



Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: April 2, 2015
Time: 10:15 am
Location: Gabriola Women's Institute Hall
476 South Road, Gabriola Island, BC

	Pages
1. CALL TO ORDER	10:15 AM - 10:15 AM
1.1 The Gabriola Local Trust Committee would like to welcome Naomi Beth Wakan, who will read a brief selection of her work in honour of National Poetry Month.	
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	
4. COMMUNITY INFORMATION MEETING	10:40 AM - 11:00 AM
5. PUBLIC HEARING	11:00 AM - 11:20 AM
Bylaw Nos. 278 and 279	
5.1 Recess for Public Hearing	
5.2 Recall to Order	
6. MINUTES	11:20 AM - 11:25 AM
6.1 Local Trust Committee Minutes Dated February 26, 2015 – for adoption	4 - 11
6.2 Section 26 Resolutions-without-meeting Report - none	
6.3 Advisory Planning Commission Minutes - none	
6.4 Mudge Island Advisory Planning Commission Minutes - none	
6.5 Agricultural Advisory Commission Minutes - none	
6.6 Transportation Advisory Commission Minutes - none	
7. BUSINESS ARISING FROM MINUTES	11:25 AM - 11:40 AM
7.1 Follow-up Action List Dated March 23, 2015	12 - 13

7.2	Email from Bridge Free Salish Sea Requesting Signatures on Petition, Dated January 29, 2015	14 - 14
7.3	Local Trust Committee Meeting on Mudge Island	
7.3.1	Memorandum Dated March 22, 2015 - attached	15 - 16
8.	DELEGATIONS	
9.	CORRESPONDENCE	
	(Correspondence received concerning current applications or projects is posted to the LTC webpage)	
10.	APPLICATIONS AND REFERRALS	11:40 AM - 12:00 PM
10.1	GB-OTH-2014.1 Antenna Siting Proposal (Gabriola Radio Society)	
10.1.1	Memorandum Dated March 19, 2015 - attached	17 - 24
10.2	Crown Referral on Lease Amendment for Stony Ridge Aggregate	
10.2.1	Memorandum Dated March 16, 2015 - attached	25 - 33
11.	LOCAL TRUST COMMITTEE PROJECTS	12:15 PM - 12:45 PM
11.1	Official Community Plan/Land Use Bylaw Review	
11.1.1	Staff Report Dated March 20, 2015 - attached	34 - 49
	<u>LUNCH BREAK</u>	
12.	REPORTS	12:45 PM - 1:00 PM
12.1	Work Program Reports	
12.1.1	Top Priorities Report Dated March 23, 2015	50 - 51
12.1.2	Projects List Report Dated March 23, 2015	52 - 53
12.2	Applications Report Dated March 23, 2015	54 - 56
12.3	Trustee and Local Expense Report Dated February, 2015	57 - 57
12.4	Adopted Policies and Standing Resolutions	58 - 58
12.5	Local Trust Committee Webpage	
12.6	Chair's Report	
12.7	Trustee Reports	
12.8	Electoral Area Director's Report	

12.9 Trust Fund Board Report

13. NEW BUSINESS

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Thursday,
May 7, 2015 at The Woman's Institute, 476 South
Road, Gabriola Island, BC

15. TOWN HALL

1:00 PM - 1:10 PM

16. CLOSED MEETING

16.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a) for the purpose of considering appointment of Advisory Planning Commission and Transportation Advisory Planning Commission Members; and s.90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment and s(90)(1)(j) information that is prohibited, or information that if it were presented in a document would be prohibited, from disclosure under section 21 of the Freedom of Information and Protection of Privacy Act, including the adoption of in camera minutes; AND that the recorder, and staff attend the meeting.

16.2 Recall to Order

16.3 Rise and Report

17. ADJOURNMENT

1:00 PM - 1:30 PM



Gabriola Island Local Trust Committee Minutes of a Regular Meeting

Date of Meeting: Thursday, February 26, 2015
Location: Women's Institute
476 South Road, Gabriola Island, BC

Members Present: Laura Busheikin, Chair
Melanie Mamoser, Local Trustee
Heather Nicholas, Local Trustee

Staff Present: Courtney Simpson, Regional Planning Manager
Karin Kronstal, Island Planner
Jessie Sherk, Recorder

Media and Others 1 member of the local media and five (5) members of the public were in attendance.

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 10:15 am. Staff and trustees were introduced and the public was welcomed. She acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations. She reflected on the last meeting noting that there was a lot of work accomplished and that the conversations as a Local Trust Committee were mutually respectful and constructive, as well as the input from community members.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved.

3. TOWN HALL AND QUESTIONS

A representative from Bridge Free Salish Sea stated that at the last Local Trust Committee (LTC) meeting, Bridge Free Salish Sea made a request of the LTC, and she can see that request is included on today's agenda under Correspondence. She asked if discussion on the request would be included in today's meeting.

The trustees confirmed that they would be discussing the request today.

John Peirce commented on the minutes from last meeting. He stated that his name was spelled incorrectly and in the paragraph attributed to him, there should have been reference to the Volunteer Review Committee.

4. COMMUNITY INFORMATION MEETING

None.

5. PUBLIC HEARING

None.

6. MINUTES

6.1 Local Trust Committee Adopted Minutes Dated January 22, 2015

The following changes to the minutes were presented for consideration:

- Page 6, item 12.7, replace the word “being” with “behind” in line six (6) of Trustee Mamoser’s report.
- Page 8, item 13.5.2, line 3 of the paragraph after motion GB-2015-006, replace the word “moving” with “looking”. Also add to the end of the sentence to read, “...from the Top Priorities list and that this change is not indicative of our level of commitment.”
- Page 7, item 15, correct the spelling of John **Peirce**. Also in the second sentence attributed to him, the words “by the Volunteer Review Committee” should be added before “for the Official Community Plan...”
- Page 2, item 3, line five (5) of Chris Bowers comments, correct spelling of Trustee **Nicholas**. Also missing a period at the end of that paragraph.
- Page 6, item 12.4, remove the letter (s) in “Simpsons”
- Page 9. Item 13.1.2, in the last line “**Nicholas**” spelled incorrectly
- Page 3, item 10.1, there is an extra period between the last two sentences in the paragraph.
- Page 9, motions GB-2015-009 and GB-2015-010 are missing periods at the end of the sentences.
- Page 8, the sentence attributed to Ken Morrison should read, “Ken Morrison spoke about the kennel bylaw, he stated that the bylaw was enacted for a reason and already allows for dog kenneling businesses on suitably-sized lots. He noted that he is interested in following the process.”

By general consent, the minutes were adopted, as amended.

6.2 Section 26 Resolutions-Without-Meeting Report

None.

6.3 Advisory Planning Commission Minutes

None.

6.4 Mudge Island Advisory Planning Commission Minutes

None.

6.5 Agricultural Advisory Commission Minutes

None.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated February 17, 2015

Planning Manager Simpson stated that the follow-up action list is up to date and that most items are complete. No further discussion.

7.2 Local Trust Committee Work Program

7.2.1 Memorandum dated February 17, 2015

Staff and Trustees discussed the memorandum

7.3 Village Vision Workshop – verbal update

Planner Kronstal summarized the Village Vision workshop, noting that she was very pleased to attend on behalf of Islands Trust and expressed her gratitude for being invited. Also noted was that Trustee Nicholas attended as well and that Trustee Mamoser was sorry to have missed it. The presentation by Sebastian Moffat is posted on Village Vision website for those who missed it.

8. DELEGATIONS

By general consent, a delegation was added from Dyan Dunsmoor-Farley on behalf of Village Vision.

Dyan Dunsmoor-Farley updated the LTC on some of the things that came out of the last Village Vision workshop. She recognized two other members of the Village Vision in the audience, John Peirce and Megan Walker. She spoke about the evolution of the Village Vision stating that it arose out of an observation from the community that there seemed to be development happening in the absence of a comprehensive plan. She noted that previous LTC's had been approached several years ago and although it was put on their work plan, it was often pushed down the priority list. As a result, it was decided as a community that they should marshal together their resources to create a community led planning engagement about what they wanted to see in the village core. Dunsmoor-Farley noted that they understand that this two-year project is a big undertaking. She stated that the team's last sessions focused on knowledge building and that Sebastian Moffat's presentation about what is going on in the rest of the world was very inspiring. Dunsmoor-Farley spoke about the comprehensive process on Salt Spring Island stating that the Salt Spring Island LTC failed to adopt the plan that had been worked on due to lack of engagement with governance bodies early in the process. She stated that they are fully aware that they do not have authority and they are not interested in usurping any government role, however, they are very interested in engaging the process with Islands Trust and the Regional District of Nanaimo (RDN). In closing, she asked the LTC for support in getting a process in place for them to engage and have conversations about how these systems can work together for the good of the community.

Discussion ensued. John Peirce clarified what was being requested of the LTC. Staff and trustees discussed at length. It was decided that no action by the LTC is needed at this point; however, they will wait for that moment to present itself in the future.

9. CORRESPONDENCE

9.1 Email from M. Walker regarding Age Friendly Planning Project and Grant, dated January 30, 2015

Received.

Trustees reviewed the email and discussion ensued. It was noted that the Trustees would email the grants coordinator to put him in touch with Megan Walker, when he has time, to discuss this project and grant.

9.2 Email from Bridge Free Salish Sea Requesting Signatures on Petition, dated January 29, 2015

Trustees reviewed the email.

GB-2015-015

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee request staff to write a letter to Todd Stone in support of the Bridge Free Salish Sea for the Chairs signature outlining the Islands Trust and Gabriola Official Community Plan Policies regarding the fixed link and expressing support and encouragement for the work of this organization.

DEFEATED

Trustees discussed how best to support the petition. It was noted that now might not be the most effective time for them to forward a letter as there was already a letter sent by Trustee Malcolmson in September, which laid out the Islands Trust Policy Statement on no bridge.

Trustees thanked Bridge Free Salish Sea for their work and let them know that they encourage and support the work moving forward.

It was requested that staff bring this item back on the next meeting agenda.

10. APPLICATIONS AND REFERRALS

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Official Community Plan and Land Use Bylaw Review

11.1.1 Memorandum dated February 6, 2015

Planner Kronstal summarized the memorandum. Discussion ensued.

11.2 Housekeeping Bylaw Amendments – verbal update

Planner Kronstal stated that there would be a public hearing at the April 2, 2015 regular business meeting with a question and answer period prior.

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report Dated February 17, 2015

Received.

12.1.2 Projects List Report Dated February 17, 2015

Received.

12.2 Applications Report Dated February 17, 2015

Received.

12.3 Trustee and Local Expense Report dated January 2015

Received.

12.4 Adopted Policies and Standing Resolutions

Reviewed for information.

12.5 Local Trust Committee Webpage

Trustee Mamoser updated the LTC that she submitted her biography to be added to the webpage.

12.6 Chair's Report

Chair Busheikin reported on what has been happening at the Executive Committee level. She stated that they have been busy finalizing the package for Trust Council noting that it is taking place on Gabriola. She stated that there has been a lot of discussion around their desires and the requests to do advocacy. She stated that Islands Trust is a land use planning agency and that is what the funding and staff are for. The professional development, training and job description for the staff is not about advocacy. She stated they have been looking at the difference between advocacy and activism. Another big discussion within the Executive Committee and Financial Planning Committee was regarding the upcoming budget. She flagged that the most controversial discussion was on the proposed creation of the staff position for a Senior Aboriginal Advisor. She noted that there is a long description and rationale for the position available.

12.7 Trustees Report

Trustee Mamoser reported on the events she participated in over the last five weeks. Last Saturday she attended the Food Forum and felt the information presented about the proposed agriculture policies bylaw was very well received. Next she discussed a meeting with the Ministry of Transportation (MoTI) staff regarding the fixed link study. She also attended the first meeting of the Local Planning Committee and stated that there was a lot of discussion regarding bylaws as well as the Natural Areas Protection Tax Exemption Program (NAPTEP) and other incentive based mechanisms. Lastly, she discussed her meeting with Mr. Brian Henning regarding a potential development application on Gabriola Island and noted that she looks forward to seeing the proposal when it arises as an application.

Trustee Nicholas reported on the Food Forum and stated that it was a good turnout and great opportunity to meet up with local producers and like-minded organizations. She discussed the Trust Programs Committee meeting stating that they touched on previous accomplishments, future goals, BC Ferries advocacy as well as the Community Stewardship Awards that recognize people for their role in protecting and enhancing island communities. She noted that the nomination deadline for those awards is April 15, 2015. Trustee Nicholas also reported on the MoTI meeting regarding the bridge feasibility study, saying it was positive with an emphasis on establishing a cooperative relationship. She then confirmed her membership to the Ferry Advisory Committee (FAC) this month; noting that with nine members, it is the largest FAC ever assembled on Gabriola. Also noted was that she attended the second Village Visioning exercise and that it was great to see the level of community interest. Next, she discussed next month's Trust Council meeting and stated that she is very grateful that GERTI and members of the Commons have agreed to speak on behalf of the community and some of the work they do. In closing, she stated that her door is always open and she hopes people in the community will continue to contact her, as she is happy to interact.

12.8 Electoral Area Director's Report

None.

12.9 Trust Fund Board Report dated January 2015

Chair Busheikin highlighted the completion of the eelgrass mapping project. Trustees thanked the Sounder for their article on this and requested that staff put that information up on the webpage. Also discussed was the possible implementation of conservation goals into the OCP.

13. NEW BUSINESS

13.1 Advertising Local Trust Committee Regular Business Meetings

GB-2015-016

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee dispense funds to advertise the upcoming regular Local Trust Committee meetings in advance of each meeting.

CARRIED

13.2 Local Trust Committee Regular Business Meeting on Mudge Island

Trustees discussed.

GB-2015-017

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee request staff to explore organizing one annual regular Local Trust Committee meeting on Mudge Island.

CARRIED

13.3 Board of Variance Staff Report dated February 2, 2015

Trustees reviewed the report. Travel cost and cost savings were discussed.

GB-2015-018

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff to advertise for membership in a Board of Variance appointed jointly with other Local Trust Committees in the Northern Region.

CARRIED

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Thursday, April 2, 2015 at The Woman's Institute, 476 South Road, Gabriola Island, BC.

15. TOWN HALL SESSION

None.

16. CLOSED MEETING

16.1 Motion To Close The Meeting

GB-2015-2019

It was **MOVED** and **SECONDED**,

that the Gabriola Island Local Trust Committee close the meeting to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1) a for the purpose of considering: Appointment of APC Members, AND that the recorder and staff attend the meeting

CARRIED

16.2 Recall to Order

Recalled to order at 12:25 pm.

GB-2015-020

It was **MOVED** and **SECONDED**,

that the Gabriola Island Local Trust Committee request that staff advertise for further expressions of interest for the Advisory Planning Commission and in addition further expressions of interest for the Transportation Advisory Commission.

CARRIED

It was noted that there was a request for staff to let the applicants from the Advisory Planning Commission know what is going on.

16.3 Rise and Report

Chair reported that because we did not have enough applicants to the Advisory Planning Commission we will be advertising for more applicants and that Steve Earl was appointed to the Transportation Advisory Committee.

It was also reported that there would be advertising for more applicants for the Transportation Advisory Committee.

17. ADJOURNEMENT

By general consent, the meeting adjourned at 12:30 pm.

Laura Busheikin, Chair

CERTIFIED CORRECT:

Jessie Sherk, Recorder



Follow Up Action Report w/ Target Date

Gabriola Island Jul-17-2014

No.	Activity	Responsibility	Target Date	Status
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

Jan-22-2015

No.	Activity	Responsibility	Target Date	Status
1	Gabriola LTC releases up to \$600 from their Local Expense Account to pay for the travel of one Agriculture Advisory Committee member to attend the Ministry of Agriculture AAC workshop in Langley on February 18, 2015. Eric Veale is the member attending.	Nancy Roggers	Feb-26-2015	Done
1	Staff to provide an update on the OCP/LUB review, incorporating the results of the previous term's APC report.	Karin Kronstal	Apr-02-2015	Done

Feb-26-2015

No.	Activity	Responsibility	Target Date	Status
1	Place ad for April 2 LTC meeting in Gabriola Sounder, and include a similar ad in the Sounder for each regular LTC meeting, shortly before the date of the meeting. (this will be added to the Standing Resolutions List).	Theresa Warren	Mar-30-2015	Done

1	Add to LTC webpage: Strategic Planning Session summary document and a Latest News item about it, and Eelgrass maps for Gabriola.	Courtney Simpson	Apr-01-2015	Done
1	Add agenda item 9.2 (email from Bridge Free Salish Sea) to April 2 meeting agenda.	Lisa Webster-Gibson	Apr-02-2015	Done
1	Staff to explore organizing one annual regular LTC meeting on Mudge Island.	Courtney Simpson	Apr-02-2015	Done
1	Advertise for further expressions of interest for the APC and TAC; advise Steve Earle that he has been appointed to the TAC, and advise those who have submitted expressions of interest to the APC that the LTC has deferred their decision to the April 2 meeting to solicit further expressions of interest.	Becky McErlean	Apr-02-2015	Done
1	LTC requests staff to advertise for membership in a Board of Variance appointed jointly with other LTC's in the Northern Region.	Lisa Webster-Gibson	Apr-30-2015	On Going

January 29, 2015

Submission to LTC from Bridge Free Salish Sea (BFSS)

BFSS is currently collecting signatures for a petition which states: “we are opposed to any consideration by government of a fixed link to any of the islands of the Salish Sea. Your petitioners respectfully request that the Honourable House abide by the clear position of the Islands Trust Policy Statement 5.3.2 which clearly states that ‘It is Trust Council’s policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel, notwithstanding the existing bridge between North and South Pender Islands’.”

We are here to request that:

1. Trustees Melanie Mamoser and Laura Busheikin sign the petition (Trustee Heather Nicholas already has).
2. The LTC send a letter to minister Todd Stone supporting our petition.
3. The LTC request that Trust Council also take a position in support of our petition.



Memorandum

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

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

Date March 22, 2015 File Number 3320-25

To Gabriola Island Local Trust Committee
For meeting of April 2, 2015

From Courtney Simpson
Regional Planning Manager
Northern Office

Re Local Trust Committee meeting on Mudge Island

At the February 26, 2015 regular business meeting the Gabriola Local Trust Committee (LTC) passed the following resolution:

GB-2015-017

It was **MOVED** and **SECONDED**,
that the Gabriola Island Local Trust Committee request staff to explore organizing one annual regular Local Trust Committee meeting on Mudge Island.

CARRIED

Mudge Island lacks a meeting hall or any building that is properly zoned for public assembly such as an LTC meeting. There is one zone in which such a use is permitted: the "Park and Institutional" zone. There is one lot with this zoning, a community park at the south-eastern end of Mudge Island near Link Island.

Other LTC's have held outdoor, summertime meetings in the past, such as the Thetis LTC who has recently held community information meetings on Ruxton Island where there are no buildings for public assembly.

Staff believes holding an outdoor meeting at the community park on Mudge Island in the summer months a viable option. Consideration would have to be given to transporting materials such as tables and chairs to the site. If trustees can make connections on Mudge Island to coordinate tables and chairs being used from Mudge Island residences, that would make logistics simpler for staff, and keep costs down. There would also have to be consideration given for rainy weather, and tents or tarps may have to be available should they be needed.



Memorandum

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Date March 22, 2015 File Number 3320-25

To Gabriola Island Local Trust Committee
For meeting of April 2, 2015

From Courtney Simpson
Regional Planning Manager
Northern Office

Re Local Trust Committee meeting on Mudge Island

At the February 26, 2015 regular business meeting the Gabriola Local Trust Committee (LTC) passed the following resolution:

GB-2015-017

It was **MOVED** and **SECONDED**,
that the Gabriola Island Local Trust Committee request staff to explore organizing one annual regular Local Trust Committee meeting on Mudge Island.

CARRIED

Mudge Island lacks a meeting hall or any building that is properly zoned for public assembly such as an LTC meeting. There is one zone in which such a use is permitted: the "Park and Institutional" zone. There is one lot with this zoning, a community park at the south-eastern end of Mudge Island near Link Island.

Other LTC's have held outdoor, summertime meetings in the past, such as the Thetis LTC who has recently held community information meetings on Ruxton Island where there are no buildings for public assembly.

Staff believes holding an outdoor meeting at the community park on Mudge Island in the summer months a viable option. Consideration would have to be given to transporting materials such as tables and chairs to the site. If trustees can make connections on Mudge Island to coordinate tables and chairs being used from Mudge Island residences, that would make logistics simpler for staff, and keep costs down. There would also have to be consideration given for rainy weather, and tents or tarps may have to be available should they be needed.



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Date March 19, 2015 File Number 5590-20-01
(Gabriola Co-op Radio Society)

To Gabriola Island Local Trust Committee

From Aleksandra Brzozowski
Island Planner
Northern Office

Re Gabriola Co-op Radio Society Radio Tower Application

On March 17, 2015, staff received a letter from Industry Canada informing the Gabriola Local Trust Committee and Staff that the Gabriola Radio Society has indicated to Industry Canada that an impasse has occurred regarding the proposed siting of an antenna tower at the end of Chernoff Drive. (Attachment 1).

The following is an excerpt from Industry Canada's Client Procedure Circular CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems explaining the process following a claim of impasse.

The dispute resolution process is a formal process intended to bring about the timely resolution where the parties have reached an impasse.

Upon receipt of a written request from a stakeholder other than the general public, asking for Departmental intervention concerning a reasonable and relevant concern, the Department may request that all involved parties provide and share all relevant information. The Department may also gather or obtain other relevant information and request that parties provide any further submissions if applicable. The Department will, based on the information provided, either:

- *make a final decision on the issue(s) in question, and advise the parties of its decision; or*
- *suggest the parties enter into an alternate dispute resolution process in order to come to a final decision. Should the parties be unable to reach a mutually agreeable solution, either party may request that the Department make a final decision.*

Industry Canada has requested information concerning the consultation and correspondence record to date. As well, the department has requested a "description of the factors that influenced the Islands Trust's positions and the reasons why the project was not supported and any additional information or technical parameters which may be useful in resolving this impasse".

Attached to this memorandum is a draft of the cover letter Staff has prepared to elaborate on the LTC's decision not to concur with the proposal. Staff seeks comments from the LTC on the draft letter before submitting it with the requested records of correspondence, interaction, and actions by the LTC.

Attachments:

1. Letter from Industry Canada dated March 12, 2015
2. Draft cover letter for information package request – for review



Vancouver Island District Office
430 – 1230 Government Street
Victoria, B.C. V8W 3M4
Phone: 250 363-3803 Facsimile: 250 363-0208

March 11, 2015

Aleksandra Brzozowski
Island Planner
Northern Office, Islands Trust
700 North Road
Gabriola, BC V0R 1X3

Dear Ms. Brzozowski:

I am sending this letter to inform you that the Gabriola Radio Society has indicated to Industry Canada that an impasse has occurred, concerning the proposed siting of an antenna system at Stony Ridge on Gabriola Island. This proponent has identified you as the other party involved in this impasse.

Antenna systems may only be constructed after the procedural requirements of *Client Procedures Circular 2-0-03, Radiocommunication and Broadcasting Antenna Systems* (CPC 2-0-03), have been met. A full version of CPC-2-0-03, Issue 5, is available online at <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html>.

In order to assess this request, Industry Canada requires some information to make a decision on this impasse. In providing this information, please also send a copy to the party with whom you are involved in this impasse, Gabriola Radio Society.

The Department requires you to provide the following information within thirty (30) calendar days:

- (a) The consultation and meeting record between Islands Trust and Gabriola Radio Society;
- (b) The meeting record and correspondence between Gabriola Radio Society and the public;
- (c) A summary of Island Trust's actions in relation to this project and any associated record;
- (d) A description of the factors that influenced the Islands Trust positions and the reasons why the project was not supported; and
- (e) Any additional information or technical parameters which may be useful in resolving this impasse.

Following this thirty day period, Gabriola Radio Society will have an additional fifteen (15)

calendar days to provide reply comments. After this comment period, the Department will assess the facts and issue its decision.

Should you have any questions, please contact the Victoria District Manager, Jeff Stanhope at 250 363-3800 or by email at Jeff.Stanhope@ic.gc.ca or myself at 604 930-8691 Ext. 131 or by email at Michael.Krenz@ic.gc.ca or by using the address information provided above.

Regards,

A handwritten signature in black ink, appearing to read 'Michael Krenz', written in a cursive style.

Michael Krenz
Coastal BC Director
Western Region

DRAFT

March 19, 2015

File: 5590-20-01 (Gabriola Radio Society)

Jeff Stanhope
District Manager
Industry Canada - Vancouver Island District Office
430-1230 Government Street
Victoria BC V8W 3M4

Via e-mail: jeff.stanhope@ic.gc.ca
michael.krenz@ic.gc.ca

RE: Gabriola Radio Society Radio Tower Application

Dear Mr. Stanhope and Mr. Krenz,

In your letter received March 17, 2015, your department requested the following information:

- (a) *The consultation and meeting record between Islands Trust and Gabriola Radio Society;*
- (b) *The meeting record and correspondence between Gabriola Radio Society and the public;*
- (c) *A summary of Islands Trust's actions in relation to this project and any associated record;*
- (d) *A description of the factors that influenced the Islands Trust positions and the reasons why the project was not supported; and,*
- (e) *Any additional information or technical parameters which may be useful in resolving this impasse.*

This letter will provide information in the order requested.

Consultation and meeting record between Islands Trust and Gabriola Radio Society
Please find attached a meeting and consultation record.

Meeting record and correspondence between Gabriola Radio Society and the public
Please find attached the notice mailed out to the public regarding a community information meeting on June 25, 2012, the minutes of that meeting, and the email messages and letters sent from the public following the community information meeting.

To the Islands Trust's knowledge, no further correspondence or communication was sent from Gabriola Radio Society to the public beyond these records.

Summary of Islands Trust's actions in relation to this project and any associated record
Please find attached a timeline summarizing the Islands Trust's actions in relation to this project.

Description of factors influencing Islands Trust positions & reasons for non-support
In 2010, the Gabriola Island Local Trust Committee (LTC) established a standing resolution regarding communication towers and antennae to determine the public consultation process for an application. All public consultation processes were to require addressing certain relevant issues such as environmental impact and mitigation measures, and visual impacts.

At the end of February 2012, the Gabriola Radio Society submitted a proposal for fulfilling the requirements of the standing resolution. On June 25, 2012, a Community Information Meeting was held between the Gabriola Radio Society and the public. Following the public consultation process, the LTC passed a resolution on July 26, 2012 deferring consideration of the Gabriola Radio Society application until the September 6, regular business meeting to allow additional time for submission of a legal survey as per resolution GB-067-2012, additional information on environmental impacts and mitigation, and responses from referral agencies. This information requested was not provided in August 2012; meanwhile, more public opposition came forward.

On September 6, 2012, the LTC passed a resolution not supporting the Gabriola Radio Society's applications, citing 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).

Following this resolution of non-concurrence, Islands Trust staff advised the Gabriola Radio Society that the proposal would be considered again once revisions were made to address the reasons for non-concurrence. In February 2013, the original application was re-submitted with a petition and a letter. Staff deemed this insufficient to warrant reconsideration.

On August 7, 2014, the Gabriola Radio Society submitted an application with some information additional to the original application. However, some major requirements remained outstanding, noted in a letter dated October 6, 2014 from Staff to the Gabriola Radio Society. The continued lack of on-site environmental assessment or mitigation measures regarding environmental impacts were of noted concern.

Staff and the Gabriola Radio Society communicated in October to work towards preparing a mail out for renewed public consultation, including discussions about the need to assess environmental impacts in light of the sensitive ecosystems in the area. In early November 2014, the Gabriola Radio Society requested a decision from the LTC on whether it would grant concurrence to the proposal. On November 13, 2014, the LTC passed a resolution continuing non-concurrence based on the following reasons:

- It does not comply with the Official Community Plan or the Land Use Bylaw;
- 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;
- 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); and,
- Significant opposition among neighbouring property owners and other residents.

Below are elaborations on the reasons for non-concurrence at this time.

Lack of support for proposed tower in light of other options

The Gabriola Island Local Trust Committee (LTC) is not in support of a change in permitted land use for a new tower when alternative options and sites could be employed. It has been noted by the LTC that the Gabriola Radio Society is broadcasting over the internet and they are doing good work.

The LTC has inquired why co-location on an existing tower is not an option. The proponent has replied that the Chernoff Drive site and tower height is proposed in part to provide improved emergency service communication. One letter of support was obtained from the Gabriola Fire Chief; however, the LTC remains unconvinced there is a pressing need for this radio tower for emergency service communications. The LTC has indicated that they are aware there are established emergency plans for Gabriola Island through the Regional District of Nanaimo and associated with the Provincial Emergency Program and these established plans do not indicate that emergency response is inadequate on Gabriola Island due to the lack of a community radio station.

Lacking Environmental Assessment Information

Although Industry Canada's process does take into consideration the requirements of the *Canadian Environmental Assessment Act*, it is the mandate of the Islands Trust and the LTC to preserve and protect the trust area and its environment for the benefit of residents and the province. As such, environmental impacts, particularly on identified sensitive ecosystems such as adjacent McGuffies Swamp, must be duly considered in all development applications on Gabriola Island. An on-site environmental assessment remains outstanding and considered to be a reasonable requirement.

Cumulative impacts of multiple tower tenants

The LTC has a policy that the cumulative levels emitted from a tower facility on Gabriola remain less than 2 microwatts per square centimetre; this cumulative impacts policy is a major rationale for concern about a new tower, and why the LTC is not disposed to concur with a new tower if the need for one cannot be sufficiently made.

In 2012, the LTC expressed to the property owners that it wished to pursue an agreement that would limit the use of the radio tower to solely serve as a tower for the community service radio station CKGI. Ken Zakreski, the applicant, gave a response verbally at the LTC meeting on November 13, 2014 that the property owners have decided that they would not be interested in pursuing such an agreement, offering instead to return to the LTC upon every third additional tenant. Following Ken Zakreski's clarification regarding potential further transmitters on the

tower, it is the LTC's current understanding that this tower proposal is not only about co-op radio but also about anticipated further telecommunication activity from the tower in the future should the structure be built. This raises questions about the land use and environmental impacts of expanded activity at the proposed site.

Significant opposition among neighbouring property owners and other residents

The public noted the following concerns during the 2012 consultation process, which have not resulted in a modification of the proposal or further information from the proponent:

- *Visual impacts of the 40 metre tower on the proposed site.*
No change has been proposed.
- *Potential Future Tower Users and movement away from a community-centric radio station.*
As noted above, the intention is to have additional tenants in the future.
- *Environmental impact on the proposed site.*
As noted above, no on-site environmental assessment by a biologist has been conducted.

Any additional information or technical parameters which may be useful in resolving this impasse

It is Island Trust's opinion that the current situation for this proposal is still not yet one of impasse, but rather that of continued insufficient submission of required information. Islands Trust staff and the LTC consider the following information to be outstanding in order for the LTC to be adequately informed to make a final decision about concurrence.

1. A site specific environmental survey and mitigation plan (if required) from a certified BC environmental consultant, as per the standing resolution on towers since close to a wet land area. It is important to recognize that the Islands Trust's Act and mandate require superior consideration to be given to sensitive ecosystems.
2. A legal survey clearly showing the position of the tower and building on the property, and in relation the road, as well as an access easement through the private property.
3. The Gabriola Radio Society to adequately and explicitly address all concerns that came out of the 2012 public consultation process. These concerns include questions about visual impacts, which can be answered specifically now that the proponent has indicated the exact location of the tower.
4. Regarding answers to the questions: "Why this site?" and "Why not co-location?", should the proponent wish to pursue the rationale of emergency response, then the LTC will require information supporting the claim that emergency response communication is lacking on Gabriola.

Should the applicant be unwilling or unable to supply the above requested information, then the LTC must continue with a decision of non-concurrence.

As additional information, Islands Trust staff notes that a Notice of Work was submitted in October 2014 for expansion of the existing sandstone quarry on the proposed site, confirming that the tower is intended to locate on the site in addition to the existing quarry.

Please don't hesitate to contact me should you have any questions.

Kind regards,

Aleksandra Brzozowski
Island Planner

Cc: Ken Zakreski, Gabriola Radio Society
Gabriola Island Local Trust Committee

DRAFT

Date: March 16, 2015

File Number: GB-CL 2015.1

To: Gabriola Island Local Trust Committee
For the meeting of April 2, 2015

From: Karin Kronstal, Island Planner

Re: **Crown Referral on Lease Amendment for Stony Ridge Aggregate (For Information)**

In February 2015, the Islands Trust Northern Office received a referral from the Ministry of Energy and Mines for an amendment to an existing permit held by Stony Ridge Aggregate. As mining activity falls under the jurisdiction of the *Mines Act*, the decision whether to issue the permit amendment rests with the Government of British Columbia. However, this type of application may be referred to the relevant local government to assess whether the proposed use conforms with the existing zoning and for any additional comments.

In general, the Local Trust Committee (LTC) receives such referrals from staff as information items rather than including them on the meeting agenda. However, given the significant local interest in a permit recently issued for a sandstone quarry on Lyackson First Nation territory on Valdes Island, in this case staff has provided additional background and contextual information for the application. Since 1994, Stony Ridge Aggregate Limited (owned and operated by Gabriola Island resident David Lorette) held had a permit to mine sand, gravel and sandstone on their property, located at 1400 South Road on Gabriola Island (see Figures 1 and 2).



Figure One: Context map of site location

The subject property is zoned 'Resource' under the Gabriola Land Use Bylaw, and designated 'Resource' in the Gabriola Official Community Plan. Neither the Land Use Bylaw (LUB) nor the Official Community Plan (OCP) speak directly to mining activity as permitted uses, since this is not regulated by local government. Section 4.6.2 of the Islands Trust Policy Statement states that "Trust Council holds that there should be no extraction of peat, metals, minerals, coal or petroleum resources in the Trust Area" and Section 6.6.2 states that "Trust Council holds that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area." As the ongoing and proposed activity does not include these types of development, the proposed permit amendment does not contravene the Trust Statement.

The location of the application is adjacent to residential properties. Mr. Lorette has noted that in twenty years of operation, he has never received a noise complaint. In the event that such issues do arise, the referral letter requests that the regulator include the ability to suspend or terminate the permit until such issues are resolved. The applicant has confirmed that unlike the quarry on Valdes, the proposed change in operations does not include the use of any explosives and so is unlikely to generate noise complaints.

The existing operation consists of mining sand, gravel and sandstone; however, currently sandstone is mined in smaller pieces primarily used for local projects (e.g. walkways, stone walls). The proposed change would allow Stony Ridge to use an air drill to excavate the stone in larger pieces suitable for building repair and construction. (Gabriola sandstone has been used for a number of historic buildings, and the current application was initiated following an inquiry to the applicant regarding their capacity to provide sandstone to repair a historic cathedral in Vancouver.)

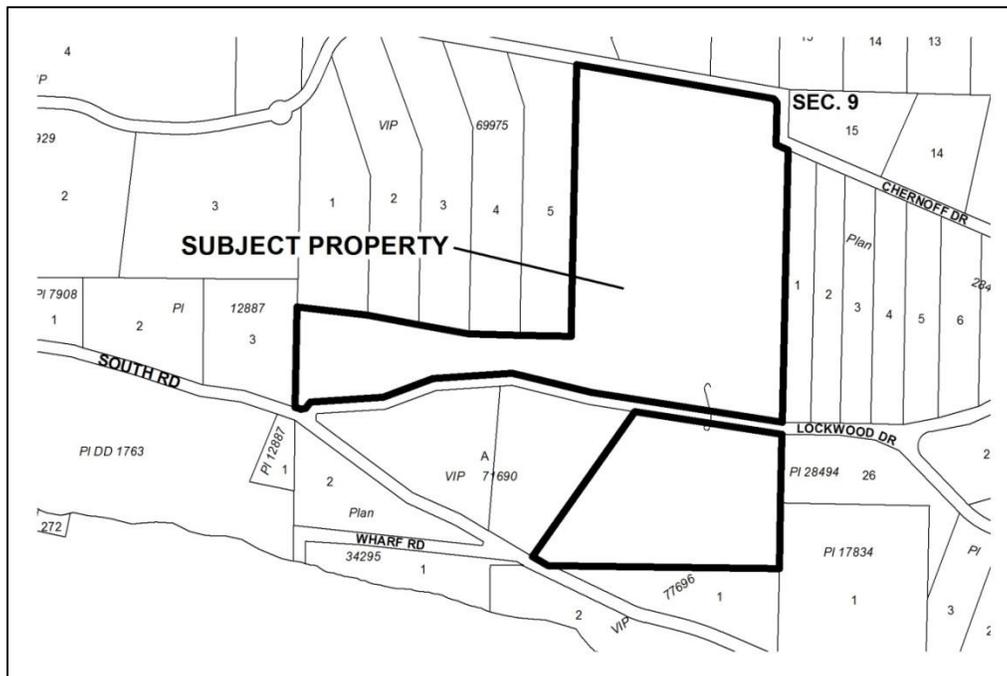


Figure Two: 1400 South Road

Under the proposed use, air drills would be used to cut large pieces for transportation off the island where they will be processed and sold. The applicant has stated that the new air drill is likely to be quieter than the current method of excavation by breaking using force (though he notes that he has not yet received any noise complaints in twenty years of operations). The sandstone would be cut using electric motors in order to transport it in trucks for transportation, but no other 'processing' type activity is included in this application. Any further processing of the stone beyond the cutting required for transportation would be considered an industrial activity and would require a rezoning application.

It is not anticipated that the proposed use would have any notable impact on the community, beyond the addition of 5-6 full time jobs on Island. The owner estimates that as many as 20-30 truckloads of material are already being delivered locally on a weekly basis, and the new activity will add only one to two additional trips (all of which will be going to the ferry as they will be transporting the quarry stone to Vancouver.) The application notes that any water required for the expanded operations will be surface water from an existing pond on the property, and the only byproduct of the sandstone cutting will be sand. The applicant has also stated he intends to stay a minimum of 100 feet from a swamp located on the property. The referral letter stipulates that the operation should not draw on any groundwater nor disturb any sensitive ecosystems.

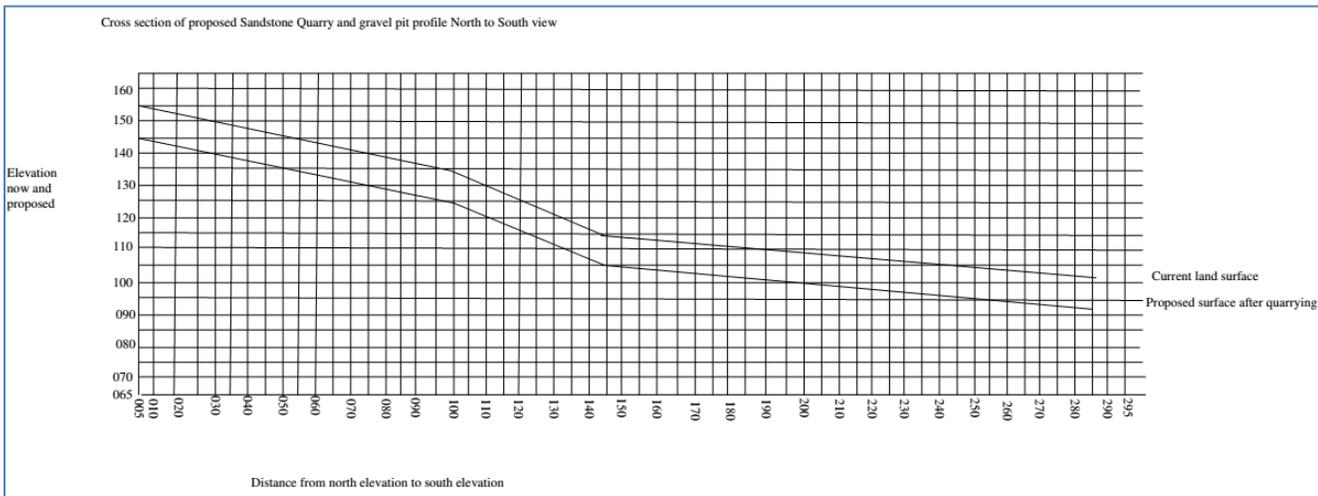


Figure 3: Cross-section of proposed quarrying activity

If the permit amendment is granted, the applicant will be required to submit a geotechnical plan with details about site security, including fencing. The referral notes that the site is to be cleaned and “reclaimed” on an ongoing basis to ensure the area is restored to the maximum extent possible; the BC Government would be responsible for collecting a bond to ensure reclamation plans are followed, and for regular site inspections. As shown on Figure 3, the removal of the stone would not change the overall drainage pattern of the site. Like the existing permit, there is no time limit associated with this permit amendment but reclamation and inspection activities would be ongoing. The owner estimates that the earliest that cutting and transportation of quarry rock would begin is between one and five years from the issuance of the permit.



700 North Road, Gabriola Island, BC V0R 1X3
Telephone **250. 247-2063** Fax 250. 247-7514

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Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

March 16, 2015

File Number: GB 3430-20

(D Lorette)

Your File: 1029117

Maryann Bouffard
Land Officer
Front Counter BC
Operations Coordinator

Dear Maryann:

Re: Proposal for an Amendment to existing Mines Act Permit for quarrying activity and cutting of stone located 1400 South Road, Gabriola Island, BC (approximately 0.25 ha)

Please note the following response comments to this referral:

1. Does this proposal relate to your agency's legislated responsibilities?

Yes.

If yes, please identify the relevant legislation (including section):

Official Community Plan policies and Land Use Bylaw regulations apply to the proposed site area for this referral (See Attachment 1 for Map): The *Gabriola Island Official Community Plan No. 166, 1997* (OCP) and the *Gabriola Island Land Use Bylaw No. 177, 1999* (LUB).

Section 3 of the *Islands Trust Act* states:

The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.

Section 24(2) of the *Islands Trust Act* states:

For the purpose of carrying out the object of the trust, each local trust committee may do the following:

- (b) regulate the development and use of land in its local trust area in accordance with sections 29 and 31.

Section 29(1) of the *Islands Trust Act* states:

Each local trust committee has, in respect of its local trust area, all the power and authority of a regional district board under the following enactments:

- (a) sections 694 (1) (j) and 723 of the *Local Government Act* and Part 26 of that Act, except Division 10 of that Part and except section 939;

Part 26, Division 7, section 903 of the *Local Government Act* provides that a local trust committee may enact zoning regulations that regulate the use, density of use and siting, size and shape of buildings and structures.

Gabriola Island Official Community Plan No. 166, 1997 (OCP), a bylaw to adopt the Official Community Plan for part of the Gabriola Local Trust Area, whereby the Plan restricts the Gabriola Local Trust Committee (“the Trust Committee”) to enact only those bylaws and undertake only that work which is consistent with the Official Community Plan.

Gabriola Island Land Use Bylaw No. 177, 1999 (LUB), a bylaw to adopt a land use bylaw for the Gabriola Island portion of the Gabriola Island Local Trust area and alter the area of application for the Gabriola Island zoning and subdivision bylaws, whereby this bylaw applies to that portion of the Gabriola Island Local Trust Area shown on Attachment 1, excepting areas within Indian Reserves. Without limiting the foregoing, this includes Gabriola Island and the areas seaward of its shoreline encompassing all other islands, islets rocks, reefs, the seabed, and sea surface, plus any other water surface areas and all air spaces within the boundary shown.

2. If the proposal proceeds, will the proponent require approval or a permit from your agency? If yes, please explain.

No. The proposal appears not to include processing of materials (the only cutting of stone being for the purpose of material transportation). However, should the activities change to include processing, the applicant will be required to apply and be approved for a rezoning.

3. Will ongoing compliance monitoring be required by your agency as a result of your legislated responsibilities? If yes, please explain what will be required.

No. Compliance with the regulations in Gabriola Land Use Bylaw No. 177 will be monitored by way of bylaw enforcement should there be a complaint made by the member of the public or should there be a safety or environmental contamination issue.

4. Will this application affect public use of the area? If yes, please explain.

Yes. The location of the application is adjacent to residential properties. The application may affect neighbours should there be noise, air pollutants, or issues with regard to water use or waste water. These should be addressed as part of a site management plan for any future permit amendment, and the permit conditions should include the ability to cease operations if issues of nuisance such as those described above arise.

Regional Government

Is the application area for the Land application zoned for the proposed purpose?

The area is zoned Resource (R) as per the Gabriola Island Land Use Bylaw. As such, the proposed purpose is not included in the zoning; however, resource extraction activity does not require zoning permission.

The following are the permitted uses and structures in the above zones (see attachments for excerpts from bylaw) and no others are permitted in the above zones:

Permitted Principal Uses:

- Agriculture, including the sale of agricultural products grown or raised on the lot but excluding animal husbandry on lots less than 2.0 hectares (4.94 acres)
- Forestry
- Single family residential
- AM/FM Towers on lands shown on Schedule C, Map 5
- Shooting range, on lands as shown on Schedule C, Map 4

Permitted Accessory Uses:

- home occupations accessory to a residential use, subject to Section B.3
- cottage residential, on lots 2.0 hectares (4.94 acres) or larger, subject to Section B.6.3
- boarding and breeding kennels, accessory to a residential use, on lots 2.0 hectares (4.94 acres) or larger
- boarding and riding stables, on lots greater than 2.0 hectares (4.94 acres)

If no, what is the current zoning?

See above.

What is the estimated time required for a decision on an application to rezone the area should the applicant wish to pursue this option?

Should a rezoning be required in order to pursue the processing of goods (industrial use), it would take approximately one to two years.

RECOMMENDATION:

The Islands Trust does not object to this application, subject to the following:

- The additional activity must not generate any noise, air pollutants, or issues with regard to water use or waste water, and the conditions of the permit should stipulate that it can be terminated or suspended if said issues arise and are not appropriately addressed;
- All First Nations with a potential interest in the subject site should be consulted prior to the permit being issued;
- If the applicant wishes to commence the processing of raw materials on site; there must be an application for rezoning to allow for industrial use;
- The proposed sandstone excavation must not change the existing drainage patterns;
- The proposed sandstone excavation must not use groundwater for quarrying or cutting of stone;
- Any new buildings accessory to the proposed use must be constructed the appropriate permits; and
- The proposed activity must not affect any sensitive ecosystems or sites of archaeological significance.

Sincerely,

Karin Kronstal
Island Planner
Local Planning Services

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

Attachments:

- 1- Excerpt from Gabriola Island Land Use Bylaw No. 177, 1999

Attachment 3: Excerpt from Gabriola Island Land Use Bylaw No. 177, 1999

Gabriola Island Land Use Bylaw No. 177 - Schedule A

Resource Zones

D.2.4 Resource(R)

D.2.4.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Resource (R) zone:

3L 193

Permitted *Principal* Uses

- i *agriculture*, including the sale of agricultural products grown or raised on the *lot* but excluding animal husbandry on *lots* less than 2.0 hectares (4.94 acres)
- ii *forestry*
- iii *single family* residential
- iv AM/FM Towers on lands shown on Schedule C, Map 5
- v shooting range, on lands as shown on Schedule C, Map 4

b. Permitted *Accessory* Uses

- i *home occupations accessory* to a residential use, subject to Section B.3
- ii *cottage* residential, on *lots* 2.0 hectares (4.94 acres) or larger, subject to Section B.6.3
- iii boarding and breeding kennels, *accessory* to a residential use, on *lots* 2.0 hectares (4.94 acres) or larger
- iv boarding and riding stables, on *lots* greater than 2.0 hectares (4.94 acres)

D.2.4.2 Buildings and Structures

The *buildings* and *structures* permitted in Article B.1.1.2, plus the following *buildings* and *structures* and no others are permitted in the Resource (R) zone:

a. Permitted *Buildings* and *Structures*

- i Maximum of:
 - one *single family dwelling* per *lot*;
 - one *accessory cottage* dwelling per *lot*, not exceeding 65.0 square metres (699.7 square feet) on *lots* 2.0 hectares (4.94 acres) or larger;
 - three *buildings* per *lot* that exclude a *cottage*, *pump/utility house* and woodshed, and that are *accessory* to all dwellings; and
 - one *produce stand* per *lot*, not exceeding 20.0 square metres (215.3 square feet) in *floor area*, *accessory* to an agricultural use.
- ii Other non-residential *buildings* and *structures* to accommodate:
 - *agriculture*, *forestry*, boarding and breeding kennels, and boarding and riding stables; and
 - AM/FM Towers on lands shown on Schedule C, Map 5

For Information purposes only - Farm status under the BC Assessment Act is not required for the construction of *buildings* or *structures* for an agricultural use.

D.2.4.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Resource (R) zone:

3L 250

a. *Buildings* and *Structures* Siting Requirements

- i On *lots* less than 1.0 hectare (2.47 acres), except for a sign, *fence*, or *pump/utility house*, the minimum *setback* for *buildings* or *structures* is:

BL 250

- 6.0 metres (19.7 feet) from the *front lot line*;
 - 4.5 metres (14.8 feet) from any *exterior side lot lines*; and
 - 1.5 metres (4.9 feet) from any *interior lot lines*.
- ii On lots 1.0 hectare (2.47 acres) or larger, except for a sign, fence, or pump/utility house, the minimum *setback* for buildings or structures is:
- 10.0 metres (32.8 feet) from any *lot line*.
- iii Despite items D.2.4.3a.i and D.2.4.3a.ii:
- the minimum *setback* for boarding or breeding kennels is 30.0 metres (98.4 feet) from any *lot line*;
 - the minimum *setback* for greenhouses is 20.0 metres (65.6 feet) from any *lot line*, except for greenhouses not exceeding 46.0 square metres (495.2 square feet) in *floor area* or for larger greenhouses illuminated during hours of darkness where fencing, screening, shade cloth or other surfacing is used to cover all glare emitting surfaces, in which cases the minimum *setbacks* of items D.2.4.3a.i and D.2.4.3a.ii apply; and
 - the minimum *setback* for agricultural waste storage is 30.0 metres (98.4 feet) from any *lot line*.
- b. Lot Coverage Limitations**
- i The maximum combined *lot coverage* by buildings and structures is 10 percent of the *lot area*.
- c. Lot Area Requirements for Subdivision**
- i The minimum average *lot area* is 8.0 hectares (19.77 acres).
- ii The minimum *lot area* is 2.0 hectare (4.94 acres), excepting that the minimum *lot area* is 1.0 hectare (2.47 acres) where serviced by a *community water system* and a *community sewer system*.

Date: March 20th, 2015 **File No.:** GB-OCP-2015.1
To: Gabriola Island Local Trust Committee
For the meeting of April 2nd, 2015
From: Karin Kronstal, Island Planner
CC: Courtney Simpson, Regional Planning Manager

Re: Gabriola Planning Area Official Community Plan (OCP) Review

Interim Report

On January 22nd, 2015, the Gabriola Island Local Trust Committee (LTC) passed the following resolution:

GB-2015-007

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct staff to provide an update on the Gabriola Official Community Plan review incorporating the results of the previous terms Advisory Planning Committee report.

This staff report provides an update on Official Community Plan (OCP) revisions accomplished to date under this Project, an overview of the potential OCP and related Land Use Bylaw (LUB) amendments identified by the Volunteer Review Committee during the 2009 to 2011 term, and recommends priorities in the ongoing OCP review for LTC's consideration.

Project Objectives

As stated in section 875 of the *Local Government Act*, an official community plan is "a statement of objectives and policies to guide decisions on planning and land use management." The purpose of the Project when it was initiated in 2009 was to update the OCP goals and objectives to reflect current community priorities and to ensure alignment of the OCP with higher level planning documents such as the Trust Policy Statement and Regional Conservation Plan. Please find attached the Strategic Plan and Public Consultation strategy for the OCP/LUB review, as adopted at the LTC meeting on January 29, 2010.

Project Background

At the September 2009 LTC meeting the Gabriola Island Local Trust Committee (LTC) adopted a Terms of Reference for a Volunteer Review Committee (VCR) to assist with the OCP review process. The purpose of the Committee was to provide community input, review goals, policies and directions for the Official Community Plan and Land Use Bylaw, and make recommendations to the LTC. The VCR Terms of References stated that the "Committee shall

play a leadership role to identify and discuss community interests relating to the Review.” As such, the VRC was not limited to reviewing topics specifically referred to them by the LTC. The last meeting of the VRC came near the end of the LTC’s 2008-2011 term.

In mid-2010, the VRC presented the LTC with a list of nineteen broad themes, each with several sub-issues, as areas of possible focus for the OCP review. Of these areas, the VRC selected five themes as their highest priorities for action– ‘Housing’, ‘Water and Sewer’, ‘Density’, ‘Commercial’, and ‘Economy.’ The attached table provides a list of the 19 topics and sub-topics identified by the VRC, and shows whether the LTC addressed, referred or deferred action. In some cases, the actions taken are still ongoing or the LTC declined to take action at all.

In discussing the high priority items during their 2009-2011 term, the VRC primarily focused on the following topics: The issue of density limits; lack of adequate/legal housing for people at the lower end of the income scale (e.g. subsidized affordable housing and modest income housing); and water supply and wastewater disposal. These issues are interrelated, as some types of affordable housing (e.g. secondary suites, cottage dwellings) can raise concerns about the Gabriola’s carrying capacity in terms of water supply and wastewater disposal.

One of the VRC’s main products was a report on water supply and wastewater disposal, which contained a number of recommendations for amendments or LTC advocacy (received at the January 27, 2011 LTC meeting, [and available on the project website](#)). The LTC referred this document to the Regional District of Nanaimo and the Vancouver Island Health Authority as the primary agencies responsible, but did not pursue the recommended OCP/LUB amendments at that time. Since that time, the Regional District of Nanaimo has undertaken a major groundwater study that provides some of the baseline data that the VRC recommended be assessed and monitored by the Islands Trust. The report related to this project, to which the LTC has contributed \$12,500 over two terms, is available on the [RDN website](#).

Review of the LTC minutes reflect serious consideration by the LTC of the VRC’s recommendations in deciding which to focus on. In many cases the LTC requested planning staff provide more information before making a decision. At times the LTC made no changes to the OCP or made a different change than the one the VRC recommended, either because they didn’t agree with the recommendation or had a different priority. For example, the VRC recommended that the definition of “family” be removed from the OCP in favour of the word “household.” The LTC considered this recommendation, but ultimately chose to retain the use and definition of “family” in the OCP, based on a desire to retain the limit of five unrelated persons living in the same household found in the current definition.

Due to the broad project scope, the previous LTC created a number of sub-projects with separate objectives and timelines for completion. Of the eight currently on the priorities list, four sub-projects have been fully completed and are awaiting Ministerial approval prior to final adoption (Riparian Areas Regulations, Climate Change Bylaws, Agricultural Bylaws and Parks Rezoning); one has been started but not completed (Village Core policies and regulations), and three have not been started (First Nations/archeological protection; updating the 2010 Built Out Map; consideration of density transfer affordable housing policies for cottage densities). The ‘Analysis’ section below proposes a restructuring of the remaining sub-projects’ classifications.

Relevant Policy and Land Use Considerations

Trust Council Strategic Plan

The Trust Council Strategic Plan is a key reference document when considering which priorities to pursue as part of the ongoing OCP review. Some examples of relevant strategies include the following:

Strategy 3.3 - Use land use planning tools and decisions to protect water quality and quantity

Strategy 4.3 - Use land use planning tools and decisions to improve the availability of affordable, accessible, appropriate housing (as described in Trust Council's toolkit, Community Housing Toolkit)

Islands Trust Policy Statement

The review of the OCP should consider the goals and objectives of the Islands Trust Policy Statement to ensure that any proposed changes align with the Islands Trust overall purpose.

Climate Change Mitigation

In 2010, the Local Trust Committee adopted policies in the Official Community Plan for targets, policies and actions to address climate change through proposed Bylaws No. 273, and By-law 276 bring these changes into the Land Use Bylaw through changes to regulations.

Gabriola Island Affordable Housing Needs Assessment (2009)

The 2009 report, produced for the Islands Trust and funded jointly with the Regional District of Nanaimo and the Real Estate Foundation, provides background information and policy options for addressing housing affordability.

Analysis

There are four sub-projects under the OCP review project that have not yet been started, or only partially completed. This section provides context for these sub-projects to help the LTC decide whether to keep the current list of higher priority sub-projects and next steps the LTC might consider in moving forward in each area.

Consider density transfer affordable housing policies for cottage densities

At the regular LTC meeting on August 11, 2011, the LTC passed the following resolution:

GB-147-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee amend its top priority list to add development of policies regarding cottage densities for density banking.

This item was added to the list near the end of the 2008-2011 term, and was part of a larger discussion on how to increase Gabriola's affordable housing stock without increasing overall density on the island (e.g. not adding to the number of actual and possible residential units currently allowed under the existing zoning.) The purpose of this project was to assess whether it would be possible to transfer the permitted 'cottage density' (the secondary cottage of less than seven hundred square feet permitted on residential lots larger than 5 acres) to the Density Bank for later use as new affordable housing in designated areas, possibly near the village core.

In 2011, the LTC moved forward on OCP amendments allowing the transfer of densities resulting from lands rezoned from Forestry to Resource Residential and from donated densities. Around the same time, the Trustees expressed the need for more community consultation and research prior to cottage densities being included in these amendments and included OCP Section 2.5.2(c), "Residential densities listed in the Residential Density Bank in Appendix 2 are principal dwelling units and do not include accessory cottages until related policies are developed by the Local Trust Committee."

Due to the number of other priorities within the OCP review, work on this project has not been active for several years. Staff recommends that this project be temporarily moved onto the 'projects in waiting' page until such time as any amendments to the DP-7 area have been complete, which would provide some options as to where such densities could be located. One of the options for locating affordable housing that has emerged both in Gabriola community discussion and land use planning practice is a centralized location in the village core. Some rural communities feel it is more appropriate to locate affordable housing within the low density, rural pattern of current development throughout the island, such as in cottages on individual lots. It appears that the LTC has not yet led a community discussion about the details of provision of affordable housing for Gabriola, which will be important for determining how and where banked densities might be used. This has been identified in past discussions as key information for any decision to permit the banking and transfer of cottage densities.

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)

In 2010 a revised edition of the original 2005 'Built-Out Map', which estimates the existing and potential development based on the size of current lots and the potential for further subdivision, was prepared for the purpose of providing background information for the OCP review. The map and the associated staff report are available [on the project website](#).

As of the 2010 count, there were 3232 lots on Gabriola with the potential for an additional 112 lots to be created through subdivision. However, these figures should not be considered as an accurate representation of the Island's full build out potential due to the following constraints:

- 1) Subdivision requirements or restrictions which may occur but not taken into account by the mapping included lot width to lot length ratios, park dedication, road dedication and steep slopes;
- 2) Parcel sizes for this map and calculations were derived from the Island Trust GIS Cadastral map and may vary slightly from the British Columbia Assessment data;
- 3) All subdivisions are subject to the final approval of the Ministry of Transportation and Infrastructure and not decided by the Islands Trust;
- 4) All lands that are located in the Agricultural Land Reserve require approval from the Agricultural Land Commission for subdivision or development; and
- 5) Road or park dedication, or slope, topography, riparian area or ecologically sensitive areas could result in non-approval of a subdivision or development.

As a result, the most useful information the Build-Out map provides is not the total number of potential lots ('densities') on the Island as a whole, but rather an estimation as to how many densities might be available for transfer from lands currently zoned as Forestry. The report

estimates that there are 62 potential densities available for transfer from existing Forestry zoned lands.

The report also notes that there are 642 potential “cottage” densities that could be transferred (405 from lots zoned as Large Rural Residential, 196 from lots zoned Forestry and Resource, and 41 from Small Rural Residential lots over 2.0 ha in size), should the LTC choose to undertake amendments that enable the transfer of cottage densities into the Density Bank for use as affordable housing. However, this does not take into account the lots that already have cottages on them, and whether those cottages have been legally constructed.

At their October 27, 2011 meeting, the LTC passed the following motion:

GB-175-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee direct staff to update the 2010 Build Out Map Report for the consideration and review of the 2011 – 2014 Local Trust Committee.

Due to other priorities within the review this update was not completed during the last LTC term. Given that this map may be misinterpreted by the public as providing an absolute number of potential densities, staff recommends removing this item from the projects list and that any mapping related for future projects regarding to density transfers be undertaken as a separate exercise in support of those specific projects (e.g. a map showing only lands zoned Forestry eligible for density transfer through rezoning, etc.).

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

The LTC has expressed a high level of interest in engaging with our First Nations neighbours and many other local trust committees have made some aspect of this relationship building a Top Priority. Staff continues to work with First Nations to improve the bylaw referral process. While referrals typically do not require decision making by the LTC, there are many other avenues for improving communications and strengthening relationships with First Nations that the LTC can consider, and staff supports this remaining a Top Priority.

Given the scope and urgency of this issue, staff recommends that the wording be amended to mention ‘improving communications and strengthening relationships with First Nations’ and that it be made a stand-alone item rather than a sub-project of the OCP review, as it is the case for other local trust committees (e.g. Denman LTC, Executive Areas (Ballenas-Winchelsea Islands) LTC). Making this issue a stand-alone priority also reflects the importance given to it in the Strategic Plan, which has as Objective #5 to “Strengthen relations with First Nations.” Given that there are already three Top Priorities, staff recommends that this be placed at the top of the Projects list and that it be made a Priority as soon as the Housekeeping Bylaw amendments are complete.

In order to not lose the specific activity of implementing archaeological protection policies, staff recommends this is added to the “activity” column of this item on the Top Priorities List.

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

The area covered by Development Permit Area #7 (DP-7) is often referred to as the “Village Core” or Folklife Village (though the DP-7 encompasses a larger area than the Folklife Village commercial center). The LTC gathered community input on potential changes to Village Core area through a World Café style public consultation on October 5th, 2011. Some of the input gathered during that session was integrated into the climate change bylaws, specifically input on permeable parking, moving parking to the rear of the building and reduced parking requirements. Other aspects of the DP-7 form, such as new building design guidelines, have not been a priority area of the OCP review to date.

As the LTC is aware, in 2014 the community group ‘Village Vision’ began what is anticipated to be a two-year engagement/conversation to re-imagine Gabriola’s primary commercial node. While still early in the process, the LTC has been asked to provide support in the form of technical advice from staff and potentially by later assisting in coordinating meetings between the Islands Trust, Village Vision representatives and other government agencies.

Staff recommends the existing sub-project be made a stand-alone project, and that the wording be amended to reflect that the Village Vision is an independent, community-driven process whose work may inform future bylaw amendments. It makes no sense for the Islands Trust staff to start collecting community input or drafting guidelines when there is a similar process underway, and staff can play a role by providing information and advice as required. However, the issues being considered by the Village Vision group are beyond the legislated authority of the LTC for land use planning, and the conclusions of the Visioning process may not represent the community as a whole and cannot replace a public consultation process led by the LTC.

This being the case, the project description should reflect that the LTC is supportive of but not a partner in the Village Visioning project. If the LTC wishes to revise the project description at a later date to reflect a more active role in the Village Vision that remains an option. As there is no immediate need for staff involvement, staff recommends moving the amended project to the projects-in-waiting list until such time as is seems appropriate to be moved to the Top Priority list. Given the infrequency of the Village Visioning meetings, it is not anticipated significant staff resources will be required in the immediate future.

Project Scope and Timeline

The project timeline for the OCP/LUB review has been a moving target as sub-projects shift on and off the Top Priorities list and sub-projects take longer than anticipated for a variety of reasons. As the attached Strategic Plan makes clear, the original intention of the review was that the project was to be completed by the fall of 2011, which is also when the VRC term ended. As the attached update table demonstrates, the LTC did make many significant amendments to the OCP/LUB, including the creation of the Density Bank (Bylaw No. 262). That not every possible issue was included in amending bylaws does not necessarily indicate an incomplete process but that the issues left out of the general review were of sufficient complexity to warrant status as stand-alone projects.

As discussed above, staff recommends limiting the number of Priorities to three at a time. In its current multi-project format, the OCP/LUB review could last for the remainder of the 2014-2017 term and delay addressing more current community priorities, such as in-house dog boarding.

Reducing the numbers of priorities allows staff sufficient time to produce quality reports as well as handling any rezoning or development permit applications that arise. As noted, a number of issues raised during the OCP review remain on the project list; staff recommends these also be considered stand-alone projects to be made Priorities as work is completed and space becomes available. The LTC may wish to review the existing Projects list to ensure it reflects current community concerns and to rank the Projects in order of the importance assigned by the LTC.

Resources and Roles

Courtney Simpson will be the project manager, with support from Island Planner Karin Kronstal. Trust Council recently approved a budget of \$3,500 for this project in the 2015/16 fiscal year, part of which will be required if the OCP review involves further public consultation or a Public Hearing. The funds may also be used for communications material or to pay costs associated with attending meetings with First Nations or other groups.

Communications

The 'Project' section of the Gabriola LTC website includes specific pages for the sub-projects that are nearing completion (e.g. Riparian Areas Regulations). The website has been updated to include relevant staff reports from the OCP review to date, including the attached status chart.

Project Charter

The attached Strategic Plan was the original charter for this project. Since the adoption of the new template, four of the sub-projects within OCP review were given their own Project Charters (Riparian Areas Regulations, Climate Change Bylaws, Agricultural Bylaws and Parks Rezoning). Once staff has direction from the LTC as to any desired changes to the scope of this project, Staff will draft a new Project Charter.

Next Steps

This staff report has touched on a number of issues without going into great detail about the background information available (e.g. previously prepared staff reports, minutes from community information meetings or focus groups). Should the LTC wish to be provided with any further context on a particular issue from the attached list of VRC recommendations, more detail can be provided as an information item at the next regular meeting.

Summary of Planning Recommendations

Based on the background and analysis provided above and in the attached documents, staff suggests that a continuation of the "Gabriola Community Plan Review" project in its current form may not be required to achieve "completion" of this project as initiated in 2009. The attached table of "OCP Review Topics and Work Done to Date (2009-2014)" indicates that consideration was given to all topics and the LTC at the time made decision to either address, defer, decline or refer to another agency.

The question for this LTC is how to address the deferred items. There appears to be an understanding in the community among those who are following this, that the "Gabriola Community Plan Review" project that was initiated in 2009 is not complete until all of the

deferred sub-projects are complete. The challenge is that the list of deferred items that remain are broad in scope and from a process perspective, each one easily warrants being an individual Top Priority project (with the exception of the build-out map which staff considers to be a tool in which to facilitate a primary project regarding densities). Staff suggests there will be more success in accomplishing the remaining work to be done by re-organizing the sub-projects into projects of their own, which could be accomplished as follows:

1. Move Priority 2.5 (“Consider density transfer affordable housing policies for cottage densities”) from the Top Priorities list onto the Projects list;
2. Remove Priority 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)”) from the Top Priorities list;
3. Amend Priority 2.6 to read “Village Core Review” and move it from the Top Priorities list onto the Projects list; and
4. Amend Priority 2.8 to read “Strengthen relationships with First Nations” and move it to the Projects list until the completion of the Housekeeping Bylaw amendments, at which time it may be moved to the Top Priorities.

RECOMMENDATIONS:

THAT the Gabriola Local Trust Committee provides direction on the scope of the Gabriola Official Community Plan Review project.

Prepared and Submitted by:

Karin Kronstal

March 20, 2016

Karin Kronstal, MCIP, RPP
Island Planner

Date

Concurred in by:

Courtney Simpson

March 20, 2015

Courtney Simpson, MCIP, RPP
Regional Planning Manager

Date

Attachments:

1. Summary of OCP Review Topics and Work Done to Date (2009-2014)
2. OCP/LUB Strategic Plan and Public Engagement Strategy (2010)

Appendix One: Summary of OCP Review Topics and Work Done to Date (2009-2014)

Suggested Issue for LTC Review (from VRC)	Sub-Topics (from VRC)	LTC Response (Addressed, Ongoing, Deferred, Declined or Referred)	Current Status
Housing	<ul style="list-style-type: none"> - Secondary Suites - Homelessness - Affordable Housing - Eco-footprint analysis 	<p><u>Addressed:</u> Bylaw 262 OCP amendments related to affordable and seniors housing</p> <p><u>Deferred:</u> The LTC opted not to introduce new secondary suites regulations but created a new sub-project for future consideration</p>	<p>The OCP includes density transfer options and a new definition of affordable housing (Bylaw 262)</p> <p>Sub-project 'Consider density transfer affordable housing policies for cottage densities' has not been officially started (Significant background work done, no project charter)</p>
Water and Sewer	<ul style="list-style-type: none"> - Bulk water extraction and sales - Ground water availability - Septic Fields and alternatives - Green infrastructure 	<p><u>Referred:</u> The LTC referred the VRC documents the 'Gabriola Water Supply' and 'Liquid Waste Management' and VRC recommendations to the Regional District of Nanaimo (RDN) and to Executive Committee of Islands Trust Council for consideration during Ministry of Environment's Water Act consultation.</p>	<p>The LTC is contributing \$12,500 to a major report by the Regional District of Nanaimo on groundwater availability on Gabriola Island</p> <p>The new <i>BC Water Sustainability Act</i> will replace the <i>BC Water Act</i> in 2016</p> <p>Vancouver Island Health Authority is the regulating body on septic systems</p>
Agriculture	<ul style="list-style-type: none"> - Protection of ALR lands - Food Security 	<p><u>Addressed:</u> Bylaws No. 274 and 275 provide policies and regulations for improved food security</p>	<p>Bylaws awaiting Ministerial approval</p>
Communication Towers	<ul style="list-style-type: none"> - Policies and Restrictions 	<p><u>Addressed:</u> LTC created a Standing Resolution on Communication Towers with consultation requirements and siting restrictions</p>	<p>See Standing Resolution GB-025-2010</p>
Alternative Energy	<ul style="list-style-type: none"> - Siting and height for wind turbines - Community energy plan 	<p><u>Deferred:</u> After discussion at the LTC, the LTC did not prioritize this issue, but it may be addressed soon at a Trust-wide level</p>	<p>Developing a Renewable Energy Toolkit is part of the Islands Trust Strategic Plan</p>

First Nations	<ul style="list-style-type: none"> - Land and uses - Cultural references - Protection of archeological areas - Snuneqmuxw First Nation Protocol Agreement Implementation 	<u>Ongoing</u> : The current list of LTC priorities includes a sub-project to improve First Nations referrals and protection of archeological sites	<p>Improved First Nations relations is part of the Islands Trust Strategic Plan</p> <p>Staff have begun quarterly meetings with Lyackson First Nation to facilitate the referral process and improve relations</p> <p>Current sub-project</p>
Green Wharf	<ul style="list-style-type: none"> - Advocacy and retention of the wharf 	<u>Referred</u> : The Regional District of Nanaimo has taken the lead on the Gabriola Green Wharf	As of January 2015, the Regional District of Nanaimo (RDN) set aside \$7,500 to do an appraisal of the Green Wharf on Gabriola with the intention of taking it over from the federal government
Transportation	<ul style="list-style-type: none"> - Cycle route - Public Transit - Speed Limits - Section 42 Road Designation 	<u>Referred</u> : The RDN was provided with a copy of the 'Shared Roads: Gabriola Island Bicycle Route Plan'	<p>The Ministry of Transportation has jurisdiction over road names and speeds</p> <p>*Independent from LTC: GERTIE bus system created</p>
Environmental	<ul style="list-style-type: none"> - Marine Eco-systems - Sensitive Eco-system mapping - Conservation Plan 	<u>Addressed</u> : Sensitive Eco-system mapping available on the Islands Trust website	In January 2015, the Islands Trust updated our existing mapping application (MapIT) with new information on eco-systems
Open Space and Parks	<ul style="list-style-type: none"> - Optimize parkland - Beach access - Create trail linkages - Donations 	<u>Addressed</u> : Bylaws No. 271 and 272 rezoned significant areas as new parks	<p>Bylaws awaiting Ministerial approval</p> <p>*Independent from LTC: The Gabriola Land and Trails Trust has created many new trail connections</p>
Riparian Areas	<ul style="list-style-type: none"> - Mapping and Policies 	<u>Addressed</u> : Bylaws No. 265 and 266 addressed Riparian Areas Regulation requirements	Bylaws awaiting Ministerial approval

Climate Change	<ul style="list-style-type: none"> - Targets and Policies - Zero Emissions Vehicles 	<p><u>Addressed:</u> Bylaws No. 273 and 276 provide climate change action</p> <p>Islands Trust requested a study from the Ministry of Transportation and Infrastructure (MoTI) on the use of net zero emissions vehicles</p>	<p>Bylaws awaiting Ministerial approval</p> <p>In November 2010, MoTI confirms that study is complete and provides a map as to where net zero emissions vehicles are permitted</p>
Culture/Institutional	<ul style="list-style-type: none"> - The Commons - The Haven - Archeological Sites 	<p><u>Addressed:</u> Bylaw 258 recognized the importance of the Commons to Gabriolans</p>	<p>The ongoing Village Visioning process may provide more information on current community needs regarding cultural and institutional uses</p>
Commercial	<ul style="list-style-type: none"> - Mixed Use - Village Core 	<p><u>Ongoing:</u> In October 2011, the LTC hosted a Village Core World Café Workshop on developing new policies for the Village Core, and this remains on the work program priorities as a sub-project</p>	<p>The current sub-project “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” has not been officially started (Significant background information has been done, no project charter)</p> <p>The ongoing Village Visioning process may provide more information on current community needs regarding commercial activity</p>
Development Permit Areas	<ul style="list-style-type: none"> - Hazardous Areas and Steep Slopes - Village Core - Twin Beaches - Eagle Nesting Trees 	<p><u>Addressed:</u> LTC provided \$1000 to the Gabriola Rescue of Wildlife Society (GROWLS) to develop a comprehensive summary report and data inventory of bald eagle nest locations on Gabriola Island.</p> <p><u>Ongoing:</u> The sub-project related to the DP7 is still on the priorities list</p>	<p>Eagle Nest mapping report completed in October 2014</p> <p>The current sub-project related to DP7 is active (see above)</p> <p>The ‘hazardous slopes’ project was not completed by the LTC decided to proceed no further with it on February 21, 2013</p>

Density	<ul style="list-style-type: none"> - Update 2010 Built Out Map - Density Transfer Policies - Definitions - Covenants restricting subdivision 	<p><u>Ongoing</u>: Added two sub-projects related to density, but these have not been started due to work on other sub-projects</p> <p><u>Addressed</u>: OCP amendments created the Density Bank through Bylaw No. 262</p>	<p>Active sub-projects related to density:</p> <p>“Consider density transfer affordable housing policies for cottage densities” (Significant background information has been done, no project charter)</p> <p>“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)”</p>
Implementation and Enforcement	<ul style="list-style-type: none"> - Formatting - Mapping - Soil removal bylaw - Bylaw enforcement 	<p><u>Addressed</u>: Housekeeping Bylaw No. 278 has updated some of the maps in the Official Community Plan</p> <p><u>Deferred</u>: Activity related to by-law enforcement put on the inactive projects list on November 1, 2012</p>	<p>A related project on the inactive projects list: “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”</p>
Economy	<ul style="list-style-type: none"> - Requires a separate section in the OCP 	<p><u>Declined</u>: The LTC did not see this as directly within the Islands Trust mandate and more appropriately addressed by the responsible agencies and community organizations</p>	<p>The ongoing Village Visioning process may provide more information on current community needs</p>
Emergency Services	<ul style="list-style-type: none"> - Improved Access 	<p><u>Addressed</u>: Though not selected by the LTC as a high priority item as it is within the jurisdiction of the Regional District of Nanaimo, but Bylaw No. 262 did insert stronger policies regarding Land Transportation and Fire Protection Advocacy into the OCP and working with other agencies</p>	<p>No activity at this time</p>



**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
STRATEGIC PLAN AND
PUBLIC CONSULTATION STRATEGY
FOR THE
GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN
AND LAND USE BYLAW REVIEW
Adopted – January 29, 2010**

GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN AND LAND USE BYLAW REVIEW

A: STRATEGIC PLAN

1) STATEMENT OF NEED

Given that:

- Official Community Plans are generally intended to have a 5 to 10 year lifespan and the existing Official Community Plan (1997) and Land Use Bylaw Review (1999) are both over 10 years old;
- economic, social, and demographic changes have occurred on Gabriola Island in the last ten years;
- new approaches have emerged that focus on sustainability, green infrastructure, climate change and increased awareness of our ecological footprint;

It is time to review this foundational planning document and revisit the objectives and policies of the plan in the best interests of the Gabriola Local Trust Committee and of the community.

2) MISSION

To produce the highest quality Official Community Plan and Land Use Bylaw for Gabriola Island and the two smaller islands, Breakwater and Entrance as well as the Flattop Islands, and to ensure the meaningful and relevant participation of the community, to support the focused energy of the Volunteer Review Committee (VRC) in a cost effective and timely manner.

3) GOAL

To meet legislated requirements of the Local Government Act regarding an Official Community Plan; and to ensure that the Official Community Plan and Land Use Bylaw are fully aligned and work well together with no inconsistencies; and to provide clarity for the community and for the Gabriola Local Trust Committee in making well-informed land use decisions.

4) OBJECTIVES

This is a targeted and focused review that affirms the community values of the existing Official Community Plan, acknowledges what is working well, identifies gaps and inconsistencies, incorporates thoughtful and relevant community input and newly emerging issues. To this end we will review and put forward an Official Community Plan and Land Use Bylaw that meets the following objectives:

- 4.1 Upholds and strengthens the “preserve and protect” mandate;
- 4.2 Reflects the community’s values within a framework of environmental, social economic and cultural sustainability;
- 4.3 Provides an effective communication tool that promotes stewardship of island resources;
- 4.4 Incorporates new legislation and regulations as required (Greenhouse Gas Emissions (GHG) and Riparian Area Regulations (RAT), etc);
- 4.5 Remains aligned with the Trust Policy Statement and “high level” parts of the Trust Council Strategic Plan;
- 4.6 Has been successfully formatted for consistency and revised for punctuation, grammar and spelling;
- 4.7 Has fully aligned the Official Community Plan policy and objectives with the Land Use Bylaw regulations;
- 4.8 Has been completed in a cost effective and timely manner;
- 4.9 Measures and evaluates the process to determine that the community felt that it was heard and had the opportunity to participate in a meaningful and relevant way.

5) ACTIVITIES

The activities required for the Official Community Plan review will generally follow the Time Line prepared by Islands Trust Staff that outlines the steps for research, consultation, analysis and approval necessary to complete a successful Official Community Plan and Land Use Bylaw Review. The Time Line will be reviewed by the Gabriola Local Trust Committee on a regular basis and feedback will be provided as required.

6) MEASUREMENT TOOLS

The success of the Official Community Plan and Land Use Bylaw Review will be measured through follow up consultation with the Volunteer Review Committee and the community in order for the Gabriola Local Trust Committee to answer the following questions:

- 6.1 Does the plan uphold the legislated “preserve and protect” mandate?
- 6.2 Does the plan reflect the community’s values?
- 6.3 Does the plan promote the stewardship of the islands resources?
- 6.4 Does the plan incorporate the required legislation and regulation?
- 6.5 Does the plan align with the Islands Trust Policy Statement and Islands Trust Council Strategic Plan?
- 6.6 Is the document formatted so that it is easy to read and consistent throughout?
- 6.7 Was the plan completed in a cost effective and timely manner?
- 6.8 Was the community engaged appropriately and meaningfully in the process?

7) TIMING

It is the goal to have the document ready for public hearing in the spring of 2011 and to submit to the Minister and adopted prior to fall 2011.

B: PUBLIC CONSULTATION STRATEGY

1) PURPOSE OF CONSULTATION

The purpose of a public consultation strategy is to undertake the best methods for gaining public involvement, engaging the community and gathering the maximum amount of information for the preparation of policy for the Official Community Plan.

A variety of public consultation methods will be used to ensure that a means of participating in the review will be available to all interests. Community consultation will be initiated early in the process and on-going consultation will be practiced throughout the process.

As per Section 879 Local Government Act, the Local Trust Committee has wide latitude to determine consultation methods that will be used, but it must provide one or more opportunities it considers appropriate for consultation with persons, organizations, and authorities it considers will be affected in the development of an official community plan. Consultation under this section of the Act is in addition to the public hearing required under section 883 (3) (d).

2) CONSULTATION METHODS

- 2.1 Volunteer Review Committee: appointed to assist with the review of the Official Community Plan and Land Use Bylaw. The purpose of the committee is to provide community input, to review the Official Community Plan and Land Use Bylaw and to make recommendations to the Local Trust Committee;
- 2.2 Community newspapers: press releases, articles, interviews, ad placements, inserts;
- 2.3 Community Survey: widely distributed, including to non-resident owners;
- 2.4 Request for verbal and written submissions from individuals and group;
- 2.5 Community events: opportunities at other community venues & events to display Official Community Plan materials and provide information, comment sheets;
- 2.6 Public Meetings: community workshops, design charettes, open houses;
- 2.7 Co-hort Meetings: youth, seniors, teenagers;
- 2.8 Community Information Sessions: displays, comment sheets, information, opportunities for communication between community members and trustees;
- 2.9 Website: regular updates, maps, background reports, meeting notices;
- 2.10 Agency consultation and referrals: a) as required by the Local Government Act – First Nations, Regional District; Municipal Councils, School District; Provincial and Federal governments; b) community agencies such as the local Fire Department, BC Ferries, RCMP;

2.11 The Protocol Agreement between the Islands Trust and the Snuneymuxw First Nation includes provisions for consultation and information exchange on the development of community plans, zoning and land use by-laws

3) PRINCIPLES OF CONSULTATION

- Inclusivity
- Transparency
- Fairness
- Timeliness
- Accessibility

The principles of consultation will be applied to all manner of meetings, information, communication, resources, materials, and community participation during the Official Community Plan and Land Use Bylaw Review.



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	In house dog boarding definition (Gabriola)	Consider allowing in-house dog boarding in the small rural residential zone.	Jan-22-2015			On Going



Projects

Gabriola Island

No.	Description	Activity	Received/Initiated	Status
1	Review OCP and LUB to include protective measures for biodiversity.	Species and Ecosystems at Risk (SEAR) Local Government Working Group may have resources for this project.	Jan-19-2012	On Going
1	Review OCP and LUB to improve protection of coastal areas.		Jan-19-2012	On Going
1	Review OCP and LUB to protect water quality and quantity.		Jan-19-2012	On Going
1	Bylaw enforcement staff requested to provide a report on methods of proactive enforcement on advertised unlawful dwellings, as that is the point they are most likely to be unoccupied.		Nov-01-2012	On Going
1	Bylaw enforcement staff requested to provide an update on proactive enforcement of unlawful foreshore structures.		Nov-01-2012	On Going
1	Mudge Island MPR bylaw amendments	See Mudge APC minutes of June 8, 2014	Jun-26-2014	On Going
1	DeCourcy Island MPR 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
1	Snuneymuxw First Nation Protocol Agreement Implementation		Jan-22-2015	On Going
2	DeCourcy Island Official Community Plan Review and Advisory Planning Commission Appointments. Topics include: <ul style="list-style-type: none"> • park areas without park zoning • DAI Bylaw 		Apr-21-2011	On Going

2	Hazardous areas and steep slopes development permit area <ul style="list-style-type: none"> • also consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain 		Feb-21-2013	On Going
2	Forage Fish Mapping Workshop	March, 2013 resolution	Sep-05-2013	On Going
3	Land Based Aquaculture	Review most recent provincial direction on land based aquaculture and develop appropriate policies and regulations.	Jan-16-2014	On Going
3	First Nations cultural references in land use planning	Work with Snuneymuxw First Nation (SFN) to seek funding for archaeological mapping and host and invite SFN Councillor Geraldine Manson to make a storytelling presentation on Gabriola.	Jan-27-2011	On Going
3	Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).		May-14-2014	On Going

Applications w/ Status - Gabriola Island Status: Open

Applications

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-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: Jan-13-2015

Working to satisfy conditions

Status Date: Mar-14-2014

PLA received

Status Date: Feb-19-2014

Request for extension

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

Planning Status

Status Date: Mar-19-2015

No change in status.

Status Date: Feb-16-2015

No change in status.

Status Date: Sep-03-2014

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

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

Planning Status

Status Date: Mar-19-2015

No change in status.

Status Date: Feb-16-2015

No change in 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.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2013.3	Smythies & Associates Planner: Teresa Rittemann	Oct-28-2013	411 Daniel Way subdivision to create 2 parcels

Planning Status

Status Date: Mar-19-2015

No change in status. Contacted MOTI to see if they closed the file, but have not yet heard back.

Status Date: Feb-16-2015

No change in status. File will be closed by MOTI after March 10, 2015.

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.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2013.4	Godfrey, Taggart, Shamai 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

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2015.1	THOMAS PINK Planner: Karin Kronstal	Mar-11-2015	Vacation rental for approximate 6 to 8 weeks of the year

Planning Status

Status Date: Mar-23-2015

Final document received. Planner reviewing file.

Islands Trust

LTC EXP SUMMARY REPORT F2015
Invoices posted to Month ending February 2015

620 Gabriola	Invoices posted to Month ending February 2015	<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	2,023.67	2,226.33
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	1,000.00	1,250.00
TOTAL LTC Local Expense		<u>8,000.00</u>	<u>3,328.64</u>	<u>4,671.36</u>
Projects				
73001-620-2001	Gabriola OCP/LUB	10,000.00	6,361.71	3,638.29
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>12,611.71</u>	<u>3,638.29</u>

Gabriola Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: January 12, 2015

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	January 29, 2010	GB-025-2010	Communication Towers and Antennae	<p>It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution:</p> <ul style="list-style-type: none"> • Proposals for any new or expanded communication towers and antennae require an application to the Gabriola Islands Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting and one advertisement in both local newspapers. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; however, as a minimum, the proponent shall give written notice to Islands Trust Northern Office staff and the Snunéymuxw First Nation, all owners and residents of properties within a 2 kilometre radius of the subject property where the facility is proposed. The required notice shall include the following information: <ul style="list-style-type: none"> ○ 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 of impacts to such areas ○ physical details and example illustrations of the tower including its height, colour, type and design ○ the time and location of a public meeting and advertising ○ the name and contact information of the contact person employed by the proponent ○ the name and all contact information of the Islands Trust planning staff available for public comments and questions regarding the proposal; and ○ the proponent may be required to enter into a cost recovery agreement with the Islands Trust, in order to offset application processing costs incurred.