT TO MINERAL LAND TAX ACT, SBC 1979,
CHAPTER 260 AND AMENDMENTS THERETO, MINERALS
(EXCEPT GOLD AND SILVER) HEREIN AND THE RIGHT
TO WORK, WIN OR CARRY AWAY SAME UNDER 58454G,
FORFEITED AND VESTED IN CROWN

Duplicate Indefeasible Title NONE OUTSTANDING

Transfers NONE

Pending Applications NONE

LAND TITLE OFFICE
STATE OF TITLE CERTIFICATE
Certificate Number: STSR1611757

This certificate is to be read subject to the provisions of section 23(2) of the Land Title Act(R.S.B.C. 1996 Chapter 250) and may be affected by sections 50 and 55-58 of the Land Act (R.S.B.C. 1996 Chapter 245).

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DRAFT

 Islands Trust	GABRIOLA ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT GB-DVP-2014.4 (INTRASCAPE DEVELOPMENTS INC.)
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TO: Intrascapc Developments Inc.

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

PID: 001-867-253

Lot A, Section 20, Gabriola Island, Nanaimo District Plan 42582

2. Pursuant to Section 922 of the *Local Government Act*, Gabriola Island Land Use Bylaw No. 177, 1999, Table 2 of Schedule A, Section B.5, "Parking", (Commercial- Village Commercial and District Commercial shopping centres) is varied as to the type, number and location of automobile and bicycle parking spaces as shown on attached Schedule "A", Site Plan" of this permit dated October 16, 2014.
3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Gabriola Island Land Use Bylaw No. 177, 1999 and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS 13TH DAY OF NOVEMBER, 2014.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT SUBSTANTIALLY COMMENCED BY THE DAY OF NOVEMBER, 2016 THIS PERMIT AUTOMATICALLY LAPSES.

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
GB-DVP-2014.4
SCHEDULE "A"
Madrona Marketplace West "Site Plan"



site plan
scale 1/16" = 1'-0"

- colour key legend**
- building A & B & future development
 - mulch
 - asphalt
 - concrete walk way
 - gravel path way
 - grass
 - accessible parking
 - electric charging station
 - motorcycle scooter
 - bicycle parking
 - open space requirements

- landscape legend**
- A Large cultivated trees (mtr. calliper 23.0 ft.)
10 Broadleaf Japanese Maple, 10 Emperor's Maple,
5 Silver Birch, 5 Cryptomeria, 5 Little Gem Magnolia,
5 Reddy Bear Magnolia & 1 Orange Cherry (to 20 ft.)
 - B Med. shrubs: 2 gallon container (2) Japanese Sycamore,
approximately 100 - Chionodoxa, 100 - Sarcococca
approximately 100 - Berberis & Cornus
 - C Small shrubs: 12 gallon container (2) 2' spacing:
approximately 100 - Berberis & Cornus
 - D Small Perennial Beds (1 gallon containers @ 2' spacing):
approximately 100 - Heather (summer & fall flowering),
Lavender, Lonicera & Petronia
 - E Med. Grasses (20 2 gallon pots):
Blue Fescue, Red fountain Grass, Blue Orn Grass & New Zealand Flax
 - F All planted beds to be top dressed with 'medium bark mulch'
 - G All planting beds to be created in 4" asphalt curb w/ inlets for water infiltration.
 - Existing trees
- Indicates water infiltration to landscaping

SITE INFORMATION:
COMMERCIAL LOT-VACANT LOT
PROPOSED USE: RETAIL & OFFICE
LEGAL DESCRIPTION: PID 001-867-253, LOT A, SECTION 20,
GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582
CIVIC ADDRESS: 480 NORTH ROAD
GABRIOLA ISLAND BC
ZONING: VC1
SITE AREA: 85,813.2 SQ. FT. (25% LOT COVERAGE ALLOWED) (21,362 SQ. FT.)
PROPOSED COVERAGE OF BUILDING A & B: 12,850 sq. ft.
TOTAL LEASABLE AREA OF BUILDINGS A & B: 15,350 sq. ft.
15.6% OPEN PUBLIC OPEN SPACE
SITE REQUIREMENTS:
50 STANDARD CAR PARKING SPACES PROVIDED
19 SMALL CAR PARKING SPACES PROVIDED
10 ACCESSIBLE PARKING SPACES PROVIDED
10 MOTORCYCLE/SCOOTER PARKING SPACES PROVIDED
26 BICYCLE PARKING SPACES PROVIDED
2 ELECTRIC CHARGING STATIONS PROVIDED
(*ALL SPECIAL PARKING TO BE INDICATED BY STENCILLED SIGNAGE ON THE ASPHALT FOR EACH TYPE OF USE)
7 parking spaces as per GB-DP2001.3
(transferred from phase 1)

PROJECT: MADRONA MARKETPLACE WEST 480 NORTH ROAD, GABRIOLA, VOR 1X0 INTRA-SCAPE DEVELOPMENTS P.O. 270 GABRIOLA, VOR 1X0 LANDSCAPE PLAN	GENERAL NOTES: DISTANCES AND ELEVATIONS ARE IN FEET. SURVEY PROVIDED BY WILKINSON & ASSOCIATES Architectural drawings for building shell ONLY. Tenant improvement not part of the drawing set.	Architect: Vincent James, M.A.B.C. Architave Architecture Design Build Ltd. P.O. 341 Unit C 510 North Road, Gabriola B.C. VOR 1X2 Tel. (250) 616-5559	Structural Engineer: Robin Chapman P.Eng Bayview Engineering Tel. (250) 756-4390 2805 Haldway Crescent Nanaimo BC V9S 3N1 Land Surveyor: Brian Herring S.C.L.S. ZED VISUALS Professional Surveyors 3088 Barons Road Nanaimo BC V9T 4B5	Geotech: Chris Hudac, P.Eng Lewkowich Engineering Associates Ltd. Tel. (250) 756-0355 Nanaimo BC Drafting: Zane E. Dwyer ZED VISUALS Tel. (250) 716-0604	Legend — property line — setback line • property pins septic field 6 ft. wire fence	DATE: OCTOBER 15 2014 SCALE: 1/16" = 1'-0" DRAWN: ZANE DWYER FILE: SHEET: A2

STAFF REPORT

Date: November 4, 2014

File No.: GB-DP-2014.3
(Intrascap Developments Inc.)

To: Gabriola Island Local Trust Committee
For the meeting of November 13, 2014

From: Rob Milne
Island Planner

Copy: Courtney Simpson
Regional Planning Manager

Re: Application for an Amendment to Development Permit GB-DP-2012.3–
Madrona Marketplace Phase 2

Owner /

Applicant: Intrascap Developments Inc.

Location: Lot A, Section 20, Gabriola Island, Nanaimo District Plan 42582
PID: 001-867-253
(480 North Road)

THE PROPOSAL:

The applicant applied for and was issued a development permit (DP) in 2012 order to facilitate a proposed commercial development on the subject property. The permit would have lapsed on October 24, 2014, however, substantial commencement of the construction was deemed to have commenced by that date. The applicant has finalized plans for the second phase of development on the subject property; therefore, an amendment to the existing DP is required. The amendment application includes new landscaping, parking and an additional building under the authorization of Development Permit Area 7 – The Village Centre in the Gabriola Island Official Community Plan, No. 166, 1997, which has been designated for the purpose of establishing objectives for the form and character of commercial, industrial and multi-dwelling residential development; water conservation and greenhouse gas emissions reduction.

SITE CONTEXT:

The location of the subject property is shown in Figure 1, below. The subject property is approximately 0.8 hectares (1.97 acres) in area and is zoned Village Commercial 1 (VC1). The subject property is located at the intersection of North and South Roads and is bounded by North Road to the south and a large, predominantly vacant parcel zoned Large Rural Residential (LRR) to the north. Adjacent properties to the east are zoned Village Commercial 1 (VC1), while properties across North Road to the south and across South Road to the west are zoned Institutional 1 (IN1) and Institutional 2 (IN2).

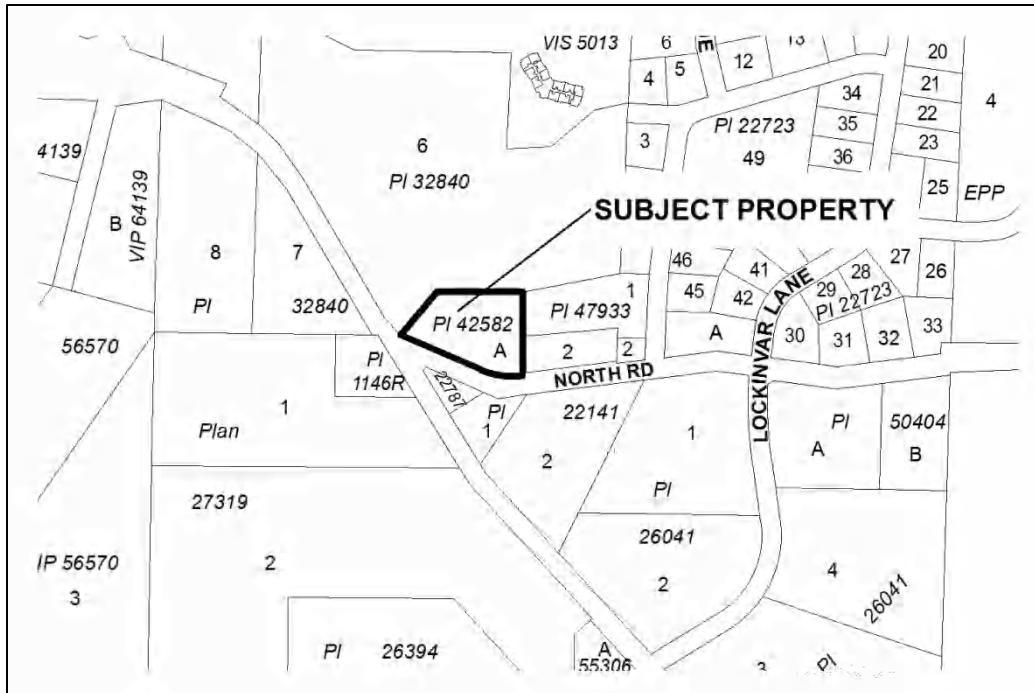


Figure 1: Subject Property



Figure 2. Aerial Photo (2011) of Subject Property

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The Islands Trust Policy Statement contains directive policies related to growth and development, the following of which is relevant to this application:

5.2.3 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.

The proposed amendment to the development permit is not contrary to or at variance with the Islands Trust Policy Statement.

Gabriola Island Official Community Plan Bylaw No. 166, 1997 (OCP):

The subject property is designated Commercial (Village) as per the OCP. In addition, the subject property is affected by Development Permit Area 7 – The Village Centre, as shown in Figure 3, which requires the issuance of a development permit prior to construction, structural alteration, or addition to a building or structure.

As the LTC will be aware Bylaw No. 276 which proposes to clarify the justification and objectives for the DP area and Bylaw No. 273, which proposes to amend the Gabriola Land Use Bylaw (LUB) by expanding the DP guidelines and moving them from the OCP to the LUB; as well as revising and updating the parking regulations; are currently waiting for Ministerial approval. This application aligns with the amendments proposed by those bylaws.

Thirteen development guidelines are relevant to the Commercial (Village) designation, and are discussed in more detail in the Staff Comments section below.

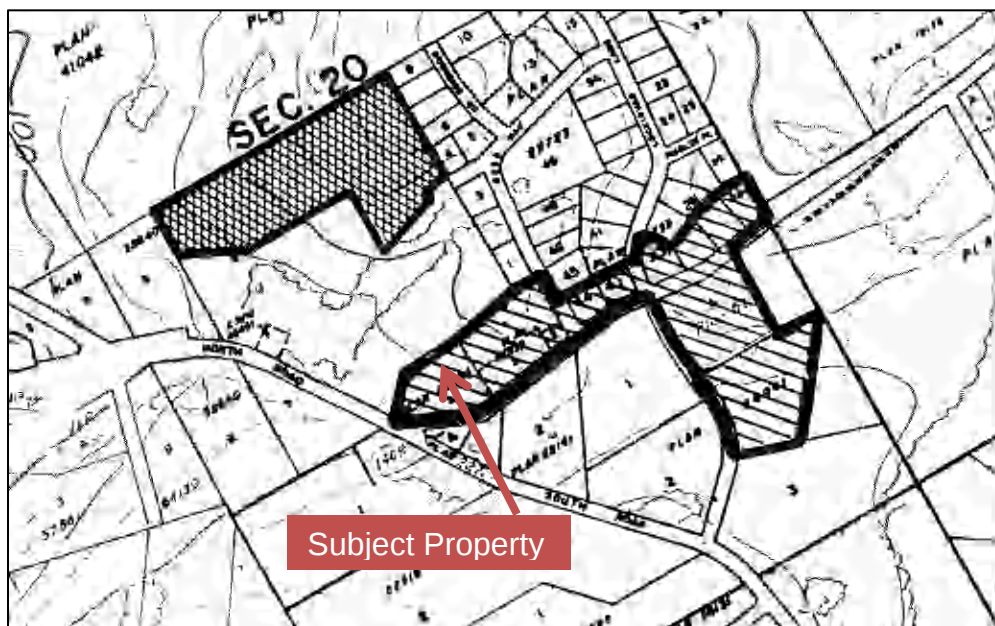


Figure 3: Location of DPA 7 – The Village Centre in relation to Subject Property

Gabriola Island Land Use Bylaw No. 177, 1999 (LUB):

The subject property is zoned Village Commercial 1 (VC1) as per the LUB. This zone permits a variety of commercial and office uses and includes the provision for an accessory single family residential use. Table 1, below, compares the siting, density and the proposed, revised parking provisions of the VC1 zone against the proposed development.

**Table 1: Comparison of Madrona Marketplace Phase 2 & Applicable LUB Provisions
As per Proposed Bylaw No. 273**

Permitted		Proposed
Building Height	9.0m (29.5ft)	Building A - 8.14m (26.7ft) Building B – 7.51m (24.7ft)
Setbacks	Front lot line (North Road): 6m (19.7ft) Interior lot lines: East – 0m (0ft) North – 3.0m (9.8ft) West – 3.0m (9.8ft)	Front lot line (North Road): Approx. 40m (130 ft) Interior lot lines: East – 1.2m (4.0 ft) North – Approx. 26m (86 ft) West – Approx. 67m (219 ft)
Lot Coverage	40%	15%
Floor Area Ratio	0.25	0.17
Parking	maximum standard parking stalls = 89 (with 18 reduced to small vehicle parking) = 71 standard; 18 small accessible spaces = 9.5 bicycle parking spaces = 9.5 motorcycle/scooter = none required	standard spaces = 54* small car spaces = 22 (14 required) accessible spaces = 10 bicycle parking spaces = 26 electric vehicle charging = 2 motorcycle/scooter = 10 *minus 7 spaces dedicated to Phase 1 (spaces 20-26)
Signage	2 per business 4m ² (43ft ²) max. sign area / business	No signage being proposed

Regional Conservation Plan:

The Islands Trust Fund Regional Conservation Plan (RCP) identifies areas of low to medium relative composition importance of the subject property. This indicates a low to medium occurrence of special habitats. The RCP also states that Gabriola is vulnerable to a loss of natural ecosystems to residential and associated uses. Gabriola saw a significant increase in the number of private dwellings between 2001 and 2006 compared with other areas in the Trust Area. In addition, Gabriola Island has been identified as an area of moderate conservation focus due to medium levels of unprotected high relative biodiversity composition. The subject property is primarily cleared of natural vegetation in preparation for construction. As noted the subject property is designated as Village (Commercial) by the OCP.

Sensitive Ecosystems and Hazard Areas:

Islands Trust Sensitive Ecosystem Mapping does not identify any sensitive ecosystem areas on the subject property. The lot has been predominantly cleared of trees and understory vegetation

in preparation for development. The Ministry of Environment has approved the remediation and site profile on the subject property and documentation is attached.

Archaeological Sites:

Data from the Provincial Remote Access to Archaeological Data (RAAD) system shows no identified archaeological sites on or within 50 metres of the subject property.

Ministry of Transportation and Infrastructure (MOTI) Access:

The applicant has applied for an access permit onto a highway for the new proposed two way access off of north road. A copy of the permit is attached. MOTI staff has confirmed in an October 15, 2014 email that the permit is still valid and applies to the proposed new development on the subject property.

Covenants:

L43215

This is a Statutory Right-of-Way registered against the subject property in favour of the BC Hydro and Power Authority to develop and maintain transmission wires for the distribution of electricity within the right-of-way area. The right-of-way area is shown on the applicant's site plan included in the proposed permit and covers a small portion of the southwest corner of the property.

RESULTS OF CIRCULATION:

No circulation or consultation is required or recommended for this application.

STAFF COMMENTS:

Where a property is in a development permit area, the Gabriola Island Official Community Plan, No. 166, 1997 specifies that no construction, structural alteration, or addition to a building or structure may take place, nor may a property be subdivided or land altered, prior to the issuance of a development permit. In this case, the requirement for a development permit is triggered by the applicant's proposal to construct a new commercial development on the subject site. The *Local Government Act* allows local governments to specify conditions under which a development permit would not be required. The Gabriola Land Use Bylaw exempts the following activities within Development Permit Area 7 – The Village Centre from the requirement for a development permit:

- Building painting, structural alterations and repairs of a minor nature that do not require a building permit;
- Building repairs and maintenance where the materials to be used are of the same type and form as the existing materials;
- The installation of carved wood signs on parcels where there are existing buildings provided the signs do not exceed the maximum sizes permitted in local bylaws;
- The installation of bicycle racks, bicycle or bus shelters or electric vehicle charging stations; and
- 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.

The *Local Government Act* regulates local government authority to issue a development permit by stipulating that a development permit must be issued only in accordance with the applicable development permit area guidelines specified in the Land Use Bylaw. As per the proposed

revisions to the Gabriola Island Land Use Bylaw, No. 177, there would be thirteen development guidelines that apply to Development Permit Area 7 – The Village Centre. The following is a summary of these guidelines as well as an evaluation of the proposed amendment against these guidelines.

Development Guidelines:

F.7.3.1 The character of each development shall be in keeping with the island environment and be capable of blending in with the aesthetic qualities of the natural surroundings.

The proposed expansion will incorporate the same West Coast architectural style as the adjacent Madrona Marketplace Phase 1, as well as Building A approved by DP-2012.3. The building materials include the use of locally milled cedar siding, corrugated metal and glass on the exterior facades, and exaggerated roof overhangs with cedar soffits and locally milled post and beam accents. The applicant has provided the following photos of Phase 1 to illustrate the design theme.



Figure 4: Madrone Marketplace Phase 1, West Building



Figure 5: Madrona Marketplace Phase 1 – East Building

F.7.3.2 The development shall incorporate small scale building designs with such amenities as public walkways and outdoor open spaces for use by the public.

The proposed commercial building B is one storey in height and complies with the height restrictions of the LUB. The applicant has addressed staff concerns regarding public walkways and outdoor open spaces for use by the public by including pedestrian connectivity between buildings; through the parking lot and to the public open space along North Road.

F.7.3.3 Natural vegetation and trees shall be retained or planted and maintained for screening of parking and storage areas and to enhance the atmosphere of public open spaces.

No natural vegetation or trees are proposed to be retained, with the exception of four trees along North Road, which are indicated on the applicant's landscape plan as intended for maintaining as part of the landscape plan. The applicant has been advised by staff that any trees proposed for retention should be protected with a tree root protection zone during construction. As of report writing, no tree root protection zones have been installed. Currently the DP guidelines do not require a tree root protection zone, but as this is a standard best management practice and common tree protection measure in development, the onus is on the developer to demonstrate due diligence in ensuring trees indicated on the landscape plan as retained, are adequately protected from construction activities.

Parking areas are proposed to be planted with a mixture of small shrubs and perennials as per the attached landscape plan.

F.7.3.4 Lighting should be kept to the minimum necessary for pedestrian safety and visibility, in order to maintain a low level of light in the night-time atmosphere.

Proposed lighting for the development consists of two types. Recessed lighting will be placed in the soffits of the building to light proposed walkways. The applicant indicates that the lowest voltage light bulbs to provide sufficient lighting for public safety are proposed to be used. Canned, two-directional, lighting is also proposed for the development in areas where additional lighting is required around the building, particularly for security purposes. Low voltage landscape lighting is also proposed at the entrance to the development for enhanced visibility and safety.

F.7.3.5 Signs made from natural materials or incorporating materials produced by local artisans and crafts people are encouraged.

No main marquis sign is being considered as part of this application. The applicants advise that whereas the LUB only allows two signs per business most tenants want the freedom to put the signs at their location and not to give one up for the main signage. The applicants advise that a condition of all leases will requirement that all signage conform to bylaw provisions.

F.7.3.6 Pedestrian requirements include accessible, safe and landscaped walkways connecting the street to the businesses.

Public, landscaped walkways are provided to access building A and B and connect to North Road and the future location of the North Road Trail.

F.7.3.7 Off street parking shall be designed to be as unobtrusive as possible and where possible, located to the rear of the parcel away from public open spaces and eating areas and businesses should be open to the street to create a greater sense of intimacy and walkability in the village core.

Parking for Building A is predominantly to the rear of the parcel and away from public open spaces and any potential eating areas. The businesses in Building A are open to the street and the public open space along North Road.

Parking for Building B is allocated directly in front of the building, as well as to the east and rear. The applicants were encouraged to eliminate as much parking in front of Building B as possible to address this guideline; however as the wording of the guideline allows flexibility in parking design the applicants have chosen to proceed with the parking plan as presented. They exceed the parking requirements for both standard and small vehicle parking spaces.

F.7.3.8 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.

An Integrated Storm Water Management Plan (ISMP) has been received from Douglas W. Anderson of Anderson Civil Consultants Inc. The ISMP addresses the goals of proposed Bylaw Nos. 177 and 273, shown below:

- Integrated planning for runoff and infiltration
- Reduction of impervious surfaces
- Promotion of infiltration
- Capture and treatment of runoff Use of current best management practices

The ISMP will address the combined water flows from the development approved by DE-DP-2012.3 as well as this application as reflected in and shown on Sheet A2 of Attachment 2.

F.7.3.9 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 is reserved for charging/parking an electric vehicle, electric scooter or electric bicycle.

The applicant is proposing one electric vehicle charging station in parking stall #78 directly in front of building A and a second electric vehicle charging station in parking stall #27 directly behind building B.

F.7.3.10 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.

Landscape details are provided on the site plan including the number, type, size and location of the proposed plant materials (Sheet A2). As well information has been provided as to the best management practices to be employed to protect existing significant trees (Sheet A1). Information has also been provided on landscape maintenance (attached). Details on the use of collected rain water for irrigation purposes may be found on Sheet A3.

F.7.3.11 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.

The applicant has included landscaped islands of trees and shrubs at sufficient intervals to meet the intent of this guideline.

F.7.3.12 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.

The applicant is proposing 16% public open space on site with over 50% of that along the North Road frontage. Other landscaped areas throughout the development will augment this open space. Onsite stormwater retention and exfiltration is incorporated in the water management plan.

F.7.3.13 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.

The proposed open space areas address and satisfy the guideline requirements. (See attached Open Space Plan).

RECOMMENDATION:

THAT the Gabriola Island Local Trust Committee instruct staff to issue development permit GB-DP-2014.3 (Intrascap Developments Inc.)

Prepared and Submitted by:

Rob Milne

November 4, 2014

Rob Milne, RPP
Island Planner

Date

Concurred in by:

Courtney Simpson

November 4, 2014

Courtney Simpson, RPP, MCIP
Regional Planning Manager

Date

Attachments:

1. Application- Proposed Amendment to Development Permit GB-DP-2012.3 (Intrascap Developments Inc.)
2. Site Plans, Sheets A1-A4
3. Letter dated October 23, 2014 from Keystone Environmental regarding Site Remediation
4. Permit to Construct, Use, and Maintain Access to a Provincial Public Highway dated May 2, 2012
5. Integrated Stormwater Management Plan prepared by Anderson Civil Consultants Inc.
6. Estimate of cost for landscaping dated October 6, 2014 from Penner's Landscaping/Maintenance
7. Landscape and irrigation maintenance plan
8. Open Space plan
9. Development Permit GB-DP-2014.3
 - Schedule A- Site Plans
 - Schedule B- Landscape and Management Plan
 - Schedule C- Storm Water Management Plan



Islands Trust

Preserving *Island* communities, culture and environment

Victoria Office

200 - 1627 Fort Street
Victoria, BC V8R 1H8
Telephone: 250.405.5151
Fax: 250.405.5155
information@islandstrust.bc.ca
North Pender, South Pender, Galiano,
Mayne, Saturna, Executive

www.islandstrust.bc.ca

Salt Spring Office

1 - 500 Lower Ganges Road
Salt Spring Island, BC V8K 2N8
Telephone: 250.537.9144
Fax: 250.537.9116
ssinfo@islandstrust.bc.ca
Salt Spring

Northern Office

700 North Road
Gabriola Island, BC V0R 1X3
Telephone: 250.247.2063
Fax: 250.247.7514
northinfo@islandstrust.bc.ca
Denman, Gabriola, Gambier,
Hornby, Lasqueti, Thetis

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

Development Permit Application Form

Print Form

Office Use Only

Fee Paid: 150.00

Receipt No.: 2719

File No.: GB-DP-2014.3

Please choose one of the following: ☐ Development Permit ☒ Development Permit Amendment

SECTION 1: DESCRIPTION OF PROPERTY

(AS INDICATED ON STATE OF TITLE CERTIFICATE)

Lot/Parcel A Plan 42582 Block _____ District Lot/Section 20
Range _____ Other Description _____
Street Address or General Location 480 North Rd.
Jurisdiction and Folio Number _____ (From Property Assessment/Tax Notice)
Parcel Identifier (PID) 001-867-253 (From State of Title Certificate)

SECTION 2: OWNER INFORMATION

(ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

First Owner Information

Intrascape Developments Inc.

Name Box 270, 480 North Rd.

Street Address _____

City Gabriola Is. ☒ Region _____

Postal/Zip Code V0R 1X0

Telephone 250-739-0330

Fax _____

E-mail pearsonhock@shaw.ca

Second Owner Information

Name _____

Street Address _____

City _____ ☐ Region _____

Postal/Zip Code _____

Telephone _____

Fax _____

E-mail _____

SECTION 3: APPLICANT INFORMATION

(IF DIFFERENT FROM OWNER)

Name _____ Street Address _____
City _____ ☐ Region _____ Postal/Zip Code _____
Telephone _____ Fax _____ E-mail _____

RECEIVED

OCT 20 2014

**ISLANDS TRUST
NORTHERN OFFICE**

Freedom of Information and Protection of Privacy

Personal information contained on this form is collected under the *Local Government Act* for the purpose of responding to this application, or for purposes directly connected with this application. Information on your application form may be available to the public upon request under freedom of information legislation. Please contact a Deputy Secretary at one of the above noted offices if you have any questions

The processing of your application will be delayed if it is incomplete. Please read the guide before you complete the application form. Keep the guide for your reference during the application process. Contact a staff person for assistance.

Mail or deliver the completed application form, fee, plans and supporting material to the Islands Trust Office. The fee is payable to the Islands Trust. Contact Islands Trust staff for the current fee prior to submitting your application as fees may change annually.

SECTION 4: Provide one full-scale, and three (3) reduced (11 x 17) copies of a detailed site plan and other drawings that must include information in or more of the following lists (If you are unsure which type of development permit area applies to your application, contact planning staff at one of the offices listed on the first page of the application form).

If you are applying for a "Form and Character" development permit, include the following on your site plan (includes development permit areas established to guide the form and character of multi-family, commercial, industrial or intensive residential developments),

- ☐ existing and proposed uses on parcel
- ☐ uses of existing and proposed buildings
- ☐ dimensions and/or floor areas (each floor) of all existing and any proposed buildings on the property
- ☐ height of existing and proposed buildings/additions
- ☐ setbacks for all existing and proposed buildings to property lines, natural boundary of sea, watercourses and cliffs
- ☐ setbacks of all existing and proposed septic tanks and field and wells on the property, from natural boundaries of the sea, wetlands and watercourses
- ☐ parking areas including numbered parking stalls, aisle widths, stall dimensions (where applicable)
- ☐ locations and dimensions of all legal easements, covenant areas, and utility corridors on the property
- ☐ location of all wetlands, drainage areas, ponds and topography on the property
- ☐ landscaping showing existing and proposed landscaping. Also, include an estimate of the cost of landscaping, provided by a Landscape Architect or qualified professional. This estimate will be used to determine the amount of any security required for the development. (Alternatively, the above can be included in the site plan)
- ☐ elevation plan
- ☐ proposed building materials, colour scheme and other architectural details
- ☐ existing and proposed signs, including locations, dimensions, proposed construction materials and colour scheme

If you are applying for a "Protection Area" development permit, provide the following on your site plan (includes development permit established for the protection of the natural environment and protection of development from hazardous conditions):

- ☐ existing and proposed uses on parcel
- ☐ height of existing and proposed building or building additions
- ☐ setbacks for all existing and proposed buildings to property lines, natural boundary of sea, watercourses and cliffs
- ☐ setbacks of all existing and proposed septic tanks and field and wells on the property, from natural boundaries of the sea, wetlands and watercourses and any well that are on or within 50 metres of the property
- ☐ locations and dimensions of all legal easements, covenant areas, and utility corridors on the property

If the space provided below for each section is not sufficient, please attach additional information using a Microsoft Word, Excel, Text or a separate PDF Document.

SECTION 5: Describe the current use(s) of the land and building(s) on the property.

Vacant with Building A started as per GB-DP2001.9

SECTION 6: Describe the proposed development.

Mixed retail, service and office space.

SECTION 7: If you are requesting a variance, provide reasons for varying bylaw requirement(s). On a site plan prepared by a B.C. Land Surveyor, show the existing bylaw requirement and your proposed variance with accurate dimensions.

SECTION 8: APPLICATION COMPLETION CHECKLIST

- ☒ I have completed all sections of this application form
- ☒ I have included detailed site plans and elevation drawings as required in Section 4 of this application form
- ☐ I have included recent State of Title Certificate (not more than 30 days old) *new one on order*
- ☐ I have included copies of all covenants registered against this title
- ☒ All owners listed on the title have signed the application
- ☒ I have included the correct fee (Contact Islands Trust staff for current fees)

IMPORTANT: Your application will not be considered complete unless it contains all of the information above.

A Note about Obtaining State of Title Certificate and Covenants: State of Title Certificate and covenants may be obtained from the Land Title Office or through your local government agent office for a fee.

SECTION 9: OWNER'S CONSENT AND AUTHORIZATION

(Signature of all registered owners is required. For additional owners, including Strata Corporations, attach a separate sheet)

In order to assist Islands Trust Planners in the review and evaluation of my application, by signing below, I authorize the Planners assigned to this application to enter onto the land at reasonable times, after making reasonable efforts to arrange to schedule a convenient time for such a visit, to inspect the land. I acknowledge a right, if a convenient time can be scheduled, to accompany the Planner on the site visit.

By signing below, I authorize the Applicant named in Section 3 of this application to represent this application:

First Consent and Authorization

Consent and Authorization Signature

Oct 20, 14

Date

Second Consent and Authorization

Consent and Authorization Signature

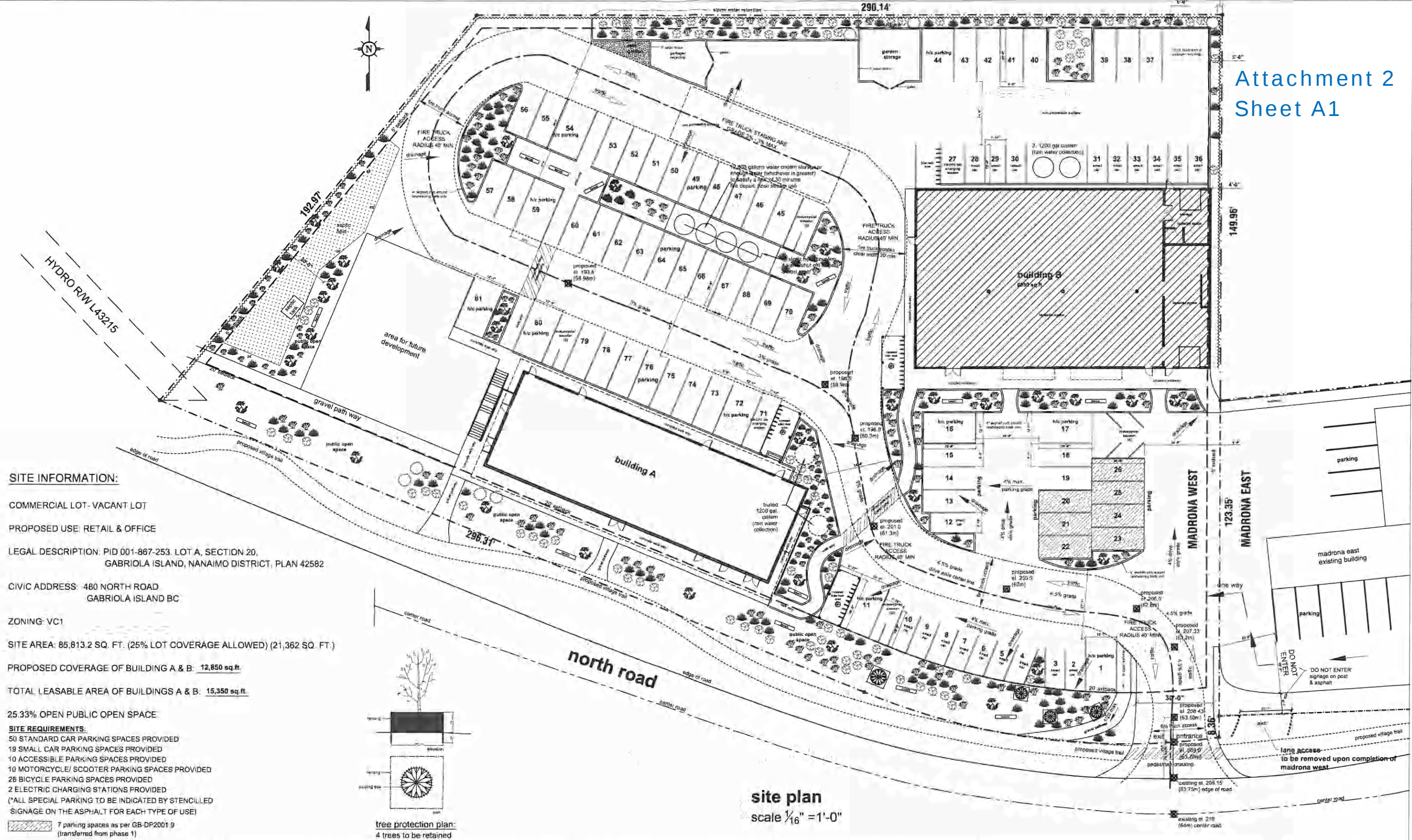
Oct 20/14

Date

Print Form

Contaminated Sites Regulation

Please note that pursuant to Section 4(4) of the Contaminated Sites Regulation, B.C.Reg. 375/96, site profile is not required and will not be accepted by the Islands Trust. If you have any questions, please contact the Islands Trust office.



SITE INFORMATION:

COMMERCIAL LOT- VACANT LOT

PROPOSED USE: RETAIL & OFFICE

LEGAL DESCRIPTION: PID 001-867-253, LOT A, SECTION 20,
GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582

CIVIC ADDRESS: 480 NORTH ROAD
GABRIOLA ISLAND BC

ZONING: VC1

SITE AREA: 85,813.2 SQ. FT. (25% LOT COVERAGE ALLOWED) (21,362 SQ. FT.)

PROPOSED COVERAGE OF BUILDING A & B: 12,850 sq.ft.

TOTAL LEASABLE AREA OF BUILDINGS A & B: 15,350 sq.ft.

25.33% OPEN PUBLIC OPEN SPACE

SITE REQUIREMENTS:

50 STANDARD CAR PARKING SPACES PROVIDED

19 SMALL CAR PARKING SPACES PROVIDED

10 ACCESSIBLE PARKING SPACES PROVIDED

10 MOTORCYCLE/ SCOOTER PARKING SPACES PROVIDED

26 BICYCLE PARKING SPACES PROVIDED

2 ELECTRIC CHARGING STATIONS PROVIDED

(*ALL SPECIAL PARKING TO BE INDICATED BY STENCILLED
SIGNAGE ON THE ASPHALT FOR EACH TYPE OF USE)

7 parking spaces as per GB-DP2001.9
(transferred from phase 1)

GENERAL NOTES:
DISTANCES AND ELEVATIONS ARE IN FEET.
SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES

Architectural drawings for
building shell ONLY. Tenant
improvement not part of the
drawing set

tree protection plan:
4 trees to be retained

Architect: Vincent Iamco, MA/BC
Architrave Architecture Design Build Ltd.
P.O. 341 Unit C
510 North Road,
Gabriola, B.C. V0R 1X2
Tel: (250) 616-5899

Structural Engineer: Robin Chapman P.Eng
Bayview Engineering
Tel: (250) 758-4390
2855 Halliday Crescent Nanaimo BC V9S 3N1

Land Surveyor: Brian Henning BCLS
Williamson and Associates Professional Surveyors
Tel: (250) 756-7723
3088 Barons Road Nanaimo BC V9T 4E5

Geotech: Chris Hudec, P.Eng
Lewkowich Engineering Associates Ltd.
Tel: (250) 756-0355
Nanaimo BC

Drafting: Zane E. Dmytruk
ZED VISUALS
Tel: (250) 716-0604

property line
setback line
property pins
building footprint
septic field
6" ht. wire fence
indicates water infiltration to landscaping

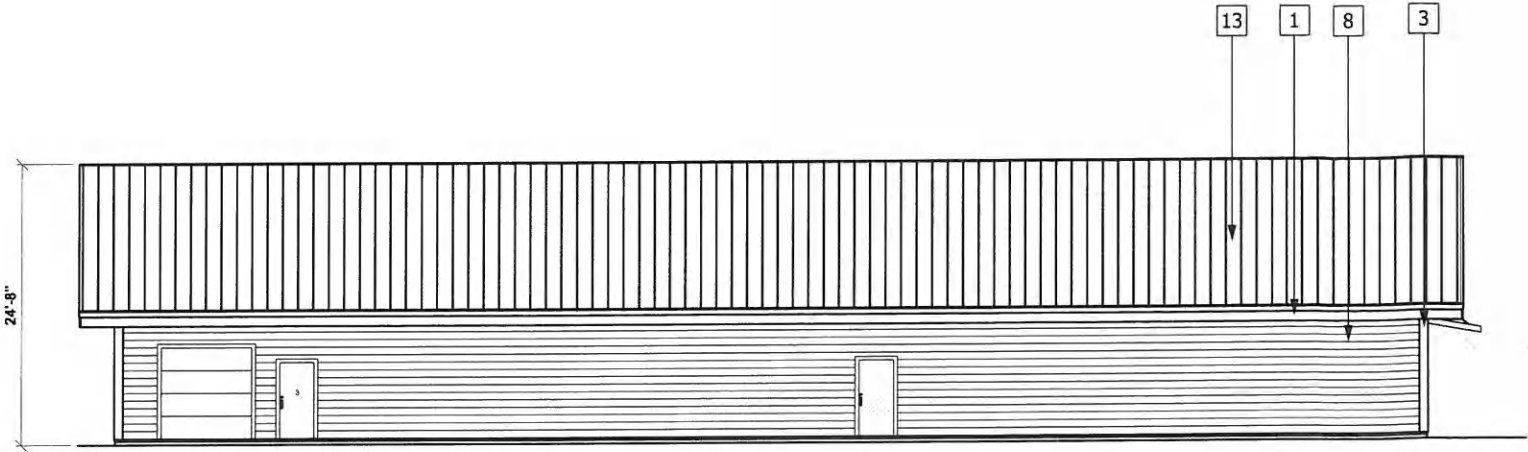
DATE: OCTOBER 15 2014

SCALE: 1/16" = 1'-0"

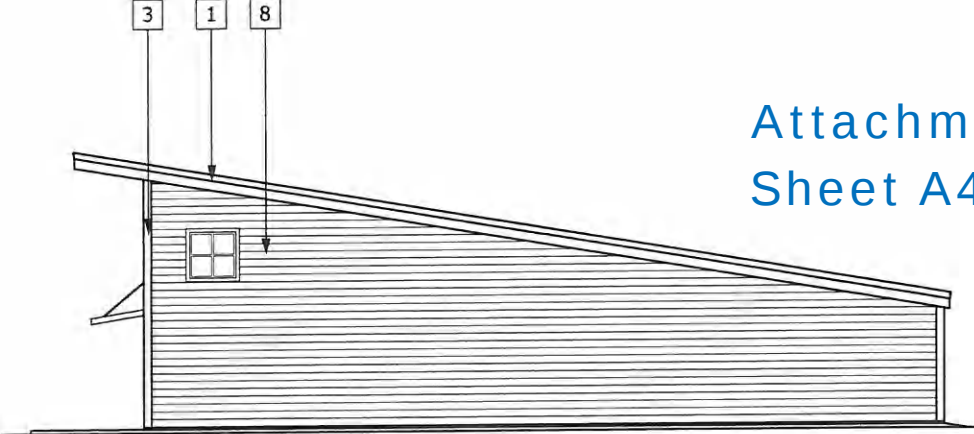
DRAWN: ZANE DMYTRUK

FILE:

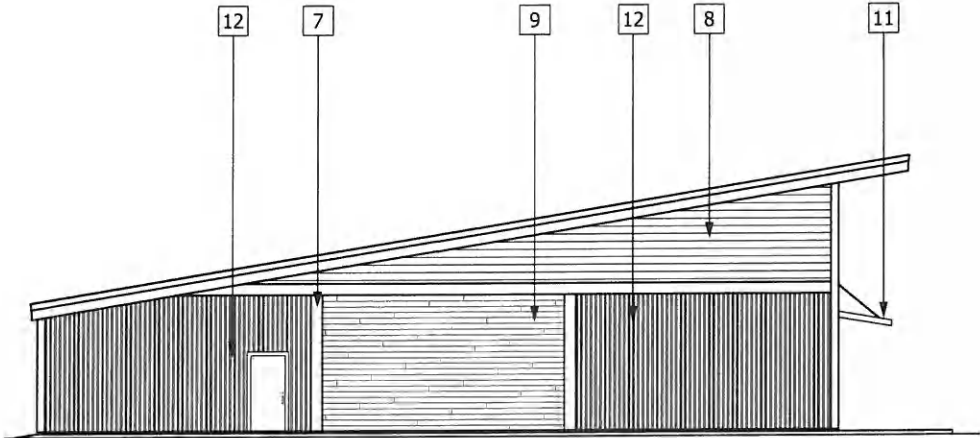
SHEET: A1



north elevation
building B



east elevation
building B



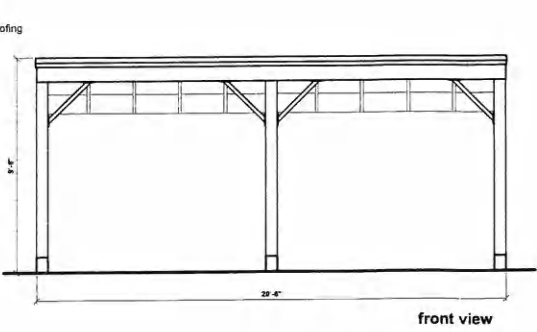
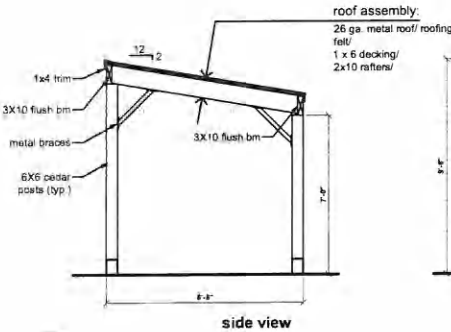
west elevation
building B
1/8" = 1'-0"



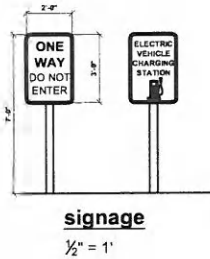
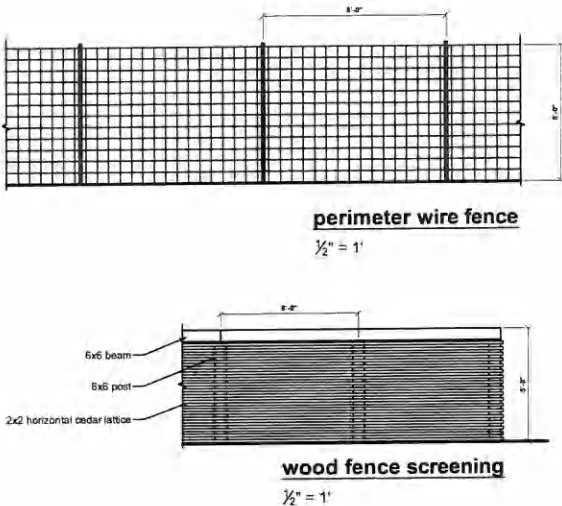
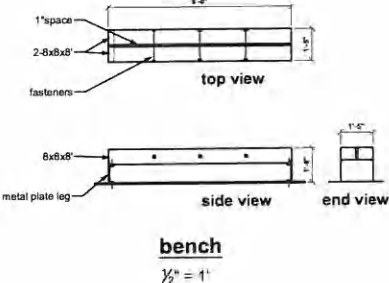
south elevation
building B
1/8" = 1'-0"

KEYNOTE LEGEND

- 1 FASCIA - 1X12 CEDAR
- 2 FASCIA - SAGE GREEN
- 3 CEDAR TRIM
- 4 WINDOW TRIM - SIKKENS CEDAR (WINDOW BLACK)
- 5 WINDOW TRIM - CHARCOAL BLACK (WINDOW VINYL)
- 6 BELLY BOARD - 1X12
- 7 VERTICLE BOARD - 1X12
- 8 LAP CEDAR SIDING - COMBED BACK
- 9 LAP CEDAR SIDING - BARN RED CEDAR
- 10 SHINGLES - CEDAR COLOUR SIKKENS
- 11 CEDAR AWNING W/ METAL ROOFING
- 12 CORRUGATED METAL SIDING - GALVANIZED
- 13 STANDING SEAM METAL ROOFING - CHARCOAL GREY
- 14 NATURAL CEDAR SOFFET
- 15 EXPOSED AGGREGATE WALKWAY
- 16 ALUMINUM ROLL UP GARAGE DOORS



covered bicycle structure
1/2" = 1'



PROJECT: MADRONA MARKETPLACE WEST
CLIENT: INTRASCAP DEVELOPMENTS
480 NORTH ROAD
BOX 270 GABRIOLA B.C. VOR 1X0
DRAWING: ELEVATIONS & FINISHING MATERIALS
BUILDING B

GENERAL NOTES

NO.	DATE	REVISION

Structural Engineer- Robin Chapman P.Eng
Bayview Engineering
Tel. (250) 758-4390
2865 Halliday Crescent Nanaimo BC V9S 3N1

Land Surveyor- Brian Henning BCLS
Williamson and Associates Professional Surveyors
Tel. (250) 756-7723
3088 Barons Road Nanaimo BC V9T 4B5

Drafting - Zane E. Dmytruk
ZED VISUALS
Tel. (250) 716-0604

DATE: OCTOBER 15, 2014
SCALE: as shown
DRAWN: ZANE DMYTRUK
FILE:
SHEET: A4



Attachment 3

October 23, 2014

Mr. Rob Milne
Local Trust Committee

Dear Mr. Milne:

**Re: 480 North Road, Gabriola Island, BC
Project # 9901**

Keystone Environmental Ltd. has completed a Stage 1 Preliminary Site Investigation Update, Detailed Site Investigation and Confirmation of Remediation Report and Human Health and Ecological Risk Assessment Report for 480 North Road, Gabriola Island, BC (the Site) dated July 24, 2014. These reports were prepared in support of an application for a Ministry of the Environment (MOE) Certificate of Compliance (CoC) for the Site.

The Site has been remediated to meet numerical and risk based standards. From a contaminated sites perspective, the Site is suitable for the development of the existing Phase 1 (Building A) and proposed Phase 2 (Building B).

This letter has been prepared solely for the internal use of the Local Trust Committee and Intrascape Developments pursuant to the agreement between Keystone Environmental Ltd. and Intrascape Developments. By using this letter, the Local Trust Committee and Intrascape Developments agree that they will review and use the letter in its entirety. Any use which other parties make of this report, or any reliance on or decisions made based on it, are the responsibility of such parties. Keystone Environmental Ltd. accepts no responsibility for damages, if any, suffered by other parties as a result of decisions made or actions based on this letter.

We trust this letter meet your needs at this time. If you have any questions regarding this letter, please contact me at 604-430-0671 or nmacdonald@keystoneenviro.com.

Sincerely,

Keystone Environmental Ltd.

Original signed by

Nicole MacDonald, P.Ag.
Project Manager

\\key-files\vr\Common\9900-9999\9901\Correspondence\9901 141023 Letter to Island Trust.docx

cc: Chris Hock
pearsonhock@shaw.ca

Suite 220
4400 Dominion Street
Burnaby, British Columbia
Canada V5G 4G3

Telephone: 604 430 0671
Fax: 604 430 0672
info@KeystoneEnviro.com
KeystoneEnviro.com

Environmental Consulting
Engineering Solutions
Assessment & Protection

**PERMIT TO CONSTRUCT, USE, AND MAINTAIN ACCESS TO A PROVINCIAL PUBLIC
HIGHWAY****PURSUANT TO TRANSPORTATION ACT AND/OR THE INDUSTRIAL ROADS ACT AND/OR THE
MOTOR VEHICLE ACT AND/OR AS DEFINED IN THE NISGA'A FINAL AGREEMENT AND THE
NISGA'A FINAL AGREEMENT ACT.****BETWEEN:**

The Minister of Transportation and Infrastructure

Vancouver Island District
Third Flr
2100 Labieux Road
Nanaimo, BC V9T 6E9
Canada

("The Minister")

AND:BC 0828761
c/o
Chris Hock 480 North Road
Box 270
Gabriola Island, British Columbia V0R 1X0
Canada

("The Permittee")

WHEREAS:

- A. The Minister has the authority to grant permits for the auxiliary use of highway right of way, which authority is pursuant to both the Transportation Act and the Industrial Roads Act, the Motor Vehicle Act, as defined in the Nisga'a Final Agreement and the Nisga'a Final Agreement Act;
- B. The Permittee has requested the Minister to issue a permit pursuant to this authority for the following purpose:

The installation, operation, and maintenance of access in and out of a commercial complex containing retail and office spaces to serve the property legally described as (PID: 001867253) Lot A, Plan VIP42582, Section 20, Gabriola Island, Nanaimo District.

Access is to be right in/out only

Applicant to erect R-015-L "No Left Turn" on the south side of North Road across from access.
Applicant to erect R-016-1R "Right Turn Only" sign along with R-001 "Stop" sign at exit.

- C. The Minister is prepared to issue a permit on certain terms and conditions;

ACCORDINGLY, the Minister hereby grants to the Permittee a permit for the Use (as hereinafter defined) of highway right of way on the following terms and conditions:

1. The Minister shall designate an official ("the Designated Ministry Official") who shall act as the Minister's agent in the administration of this permit in the manner hereinafter set out.
2. The Use shall be carried out according to the reasonable satisfaction of the Designated Ministry Official.
3. The Permittee will at all times indemnify and save harmless Her Majesty the Queen in Right of the Province of British Columbia, as represented by the Minister of Transportation and Infrastructure, and the employees, servants, and agents of the Minister



from and against all claims, demands, losses, damages, costs, liabilities, expenses, fines, fees, penalties, assessments and levies, made against or incurred, suffered or sustained by any of them, at any time or times (whether before or after the expiration or termination of this permit) where the same or any of them are sustained in any way as a result of the Use, which indemnity will survive the expiration or sooner termination of this permit.

4. The Permittee shall make diligent attempts to determine if there are other users of the right of way in the vicinity of the Permittee's location whose use may be affected. It shall be the responsibility of the Permittee to contact any such users before exercising any of the rights granted hereunder and to attempt to reach an accommodation.
5. The Minister shall take reasonable care to do as little damage or interference, as possible, to any Use authorized by this permit in the carrying out of the construction, extension, alteration improvement, repair, maintenance or operation of any work adjacent thereto, but the Minister shall not be responsible for any damage regardless.
6. The Minister at the absolute discretion of the Minister may, at any time, cancel this permit for any reason upon giving reasonable notice; provided, however, that in the case of default by the Permittee or in the case of an emergency no notice shall be necessary. The Minister shall not be liable for any loss incurred as a result of permit cancellation.
7. Placing of speed arresters on the access (or accesses) or in the Permittee's property without the prior consent in writing of the Designated Ministry Official shall render the permit void.
8. The Permittee shall be responsible for replacing any survey monuments that may be disturbed or destroyed by the Use. Replacement must be by a British Columbia land surveyor at the Permittee's expense.
9. The Permittee shall remove any mud, soil, debris, or other foreign material tracked onto the highway from the access authorized herein. Such removal shall be at the Permittee's expense and shall be done at any time the material unduly inconveniences traffic and, in any event, daily.
10. The Permittee acknowledges that the issuance of this permit by the Minister is not a representation by the Minister that this permit is the only authority needed to carry out the Use. The Permittee shall give deference to any prior permission given for use of the right of way in the vicinity of the permit area, shall obtain any other permission required by law, and shall comply with all applicable laws regardless of their legislative origin.
11. At the end of the term of this permit, or when the permit is cancelled or abandoned, the Permittee shall, if so requested by the Minister, remove all installations and shall leave the site as near as reasonably possible in the condition it was in before this permit was issued or such other condition as shall reasonably be required by the Designated Ministry Official. If the Permittee refuses to comply with these obligations, the Minister may perform them as required and the Permittee shall be liable to the Minister for the costs of doing so.
12. The rights granted to the Permittee in this permit are not assignable without the consent of the Minister.
13. As a condition of this permit, the permittee unconditionally agrees with the Ministry of Transportation and Infrastructure that the permittee is the prime contractor, as described in Section 118 of the Workers Compensation Act, for the purposes of the work described by this permit, at the work location described in this permit, and that the permittee will observe and perform all of the duties and obligations which fall to be discharged by the prime contractor pursuant to the Workers Compensation Act and the Occupational Health and Safety Regulation.
14. The permittee is advised and acknowledges that the following hazards may be present at the work location and need to be considered in co-ordinating site safety: overhead hazards, particularly electrical or telecommunications lines; buried utilities, particularly electrical, telecommunication, and gas lines; traffic, danger trees, falling rocks, and sharp or infectious litter.
15. Any works within the Ministry right-of-way that fall within the scope of "engineering" under the Engineers and Geoscientists Act will be performed by a Professional Engineer, and shall comply with this Ministry's "Engineer of Record and Field Review Guidelines". The Guidelines can be viewed on the Ministry's website at http://www.th.gov.bc.ca/publications/Circulars/All/T_Circ/2009/t06-09.pdf
16. The permittee is responsible for preventing the introduction and spread of noxious weeds on the highway right-of-way as defined by the British Columbia Weed Control Act and Weed Control Regulation.
17. **The layout shown on the attached drawing is a condition of this permit, and any change in layout without the prior consent in writing of the Designated Ministry Official shall render the permit void.**
18. The Permittee shall take all reasonable precautions to attempt to ensure the safety of the public in connection with the Use. In particular, but not so as to limit this obligation, the Permittee shall, if so required by the Designated Ministry Official on reasonable grounds, prepare and implement a traffic control plan. The contents of the plan and the manner in which it is implemented must meet the reasonable satisfaction of the Designated Ministry Official.
19. The access (or accesses) shall be paved to the satisfaction of the Designated Ministry Official.
20. The access (or accesses) shall be constructed with 500 mm culvert pipe manufactured to CSA or ASTM standards and laid at ditch invert elevation. Maintenance and periodic cleaning of this culvert is the responsibility of



the Permittee.

21. The Permittee shall provide off-street parking in the amount of 70 stalls.

Note: Applicant to remove parking stall #1 as shown on plan received April 11, 2012.

22. The access (or accesses) shall be restricted to the following movements only: right turn in, right turn out and the Permittee shall construct and erect all necessary channelization, signs, and other traffic-control devices at his cost.

23. The Permittee will ensure that the works do not, impair, impede or otherwise interfere with;

I. public passage on the Highways;

II. the provision of highway maintenance services by the Province, or by its servants, contractors, agents or authorized representatives of the Province in connection with the Highways; or

III. the operation of the Highways;

24. That where the said works are in the proximity of any bridge, culvert, ditch or other existing work, such work shall be properly maintained and supported in such manner as not to interfere with its proper function, and on the completion of the said works any bridge, culvert, ditch or other existing work interfered with shall be completely restored to its original condition.

25. That when necessary all excavations, materials, or other obstructions are to be efficiently fenced, lit, and watched, and at all times every possible precaution is to be taken to ensure the safety of the public.

The rights granted to the Permittee in this permit are to be exercised only for the purpose as defined in Recital B on page 1.

Dated at Nanaimo, British Columbia, this 2 day of May, 2012

On Behalf of the Minister



ANDERSON CIVIL
Consultants Inc.

Attachment 5

Intrascaple Developments Inc
480 North Road, Box 270
Gabriola Island, BC
V0R 1X0

File: 2258
04 November 2014

Attention: Chris Hock

Dear Chris,

**Re: Madrona Marketplace West, 480 North Road, Gabriola
Lot A, Section 20, Gabriola Island, Nanaimo District, Plan 42582
Rainwater Management Plan**

Background

This letter is provided in support of a Development Permit application to the Islands Trust, Gabriola. The proposed development is shown on the current suite of development drawings.

Intrascaple Developments Inc previously developed the Madrona East project, located on North Road immediately east of the current project. That site was developed in accordance with Islands Trust requirements and under the bylaws current at that time.

The first phase (Building A) of Madrona West is currently under construction following a Development Permit (GB-DP2001.9) issued by the Islands Trust and a Building Permit issued by the Regional District. Rainwater planning was incorporated into the designs for site servicing of Building A. The Islands Trust requires amendment to the original DP in order to accommodate construction of proposed Building B on the site.

After a prolonged consultation period, the Islands Trust has prepared bylaws to revise the development guidelines; Bylaw 273 was given approval by the Trust on 29th July 2014 and is currently in Victoria waiting for Ministerial approval. Although the bylaws are not yet enacted, the Islands Trust wishes that the revised DP incorporate the requirements of these revisions.

Objectives

We have reviewed the existing planning Bylaw 177 and the proposed revision Bylaw 273. These outline the goals for rainwater management on the site, including integrated management plans prepared by a qualified professional to:

- Manage runoff
- Reduce impervious surfaces
- Promote infiltration
- Capture and treat runoff
- Incorporate current best management practices

We were not involved in the consultation by the Trust leading up to the proposed bylaws, nor do we know which resource materials were used in their development. Similar bylaws for Salt Spring Island have a stated goal to maximise the amount of precipitation that percolates into the ground, minimise the direct overland runoff, and minimise the impact on the quality and quantity of groundwater. We interpret the goals for Gabriola to be similar.

Resources and references

A fundamental reference for modern rainwater management is *Stormwater Planning – A Guidebook for British Columbia 2002*. This encapsulates the research and experience in the Pacific Northwest and the recommendations for effective changes in planning and execution.

The proposed Bylaw 273 includes the goal of capturing “90% of the average annual rainfall”. The source for this target is not cited, but we have assumed it is as discussed in Chapter 6.2 of *Guidebook for British Columbia*. The concept of Mean Annual Rainfall (MAR) is discussed, and Tier A events are identified as those which include 90% of the MAR.

Extensive work has been undertaken by the Greater Vancouver Regional District (Metro Vancouver). It takes the analysis of rainwater management further than any other jurisdiction in BC. Their most current and comprehensive publication is *Stormwater Source Control Design Guidelines 2012*. This guide includes recommendations and guidelines for source controls. It also includes an evaluation of the recommendations in the *Guidebook for British Columbia* and in the DFO Guidelines. The conclusion is that designing for 72% of the 2-year 24-hour storm will meet the other guidelines.

We visited the site on 6th October 2014 to review the existing conditions. We also reviewed the adjacent properties to the east and immediately adjacent downstream to the north. Excavations for Building A were complete and we were able to review the underlying materials on the site.

Specific Proposals

The bulk of the existing site drains northwards to an existing watercourse located approximately 25 m west of the east property line. This watercourse is well vegetated and shows some signs of intermittent but not of sustained flow. The watercourse is located in a natural hollow in the ground and leads in a northwest direction. All rainwater management on the site is intended to emulate existing runoff patterns and not impose any additional load on this watercourse.

Runoff from the western area of the site currently flows with no defined path or channel. This condition will be maintained.

The areas of the site can be assigned to three categories: buildings and adjacent sidewalks; paved surfaces; and landscape areas with infiltration potential.

The rainwater leaders from the buildings are lead to storage tanks. Tanks C and D are underground and adjacent to Building A; tanks A and B are above ground adjacent to Building B. The water captured in these tanks will be used for irrigation of landscape areas as shown on the attached drawings. During the winter and early spring season the tanks will be used for initial capture of roof rain, then discharged slowly over time into the adjacent landscape

areas. This will allow infiltration between rainstorms and maximise recharge of groundwater. By early spring, the discharge will be stopped and the water retained for later irrigation.

The runoff from North Road, the village trail and hard surfaces south of Building A will drain directly to the landscape areas. The ratio of impervious to pervious is low and total infiltration in all but the largest storms is expected.

The bulk of the runoff from the site is generated by the open paved parking areas; some additional runoff is contributed from adjacent hard surfaced walkways. Alternatives available to manage the paved area runoff include:

- Absorbent landscaping: this has limited capacity and requires a large ratio to paved areas. It is not suitable for this site
- Infiltration Swale System: this requires a longitudinal grade parallel to the swales; it is usually included in subdivision roadside layouts. It is not applicable to this site.
- Infiltration Trench and Soakaway Manhole: this is more suitable to a site with extensive piped storm drainage system, and where landscape alternative are not suitable. It will not be applied to this site.
- Pervious Paving: this has a low infiltration capacity and is not suitable as a primary management technique. On this site it will be applied to paths and seating areas to reduce their impact on the runoff.
- Infiltration Rain Garden: this system has a high capacity to detain runoff and infiltrate over time. It is well suited to the layout of this site and will be used as the principal mitigation measure.

Following is a summary of the key elements in the calculations for the rainwater management. More detail of these calculations can be provided if required. Reference materials are also attached.

- Nanaimo A (Airport) 2-year 24-hour rainfall event 62 mm
- Departure Bay (Biological Station) 2-year 24-hour rainfall event 48 mm
- Parksville 2-year 24-hour rainfall event 48 mm
- Saturna Island 2-year 24-hour rainfall event 43 mm
 - 48 mm rainfall selected for Gabriola to reflect lower offshore precipitation
 - 72% of this event is 35 mm
- Four principal paved areas were identified (refer to drawing), with associated runoff volume to be stored and infiltrated:
 - Area A 1,420 m² Runoff volume 50 m³
 - Area B 1,220 m² Runoff volume 43 m³
 - Area C 820 m² Runoff volume 29 m³
 - Area D 910 m² Runoff volume 32 m³
- Each runoff area is directed to a separate rain garden area, or combination of areas.

The basic design of each rain garden cross-section is similar and details are shown on the attached drawing 2258-1-1. The landscape surface is depressed below the adjacent paving in

order that it can detain a volume of water for infiltration. The growing zone includes a minimum of 450 mm of growing medium. Below that is a drain rock zone to maintain drainage of the growing medium and provide longer term detention of final infiltration to the ground. A piped system is incorporated on top of the drain rock to allow for overflow of rainwater from higher volume events.

Paths across landscape areas should be built with paving slabs or permeable pavers.

At the seating areas in the landscape zones, permeable pavers or paving slabs should be used and the drain rock infiltration continued below (refer to detail on drawings). The storage tanks for fire protection should be on drain rock or localised concrete footings over the infiltration below. Details at the edge of the building perimeter walkways are shown on the drawings.

Where parking meets the landscaping, there should be no curb. At-grade concrete grade edges may be used if required for other reasons. Concrete wheel stops should be used to keep vehicles off the landscape areas. Where traffic movements are adjacent to the landscape, asphalt or concrete curbing may be used; if this extends for more than a few metres, breaks should be provided in the rain gardens.

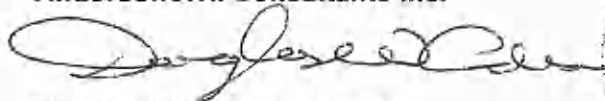
Although extensive detail is included to deal with capture and infiltration of design rainfall, any overflow from larger storms will be conveyed overland and directed to the exiting watercourse at the north edge of the site. The path to leave the site is at the local landscape area north of Building B; the location of this landscape is placed to match the existing watercourse.

Conclusions

Based on our site visit, and with implementation of our recommendations, it is our opinion that the existing drainage and proposed works will maximise the amount of precipitation that percolates into the ground, will minimise the direct overland runoff, and will minimise the impact on the quality and quantity of groundwater. The continuity of the existing surface drainage systems will be maintained and will not contribute to scouring and erosion.

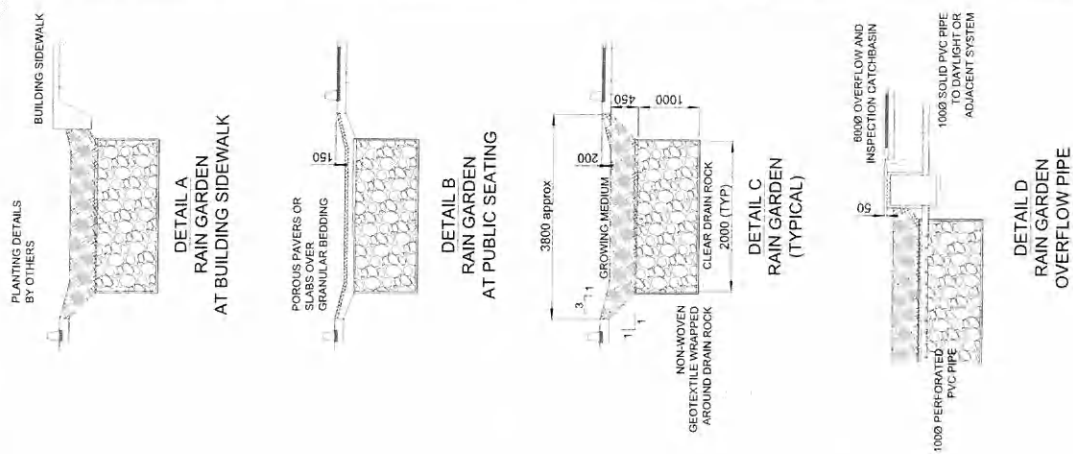
To the best of our knowledge, the rainwater management system on the proposed development will comply with applicable paragraph Section F3.7.8 of the Gabriola Island Land Use Bylaw 177 amended by 273.

Yours truly,
AndersonCivil Consultants Inc.

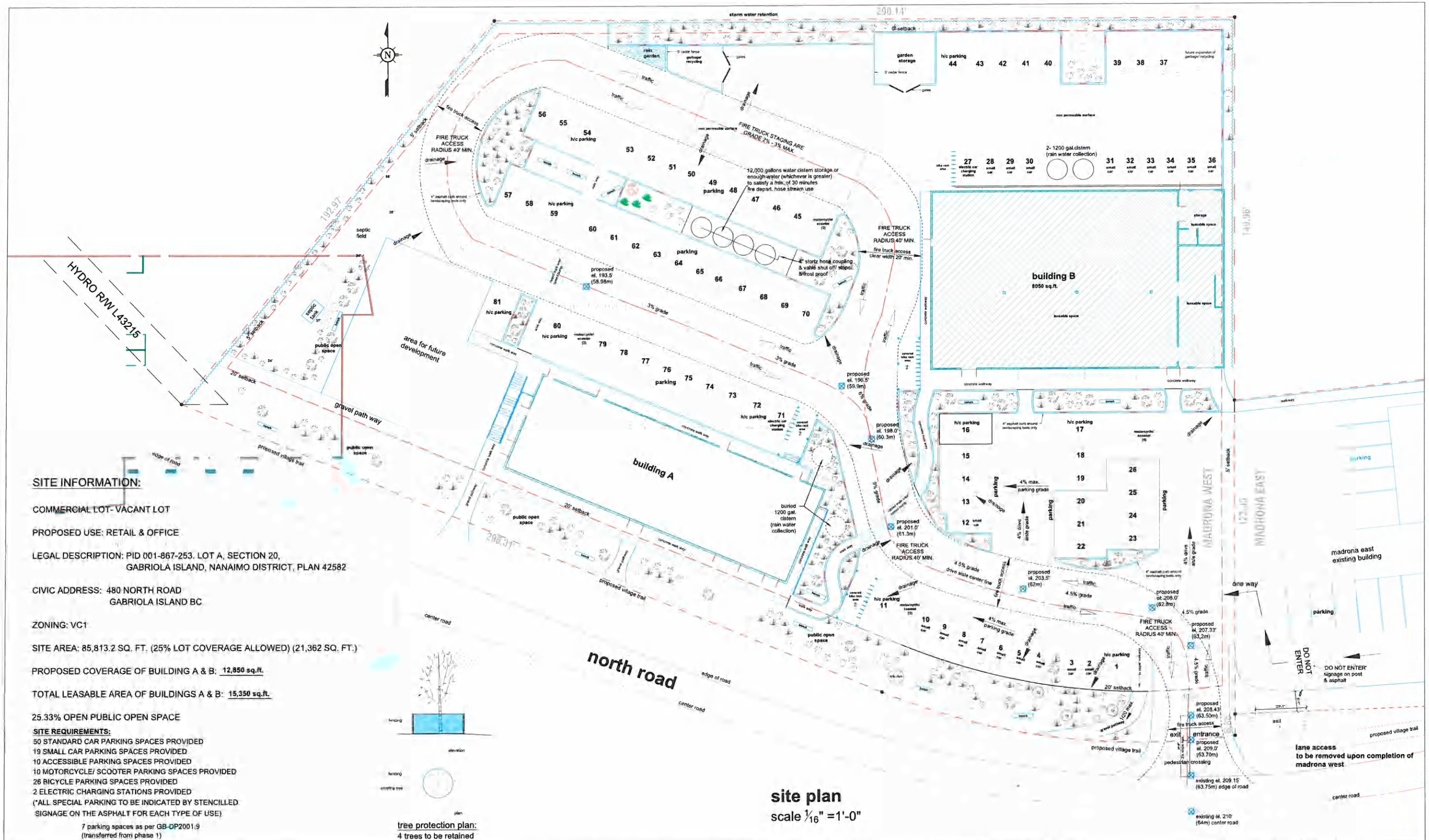


Douglas W. Anderson, P.Eng





DESTROY ALL DRAWINGS BEARING LETTER PRECEDING THIS



site plan
scale 1/16" = 1'-0"

SITE INFORMATION:

COMMERCIAL LOT-VACANT LOT

PROPOSED USE: RETAIL & OFFICE

LEGAL DESCRIPTION: PID 001-867-253. LOT A, SECTION 20,
GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582

CIVIC ADDRESS: 480 NORTH ROAD
GABRIOLA ISLAND BC

ZONING: VC1

SITE AREA: 85,813.2 SQ. FT. (25% LOT COVERAGE ALLOWED) (21,362 SQ. FT.)

PROPOSED COVERAGE OF BUILDING A & B: 12,850 sq.ft.

TOTAL LEASABLE AREA OF BUILDINGS A & B: 15,350 sq.ft.

25.33% OPEN PUBLIC OPEN SPACE

SITE REQUIREMENTS:

- 50 STANDARD CAR PARKING SPACES PROVIDED
- 19 SMALL CAR PARKING SPACES PROVIDED
- 10 ACCESSIBLE PARKING SPACES PROVIDED
- 10 MOTORCYCLE/ SCOOTER PARKING SPACES PROVIDED
- 26 BICYCLE PARKING SPACES PROVIDED
- 2 ELECTRIC CHARGING STATIONS PROVIDED
- (ALL SPECIAL PARKING TO BE INDICATED BY STENCILLED SIGNAGE ON THE ASPHALT FOR EACH TYPE OF USE)

7 parking spaces as per GB-OP2001.9
(transferred from phase 1)

GENERAL NOTES:
DISTANCES AND ELEVATIONS ARE IN FEET.
SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES

Architectural drawings for
building shell ONLY. Tenant
improvement not part of the
drawing set.

tree protection plan:
4 trees to be retained

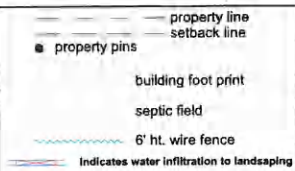
Architect: Vincent Iameo, MAIBC
Architrave Architecture Design Build Ltd.
P.O. 341 Unit C
510 North Road,
Gabriola, B.C. V0R 1X2
Tel. (250) 616-5899

Structural Engineer: Robin Chapman P.Eng
Bayview Engineering
Tel. (250) 758-4390
2865 Halliday Crescent Nanaimo BC V9S 3N1

Land Surveyor: Brian Henning BCLS
Williamson and Associates Professional Surveyors
Tel. (250) 756-7723
3088 Barons Road Nanaimo BC V9T 4B5

Geotech: Chris Hudac, P.Eng
Lewkowich Engineering Associates Ltd.
Tel. (250) 756-0355
Nanaimo BC

Drafting: Zane E. Dmytruk
ZED VISUALS
Tel. (250) 716-0604



DATE: OCTOBER 15 2014
SCALE: 1/16" = 1'-0"
DRAWN: ZANE DMYTRUK
FILE:
SHEET: A1

colour key legend

- building A & B & future development
- mulch
- asphalt
- concrete walk way
- gravel path way
- grass
- accessible parking
- electric charging station
- motorcycle/ scooter
- bicycle parking
- open space requirements



SITE INFORMATION:

COMMERCIAL LOT- VACANT LOT

PROPOSED USE: RETAIL & OFFICE

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GABRIOLA ISLAND BC

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- 2 ELECTRIC CHARGING STATIONS PROVIDED
- (ALL SPECIAL PARKING TO BE INDICATED BY STENCILLED SIGNAGE ON THE ASPHALT FOR EACH TYPE OF USE)

7 parking spaces as per GB-DP2001.9
(transferred from phase 1)

landscape legend

- A Large cultivated trees (min. caliper 2-3 in.):
10-Bluegood Japanese Maple, 10-Emperor I Maple,
5-Blue Spruce, 5-Cryptomeria, 5-Little Gem Magnolia,
5-Teddy Bear Magnolia & 7-Okame Cherry (ht. to 20ft.)
- B Med. shrubs: (2 gallon container @ planting 6ft. spacing):
approximately 100 - Geonothus Pteris & Sarcococca
- C Small shrubs (1 gallon containers @ 2' spacing):
approximately 200 - Berberis & Cotoneaster
- D Small Perennial Beds (1 gallon containers @ 2' spacing):
approximately 200 - Heather (summer & fall flowering),
Lavender, Lithodora & Pereskova
- E Med. Grasses (20 2 gallon pots):
Blue Fescue, Red fountain Grass, Blue Oat Grass & New Zealand Flax
- F All planted beds to be top dressed with 'medium bark mulch'
- G All planting beds to be encased in 4" asphalt curb w/ inlets for water infiltration.
- H Existing trees
- I Indicates water infiltration to landscaping

site plan
scale 1/16" = 1'-0"

PROJECT: MADRONA MARKETPLACE WEST
480 NORTH ROAD,
GABRIOLA, V0R 1X0

DEVELOPER & PROJECT MANAGER: INTRASCAP DEVELOPMENTS
P.O. 270 GABRIOLA, V0R 1X0

DRAWING: LANDSCAPE PLAN

GENERAL NOTES:
DISTANCES AND ELEVATIONS ARE IN FEET.
SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES

Architectural drawings for
building shell ONLY. Tenant
improvement not part of the
drawing set.

NO.	DATE	REVISION
1		

Architect: Vincent Iameo, MAIBC
Architrave Architecture Design Build Ltd.
P.O. 341 Unit C
510 North Road,
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3088 Barons Road Nanaimo BC V9T 4B5

Geotech: Chris Hudec, P.Eng
Lowkovich Engineering Associates Ltd.
Tel. (250) 756-0355
Nanaimo BC

Drafting: Zane E. Dmytruk
ZED VISUALS
Tel. (250) 716-0604

Legend

- property line
- property pins
- septic field
- 6' ht. wire fence

DATE: OCTOBER 15 2014

SCALE: 1/16" = 1'-0"

DRAWN: ZANE DMYTRUK

FILE:

SHEET: A2

colour key legend

- building A & B & future development
- mulch
- grass
- gravel

irrigation legend

Irrigation System: Orbitz Drip Irrigation
Source: cistern, rainwater collection

- zone 1- cistern A & B
 - 1" irrigation line
 - 3/4" irrigation line
- zone 2- cistern C
 - 1" irrigation line
 - 3/4" irrigation line
- zone 3- cistern D
 - 1" irrigation line
 - 3/4" irrigation line
- control box-pump (typ.)

SITE INFORMATION:

COMMERCIAL LOT- VACANT LOT

PROPOSED USE: RETAIL & OFFICE

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GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582

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7 parking spaces as per GB-DP2001.9
(transferred from phase 1)

landscape legend

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5-Teddy Bear Magnolia & 7-Okame Cherry (ht. to 20ft.)
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- E Med. Grasses (20 2 gallon pots):
Blue Fescue, Red fountain Grass, Blue Oat Grass & New Zealand Flax
- F All planted beds to be top dressed with 'medium bark mulch'
- G All planting beds to be encased in 4" asphalt curb w/ inlets for water infiltration.
- H Existing trees
- I Indicates water infiltration to landscaping

site plan

scale 1/16" = 1'-0"

PROJECT:	MADRONA MARKETPLACE WEST 480 NORTH ROAD, GABRIOLA, V0R 1X0	GENERAL NOTES:	DISTANCES AND ELEVATIONS ARE IN FEET. SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES	NO.	DATE	REVISION	Architect: Vincent Iameo, MAIBC Architrave Architecture Design Build Ltd. P.O. 341 Unit C 510 North Road, Gabriola, B.C. V0R 1X2 Tel. (250) 616-5899	Structural Engineer: Robin Chapman P.Eng Bayview Engineering Tel. (250) 758-4390 2865 Halliday Crescent Nanaimo BC V9S 3N1	Geotech: Chris Hudec, P.Eng Lewkowich Engineering Associates Ltd. Tel. (250) 756-0355 Nanaimo BC	DATE: OCTOBER 15, 2014
DEVELOPER & PROJECT MANAGER:	INTRASCAPÉ DEVELOPMENTS P.O. 270 GABRIOLA, V0R 1X0		Architectural drawings for building shell ONLY. Tenant improvement not part of the drawing set.					Land Surveyor: Brian Henning BCLS Williamson and Associates Professional Surveyors Tel. (250) 756-7723 3088 Barons Road Nanaimo BC V9T 4B5	Drafting: Zane E. Dmytruk ZED VISUALS Tel. (250) 716-0604	SCALE: 1/16" = 1'-0"
DRAWING:	IRRIGATION PLAN									DRAWN: ZANE DMYTRUK
										FILE:
										SHEET: A3

legend

- property line
- property pins
- septic field
- 6' ht. wire fence

Attachment 6

Quote

Date 10/6/2014

Invoice # 171

Expiration Date 9/30/2014

Penner's
Landscaping/Maintenance
1300 Dempsey Rd
Gabriola Island BC
Amanda.innovator@gmail.com

TO IntrascapDevelopments
Box 270, 480 North Rd
Gabriola Island, BC
V0r 1x0

Salesperson	Job	Shipping Method	Shipping Terms	Delivery Date	Payment Terms	Due Date
	Madrona West				30 days	

Qty	Item #	Description	Unit Price	Discount	Line total
		To supply and install all plants, trees and shrubs as per landscape plan for Madrona Marketplace West dated September 17, 2014 This quote is to include the following; -trees and shrubs quantity and size as per landscape plan. -Labour to install all plantings Soil, amendmets and finish grade bark mulch included Gravel to be placed but provided by client. ** This quote does not include the following; -Irrigation (to be installed by clients excavator contractor). -Any site grading -Hardscaping to be done by client including benches, signage, curbing, fencing.			\$19585.00
Total Discount					
				Subtotal	19585.00
				Sales Tax	2351.00
				Total	21936.00

Madrona 2 Landscape Maintenance Plan

Landscape approach for this site

The landscape plan for Madrona West will comply with the goals of the climate change initiative on this mixed use(service, retail, office) development. The landscape plan is designed to:

Enhance the outdoor environment for the public, tenants, patrons and employees. All landscaping will compliment the building design and include the use of public outdoor space through the use of pathways, benches and small grass knolls for play.

Safety will be considered at all times making sure sight lines are kept clear and pathways do not succumb to heaving causing uneven surfaces. The safety of the environment will be protected by not using harmful fertilizers or pesticides on plants or chemicals used for clearing icy patches.

Landscape Management Schedule

January: clear fallen branches as required, Prune large cultivars to encourage upward growth.

February: apply organic granular fertilizer around trees and shrubs late in the month. Ensure plants in rain gardens and directly around areas of water infiltration are not fertilized. Add new mulch to garden beds if the mulch has been reduced to less than two inches. If groundcover completely covers the soil surface it will not be necessary to mulch

March: Mow grassy knolls twice per month. Check irrigation system for proper operation. Flush out irrigation system. Clear irrigation filters. Replace clogged drip emitters. Replace batteries in timers and irrigation controls.

April: Mow grass knolls weekly. Fertilize all trees and landscape beds except where there are rain gardens or areas of bio retention. Once plantings have reached their desired size, fertilization may be eliminated except for plants that produce a flower for aesthetic reasons.

May: Mow grass knolls weekly. Begin to run irrigation system. Inspect for adequate coverage. Set timer to run at reduced rate for the months of May, June Sept and Oct and to be increased for July and August. Check for adequate level of mulch in all areas, if less than two inches replace. Ensure rain gardens are free and clear of refuse. Ensure rain gardens are free and clear of refuse.

June: Prune perennials back where flowers have wilted. Prune spring and winter flowering shrubs as needed for shape and site lines. Mow grass knolls weekly. Ensure rain gardens are free and clear of refuse.

July: Mow grass knolls weekly. Prune ground covers to maintain plant bed sizes. Ensure irrigation system is adequate covering planting for the increased temps. Ensure rain gardens are free and clear of refuse.

August: Mow grass knolls weekly. Prune perennials once flowers have finished and to maintain size and shape of trees and shrubs for aesthetics and sight lines. Mulch as necessary to maintain two inch top dressing. Ensure rain gardens are free and clear of refuse.

September: Mow grass knolls weekly. Ensure rain gardens are free and clear of refuse. Fertilize all trees, plants and shrubs at the end of September with organic, granular fertilizer. Ensure plants in raingardens and areas of bio retention are not fertilized. Check all plants and replace any that have died. Prune perennial plants back after flowering. Ensure all plantings have adequate mulch.

October: Mow grass knolls twice per month. Fertilize grass knolls with granular lime to ensure moss does not start to grow. Ensure all plantings have adequate mulch. Ensure rain gardens are free and clear of refuse. Turn off irrigation system for winter season. Blow out pipes with compressed air. Drain irrigation lines. Add mulch as necessary to maintain two inch minimum.

November: Mow grass knolls as needed. Prune branches as necessary to ensure sight lines and aesthetics. Ensure pathways are kept free and clear of storm debris.

December: : Mow grass knolls as needed. Prune branches as necessary to ensure sight lines and aesthetics. Ensure pathways are kept free and clear of storm debris.

Landscape Management Areas

Grounds maintenance and clean up:

Remove biodegradable debris to yard waste recycling facility such as grass clippings, tree and shrub trimmings and dead plant material. All other non biodegradable debris to be bagged and taken to landfill.

Weekly cleanup of all trash found on property such as paper, cans and bottles.

Patios and pathways swept/raked weekly. Gravel areas around benches to be cleaned of debris weekly.

Leaves to be blown weekly Sept to Feb and mulched as necessary. Areas with rock to be checked for build up of leaves and needles.

Trees: Trees shall be maintained to ensure the utmost health maintaining a healthy growing condition and free of disease. Trees shall be pruned using the best pruning standards possible. All sucker growth shall be removed. All branches that affect sight lines shall be removed. The base of the tree shall be kept tidy in appearance.

Shrubs: Shrubs shall be maintained to ensure the utmost health maintaining a healthy growing condition and free of disease. Shrubs shall be pruned using the best pruning standards possible. Shrubs shall be pruned disease removal and to keep them tidy in appearance.

Groundcovers: Groundcovers be maintained to ensure the utmost health maintaining a healthy growing condition and free of disease. Groundcovers shall be trimmed from infringing on pathways, curbs and paved areas on a monthly basis.

Fertilizers: Plants in rain gardens and any area of bioretention will not be fertilized. In areas where fertilizer is used only organic granular fertilizer will be used. A slow release variety will be used to ensure over fertilization does not occur. A 5-5-5 fertilizer formulation will be used.

Mulch layer: A mulch layer will be maintained to help control weeds, reduce water use and help maintain healthy plants. A 2 inch base layer of mulch will be maintained and reapplied as necessary. Mulch shall be uniform in color and appearance and free of trash and debris.

Grass areas: Shall be maintained between 2 to 2.5 inches high. Mulch mowing will be used so that grass cycling can occur. Aerator will be used yearly to ensure compaction on grassy knolls does not occur. If areas of grass become worn, reseeding will be employed. Top dressing of a compost and sand mixture will be done after reseeding to ensure grass propagates.

Pest Management

Weeds in planted areas and in pathways will be removed weekly as they emerge. Maintaining the mulch layer will help minimize weed growth. Any branches or plants affected by disease will be removed and discarded so as not to affect other plants.

Irrigation

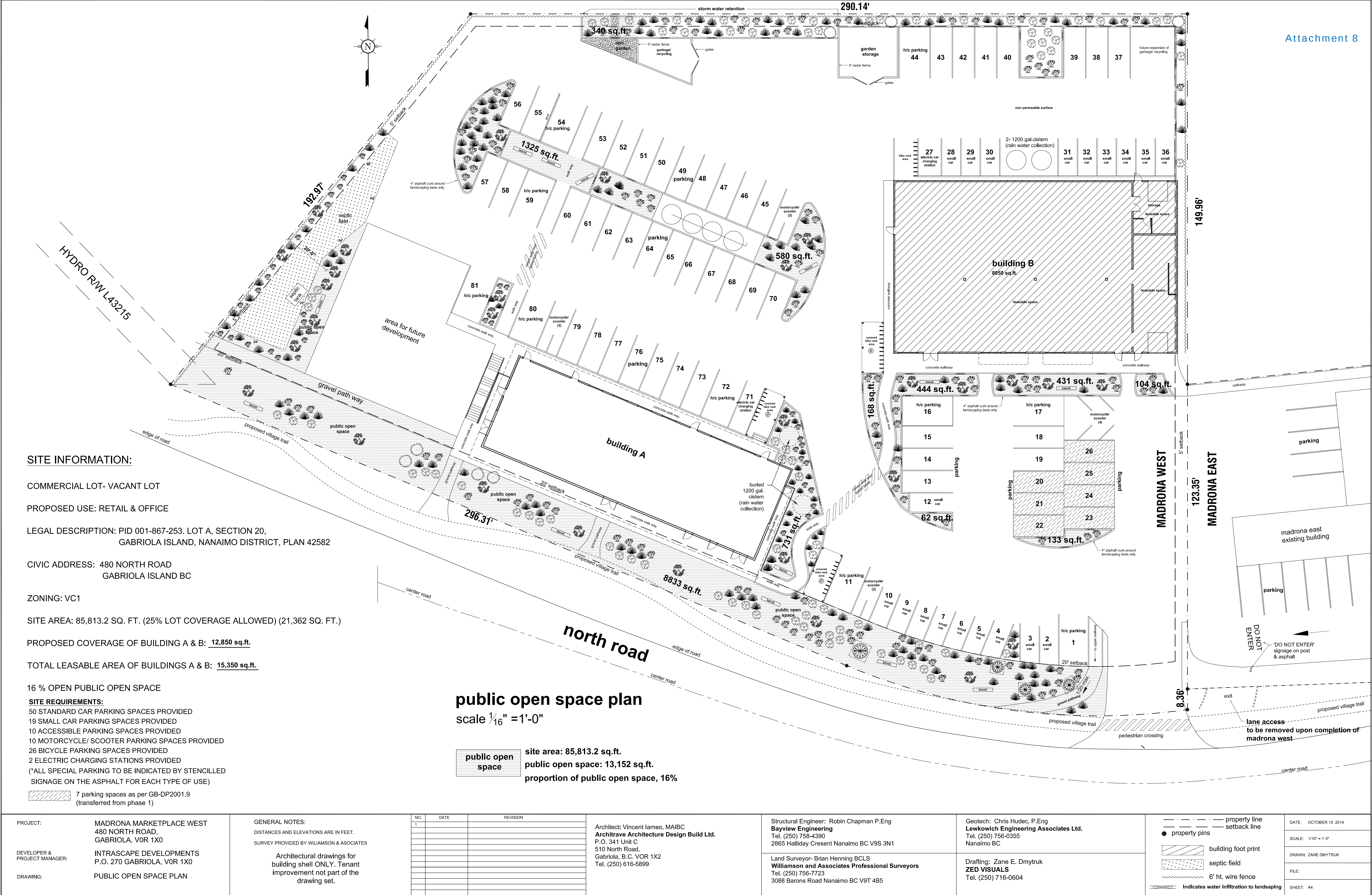
Continually monitor moisture levels around all plantings to ensure the right level of watering is occurring. Check irrigation weekly and repair immediately if problems occur. Ensure the irrigation system is not causing run off onto sidewalks, pavement and pathways. Ensure regular checks on the cisterns to ensure maximum level of roof water retention is occurring. If not gutters may need addressing. Report to management as necessary. Ensure irrigation system is winterized annually to prevent lines from freezing.

Watering schedule:

Each zone will be watered 2 times per week from the cisterns that correspond with each zone with the goal 1 inch of water saturation. Watering will occur between the hours of 12am to 5am for a period of 42 minutes in the months of July and August and 21 minutes in the months of May, June and September. In periods of substantial rain the amount of irrigation will be reduced. Zone 1 will be watered from cisterns a and b. Zone 2 will be watered from cistern c and and Zone 3 will be watered from cistern d. Each cistern will have a capacity of 2800 gallons and will be trickle fed from the well as necessary. Watering will be done of Tuesday and Fridays when there is the least demand on the water system from tenants and customers. Different size emitters will be used to adequately water different sized trees and shrubs.

Special Landscape areas

Trees retained including Arbutus and Douglas Fir as per the tree protection plan will be trimmed yearly to ensure sight lines and maintain safety from falling branches. Areas of bio retention shall be constantly monitored to ensure they are allowing the maximum infiltration. Pathways that link to the Village Trail will be constantly monitored and maintained to promote accessibility and aesthetics.





GABRIOLA ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GB-DP-2014.3 (AMENDMENT NO. 1 TO GB-DP-2012.3)

To: Intrascap Development Inc.
(Chris Hock & Lana Pearson)

1. This permit applies to:

Lot A, Section 20, Gabriola Island, Nanaimo District Plan 42582
PID: 001-867-253

2. This development permit varies and supplements Development Permit GB-DP-2012.3

Whereas the subject property lies within Development Permit Area 7 “DP-7 The Village Centre”, the Gabriola Island Official Community Plan Bylaw No. 166, 1997 is supplemented as follows:

1. Buildings & Structures

- a. “Building “B” of 8,050ft² total leasable area, shall be constructed substantially in accordance with the Schedule 1 “Site Plan”, Sheet A1 attached to and forming part of this Permit.

2. Landscaping

“Landscaped Areas” and “Green Space” shall be constructed substantially in accordance with the Site Plan, Sheet 2 attached to and forming part of this Permit.

a. *Vegetation Removal*

Post-development, trees and vegetation in the “Landscaped Areas” and “Green Space” may be removed if a qualified professional has deemed that there are safety or other concerns with retaining specific trees and vegetation. All trees and any vegetation removed shall be replaced in a timely manner with similar species and biomass as those existing and properly cared for throughout maturity. Plantings in addition to those shown in the “Landscaped Areas” and “Green Space” are permitted and encouraged, but are not mandatory. All landscaping shall be implemented, managed and maintained in accordance with Schedule 2, “Landscape and Management Plan” which is attached to and forms part of this Permit.

b. *Water Retention*

Landscaping shall facilitate water retention by using water collected from the roof for irrigation. This water will be stored in plastic cisterns that will be screened from view with cedar trellising as shown on Schedule 1, Sheet 3. Rainwater management and landscaping irrigation shall be managed and maintained in accordance with Schedule 3, “Rainwater Management Plan”.

3. *Lighting*

No lighting shall be directed outwards. Lighting shall use the lowest wattage possible to accommodate safety requirements. Lighting will be counter sunk into the soffit and will shine downward. Where additional lighting is required for safety purposes and where there are not soffits large enough to accommodate soffit lighting, canned lights will be used, only shining light up and down, and not outward. Low voltage landscape lighting will be provided at the entrance to the development for enhanced visibility and safety.

4. *Signage*

No new “Marquee” signage is proposed. Individual business signage shall be in accordance with the relevant conditions of the Land Use Bylaw.

5. *Pedestrian Walkways*

Pedestrian walkways shall be constructed substantially in accordance with the Site Plan attached to and forming part of the Permit.

6. *Off-Street Parking*

a. Vehicles

Off-street parking shall be constructed in accordance with the Site Plan attached to and forming part of this Permit.

b. Bicycles

Bicycle parking areas shall be provided in accordance with the Site Plan attached to a forming part of this Permit.

c. Electric Vehicle Charging Stations

Electric vehicle charging stations shall be constructed in accordance with the Site Plan attached to and forming part of this Permit. The following conditions apply to all electric vehicle charging stations:

- i. All electrical wiring to support the charging station must be provided underground;
- ii. The charging station must be located in an area designated on the site plan for off-street vehicular parking;
- iii. Structures associated with the charging station must be located in compliance with the siting requirements of the Gabriola Island Land Use Bylaw No. 177, 1999; and
- iv. Provincially-regulated and required signage shall be provided.

7. *Exterior Finishes*

Exterior finishing shall be provided substantially in accordance with the Elevations Plan, Sheet A4, of the Site Plan which is attached to and forms part of this Permit.

8. *Garbage / Recycling Facilities*

Garbage and recycling collection areas shall be located and constructed substantially in accordance with the Site Plan attached to and forming part of the Permit.

This permit does not relieve the applicant from complying with the provisions of the Gabriola Island Official Community Plan Bylaw No. 166, 1997 and the Gabriola Island Land Use Bylaw No. 177, 1999.

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS 13th DAY OF NOVEMBER, 2014.

Deputy Secretary, Islands Trust

Date Issued

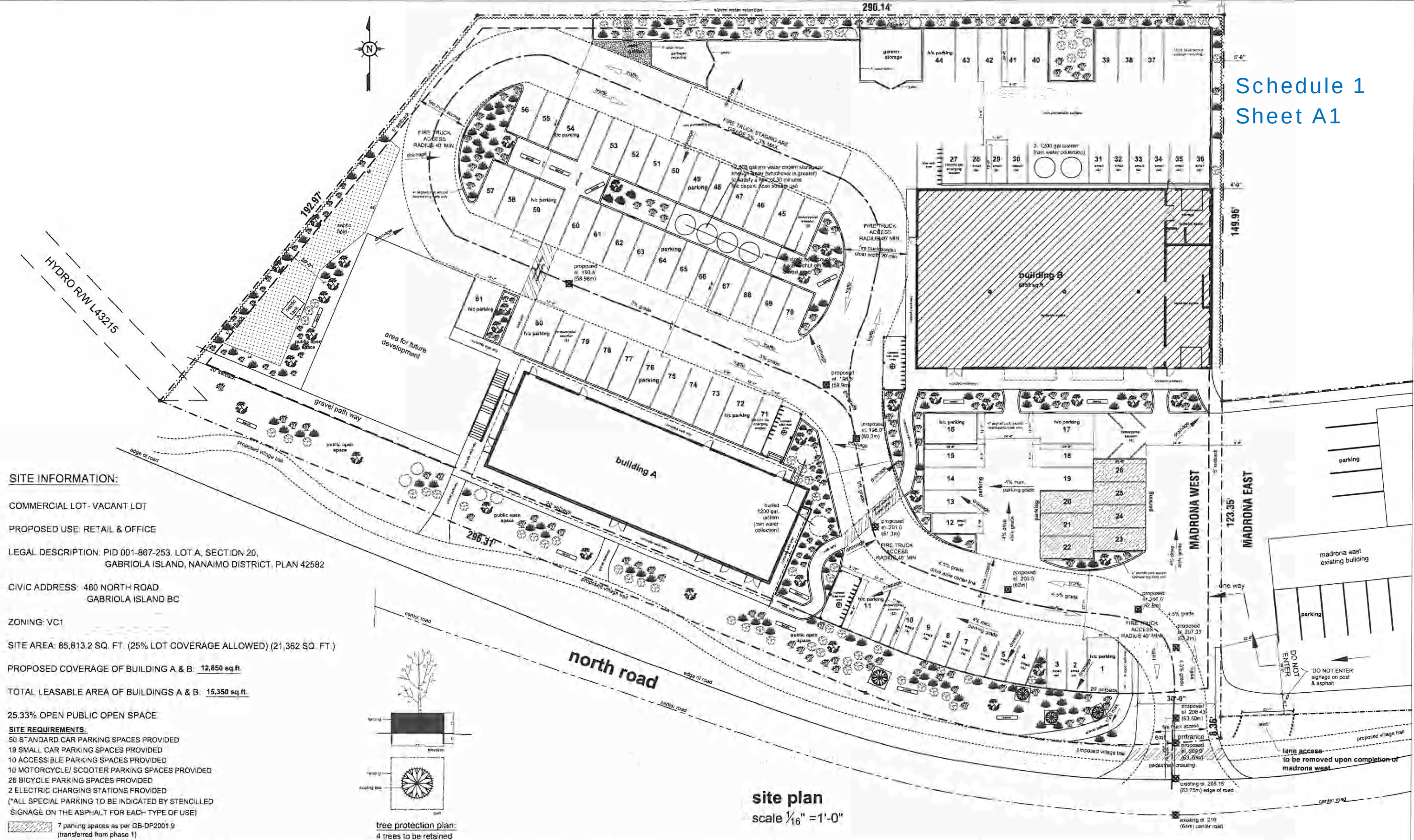
IF THE DEVELOPMENT HEREIN IS NOT SUBSTANTIALLY COMMENCED BY THE 13TH DAY OF NOVEMBER, 2016 THIS PERMIT AUTOMATICALLY LAPSES.



**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GB-DP-2014.3**

**Schedule 1
Site Plan**

Schedule 1
Sheet A1



SITE INFORMATION:

COMMERCIAL LOT- VACANT LOT

PROPOSED USE: RETAIL & OFFICE

LEGAL DESCRIPTION: PID 001-867-253, LOT A, SECTION 20,
GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582

CIVIC ADDRESS: 480 NORTH ROAD
GABRIOLA ISLAND BC

ZONING: VC1

SITE AREA: 85,813.2 SQ. FT. (25% LOT COVERAGE ALLOWED) (21,362 SQ. FT.)

PROPOSED COVERAGE OF BUILDING A & B: 12,850 sq.ft.

TOTAL LEASABLE AREA OF BUILDINGS A & B: 15,350 sq.ft.

25.33% OPEN PUBLIC OPEN SPACE

SITE REQUIREMENTS:

- 50 STANDARD CAR PARKING SPACES PROVIDED
- 19 SMALL CAR PARKING SPACES PROVIDED
- 10 ACCESSIBLE PARKING SPACES PROVIDED
- 10 MOTORCYCLE/ SCOOTER PARKING SPACES PROVIDED
- 26 BICYCLE PARKING SPACES PROVIDED
- 2 ELECTRIC CHARGING STATIONS PROVIDED
- (*ALL SPECIAL PARKING TO BE INDICATED BY STENCILLED SIGNAGE ON THE ASPHALT FOR EACH TYPE OF USE)

7 parking spaces as per GB-DP2001.9
(transferred from phase 1)

PROJECT: MADRONA MARKETPLACE WEST
480 NORTH ROAD,
GABRIOLA, V0R 1X0

DEVELOPER &
PROJECT MANAGER: INTRASCAPÉ DEVELOPMENTS
P.O. 270 GABRIOLA, V0R 1X0

DRAWING: SITE PLAN
BUILDINGS A,B & PARKING LAYOUT

GENERAL NOTES:
DISTANCES AND ELEVATIONS ARE IN FEET.
SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES

Architectural drawings for
building shell ONLY. Tenant
improvement not part of the
drawing set

tree protection plan:
4 trees to be retained

NO	DATE	REVISION

Architect: Vincent Iamelo, MAIBC
Architrave Architecture Design Build Ltd.
P.O. 341 Unit C
510 North Road,
Gabriola, B.C. V0R 1X2
Tel. (250) 616-5899

Structural Engineer: Robin Chapman P.Eng
Bayview Engineering
Tel. (250) 758-4390
2855 Halliday Crescent Nanaimo BC V9S 3N1

Land Surveyor: Brian Henning BCLS
Williamson and Associates Professional Surveyors
Tel. (250) 756-7723
3088 Barons Road Nanaimo BC V9T 4E5

Geotech: Chris Hudec, P.Eng
Lewkowich Engineering Associates Ltd.
Tel. (250) 756-0355
Nanaimo BC

Drafting: Zane E. Dmytruk
ZED VISUALS
Tel. (250) 716-0604

property line
setback line
property pins
building foot print
septic field
6" ht. wire fence
indicates water infiltration to landscaping

DATE: OCTOBER 15 2014

SCALE: 1/16" = 1'-0"

DRAWN: ZANE DMYTRUK

FILE: 88

SHEET: A1

colour key legend

- building A & B & future development
- mulch
- asphalt
- concrete walk way
- gravel path way
- grass
- accessible parking
- electric charging station
- motorcycle/ scooter
- bicycle parking
- open space requirements



Schedule 1 Sheet A2

HYDRO RW L43215

SITE INFORMATION:

COMMERCIAL LOT- VACANT LOT

PROPOSED USE: RETAIL & OFFICE

LEGAL DESCRIPTION: PID 001-867-253. LOT A, SECTION 20,
GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582

CIVIC ADDRESS: 480 NORTH ROAD
GABRIOLA ISLAND BC

ZONING: VC1

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PROPOSED COVERAGE OF BUILDING A & B: 12,850 sq. ft.

TOTAL LEASABLE AREA OF BUILDINGS A & B: 15,350 sq. ft.

25.3% OPEN PUBLIC OPEN SPACE

SITE REQUIREMENTS:

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- 19 SMALL CAR PARKING SPACES PROVIDED
- 10 ACCESSIBLE PARKING SPACES PROVIDED
- 10 MOTORCYCLE/ SCOOTER PARKING SPACES PROVIDED
- 26 BICYCLE PARKING SPACES PROVIDED
- 2 ELECTRIC CHARGING STATIONS PROVIDED

(*ALL SPECIAL PARKING TO BE INDICATED BY STENCILLED SIGNAGE ON THE ASPHALT FOR EACH TYPE OF USE)

7 parking spaces as per GB-DP2001.9
(transferred from phase 1)

landscape legend

- A Large cultivated trees (min. caliper 2-3 in.):
10- Bloodgood Japanese Maple, 10- Emperor Maple,
5- Blue Spruce, 5- Cryptomeria, 4- Little Gem Magnolia,
5- Teddy Bear Magnolia & 7- Okame Cherry (hl. to 20ft.)
- B Med. shrubs (2 gallon container @ planting 8ft. spacing):
approximately 100 - Ceonothus Piers & Sarcoecia
- C Small shrubs (1 gallon containers @ 2' spacing):
approximately 200 - Berberis & Cotoneaster
- D Small Perennial Beds (1 gallon containers @ 2' spacing):
approximately 200 - Heather (summer & fall flowering),
Lavender, Lithodora & Penstemon
- E Med. Grasses (20 2 gallon pots):
Blue Fescue, Red fountain Grass, Blue Oat Grass & New Zealand Flax
- F All planted beds to be top dressed with 'medium bark mulch'
- G All planting beds to be encased in 4" asphalt curb w/ inlets for water infiltration.
- H Existing trees
- I Indicates water infiltration to landscaping

site plan

scale 1/16" = 1'-0"

PROJECT: MADRONA MARKETPLACE WEST
480 NORTH ROAD,
GABRIOLA, V0R 1X0

DEVELOPER &
PROJECT MANAGER: INTRASCAPES DEVELOPMENTS
P.O. 270 GABRIOLA, V0R 1X0

DRAWING: LANDSCAPE PLAN

GENERAL NOTES:
DISTANCES AND ELEVATIONS ARE IN FEET.
SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES

Architectural drawings for
building shell ONLY. Tenant
improvement not part of the
drawing set.

NO	DATE	REVISION
1		

Architect: Vincent Iamio, MAIBC
Architrave Architecture Design Build Ltd.
P.O. 341 Unit C
510 North Road,
Gabriola, B.C. V0R 1X0
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Williamson and Associates Professional Surveyors
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3088 Barons Road Nanaimo BC V9T 4B5

Geotech: Chris Hudec, P.Eng
Lewkowich Engineering Associates Ltd.
Tel: (250) 756-0355
Nanaimo BC

Drafting: Zane E. Dmytruk
ZED VISUALS
Tel: (250) 716-0604

legend

- property line
- setback line
- property pins
- septic field
- 6' ht. wire fence

DATE: OCTOBER 15 2014

SCALE: 1/16" = 1'-0"

DRAWN: ZANE DMYTRUK

FILE: 89

SHEET: A2

colour key legend

- building A & B & future development
- mulch
- grass
- gravel

irrigation legend

Irrigation System: Orbitz Drip Irrigation
Source: cistern, rainwater collection

- zone 1- cistern A & B
 - 1" irrigation line
 - 3/4" irrigation line
- zone 2- cistern C
 - 1" irrigation line
 - 3/4" irrigation line
- zone 3- cistern D
 - 1" irrigation line
 - 3/4" irrigation line
- control box-pump (typ.)



SITE INFORMATION:

COMMERCIAL LOT- VACANT LOT

PROPOSED USE: RETAIL & OFFICE

LEGAL DESCRIPTION: PID 001-867-253. LOT A, SECTION 20,
GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582

CIVIC ADDRESS: 480 NORTH ROAD
GABRIOLA ISLAND BC

ZONING: VC1

SITE AREA: 85,813.2 SQ. FT. (25% LOT COVERAGE ALLOWED) (21,362 SQ. FT.)

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(transferred from phase 1)

GENERAL NOTES:
DISTANCES AND ELEVATIONS ARE IN FEET
SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES

Architectural drawings for
building shell ONLY. Tenant
improvement not part of the
drawing set.

NO.	DATE	REVISION
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		

Architect: Vincent Jamieson, MAIBC
Architrave Architecture Design Build Ltd.
P.O. 341 Unit C
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Gabriola, B.C. V0R 1X2
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Lewkowich Engineering Associates Ltd.
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Nanaimo BC

Drafting: Zane E. Dmytruk
ZED VISUALS
Tel. (250) 716-0604

legend

- property line
- property pins
- septic field
- 6' ht. wire fence

DATE: OCTOBER 15 2014

SCALE: 1/16" = 1'-0"

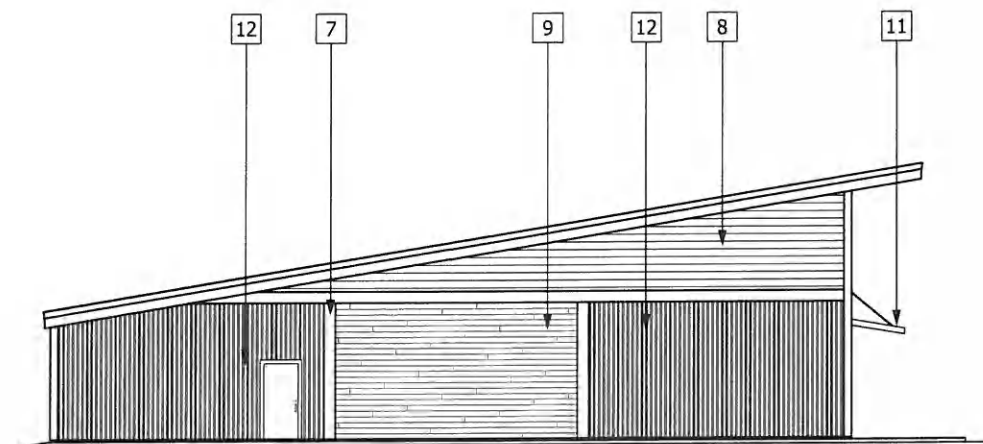
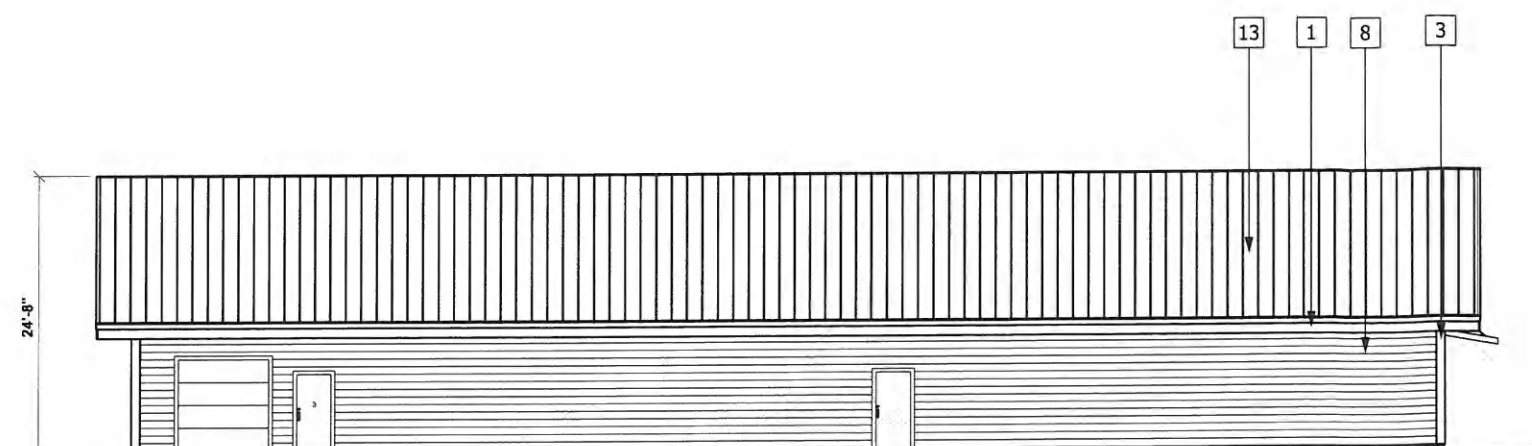
DRAWN: ZANE DMYTRUK

FILE

SHEET A3

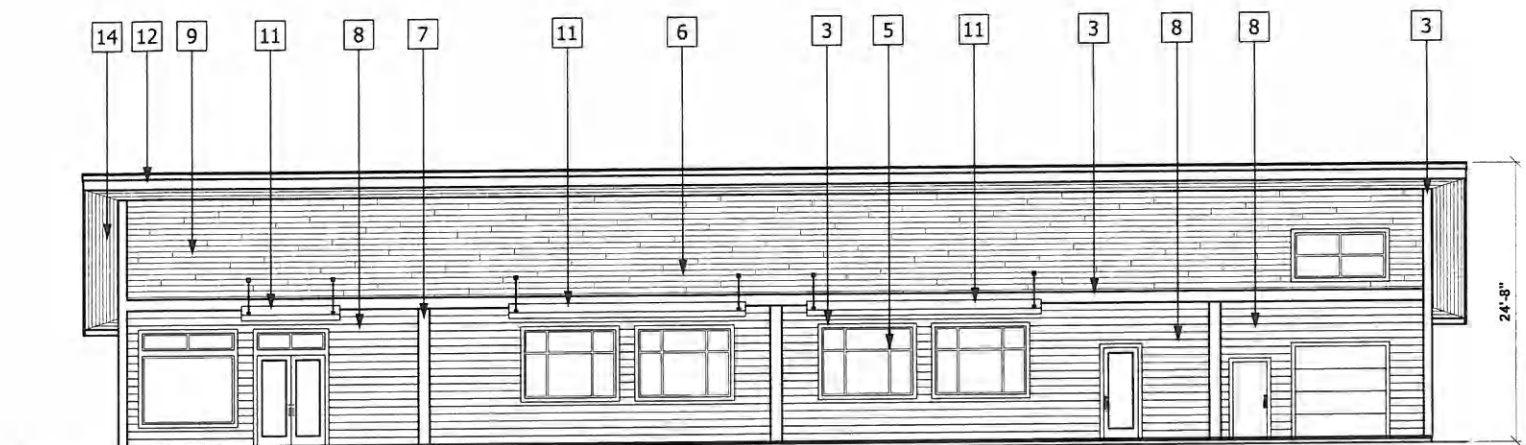
Diagram of a building elevation showing a gabled roof and a window. Callouts 1, 3, and 8 point to the roofline, the wall, and the window respectively.

Diagram of a building elevation showing a gabled roof and a window. Callouts 1, 3, and 8 point to the roofline, the wall, and the window respectively.

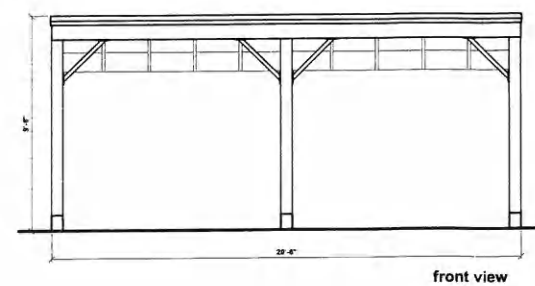
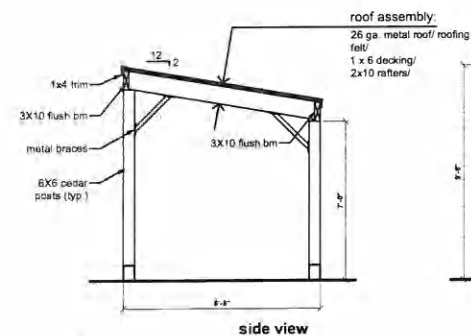


A technical line drawing of a building facade with a gabled roof. The drawing includes several numbered callouts with arrows pointing to specific features:

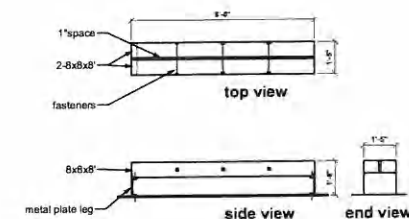
- 12: Points to the roofline on the left side.
- 7: Points to the roofline in the middle section.
- 9: Points to the horizontal siding on the main wall.
- 12: Points to the vertical siding on the right side.
- 8: Points to the roofline on the right side.
- 11: Points to the eave or overhang on the right side.



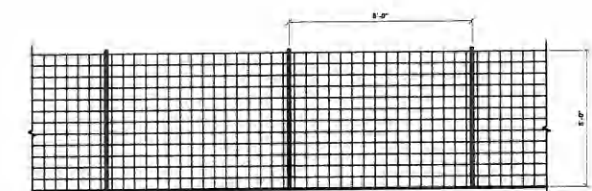
- 1 FASCIA - 1X12 CEDAR
- 2 FASCIA - SAGE GREEN
- 3 CEDAR TRIM
- 4 WINDOW TRIM - SIKKENS CEDAR (WINDOW BLACK)
- 5 WINDOW TRIM - CHARCOAL BLACK (WINDOW VINYL)
- 6 BELLY BOARD - 1X12
- 7 VERTICLE BOARD - 1X12
- 8 LAP CEDAR SIDING - COMBED BACK
- 9 LAP CEDAR SIDING - BARN RED CEDAR
- 10 SHINGLES - CEDAR COLOUR SIKKENS
- 11 CEDAR AWNING W/ METAL ROOFING
- 12 CORRUGATED METAL SIDING - GALVANIZED
- 13 STANDING SEAM METAL ROOFING - CHARCOAL GREY
- 14 NATURAL CEDAR SOFFIT
- 15 EXPOSED AGGREGATE WALKWAY
- 16 ALUMINUM ROLL UP GARAGE DOORS



front view



The technical drawing illustrates the construction of a wooden bench. It includes three views: a top view, a side view, and an end view. The top view shows a rectangular bench with a length of 1'-0" and a width of 1'-3". It features a central section labeled "1"space" and two side sections labeled "2-8x8's". Fasteners are indicated along the edges. The side view shows the bench's profile with a height of 1'-0" and a width of 8x8's. A metal plate leg is shown at the base. The end view shows the bench's cross-section with a width of 1'-0".



Technical drawing of a fence section. The drawing shows a grid pattern representing the fence mesh. The height of the fence is indicated as 1.2m on the right side. The width of the section is indicated as 8.0m at the top. The grid is composed of vertical and horizontal lines forming a series of squares.

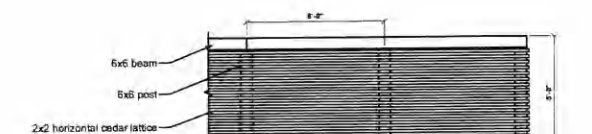
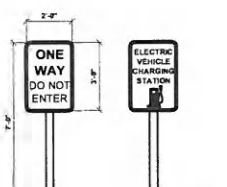


Diagram illustrating the experimental setup. The structure consists of a 6x6 beam, a 6x6 post, and 2x2 horizontal cedar lattice. The dimensions are 8' 0" by 6' 0".



PROJECT: MADRONA MARKETPLACE WEST
CLIENT: INTRASCAPE DEVELOPMENTS
480 NORTH ROAD
BOX 270 GABRIOLA B.C. V0R 1X0
DRAWING: ELEVATIONS & FINISHING MATERIALS
BUILDING B

GENERAL NOTES

[illegible]

Structural Engineer- Robin Chapman P.Eng
Bayview Engineering
 Tel. (250) 758-4390
 2865 Halliday Cresnet Nanaimo BC V9S 3N1

Land Surveyor- Brian Henning BCLS
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 Tel. (250) 756-7723
 3088 Barons Road Nanaimo BC V9T 4B5

Drafting - Zane E. Dmytruk
ZED VISUALS
Tel. (250) 716-0604

DATE	OCTOBER 15, 2014
SCALE	as shown
DRAWN	ZANE DMYTRUK
FILE	
SHEET	A4



**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GB-DP-2014.3**

Schedule 2

Landscape and Management Plan

Madrona 2 Landscape Maintenance Plan

Landscape approach for this site

The landscape plan for Madrona West will comply with the goals of the climate change initiative on this mixed use(service, retail, office) development. The landscape plan is designed to:

Enhance the outdoor environment for the public, tenants, patrons and employees. All landscaping will compliment the building design and include the use of public outdoor space through the use of pathways, benches and small grass knolls for play.

Safety will be considered at all times making sure sight lines are kept clear and pathways do not succumb to heaving causing uneven surfaces. The safety of the environment will be protected by not using harmful fertilizers or pesticides on plants or chemicals used for clearing icy patches.

Landscape Management Schedule

January: clear fallen branches as required, Prune large cultivars to encourage upward growth.

February: apply organic granular fertilizer around trees and shrubs late in the month. Ensure plants in rain gardens and directly around areas of water infiltration are not fertilized. Add new mulch to garden beds if the mulch has been reduced to less than two inches. If groundcover completely covers the soil surface it will not be necessary to mulch

March: Mow grassy knolls twice per month. Check irrigation system for proper operation. Flush out irrigation system. Clear irrigation filters. Replace clogged drip emitters. Replace batteries in timers and irrigation controls.

April: Mow grass knolls weekly. Fertilize all trees and landscape beds except where there are rain gardens or areas of bio retention. Once plantings have reached their desired size, fertilization may be eliminated except for plants that produce a flower for aesthetic reasons.

May: Mow grass knolls weekly. Begin to run irrigation system. Inspect for adequate coverage. Set timer to run at reduced rate for the months of May, June Sept and Oct and to be increased for July and August. Check for adequate level of mulch in all areas, if less than two inches replace. Ensure rain gardens are free and clear of refuse. Ensure rain gardens are free and clear of refuse.

June: Prune perennials back where flowers have wilted. Prune spring and winter flowering shrubs as needed for shape and site lines. Mow grass knolls weekly. Ensure rain gardens are free and clear of refuse.

July: Mow grass knolls weekly. Prune ground covers to maintain plant bed sizes. Ensure irrigation system is adequate covering planting for the increased temps. Ensure rain gardens are free and clear of refuse.

August: Mow grass knolls weekly. Prune perennials once flowers have finished and to maintain size and shape of trees and shrubs for aesthetics and sight lines. Mulch as necessary to maintain two inch top dressing. Ensure rain gardens are free and clear of refuse.

September: Mow grass knolls weekly. Ensure rain gardens are free and clear of refuse. Fertilize all trees, plants and shrubs at the end of September with organic, granular fertilizer. Ensure plants in raingardens and areas of bio retention are not fertilized. Check all plants and replace any that have died. Prune perennial plants back after flowering. Ensure all plantings have adequate mulch.

October: Mow grass knolls twice per month. Fertilize grass knolls with granular lime to ensure moss does not start to grow. Ensure all plantings have adequate mulch. Ensure rain gardens are free and clear of refuse. Turn off irrigation system for winter season. Blow out pipes with compressed air. Drain irrigation lines. Add mulch as necessary to maintain two inch minimum.

November: Mow grass knolls as needed. Prune branches as necessary to ensure sight lines and aesthetics. Ensure pathways are kept free and clear of storm debris.

December: : Mow grass knolls as needed. Prune branches as necessary to ensure sight lines and aesthetics. Ensure pathways are kept free and clear of storm debris.

Landscape Management Areas

Grounds maintenance and clean up:

Remove biodegradable debris to yard waste recycling facility such as grass clippings, tree and shrub trimmings and dead plant material. All other non biodegradable debris to be bagged and taken to landfill.

Weekly cleanup of all trash found on property such as paper, cans and bottles.

Patios and pathways swept/raked weekly. Gravel areas around benches to be cleaned of debris weekly.

Leaves to be blown weekly Sept to Feb and mulched as necessary. Areas with rock to be checked for build up of leaves and needles.

Trees: Trees shall be maintained to ensure the utmost health maintaining a healthy growing condition and free of disease. Trees shall be pruned using the best pruning standards possible. All sucker growth shall be removed. All branches that affect sight lines shall be removed. The base of the tree shall be kept tidy in appearance.

Shrubs: Shrubs shall be maintained to ensure the utmost health maintaining a healthy growing condition and free of disease. Shrubs shall be pruned using the best pruning standards possible. Shrubs shall be pruned disease removal and to keep them tidy in appearance.

Groundcovers: Groundcovers be maintained to ensure the utmost health maintaining a healthy growing condition and free of disease. Groundcovers shall be trimmed from infringing on pathways, curbs and paved areas on a monthly basis.

Fertilizers: Plants in rain gardens and any area of bioretention will not be fertilized. In areas where fertilizer is used only organic granular fertilizer will be used. A slow release variety will be used to ensure over fertilization does not occur. A 5-5-5 fertilizer formulation will be used.

Mulch layer: A mulch layer will be maintained to help control weeds, reduce water use and help maintain healthy plants. A 2 inch base layer of mulch will be maintained and reapplied as necessary. Mulch shall be uniform in color and appearance and free of trash and debris.

Grass areas: Shall be maintained between 2 to 2.5 inches high. Mulch mowing will be used so that grass cycling can occur. Aerator will be used yearly to ensure compaction on grassy knolls does not occur. If areas of grass become worn, reseeding will be employed. Top dressing of a compost and sand mixture will be done after reseeding to ensure grass propagates.

Pest Management

Weeds in planted areas and in pathways will be removed weekly as they emerge. Maintaining the mulch layer will help minimize weed growth. Any branches or plants affected by disease will be removed and discarded so as not to affect other plants.

Irrigation

Continually monitor moisture levels around all plantings to ensure the right level of watering is occurring. Check irrigation weekly and repair immediately if problems occur. Ensure the irrigation system is not causing run off onto sidewalks, pavement and pathways. Ensure regular checks on the cisterns to ensure maximum level of roof water retention is occurring. If not gutters may need addressing. Report to management as necessary. Ensure irrigation system is winterized annually to prevent lines from freezing.

Watering schedule:

Each zone will be watered 2 times per week from the cisterns that correspond with each zone with the goal 1 inch of water saturation. Watering will occur between the hours of 12am to 5am for a period of 42 minutes in the months of July and August and 21 minutes in the months of May, June and September. In periods of substantial rain the amount of irrigation will be reduced. Zone 1 will be watered from cisterns a and b. Zone 2 will be watered from cistern c and and Zone 3 will be watered from cistern d. Each cistern will have a capacity of 2800 gallons and will be trickle fed from the well as necessary. Watering will be done of Tuesday and Fridays when there is the least demand on the water system from tenants and customers. Different size emitters will be used to adequately water different sized trees and shrubs.

Special Landscape areas

Trees retained including Arbutus and Douglas Fir as per the tree protection plan will be trimmed yearly to ensure sight lines and maintain safety from falling branches. Areas of bio retention shall be constantly monitored to ensure they are allowing the maximum infiltration. Pathways that link to the Village Trail will be constantly monitored and maintained to promote accessibility and aesthetics.



**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GB-DP-2014.3**

Schedule 3

Storm Water Management Plan



ANDERSON CIVIL
Consultants Inc.

Schedule 3

Intrascaple Developments Inc
480 North Road, Box 270
Gabriola Island, BC
V0R 1X0

File: 2258
04 November 2014

Attention: Chris Hock

Dear Chris,

**Re: Madrona Marketplace West, 480 North Road, Gabriola
Lot A, Section 20, Gabriola Island, Nanaimo District, Plan 42582
Rainwater Management Plan**

Background

This letter is provided in support of a Development Permit application to the Islands Trust, Gabriola. The proposed development is shown on the current suite of development drawings.

Intrascaple Developments Inc previously developed the Madrona East project, located on North Road immediately east of the current project. That site was developed in accordance with Islands Trust requirements and under the bylaws current at that time.

The first phase (Building A) of Madrona West is currently under construction following a Development Permit (GB-DP2001.9) issued by the Islands Trust and a Building Permit issued by the Regional District. Rainwater planning was incorporated into the designs for site servicing of Building A. The Islands Trust requires amendment to the original DP in order to accommodate construction of proposed Building B on the site.

After a prolonged consultation period, the Islands Trust has prepared bylaws to revise the development guidelines; Bylaw 273 was given approval by the Trust on 29th July 2014 and is currently in Victoria waiting for Ministerial approval. Although the bylaws are not yet enacted, the Islands Trust wishes that the revised DP incorporate the requirements of these revisions.

Objectives

We have reviewed the existing planning Bylaw 177 and the proposed revision Bylaw 273. These outline the goals for rainwater management on the site, including integrated management plans prepared by a qualified professional to:

- Manage runoff
- Reduce impervious surfaces
- Promote infiltration
- Capture and treat runoff
- Incorporate current best management practices

We were not involved in the consultation by the Trust leading up to the proposed bylaws, nor do we know which resource materials were used in their development. Similar bylaws for Salt Spring Island have a stated goal to maximise the amount of precipitation that percolates into the ground, minimise the direct overland runoff, and minimise the impact on the quality and quantity of groundwater. We interpret the goals for Gabriola to be similar.

Resources and references

A fundamental reference for modern rainwater management is *Stormwater Planning – A Guidebook for British Columbia 2002*. This encapsulates the research and experience in the Pacific Northwest and the recommendations for effective changes in planning and execution.

The proposed Bylaw 273 includes the goal of capturing “90% of the average annual rainfall”. The source for this target is not cited, but we have assumed it is as discussed in Chapter 6.2 of *Guidebook for British Columbia*. The concept of Mean Annual Rainfall (MAR) is discussed, and Tier A events are identified as those which include 90% of the MAR.

Extensive work has been undertaken by the Greater Vancouver Regional District (Metro Vancouver). It takes the analysis of rainwater management further than any other jurisdiction in BC. Their most current and comprehensive publication is *Stormwater Source Control Design Guidelines 2012*. This guide includes recommendations and guidelines for source controls. It also includes an evaluation of the recommendations in the *Guidebook for British Columbia* and in the DFO Guidelines. The conclusion is that designing for 72% of the 2-year 24-hour storm will meet the other guidelines.

We visited the site on 6th October 2014 to review the existing conditions. We also reviewed the adjacent properties to the east and immediately adjacent downstream to the north. Excavations for Building A were complete and we were able to review the underlying materials on the site.

Specific Proposals

The bulk of the existing site drains northwards to an existing watercourse located approximately 25 m west of the east property line. This watercourse is well vegetated and shows some signs of intermittent but not of sustained flow. The watercourse is located in a natural hollow in the ground and leads in a northwest direction. All rainwater management on the site is intended to emulate existing runoff patterns and not impose any additional load on this watercourse.

Runoff from the western area of the site currently flows with no defined path or channel. This condition will be maintained.

The areas of the site can be assigned to three categories: buildings and adjacent sidewalks; paved surfaces; and landscape areas with infiltration potential.

The rainwater leaders from the buildings are lead to storage tanks. Tanks C and D are underground and adjacent to Building A; tanks A and B are above ground adjacent to Building B. The water captured in these tanks will be used for irrigation of landscape areas as shown on the attached drawings. During the winter and early spring season the tanks will be used for initial capture of roof rain, then discharged slowly over time into the adjacent landscape

areas. This will allow infiltration between rainstorms and maximise recharge of groundwater. By early spring, the discharge will be stopped and the water retained for later irrigation.

The runoff from North Road, the village trail and hard surfaces south of Building A will drain directly to the landscape areas. The ratio of impervious to pervious is low and total infiltration in all but the largest storms is expected.

The bulk of the runoff from the site is generated by the open paved parking areas; some additional runoff is contributed from adjacent hard surfaced walkways. Alternatives available to manage the paved area runoff include:

- Absorbent landscaping: this has limited capacity and requires a large ratio to paved areas. It is not suitable for this site
- Infiltration Swale System: this requires a longitudinal grade parallel to the swales; it is usually included in subdivision roadside layouts. It is not applicable to this site.
- Infiltration Trench and Soakaway Manhole: this is more suitable to a site with extensive piped storm drainage system, and where landscape alternative are not suitable. It will not be applied to this site.
- Pervious Paving: this has a low infiltration capacity and is not suitable as a primary management technique. On this site it will be applied to paths and seating areas to reduce their impact on the runoff.
- Infiltration Rain Garden: this system has a high capacity to detain runoff and infiltrate over time. It is well suited to the layout of this site and will be used as the principal mitigation measure.

Following is a summary of the key elements in the calculations for the rainwater management. More detail of these calculations can be provided if required. Reference materials are also attached.

- Nanaimo A (Airport) 2-year 24-hour rainfall event 62 mm
- Departure Bay (Biological Station) 2-year 24-hour rainfall event 48 mm
- Parksville 2-year 24-hour rainfall event 48 mm
- Saturna Island 2-year 24-hour rainfall event 43 mm
 - 48 mm rainfall selected for Gabriola to reflect lower offshore precipitation
 - 72% of this event is 35 mm
- Four principal paved areas were identified (refer to drawing), with associated runoff volume to be stored and infiltrated:
 - Area A 1,420 m² Runoff volume 50 m³
 - Area B 1,220 m² Runoff volume 43 m³
 - Area C 820 m² Runoff volume 29 m³
 - Area D 910 m² Runoff volume 32 m³
- Each runoff area is directed to a separate rain garden area, or combination of areas.

The basic design of each rain garden cross-section is similar and details are shown on the attached drawing 2258-1-1. The landscape surface is depressed below the adjacent paving in

order that it can detain a volume of water for infiltration. The growing zone includes a minimum of 450 mm of growing medium. Below that is a drain rock zone to maintain drainage of the growing medium and provide longer term detention of final infiltration to the ground. A piped system is incorporated on top of the drain rock to allow for overflow of rainwater from higher volume events.

Paths across landscape areas should be built with paving slabs or permeable pavers.

At the seating areas in the landscape zones, permeable pavers or paving slabs should be used and the drain rock infiltration continued below (refer to detail on drawings). The storage tanks for fire protection should be on drain rock or localised concrete footings over the infiltration below. Details at the edge of the building perimeter walkways are shown on the drawings.

Where parking meets the landscaping, there should be no curb. At-grade concrete grade edges may be used if required for other reasons. Concrete wheel stops should be used to keep vehicles off the landscape areas. Where traffic movements are adjacent to the landscape, asphalt or concrete curbing may be used; if this extends for more than a few metres, breaks should be provided in the rain gardens.

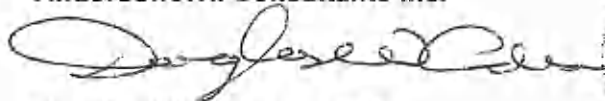
Although extensive detail is included to deal with capture and infiltration of design rainfall, any overflow from larger storms will be conveyed overland and directed to the exiting watercourse at the north edge of the site. The path to leave the site is at the local landscape area north of Building B; the location of this landscape is placed to match the existing watercourse.

Conclusions

Based on our site visit, and with implementation of our recommendations, it is our opinion that the existing drainage and proposed works will maximise the amount of precipitation that percolates into the ground, will minimise the direct overland runoff, and will minimise the impact on the quality and quantity of groundwater. The continuity of the existing surface drainage systems will be maintained and will not contribute to scouring and erosion.

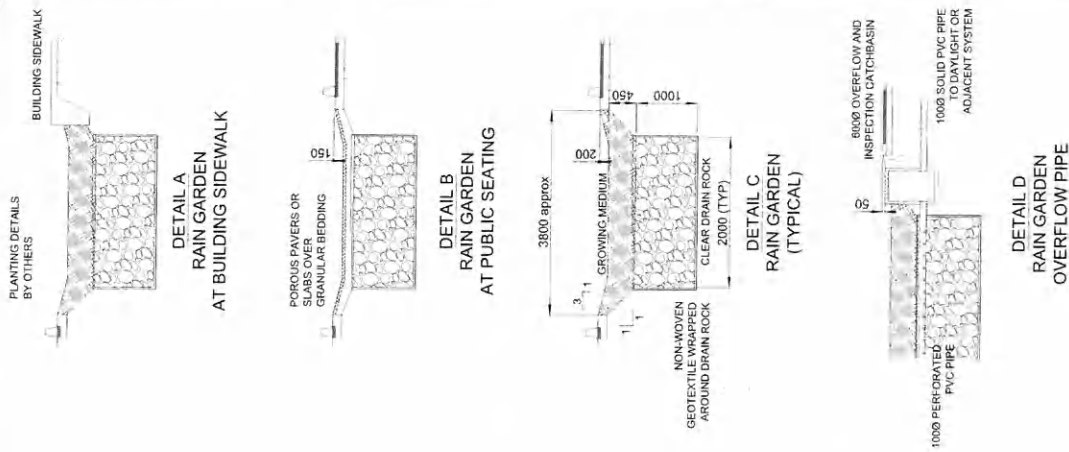
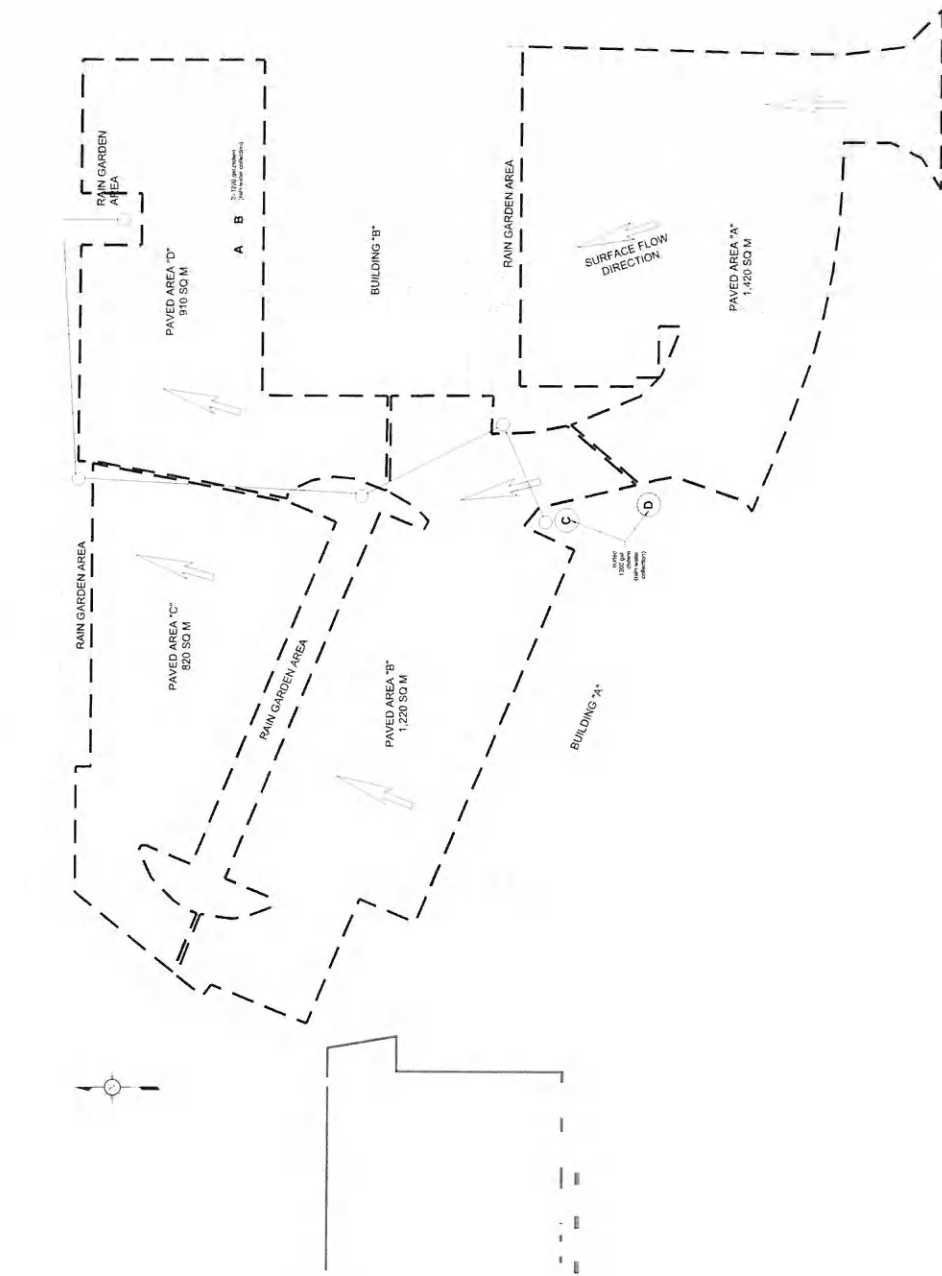
To the best of our knowledge, the rainwater management system on the proposed development will comply with applicable paragraph Section F3.7.8 of the Gabriola Island Land Use Bylaw 177 amended by 273.

Yours truly,
AndersonCivil Consultants Inc.



Douglas W. Anderson, P.Eng





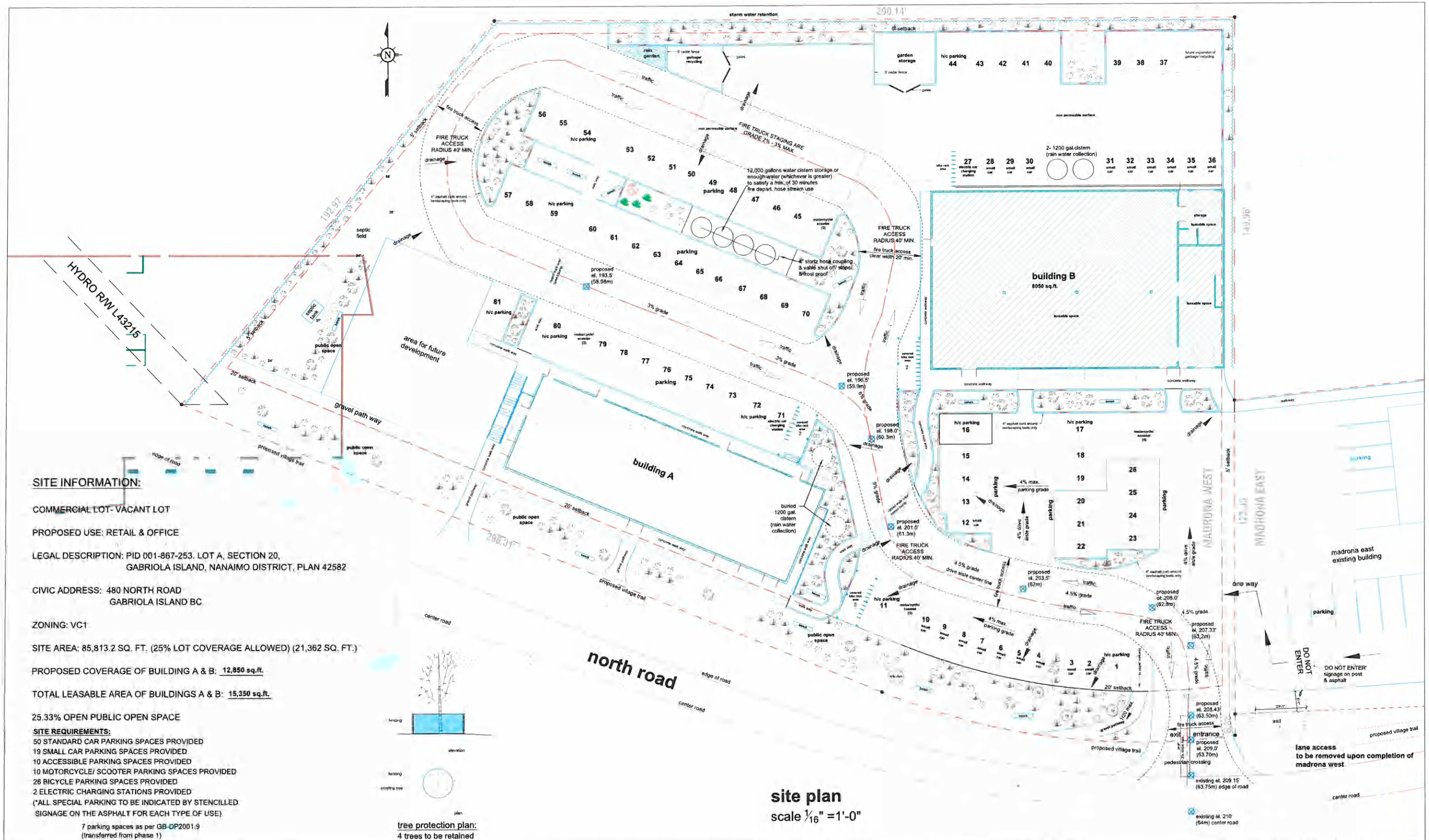
DESIGN: DWA		DRAWN: DWA		APPROVED: DWA		DATE: 4 NOV 2014		BENCHMARK: Ver		REVISION DESCRIPTION		DATE		BY		NO.	
WATERMAN		WATER VALVE		WATER VALVE		WATER VALVE		WATER VALVE		WATER VALVE		WATER VALVE		WATER VALVE		WATER VALVE	
SANITARY SEWER		HYDRANT		HYDRANT		HYDRANT		HYDRANT		HYDRANT		HYDRANT		HYDRANT		HYDRANT	
STORM DRAIN		CATCHER		CATCHER		CATCHER		CATCHER		CATCHER		CATCHER		CATCHER		CATCHER	
CURB AND GUTTER		WATER METER		WATER METER		WATER METER		WATER METER		WATER METER		WATER METER		WATER METER		WATER METER	
EDGE OF PAVEMENT		AIR VALVE		AIR VALVE		AIR VALVE		AIR VALVE		AIR VALVE		AIR VALVE		AIR VALVE		AIR VALVE	
		CLEANOUT		CLEANOUT		CLEANOUT		CLEANOUT		CLEANOUT		CLEANOUT		CLEANOUT		CLEANOUT	
		DITCH		DITCH		DITCH		DITCH		DITCH		DITCH		DITCH		DITCH	
		CATCH BASIN		CATCH BASIN		CATCH BASIN		CATCH BASIN		CATCH BASIN		CATCH BASIN		CATCH BASIN		CATCH BASIN	
		MANHOLE		MANHOLE		MANHOLE		MANHOLE		MANHOLE		MANHOLE		MANHOLE		MANHOLE	
		SLOPE		SLOPE		SLOPE		SLOPE		SLOPE		SLOPE		SLOPE		SLOPE	
		ANCHOR		ANCHOR		ANCHOR		ANCHOR		ANCHOR		ANCHOR		ANCHOR		ANCHOR	
		UTILITY POLE		UTILITY POLE		UTILITY POLE		UTILITY POLE		UTILITY POLE		UTILITY POLE		UTILITY POLE		UTILITY POLE	
		FENCE		FENCE		FENCE		FENCE		FENCE		FENCE		FENCE		FENCE	

CLIENT: INTRASCAPES DEVELOPMENTS INC.
 PROJECT: MADRONA MARKETPLACE WEST
 480 NORTH ROAD, GABRIOLA
 STORMWATER MANAGEMENT PLAN
 DETAILS

SHEET No. 1
 DRAWING No. 2258-1-1
 REV.

200-325 Hayes Street, Vancouver, B.C. V6E 2T2
 (604) 681-1111 www.intrascapes.com

DESTROY ALL DRAWINGS BEARING LETTER PRECEDING THIS



SITE INFORMATION:

COMMERCIAL LOT- VACANT LOT

PROPOSED USE: RETAIL & OFFICE

LEGAL DESCRIPTION: PID 001-867-253. LOT A, SECTION 20,
GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582

CIVIC ADDRESS: 480 NORTH ROAD
GABRIOLA ISLAND BC

ZONING: VC1

SITE AREA: 85,813.2 SQ. FT. (25% LOT COVERAGE ALLOWED) (21,362 SQ. FT.)

PROPOSED COVERAGE OF BUILDING A & B: 12,850 sq.ft.

TOTAL LEASABLE AREA OF BUILDINGS A & B: 15,350 sq.ft.

25.33% OPEN PUBLIC OPEN SPACE

SITE REQUIREMENTS:

- 50 STANDARD CAR PARKING SPACES PROVIDED
- 19 SMALL CAR PARKING SPACES PROVIDED
- 10 ACCESSIBLE PARKING SPACES PROVIDED
- 10 MOTORCYCLE/ SCOOTER PARKING SPACES PROVIDED
- 26 BICYCLE PARKING SPACES PROVIDED
- 2 ELECTRIC CHARGING STATIONS PROVIDED
- (ALL SPECIAL PARKING TO BE INDICATED BY STENCILLED SIGNAGE ON THE ASPHALT FOR EACH TYPE OF USE)

7 parking spaces as per GB-OP2001.9
(transferred from phase 1)

GENERAL NOTES:
DISTANCES AND ELEVATIONS ARE IN FEET.
SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES

Architectural drawings for
building shell ONLY. Tenant
improvement not part of the
drawing set.

tree protection plan:
4 trees to be retained

NO.	DATE	REVISION
1		

Architect: Vincent Iameo, MAIBC
Architrave Architecture Design Build Ltd.
P.O. 341 Unit C
510 North Road,
Gabriola, B.C. V0R 1X2
Tel. (250) 616-5899

Structural Engineer: Robin Chapman P.Eng
Bayview Engineering
Tel. (250) 758-4390
2865 Halliday Crescent Nanaimo BC V9S 3N1

Land Surveyor: Brian Henning BCLS
Williamson and Associates Professional Surveyors
Tel. (250) 756-7723
3088 Barons Road Nanaimo BC V9T 4B5

Geotech: Chris Hudac, P.Eng
Lewkowich Engineering Associates Ltd.
Tel. (250) 756-0355
Nanaimo BC

Drafting: Zane E. Dmytruk
ZED VISUALS
Tel. (250) 716-0604

property line
setback line
property pins
building foot print
septic field
6' ht. wire fence
Indicates water infiltration to landscaping

DATE: OCTOBER 15 2014
SCALE: 1/16" = 1'-0"
DRAWN: ZANE DMYTRUK
FILE:
SHEET: A1

colour key legend

- building A & B & future development
- mulch
- asphalt
- concrete walk way
- gravel path way
- grass
- accessible parking
- electric charging station
- motorcycle/ scooter
- bicycle parking
- open space requirements



SITE INFORMATION:

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PROPOSED USE: RETAIL & OFFICE

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GABRIOLA ISLAND BC

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TOTAL LEASABLE AREA OF BUILDINGS A & B: 15,350 sq. ft.

15.6% OPEN PUBLIC OPEN SPACE

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- (ALL SPECIAL PARKING TO BE INDICATED BY STENCILLED SIGNAGE ON THE ASPHALT FOR EACH TYPE OF USE)

7 parking spaces as per GB-DP2001.9
(transferred from phase 1)

landscape legend

- A Large cultivated trees (min. caliper 2-3 in.):
10-Bluegood Japanese Maple, 10-Emperor I Maple,
5-Blue Spruce, 5-Cryptomeria, 5-Little Gem Magnolia,
5-Teddy Bear Magnolia & 7-Okame Cherry (ht. to 20ft.)
- B Med. shrubs: (2 gallon container @ planting 6ft. spacing):
approximately 100 - Geonothus Pteris & Sarcococca
- C Small shrubs (1 gallon containers @ 2' spacing):
approximately 200 - Berberis & Cotoneaster
- D Small Perennial Beds (1 gallon containers @ 2' spacing):
approximately 200 - Heather (summer & fall flowering),
Lavender, Lithodora & Pereskova
- E Med. Grasses (20 2 gallon pots):
Blue Fescue, Red fountain Grass, Blue Oat Grass & New Zealand Flax
- F All planted beds to be top dressed with 'medium bark mulch'
- G All planting beds to be encased in 4" asphalt curb w/ inlets for water infiltration.
- H Existing trees
- I Indicates water infiltration to landscaping

site plan

scale 1/16" = 1'-0"

PROJECT: MADRONA MARKETPLACE WEST
480 NORTH ROAD,
GABRIOLA, V0R 1X0

DEVELOPER & PROJECT MANAGER: INTRASCAP DEVELOPMENTS
P.O. 270 GABRIOLA, V0R 1X0

DRAWING: LANDSCAPE PLAN

GENERAL NOTES:
DISTANCES AND ELEVATIONS ARE IN FEET.
SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES

Architectural drawings for
building shell ONLY. Tenant
improvement not part of the
drawing set.

NO.	DATE	REVISION
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3088 Barons Road Nanaimo BC V9T 4B5

Geotech: Chris Hudec, P.Eng
Lowkovich Engineering Associates Ltd.
Tel. (250) 756-0355
Nanaimo BC

Drafting: Zane E. Dmytruk
ZED VISUALS
Tel. (250) 716-0604

Legend

- property line
- property pins
- septic field
- 6' ht. wire fence

DATE: OCTOBER 15 2014

SCALE: 1/16" = 1'-0"

DRAWN: ZANE DMYTRUK

FILE:

SHEET: A2



SITE INFORMATION:

COMMERCIAL LOT- VACANT LOT

PROPOSED USE: RETAIL & OFFICE

LEGAL DESCRIPTION: PID 001-867-253. LOT A, SECTION 20,
GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 42582

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GABRIOLA ISLAND BC

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Blue Fescue, Red fountain Grass, Blue Oat Grass & New Zealand Flax
- F All planted beds to be top dressed with 'medium bark mulch'
- G All planting beds to be encased in 4" asphalt curb w/ inlets for water infiltration.
- H Existing trees
- I Indicates water infiltration to landscaping

site plan

scale 1/16" = 1'-0"

PROJECT:	MADRONA MARKETPLACE WEST 480 NORTH ROAD, GABRIOLA, V0R 1X0	GENERAL NOTES:	DISTANCES AND ELEVATIONS ARE IN FEET. SURVEY PROVIDED BY WILLIAMSON & ASSOCIATES	NO.	DATE	REVISION	Architect: Vincent Iameo, MAIBC Architrave Architecture Design Build Ltd. P.O. 341 Unit C 510 North Road, Gabriola, B.C. V0R 1X2 Tel. (250) 616-5899	Structural Engineer: Robin Chapman P.Eng Bayview Engineering Tel. (250) 758-4390 2865 Halliday Crescent Nanaimo BC V9S 3N1	Geotech: Chris Hudec, P.Eng Lewkowich Engineering Associates Ltd. Tel. (250) 756-0355 Nanaimo BC	DATE: OCTOBER 15 2014
DEVELOPER & PROJECT MANAGER:	INTRASCAPÉ DEVELOPMENTS P.O. 270 GABRIOLA, V0R 1X0	Architectural drawings for building shell ONLY. Tenant improvement not part of the drawing set.						Land Surveyor: Brian Henning BCLS Williamson and Associates Professional Surveyors Tel. (250) 756-7723 3088 Barons Road Nanaimo BC V9T 4B5	Drafting: Zane E. Dmytruk ZED VISUALS Tel. (250) 716-0604	SCALE: 1/16" = 1'-0"
DRAWING:	IRRIGATION PLAN									DRAWN: ZANE DMYTRUK
										FILE:
										SHEET: A3

STAFF REPORT

Date: October 27, 2014

File No.: 5590-20-01
(Gabriola Radio Society)

To: Gabriola Island Local Trust Committee
For the meeting of November 13, 2014

From: Aleksandra Brzozowski
Island Planner

CC: Courtney Simpson
Regional Planning Manager

Re: Gabriola Radio Society Radio Tower 2014 Proposal – Initial Report

Owners: David & Keni Lorette

Applicant: Gabriola Radio Society (CKGI 98.7 FM)

Locations: The Southwest ¼ of Section 9, Gabriola Island, Nanaimo District, Except that Part in Plans 34295, VIP69975 and VIP71690
PID: 009-796-193 (1400 South Road)

OVERVIEW:

The purpose of this report is to provide the LTC with a preliminary report on the application submitted by the Gabriola Radio Society (CKGI 98.7 FM) for the siting of a radio tower on the northeasterly portion of the subject property near the end of Chernoff Drive.

A 2011 proposal from the Gabriola Radio Society was denied concurrence based predominantly on the grounds of lack of information. This application is, in effect, a re-application of the proposal submitted in 2011 and this new application is expected to address the gaps noted during the last land use concurrence process. While this is being considered by staff as a new application, the comments, questions, and results of the 2011/2012 process have been taken into account when conducting the preliminary review of this application and will continue to inform the consultation process.

BACKGROUND:

The Gabriola Radio Society (CKGI 98.7 FM) has submitted a proposal for the siting of a radio tower on the northeasterly portion of the subject property near the end of Chernoff Drive. The proposed tower would be 40 metres in height and is proposed to be located on a right-of-way of 100m by 100m adjacent to the Chernoff Drive road right-of-way. The proposed antenna would be used for FM broadcasting for the Gabriola Radio Society, and is proposed to have a predicted Electromagnetic Radiation (EMR) power density level of 0.075 microwatts per square centimeter in the vicinity of the tower base. The proposal also includes a shed associated with the tower structure to house the required electronic equipment.

The federal government (Industry Canada) has jurisdiction over telecommunications enterprises, such as radio broadcast towers and cellular telephone towers, which are licensed

under the federal *Telecommunications Act*. Applicants for licenses are required to consult with the local land use authority for their installations although the ultimate approval authority for such installations rests with Industry Canada. Within the Islands Trust, the consultation process on these types of applications is guided by the Letter of Understanding (LOU, signed October 30, 1996) that exists between Industry Canada and the Islands Trust Council, on behalf of Trust Area Local Trust Committees, for proposed towers of over 25m in height measured from ground level.

In order to refine the consultation process further, the Gabriola Island Local Trust Committee (LTC) developed an Antenna Proposal Form and adopted Standing Resolution GB-025-2010 regarding communications towers and antennae, which covers proposals for any new or expanded communications towers and antennae in the Gabriola Local Trust Area. Applicants for new or expanded communication towers and antennae are expected to submit an application by way of the Antenna Proposal Form and follow the process for public consultation outlined in Standing Resolution GB-025-2010.

SITE CONTEXT:

The location of the subject property is shown in Figure 1, below. The subject property is approximately 31.65 hectares (78.17 acres) in area and is zoned Resource (R). The property is hooked across Lockwood Drive and consists of a large panhandle-shaped portion to the north of Lockwood Drive and a smaller portion to the south of Lockwood Drive. The subject property is bounded by South Road and a triangular parcel zoned R to the south and Coats Drive East and five parcels, which were previously subdivided off from the subject property, zoned Resource (R), to the north (note: the subject property has a no further subdivision restrictive covenant on title). Chernoff Drive ends near the northeasterly corner of the property and surrounding properties to the east and north across Coats Drive East are zoned Large Rural Residential (LRR). Properties to the west are zoned LRR and properties across South Road to the south are zoned LRR and R.

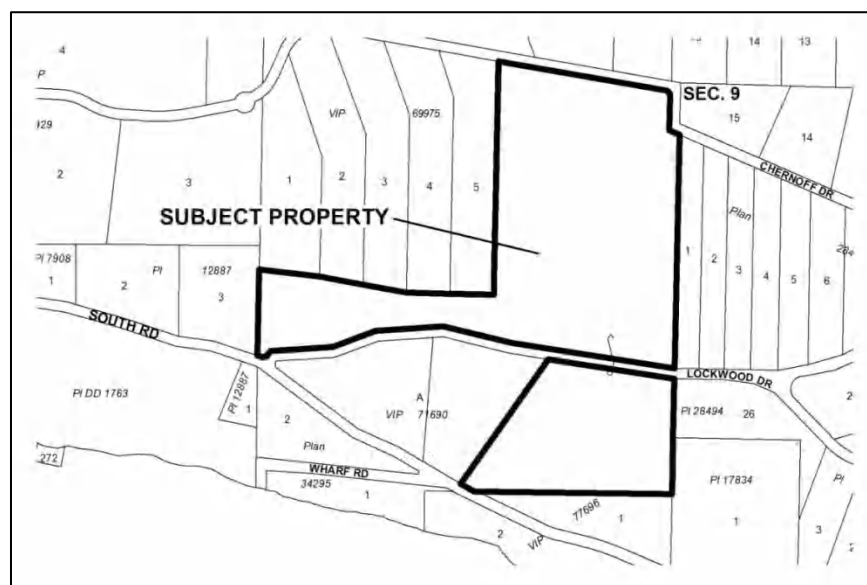


Figure 1: Subject Property

The proposed location of the radio tower is in the northeasterly portion of the property, near the end of Chernoff Drive (Figure 2).

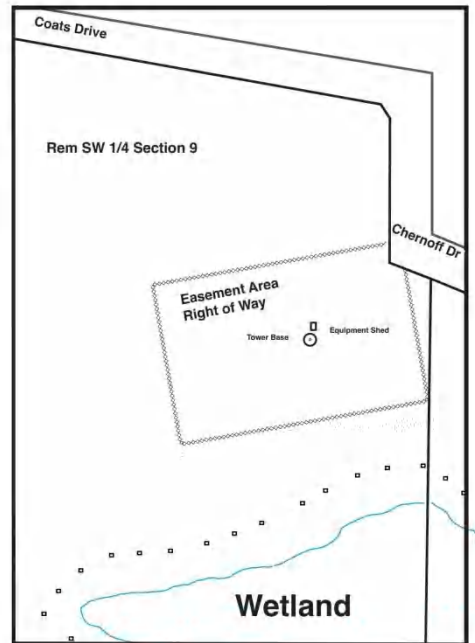


Figure 2: Proposed Communication Tower Location (sketch supplied by Gabriola Radio Society)

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Trust Policy Statement:

The Islands Trust Policy Statement contains the following policies that are relevant to this application:

- 5.3.1 *Trust Council holds that local trust committees and island municipalities should be consulted and involved in the decision-making process regarding provision of utilities, transportation services or facilities that might affect land use in their local planning areas.*

The proposed radio-communication tower is not contrary to or at variance with the Trust Policy Statement.

Gabriola Island Official Community Plan Bylaw No. 166, 1997 (OCP):

The subject property is designated Resource (R) in the OCP. This land use designation identifies lands which are not within the Agricultural Land Reserve or the former Forest Land Reserve and is generally characterized by large parcels 8.0 hectares or larger that are predominantly undeveloped. The intent of the designation is to retain much of the land within the designation in large parcels so as to maintain a rural landscape. The following uses are permitted within the Resource designation: one single-family residential unit, horticulture, agriculture, silviculture, forestry and home occupations, AM/FM tower (permitted on one property only) and shooting range (permitted on one property only).

Gabriola Island Land Use Bylaw No. 177, 1999 (LUB):

The subject property is zoned Resource (R) in the LUB. This zone permits agriculture, forestry, and single-family residential uses as well as AM/FM tower (permitted on one property only) and a shooting range (permitted on one property only). The permitted AM/FM tower is noted in the bylaw does not include the subject property. The LUB also permits public utilities to be located

in any zone, with the exception of public parks and ecological reserves. The definition of 'public utilities', however, specifically excludes radio and television broadcast towers.

Although the LUB does not expressly permit this type of land use (or building or structure) on the subject property, communications towers are within federal jurisdiction and local land use bylaws cannot prohibit the siting of either licensed or unlicensed antenna (for more information, *Canadian Municipalities and the Regulation of Radio Antennae and their Support Structures*, produced by Industry Canada and available upon request).

Islands Trust Fund:

As per the Islands Trust Fund Policy Manual, this application does not directly affect Trust Fund Board (TFB) interests as it does not directly affect TFB owned property or conservation covenants, does not affect property directly adjacent to TFB owned property or conservation covenants, and does not pertain to Crown Land within 100m of a TFB owned property or conservation covenant. As part of the last application, a referral was sent to the Islands Trust Fund (ITF), who replied that the proposal did not have a potential impact on a nearby ITF protected area and that the Trust Fund Board's interests are unaffected by the proposal.

Regional Conservation Plan:

The Islands Trust Fund Regional Conservation Plan (RCP) identifies areas of low to medium relative composition importance of the subject property. This indicates a low to medium occurrence of special habitats. The RCP also states that Gabriola is vulnerable to a loss of natural ecosystems from residential and associated uses. In addition, Gabriola Island has been identified as an area of moderate conservation focus due to medium levels of unprotected high relative biodiversity composition.

Sensitive Ecosystems and Hazard Areas:

Islands Trust Sensitive Ecosystem Mapping identifies areas with a primary ecosystem of mature Douglas Fir forest and other forest species such as salal in the northwestern portion of the subject property bordering Coats Drive East. The eastern portion of the property contains a primary ecosystem of swamp wetland (McGuffie's Swamp) immediately south of the proposed tower location, and an area with a secondary ecosystem of wetland swamp (primary class: seasonally flooded cultivated field) in the northwesterly portion of the lot and covering the area of the proposed tower location.

Archaeological Sites:

Data from the Provincial Remote Access to Archaeological Data (RAAD) system shows archaeological sites within on the hooked portion of the subject property south of Lockwood Drive. The proposed location of the radio tower, however, does not appear to be within 50m of these sites. A referral was sent to the Snuneymuxw First Nation as part of the 2012 application (as required under Standing Resolution GB-025-2010) and no response was received. As part of the 2012 application, a referral was sent to the Archaeology Branch. The reply confirmed that the proposed tower location is not within 50m of known archaeological sites, but noted the following: "Given the potential for a property to contain unknown archaeological sites, a qualified (able to hold heritage inspection permits through the Archaeology Branch) consulting archaeologist should be engaged prior to any land-altering activities to determine if development activities are likely to impact unknown archaeological sites. If the archaeologist determines that development activities will not impact any archaeological deposits, then a site alteration permit is not required."

Covenants:

The following covenants are registered against the property:

EL75076

This is a Statutory Right-of-Way (SRW) registered in favour of the Gabriola Fire Protection District to construct, operate and maintain a system of waterworks and various associated equipment including a pond, a waterworks pump station, suction devices, tanks, fire hydrants and other conveying devices. The SRW covers the portion of the subject property lying easterly of a line drawn parallel to and perpendicularly distant 300m westerly of the easterly boundary of the property. The proposed radio tower is located within this area.

EN117465 & EN117466

These covenants are registered in favour of the Regional District of Nanaimo and the Minister of Environment, Lands and Parks – Water Management Branch restricting the location of buildings, including mobile homes, used for habitation, business or storage of goods damageable by floodwaters in relation to McGuffies Swamp. This swamp area is located to the south of the proposed location of the radio tower.

EN117467 & EN117468

These covenants are registered in favour of the Regional District of Nanaimo and the Minister of Environment, Lands and Parks – Fish, Wildlife and Habitat Branch restricting vegetation removal, building or other human-induced changes within 15m of the natural boundary of McGuffies Swamp and its associated streams without prior written consent of the Ministry of Environment – Fish, Wildlife and Habitat Manager in Nanaimo.

EN117469 & EN117470

These covenants are registered in favour of the Regional District of Nanaimo and the Minister of Transportation and Highways for geotechnical purposes and specifies that the property shall only be used, built upon or developed in accordance with the geotechnical report included in Schedule A to the covenant. The report identifies an area of slope hazard that cuts through the subject property east to west roughly in line with the rear property line of the five adjacent lots to the north, which have been subdivided off from the remainder parcel. The proposed location of the tower appears to be well outside the area of slope hazard.

EN117471 & EN117472

These covenants are registered in favour of the Gabriola Island Local Trust Committee restricting further subdivision of the property.

REVIEW OF 2012 APPLICATION:

During the last process, there was significant public input expressing opposition to the proposal. The common themes were environmental concerns, aesthetic concerns, concerns over potential future tower uses, concerns over a lack of available information, and health concerns. In 2012, the LTC passed the following resolutions:

July 26, 2012

GB-076-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request that staff report on whether the Lorettes would voluntarily restrict the proposed radio tower to broadcast by the Gabriola Radio Society alone, and require that the tower be dismantled if the Gabriola Radio Society ceased to exist, and advise the Local Trust Committee at its September meeting on

mechanisms to secure such a commitment in perpetuity if the landowner is willing.

CARRIED

GB-077-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee defer consideration of a resolution on the Gabriola Radio Society application until the September 6, 2012 Local Trust Committee meeting to allow additional time for submission of the following materials:

- a. A legal survey, as per resolution GB-067-2012;
- b. Additional information on environmental impacts and mitigation;
- c. Responses from referral agencies.

CARRIED

September 6, 2012

GB-086-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee not support the proposal submitted by the Gabriola Radio Society, file 5590-20-01 (Gabriola Radio Society), for the siting of a radio tower on the property legally described as: The Southwest $\frac{1}{4}$ of Section 9, Gabriola Island, Nanaimo District, Except that Part in Plans 34295, VIP69975 and VIP71690, for the following reasons:

- It does not comply with the Official Community Plan or the Land Use Bylaw;
- Significant opposition among neighbouring property owners and other residents;
- A lack of information provided by the applicant to address environmental requirements of Standing Resolution GB-025-2010 of the Gabriola Island Local Trust Committee;
- A lack of information provided by the applicant to determine the exact location of the tower, associated buildings and structures, and the proposed easement/lease area, in relation to property lines and covenants, as required by Standing Resolution GB-025-2010, the Antenna Proposal Form and as requested by the Gabriola Island Local Trust Committee in Resolution GB-067-2012;
- Lack of support from emergency responders and arts community, which the radio tower had been presented as in-aid-of;
- Lack of support for proposed tower in light of options related to existing towers, co-location, and testing support for new community radio broadcasts over the internet (i.e. There is existing coop radio in Nanaimo, there is existing tower coverage for emergency services, there are options to broadcast Gabriola Coop radio in Nanaimo, there is existing tower coverage for emergency services, there are options to broadcast Gabriola coop radio without a tower).

CARRIED

ADDITIONAL INFORMATION IN 2014 APPLICATION:

Another antenna proposal form was submitted to the Islands Trust in February 2013. The application package did not address any of the reasons given for non-concurrence in 2012, and planning staff indicated to the applicant that additional information would need to be addressed before the application would be considered complete. Following periodic correspondence between staff and the applicant, a package of supplemental information provided in August 2014 included the following information aimed to complete the application package and address the information gaps noted in the 2012 process.

Location of Tower and Buildings

A plan overlay on an orthographic map was submitted to indicate the location of the tower, shed, lease area, and Statutory Right of Way. A sketch denoting the exact location of the tower and shed was also supplied (Figure 2 displayed earlier in the report).

At the time of application form submission, Staff agreed to move forward without a legal survey, with the understanding that a legal survey would be required at some point during the process.

Covenants for McGuffies Swamp

Covenant information has been provided regarding the Regional District of Nanaimo's EN117467 and EN117468. Both covenants speak only to restricting residential development within 15 metres of the swamp, which is understandable since that is the major land use in the area. The Gabriola Radio Society notes on a map the distance between the tower and the natural boundary of McGuffies Swamp to be 85.22 metres.

Letter of Support from Fire Department

A June 12, 2014 letter from the Gabriola Fire Department indicated support of the application.

Letter of Support from the Arts Council

A November 20, 2012 letter from Gabriola Arts Council indicated support of the application.

Community Petition of Support

The initial application package submitted in February 2013 included a petition of support from the general community was also submitted with the application. The petition had 171 signatures.

Rationale for the need for a radio tower on Gabriola

As part of their cover letter for the supplemental submission package (Attachment 1), the Gabriola Radio Society provided their answers to the following questions:

- Why not just use the internet?
- Why is the site proposed the only one that will adequately cover the island?
- Why wouldn't a co-location with Telus work?

DETERMINING THE CONSULTATION PROCESS:

The consultation requirements for communications tower proposals in the Gabriola Local Trust Area are outlined in Standing Resolution GB-025-2010. These requirements specify a base level of consultation that must be met in all instances and allow the LTC some freedom to amend the consultation process over and above these requirements on a case by case basis.

The LTC is asked to determine the consultation process for this application.

When this application was previously reviewed in 2012, the LTC determined that the consultation process would include the items listed below:

- The submission of an application to the LTC
- One notification to neighbours within a 2km radius of the subject property
- One public meeting
- One advertisement in local newspapers
- Referral to:
 - Provincial Archaeology Branch
 - Gabriola Fire Protection District
 - Islands Trust Fund
 - Regional District of Nanaimo
 - Snuneymuxw First Nation
- Submission of the following information:
 - The proposed location of the tower on the subject site
 - A description of the predicted power density level of the antenna/tower
 - Methods to mitigate any aesthetic or visual impact
 - Description of the natural environment, any sensitive ecosystems or other important habitat areas within 120 metres of the subject property and mitigation impacts to such areas
 - Physical details and example illustrations of the tower including its height, colour, type and design.

During the last process, referral responses were received from the Islands Trust Fund, the Provincial Archaeology Branch and the Regional District of Nanaimo. The 2014 submission package included a letter from the Gabriola Fire Protection District indicating support. The LTC may wish to send the application out for referral again, but Staff advises waiving the referral requirement for this process as the 2014 application does not include any significant changes from the 2012 application.

A note on 'relevant and reasonable' concerns from the public

In considering whether or not to concur with this application, the LTC is to consider whether or not all the consultation requirements have been met and whether or not all reasonable and relevant concerns, as defined by Industry Canada, have been met.

Industry Canada's *Circular CPC-2-0-03* considers 'reasonable and relevant' concerns to include:

- Why is the use of an existing antenna system or structure not possible?
- Why is an alternate site not possible?
- What is the proponent doing to ensure that the antenna system is not accessible to the general public?
- How is the proponent trying to integrate the antenna into local surroundings?
- What are the steps the proponent took to ensure compliance with Industry Canada's following general requirements?
 - Health Canada's radio frequency exposure guidelines (Safety Code 6)
 - Radio Frequency Interference and Immunity
 - Canadian Environmental Assessment Act
 - Aeronautical Safety – Transport Canada and NAV CANADA requirements

Note: Health Canada recently reviewed Safety Code 6, and a draft version of the guidelines is to be adopted soon. Industry Canada indicates that while the new guidelines are not yet adopted, applicants will be expected to reach the new 2014 standard. This application is very likely to meet the 2014 standards.

Concerns that are not considered by Industry Canada to be relevant include:

- disputes with members of the public relating to the proponent's service, but unrelated to antenna installations;
- potential effects that a proposed antenna system will have on property values or municipal taxes;
- questions whether the *Radiocommunication Act*, Health Canada's radio frequency exposure guidelines (Safety Code 6), locally established by-laws, other legislation, procedures or processes are valid or should be reformed in some manner.

A number of the concerns noted by the public during the last process focused on health concerns and the general appetite for a Gabriola radio station. It should be emphasized here that Industry Canada is expecting local governments to not require responses to the above list of concerns in their consideration of concurrence. Staff is currently researching the best manner in which to direct these concerns that are deemed 'not relevant' by Industry Canada.

STAFF COMMENTS:

Determining Next Steps for the Public Consultation Process

In anticipation that a public notice and public meeting would be required for this application process, the applicant agreed to provide a comprehensive public notice package in advance of a public meeting. Public notice materials have been drafted by the proponent but have not yet been submitted to staff for review. Staff advises that the public notice mailout materials be prepared by the applicant, assembled and mailed out by Islands Trust staff, and paid for by the applicant through a cost recovery agreement.

Regarding logistics for the public meeting, Staff advises that the meeting effectively be hosted by the applicant. The Gabriola Radio Society wishes to have a public meeting that does not require them to answer questions that fall under Health Canada's radio frequency exposure guidelines (Safety Code 6). Staff has confirmed with staff at Industry Canada that comments made about human health concerns relating to Safety Code 6 will not be considered by Industry Canada, but there is agreement that the public should be provided the avenue to make comments. Planning staff will research the possibilities to compile and communicate directly to Health Canada any comments falling under Safety Code 6.

Staff considers it would be reasonable to have a third party facilitator for the public meeting to allow the LTC Chair to observe and take in the comments on this contentious and non-typical application process; this facilitator would be briefed by planning staff on expectations set out in the Industry Canada circulars and the LTC Standing Resolution. A qualified minute taker could be provided by Islands Trust but paid for by the Gabriola Radio Society.

Alternatives options to conclude the Public Consultation Process

Following the agreements negotiated above, the Gabriola Radio Society formally requested on November 3, 2014 that this antenna proposal not be considered as a new application and that, instead, the LTC pick up at the point where matters were left in September 2012. The proponent proposes that unanswered concerns from the 2012 process be addressed and that the LTC would deem the public consultation process concluded without going back to the public for another public meeting. As this request was made immediately preceding the deadline for this staff report, staff has not had the opportunity to fully analyze this option, but provides the following initial comments.

Industry Canada's *Guide to Assist Land-Use Authorities in Developing Antenna System Siting Protocols* does not suggest a procedure following a Land Use Authority's decision of non-concurrence on a proposal. Although it is not explicitly stated in the Standing Resolution what

action the LTC and staff should take upon a decision of non-concurrence, the follow-up to such a decision has been treated by planning staff as akin to all other unsuccessful land use applications, requiring a new application and an entirely new process. That said, there do exist procedures in the Islands Trust where applications are put on hold awaiting new information, such as subdivision referrals. It is the opinion of staff that the LTC is in a position to determine either option as valid.

However, it is staff's recommendation that the application be treated as a new one with a new public consultation process. Much of the reason why the LTC determined non-concurrence in 2012 was a failure on the part of the proponent to adequately conduct public consultation, and a new application makes it clear that this process is an opportunity to rectify that failure. It is expected not only by the public but also by Industry Canada that the purpose of the public consultation process be "an opportunity for the local public and the Land Use Authority to make the proponent aware of local considerations and, in so doing, influence the siting". (*Guide to Assist Land-Use Authorities in Developing Antenna System Siting Protocols*, Industry Canada, 2014)

Should the LTC consider the proponent's request to not mail out a new public notice or hold another public meeting, all public comments and concerns raised in the 2012 public consultation process will need to be explicitly and adequately addressed. This detailed set of responses would need to be provided to the LTC and the public. Staff advises that nothing less than a complete set of responses answering all comments made in 2012 would be considered as satisfactory to direct the LTC to determine conclusion of public consultation. The Default Public Consultation Process in Industry Canada's *CPC-2-0-03 Circular* provides a good indication of the robust nature of response to public comment that is expected by Industry Canada.

Addressing Outstanding Items of Information

As part of their *Guide to Assist Land-Use Authorities in Developing Antenna System Siting Protocol*, Industry Canada notes the following:

The Land Use Authority (LUA) should take the opportunity built into Industry Canada's procedures to examine carefully the details of the proponent's proposal. During its examination of the proposal, an LUA may ask the proponent for additional information to determine whether there are any local land-use or public concerns. As part of the discussions, the LUA can engage the proponent by suggesting reasonable alternatives and/or mitigation measures that would address any questions, comments or concerns.

Reviewing the application and supplemental information, as well as the concerns brought forward during the last process, staff identifies the following outstanding items required for review.

1. Environmental Impacts of the radio tower

Mitigation measures submitted by the applicant only speak in general terms to the impacts of construction on the environment. Staff has emphasized to the applicant the need to be much more explicit in this area and also consider the impacts of electromagnetic radiation on the flora and fauna in the area, in particular as the construction and ongoing operation of a radio tower may impact migratory birds and amphibian species in the area. Staff has discussed the matter with the applicant aiming to establish a clearer understanding of the scope of the impact assessment required; the understanding is clearer but there remains reticence to address concerns brought up by 'non-experts'.

In order to move forward on this point, Staff recommends that the LTC require as part of the public consultation process a site-specific letter or report from a qualified environmental professional, in this instance a Registered Professional Biologist with adequate expertise in

herpetology and migratory birds, to assess the potential impacts of operating a radio tower in the area, particularly as it concerns the McGuffie's Swamp sensitive wetland ecosystem, the Douglas Fir mature forest ecosystem, impacts on migratory birds in the area, and whether any mitigation measures are possible.

2. Visual Impacts of the Radio Tower

No additional information regarding the mitigation of visual impacts was submitted with this proposal. Furthermore, there is a significant difference of opinion between the applicant and the community on the number, height, and location of trees on the site.

Staff has requested photographs of the site to provide more objective information than that submitted in the artist rendering. Staff also recommends that planning staff and the Local Trustees attend a site visit and pose any related questions to the applicant in advance of the public meeting.

3. Placing restrictions on tower structures/EMR power density on the property

Conversations with Industry Canada staff have confirmed that once a tower structure is assembled on Gabriola, the tower structure may be shared in the future without necessarily requiring a return to the land use authority for comment or concurrence. Considering the power density cap noted in the Antenna proposal form, the LTC will wish to ensure that this site would never go over that level.

In 2012, the LTC request that staff report on whether the Lorettes would voluntarily restrict the proposed radio tower to broadcast by the Gabriola Radio Society alone, and require that the tower be dismantled if the Gabriola Radio Society ceased to exist. In August 2012, the property owners, Dave and Keni Lorette, responded (through their representative Brian J. Senini) that they may be interested in restricting the permitted tower uses of their property. Staff found no further information on the matter in the files.

Staff advises that this matter be pursued as part of this application, and that a complete answer including an outline of restrictions be presented in advance of the public meeting.

4. Legal Survey

In 2012, the LTC requested that the Gabriola Radio Society provide a legal survey showing the proposed tower location, and structure location and dimensions, in relation to the exiting covenants and setbacks from property lines. This legal survey should be completed and submitted to the Islands Trust before the public meeting.

Determining Cost Recovery

Standing Resolution GB-025-2010 notes that the proponent may be required to enter into a cost recovery agreement in order to offset application processing costs incurred. The LTC determined that cost recovery would not be required for the 2011-2012 process.

Staff hours spent on this application thus far have been comparable to those required for a Land Use Bylaw Amendment (Rezoning) application, for which the Gabriola Local Trust Committee sets a fee of \$3,500. Considering that there is no application fee required for this process, and that this is a re-application, Staff recommends that the Gabriola Radio Society be required to enter into a cost recovery agreement.

OPTIONS:

The LTC has the following options with respect to this application:

1. Re-open the original antenna tower proposal from Gabriola Radio Society, and consider the information submitted between February 2013 and August 2014 as supplemental to the original application, requiring only responses to the public comments made in 2012;
2. Require that the proponent engage in a new public consultation process, and approve the proposed consultation in fulfillment of Standing Resolution GB-025-2010 as provided; or,
3. Require that the proponent engage in a new public consultation process, with modifications to the proposed consultation noted above.

RECOMMENDATIONS:

Staff recommends THAT the Gabriola Island Local Trust Committee:

1. Require a new public consultation process, including a new public notice and new public meeting.
2. Approve the proposed consultation as an overall concept towards fulfillment of Standing Resolution GB-025-2010, subject to the following modifications:
 - That the applicant provide a biologist's report regarding ecosystems in the vicinity of the proposed tower and that potential impacts and mitigation measures as part of the required notice and at the public meeting;
 - That the applicant provide a legal survey showing the proposed tower location, and structure location and dimensions, in relation to the exiting covenants and setbacks from property lines as part of the public consultation and in advance of the public meeting;
 - That the applicant include either a covering letter with the notice introducing the application and the materials enclosed;
 - That the applicant retain and submit a record of all public feedback received at the public meeting or on the Gabriola Radio Society's website to the Islands Trust Northern Office;
 - That the applicant retain and submit all other correspondence sent and received as part of their consultation efforts.
3. Direct staff to initiate the process for a Cost Recovery Agreement with the Gabriola Radio Society as the applicant for a proposed communication tower on the property legally described as: The Southwest $\frac{1}{4}$ of Section 9, Gabriola Island, Nanaimo District, Except that Part in Plans 34295, VIP69975 and VIP71690, for all application processing costs incurred effective November 13, 2014 and up to such time as the consultation process with the Gabriola Island Local Trust Committee has finished.
4. Request staff to report on whether the Lorettes would voluntarily restrict the proposed radio tower to broadcast by the Gabriola Radio Society alone, and require that the tower be dismantled if the Gabriola Radio Society ceased to exist.
5. Request the applicant to arrange a site visit in advance of the public meeting for the newly elected Local Trustees after their swearing in on December 1, 2014, to view the proposed site.

Prepared and Submitted by:

Aleksandra Brzozowski

November 4, 2014

Aleksandra Brzozowski
Island Planner

Date

Concurred in by:

Courtney Simpson

November 4, 2014

Courtney Simpson, MCIP
Regional Planning Manager

Date

Attachments:

Attachment 1 – Gabriola Radio Society letter submitted with supplemental information, dated August 2, 2014



Gabriola Radio Society
P.O. Box 98.7
Gabriola, BC
VOR 1X0.

August 2, 2014

Courtney Simpson,
Regional Planning Manager,
Islands Trust Northern Office,
700 North Road,
Gabriola Island, BC,
VOR 1X3

Dear Courtney:

This letter is intended to provide the additional information requested in our meeting of October 24, 2013 regarding CKGI's application to situate a radio tower at the site known as Stoney Ridge. It is a supplement to the Gabriola Radio Society's application dated Feb. 7, 2013.

We were asked to supply:

1. A map of the site plan, showing visually the 'site of the shed related to covenant,' any other buildings, roads, and placement of the antenna, esp. vis-a-vis the property line and any sensitive areas – i.e., swamp, marsh.

Attached please find an aerial photo of the location, with this information included. We are also attaching a map of the complete property line, which extends to South Rd.

2. A plan for "protecting the swamp."

As the map indicates, the proposed site of the antenna and shed is 70.22 m. from the 15 m. perimeter of the covenants established to protect McGuffies Swamp. We attach copies of those covenants as obtained from the Regional District of Nanaimo. Our original application, dated July 11, 2011, set out plans to mitigate any possible effects from erection of the tower: "The only area of construction waste will occur from the drilling of the tower base anchoring, this will result in ground sand stone (sand) which will be mitigated by a capture collection trap set up downhill from the proposed site. It should be noted that the terrain will allow the waste sand to travel away from the swamp and towards the road ditch."

3. A letter from the Fire Chief stating, more explicitly than the one previously submitted, the Department's support for a tower on the Stoney Ridge property, the need for improved coverage, and how the Stoney Ridge location will improve coverage.

Attached please find a second letter, dated June 13, 2014, provided to us by the Fire Chief.

4. A demonstration of support from the arts council and description of how we know we're supported by the arts community.

We previously submitted a letter of support from the Gabriola Arts Council dated November 20, 2012. We attach it again here. We also note that a number of Gabriola artists submitted letters in support of

Gabriola Radio Society's original application, and/or have signed the petition in support of GRS, and of the tower site on Stoney Ridge, also previously submitted. We attach that petition again here, along with some additional signatures gathered in January, 2014.

We do not expect to obtain the blanket support of Gabriola artists, who are, of course, free to be of many minds on the subject. However, we invite the Islands Trust to listen to some of the programming CKGI has already produced in support of the Island's arts community, in most cases actively involving island artists, and assess its value to the island's arts scene. A sample of that programming may be found at the following URLs. These programs are part of over 100 hours of programming already produced by the Gabriola Radio Society, by and for Gabriolans, which may also be listened to on the CKGI website at ckgi.ca. The links below click through to the source files on our hosting service.

Arts on Board:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/sets/arts-on-board>

including coverage of the 1st Annual Summer Breeze studio tour:

<https://soundcloud.com/frankmoher/gabriola-arts-on-board-ep-1>

The Gabriola Chamber Choir and its inaugural Pops Concert:

<https://soundcloud.com/frankmoher/arts-on-board-episode-3>

The Gabriola Theatre Festival:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/arts-on-board-episode-4>

The Gabriola Art and Activism Festival:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/arts-on-board-episode-5>

The Gabriola Players:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/arts-on-board-episode-7>

The Isle of the Arts Festival:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/arts-on-board-episode-8-isle-of-the-arts-festival>

Arrhythmia:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/sets/arrhythmia>

including a profile of Gabriola musician Jason Brown:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/arrhythmia-profile-of-musician?in=ckgi-gabriola-co-op-radio/sets/arrhythmia>

Shipwright and artist Tony Grove's restoration of "Dorothy," and Gabriola filmmaker Tobi Elliott's film about it:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/arrhythmia-restoration-of?in=ckgi-gabriola-co-op-radio/sets/arrhythmia>

The series **Bookmobile**, featuring Gabriola poet and essayist Naomi Wakan:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/sets/bookmobile-with-naomi-wakan>

Radio After Dark:

<https://soundcloud.com/ckgi-gabriola-co-op-radio/sets/radio-after-dark>

Productions of radio dramas originally produced on Gabriola and performed by island actors, including:

"Fuzzy Signals":

<https://soundcloud.com/ckgi-gabriola-co-op-radio/radio-after-dark-presents?in=ckgi-gabriola-co-op-radio/sets/radio-after-dark>

"The Revenant":

<https://soundcloud.com/ckgi-gabriola-co-op-radio/ponomo-productions-presents?in=ckgi-gabriola-co-op-radio/sets/radio-after-dark>

"Sandpiper Serenade":

<https://soundcloud.com/ckgi-gabriola-co-op-radio/ponomo-productions-presents-1?in=ckgi-gabriola-co-op-radio/sets/radio-after-dark>

Voices from the Salish Sea:

Including "The None of the Above Party," also featuring various Gabriola performers:

<http://ckgi.ca/post/87852132864/the-none-of-the-above-party>

CKGI has also explored issues of significance to artists on Gabriola and elsewhere:

Arts on Board: "Gaming the Arts":

<https://soundcloud.com/ckgi-gabriola-co-op-radio/arts-on-board-special-episode?in=ckgi-gabriola-co-op-radio/sets/arts-on-board>

Arrhythmia: "Are the Arts Still Relevant?"

<https://soundcloud.com/ckgi-gabriola-co-op-radio/arrhythmia-are-the-arts-still?in=ckgi-gabriola-co-op-radio/sets/arrhythmia>

We note again that this programming represents just a portion of that done already by the Gabriola Radio Society. We have also presented Michael Mehta's extensive series of programs focused on topics of social concern to Gabriolans, "Arrhythmia," and Michele Fire-River Heart's "Joy Infusion," on spiritual and health topics; covered agricultural issues on Gabriola and elsewhere in the Salish Sea area with "The Farmer's Table"; participated in the national "Resonating Reconciliation" series, with an episode produced by Snuneymuxw First Nation media artist CJ Rice, documenting the residential school experiences of Snuneymuxw elder Geraldine Manson; and supported the successful campaign by Island Futures to win a \$10,000 award from BC Hydro with our "It Happened on Gertie" series.

5. We were also asked to answer these questions:

"Why not just use the internet?"

We believe that, by definition, a community radio station should not be available only to those able to afford an internet connection plus computer, smartphone or other digital listening device. As well, one of the Gabriola Radio Society's chief aims is to provide the widest possible coverage to Gabriola in the event of an emergency. While digital devices and infrastructure may well fail during such an event (such as an earthquake), our plans include provisions to continue broadcasting a radio signal to islanders during extended periods of power outage. It is important to note that the widest possible coverage – as complete as the island's geography allows – is possible only from a tower as proposed on the Stoney Ridge site.

"Why is the site proposed the only one that will adequately cover the island?"

Because it is the highest point on the island and provides best line-of-sight coverage to as many areas of the island as possible. As the Fire Chief's letter indicates, this will provide the widest possible coverage, to as many Gabriolans as possible. In our view, in an emergency, such as an earthquake or forest fire, anything less would be unacceptable.

"Why wouldn't a co-location with Telus work?"

See above.

We were also asked to provide additional petition signatures showing support for the location of a tower at Stoney Ridge. As previously noted, we are attaching the petition submitted with our Feb. 7, 2013 application, along with additional signatures gathered at our fundraising table at Folklife Village in January, 2014, bringing the total to 171. It was suggested to us that we also try to obtain the support of neighbours to the proposed site. However, the Gabriola Radio Society recognizes that many of those living in vicinity of the site, though not all, object to our proposal, and we do not seek to convince them they are wrong. They have presented their viewpoint, and we have presented ours. We ask the Islands Trust to make a judgement as to the net benefit of the tower proposed to the community of Gabriola, now and in the future, and to make a decision accordingly.

It is our understanding that, with this supplementary submission, we have now provided all the additional information requested of us. If we have not, please advise.

Signed,



Frank Moher
Board Member



Ken Zakreski
President