



A NOTICE OF A BUSINESS MEETING OF **THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:15 AM on Thursday, January 17, 2013 at the Women's Institute,
476 South Road, Gabriola Island, BC

AGENDA

		Page No.	*Approx. Time*
1.	CALL TO ORDER		10:15 am
2.	APPROVAL OF AGENDA		
3.	MINUTES		
3.1	Local Trust Committee Meeting Minutes of November 29, 2012 – <i>for adoption</i>	1-9	10:20 am
3.2	Section 26 Resolutions Without Meeting - <i>none</i>		
3.3	Gabriola Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
3.4	Mudge Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
3.5	Gabriola Island Agricultural Advisory Commission Meeting Minutes - <i>none</i>		
4.	BUSINESS ARISING FROM MINUTES		10:25 am
4.1	Follow-up Action List dated January 8, 2013 - <i>attached</i>	10-13	
4.2	Email dated November 29, 2012 from Kathy Ramsey, Gabriola Arts Council President regarding Institutional Zoning for the Women's Institute Property - <i>attached</i>	14	
4.3	Staff Advice regarding TEDxGabriolaIsland Event– <i>verbal update</i>		
5.	CORRESPONDENCE		10:45 am
	<i>“Correspondence specific to an active development application and/or project will be received by the Gabriola Island Local Trust Committee when that application or project is on the Agenda for Consideration”</i>		
5.1	Letter dated November 15, 2012 from Ken Wur, President of Gabriola Island Chamber of Commerce regarding Roadside Signage Recommendations - <i>attached</i>	15-21	
5.2	Email dated December 3, 2012 from Alana Tees of BC Water and Waste Association regarding New Dates for Drinking Water Week 2013 and Community Grants Program - <i>attached</i>	22-23	

6.	REPORTS		
6.1	Work Program Reports		11:00 am
	Top Priorities Report and Projects List dated January 8, 2013 - <i>attached</i>	24-26	
6.2	Applications Log		
	Report dated January 8, 2013 – <i>attached</i>	27-30	
6.3	Trustee and Local Expenses - none		
	Expenses posted to December 31, 2012 - <i>attached</i>	31	
7.	NEW BUSINESS		
8.	TRUSTEES' REPORT		
9.	CHAIR'S REPORT		
10.	REGIONAL DIRECTOR'S REPORT		
11.	DELEGATIONS		
12.	TOWN HALL SESSION		11:45 am
13.	APPLICATIONS AND PERMITS		
13.1	GB-DP-2012.4 (Williams and Associates – Daniel Way) Staff Report dated January 2, 2013 - <i>attached</i>	32-45	11:55 am
14.	LOCAL TRUST COMMITTEE PROJECTS		12:10 pm
14.1	Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas & Steep Slopes)	46	
	14.1.1 Project Charter (November 2012)		
	14.1.2 Communications Strategy (November 2012)	47-48	
	14.1.3 Gabriola Island Development Permit Areas – Revised Steeps Slopes Mapping	49-88	
	Staff Report dated January 8, 2013 - <i>attached</i>		
	14.1.4 Development Permit Areas and Development Approval Information	89-93	
	Bylaw – Revised Time Frame		
	Staff Report dated January 7, 2013 - <i>attached</i>		
14.2	Integrated Shoreline and Watershed Mapping Workshop	94-96	
	Staff Report dated January 3, 2013 - <i>attached</i>		
14.3	Climate Change Policy Implementation Project	97-98	
	Memorandum dated January 7, 2013 - <i>attached</i>		
15.	BYLAWS		
16.	ISLANDS TRUST WEBSITE		
16.1	Gabriola Page – <i>attached</i>	99-101	

17. NEXT MEETING:

Special Local Trust Committee Meeting to Hold a Community Information Meeting regarding Riparian Areas and Steep Slopes Development Permit Areas:

Thursday, January 17, 2013 at 7:00 pm at the Community Hall, 2200 South Road, Gabriola Island, BC

Local Trust Committee Regular Business Meeting:

Thursday, February 21, 2013 at 10:15 a.m. at the Women's Institute, 476 South Road, Gabriola Island, BC

18. TOWN HALL SESSION – *time permitting*

19. ADJOURNMENT

1:30 pm

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

DRAFT

**MINUTES OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE MEETING
HELD ON THURSDAY, NOVEMBER 29, 2012 AT 10:15 AM
AT THE WOMEN'S INSTITUTE
476 SOUTH ROAD, GABRIOLA ISLAND, BC**

PRESENT: David Graham Chair

 Sheila Malcolmson Local Trustee
 Gisele Rudischer Local Trustee
 Howard Houle Regional Director
 Chloe Fox Island Planner
 Jessie Sherk Recorder

There were two (2) local media representatives and two (2) members of the public in attendance.

1. CALL TO ORDER

Chair Graham called the meeting to order at 10:19 am. He welcomed the public and introduced Trustees and staff. He acknowledged that the meeting is being held in the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The agenda was adopted by consensus with the following amendments:

- Add item 3.6- Draft Minutes of the Gabriola Island Transportation Advisory Commission Meeting dated Nov 20, 2012
- add to item 4.2 – Memorandum dated November 22, 2012
- add item 6.3 – LTC Expense summary report posted to November 30, 2012

3. MINUTES

3.1 *Local Trust Committee Meeting Minutes of Nov 1, 2012*

The minutes were adopted by consensus with the following amendments:

- page 2, item 3.6, change the order of the second sentence to read "... requesting the Local Trust Committee to advocate for a reduction in the income threshold for farm status on parcels less than 2 acres and ask the Regional District of Nanaimo Director to attend the next Agricultural Advisory Commission meeting."
- page 9, item 14.1.3, delete the line "may not have captured all topographic elements and"
- page 11, item 14.3, delete the line "add an additional" and change it to "provide a"

3.2 *Section 26 Resolutions Without Meeting*

There were no resolutions without meeting

3.3 *Gabriola Island Advisory Planning Commission Meeting Minutes*

The Gabriola Island Advisory Planning Commission Meeting Minutes dated November 5, 2012 were reviewed for information and discussed with Planner Fox.

3.4 *Mudge Island Advisory Planning Commission Meeting Minutes – None.*

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

3.6 *Gabriola Island Transportation Advisory Commission Meeting Minutes*

The Minutes from the Gabriola Island Transportation Advisory Commission Meeting were discussed with the following points noted:

- The Transportation Advisory Commission recommended that the consultation process be extended or discontinued as it is flawed and there is a lack of detailed financial information from BC Ferries on the breakdown of overhead costs among the various routes
- Many of the questions would be better answered by management and before any changes are made to Route 19 schedules there should be further consultation with the community presenting options by the Ministry of Transportation and Infrastructure
- Excerpts from the Islands Trust Policy Statement and the Mudge and Gabriola Official Community Plans should be attached in the submission to the province by December 21, 2012

Trustee Rudischer distributed draft wording for a submission to the Ministry of Transportation and Infrastructure consultation on ferry services for consideration by the Local Trust Committee.

GB-119-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee use Trustee Rudischer's November 29 draft as the basis for a LTC submission to the Ministry of Transportation and Infrastructure on ferry service, and consider finalizing a submission by Resolution Without Meeting in December.

CARRIED

4. BUSINESS ARISING FROM MINUTES

4.1 *Follow-up Action List dated November 20, 2012*

Planner Fox indicated that there were no changes to the Follow-Up Action List and responded to questions that arose.

The topic of using extra funds in the Official Community Plan Review budget this fiscal year was discussed. Trustees Rudischer and Malcolmson discussed funding and what to do about the Official Community Plan climate change policies and Land Use Bylaw.

GB-120-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request a staff report on hiring a consultant to implement Official Community Plan climate change policies into the Land Use Bylaw

CARRIED

4.2 *Staff Advice regarding Eelgrass Mapping Proposal from Topographics –*

Planner Fox and the Trustees discussed the Memorandum dated November 22, 2012 regarding eelgrass mapping. There will be more information about the budgets and discussions at the January Local Trust Committee meeting.

5. CORRESPONDENCE

5.1 *Email dated November 18, 2012 from Rachel Davey, of The Haven regarding TEDx Gabriola Island Event – attached*

Received.

Committee members reviewed and discussed the above noted email, which requested ways to partner with the TEDx. The author of the letter, Rachel Davey, says that the TEDx Gabriola event would be one of the very few on a rural island. Davey stated that the intention is that it would be a community event that will showcase the best of the local community as well as bring in speakers from off island to discuss and foster ideas that would bring positive change. She added that there are specifications and rules laid down by the TED organization and that it is not a revenue generating event. Leftover money would go back into the community. Davey stated that that she thinks this will be a wonderful way to put Gabriola on the map. Davey mentioned that VIU is providing financial support and that the Haven is providing food/venue. Davey stated that the main purpose of her email was to let the Local Trust Committee know that this is coming. The focus area is diversity and empathy. Trustee Malcolmson stated that it would be lovely for the Local Trust Committee to be involved in the event in some way.

GB-121-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff to advise whether it can fund or provide in kind support as proposed in the TEDx letter of Nov 18, 2012 from Rachel Davey.

CARRIED

6. REPORTS

6.1 *Work Program Reports
Top Priorities Report and Projects List dated November 20, 2012*

The Top Priorities Report and Project list dated November 20, 2012 was discussed with the following points noted:

- In regards to the Integrated Watershed and Shoreline Mapping Workshop – the funder has extended the deadline so there is not a rush to hold the mapping workshop. It has been extended to August 31, 2013. Staff recommends the workshops done by March 31, 2013.
- On page 23 it was discussed that items # 8 and # 10 under Top Priority 2, the Gabriola Planning Area Official Community Plan Review, seemed to be the same

GB-121-2012 It was **MOVED** and **SECONDED** that the Local Island Trust Committee amend its top priorities list to remove 2.8 which reads development of policies regarding cottage densities for density banking.

CARRIED

6.2 *Applications Log
Report dated November 20, 2012*

The Local Trust Committee briefly reviewed the Applications Log dated November 20, 2012

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

The Local Trust Committee reviewed the local expense statement with postings to November 30, 2012

7. NEW BUSINESS

None

8. TRUSTEES' REPORT

Trustee Rudischer reported that November has been a very busy month and due to illness she wasn't able to attend all the meetings. She did attend a meeting of Trust Council's Local Planning Committee at the beginning of the month where they failed to reach a consensus on a model fees bylaw referred by Trust Council. She noted that they also asked staff to develop an updated review of the geothermal approaches being used on other islands to act as a guide. They also considered budget allocations for developing a tool kit to protect water quality, quantity and conservation. A budget request was also made to develop mechanisms for proactive bylaw enforcement of illegal structures on the foreshore.

Trustee Rudischer enjoyed attending the Remembrance Day assembly and laid a wreath on behalf of Islands Trust.

On November 20, 2012 Trustee Rudischer attended the Transportation Advisory Committee meeting. It was an interesting discussion where a number of

recommendations were made, which she has compiled and put into a draft submission for review by the Local Trust Committee.

Two days later she attended the Stream Keepers meeting. Trustee Rudischer noted that this was a very enthusiastic group of people who have located funds for the training of volunteers and initiated educational programs.

She also attended a meeting at The Commons regarding a pilot bus service on the island. It was discussed that maybe the only way this will work is if the program is run by volunteers for the first year. It's hoped that the operating costs will be covered by fares.

Trustee Malcolmson also attended the meeting with the Local Planning Committee and added that another priority was to develop a land use tool kit to use in the area of water conservation.

Trustee Malcolmson also attended the Advisory Planning Commission meeting on the draft development permit area to implement the provincial Riparian Areas Regulation. She noted that it was interesting to hear the commission members encouraging the Local Trust Committee to consider broader ecosystem protection goals, rather than just fish habitat. She felt it was a refreshing contrast to reactions on other islands in the Trust Area.

She attended a Salt Spring Island meeting on mapping for the Riparian Areas Regulation. The meeting was a reminder of the importance of the work they are doing.

Trustee Malcolmson also attended the Remembrance Day ceremony and noted the reception afterwards was very nice.

Looking forward to the Trust Council meeting next week, she noted that all 26 trustees would be attending a meeting on Salt Spring Island. There will be a presentation from the Agricultural Land Commission and another on Shoreline Stewardship. There will be US and Canadian examples on what to do to incent waterfront property owners to look after what they have on the shorelines. There were also briefings on the Draft budget for 2013/2014 and a briefing on the Salt Spring Island governance review.

She also reported that decisions would be coming up regarding the National Marine Conservation Area. It is being argued that Parks Canada use the local zoning as a basis for their interim management plan. It will save the federal government a lot of money if they don't have to start from scratch and local zoning has been developed in consultation with the community.

9. CHAIR'S REPORT

Chair Graham reported that he the only thing he had to add was that Trust Council would also be looking at a draft policy around municipal tax requisition calculation at the upcoming meeting.

10. REGIONAL DIRECTOR'S REPORT

Regional Director Howard Houle reported that he attended 19 meetings in November with a few yet to come. During a consultation between the RCMP, City of Nanaimo, and Regional District of Nanaimo the five-year strategic plan was discussed and they all got to know each other. At a meeting with the Parks and Open Spaces Advisory Committee he learned that the management plan for Huxley Park is under way. It was also decided that they are going to start consulting on a beach access for boats, barges, viewpoints and other recreation for Mudge Island. They hope to have some results of surveys by February of 2013.

Regional Director Houle reported that it was his first time placing the Regional District of Nanaimo wreath at a Remembrance Day service. It was a great turn out as it is every year.

Next he noted that the public meeting with BC Ferries didn't seem to give answers to people's questions, it was more about the questions posed by BC Ferries. He mentioned that he personally does not favor increasing property taxes.

He attended a meeting with the Nanaimo Economic Development Corporation regarding the tourism plan for the region. He noted that the Chamber of Commerce has details in their recent newsletter or you may call Jenn at the Nanaimo Economic Development Corporation office (250-591-1551).

Regional Director Houle then discussed the 4-H Appreciation Tea that he attended. He is a 25-year sponsor of 4-H and wanted to recognize Sue Boulton for all her contributions as a 4-H Leader.

He then discussed that the Regional District of Nanaimo, as well as a number of other regional districts have been approached by the Island Corridor Foundation to contribute \$2.3 million to help with the rebuilding of railroads on Vancouver Island. The Regional District of Nanaimo's portion would be \$945,000 with \$39,386 of that coming from Gabriola. On November 27, 2012 the Regional District of Nanaimo passed a motion to fund the Island Corridor Foundation.

He then discussed the public meeting organized by Sustainable Gabriola regarding the proposed bus system and what that may look like. He noted that there would be more information about this in the future.

He then noted that the fire at the Rod and Gun club was very concerning to him and if anyone has information about this to please call the local RCMP. Lastly he mentioned that Wharf road to Green Wharf is now a fully gazetted road.

11. DELEGATIONS

None

12. **TOWN HALL DISCUSSION**

None.

13. **APPLICATIONS AND PERMITS**

None.

14. **LOCAL TRUST COMMITTEE PROJECTS**

14.1 *Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas and Steep Slopes) Revised project Charter and Communications Strategy*

14.1.1 *Staff Report dated November 15, 2012*

Planner Fox discussed the staff report and two attachments.

Trustee Malcolmson added that she thought they should tighten up the timing of first reading of the bylaw and wondered if this would change dates in the work plan.

Planner Fox said that they could consider a special meeting to consider first reading and that wouldn't change anything in the work plan considering the dates are rough anyway.

GB-122-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request that staff schedule a special meeting for the purpose of considering first reading of the Gabriola Island Development Permit Area bylaw after the January 17, 2012 community information meeting.

CARRIED

GB-123-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee endorse the revised Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas & Steep Slopes) Project Charter, dated November 5, 2012 and the revised Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas & Steep Slopes) Communications Strategy, dated November 5, 2012.

CARRIED

14.1.2 *Development Permit Areas and Development Approval Information
Official Community Plan Amendments
Staff Report Dated November 15, 2012*

Planner Fox reviewed the report and stated that the purpose of this report was to present draft ideas for the amendment of the Gabriola Official Community Plan to designate circumstances and/or areas for which development approval information may be required to present

staff recommendations regarding the relocation of development permit area guidelines from the Official Community Plan to the Land Use Bylaw and to discuss the inclusion of Mudge and Decourcy Islands in the Developmental Approval Information Bylaw.

Discussion followed and it was noted that it would be neater and save time overall to include Mudge and Decourcy Islands in the Development Approval Information Bylaw now.

GB-124-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee direct staff to prepare amendments to the Gabriola Island Official Community Plan and the Gabriola Island Land Use bylaw to move the existing development permit area guidelines from the OCP to the Land Use Bylaw

CARRIED

GB-125-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee direct staff to include the Mudge and Decourcy Island planning areas in the draft development approval information bylaw and to prepare amendments to the Mudge Island Official Community Plan and the Decourcy Island Official Community Plan to designate circumstances for which development approval information may be required.

CARRIED

14.1.3 Letter Dated November 1, 2012 from Gavin Coford and Karen Curry regarding Development Permit Area 6

The Trustees discussed the letter dated November 1, 2012 from Gavin Coford and Karen Curry regarding Development Permit Area 6 and noted the following points:

- There are already steep slope development permit areas in place on the island
- The mapping that has been done uses standard methodology which is better than what the current steep slopes development permit area is based off of.
-
- Trustee Malcolmson will write a letter back to Gavin Coford and Karen Curry

*14.2 Rezoning of Regional District of Nanaimo Parks
Staff report dated November 14, 2012*

Planner Fox reviewed the report and noted that the purpose of this report was to present a Project Charter and Communications Strategy for this project and to identify three new park areas: Petroglyph Way Trails, the Sandwell Provincial Park parking area, and Whalebone Community Parks accesses that are recommended for inclusion in the project scope.

The Trustees discussed the issue of catching other park areas that may not yet be identified and the issue of allowing community gardens in parks.

GB-126-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee remove the word preliminary from page 48 and remove the 2nd sentence starting “as such” on page 49 and then endorse the Gabriola Island Parks Rezoning Project Charter, dated November 9, 2012 and the Gabriola Island Parks Rezoning Communications Strategy, dated November 9, 2012

CARRIED

15. BYLAWS – None.

16. ISLANDS TRUST WEBSITE

16.1 Gabriola Page

There were no changes requested to the Gabriola page of the website.

17. NEXT BUSINESS MEETING

The next meeting of the Gabriola Island Local Trust Committee will take place on Thursday, January 17, 2013 at 10:15 am at the Women's Institute, 476 South Road, Gabriola Island, BC.

18. TOWN HALL SESSION

Trustee Malcolmson used this time to share that this week, December 4, 2012 is the consultation on the Kinder Morgan pipeline in Nanaimo and that she hopes other Gabriolans will attend. It will be held at Beban Park and is expected to be like the BC Ferries meeting but with more consultants. She hoped that Gabriolans would attend and ask questions.

There were no other comments or questions from the public.

19. ADJOURNMENT

Chair Graham adjourned the Gabriola Island Local Trust Committee meeting at 12:20 pm.

Recorder

Chair



Islands Trust

Follow Up Action Report w/ Target Date

Gabriola Island Jan-27-2011

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

Apr-19-2012

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

May-09-2012

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

Jul-26-2012

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

Oct-04-2012

No.	Activity	Responsibility	Target Date	Status
1	The LTC revise and approve the funding requests for Projects Proposed for Next Fiscal, 2013/14 as follows: Continuation of OCP Review - \$19,000 and Snuneymuxw First Nation Protocol Agreement Implementation - \$2,000, and forward to Financial Planning Committee as revised	David Marlor Courtney Simpson	Oct-19-2012	Done
1	LTC releases \$392.00 from its Local Expense Account Communications Budget to renew its ad in the Gabriola Directory	Becky McErlean Nancy Roggers	Oct-31-2012	Done
1	Trustee Malcolmson to draft a letter from the LTC to the Regional District of Nanaimo based on the October 3, 2012 draft letter and attach a list of relevant OCP policies	Chloe Fox	Nov-01-2012	On Going
1	Staff directed to assist with protocol agreement and memorandum of understanding amendments identified by the Regional District of Nanaimo	Chloe Fox David Marlor	Dec-31-2012	On Going

Nov-01-2012

No.	Activity	Responsibility	Target Date	Status
1	LTC endorses the proposed plan of subdivision for GB-SUB-2012.1 (Centre Stage Holdings) and the covenant for no further subdivision for Lot 20, and appoints Trustee Malcolmson to be a signatory, on behalf of the LTC, on the the application to deposit the plan	Marnie Eggen	Nov-16-2012	Done
1	LTC gives notices to Trust Council that it intends to forward a development approval information bylaw for Trust Council's consideration at its regularly scheduled March 2013 meeting.	Chloe Fox	Nov-29-2012	On Going

Staff directed to prepare a draft DAI bylaw consistent

with the Trust Council Model Bylaw and the Galiano DAI bylaw and to prepare a draft bylaw to amend the OCP to designate circumstances and/or areas for which DAI may be required and to prepare a RFD for submission to Executive Committee.

1	The LTC requests staff advice on completing eelgrass mapping as described in Topographics email dated October 31, 2012.	Kate Emmings Chloe Fox	Nov-29-2012	Done
1	LTC supports holding an Integrated Watershed and Shoreline Mapping workshop as described in the October 23, 2012 memorandum from staff.	Chloe Fox Sonya Sundberg	Dec-31-2012	Done
1	The LTC invites the Regional Director to attend the next meeting of the Agricultural Advisory Commission.	Chloe Fox	Jan-31-2013	Done
1	Bylaw enforcement staff requested to provide a report on methods for proactive enforcement on advertised unlawful dwellings, as that is the point they are most likely to be unoccupied.	Miles Drew	Feb-21-2013	On Going
1	Bylaw enforcement staff requested to provide a report on proactive enforcement of unlawful foreshore structures.	Miles Drew	Feb-21-2013	On Going
1	LTC requests that any extra funds left in the OCP budget be allocated to implementing OCP climate change policies into the LUB and reviewing and amending the OCP and LUB to increase local food security.	Chloe Fox	Mar-31-2013	Done

Nov-29-2012

No.	Activity	Responsibility	Target Date	Status
1	LTC amends its Top Priority List to remove Item 2.8 - the development of policie regarding cottage densities for density banking.	Chloe Fox	Nov-30-2012	Done
1	LTC endorses the revised Gabriola Island Development Permit Areas (Riparian Areas and Steep Slopes) project charter, dated November 5, 2012 and the revised Gabriola Island Development Permit Areas (Riparian Areas and Steep Slopes) communications strategy, dated November 5, 2012.	Chloe Fox	Nov-30-2012	Done

1	LTC endorses the Gabriola Island Parks Rezoning project charter, dated November 9, 2012 and the Gabriola Island Parks Rezoning communications strategy, dated November 9, 2012, both as amended November 29, 2012	Chloe Fox	Nov-30-2012	Done
1	The LTC to use Trustee Rudischer's November 29th draft as the basis for an LTC submission to MOTI's consultation on ferry service and consider a final submission by RWM in December.	Chloe Fox Becky McErlean	Dec-21-2012	On Going
1	Staff requested to prepare a report on hiring a consultant to implement OCP climate change policies into the LUB.	Chloe Fox	Jan-17-2013	Done
1	Staff advice requested on whether or not the LTC can find or provide in kind support as proposed in the TEDx letter of November 18, 2012 from Rachel Davey	Chloe Fox	Jan-17-2013	Done
1	Staff directed to prepare amendments to the Gabriola Island OCP and the Gabriola Island LUB to move the existing development permit area guidelines from the OCP to the LUB	Chloe Fox	Feb-08-2013	On Going
1	Staff directed to include Mudge and Decourcy Planning Areas in the draft Development Approval Information Bylaw and to prepare amendments to the Mudge OCP and the Decourcy OCP to designate circumstances for which DAI may be required.	Chloe Fox	Feb-08-2013	On Going
1	Staff requested to schedule a special meeting for the purpose of considering 1st reading of Gabriola Island Development Permit Areas (Riparian Areas and Steep Slopes) bylaw after the January 17, 2013 Community Information Meeting.	Chloe Fox Becky McErlean Theresa Warren	Feb-08-2013	Done

From: Ramsey Kathy [<mailto:k.ramsey.gac@gmail.com>]
Sent: November-29-12 10:26 AM
To: Sheila Malcolmson
Cc: John Peirce; carol martin; michelle benjamin
Subject: Re: Chamber and GAC wishes

Hi Sheila -- thanks for this!

GAC is solely looking at zoning changes at the WI Hall property ... we are wanting the zoning to allow office space for non-profits ... this would allow GAC to have an office there and, if the Chamber and GAC wanted to house the Chamber's Tourist Info Centre on the property, that would be allowed as well (currently only gov't offices are allowed?). I believe the Chamber was looking for broader zoning changes that would allow the Info Centre to slot into any similar zoning. In either case, if the WI Hall gets re-zoned to include non-profit office space GAC will be able to house its staff AND the Chamber if both groups decide to go that route. GAC is not particularly interested in any broader zoning change but would support it if it makes life easier for the Chamber's Info Centre.

I'm happy to report that the WI board has filed all their paperwork with Revenue Canada and we're just waiting on ruling from RC that will allow the WI board to transfer the property to GAC without capital gains tax!

And thanks for all **your** hard work!

Kathy

Kathy Ramsey
 Gabriola Arts Council President
 Arts BC's Community Art Champion 2012
 #9-575 North Rd.,
 PO Box 387
 Gabriola Island, BC
 V0R 1X0
 250-247-7409
k.ramsey.gac@gmail.com



5 – 377 Berry Point Rd.
 Box 249, Gabriola, BC V0R 1X0
 Phone/Fax: 250-247-9332 Toll Free: 1-888-284-9332
 E-mail: giccmanager@shaw.ca
 Web: www.gabriolaisland.org

November 15, 2012



Islands Trust
 Gabriola Island, BC

Island Trustees,

Subject: Chamber roadside signage recommendations

Enclosed please find our Roadside Signage recommendations which were developed in consultation with other Gabriola organizations and businesses.

Please contact if you have any questions.

Best regards,

A handwritten signature in black ink, appearing to read "Ken Wur".

Ken Wur
 President

The objectives of the **Gabriola Chamber of Commerce** shall be to promote and improve trade and commerce and the economic, civic and social welfare of the district.

Please visit us at www.gabriolaisland.org



DATE: November 16, 2012

TO: Gabriola Island Local Trust Committee

FROM: Gabriola Chamber of Commerce

RE: ROADSIDE SIGNAGE RECOMMENDATION

PURPOSE:

To define and achieve an approach to roadside signage for Gabriola that will

1. *Respect* the natural beauty of the island,
2. *Promote* our local businesses and events,
3. *Adhere* to safety, zoning and Ministry requirements, and
4. *Reflect* our talent as the *Isle of the Arts*.

BACKGROUND:

- In early 2011 The Gabriola Island Chamber of Commerce (GICC) commissioned a Tourism Signage Audit. (see attached)
- On July 28, 2011, the Gabriola Island Trust Local Committee (LTC) passed two resolutions on this issue;
 1. That the Local Trust Committee delegate Trustee Malcolmson to discuss roadside signage solutions with the Gabriola Chamber of Commerce and report back to the Local Trust Committee; and
 2. That the Local Trust Committee request that staff consult with the Ministry of Transportation and Infrastructure to explore possibilities for working in cooperation with the Ministry in relation to signs that are on the Ministry road right-of-way.
- The GICC struck a task force which included representatives from:
 1. *Gabriola Chamber of Commerce*
 2. *Gabriola Arts Council*
 3. *Folklife Village*
 4. *Madrona Marketplace*
 5. *North End Business – The Haven*
 6. *South End Business – Page's Resort & Marina*
 7. *Gabriola Residents*



RECOMMENDATION:

The Gabriola Chamber of Commerce, together with partners from the arts, commerce and residential communities, recommends a coordinated approach to roadside signage for Gabriola that is aligned with the Vision, Goals and Policies laid out in our Official Community Plan. The recommendation outlined below balances the needs to ensure *Gabriola is a peaceful, diverse, safe, rural community in harmony with a protected, natural environment* with the commitment to a *resilient local economy*, and to *recognize that small, locally owned and home-based businesses contribute significantly to the character and sustainability of island life*.

The recommendation has been broken down to address the two types of items being communicated through the existing signage: Special Event Promotion and Directional:

A. Special Event Promotion:

1. Special Events Sign Posts

- Construct four sign posts that provide a supporting structure and surrounding framework for temporary special event signs. Two to be located on Ferry Hill and two in the village core.
- The development of the design of the supporting structure and surrounding framework is to be put forward to the members of the Gabriola Arts Council to come up with a design reflecting our talent as the *Isle of the Arts* and which complements the design of the Directional Sign Posts (see below).
- The framework of each Special Events Sign Post will be large enough to accommodate a set number of slots for individual advertisements that are large enough to be seen by the passing vehicle traffic.
- Businesses/Clubs will control their own image and message; however the individual ad/sign would need to conform to the size and posting time-line.

2. Freestanding and/or Sandwich Board Signs

- Properties are permitted only one freestanding sign per lot (with the exception of malls) and the sign may only be located on the lot occupied by the use to which it refers.
- Additional Mall freestanding signage will be permitted provided it is not readily observable from a street and its sole purpose is to identify businesses/events on the site.
- GAC Tour signage to be redesigned to accommodate studio name and to offer an optional supporting framework structure which complements the Special Event Sign Posts, yet also allows for individual studio character.

3. Mailbox Notice Boards.

- To be better maintained and enlarged or 2-sided to allow sufficient space for events including garage sales, etc.



B. Directional:

1. Directional Sign Posts

- For Commercially and Tourist zoned businesses, Home Occupations, Clubs, Churches, Parks, Trails, Beach Accesses.
- Construct sign posts that provide a supporting structure and surrounding framework for business/club/park name and arrow. The structure is to accommodate necessary number of two-sided directional plaques.
- The development of the design of the supporting structure and surrounding framework to be put forward to the members of the Gabriola Arts Council to come up with a design reflecting our talent as the Isle of the Arts and complements the design of the Special Events Sign Posts (see above).
- Design of the template for individual plaques (including font and colour) to be determined as part of overall design of the Directional Sign Posts. Simple and legible by vehicle traffic.
- Directional Sign posts are to be located on the five main roads on Gabriola only and will be at any intersection down which there is a business, park, church etc which is not readily visible from the main road.

No other signage is to be tacked, posted or otherwise affixed to any structure, tree, pole, fence or any other surface on public property. Any signage currently so posted and without proper permit is to be removed.

All Special Events Promotional Signage and Directional Sign Posts are to meet all safety requirements and not interfere with MOTI signage. Permit application will be required.

The design, construction and ongoing maintenance of these signs and surrounding structures will be financed through accessing grants (ie. Public Art and Regional Development Economic Service) and an annual fee for each directional sign and Special Event advertising slot used.



GOVERNANCE:

Relevant excerpts from the following:

Gabriola Island Official Community Plan Bylaw 166

1.2 Vision Statement: *For the Future*

Gabriola is a peaceful, diverse, safe, rural community in harmony with a protected, natural environment. The local economy is resilient, we walk and cycle the island, and the land and sea provide bountiful harvests for all inhabitants. Island and marine wildlife, here long before human populations, continue to flourish.

1.3 Plan Principle and Major Goals

Environmental Goals

- 1. To preserve the unique natural environment of land, water and air and the life it supports.*
- 2. To preserve the natural beauty of the Gabriola Planning Area and recognize that areas of sensitivity or unique value require special protective measures.*
- 3. To encourage the removal of existing sources of pollution and discourage activities or projects inside or outside the Gabriola Planning Area, which would reduce the health, quiet, natural and aesthetic values of the Area.*

Social Goals

- 1. To preserve the rural character and atmosphere of the Gabriola Planning Area and ensure that the community remains a viable, healthful places in which to live, providing for a variety of lifestyles in harmony with the natural environment.*
- 2. To ensure that access and opportunity, now and in the future, are provided for the public to enjoy and appreciate the Gabriola Planning Area in harmony with the natural environment and existing communities.*
- 7. To recognize that small, locally owned and home-based businesses contribute significantly to the character and sustainability of island life.*

2.7 Home Occupational Use

Background: Home occupational uses provide a source of employment and services for Gabriola residents. The intent of this Plan is to permit a home occupational use on any parcel where residential use is permitted provided it is of a scale that is in keeping with the residential setting in which the home occupational use is located.

Home Occupational Use Objectives

- 1. To support home occupational uses so as to encourage greater community self-reliance and provide a source of employment for local residents; and*
- 2. To ensure home occupational uses do not adversely affect the residential character of the neighbourhood or cause environmental harm.*

3.1 Commercial Activity

General Commercial Objectives

- 1. To recognize the Village Centre (Lockinvar Triangle area) as the Island's primary location for commercial activity;*
- 2. To support the other existing commercial locations on the Island as secondary centres for commercial activity;*



3. To encourage a mix of commercial and other uses in the Village Centre;
 45. To regulate the appearance of commercial development, including signs, through the use of development permits and other regulations such as sign bylaws.

Local Commercial Policies

9.3 Development Permits to Establish Objectives and Guidelines for the Form and Character of Commercial, Industrial and Multi-dwelling Residential Development Development Guidelines

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

For the following types of development a Development Permit shall not be required:

- iii. the installation of carved wood signs on parcels where there are existing buildings, provided the signs do not exceed the maximum sizes permitted in local bylaws.

B.3 HOME OCCUPATIONS

B.3.3.General Provisions

B.3.3.1.Despite the uses permitted in Article B.3.2.1, or any other provision in this Bylaw, the following must be complied with for a home occupation to be permitted:

- c. There must be no exterior indication of the existence of a home occupation, either by stored materials, displays, lighting or by any other variation from the customary residential character of the lot, dwelling unit, or accessory building, with the exception of signs permitted by this Bylaw;
 i. Signage is permitted for all home occupations in accordance with Section B.4 of this Bylaw;

Gabriola Island Land Use Bylaw 177 B.4 SIGNS

B.4.1 Number And Total Area

B.4.1.1 Every sign, excepting those exempted in Subsection B.4.2, must comply with the provisions in Table 1.

Table 1: Sign Regulations

Column 1 Zone	Column 2 Maximum Number of Signs Permitted	Column 3 Maximum Total Sign Area Permitted
Residential Zones		
SRR, LRR	n/a	1.5 sq.m (16.1 sq.ft) per lot
SSN	2 per lot	4.0 sq.m (43.0 sq.ft) per lot
Resource Zones		
AG, F, R, GP	n/a	1.5 sq.m (16.1 sq.ft) per lot
Commercial and Industrial Zones		
VC1, VC2, DC1	2 per business	4.0 sq.m (43.0 sq.ft) per business
LC1, LC2, LC3, FP	2 per business	4.0 sq.m (43.0 sq.ft) per business
TC1, TC2	2 per lot	4.0 sq.m (43.0 sq.ft) per lot
I	2 per business	4.0 sq.m (43.0 sq.ft) per ????



Real estate signs on individual properties for sale may be temporarily displayed in any *zone*, subject to the sign not exceeding 1.1 square metres (12.0 square feet) in area and being located on the subject property. Such signs are to be removed within two weeks of sale.

B.4.1.3 Illuminated signs are not permitted.

B.4.1.4 Home occupations are permitted one sign per lot up to a maximum sign area of 0.3 square metres (3.2 square feet). This area is included within, and not in addition to, the areas noted in Column 3, "Maximum Total Sign Area Permitted", of Table 1.

B.4.2 Exempted Signs

B.4.2.1 Signs exempted from the provisions of Subsection B.4.1 are directional, traffic, and marine navigational signs sited and maintained by government agencies.

BL 226

B.4.3 Prohibited Signs

B.4.3.1 *Third party signs* exceeding 0.3 square metres (3.2 square feet) in area are prohibited.

CONTACTS:

Ken Wur, President Gabriola Island Chamber of Commerce
Carol Ramsay, Manager
PO Box 249
5 - 377 Berry Point Road
Gabriola Island, BC V0R 1X0
Chamber office: 250 247 9332

From: Alana Tees [<mailto:ATees@bcwwa.org>]

Sent: December-03-12 10:29 AM

Subject: Important: New Dates for DWW 2013 & Community Grants Program

Dear Councillor,

RE: Important information for Drinking Water Week 2013 and Community Water Challenge.

In September 2012, BC Water & Waste Association sent a letter to your Mayor and CAO asking your community to participate in Drinking Water Week 2013 and the Community Water Challenge. Please note a few important updates:

1. **DWW date change:** Drinking Water Week 2013 will now take place from May 20 - 26, 2013 (due to the Provincial election occurring on May 15). Please refer to the attached letter for a list of DWW resources available to your community, and suggestions to help with your planning.

2. **NEW! Small Community Grants Program:** BCWWA is pleased to offer Small Community Grants for communities to host educational events or activities during Drinking Water Week 2013. Activities may include open houses, information sessions, tours of your watershed or water/wastewater facilities, etc. Grants will range from \$500 to \$1,500. Further details and application forms will be provided in the next couple of weeks.

Please see the attached letter containing further information pertaining to these updates, as well as resources available to help engage your community in Drinking Water Week 2013.

We thank you for your continued support of this campaign and for helping to raise awareness of the value of our water, and we wish your community a successful Drinking Water Week 2013!

Sincerely,

Alana Tees
Communications Coordinator

Operator Training – Now online – [View Course Calendar & Register Now!](#)

Safeguarding public health and the environment through the sharing of skills, knowledge, education and experience, and providing a voice for the water and waste community.

BC Water & Waste Association 221 - 8678 Greenall Avenue, Burnaby, BC V5J 3M6
D: 604-630-5348 F: 604-433-9859 TF: 877-433-4389
atees@bcwwa.org www.bcwwa.org

Please consider the environment before printing this email.

December 3, 2012

Dear Councillor,

RE: New Date for Drinking Water Week 2013 (May 20th to 26th, 2013) and NEW Small Community Grants Program.

BC Water & Waste Association sent a letter to your Mayor and CAO in September 2012 inviting your community to take part in Drinking Water Week 2013 and the Community Water Challenge. We want to make sure that you are aware of opportunities for your community to participate. Below are 2 important updates:

- **Date change:** Drinking Water Week 2013 will now take place May 20 - 26, 2013 (due to the Provincial election on May 15, which would greatly impact media attention and other awareness).
- **NEW – Community Grants Program:** BCWWA has launched a Small Community Grants Program to help communities (local governments) host educational events and activities during Drinking Water Week 2013. More details and application forms will be provided in mid-December 2012.

A powerful way to educate residents:

Drinking Water Week along with the Community Water Challenge are powerful ways to educate your residents about their drinking water, including where it comes from, where it ends up, and the many people and processes involved along the way. An important part of this is raising awareness of the need to conserve our water and protect our environment. Visit www.drinkingwaterweek.org to learn more and find helpful resources.

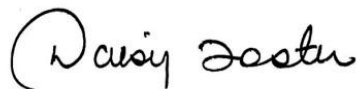
How you can participate, and resources that will be available to engage your community:

- Host a tour of your local watershed or water/wastewater treatment facility, open house, information session or other community event during Drinking Water Week.*
- Use free customizable advertising templates for print and bus shelters.
- Distribute and share children's activities and informational postcards provided by BCWWA.
- Encourage participation in the Community Water Challenge – a province-wide contest that asks participants to take simple steps towards being more water wise (www.drinkingwaterweek.org/challenge).
- Use our supporter badges to link from your website to the campaign website (www.drinkingwaterweek.org), which includes BC water statistics, conservation tips, downloadable resources, and a calendar of events.
- Place a supporting advertisement in our Black Press community newspaper educational advertorials.
- Proclaim Drinking Water Week in your community, **ideally at a public event** (sample wording available). Supporting communities will be listed on the Drinking Water Week website home page.

* Examples of activities eligible for BCWWA Community Grants Program funding.

For more information, please contact Alana Tees, BCWWA Communications Coordinator at atees@bcwwa.org or 604-630-5348. Our goal is to engage as many communities as possible with these vital messages. Please pass this letter on to other decision makers in your community, water and wastewater managers, and staff.

Yours sincerely,



Daisy Foster, CEO



Islands Trust

Top Priorities

Gabriola Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Integrated Watershed and Shoreline Mapping Workshop		Nov-01-2012	Chloe Fox Sonya Sundberg	Mar-23-2013	On Going
2	Gabriola Planning Area OCP Review:			Chloe Fox		On Going
	1) Hazardous Areas & Steep Slopes DPA					
	2) Riparian Areas Regulation					
	3) Rezoning new RDN Parks and ITF nature reserves					
	4) Review and amend OCP & LUB to increase local food security and farmland protection					
	5) Implement OCP climate change policies into LUB					
	6) Review DP7 form and character guidelines for Village Core, and review OCP/LUB to make Village more pedestrian-friendly					
	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)

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

9) Consider density transfer affordable housing policies for cottage densities

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

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

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

3	Development Approval Information bylaw	Jun-28-2012	Chloe Fox	Jun-30-2013	On Going
4	Snuneymuxw First Nation Protocol Agreement Implementation		Chloe Fox David Marlor Courtney Simpson		On Going



Islands Trust

Print Date: Jan-08-2013

Projects

Gabriola Island

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



Applications w/ Status - Gabriola Island Status: Open

Applications

Agricultural Land Reserve

File Number	Applicant Name	Date Received	Purpose
GB-ALR-2012.0			

Planner:

Planning Status

Development Permit

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

Planning Status

Rezoning

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

Planning Status

Status Date: Aug-10-2012

Cost Recovery Agreement signed by applicant

Status Date: May-11-2012

Finance Officer working with applicant re Cost Recovery Agreement

Status Date: Apr-04-2012

Letter sent to applicant re March 22, 2012 LTC resolutions

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

Planner: Chloe Fox

Planning Status

Status Date: Jan-06-2012

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

Status Date: Oct-19-2011

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

Status Date: Sep-08-2011

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

Subdivision

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

Planner: Chris Jackson

Planning Status

Status Date: Nov-28-2011

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

Status Date: Aug-14-2009

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

Status Date: Aug-06-2009

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

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

Planner: Marnie Eggen

Planning Status

Status Date: Aug-12-2011

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

Status Date: Jul-20-2011

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

Status Date: Aug-12-2010

Waiting for information from applicant

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

Planning Status

Status Date: Aug-12-2010

please refer to GB-SUB-2001.1 for update

Status Date: Aug-14-2009

see GB-SUB-2001.1

Status Date: Aug-06-2009

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

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

Planning Status

Status Date: May-03-2012

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

Status Date: Sep-12-2011

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

Status Date: May-31-2011

Preliminary subdivision referral report sent to MOTI and applicant.

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

Planning Status

Status Date: Oct-25-2011

PLA received

Status Date: Aug-22-2011

Referral review completed and sent to MOTI.

Status Date: May-11-2011

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

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

Planning Status

Status Date: Dec-13-2012

Final Letter of Approval sent to MOTI

Status Date: Nov-01-2012

LTC endorsed Plan of Subdivision and covenant on Lot 20, Sec. 8 for no further subdivision

Status Date: Jul-23-2012

Subdivision referral report sent to MOTI

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

Planning Status

Status Date: Nov-15-2012

Referral report sent to MoTI

Status Date: Oct-26-2012

Planner reviewing file

Nicole Ranger
Finance Clerk
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8
Phone: (250) 405-5152
Fax: (250) 405-5155

 Please consider the environment before printing this email

STAFF REPORT

Date: January 2, 2013

File No.: GB-DP-2012.4
(Williamson & Assoc.)

To: Gabriola Island Local Trust Committee
For meeting January 17, 2013

From: Marnie Eggen, A/ Planner 2

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

Re: Development permit area No. 2: Lock Bay and development permit area No. 6: Escarpment Areas on the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 22, Gabriola Island, Nanaimo District, Except parts on Plans 22029, 30038, 32376 and VIP54644 (PID 009-739-602)

Owner: 085317 BC Ltd
Applicant: Williamson & Associates Ltd.
Location: Daniel Way, Gabriola Island

THE PROPOSAL:

The applicant seeks a development permit in order to facilitate a conventional two lot subdivision on the above noted property (see Subject Property map below). The subject property is located in the development permit area DP-2 Lock Bay and DP-6 Escarpment Areas as per the Gabriola Island Official Community Plan No. 166, 1997. DP-2 Lock Bay is designated for the purpose of protecting the natural environment and DP-6 Escarpment Areas is designated for the purpose of protecting development from hazardous conditions.

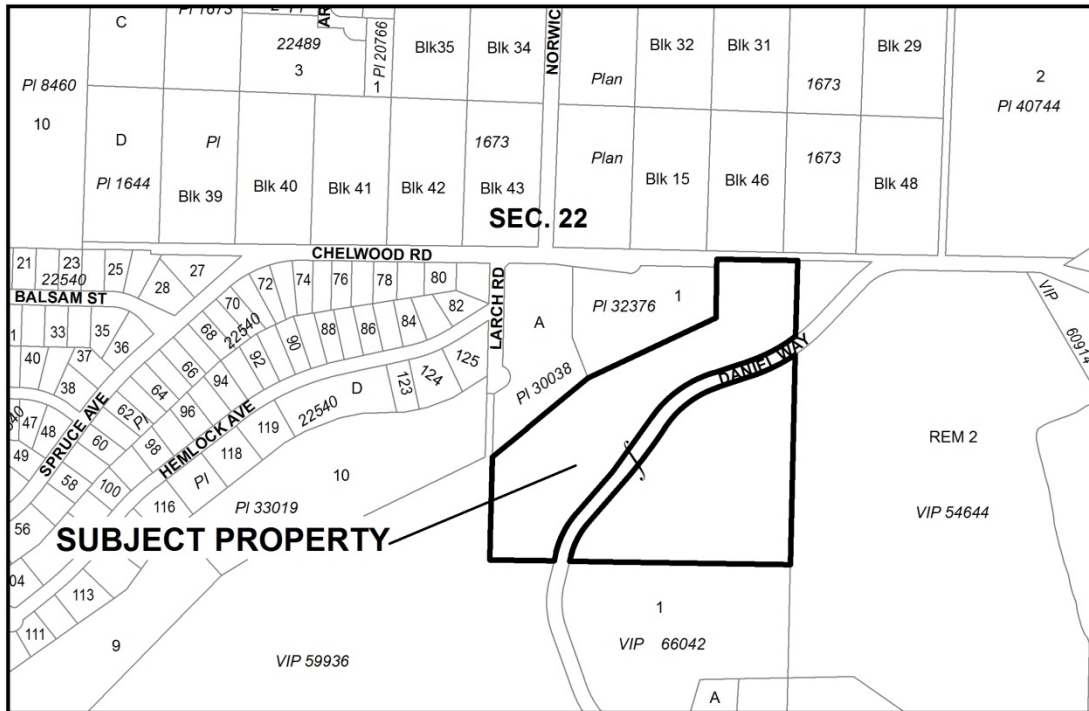
The applicant has a subdivision application currently in process with the Ministry of Transportation and Infrastructure which was referred to Islands Trust. Final approval of the subdivision is conditional on the issuance of a development permit. The proposed subdivision would essentially result in the creation of two separate titles of land on opposite sides of Daniel Way (see Proposed Plan of Subdivision and Development Permit Site Plan below). A technical review of the proposed subdivision was undertaken by staff through the subdivision referral application process and, as such, details of the subdivision proposal will only be considered at a conceptual level in this report.

SITE CONTEXT:

The subject property is 10.7 ha (25.8 Ac) in size and zoned Resource (R). It is located west of Lock Bay and bisected by Daniel Way. Properties to the south of the subject property are zoned Resource (R) and Agriculture (AG). Properties to the north west are are zoned Large Rural

Residential (LRR). Properties located directly north and across Chelwood Road are zoned Passive Recreation Community Park (P2).

Subject Property



[illegible]

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

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

3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

3.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.

5.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

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

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

The subject property is designated Resource (R). In addition, the subject property is affected by development permit area 2 – Lock Bay and development permit area 6 – Escarpment Areas, as shown below, which require the issuance of a development permit prior to subdivision approval. The OCP specifies the following objectives for these two designations:

DP-2 Lock Bay

Objective:

To protect these natural areas from the impact of land development.

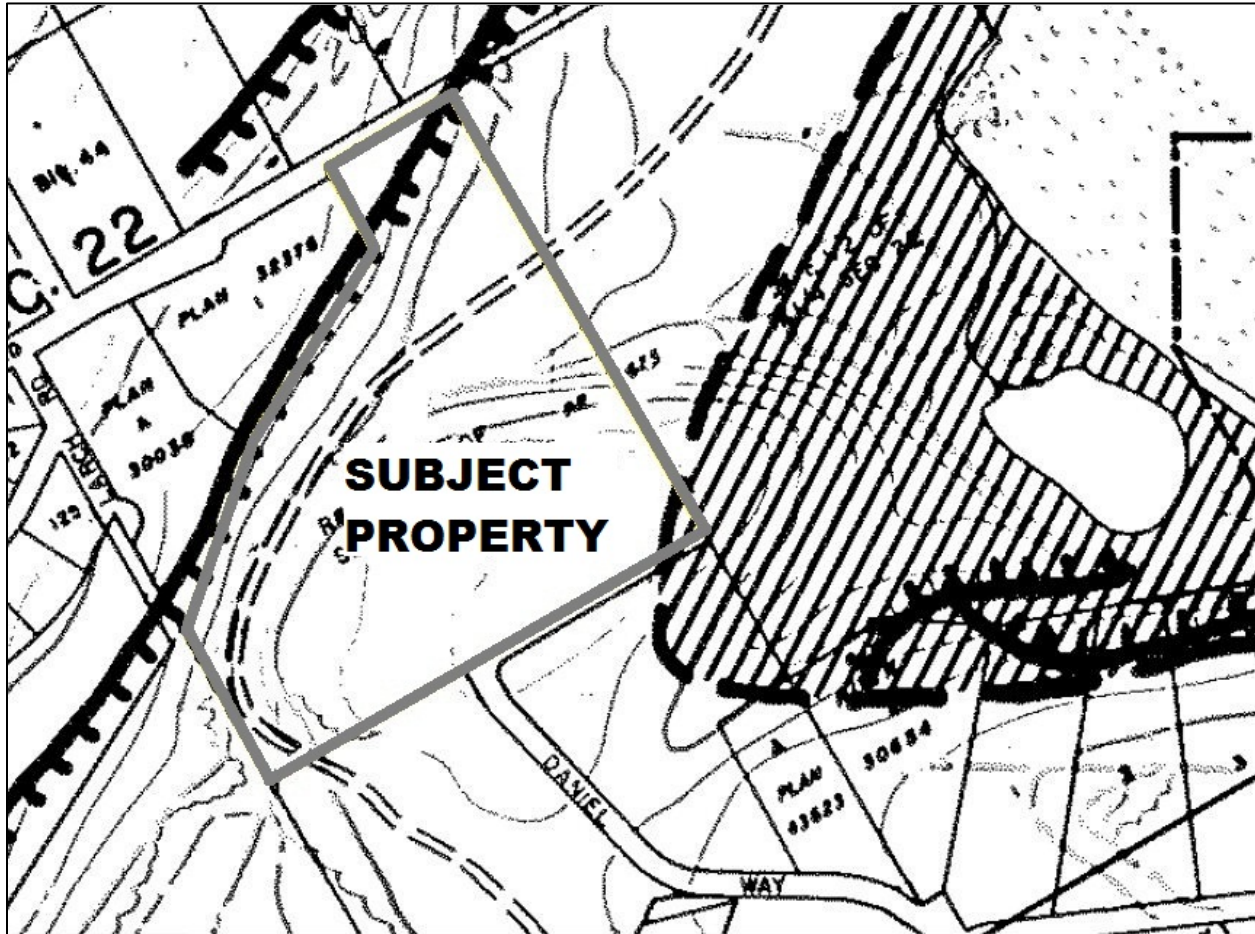
DP-6 Escarpment Area

Objective:

To protect development from natural hazards, including terrain instability, erosion, land slippage, rock falls, subsidence, debris flows and flooding or changes to stormwater runoff due to development on or in proximity to lands with excessive slope conditions.

In addition, the OCP contains nine development guidelines for the DP-2 designation and three for the DP-6 designation, which are discussed in more detail in the Staff Comments section below.

Development Permit Areas 2 (Lock Bay) and 6 (Escarpment Area) over Subject Property



Land Use Bylaw

The subject property is zoned Resource (R).

Islands Trust Fund (TFB):

This application does not directly affect Trust Fund Board (TFB) interests as it does not directly affect TFB owned property or conservation covenants, does not affect property directly adjacent to TFB owned property or conservation covenants, and does not pertain to Crown Land within 100m of a TFB owned property or conservation covenant.

Regional Conservation Plan (RCP):

The Islands Trust Fund Regional Conservation Plan (RCP) identifies areas of the subject property as medium-high importance in terms of habitat value. The RCP also states that Gabriola is vulnerable to a loss of natural ecosystems due to residential and associated uses. Gabriola saw a significant increase in the number of private dwellings between 2001 and 2006 compared with other areas in the Trust Area. In addition, Gabriola Island has been identified as an area of moderate conservation focus because it has a moderate amount of relatively high biodiversity composition.

Sensitive Ecosystems and Hazard Areas:

Islands Trust Sensitive Ecosystem Mapping identifies areas of the subject property with a primary sensitive swamp wetland ecosystem on either side of Daniel Way and an area with a tertiary sensitive cliff ecosystem along the northwest boundary of the subject property. Islands Trust Sensitive Ecosystem Mapping identifies steep slope hazard areas along the Northwest lot line of proposed Lot 1.

Archaeological Sites:

The Provincial's Remote Access to Archaeological Data (RAAD) shows two areas of archaeological significance both on proposed Lot 1. All applicable referrals will be conducted by the Ministry of Transportation and Infrastructure during the subdivision review phase.

Covenants:

There is one easement and one covenant registered on title. The easement is in favour of an adjacent property to provide access to Daniel Way across proposed Lot 1. The restrictive covenant is in favour of an adjacent property and prohibits building, land clearing or vegetation clearing over a small portion of proposed Lot 2. The covenant overlaps a majority of the Development permit Area # 2 located in the southeast corner of the subject property; however, this does not preclude the requirement of a development permit. The easement and covenanted areas are noted on the Proposed Subdivision and Development Permit Site Plan above. Neither document is in conflict with the subdivision.

RESULTS OF CIRCULATION:

Issuance of a development permit is a condition of subdivision approval. Agency referrals are the responsibility of the Ministry of Transportation and Infrastructure as part of their subdivision application process.

STAFF COMMENTS:

1. Compliance with two sets of Development Guidelines:
 - a. Development permit Area 2 – Lock Bay; and
 - b. Development permit Area 6 – Escarpment Areas.

For a property that is in a development permit area, the *Gabriola Island Official Community Plan, No. 166, 1997 (OCP)* specifies that no construction, structural alteration, or addition to a building or structure may take place, nor may a property be subdivided or land altered, prior to the issuance of a development permit. In this case, the requirement for a development permit is triggered by the applicant's proposal to subdivide the subject property. The *Local Government Act* allows local governments, through their official community plans, to specify conditions under which a development permit would not be required. The *OCP* does not include exemptions for Development permit Area 2.

For development permit Area 6, the OCP specifies that in cases when the Regional District of Nanaimo building inspector requires a report from a geotechnical engineer, a development permit is not required. In the case of a subdivision, the Regional District of Nanaimo building inspector is not typically a referral agency, which is true in this particular case. As no geotechnical engineers report is required by the Regional District, this application is not exempt from the requirements of development permit Area 6.

The *Local Government Act* regulates local government authority to issue a development permit by stipulating that a development permit must be issued only in accordance with the applicable development permit area guidelines specified in the official community plan or land use bylaw. As per the *Gabriola Island Official Community Plan, No. 166, 1997*, there are nine development permit guidelines that apply to development permit area 2 – Lock Bay, and three development permit guidelines that apply to development permit area 6 – Escarpment Areas. The following provides a summary of these guidelines and how the application addresses each one, along with staff comments on how the application measures against these guidelines:

<i>DP-2 Lock Bay Area Development Guidelines</i>	<i>How Application Addresses Guidelines and Staff Comments</i>
1. <i>There shall be no disturbance of the vegetation or use of chemicals within 30 metres of the natural boundary of the sea except in accordance with any conditions specified in the permit.</i>	Not applicable. This development permit application is for subdivision only; no clearing or land alteration or use of chemicals is proposed. Additionally, the portion of the development permit area located on the subject property is greater than 30 m from the natural boundary of the sea.
2. <i>Garry oak meadows and similar indigenous species shall be identified and their habitats protected from disturbance.</i>	<i>A Bio-inventory and Riparian Area Assessment of the Sandwell Properties, Daniel Way, Gabriola Island (2010)</i> was completed by a Registered Professional Biologist (RPBio) which included an inventory and classification of wildlife habitats, significant features and plant communities. No Garry oak meadows were identified on the subject property.
3. <i>There shall be no alteration or disturbance causing a negative impact to the foreshore habitat.</i>	The development permit area on the subject property is quite a distance away (more than 100 m away from the foreshore) and any development that may occur there is not expected to have a negative impact on the foreshore. No clearing or land alteration in the development permit area is proposed with this subdivision application.
4. <i>Buildings shall be integrated with the surrounding landscape and sited to minimize removal of vegetation.</i>	While the Subdivision Plan and Development Permit Site Plan show a “proposed building site” for future development, this development permit application is for subdivision only. No buildings or vegetation removal is proposed with this subdivision application nor is it proposed with the development permit area.

5. <i>An assessment of the environmental impact, including mitigation measures required shall be required prior to any new developments or the expansion of an existing development.</i>	The applicant provided a <i>Bio-inventory and Riparian Area Assessment of the Sandwell Properties, Daniel Way, Gabriola Island (2010)</i> completed by a Registered Professional Biologist, which included the portion of the development permit area on the subject property. The report suggests mitigation measures: • any land clearing in the area be undertaken outside the breeding bird season (April - August); • no tree removal for aesthetic purposes; • preservation of mature trees > 65 cm diameter-at breast-height and an area of native vegetation equal or greater than the drip line of the trees, except those identified as hazards based on an assessment by a Certified Arborist. Staff suggests that these measures be incorporated into the development permit conditions.
6. <i>Existing trees and vegetation shall be retained along the upland area and adjacent to the foreshore in order to maintain the habitat and prevent erosion.</i>	Staff suggests that development permit conditions include the retention of existing trees and vegetation within development permit area 2.
7. <i>Septic systems shall not be constructed within 30 metres of the natural boundary of a watercourse (including a body of water or the sea).</i>	Not applicable. No septic systems are proposed within the development permit area and the development permit area on the subject property is more than 30 metres away from the natural boundary of the nearby watercourse and to the sea.
9. <i>Where this Area includes trees that bear the nests of eagles, a buffer area around each nest tree should be left undisturbed. The size of the buffer should be determined prior to development by a qualified professional, with advice from the Ministry of Environment, Lands and Parks or the Canadian Wildlife Service.</i>	Not applicable. The Bio-inventory Report 2010 reports no eagle nests.

DP-6 Escarpment Areas Development Guidelines	How Application Addresses Guidelines and Staff Comments
1. <i>There shall be no construction of buildings, septic tanks, drainage and deposit fields, irrigation or water systems unless a geotechnical engineer recommends that such construction may occur without subjecting land in the escarpment area to increased slope instability.</i>	While the Subdivision Plan and Development Permit Site Plan (above) show a “proposed building site” for future development on proposed Lot 1 within the escarpment area, this development permit application is for subdivision only; no buildings or vegetation removal are associated with this subdivision. If future construction was proposed on the “proposed building site”, it would be exempt from the requirements of Development permit because the slope is 25% as shown on the Subdivision Plan and Development Permit Site Plan; a Permit is only required when development is within the development permit area and the slope is 80% or greater. Should future construction be located elsewhere on proposed Lot 1 in development permit area 6, a development permit will be required where the slope is 80% or greater.
2. <i>There shall be no removal of trees or vegetation unless a geotechnical engineer recommends that such removal may occur without subjecting land in the escarpment area to increased slope instability.</i>	While the Subdivision Plan and Development Permit Site Plan show a “proposed building site” for future development, this development permit application is for subdivision only; no buildings or vegetation removal are associated with this subdivision. If future removal or alteration is proposed it would be subject to a development permit as described above in staff comments for Guideline 1.
3. <i>In cases when the Nanaimo Regional District building inspector requires a report from a geotechnical engineer, which outlines precautionary measures to be taken in avoiding a hazardous situation, a development permit under this section shall not be required.</i>	Not applicable. The Regional District of Nanaimo building inspector is not typically a referral agency in a subdivision application and therefore a geotechnical report was not required by the Regional District of Nanaimo building inspector.

RECOMMENDATIONS:

THAT the Gabriola Island Local Trust Committee instruct staff to issue development permit GB-DP-2012.4 (Williamson & Associates).

Respectfully Prepared and Submitted by:

Marnie Eggen, MSc
A/ Planner 2
January 2, 2013

Concurred in by:

Courtney Simpson, MCIP, RPP
A/ Regional Planning Manager
January 2, 2013

Attachment:

1. Proposed Permit

Attachment 1

PROPOSED



Islands Trust

GABRIOLA ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GB-DP-2012.4

To: 0858317 BC Ltd.

This permit applies to:

**Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 22, Gabriola Island, Nanaimo District,
Except parts on Plans 22029, 30038, 32376 and VIP54644 (PID 009-739-602)**

Whereas the subject property lies within Development Permit Area 2 “DP-2 Lock Bay Area”, and Development Permit Area 6 “Escarpment Areas”, the *Gabriola Island Official Community Plan Bylaw No. 166, 1997* is supplemented as follows:

1. This development permit authorizes subdivision of land subject to the following requirements and conditions:
 - a. “DP AREA” on Site Plan A attached to and forming part of this Permit shall remain free of development;
 - b. No tree or vegetation removal of any kind is permitted in the “DP AREA” on Site Plan A attached to and forming part of this Permit except that:
 - i. trees identified as hazards may be removed based on an assessment by a Professional Certified Arborist and any such work be undertaken outside of the breeding bird season (April – August); and
 - c. This permit does not allow any of the following activities within the Development Permit Area 6 - Escarpment Areas “DP#6” on Site Plan B attached to and forming part of this Permit:
 - i. the construction of, addition to or alteration of any building or other structure on land;
 - ii. the alteration of land;
 - iii. the removal of trees or vegetation, unless a qualified geotechnical engineer has recommended that such activity may occur without subjecting the land in the Development Permit Area to increased slope instability.

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

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS ___ DAY OF ___ JANUARY, 2013.

Deputy Secretary, Islands Trust

Date Issued

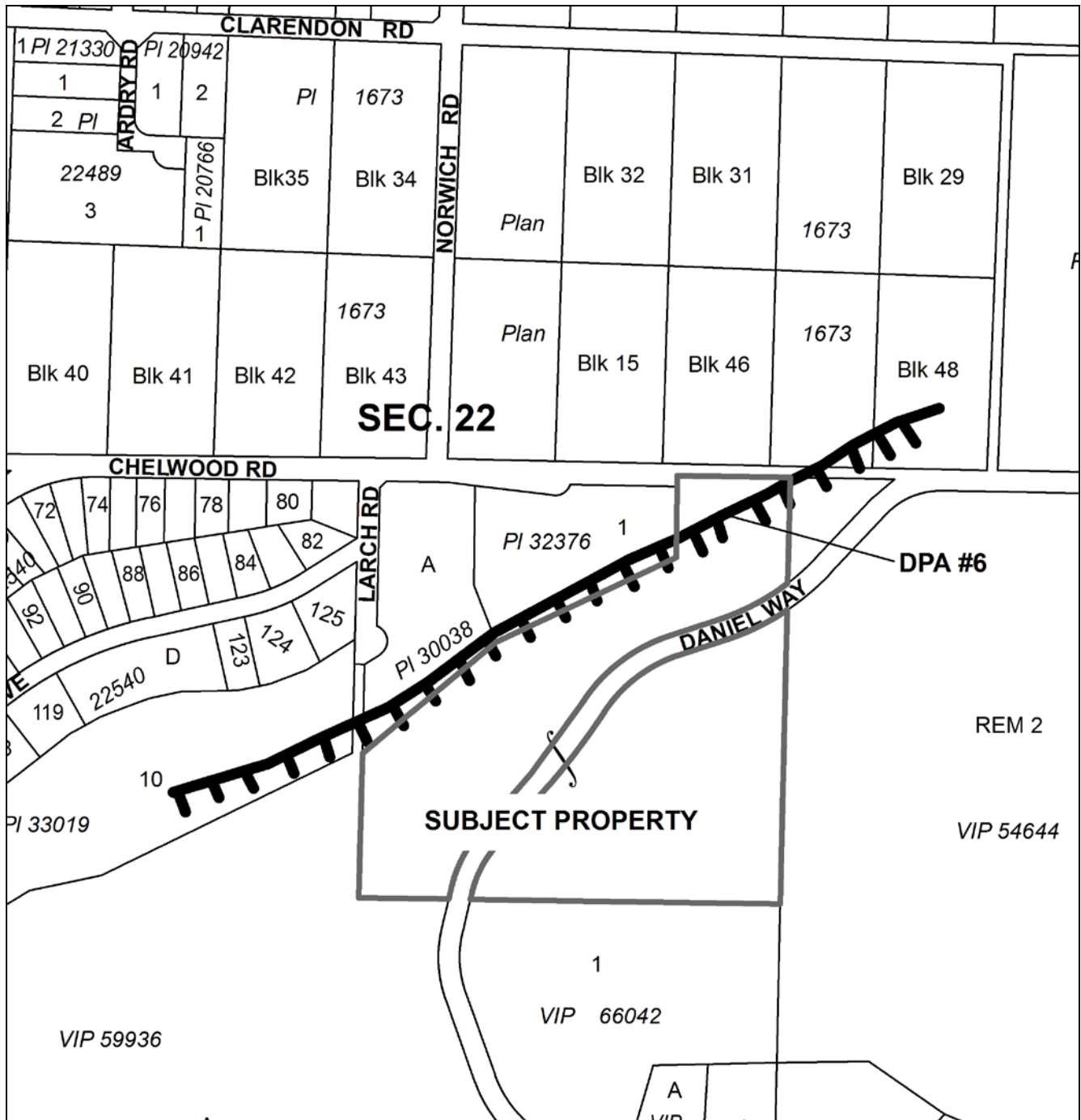
IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE ____ DAY OF JANUARY 2015 THIS PERMIT AUTOMATICALLY LAPSES.



Islands Trust

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GB-DP-2012.4

"SITE PLAN B"



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

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

Objectives

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

In Scope

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

Out of Scope

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

Links & Dependencies

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

Critical Success Factors

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

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

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

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

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

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

Budget	
Item	Cost
Steep Slopes Mapping Revision	\$3,800
Consultation & DPA Review	\$6,800
Legislative Process	\$2,000
Advertising	\$900
Total	\$13,500

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

GBLTC Endorsement Resolution #:
GB-123-2012
Date: November 29, 2012

November 5, 2012

Communications Strategy – November 5, 2012

1.0 Objectives & Scope

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

2.0 Methods & Delivery

decision making process? should mitigate community concern regarding future decisions.

CONSULTATION STAGE 1 – General Education

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

CONSULTATION STAGE 2 – Public Input on Proposed Amendments

<i>Project Name</i>	<i>Gabriola Island DPAs (RAR, Hazardous Areas & Steep Slopes)</i>			
Methods	Cost	Content Focus	Audience	Publication Date
Blog on web page	To be developed in-house by staff using the same web page developed in Stage 1 Rough estimate: N/A	Allow individuals to post comments on draft amendments, possibility of hosting surveys	Property owners, residents, local realtors & contractors, general community	Sept. 2012
Mail-out	To all affected property owners Rough estimate: \$2500	Explaining the proposed amendments and how they will affect property owners and residents	Property owners and residents	Dec. 2012
Advisory Planning Commission	Rough estimate: N/A	Referral of draft amendments to APC for comment	Advisory Planning Commission members	Nov. 2012 (RAR) Jan. 2013 (Steep Slopes)
Community Information Meeting	Two consecutive advertisements, run in both local papers Rough estimate: \$300	To present and obtain feedback on draft amendments prior to 1 st reading.	Property owners, residents, local realtors & contractors, general community	Jan. 2013

STAFF REPORT

Date: January 8, 2012

File No.: 6500-20
(Gabriola RAR, Hazard
Land/Slope Study)

To: Gabriola Island Local Trust Committee
For the meeting of January 17, 2013

From: Chloe Fox
Island Planner

CC: Courtney Simpson
A/Regional Planning Manager

**Re: Gabriola Island Development Permit Areas (Riparian Areas,
Hazardous Areas & Steep Slopes) – Revised Steep Slopes Mapping**

OVERVIEW:

At the November 1, 2012 regular business meeting, the Gabriola Island Local Trust Committee (LTC) passed a resolution supporting staff recommendations to release funds to:

- refine the steep slopes mapping produced by EBA Engineering Consultants for use in draft Development Permit Area 6 – Steep Slopes; and
- have EBA Engineering Consultants review the draft text of Development Permit Area 6 – Steep Slopes from a geotechnical perspective.

The purpose of this report is to present the reports prepared by EBA Engineering Consultants, to present revised draft Development Permit Area 6 – Steep Slopes mapping and to identify next steps in addressing any additional steep slopes mapping concerns that arise as the project moves forward.

BACKGROUND:

In 2010, the Islands Trust contracted EBA Engineering Consultants to provide geohazard mapping and to develop a geohazard management strategy for development based on this mapping. The final report from EBA was presented to the LTC and referred to the Volunteer Review Committee in 2011. Subsequently, EBA was contracted in November 2012 to refine the steep slopes mapping, based on supportable criteria from a geotechnical perspective, for use in a development permit area. This work was intended to address problems with mapping sensitivity, which in the initial mapping product, resulted in a number of very small polygons that were not practical for implementation in a development permit area. In addition to this work, EBA was contracted to perform a geotechnical review of the draft text of Development Permit Area 6 – Steep Slopes.

DISCUSSION & STAFF COMMENTS:

EBA Engineering Consultants' Reports

As mentioned above, EBA Engineering Consultants were contracted to provide recommendations on refining the steep slopes mapping for use in draft Development Permit Area 6 – Steep Slopes and to review the draft text of Development Permit Area 6 – Steep Slopes from a geotechnical perspective. The results of this work are presented in Attachments 1 and 2 to this report.

Attachment 1 presents the results of the mapping refinement work. EBA recommends that low hazard terrain polygons of less than 36 square metres be excluded from the draft development permit area. The criteria were developed by reviewing the accuracy of the geohazards mapping and the digital elevation model on which it is based, the size of areas of instability observed during site reconnaissance and the filters used on neighbouring Gulf Islands that were developed by other qualified professionals.

While EBA recommends these criteria be applied only to the low hazard terrain polygons, staff recommend that this filter be extended to the moderate and high hazard polygons as well. This has been the practice on other islands in the Trust Area and serves to optimize the instances in which a development permit is required, balancing the potential risks associated with development in these areas against the desire to limit the circumstances in which landowners would need to have a geotechnical assessment conducted.

According to EBA's 2011 report, the slope gradient map was created using a 1m raster network with a horizontal and vertical accuracy of +/- 0.5m on open ground, and +/- 25% to 50% of the height of trees in wooded areas. Given an average estimated second growth tree height of 30m (based on Madrone Environmental Services Ltd. 2008 Terrestrial Ecosystem Mapping of the Coastal Douglas-Fir Biogeoclimatic Zone prepared for the provincial Integrated Land Management Bureau), the mapping prepared by EBA could at best have an accuracy of 7.5m to 15m in wooded areas, which would include the majority of sites on Gabriola Island. As such, including all moderate and high hazard polygons less than 36 square metres in the development permit area would likely result in numerous 'false positives', where landowners are required to obtain a development permit area, and a geotechnical assessment, in situations where the feature represented on their property is simply the result of mapping error. In addition, according to EBA's report, the primary geological hazard on Gabriola Island is rockfall and EBA has expressed concern in their report that, if small polygons in the moderate and high hazard terrain were eliminated, small but important polygons representing boulders resulting from rockfall may not trigger geotechnical assessment. This is predominantly a concern in cases where new construction is proposed and, as such, staff feels that these areas will be adequately captured by geotechnical requirements conducted as part of the Regional District of Nanaimo building inspection process and, therefore, do not need to be included in the draft development permit area.

Attachment 2 presents the results of the review of the draft Development Permit Area 6 – Steep Slopes text from a geotechnical perspective. Staff will review these comments, along with comments received from the public, prior to drafting the bylaw for first reading and will highlight any changes made to the draft Development Permit Area 6 – Steep Slopes text as a result of these comments.

Revised Mapping for draft Development Permit Area 6 – Steep Slopes

Revised mapping for draft Development Permit Area 6 – Steep Slopes is included as Attachment 3 to this report and formed the basis of the mail-out that was sent to property owners in early January 2013. This mapping has been revised to remove all polygons less than 36 square metres, as well as polygons in parks, road right-of-ways, and on Crown Land. Exclusion of these areas is common practice in development permit areas as the standard of work undertaken by government agencies (e.g. provincial ministries, regional districts, etc.) is generally governed by other government processes and, in many cases, is exempt from local government approval.

Staff recommends that the revised mapping for draft Development Permit Area 6 – Steep Slopes be referred to the Gabriola Advisory Planning Commission (APC) as part of their existing referral of draft Development Permit Area 6 – Steep Slopes and draft Development Permit Area 3 – Riparian Areas. The APC will be meeting again on January 21, 2013 to consider draft Development Permit Area 6 – Steep Slopes. Comments from the APC on both draft development permit areas will be considered in drafting the bylaws for first reading and staff will highlight any changes made to the draft development permit areas as a result of these comments.

Additional Steep Slopes Mapping Concerns

Staff is beginning to receive correspondence from the public regarding draft Development Permit Area 6 – Steep Slopes. Some of the feedback received has questioned the accuracy of the mapping and, in particular, the inclusion or absence of various slope areas that are important to affected landowners. Staff will keep a list with a corresponding map showing the specific locations where owners have expressed concerns, which will be provided to the LTC at the February 21, 2013 meeting.

Staff does not have the expertise to assess individual properties and provide recommendations for inclusion / exclusion; however, once a list of properties where owners have expressed concerns over the accuracy of the mapping is received, the LTC could consider allocating funds to hire a different geotechnical consultant to investigate, assess and provide comments on the merit of including the particular area in a development permit area. While staff recommendations will be included with the list of properties, and while staff recognize that a process for following up on such feedback may enhance the mapping product and lead to greater buy-in from affected property owners, staff has the following concerns with regard to conducting additional, site specific assessments:

1. The moderate and high hazard slope classifications have been buffered by 5m above and below the originally mapped areas. These buffer areas are included on the draft Development Permit Area 6 – Steep Slopes map, although they are not shown as separate features, simply as extensions of the adjacent hazard class. This has been done in an effort to capture proposed development at the top and toe of moderate and high hazard slopes, as per recommendations from EBA in their original 2011 report. As such, areas showing on specific properties may not actually be slopes but may in fact be buffer areas that are important in overall slope stability.
2. As previously discussed in this report, the mapping has already been revised to remove polygons less than 36 square metres. This threshold was developed by EBA and is based on the accuracy of their original mapping and is designed to capture most of the actual mapping inaccuracies.

3. The stability of slopes does not always correlate with slope gradient. Slope stability depends on a variety of factors including geological materials, soils, moisture content and vegetation. As such, what may appear to landowners as an insignificant slope may in fact be quite hazardous, should inappropriate development occur. Staff does not have the expertise to assess individual slopes and must rely on the expertise provided by the consulting engineers at EBA.
4. The purpose of including properties in a development permit area for steep slopes is to ensure that ground-truthing occurs on the level of an individual site prior to development. If the LTC considers ground-truthing all properties for which concern over the mapping has been expressed as an LTC initiative prior to development permit area adoption, there is a risk that the entire mapping product would need to be reviewed, which would be extremely costly and time-consuming.
5. Mapping work will always contain a certain degree of error. The mapping provided by EBA, and since refined for use in draft Development Permit Area 6 – Steep Slopes, is greatly improved over existing steep slopes mapping and has been refined in an attempt to eliminate most of the errors and optimize the circumstances in which a development permit is required.

RECOMMENDATIONS:

Staff recommends:

THAT the Gabriola Island Local Trust Committee refer the revised map for draft Development Permit Area 6 – Steep Slopes, dated December 14, 2012, to the Gabriola Advisory Planning Commission for reference in their consideration of the existing referral of draft Development Permit Area 6 – Steep Slopes.

Attachments:

Attachment 1 – EBA Report – Criteria for Determining a Minimum Size Geohazard Polygon Requiring Geotechnical Assessment, dated December 14, 2012

Attachment 2 – EBA Report – DP-6 Steep Slopes Draft Geotechnical Engineering Review Comments, dated December 21, 2012

Attachment 3 – Revised Map for draft Development Permit Area 6 – Steep Slopes, dated December 14, 2012

Prepared and Submitted by:

Chloe Fox

RPP, MCIP, Island Planner

January 8, 2013

Date

Concurred in by:

Courtney Simpson

RPP, MCIP, Regional Planning Manager

January 8, 2013

Date



A TETRA TECH COMPANY

December 14, 2012

Islands Trust
700 North Road
Gabriola Island BC V0R 1X3

ISSUED FOR USE
EBA FILE: V13103037-01

Attention: Ms. Chloe Fox

Dear Ms. Fox,

Subject: Criteria for Determining a Minimum Size Geohazard Polygon that Would Trigger the Requirement for a Geotechnical Assessment

1.0 INTRODUCTION

EBA Engineering Consultants Ltd., operating as EBA, A Tetra Tech Company (EBA), was retained by Islands Trust to develop supportable criteria for determining a minimum size geohazard polygon that would trigger a geotechnical assessment for the Low Hazard Terrain Class on Gabriola Island. This work has been requested as an extension to the geohazard mapping work EBA carried out for Islands Trust in January 2011 (report entitled “Geohazard Report and Mapping Gabriola Island, BC” (EBA File: N13101447)).

2.0 BACKGROUND

The geohazard map created for Islands Trust is based on a compilation of slope gradient mapping, air photo interpretation, available soils information and site observations. Based on this information, the following are presented on the geohazard map:

- Four terrain hazard classes as defined in Table 1 that are based on slope gradient mapping generated from Islands Trust’s Digital Elevation Model (DEM).

Table 1: Terrain Hazard Classification for Gabriola Island (based on slope gradient mapping)

Slope Gradient	Terrain Hazard
< 20%	Negligible – depending on soil conditions, terrain instability issues are generally not expected in response to land use change.
20% - <33%	Low – depending on soil conditions, terrain instability is not common in response to land use change. Special attention is required for deeper excavations (i.e. >1.2 m) and placement of fills >1 m in thickness.
33% - <80%	Moderate – generally considered difficult terrain for construction. Depending on soil conditions, without careful consideration, land use changes could potentially initiate a landslide. Special attention to drainage management is generally required.

EBA Engineering Consultants Ltd. operating as EBA, A Tetra Tech Company

#1 - 4376 Boban Drive
Nanaimo, BC V9T 6A7 CANADA
p. 250.756.2256 f. 250.756.2686

Table 1: Terrain Hazard Classification for Gabriola Island (based on slope gradient mapping)

Slope Gradient	Terrain Hazard
≥ 80%	High – depending on soil conditions, land use changes have a high potential to initiate a landslide. Road construction (or similar linear alignments) is generally avoided, or are constructed at considerable cost. It is noted that most terrain sloping steeper than 100% is generally composed of bedrock where rockfall may be the dominant geomorphic process.

- Areas potentially vulnerable to shoreline erosion that were identified from air photo interpretation and from the site review;
- Locations of potentially problematic soils that EBA identified from the BCMoE soil inventory map. For the purposes of the Geohazard Mapping Project, EBA defined potentially problematic soils as either:
 - a soil slope showing signs of current or past slope movement (e.g. soil creep or slope failure); or
 - an area that has been previously mapped and has been interpreted by EBA as containing potentially problematic soils (e.g. potentially compressible soils for construction); or
 - observed shoreline erosion.
- Locations of rock escarpments and small rock outcrops that were identified from the BCMoE soil inventory map;
- Locations of previous geotechnical projects (labeled A to H on the map), indicating the geotechnical issue that was reviewed (as described below); and
- Locations of EBA's site observations from this project (labeled 1 to 24), indicating the potential geohazard that was observed.

EBA notes that the scope of the work to complete the geohazard map was limited to the identification of hazards, and that hazard classification based on frequency-magnitude relationships was beyond the scope of study. As stated in our 2011 report, if frequency-magnitude relationships are completed in future, then EBA suggests they be developed in connection with a defined level of acceptable landslide safety that is established by the approving authority. Additionally, risk assessment was beyond the original scope of study. Hazards associated with seismicity on Gabriola Island were considered in the development of the geohazards map; however, as stated in the 2011 report, in general, the seismic hazard for a specific property must be considered on a site by site basis. In the case of a proposed development, this is generally captured under the jurisdiction of the BC Building Code (2006).

3.0 PURPOSE, SCOPE AND METHODS

EBA understands that Islands Trust has encountered a proliferation of very small polygons on the geohazard map, particularly in the Low Terrain Hazard class. Islands Trust considers that a Development Permit Area (DPA) would be easier to administer with fewer instances of minor features requiring a full geotechnical assessment and may be easier to implement as currently, there is a large visual impact with so many small polygons.

As such, EBA has developed defensible criteria to filter out the smaller polygons to satisfy the requirements of Islands Trust. These criteria apply only to the Low Terrain Hazard Classification and do not apply to any of the other Terrain Hazard Classifications.

The criteria were developed by reviewing the following information:

- Accuracy of the geohazards mapping and the DEM on which it is based;
- Size of areas of instability observed during our site reconnaissance of Gabriola Island; and
- Filters used on neighbouring Gulf Islands that were developed by qualified registered professionals.

The reasons why the criteria are applied only to the Low Terrain Hazard classification are as follows:

- Rockfall is the primary geological hazard on Gabriola Island. We are concerned that if small polygons with slope gradients >33% are eliminated, then we might lose small, but important polygons that are representing boulders from rockfall. The consequence of this is that we may be exposing a landowner to a potential rockfall hazard and we could very well miss the trigger that would have the land professionally assessed by a geotechnical engineer.
- The Gabriola geohazard map is based on slope gradient more so than other terrain attributes that would typically be represented by standard terrain stability mapping. One of the repercussions of mapping in this fashion is that it will likely trigger more geotechnical assessments than standard mapping would. EBA made efforts to minimize the number of triggered assessments, but this needs to be carefully balanced against the risks – which are life and public safety.

4.0 DISCUSSION

With regards to filtering the small, low hazard polygons from the EBA (2011) mapping, EBA provides an explanation and a potential simplification, which may resolve this issue.

The slope gradient map created by EBA (2011) used a 1 m raster network with a horizontal and vertical accuracy of “+/- 0.5 m on open ground, and +/-25% to 50% of the height of trees in heavily wooded areas” (page 11, paragraph 3). Based on the average estimated second growth tree height of 30 m (extrapolated from Madrone Environmental Services Ltd., 2008 report entitled “Terrestrial Ecosystem Mapping of the Coastal Douglas-Fir Biogeoclimatic Zone” prepared for the BC Integrated Land Management Bureau, 75 p.), the 2011 mapping could at best equate to an accuracy of 7.5 m to 15 m in wooded areas. If 15 m by 15 m polygons were eliminated, however, this may exclude the problematic landslide occurring at Field Observation #19, which was measured at 10 m wide by 15 m long and the small (7 m long) gully sidewall failures in streams, such as those observed at Field Observations #13 and #15 (EBA, 2011). To this point, even the DPA recommendations of the City of Nanaimo, which require that a Development Permit be needed where the slope of the terrain is 20% or greater for a minimum horizontal distance of 10 m, could exclude these slides.

It may be reasonable, however, to adopt the DPA criteria used by the Capitol Regional District, which concurs with the EBA (2011) low hazard slope break, and identifies lands with slopes greater than 20% over a minimum horizontal distance of 6 m require development permits. If this minimum polygon size were adopted (i.e. 6 m long by 6 m wide or 36 m²), it would filter out some of the smaller polygons that

would otherwise trigger on-site geotechnical assessments and simplify procedures for the administration staff. It would also be consistent with other filter criteria used on other Gulf Islands (e.g. North Pender Island (Islands Trust email communication October 19, 2012)). Consequently, the Low Terrain Hazard polygons that are less than 36 m², would then fall into the Negligible Terrain Hazard Classification and would be subject to the Flow Diagram for Negligible Hazard Terrain (Figure 7, EBA 2011). It would, however require the following additions to the Negligible Hazard Terrain Flow Diagram as stated below and attached as Figure 7 (amended):

- contains local seepage sites; and
- contains indicators of instability (such as soil creep that is indicated by curved or leaning trees; presence of boulders and/or rubble).

EBA also suggests that these items be added to the Low Hazard Terrain Flow Diagram (Figure 5, EBA 2011) as attached as Figure 5 (amended).

5.0 RECOMMENDATIONS

Based on the above discussion, EBA recommends the following:

- Low Hazard Terrain Polygons <36 m² be excluded, but that in these cases, the removed areas are subject to the Negligible Hazard Terrain Flow Chart as modified in the attached Figure 7 (amended);
- In connection with the above item, EBA recommends that Island Trust adopt the modified Figure 5 (attached as Figure 5 (amended) for completeness); and
- We understand that at this time, Islands Trust are just proceeding with implementing the Terrain Hazard Classification polygons from our geohazard map and not the shoreline erosion areas or areas mapped as potentially containing problematic soils. EBA strongly encourages Island Trust to include all information provided on the geohazards map; otherwise, at minimum, EBA will need to modify the Flow Diagrams and other elements of our report, accordingly.

6.0 CONCLUSIONS

This letter is to be read in conjunction with EBA's 2011 geohazard mapping report. We note that the 2011 geohazard report and accompanying maps were prepared for the purpose of providing guidance for development planning. Landslides may still occur (on any terrain, irrespective of the geohazard class). However, by proper use of the information provided within this letter and the 2011 report in land use decisions, the likelihood of landslide occurrence will be reduced. EBA cautions that geohazards associated with land use change can negatively impact the environment, as well as potentially impact workers and the public. The intent of providing the information contained in this letter and the 2011 report is to facilitate informed land use decisions that would result in land use practices that minimize the occurrence of potential geohazards, and thereby limit potential impacts to the land base, community, environment, workers, and the general public.

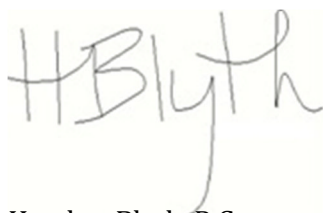
7.0 LIMITATIONS OF REPORT

This report and its contents are intended for the sole use of Islands Trust and their agents. EBA Engineering Consultants Ltd. does not accept any responsibility for the accuracy of any of the data, the analysis, or the recommendations contained or referenced in the report when the report is used or relied upon by any Party other than Islands Trust, or for any Project other than the proposed development at the subject site. Any such unauthorized use of this report is at the sole risk of the user. Use of this report is subject to the terms and conditions stated in EBA's contract with Islands Trust. EBA's General Conditions are provided in Appendix A of this report.

8.0 CLOSURE

We trust this report meets your present requirements. Should you have any questions or comments, please contact the undersigned at your convenience.

Sincerely,
EBA Engineering Consultants Ltd.



Heather Blyth, P.Geo.
Senior Quaternary Geologist



Shelley Higman, M.Sc., P.Eng./P.Geo.
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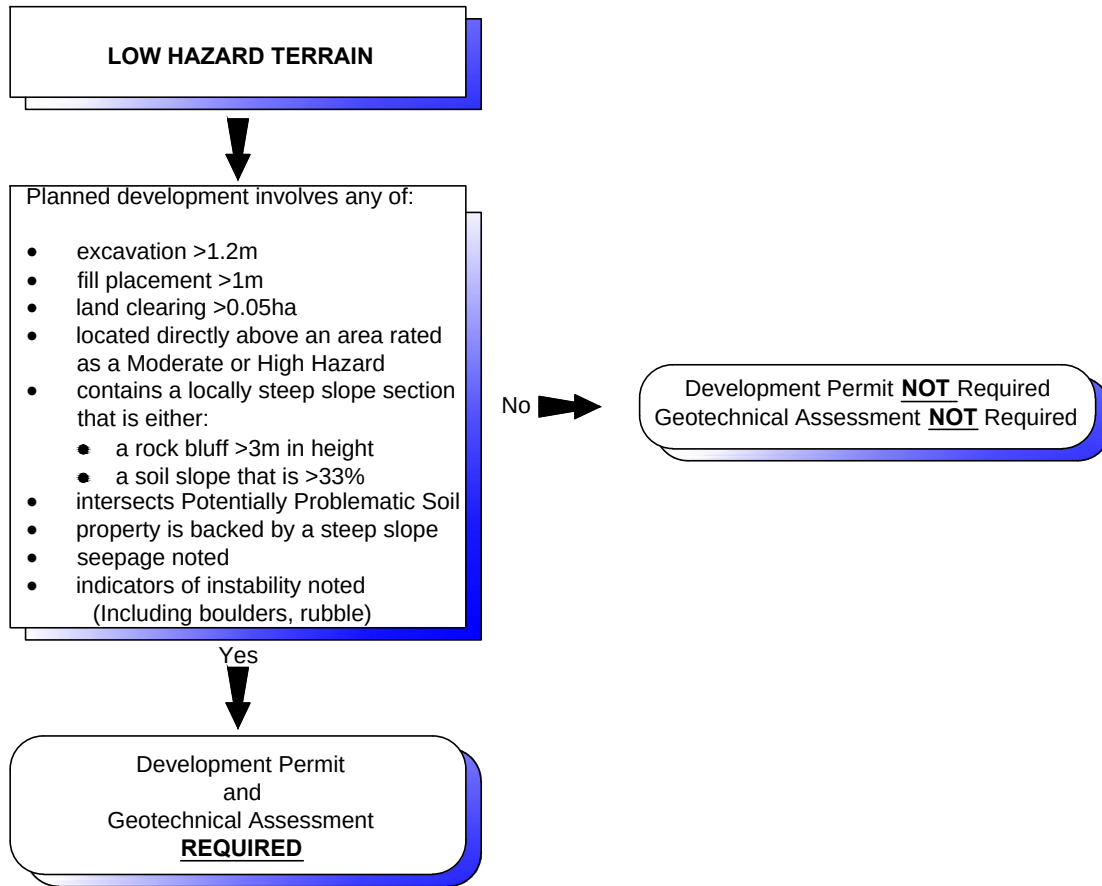
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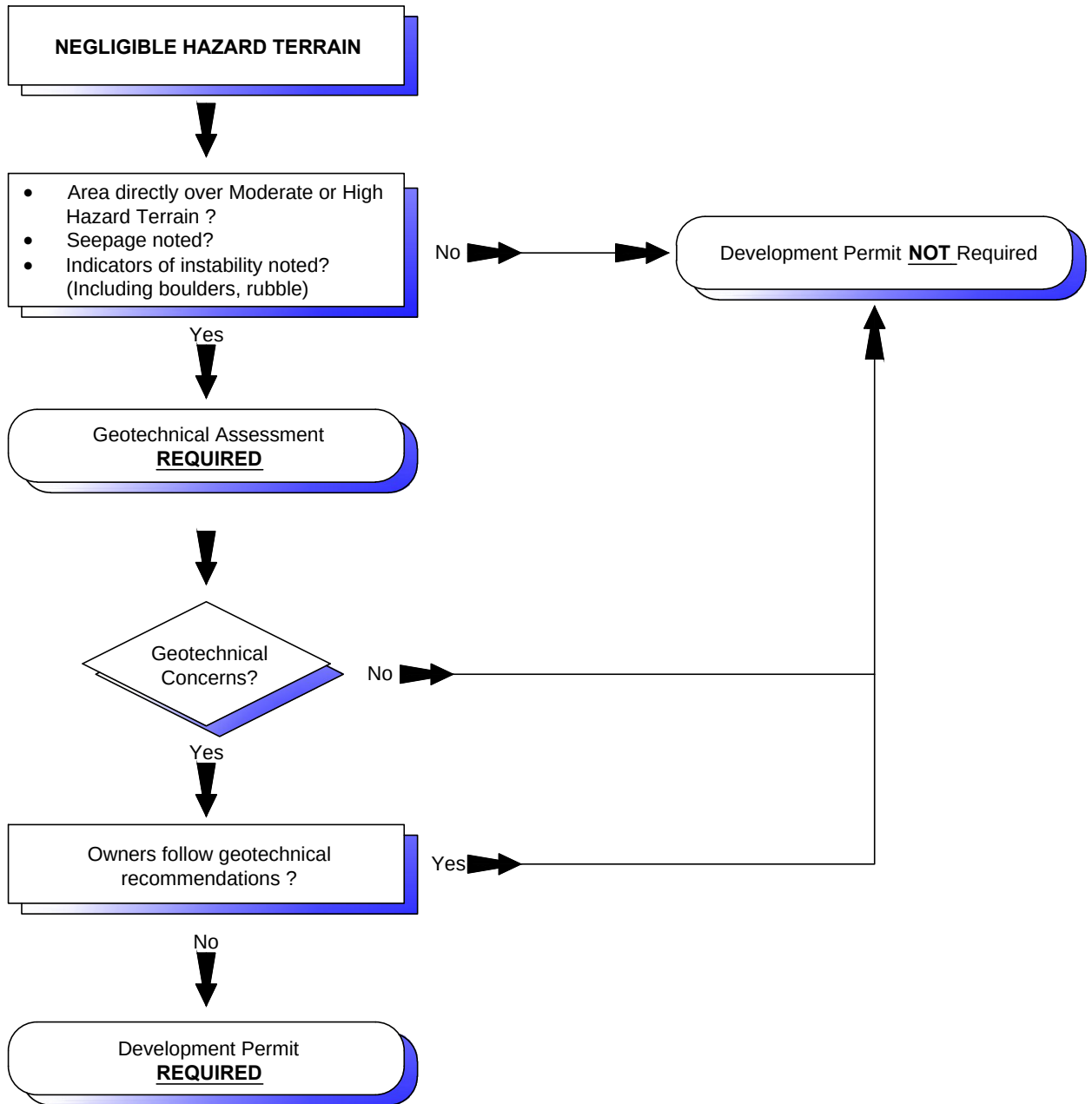
Bob Patrick, M.Sc., P.Eng.
Principal Geotechnical Engineer
Direct Line: 250-756.2256 x 243
bpatrick@eba.ca

Attachments:
Figures 5 and 7, amended
Appendix A: EBA General Conditions

FIGURES



LEGEND	CLIENT	GABRIOLA ISLAND GEOHAZARD MAPPING				
	ISLANDS TRUST	LOW HAZARD TERRAIN FLOW DIAGRAM				
	 A TETRA TECH COMPANY	PROJECT NO. N13101447	DWN IJK	CKD SH	REV 2	Figure 5 (Ammended)
	OFFICE NANAIMO	DATE December 11, 2012				



LEGEND

CLIENT

ISLANDS TRUST



GABRIOLA ISLAND GEOHAZARD MAPPING

DIAGRAM FOR NEGLIGIBLE HAZARD TERRAIN

PROJECT NO.
N13101447

DWN
IJK

CKD
SH

REV
0

OFFICE
NANAIMO

DATE
December 11, 2012

Figure 7
(Ammended)

APPENDIX

APPENDIX A EBA GENERAL CONDITIONS

GENERAL CONDITIONS

GEOTECHNICAL REPORT

This report incorporates and is subject to these “General Conditions”.

1.0 USE OF REPORT AND OWNERSHIP

This geotechnical report pertains to a specific site, a specific development and a specific scope of work. It is not applicable to any other sites nor should it be relied upon for types of development other than that to which it refers. Any variation from the site or development would necessitate a supplementary geotechnical assessment.

This report and the recommendations contained in it are intended for the sole use of EBA's Client. EBA does not accept any responsibility for the accuracy of any of the data, the analyses or the recommendations contained or referenced in the report when the report is used or relied upon by any party other than EBA's Client unless otherwise authorized in writing by EBA. Any unauthorized use of the report is at the sole risk of the user.

This report is subject to copyright and shall not be reproduced either wholly or in part without the prior, written permission of EBA. Additional copies of the report, if required, may be obtained upon request.

2.0 ALTERNATE REPORT FORMAT

Where EBA submits both electronic file and hard copy versions of reports, drawings and other project-related documents and deliverables (collectively termed EBA's instruments of professional service), only the signed and/or sealed versions shall be considered final and legally binding. The original signed and/or sealed version archived by EBA shall be deemed to be the original for the Project.

Both electronic file and hard copy versions of EBA's instruments of professional service shall not, under any circumstances, no matter who owns or uses them, be altered by any party except EBA. EBA's instruments of professional service will be used only and exactly as submitted by EBA.

Electronic files submitted by EBA have been prepared and submitted using specific software and hardware systems. EBA makes no representation about the compatibility of these files with the Client's current or future software and hardware systems.

3.0 ENVIRONMENTAL AND REGULATORY ISSUES

Unless stipulated in the report, EBA has not been retained to investigate, address or consider and has not investigated, addressed or considered any environmental or regulatory issues associated with development on the subject site.

4.0 NATURE AND EXACTNESS OF SOIL AND ROCK DESCRIPTIONS

Classification and identification of soils and rocks are based upon commonly accepted systems and methods employed in professional geotechnical practice. This report contains descriptions of the systems and methods used. Where deviations from the system or method prevail, they are specifically mentioned.

Classification and identification of geological units are judgmental in nature as to both type and condition. EBA does not warrant conditions represented herein as exact, but infers accuracy only to the extent that is common in practice.

Where subsurface conditions encountered during development are different from those described in this report, qualified geotechnical personnel should revisit the site and review recommendations in light of the actual conditions encountered.

5.0 LOGS OF TEST HOLES

The testhole logs are a compilation of conditions and classification of soils and rocks as obtained from field observations and laboratory testing of selected samples. Soil and rock zones have been interpreted. Change from one geological zone to the other, indicated on the logs as a distinct line, can be, in fact, transitional. The extent of transition is interpretive. Any circumstance which requires precise definition of soil or rock zone transition elevations may require further investigation and review.

6.0 STRATIGRAPHIC AND GEOLOGICAL INFORMATION

The stratigraphic and geological information indicated on drawings contained in this report are inferred from logs of test holes and/or soil/rock exposures. Stratigraphy is known only at the locations of the test hole or exposure. Actual geology and stratigraphy between test holes and/or exposures may vary from that shown on these drawings. Natural variations in geological conditions are inherent and are a function of the historic environment. EBA does not represent the conditions illustrated as exact but recognizes that variations will exist. Where knowledge of more precise locations of geological units is necessary, additional investigation and review may be necessary.

7.0 PROTECTION OF EXPOSED GROUND

Excavation and construction operations expose geological materials to climatic elements (freeze/thaw, wet/dry) and/or mechanical disturbance which can cause severe deterioration. Unless otherwise specifically indicated in this report, the walls and floors of excavations must be protected from the elements, particularly moisture, desiccation, frost action and construction traffic.

8.0 SUPPORT OF ADJACENT GROUND AND STRUCTURES

Unless otherwise specifically advised, support of ground and structures adjacent to the anticipated construction and preservation of adjacent ground and structures from the adverse impact of construction activity is required.

9.0 INFLUENCE OF CONSTRUCTION ACTIVITY

There is a direct correlation between construction activity and structural performance of adjacent buildings and other installations. The influence of all anticipated construction activities should be considered by the contractor, owner, architect and prime engineer in consultation with a geotechnical engineer when the final design and construction techniques are known.

10.0 OBSERVATIONS DURING CONSTRUCTION

Because of the nature of geological deposits, the judgmental nature of geotechnical engineering, as well as the potential of adverse circumstances arising from construction activity, observations during site preparation, excavation and construction should be carried out by a geotechnical engineer. These observations may then serve as the basis for confirmation and/or alteration of geotechnical recommendations or design guidelines presented herein.

11.0 DRAINAGE SYSTEMS

Where temporary or permanent drainage systems are installed within or around a structure, the systems which will be installed must protect the structure from loss of ground due to internal erosion and must be designed so as to assure continued performance of the drains. Specific design detail of such systems should be developed or reviewed by the geotechnical engineer. Unless otherwise specified, it is a condition of this report that effective temporary and permanent drainage systems are required and that they must be considered in relation to project purpose and function.

12.0 BEARING CAPACITY

Design bearing capacities, loads and allowable stresses quoted in this report relate to a specific soil or rock type and condition. Construction activity and environmental circumstances can materially change the condition of soil or rock. The elevation at which a soil or rock type occurs is variable. It is a requirement of this report that structural elements be founded in and/or upon geological materials of the type and in the condition assumed. Sufficient observations should be made by qualified geotechnical personnel during construction to assure that the soil and/or rock conditions assumed in this report in fact exist at the site.

13.0 SAMPLES

EBA will retain all soil and rock samples for 30 days after this report is issued. Further storage or transfer of samples can be made at the Client's expense upon written request, otherwise samples will be discarded.

14.0 INFORMATION PROVIDED TO EBA BY OTHERS

During the performance of the work and the preparation of the report, EBA may rely on information provided by persons other than the Client. While EBA endeavours to verify the accuracy of such information when instructed to do so by the Client, EBA accepts no responsibility for the accuracy or the reliability of such information which may affect the report.



A TETRA TECH COMPANY

December 21, 2012

Islands Trust
 700 North Road
 Gabriola Island BC V0R 1X3

ISSUED FOR USE
 EBA FILE: VI3103037-01

Attention: Ms. Chloe Fox

Dear Ms. Fox,

Subject: DP-6 Steep Slopes Draft
 Geotechnical Engineering Review Comments

1.0 INTRODUCTION

EBA Engineering Consultants Ltd., operating as EBA, A Tetra Tech Company (EBA), was retained by Islands Trust to review a draft document (the Document) entitled “DP-6 Steep Slopes”. The DP-6 refers to Development Permit Area (DPA) 6. This document is not dated but was authored and provided by Islands Trust in order for EBA to provide comments pertaining to geotechnical aspects of the Document.

The Document is structured in eight (8) sections:

- Location including the designations of steep slopes;
- Justification including geological and ecological hazard explanations;
- Objectives;
- Development Approval Information;
- Application Requirements;
- Applicability, which designates the activities that require a development permit within DP-6;
- Exemptions; and
- Development Guidelines.

The Guidelines section contains the following segments:

- Guidelines for All Development Activities;
- Guidelines for Construction and Land Alteration; and
- Guidelines for Subdivision.

The results of our review are described in the sections below. General comments pertaining to the Document are provided in Appendix A, shown with the “Track Changes” tool in Microsoft Word.

EBA Engineering Consultants Ltd. operating as EBA, A Tetra Tech Company

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p. 250.756.2256 f. 250.756.2686

In addition to the Document, our comments are also based on the following two documents:

- EBA (2012) “Criteria for Determining a Minimum Size Geohazard Polygon that Would Trigger the Requirement for a Geotechnical Assessment”, prepared for Islands Trust, EBA File: V13103037-01, Issued for Use on December 14, 2012; and
- EBA (2011) “Geohazard Report and Mapping Gabriola Island, BC”, EBA File: N13101447, prepared for Islands Trust, EBA File: N13101447, Issued for Use on January 28, 2011.

EBA notes that our results and comments are based on a limited review of the Document and represent our opinion on the matter from a geohazards perspective. We do not consider our comments to be exhaustive and note that these types of policy documents can be continuously improved upon.

2.0 GEOTECHNICAL ENGINEERING COMMENTS

2.1 Under “DP-6 Steep Slopes”

With regards to the statement “*Development Permit Area 6 (DP-6) is established, pursuant to Section 919.1(1)(a) and (b) of the Local Government Act, for the protection of the natural environment, its ecosystems and biological diversity and for the protection of development from hazardous conditions.*”, it would be worth considering changing this to read:

- *Development Permit Area 6 (DP-6) is established, pursuant to Section 919.1(1)(a) and (b) of the Local Government Act, for the protection of the natural environment, its ecosystems, biological diversity and for the protection of **the public and** development from hazardous conditions.*

2.2 Under “Location”

With regards to the three hazard ratings, it may be worth including the slope hazard designations set out in EBA’s 2011 report, as follows:

Table 1: Terrain Hazard Classifications based on Slope Gradient

Slope Gradient	Terrain Hazard
< 20%	Negligible – depending on soil conditions, terrain instability issues are generally not expected in response to land use change.
20% - <33%	Low – depending on soil conditions, terrain instability is not common in response to land use change. Special attention is required for deeper excavations (i.e. >1.2 m) and placement of fills >1 m in thickness.
33% - <80%	Moderate – generally considered difficult terrain for construction. Depending on soil conditions, without careful consideration, land use changes could potentially initiate a landslide. Special attention to drainage management is generally required.

Table 1: Terrain Hazard Classifications based on Slope Gradient

Slope Gradient	Terrain Hazard
≥ 80%	High – depending on soil conditions, land use changes have a high potential to initiate a landslide. Road construction (or similar linear alignments) is generally avoided, or are constructed at considerable cost. It is noted that most terrain sloping steeper than 100% is generally composed of bedrock where rockfall may be the dominant geomorphic process.

In addition, EBA strongly encourages Islands Trust to include these geohazard categories:

- *Locations of potentially problematic soils; and*
- *Areas potentially vulnerable to shoreline erosion.*

With regards to the concluding statement: “... and Schedule E shall be so interpreted. The designation and delineation of Development Permit Area 6 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust.”, EBA suggests eliminating the phrase “and Schedule E shall be so interpreted.” As it is stated in the first sentence of this section and may be redundant.

2.3 Under “Justification”

Paragraph 1 reads well but may benefit from referencing the EBA 2011 report as noted below:

The topography of Gabriola Island is characterized by steep coastal bluffs and sandy beaches at sea level with forested hills and areas of rocky outcroppings in the centre of the island. This development permit area contains areas of steep slopes that, in combination with geological conditions, may pose a hazard to development, principally in the form of rock fall. The Local Trust Committee has obtained advice from a geotechnical consulting firm on the general location of such areas, as well as recommendations to restrict development activities that could increase or exacerbate such hazards (refer to January 2011 report entitled “Geohazard Report and Mapping Gabriola Island, BC”).

Paragraph 3 does not refer to hazards associated with flat over steep or run-out/deposition zones and may be better worded as:

- *The general intent of the designation of this development permit area is to ensure that development on, or closely related to, steeply sloped areas does not result in hazardous conditions and that cliff and hillside ecosystems are protected during development. Specifically, it is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area 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.”*

2.4 Under “Objectives”

Point number 4 may be better worded as:

4. *To retain the natural features of **steeply** sloped lands.*

2.5 Under “Development Approval Information”

Regarding the only paragraph in this section, a reference to the work of EBA, 2011 may be beneficial. In addition, as the services of more than one qualified and registered professional may be required for both geotechnical and environmental work the “(s)” is applicable, as suggested below:

- *Development Permit Area 6 is designated as an area for which development approval information may be required **(EBA, 2011)** as authorized by Section 920.01 of the Local Government Act. Development approval information in the form of a report from a qualified **registered** professional**(s)** is required due to the special conditions and objectives described above.*

2.6 Under “Application Requirements”

The only paragraph in this section may be better worded as:

*The applicant must, in addition to any other application requirements enacted or imposed by the Local Trust Committee, provide at their **own** expense, a geotechnical assessment report from a qualified, **registered** professional.*

2.7 Under “Applicability”

Regarding point number 3 “*Alteration of land.*”, EBA recommends that Islands Trust could define the extent of alterations allowed if they so wish.

2.8 Under “Exemptions”

Regarding point number 1, EBA recommends rewording the point to include more recent information noted in EBA (2011) and EBA (2012) as per the following:

1. *for certainty: development or alteration of land occurring outside of the designated development permit area, **unless required under the circumstances outlined in EBA (2011) in situations of gentle over steep terrain, problematic soil or does not fulfill the requirements outlined in the Low Hazard Terrain Flow Diagram or the Negligible Hazard Terrain Flow Diagram (EBA, 2012);***

Regarding point numbers 14 and 15 of this section, it would be worth confirming that the Mines Act and the Crown are as strict or more strict than these regulations prior to their exemptions; otherwise, it would be preferable to have the land managed according to DP-6.

Regarding point number 16 of this section, which exempts:

16. works undertaken by a local government body or a body established by a local government;

It is recommended that due to changes in local government and consistency, that they be held to their own regulations.

In order to trigger a development permit when the listed conditions are encountered, EBA recommends that with regards to point number 18, that it read as follows:

18. within the low hazard slope classification only (20-32% slope), all subdivision, construction, addition or alteration to buildings or structures, and land alteration is exempt, except for the following:

- a) any construction or land alteration activity that involves excavation of greater than 1.2 metres in depth or that involves fill placement of greater than 1.0 metre in vertical height;*
- b) any construction or land alteration activity that involves land clearing of greater than 0.05 hectares;*
- c) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities in areas located directly above an area classified as moderate or high hazard slope;*
- d) construction of retaining structures greater than 1.2 metres in height;*
- e) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect potentially problematic soils;*
- f) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect the groundwater table;*
- g) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect terrain displaying signs of instability (including boulders and rubble);*
- h) removal of trees with a trunk diameter of greater than 20 centimetres (measured 1.5 metres above the ground), directly upslope of an existing building or structure;*
- i) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities on properties containing a localized area of steep slope that is either:*
 - i. a rock bluff that is greater than 3 metres in vertical height; or*
 - ii. a soil slope that has a slope gradient in excess of 33%.*

It is recommended by that an additional point be added to this list, point number 19 to accommodate the recommendations outlined in EBA (2011) and EBA (2012) as follows:

19. within the negligible hazard slope classification only (<20%), all subdivision, construction, addition or alteration to buildings or structures, and land alteration is exempt, except for the following:

- a. all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities in areas located directly above an area classified as moderate or high hazard slope;*
- b. all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that are backed by a localized steep slope or are at a toe of a localized steep slope, where the localized steep slope is :*
 - i. a rock bluff that is greater than 3 m in height ;or*

- ii. *a soil slope greater than 7 m in length and has a slope gradient greater than 33%.*
- c. *all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect potentially problematic soils and excavation is planned.*
- d. *all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect the groundwater table;*
- e. *all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect terrain displaying signs of instability (including boulders and rubble).*

2.9 Under “Development Guidelines”

2.9.1 Under “Guidelines for All Development Activities”

With regards to point number 1, less limiting wording is recommended such that:

1. *“Applicants shall be required to submit a geotechnical report, prepared by a qualified professional, for all development activities within the development permit area. This report shall address all issues related to site drainage, soil slippage (surface or deep seated), rock fall hazards, seismic constraints, site clearing, vegetation retention and how this relates to development usage, setbacks and design....”*

read as:

1. *Applicants shall be required to submit a geotechnical report, prepared by a qualified **registered** professional, for all development activities within the development permit area. This report shall address all issues related **but not limited** to: site drainage, soil slippage (surface or deep seated), rock fall hazards, seismic constraints, site clearing, vegetation retention **and their relationships** to development usage, setbacks and design....*

Regarding point number 3, stronger wording is recommended such that “... the development permit should only allow...” would read: ... the development permit **will** only allow...

With regards to point number 4, EBA recommends including the term “registered” as indicated below:

4. *If the nature of the proposed work in the development permit area changes after the geotechnical report has been prepared such that the qualified **registered** professional’s assessment of the impact of the development may reasonably be expected to be affected, the LTC may require the applicant to obtain a new development permit, or to have the professional update the report at the applicant’s expense and in that event may revise DP conditions accordingly.*

Additionally, with respect to this point, it is recommended that stronger wording be used such that “LTC may” be replaced by “Land Trust Committee **will**...”

Regarding point number 5 it is recommended that:

5. *"Monitoring and regular reporting to the Islands Trust by a qualified professional at the applicant's expense may be required during construction and land development phases, as specified in a development permit."*

be rephrased as:

5. *Monitoring and regular reporting to Islands Trust by a qualified **registered** professional and at the applicant's expense, may be required during construction and land development phases, as specified in **the professional's report and** in a development permit.*

With regards to point number 6 of this list, it is recommended that the original text, which reads:

6. *"Where a permit authorizes the removal of vegetation and/or cutting of trees, re-planting and maintenance of disturbed areas shall be considered for inclusion as conditions of the permit. The planting and introduction of non-native species should be avoided and the permit may require a landscaping plan security, in the form of an irrevocable letter of credit, for 125% of the cost of re-planting the site as determined by a qualified professional."*

be replaced by stronger phrasing, as follows:

6. *Where a permit authorizes the removal of vegetation and/or cutting of trees, re-planting and maintenance of disturbed areas shall **be conducted to absorb water and minimize erosion, as part of the permit conditions**. The planting and introduction of non-native species is **prohibited** and the permit may require a landscaping plan security, in the form of an irrevocable letter of credit, for 125% of the cost of re-planting the site as determined by a qualified **registered** professional.*

2.9.2 Under "Guidelines for Construction & Land Alteration"

Regarding point number 3, it is recommended that:

3. *"No fill, including yard clippings, excavated material, sand or soil, should be placed within 10.0 metres of the top of slopes or along drainage channels."*

be replaced by:

3. *No fill, including yard clippings, excavated material, sand or soil, should be placed within 10.0 metres of the top of **steep** slopes, **as defined here-in**, or along drainage channels. **Do not concentrate or divert water onto steep slopes, as defined here-in.***

Regarding point number 4, it is recommended that it be reworded, for clarity, from:

4. *"Avoid grading or alteration of key topographic features (i.e. rock outcroppings, ridgelines, cliffs) and avoid grading that results in landforms that are not characteristic of the natural topography (i.e. linear terraced benches with no undulations or irregularities)."*

to:

4. *Grading or alteration of key topographic features (i.e. rock outcroppings, ridgelines, cliffs) should be avoided, as should grading that results in landforms that are not characteristic of the natural topography (i.e. linear terraced benches with no undulations or irregularities).*

Regarding point number 5, it is recommended that reference to EBA (2011) and EBA (2012) work be included along with the following edits:

5. *The construction of buildings, structures, pathways/trails, driveways, utilities, drainage fields, septic fields, swimming pools, hot tubs, landscaping or other uses at or near the top or base of steep slopes within the Moderate or High Hazard Terrain categories (as identified on Schedule E and in EBA, 2011 & 2012) should be set back a minimum horizontal distance of, unless otherwise specified by a qualified registered professional engineer:*
 - a) *For upland areas:*
 - i. *from the top of a slope, the greater of 10.0 metres or 2.0 times the vertical height of the slope, as measured horizontally from the toe of the slope*
 - ii. *from the base of a slope, the greater of 10.0 metres or 3.0 times the vertical height of the slope, as measured horizontally from the toe of the slope*
 - b) *For waterfront areas:*
 - i. *for all buildings, structures and uses, with the exception of septic fields, the greater of 15.0 metres or 3.0 times the vertical height of the slope, measured horizontally from high, high water mark (HHWM).*
 - ii. *for septic fields, 30.0 metres, measured horizontally from high, high water mark (HHWM)*

or as determined by a qualified registered professional.

Regarding point number 8, stronger wording is recommended such that:

8. *"Vegetation should be maintained and/or reinstated on soil slopes and within 10.0 metres above the top of a slope in order to filter and absorb water and minimize erosion. Native species, including trees, shrubs and other plants, should be used for any new planting. All new planting shall be done in accordance with the recommendations of a qualified professional, and a permit issued under this section."*

reads as:

8. *Vegetation should be maintained and/or reinstated on soil slopes and within 10.0 metres above the top of a slope in order to filter and absorb water and minimize erosion. Native species, including trees, shrubs and other plants, **must** be used for any new planting. All new planting shall be done in accordance with the recommendations of a qualified **registered** professional, and a permit issued under this section.*

The final statement in point number 8 "... and a permit issued under this section." needs to be clarified.

Point number 9 states:

9. *"The extent of impervious surfaces should be limited, and absorbent or permeable surfaces should be used instead to encourage infiltration, where appropriate, and to reduce runoff."*

By leaving the wording as "limited", research would be required on a site specific basis to determine the acceptable percentage of impermeable area. Rather than duplicating efforts, EBA suggests research be conducted to review and determine acceptable percentages of impermeable area for the various terrains on Gabriola Island. The results could then be added to this document as an addendum when complete.

Regarding point number 10, it is recommended that it be reworded/repunctuated, for clarity, from:

10. *"Low impact stormwater management techniques, based on natural hydrologic cycles, should be incorporated into the development to reduce runoff and to capture water and encourage infiltration, where appropriate. Such techniques may include, but are not limited to: the use of rain gardens and bioretention facilities, rooftop gardens, rain barrels and cisterns, and permeable pavers, the reduction and disconnection of impermeable surfaces and the preservation of existing trees and native vegetation on the site."*

to:

10. *Low impact stormwater management techniques, based on natural hydrologic cycles, should be incorporated into the development to reduce runoff, capture water and **to** encourage infiltration, where appropriate. Such techniques may include, but are not limited to: the use of rain gardens and bioretention facilities; rooftop gardens, rain barrels and cisterns; permeable pavers; the reduction and disconnection of impermeable surfaces; and the preservation of existing trees and native vegetation on site.*

2.9.3 Under "Guidelines for Subdivision"

With regards to point number 1, it is recommended that it be rephrased, for clarity from:

1. *"Subdivision layouts should be designed to fit the site to reduce the extent of site alteration for development;"*

to:

1. *Subdivision layouts should be designed such that they adapt to the site's topography in order to reduce the extent of the site alteration for development;*

Regarding point number 2, it is recommended that it be rephrased, for clarity from:

2. *"Every residential lot created by subdivision shall have a safe building envelope located on stable slopes at less than 20% grade;"*

to:

2. *Every residential lot created by subdivision shall have a safe building envelope located on stable, **natural** slopes at less than 20% grade;*

With regards to point number 4 and the use of "any" in terms of parkland dedication, it is suggested that a percentage be considered to account for the protection of some steep slope terrains, as recommended by the park planners of Islands Trust or the Regional District of Nanaimo.

4. *"The Local Trust Committee does not support the dedication of areas within the Moderate and High Hazard Terrain categories (as per Schedule E) or localized areas within the Low Hazard Terrain and **Negligible Hazard Terrain** designations consisting of rock bluffs over 3.0 metres in height or soil slopes in excess of 7.0 metres in length and 33% in slope gradient to fulfill **any** parkland dedication required through subdivision."*

3.0 CONCLUDING REMARKS

In general, EBA found the Document to be well written and comprehensive. Our key recommendation is to ensure all aspects of EBA's geohazard mapping are taken into consideration for any development proposed on Gabriola Island, including the designation of the following in the development permit area:

- negligible hazard terrain areas;
- areas of potentially problematic soils; and
- areas potentially vulnerable to shoreline erosion.

Equally important is that the necessary level of involvement by a qualified professional is undertaken, as well as that the necessary agency approvals are in place.

4.0 LIMITATIONS OF REPORT

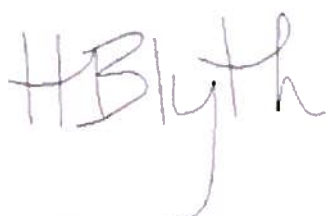
This report and its contents are intended for the sole use of Islands Trust and their agents. EBA, A Tetra Tech Company, does not accept any responsibility for the accuracy of any of the data, the analysis, or the recommendations contained or referenced in the report when the report is used or relied upon by any Party other than Islands Trust, or for any Project other than the proposed development at the subject site. Any such unauthorized use of this report is at the sole risk of the user. Use of this report is subject to the

terms and conditions stated in EBA's Services Agreement. EBA's General Conditions are provided in Appendix B of this report.

5.0 CLOSURE

We trust this report meets your present requirements. Should you have any questions or comments, please contact the undersigned at your convenience.

Sincerely,
EBA Engineering Consultants Ltd.

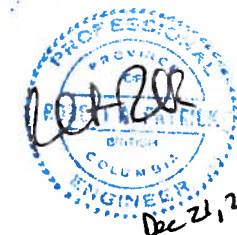
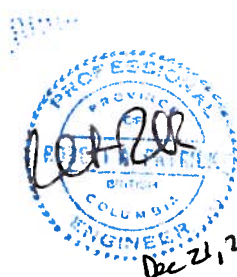


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Dec 21, 2012

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Principal Geotechnical Engineer
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Attachments:

Appendix A: Gabriola Island Development Permit Area 6 (DP-6) Steep Slopes Draft
Appendix B: EBA General Conditions

APPENDIX

APPENDIX A: GABRIOLA ISLAND DEVELOPMENT PERMIT AREA 6 (DP-6) STEEP SLOPES DRAFT

DP-6 Steep Slopes

Development Permit Area 6 (DP-6) is established, pursuant to Section 919.1(1)(a) and (b) of the *Local Government Act*, for the protection of the natural environment, its ecosystems, biological diversity and for the protection of the public and development from hazardous conditions.

Location

DP-6 includes all land designated on Schedule E of this plan as being within the Steep Slopes development permit area. DP-6 includes the following:

1. Terrain Hazard Classifications based on Slope Gradient as defined in Table 1.

Table 1: Terrain Hazard Classification for Gabriola Island (based on slope gradient mapping)

Slope Gradient	Terrain Hazard
< 20%	Negligible – depending on soil conditions, terrain instability issues are generally not expected in response to land use change.
20% - <33%	Low – depending on soil conditions, terrain instability is not common in response to land use change. Special attention is required for deeper excavations (i.e. >1.2 m) and placement of fills >1 m in thickness.
33% - <80%	Moderate – generally considered difficult terrain for construction. Depending on soil conditions, without careful consideration, land use changes could potentially initiate a landslide. Special attention to drainage management is generally required.
≥ 80%	High – depending on soil conditions, land use changes have a high potential to initiate a landslide. Road construction (or similar linear alignments) is generally avoided, or are constructed at considerable cost. It is noted that most terrain sloping steeper than 100% is generally composed of bedrock where rockfall may be the dominant geomorphic process.

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- Locations of potentially problematic soils; and
- Areas potentially vulnerable to shoreline erosion.

The designation and delineation of Development Permit Area 6 consists of a digital record stored and maintained in a Geographic Information System (GIS) at the offices of the Islands Trust. The actual location of the development permit area may need to be determined on a site-specific basis by a qualified BC Land Surveyor.

Justification

The topography of Gabriola Island is characterized by steep coastal bluffs and sandy beaches at sea level with forested hills and areas of rocky outcroppings in the centre of the island. This development permit area contains areas of steep slopes that, in combination with geological conditions, may pose a hazard to development, principally in the form of rock fall. The Local Trust Committee has obtained advice from a geotechnical consulting firm on the general location of such areas, as well as recommendations to restrict development activities that could increase or exacerbate such hazards (refer to January 2011 report entitled “Geohazard Report and Mapping Gabriola Island, BC” (EBA File: N13101447)).

In addition to the hazards associated with these areas, the Local Trust Committee recognizes that cliff ecosystems offer a variety of highly specialized habitats, supporting a unique association of plants, and

Comment [HS1]: Perhaps this should be DPA-6?

Comment [HS2]: If all the elements of the geohazard mapping are included, a more appropriate title might be “Potentially Unstable Terrain”

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<#>Moderate Hazard Terrain (33-79% slope)¶
<#>High Hazard Terrain (≥80% slope)¶

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Comment [HS3]: EBA strongly encourages Islands Trust to include these geohazard categories.

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Comment [HB4]: Appears redundant.

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animal communities. Forested hillsides are an important environmental resource due to extensive tree cover and are also a visual resource that reinforces the rural character of Gabriola Island. Special care is needed to ensure that new development is sensitively integrated into the natural environment to protect these ecosystems.

The general intent of the designation of this development permit area is to ensure that development on or closely related to, steeply sloped areas does not result in hazardous conditions and that cliff and hillside ecosystems are protected during development. Specifically, it is the Object of the Islands Trust to “Preserve and protect the Trust Area and its unique amenities and environment of the Trust Area 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.”

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It is a policy of the Islands Trust Council that local trust committees shall in their Official Community Plans and regulatory bylaws, address the identification of areas hazardous to development including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards and address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

Furthermore, the province of British Columbia's *Local Government Act*, requires that an Official Community Plan include restrictions on the use of land that is subject to hazardous conditions.

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Objectives

The objectives of this development permit area are as follows:

1. To minimize the risk to people and property from hazardous slope conditions;
2. To avoid alteration of steeply sloped lands that may cause increase instability of the land or adjacent areas;
3. To minimize the environmental impact of development on hillsides and steeply sloped lands; and
4. To retain the natural features of steeply sloped lands;

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Development Approval Information

Development Permit Area 6 is designated as an area for which development approval information is required (EBA, 2011) as authorized by Section 920.01 of the *Local Government Act*. Development approval information in the form of a report from a qualified registered professional(s) is required due to the special conditions and objectives described above.

Comment [HB5]: The way this is currently worded makes it appear as though development approval is optional on steep terrain

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Application Requirements

The applicant must, in addition to any other application requirements enacted or imposed by the Local Trust Committee, provide at their own expense, a geotechnical assessment report from a qualified registered professional.

Applicability

The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted below:

1. Subdivision of land;
2. Construction of, addition to or alteration of a building or other structure; and
3. Alteration of land.

Comment [HS6]: Suggest the Islands Trust define this term, particularly to what extent the land would be considered Altered.

A separate development permit, or additional development permit conditions in a single permit, may be required or imposed if the development is occurring in another development permit area designated in this plan.

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Exemptions

The following activities are exempt from any requirement for a development permit. Despite these exemption provisions, owners must satisfy themselves that they meet any other applicable local, provincial or federal requirements.

1. for certainty: development or alteration of land occurring outside of the designated development permit area unless required under the circumstances outlined in EBA (2011) in situations of gentle over steep terrain, problematic soil or does not fulfill the requirements outlined in the Low Hazard Terrain Flow Diagram or the Negligible Hazard Terrain Flow Diagram (EBA, 2012);
2. non-structural repairs or renovations (including roof repairs or replacement) to an existing building or structure provided that there is no expansion of the building footprint, including no cantilevered or projecting portions of the building or structure, and provided that such repairs or renovations do not increase the floor area of the building or structure;
3. replacement or repair of an existing deck, provided that the location and dimensions do not change;
4. the placement of impermanent structures, such as benches, tables and garden ornaments;
5. the removal of trees that have been examined by an arborist and certified to pose an immediate threat to life or property;
6. gardening and yard maintenance activities within an existing landscaped area;
7. pruning conducted in accordance with the standards and recommendations of the International Society of Arboriculture, and that does not involve: the life pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown in one season, topping, the pruning or removal of a structural root within the critical root zone;
8. the construction of a trail provided all of the following apply:
 - a) the trail is 1 metre wide or less;
 - b) no trees with a trunk diameter greater than 20 centimetres (measured 1.5 metres above the ground), are removed;
 - c) the surface of the trail is pervious; and
 - d) the trail follows the existing topography and does not alter the contours of the land;
9. the construction of a fence provided no trees with a trunk diameter greater than 20 centimetres (measured 1.5 metres above the ground) are removed, there is no alteration to the contours of the land, and the disturbance of vegetation is restricted to 0.5 metres on either side of the fence;
10. repair and maintenance of existing roads, driveways, utility lines, infrastructure, paths or trails, provided there is no:
 - a) expansion of the width or length;
 - b) blasting, excavation or fill placement which alters the pre-existing grade; or
 - c) installation of new or additional impervious surfacing, including paving, asphaltting or similar surfacing;
11. forest management activities, as defined in the *Private Managed Forest Land Regulation*, on land classified as managed forest land under the *Private Managed Forest Land Act*;
12. forest management activities on land that is the subject of a woodlot license or tree farm license under the *Forest and Range Practices Act*;
13. farm operations as defined in the *Farm Practices Protection (Right to Farm) Act* and farm uses as defined in Section 2(2) of the *Agricultural Land Reserve Use, Subdivision, and Procedure Regulation*;
14. mining activities regulated by the Mines Act;
15. work undertaken by the Crown or an agent of the Crown;

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Comment [HB7]: Has it been confirmed that the Mines Act and the Crown are as strict or more strict than these regulations? If not, it would preferable to have the land managed according to DP-6.

16. works undertaken by a local government body or a body established by a local government;
17. emergency procedures to prevent, control or reduce immediate threats to life or property including emergency actions for flood protection and erosion protection;
18. within the low hazard slope classification only (20-32% slope), all subdivision, construction, addition or alteration to buildings or structures, and land alteration is exempt, except for the following:
 - a) any construction or land alteration activity that involves excavation of greater than 1.2 metres in depth or that involves fill placement of greater than 1.0 metre in vertical height;
 - b) any construction or land alteration activity that involves land clearing of greater than 0.05 hectares;
 - c) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities in areas located directly above an area classified as moderate or high hazard slope;
 - d) construction of retaining structures greater than 1.2 metres in height;
 - e) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect potentially problematic soils; all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect seepage;
 - f) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect terrain displaying signs of instability (including boulders and rubble);
 - g) removal of trees with a trunk diameter of greater than 20 centimetres (measured 1.5 metres above the ground), directly upslope of an existing building or structure;
 - h) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities on properties containing a localized area of steep slope that is either:
 - i. a rock bluff that is greater than 3 metres in vertical height; or
 - ii. a soil slope that has a slope gradient in excess of 33%

Comment [HB8]: Shouldn't local government be held to their own regulations?

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19. within the negligible hazard slope classification only (<20%), all subdivision, construction, addition or alteration to buildings or structures, and land alteration is exempt, except for the following:
 - a) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities in areas located directly above an area classified as moderate or high hazard slope;
 - b) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that are backed by a localized steep slope or is at a toe of a localized steep slope, where the localized steep slope is:
 - i. a rock bluff that is greater than 3 m in height ;or
 - ii. a soil slope greater than 7 m in length and has a slope gradient greater than 33%.
 - c) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect potentially problematic soils and excavation is planned.
 - d) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect seepage zones;
 - e) all subdivision, construction, addition or alteration to buildings or structures, and land alteration activities that intersect terrain displaying signs of instability (including boulders and rubble);

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Development Guidelines

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Prior to undertaking any development activities within DP-6, an owner of property shall apply to the Local Trust Committee for a development permit, and the following guidelines apply:

Guidelines for All Development Activities

1. Applicants shall be required to submit a geotechnical report, prepared by a qualified registered professional, for all development activities within the development permit area. This report shall

address all issues related but not limited to: site drainage, soil slippage (surface or deep seated), rock fall hazards, seismic constraints, site clearing, vegetation retention and and their relationships to development usage, setbacks and design. In addition, this report must meet the report guidelines for *Legislated Landslide Assessments for Proposed Residential Development in British Columbia* published by the Association of Professional Engineers and Geoscientists of British Columbia, May 2010, including submission of Schedule D (Landslide Assessment Assurance Statement) to specify that the land may be safely used for the use intended.

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2. Where applicable, the required geotechnical report shall be co-ordinated with the environmental report required by other development permit areas, to create a combined solution that mitigates both hazard and environmental impacts and protects environmentally valuable resources.
3. Where the geotechnical report describes an area as suitable for development provided that specific mitigating measures are taken, the development permit should only allow the development to occur in compliance with the measures described in the report.
4. If the nature of the proposed work in the development permit area changes after the geotechnical report has been prepared such that the qualified registered professional's assessment of the impact of the development may reasonably be expected to be affected, the LTC may require the applicant to obtain a new development permit, or to have the professional update the report at the applicant's expense and in that event may revise DP conditions accordingly.
5. Monitoring and regular reporting to Islands Trust by a qualified registered professional and at the applicant's expense, may be required during construction and land development phases, as specified in the professional's report and/or in a development permit.
6. Where a permit authorizes the removal of vegetation and/or cutting of trees, re-planting and maintenance of disturbed areas shall be conducted to absorb water and minimize erosion, as part of the permit conditions. The planting and introduction of non-native species should be avoided and the permit may require a landscaping plan security, in the form of an irrevocable letter of credit, for 125% of the cost of re-planting the site as determined by a qualified professional.
7. The LTC may consider variances to the siting of buildings and structures and/or the subdivision regulations required by the *Gabriola Island Land Use Bylaw, No. 177, 1999* where the variance may result in a reduction in potential hazards to development, a reduction in cut and fill, an improvement in level entry, or a reduction in driveway grades.

Comment [HB9]: Stronger alternative: ...will...

Comment [HB10]: Stronger alternative: Land Trust Committee ...will...

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Comment [HB11]: Stronger wording: ...is prohibited...

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Guidelines for Construction & Land Alteration

1. Designs should avoid the need for retaining walls, particularly to minimize cutting of the uphill slope. Where retaining structures are necessary, "living walls" or bioengineered retaining structures will be considered as a preferable alternative to hard surfaced retaining walls and should be addressed prior to considering hard engineering approaches. Any structural mitigation measures must be designed by a qualified professional.
2. Building sites should fit with natural slope contours, minimizing any alteration to steep slopes, such that structural retaining walls or extensive cut and fill are not required, and so that no blasting or significant soil/rock removal or fill is required to build on the site. The creation of large, flat terraces on hillsides in order to expand developable area or create large level front or rear yards is not supported.
3. No fill, including yard clippings, excavated material, sand or soil, should be placed within 10.0 metres of the top of steep slopes, as defined here-in, or along drainage channels. Do not concentrate or divert water onto steep slopes, as defined here-in.
4. Grading or alteration of key topographic features (i.e. rock outcroppings, ridgelines, cliffs) should be avoided, as should grading that results in landforms that are not characteristic of the natural topography (i.e. linear terraced benches with no undulations or irregularities).
5. The construction of buildings, structures, pathways/trails, driveways, utilities, drainage fields, septic fields, swimming pools, hot tubs, landscaping or other uses at or near the top or base of steep slopes

Comment [HB12]: Stronger alternative could be used: ... e.g. prohibited. .

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within the Moderate or High Hazard Terrain categories (as identified on Schedule E [and EBA, 2011 & 2012](#)) should be set back a minimum horizontal distance of [unless otherwise specified by a qualified registered professional engineer](#):

a) For upland areas:

- i. [from](#) the top of a slope, the greater of 10.0 metres or 2.0 times the vertical height of the slope, as measured horizontally from the toe of the slope
- ii. [from](#) the base of a slope, the greater of 10.0 metres or 3.0 times the vertical height of the slope, as measured horizontally from the toe of the slope

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b) For waterfront areas:

- i. for all buildings, structures and uses, with the exception of septic fields, [the greater of 15.0 metres or 3.0 times the vertical height of the slope](#), measured horizontally from [the natural boundary of the sea](#)
- ii. for septic fields, 30.0 metres, measured horizontally from [the natural boundary of the sea](#)

Comment [HB13]: Consider making this: HHWM (high high water mark)

Comment [HB14]: Consider making this: HHWM (high high water mark)

or as determined by a qualified professional.

6. Conservation design site planning principles shall be incorporated into the development that minimize the impacts of development on steeply sloped areas by clustering development on less steep portions of the site and by minimizing the footprints of buildings.
7. Natural features and existing native vegetation on the site should be preserved and incorporated into the design of the site.
8. Vegetation should be maintained and/or reinstated on soil slopes and within 10.0 metres above the top of a slope in order to filter and absorb water and minimize erosion. Native species, including trees, shrubs and other plants, [should be used for any new planting](#). All new planting shall be done in accordance with the recommendations of a qualified professional, [and a permit issued under this section](#).
9. The extent of impervious surfaces should be [limited](#), and absorbent or permeable surfaces should be used instead to encourage infiltration, where appropriate, and to reduce runoff.
10. Low impact stormwater management techniques, based on natural hydrologic cycles, should be incorporated into the development to reduce runoff, [capture water and to encourage infiltration](#), where appropriate. Such techniques may include, but are not limited to: the use of rain gardens and bioretention facilities, rooftop gardens, rain barrels and cisterns, [permeable pavers](#), the reduction and disconnection of impermeable surfaces, and the preservation of existing trees and native vegetation on [site](#).

Comment [HB15]: Stronger wording: ...must...

Comment [HB16]: Lacks clarity

Comment [HB17]: Should there be a percentage here?

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Guidelines for Subdivision

1. [Subdivision layouts should be designed to fit the site to reduce the extent of site alteration for development](#).
2. [Every residential lot created by subdivision shall have a safe building envelope located on stable, natural slopes at less than 20% grade;](#)
3. Clustering of permitted density is encouraged as a means of preserving environmentally sensitive areas and to avoid the hazards associated with steeply sloped areas;
4. The Local Trust Committee does not support the dedication of areas within the Moderate and High Hazard Terrain categories (as per Schedule E) or localized areas within the Low Hazard Terrain [and Negligible Hazard Terrain](#) designations consisting of rock bluffs over 3.0 metres in height or soil slopes in excess of 7.0 metres in length and 33% in slope gradient to fulfill [any parkland dedication](#) required through subdivision.
5. Conservation design site planning principles shall be incorporated into the development that minimize the need to alter natural grades by increasing the lot size as slope gradient increases, using

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Comment [HB19]: "any" As some steep slope areas should likely be protected, would a percentage work better here?

variations in lot sizes and subdivision layouts to reflect natural site contours, minimizing the length of roads, and considering the use of shared driveways to reduce the cut and fill of slopes.

References:

EBA. (2012) Criteria for Determining a Minimum Size Geohazard Polygon that Would Trigger a the Requirement for a Geotechnical Assessment. ISSUED FOR USE, EBA File: V13I03037-01, December 14, 2012.

EBA. (2011) Geohazard Report and Mapping Gabriola Island, BC, ISSUED FOR USE, EBA File: N13I01447 January 28, 2011.

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APPENDIX

APPENDIX B: EBA GENERAL CONDITIONS

GENERAL CONDITIONS

GEOTECHNICAL REPORT

This report incorporates and is subject to these “General Conditions”.

1.0 USE OF REPORT AND OWNERSHIP

This geotechnical report pertains to a specific site, a specific development and a specific scope of work. It is not applicable to any other sites nor should it be relied upon for types of development other than that to which it refers. Any variation from the site or development would necessitate a supplementary geotechnical assessment.

This report and the recommendations contained in it are intended for the sole use of EBA's Client. EBA does not accept any responsibility for the accuracy of any of the data, the analyses or the recommendations contained or referenced in the report when the report is used or relied upon by any party other than EBA's Client unless otherwise authorized in writing by EBA. Any unauthorized use of the report is at the sole risk of the user.

This report is subject to copyright and shall not be reproduced either wholly or in part without the prior, written permission of EBA. Additional copies of the report, if required, may be obtained upon request.

2.0 ALTERNATE REPORT FORMAT

Where EBA submits both electronic file and hard copy versions of reports, drawings and other project-related documents and deliverables (collectively termed EBA's instruments of professional service), only the signed and/or sealed versions shall be considered final and legally binding. The original signed and/or sealed version archived by EBA shall be deemed to be the original for the Project.

Both electronic file and hard copy versions of EBA's instruments of professional service shall not, under any circumstances, no matter who owns or uses them, be altered by any party except EBA. EBA's instruments of professional service will be used only and exactly as submitted by EBA.

Electronic files submitted by EBA have been prepared and submitted using specific software and hardware systems. EBA makes no representation about the compatibility of these files with the Client's current or future software and hardware systems.

3.0 ENVIRONMENTAL AND REGULATORY ISSUES

Unless stipulated in the report, EBA has not been retained to investigate, address or consider and has not investigated, addressed or considered any environmental or regulatory issues associated with development on the subject site.

4.0 NATURE AND EXACTNESS OF SOIL AND ROCK DESCRIPTIONS

Classification and identification of soils and rocks are based upon commonly accepted systems and methods employed in professional geotechnical practice. This report contains descriptions of the systems and methods used. Where deviations from the system or method prevail, they are specifically mentioned.

Classification and identification of geological units are judgmental in nature as to both type and condition. EBA does not warrant conditions represented herein as exact, but infers accuracy only to the extent that is common in practice.

Where subsurface conditions encountered during development are different from those described in this report, qualified geotechnical personnel should revisit the site and review recommendations in light of the actual conditions encountered.

5.0 LOGS OF TEST HOLES

The testhole logs are a compilation of conditions and classification of soils and rocks as obtained from field observations and laboratory testing of selected samples. Soil and rock zones have been interpreted. Change from one geological zone to the other, indicated on the logs as a distinct line, can be, in fact, transitional. The extent of transition is interpretive. Any circumstance which requires precise definition of soil or rock zone transition elevations may require further investigation and review.

6.0 STRATIGRAPHIC AND GEOLOGICAL INFORMATION

The stratigraphic and geological information indicated on drawings contained in this report are inferred from logs of test holes and/or soil/rock exposures. Stratigraphy is known only at the locations of the test hole or exposure. Actual geology and stratigraphy between test holes and/or exposures may vary from that shown on these drawings. Natural variations in geological conditions are inherent and are a function of the historic environment. EBA does not represent the conditions illustrated as exact but recognizes that variations will exist. Where knowledge of more precise locations of geological units is necessary, additional investigation and review may be necessary.

7.0 PROTECTION OF EXPOSED GROUND

Excavation and construction operations expose geological materials to climatic elements (freeze/thaw, wet/dry) and/or mechanical disturbance which can cause severe deterioration. Unless otherwise specifically indicated in this report, the walls and floors of excavations must be protected from the elements, particularly moisture, desiccation, frost action and construction traffic.

8.0 SUPPORT OF ADJACENT GROUND AND STRUCTURES

Unless otherwise specifically advised, support of ground and structures adjacent to the anticipated construction and preservation of adjacent ground and structures from the adverse impact of construction activity is required.

9.0 INFLUENCE OF CONSTRUCTION ACTIVITY

There is a direct correlation between construction activity and structural performance of adjacent buildings and other installations. The influence of all anticipated construction activities should be considered by the contractor, owner, architect and prime engineer in consultation with a geotechnical engineer when the final design and construction techniques are known.

10.0 OBSERVATIONS DURING CONSTRUCTION

Because of the nature of geological deposits, the judgmental nature of geotechnical engineering, as well as the potential of adverse circumstances arising from construction activity, observations during site preparation, excavation and construction should be carried out by a geotechnical engineer. These observations may then serve as the basis for confirmation and/or alteration of geotechnical recommendations or design guidelines presented herein.

11.0 DRAINAGE SYSTEMS

Where temporary or permanent drainage systems are installed within or around a structure, the systems which will be installed must protect the structure from loss of ground due to internal erosion and must be designed so as to assure continued performance of the drains. Specific design detail of such systems should be developed or reviewed by the geotechnical engineer. Unless otherwise specified, it is a condition of this report that effective temporary and permanent drainage systems are required and that they must be considered in relation to project purpose and function.

12.0 BEARING CAPACITY

Design bearing capacities, loads and allowable stresses quoted in this report relate to a specific soil or rock type and condition. Construction activity and environmental circumstances can materially change the condition of soil or rock. The elevation at which a soil or rock type occurs is variable. It is a requirement of this report that structural elements be founded in and/or upon geological materials of the type and in the condition assumed. Sufficient observations should be made by qualified geotechnical personnel during construction to assure that the soil and/or rock conditions assumed in this report in fact exist at the site.

13.0 SAMPLES

EBA will retain all soil and rock samples for 30 days after this report is issued. Further storage or transfer of samples can be made at the Client's expense upon written request, otherwise samples will be discarded.

14.0 INFORMATION PROVIDED TO EBA BY OTHERS

During the performance of the work and the preparation of the report, EBA may rely on information provided by persons other than the Client. While EBA endeavours to verify the accuracy of such information when instructed to do so by the Client, EBA accepts no responsibility for the accuracy or the reliability of such information which may affect the report.

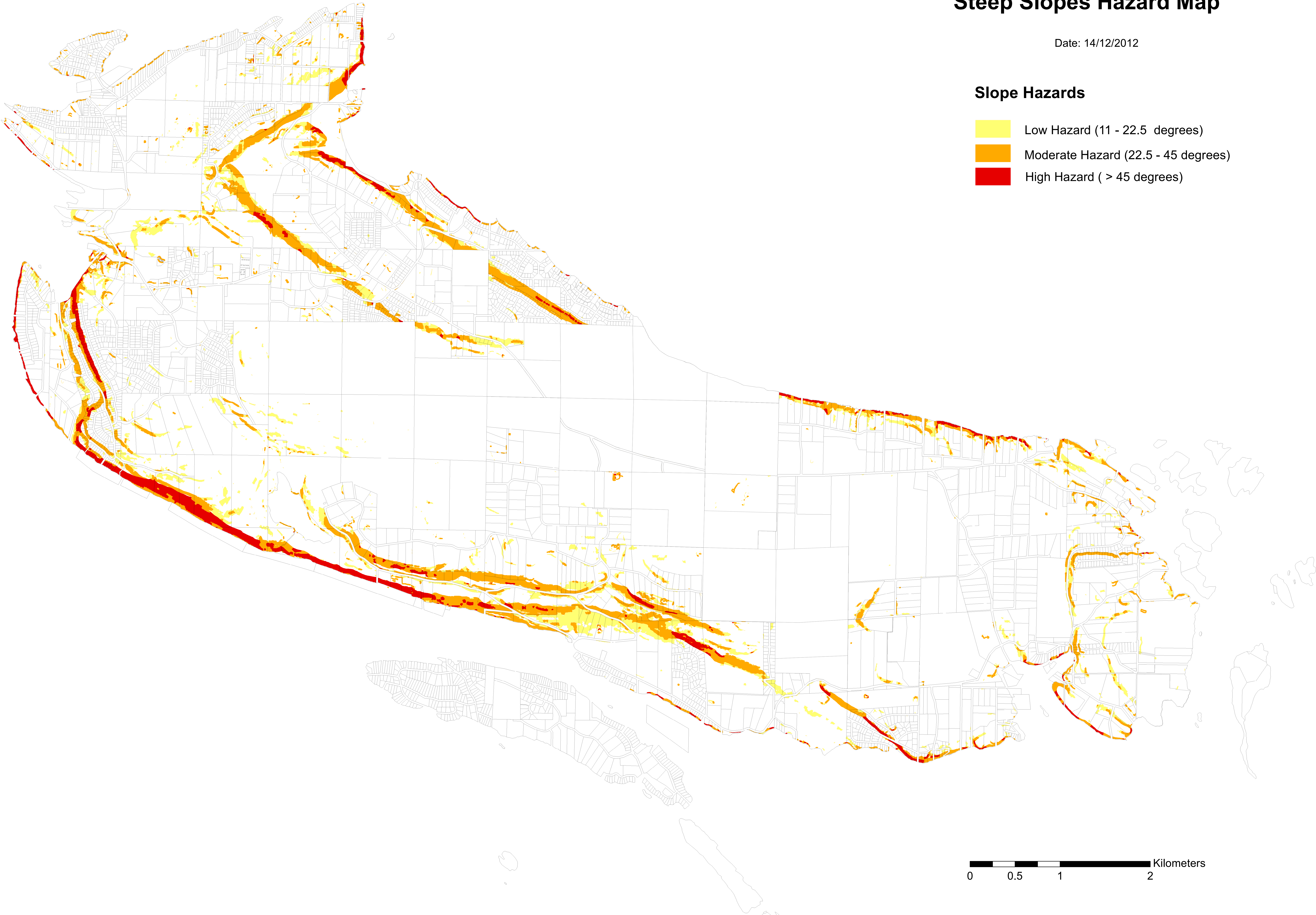
GABRIOLA ISLAND

Steep Slopes Hazard Map

Date: 14/12/2012

Slope Hazards

- Low Hazard (11 - 22.5 degrees)
- Moderate Hazard (22.5 - 45 degrees)
- High Hazard (> 45 degrees)



0 0.5 1 2 Kilometers



STAFF REPORT

Date: January 7, 2013

File No.: 6500-20 (Development Approval Information Bylaw)

6500-20 (Gabriola RAR, Hazard Land /Slope Study)

To: Gabriola Island Local Trust Committee
For the meeting of January 17, 2013

From: Chloe Fox
Island Planner

CC: Courtney Simpson
Acting Regional Planning Manager

Re: Development Permit Areas (Riparian Areas & Steep Slopes) and Development Approval Information Bylaw – Revised Time Frame

OVERVIEW:

The purpose of this report is to present and seek Local Trust Committee (LTC) endorsement of a revised time frame for the development and consideration of bylaw amendments for the development permit areas (riparian areas and steep slopes) project as well as a draft Development Approval Information (DAI) Bylaw for the Gabriola Local Trust Area, including the Gabriola, Mudge and Decourcy Planning Areas.

BACKGROUND:

The LTC has identified the review and updating of development permit area provisions for steep slope areas, as well as the implementation of the provincial *Riparian Areas Regulation* and the implementation and adoption of a DAI bylaw for the Gabriola, Mudge and Decourcy Planning Areas as Top Priorities on its work program. These projects are to be completed in tandem as the DAI bylaw is an administrative bylaw which will effectively implement the revised development permit area provisions as well as enable the LTC to require applicants for zoning bylaw amendments, other types of development permit and temporary use permits to provide, at their own expense, information on the anticipated impacts of proposed development.

In terms of anticipated timeframe for these projects, the LTC has passed the following resolutions:

November 1, 2012:

GB-113-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee:

- give notice to Trust Council that it intends to forward a Development Approval Information Bylaw for Trust Council's consideration at the regularly scheduled March 2013 Trust Council meeting for the purpose of allowing the Gabriola Island Local Trust Committee to obtain information on the anticipated

impacts of development permit, temporary use permit and zoning amendment applications; and

- direct staff to prepare a draft Development Approval Information Bylaw, consistent with the version attached to the staff report dated October 12, 2012 and with the Galiano Island 2012 Development Approval Information Bylaw; and
- direct staff to prepare a Request for Decision for submission to the Executive Committee; and
- direct staff to prepare a draft bylaw to amend the Gabriola Island Official Community Plan, No.166 to designate circumstances and/or areas for which Development Approval Information may be required.

CARRIED

November 29, 2012:

GB-122-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request that staff schedule a special meeting for the purpose of considering first reading of the Gabriola Island Development Permit Area bylaw after the January 17, 2012 community information meeting.

CARRIED

In addition, at the November 29, 2012 regular business meeting, the LTC endorsed a revised Project Charter for the riparian areas and steep slopes development permit areas project that indicated a public hearing, further readings of the draft bylaws and submission of the draft bylaws to Executive Committee and the Minister of Community, Sport and Cultural Development in March 2013 and consideration of adoption of DPA amendments in April / May 2013.

REVISED TIME FRAME & STAFF COMMENTS:

Development Permit Areas:

Due to workload and scheduled absences over the next month, staff are unable to have draft bylaws ready for LTC consideration prior to the regularly scheduled February 21, 2013 LTC business meeting. As such, staff recommends the LTC rescind Resolution GB-122-2012, as outlined above, and instead anticipate receiving the draft bylaws at the February 21, 2013 LTC meeting.

In addition, staff has been advised that timing requirements for agency and First Nations referrals exceed those originally anticipated. As such, more time (a minimum of 60 days) is needed to complete the referral process prior to sending the bylaws to public hearing. With 1st reading considered at the February 21, 2013 meeting, the referral process will have to run through March and April 2013 and a public hearing will have to be pushed to May 2013. Unfortunately, this means that some of the costs of the legislative process (i.e. those associated with the public hearing – statutory notification and hall rental) will have to come from the 2013/14 fiscal year budget and that consideration of adoption of bylaw amendments will occur in Summer 2013. Staff has prepared a revised Project Charter for LTC endorsement reflecting these changes, which is included as Attachment 1 to this report.

Development Approval Information Bylaw:

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

1. The LTC gives formal notice to Trust Council by resolution that it intends to prepare a DAI bylaw to require information for development permit, temporary use permit and zoning amendment applications;
2. The LTC directs staff to prepare a draft DAI bylaw;
3. Staff submits the draft DAI bylaw and Request for Decision to Executive Committee (policy requires that this be submitted to Executive Committee at least 4 weeks before Trust Council);
4. Trust Council considers three readings of the DAI bylaw at a regularly scheduled meeting. Adoption may be considered by Resolution without Meeting.

In accordance with the resolutions passed at the November 1, 2012 and the November 29, 2012 regular business meetings of the LTC, the next step to be completed is the submission of a draft DAI bylaw and Request for Decision to Executive Committee. As per Resolution GB-113-2012, this task is currently scheduled such that the draft DAI bylaw is presented to Trust Council at its March 2013 meeting.

Staff recommends that consideration of 1st, 2nd and 3rd readings of the bylaw be rescheduled for a subsequent Trust Council meeting. The rationale for this is that the required amendments to the *Gabriola Official Community Plan No. 166*, the *Mudge Island Official Community Plan No. 227* and the *Decourcy Island Official Community Plan No. 16* to designate circumstances and/or areas for which development approval information may be required will not be adopted, nor will a public hearing have been held, prior to the March 2013 Trust Council meeting. The risk of sending a draft DAI bylaw to Trust Council for consideration prior to advancement of official community plan amendment bylaws is that as the amendment bylaws advance there may be changes to the draft development permit area guidelines or to the circumstances or areas for which development approval information may be required. In turn, these amendments may trigger the need to amend the DAI bylaw, which effectively implements development permit areas and other DAI designations. If the DAI bylaw has received three readings before these amendments are made to the official community plan, these readings would need to be rescinded, the DAI bylaw amended and brought back to Trust Council for consideration.

Given the above, staff recommends rescinding the previous notification given to Trust Council indicating that the LTC intends to send a draft DAI bylaw for consideration at the March 2013 meeting.

RECOMMENDATIONS:

Staff recommends:

THAT the Gabriola Island Local Trust Committee rescind resolution # GB-113-2012, which states:

“It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee:

- give notice to Trust Council that it intends to forward a Development Approval Information Bylaw for Trust Council’s consideration at the regularly scheduled March 2013 Trust Council meeting for the purpose of allowing the Gabriola Island Local Trust Committee to obtain information on the anticipated impacts of development permit, temporary use permit and zoning amendment applications; and
- direct staff to prepare a draft Development Approval Information Bylaw, consistent with the version attached to the staff report dated October 12, 2012 and with the Galiano Island 2012 Development Approval Information Bylaw; and

- direct staff to prepare a Request for Decision for submission to the Executive Committee; and
- direct staff to prepare a draft bylaw to amend the Gabriola Island Official Community Plan, No.166 to designate circumstances and/or areas for which Development Approval Information may be required.

CARRIED”;

THAT the Gabriola Island Local Trust Committee rescind resolution # GB-122-2012, which states:

“It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request that staff schedule a special meeting for the purpose of considering first reading of the Gabriola Island Development Permit Area bylaw after the January 17, 2012 community information meeting.

CARRIED”; and

THAT the Gabriola Island Local Trust Committee endorse the revised Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas & Steep Slopes) Project Charter, dated January 7, 2013.

Attachments:

Attachment 1 – Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas & Steep Slopes) Project Charter, dated January 7, 2013.

Prepared and Submitted by:

Chloe Fox

MCIP, RPP
Island Planner

January 7, 2012

Date

Concurred in by:

Courtney Simpson

MCIP, RPP
Acting Regional Planning Manager

January 7, 2013

Date

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

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

Objectives

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

In Scope

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

Out of Scope

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

Links & Dependencies

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

Critical Success Factors	Project Team		Governance		Interest Groups	
	Name/Project Role		Name/Project Role		Name	
	Chloe Fox/Island Planner		GBLTC		Property owners and residents	
	I.T. Victoria Mapping Department				Snuneymuxw First Nation; other First Nations	
	Gabriola LTC		Executive Committee		RDN; MOTI; VIHA; other referral agencies	
	Becky McErlean/ A/Planning Clerk (Legislative Process)		Minister of Community, Sport & Cultural Development		Advisory Planning Commission	
					Local Realtors, Contractors, Excavators	

Risk Assessment					Workplan Overview		Budget	
Risk	Probability	Impact	Response Strategy	Residual Risk	Deliverable/Milestone	Targeted Completion	Item	Cost
LTC efforts focused on other regional or trust wide work program items	Low	High	Promote project to work program priority #1 until final adoption	Low	General education on DPAs with community	Aug. 2012	Steep Slopes Mapping Revision	\$3,800
Unable to meet deliverable dates due to aggressive timelines	Med	High	Detailed planning, clear roles and responsibilities of team members	Low	Release of draft DPA amendments	Sept. 2012	Consultation & DPA Review	\$6,800
Property owner discourse over private property rights or implications of land use regulations being proposed	Med	High	Clear communications; ample opportunity for public review of draft regulations	Low	Consultation with community / APC on draft DPA amendments	Nov. 2012 to Jan. 2013	Legislative Process	\$2,000
Unable to meet deliverable dates due to staff time commitments to development applications	Med	High	LTC direction on staff time allocation. RPM to balance application workload between Planner 1 / 2 / Island Planner	Low	1st reading of draft bylaw—agency and First Nation referrals	Feb. 2013	Advertising	\$900
					Public Hearing and further readings	May 2013	Total	\$13,500
					Submission of draft bylaw to Executive Committee/Minister of CSCD	May 2013	Regional Planning Manager Approval: <i>Courtney Simpson</i> Date: January 8, 2013	
					Consideration of adoption of DPA amendments	June / July 2013		
							GBLTC Endorsement Resolution #:	
							Date:	
							January 7, 2013	



STAFF REPORT

Date: January 3, 2013

File No.: 6500-20 (Gabriola
Integrated Watershed &
Shoreline Mapping)

To: Gabriola Island Local Trust Committee
For the meeting of January 17, 2013

From: Chloe Fox
Island Planner

CC: Courtney Simpson
Acting Regional Planning Manager

Re: Integrated Watershed & Shoreline Mapping Workshop

OVERVIEW:

At the November 1, 2012 regular business meeting, the Local Trust Committee (LTC) received a memorandum from staff, dated October 23, 2012, highlighting grant funding available to local trust committees for public outreach / education with regard to Trust Council's Integrated Watershed and Shoreline Mapping project. In consideration of the memorandum, the LTC passed the following resolutions:

GB-107-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee amend its Work Program at 6.3 on the agenda to include Shoreline Mapping Workshop as the No. 1 item.

CARRIED

GB-108-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee support holding an Integrated Watershed and Shoreline Mapping workshop as described in the October 23, 2012 staff report.

CARRIED

The purpose of this report is to provide an update to the LTC on the scheduling and logistics of this workshop and to request the release of LTC Expense Account funds to cover costs associated with the workshop that are not covered under the grant.

DISCUSSION & STAFF COMMENTS:

The minutes of the November 1, 2012 meeting indicate that rationale was provided for consideration of holding an Integrated Watershed and Shoreline Mapping workshop on Gabriola Island as follows:

- funding for this workshop is provided through a grant and will provide access to shoreline maps otherwise unavailable at this time;

- this issue is central to climate change with storms and sea level rise already having an effect;
- stewardship education may reduce incidents of shoreline hardening and construction of hard shoreline structural stabilization practices requiring bylaw enforcement;
- planner time on this workshop would be minimal; and
- the effect on the Work Program would be short-lived.

Similarly, a preliminary plan for the project was discussed including the following:

- consultant preferences would be Will Marsh and/or Murdoch de Greef;
- target audiences would be primarily waterfront property owners and builders and developers;
- preferred methods of informing audiences would be by email and news release with targeted mail out to shoreline property owners;
- staff to research if funding for mail out is covered by the grant;
- the Community Hall would be the suggested workshop location or the possibility of a web cast could be considered.

Since November 2012, local planning staff has worked with Trust Area Services staff to identify a tentative date of Saturday, March 23, 2013 for the workshop.

Local planning staff has also become aware of additional information that the LTC may wish to consider in moving forward with this workshop. First, there is an option to have Nikki Wright of Seachange attend the meeting and provide a presentation on Seachange's work on eelgrass mapping that has been completed for other islands in the Trust Area through a contract with the Islands Trust Fund. The eelgrass mapping is complementary to the Integrated Watershed and Shoreline Mapping project as an example of the impact of residential development on shorelines and resulting community-based conservation efforts. While this work has not been completed for the Gabriola Local Trust Area as of yet, the budget request for eelgrass mapping in the 2013/14 fiscal year includes Gabriola as a priority area.

Given the potential relevance of this information for upcoming project work in the Gabriola area, staff recommends that Nikki Wright of Seachange be requested to attend the workshop. The cost of her attendance at the workshop is, however, not covered by the grant and would need to come from the LTC's budget. While the OCP Project budget is fully allocated for this fiscal year, the LTC Local Expense Special Projects Account has a budget of \$2000.00 available for this project. Should the LTC wish to consider this opportunity, a resolution to release up to \$400.00 from this account to cover Ms. Wright's travel costs and attendance is required.

Secondly, local planning staff has become aware that the costs of a mail-out advertising the workshop are also not covered by the grant and Trust Area Services staff is not available to assist with mail-outs associated with this project. As such, the cost of the mail-out would need to be allocated from the LTC Local Expense Special Projects Account and the work would need to be completed by local planning staff in the Northern Office.

Given the significant amount of work associated with mail-outs and the objective of the project to preserve planner time for other LTC projects, staff recommends relying on the media release, which will be coordinated and sent out by Trust Area Service staff, for advertisement of the event. The media release would go to both the Gabriola Sounder and the Flying Shingle. If the LTC feels an additional method of communication is needed to advertise the event, staff

recommends proceeding with two consecutive advertisements in both local newspapers, instead of a targeted mail-out, as this method requires less local planning staff time.

Finally, while the Integrated Watershed and Shoreline Mapping workshop does not need to be conducted as a special meeting, staff recommends a minute-taker be in attendance to record questions from members of the public in attendance, as well as answers to those questions from the consultants and staff.

OPTIONS:

As outlined above, staff recommends relying on the media release, coordinated by Trust Area Services staff, to advertise the workshop. Other options include proceeding with a direct mail-out to all waterfront property owners and/or a newspaper ad.

RECOMMENDATIONS:

Staff recommends:

THAT the Gabriola Island Local Trust Committee release up to \$800.00 from its Local Expense Special Projects Account (65230 620) to cover the costs of having a minute-taker in attendance at the Integrated Watershed and Shoreline Mapping Workshop and of having Nikki Wright of Seachange attend the Integrated Watershed and Shoreline Mapping Workshop to make a presentation on the relevance of shoreline mapping to community conservation projects and the Eelgrass Mapping Project undertaken with Islands Trust Fund.

Prepared and Submitted by:

Chloe Fox

January 3, 2013

MCIP, RPP
Island Planner

Date

Concurred in by:

Courtney Simpson

January 3, 2013

MCIP, RPP
Acting Regional Planning Manager

Date



Memorandum

700 North Road Gabriola Island, BC V0R 1X3

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

Date: January 7, 2013 File Number: 6500-20 (Gabriola Island Climate Change Policy Implementation)

To: Gabriola Island Local Trust Committee
For meeting of January 17, 2013

From: Chloe Fox
Island Planner

Re: Gabriola Island Climate Change Policy Implementation – Contract Scoping

At the November 29, 2012 meeting, the Gabriola Island Local Trust Committee (LTC) passed the following resolution:

GB-120-2012 It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request a staff report on hiring a consultant to implement Official Community Plan climate change policies into the Land Use Bylaw

CARRIED

The purpose of this memorandum is to present the scope of work staff recommends a consultant be hired to complete as the first stage in implementing the Official Community Plan (OCP) climate change policies.

Background

In response to provincial Bill 27 [Local Government (Green Communities) Statutes Amendment Act, 2008], the LTC adopted amendments to the OCP to include greenhouse gas (GHG) emissions reduction targets and policies and actions to achieve those targets. The policies in the OCP are, however, only the first step in ensuring that the reduction of GHG emissions and the impact of climate change become an integral part of the planning process in the Gabriola Planning Area. In order to achieve the reduction targets, the policies and actions of the OCP must be implemented into the Land Use Bylaw (LUB) and other regulatory documents. A consultant is recommended to be hired to complete much of the initial research required for this project due to current staff workload and budget availability in the 2012/13 fiscal year.

Contract Scope

Staff estimates a budget availability of approximately \$7,000 from the OCP / LUB account remaining in this fiscal year. With this budget, a consultant will be hired to review the existing climate change adaptation and greenhouse gas emissions reduction policies of Section 8 of the OCP and to provide recommendations on how to effectively implement these policies through amendments to the LUB and other regulatory mechanisms (e.g. development permit areas). Staff has prepared a contract scope to guide this work as follows:

Scope

The consultant shall review the existing policies of Section 8 of the OCP and provide specific recommendations as follows:

- Review existing criteria for assessing OCP and LUB amendment applications, including application checklists and OCP policies, and provide recommendations on revising current criteria and/or developing new criteria for assessing these applications from the perspective of climate change adaptation and greenhouse gas emissions reduction.
- Review current best practices in the use of new development permit area designations in BC (i.e. energy conservation, greenhouse gas emissions reduction and water conservation) and provide recommendations on how these designations might be used in a manner appropriate to the Gabriola Planning Area, including the provision of sample or model development permit area guidelines.
- Review existing Village Commercial zoning and DP-7 The Village Centre and provide recommendations on amendments to promote walkability.
- Review existing commercial parking regulations and provide recommendations on amendments appropriate to the Gabriola Planning Area to encourage public transit, smaller vehicles, non-polluting vehicles, car-sharing and permeable parking surfaces.
- Review existing setbacks from the natural boundary of the sea and provide recommendations on amendments and/or additional regulations to address the potential effects of predicted sea level rise appropriate to the Gabriola Planning Area.

Contract Timing & Next Steps

Given the timing constraints of the 2012/13 fiscal year, the contract must be complete (i.e. a final report must be received from the consultant) by the end of March, 2013. Once the report is available, staff will forward the report to the LTC for consideration along with recommendations on moving forward with implementation.

Respectfully prepared and submitted by:

Chloe Fox, MCIP, RPP
Island Planner

Pc: Courtney Simpson, Acting Regional Planning Manager



Islands Trust

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

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Population (2011):

Approximately 4,045

Size:

5,256 hectares (12,987 acres)

Location:

6 kilometres east of Nanaimo located on Vancouver Island.

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Gabriola Island Local Trust Committee

Latest News

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

September 2012

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

July 2012

- [Living Near Riparian Areas Brochure](#)

April 2012

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

February 2012

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

September 2011

- [Trustee Newsletter - September 2011](#)

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Gabriola Island Local Trust Committee Projects

Communication Towers and Antenna

Background Information

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

Gabriola Radio Society Proposal

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

Committee Links

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[Meeting Agendas](#)
[Meeting Minutes](#)
[Resolutions-Without-Meeting](#)
[Associated Islands](#)
[Land Use Application Forms](#)

Local Trust Committee Support Action for Water

Climate Change Action

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

Build-Out Project Map (3rd Edition)

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

Ecosystem Mapping

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

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Official Community Plan and Land Use Bylaw Review

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

November 22, 2010 Community Meeting - Information Packages

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

Advisory Planning Commission

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

Agriculture Advisory Committee

- [Terms of Reference](#)

Meetings

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

Transportation Advisory Committee

- [Terms of Reference](#)

Meetings

- [November 20, 2012 – Agenda Package and LTC referral](#)

Volunteer Review Committee

- [Terms of Reference](#)

Meetings

- **2011**

- January 11, 2011 - Cancelled
 - January 17, 2011 [Agenda - revised](#) | [Minutes](#)
 - February 7, 2011 [Agenda - revised](#) | [Minutes](#)
 - May 9, 2011 [Agenda](#) | [Minutes](#)
 - June 20, 2011 [Agenda](#) | [Minutes](#)
 - [October 25, 2011 Agenda](#)
- **2010**
- December 15, 2009 [Agenda](#) | [Minutes](#)
 - January 26, 2010 [Agenda revised](#) | [Minutes](#)
 - February 9, 2010 [Agenda](#) | [Minutes](#)
 - March 30, 2010 [Agenda - revised](#) | [Minutes](#)
 - April 20, 2010 [Agenda](#) | [Minutes](#)
 - May 18, 2010 [Agenda - revised](#) | [Minutes](#)
 - June 15, 2010 [Agenda - revised](#) | [Minutes](#)
 - July 20, 2010 [Agenda](#) | [Minutes](#)
 - August 17, 2010 - Cancelled
 - September 7, 2010 [Agenda - revised](#) | [Minutes](#)
 - October 5 , 2010 [Agenda - revised](#) | [Minutes](#)
 - November 2, 2010 - Cancelled
 - December 7, 2010 - Cancelled

Community Wildfire Protection Plan

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

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Applications

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

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

Trustee Newsletters

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

DeCourcy Island

- No items at this time

Mudge Island

GB-RZ-2010.1 (Littlejohn & Beckstead)

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

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