

Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: February 11, 2016
Time: 10:15 am
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

	Pages
1. CALL TO ORDER	10:15 AM - 10:20 AM
2. APPROVAL OF AGENDA	
3. TOWN HALL AND QUESTIONS	10:20 AM - 10:30 AM
4. COMMUNITY INFORMATION MEETING - none	
5. PUBLIC HEARING - none	
6. MINUTES	10:30 AM - 10:35 AM
6.1 Local Trust Committee Minutes dated January 14, 2016 – for adoption	4 - 15
6.2 Section 26 Resolutions-Without-Meeting Report dated February 2, 2016	16 - 16
6.3 Advisory Planning Commission Minutes - none	
6.4 Mudge Island Advisory Planning Commission Minutes - none	
6.5 Agricultural Advisory Commission Minutes - none	
6.6 Transportation Advisory Planning Commission Minutes - none	
7. APPLICATIONS AND REFERRALS	10:35 AM - 11:00 AM
7.1 GB-DVP-2015.2 (Dewarle - 565 South Road)	
7.1.1 Staff Report dated January 20, 2016	17 - 31
7.2 GB-DVP-2015.1 (Da Fonseca - Mudge Island)	
7.2.1 Memorandum dated February 1, 2016	32 - 34
8. LOCAL TRUST COMMITTEE PROJECTS	11:00 AM - 11:30 AM
8.1 Roadside Signage on Gabriola Island	
8.1.1 Memorandum dated February 1, 2016	35 - 39
8.2 Dog Care Regulations on Gabriola Island - for discussion	

9.	CLOSED MEETING	11:30 AM - 12:00 PM	
9.1	Motion to Close the Meeting		
	<i>That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(f) for the purpose of considering Bylaw Enforcement and s.90(1)(d) Adoption of In-Camera Minutes and that the recorder and staff attend the meeting.</i>		
9.2	Recall to Order		
9.3	Rise and Report		
10.	BREAK	12:00 PM - 12:20 PM	
11.	BUSINESS ARISING FROM MINUTES	12:20 PM - 1:00 PM	
11.1	Follow-up Action List dated February 2, 2016		40 - 42
11.2	Land Use Consultation for Radio Communication Utilities		
11.2.1	Memorandum dated January 25, 2016		43 - 52
11.3	Ministry of Transportation and Infrastructure Fixed Link Study		
11.3.1	Memorandum dated January 29, 2016		53 - 54
11.4	Descanso Bay Emergency Dock Zoning - for discussion		
11.4.1	Correspondence from Gabriola Chamber of Commerce		55 - 57
12.	DELEGATIONS		
13.	CORRESPONDENCE	1:00 PM - 1:10 PM	
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>		
13.1	Email dated January 6, 2016 from Timothy Maika regarding Beach Access Stairs Regulations in Bylaw No. 177		58 - 59
14.	REPORTS	1:10 PM - 1:20 PM	
14.1	Work Program Reports		
14.1.1	Top Priorities Report dated February 2, 2016		60 - 60
14.1.2	Projects List Report dated February 2, 2016		61 - 62
14.2	Applications Report dated February 2, 2016		63 - 66
14.3	Trustee and Local Expense Report dated January, 2016		67 - 67
14.4	Adopted Policies and Standing Resolutions		68 - 68
14.5	Local Trust Committee Webpage		
14.6	Chair's Report		
14.7	Trustee Reports		
14.8	Electoral Area Director's Report		

14.9 Trust Fund Board Report - none

15. NEW BUSINESS 1:20 PM - 2:00 PM

15.1 Advisory Planning Commission - Term Expiration

15.1.1 Memorandum dated January 29, 2016 69 - 69

15.2 Ungulate (Deer) Feeding

15.2.1 Fact Sheet from Wildlife Health 70 - 71

15.3 Review of Projects List - for discussion

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for Thursday, March 10, 2016 at The
Agricultural Hall, 465 South Road, Gabriola Island, BC

17. TOWN HALL 2:00 PM - 2:10 PM

18. ADJOURNMENT 2:10 PM - 2:10 PM



Gabriola Island Local Trust Committee Minutes of a Regular Meeting

Date of Meeting: Wednesday, January 14, 2016

Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

Members Present: Laura Busheikin, Chair
Melanie Mamoser, Local Trustee
Heather O'Sullivan, Local Trustee

Staff Present: Ann Kjerulf, Regional Planning Manager
Aleksandra Brzozowski, Island Planner
Teresa Rittemann, Planner 1
Clare Frater, Trust Area Policy Analyst (by phone)
Warren Dingman, Bylaw Enforcement Officer
Jessie Sherk, Recorder

Others Present: Howard Houle, Regional Director
1 member of the local media
Approximately 5 members of the public

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration.

**6.3 Adopted Gabriola APC minutes of October 28, 2015
Draft Gabriola APC minutes of January 6, 2016**

8.2.2 Notes from the anchorage meeting held in Victoria November 4, 2015

8.4.2 Noise Violation Issues - Bylaws

13.1.2 Additional piece of correspondence regarding dog sitting regulations received by email.

15.3 Brief memo from staff regarding next fiscal year's budget.

15.4 Bridge study information

Reorder the agenda so that item 11.1 follows item 6.

By general consent, the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

None.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated November 26, 2015 – for adoption

**Page 5, 10.1.1 Amend the second sentence to read
“...correspondence provided from Jes
Andersen that is NOT in support...”**

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting Report dated January 5, 2015

Received for information.

**6.3 Gabriola Advisory Planning Commission Minutes
6.3.1 Adopted Minutes of the October 28, 2015 meeting
6.3.2 Draft Minutes of the January 6, 2016 meeting**

Received for information.

6.4 Mudge Island Advisory Planning Commission Minutes – none

6.5 Agricultural Advisory Commission Minutes – none

6.6 Transportation Advisory Planning Commission Minutes – none

11.1 GB-DVP-2015.1 (Da Fonseca – Mudge Island)

11.1.1 Memorandum dated January 4, 2016

Planner Ritemann summarized the memorandum and introduced supplemental information received since the last meeting. The two pieces of public correspondence were noted and discussion ensued amongst staff and trustees.

Trustees made the following comments:

- They recognize that the applicant believes that what he is doing is preventing erosion on his property, however, these

measures are affecting the entire shoreline and other properties and are not in line with the Green Shores principles.

- They have difficulty identifying his deck as a “walkway”, which is the structure allowed in the Mudge LUB.
- There are concerns relating to the rural form and character when viewing his structures from the water.
- Mudge Island recently created its Official Community Plan (OCP) and those values should be upheld and respected.

Discussion ensued between the applicant, staff and trustees.

GB-2016-001

It was MOVED and SECONDED,

That the Gabriola Island Local Trust Committee deny the request to issue a Development Variance Permit for Section 2 of the proposed permit GB-DVP-2015.1 regarding siting and setback regulation 3.3(4) in accordance with the reasons for refusal noted in the Staff Report and Memo, and comments made by Trustees.

CARRIED

Staff and trustees then discussed the accessory structure within the setback and what kind of mitigative measures could be carried out as a condition of the structure being allowed.

GB-2016-002

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee postpone the request to issue a Development Variance Permit for Section 3 of the proposed permit GB-DVP-2015.1 regarding the siting and setback regulation 5.1(6)(b), in order to allow the applicants time to present a plan for mitigative measures.

CARRIED

Lot coverage was then discussed.

GB-2016-003

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee postpone the request to issue a Development Variance Permit for Section 4 of proposed permit GB-DVP-2015.1 regarding maximum lot coverage regulation 5.1(4).

CARRIED

7. CLOSED MEETING

7.1 Motion to Close the Meeting

GB-2016-004

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee close the meeting to the public in accordance with the Community Charter, Part 4, Division 3, s.90(l)(d) and (f) for consideration of adoption of Closed Meeting Minutes dated November 26, 2015 and Bylaw Enforcement matters and that the recorder and staff attend the meeting.

CARRIED

Chair Busheikin recessed the regular meeting at 11:13 am.

7.2 Recall to Order

Chair Busheikin reconvened the meeting at 12:00 pm.

7.3 Rise and Report

Chair Busheikin stated that the minutes of the November 26, 2015 Closed Meeting were adopted and that a report from bylaw enforcement was discussed.

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List dated January 5, 2015

Received.

8.2 Pacific Pilotage Authority Anchorage Proposal (Postponed Resolution from September 10, 2015)

8.2.1 Memorandum dated December 18, 2015

Planner Brzozowski summarized the memorandum. Trust Area Policy Analyst Frater joined the meeting via telephone and discussion ensued regarding the effectiveness of a letter written to the Pacific Pilotage Authority (PPA) from the Local Trust Committee (LTC).

Trust Area Policy Analyst Frater stated the following:

- In a letter sent to the Minister, a response was requested by the end of February so that Trust Council could make decisions at the March Trust Council meeting.
- She has direction to help organize the consultation on Gabriola Island 90 days after the environmental assessment is released.
- She is not recommending further advocacy to the Transport Minister at this time.

A letter that would highlight the goals and objectives of Islands Trust and sent directly to Kevin Obermeyer, President and CEO of the PPA was discussed. It was noted that Trustee O'Sullivan would be willing to work with staff on the letter.

The committee then discussed the postponed motion from the September 10, 2015 LTC meeting.

GB-2016-005

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee and consider the postponed motion:

“GB-2015-097

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee request the Chair to write a letter in response to the Pacific Pilotage Authority anchorage proposal.”

CARRIED

GB-2016-006

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee request the Chair to write a letter to the Pacific Pilotage Authority in response to their anchorage proposal.

CARRIED

8.3 Coastal Douglas-Fir Conservation Strategy

8.3.1 Briefing Report – November 10, 2015

The three available options outlined in the briefing report were reviewed and discussed.

GB-2016-007

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee become a signatory to the Coastal Douglas-fir Conservation Partnership statement of collaboration.

CARRIED

GB-2016-008

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee place Land Use Planning Tools to Conserve Coastal Douglas Fir Forest Ecosystems on the Project List.

CARRIED

8.4 Summary of Annual Meeting with the Regional District of Nanaimo

8.4.1 Memorandum dated January 5, 2016

Planner Brzozowski summarized the memorandum. Discussion ensued.

GB-2016-009

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee communicate to the Regional District of Nanaimo that it wishes to be included in the LiDAR mapping on sea level rise.

CARRIED

GB-2016-010

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to compile a package of information including eagle nest inventories for the Regional District of Nanaimo to distribute when issuing building permits.

CARRIED

8.4.2 Noise Violation Issues – Bylaws

Trustee O’Sullivan summarized what was discussed at the annual Regional District of Nanaimo (RDN) meeting regarding noise bylaws and how they are enforced. Discussion ensued.

GB-2016-011

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to research any policy language in the Gabriola OCP regarding the issue of noise and dogs at large.

CARRIED

12. BREAK

Chair Busheikin recessed the meeting for a break at 12:53 pm. The meeting reconvened at 1:12 pm.

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Dog Siting Regulations

13.1.1 Staff Report dated December 6, 2016

Planner Brzozowski summarized the staff report and the two draft bylaws that outline guidelines for permitting dog care as a

temporary use. She put forth the idea of having a workshop that would engage the public and solicit feedback about details of the bylaws. Discussion ensued.

The following amendments to the Temporary Use Permit Guidelines for dog care operations were suggested and discussed:

- Set a quantitative limit on the noise allowed from the property inclusive of noise from dogs belonging to the operator.
- In item 10, change the word “should” to “must”.
- Amend the definition of “dog care” to better reflect that the activity occurs inside the home/adding language regarding the activity taking place predominately in the primary dwelling.

Staff and trustees discussed the cost of a legal review.

GB-2016-012

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to amend the Draft Bylaw to require a quantitative limit on the noise allowed from the property inclusive of noise from dogs belonging to the operator and amend the definition of “dog care” to add language regarding the activity taking place in the primary dwelling.

CARRIED

In recognition of the amount of public interest on this topic, it was noted for the minutes that although this resolution was passed, it does not necessarily mean that any decisions have been reached. It was further noted that it is very important to get to the community information/public hearing stage of this process and giving the Draft Bylaws First Reading is what will trigger that.

GB-2016-013

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee give first reading to Bylaw No. 281 as amended, cited as “Gabriola Island Official Community Plan, 1997, Amendment No. 1, 2015” and Bylaw No. 282 as amended, cited “Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2015” as amended.

CARRIED

GB-2016-014

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee refer Bylaw No. 281 as amended, cited as “Gabriola Island Official Community Plan, 1997, Amendment No. 1, 2015” and Bylaw No. 282 as amended, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2015” to:

- Gabriola Island Advisory Planning Commission
- Islands Trust – Bylaw Enforcement
- Regional District of Nanaimo – Bylaw Enforcement
- Island Health
- Penelakut Tribe
- Snuneymuxw First Nations
- Cowichan Tribes
- Halalt First Nation
- Hul'qumi'num Treaty Group
- Stz'uminus First Nation
- Lyackson First Nation
- Semiahmoo First Nation

CARRIED

GB-2016-015

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff facilitate a public workshop to discuss the draft Temporary Use Permit guidelines and present a summary of public and referral agency input to the Local Trust Committee.

CARRIED

13.1.2 Correspondence from October 23 to December 31, 2015

Received.

14.8 Electoral Area Director's Report

Regional Director Houle reported on the following:

- The Association of Vancouver Island and Coastal Communities (AVICC) resolution that the RDN is working on will come before the board on January 26, 2016.
- The RDN just finished two meetings with the Qualicum First Nation on a protocol, said this was historic and ground breaking.
- GERTIE referendum on February 13, 2016.
- Requested a letter of support from the LTC for the narrow width planned for the Village Way Trail cycle path.

By general consent the committee then discussed item 15.2.

15.2 Support Letter to Ministry of Transportation and Infrastructure (MOTI) for Village Trail - for discussion

GB-2016-014

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee direct staff to write a letter from the Chair to the Ministry of Transportation and Infrastructure in

support of the Regional District of Nanaimo Village Way Trail cycle path plans.

CARRIED

9. DELEGATIONS

10. CORRESPONDENCE

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

11. APPLICATIONS AND REFERRALS

11.2 GB-OTH-2014.1 Antenna Siting Proposal (Gabriola Radio Society)

11.2.1 Memorandum dated December 21, 2015

Planner Brzozowski summarized the memorandum. Discussion ensued.

11.3 Thetis Island Local Trust Area Bylaw Referral Request for Response regarding Bylaw No. 96 and Bylaw No. 97

GB-2016-016

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee states that its interests are unaffected by Thetis Island Local Trust Area Bylaws No. 96 and No. 97.

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

13.2 Roadside Signage on Gabriola Island

13.2.1 Memorandum dated December 18, 2015

Planner Ritemann summarized the memorandum. Discussion ensued regarding the community information meeting and possible community survey.

14. REPORTS

14.1 Work Program Reports

14.1.1 Top Priorities Report dated January 5, 2016

Received.

14.1.2 Projects List Report dated January 5, 2016

Discussion ensued.

GB-2016-017

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee remove from the Project List "Bylaw Enforcement staff requested to provide a report on methods of proactive enforcement on advertised unlawful dwellings, as that is the point they are most likely to be unoccupied."

CARRIED

14.2 Applications Report dated January 5, 2016

No updates.

14.3 Trustee and Local Expense Report dated December 2015

Received.

14.4 Adopted Policies and Standing Resolutions

Received.

14.5 Local Trust Committee Webpage

No additions.

14.6 Chair's Report

Chair Busheikin reported on the following:

- The Executive Committee agenda for next week.
- Upcoming Financial Planning Committee meeting.
- Some Executive Committee members will be attending the Local Government Leadership Academy.
- Workshop on First Nations issues at upcoming March Trust Council regarding cultural competency and overall understanding.

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14.7 Trustee Reports

Trustee O'Sullivan reported on the following:

- CAO Linda Adams' retirement.
- Follow up on the letter to the Nanaimo Airport authority regarding noise issues; the traffic patterns have changed.
- The Gabriola Advisory Planning Commission is a great team with a high level of engagement.

Trustee Mamoser reported on the following:

- Her participation in a public meeting for GERTIE on Saturday where she highlighted some of the OCP policies that are supported by GERTIE.

14.9 Trust Fund Board Report - none

15. NEW BUSINESS

15.1 Zoning for Water Taxi Service - for discussion

Discussion ensued regarding adding “water taxi zoning”/“looking at the emergency dock” to the Project List as future agenda items. No decision made.

15.3 Brief memo from staff regarding next fiscal year’s budget.

Will address via Resolution-Without-Meeting (RWM).

15.4 Fixed Link Study

No significant update. Discussion ensued.

GB-2016-018

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff ask the Ministry of Transportation and Infrastructure for an update on the release of the Fixed Link Study.

CARRIED

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for Thursday, February 11, 2016 at the Gabriola Arts & Heritage Centre, 476 South Road, Gabriola, BC

17. TOWN HALL

None.

18. ADJOURNMENT

Chair Busheikin adjourned the meeting at 2:56 pm.

Laura Busheikin, Chair

Certified Correct:

Jessie Sherk, Recorder



Islands Trust

Print Date: February 2, 2016

Resolutions Without Meeting

Gabriola Island

Resolution #	Action	Resolution Description	Resolution Date
2016-01	In Favour	"THAT the Gabriola Island Trust Local Trust Committee request staff to schedule a Special Meeting for the purposes of holding a Community Information Meeting regarding Roadside Signage on Thursday, January 28, 2016".	09-Jan-2016
2016-02	In Favour	"THAT the Gabriola Island Local Trust Committee requests a revision to the draft 2016-17 Project Budget submission to include \$1,500 for OCP and LUB amendments."	21-Jan-2016

STAFF REPORT

Date: January 20, 2016

File No.: GB-DVP-2014.2

To: Gabriola Island Local Trust Committee
For meeting February 11, 2016

From: Rob Milne, Island Planner

CC: Ann Kjerulf, Regional Planning Manager

Re: Development Variance Permit
Lot 3, Section 12, Gabriola Island, Nanaimo District, Plan VIP56919
PID 018-331-840

Owner: Aaron James Dewarle & Jessica Lynn Dewarle
Applicant: (Same)
Location: 565 South Road, Gabriola Island

THE PROPOSAL

The applicant is seeking relief of the provisions of Section B.6.3 “Miscellaneous” of Bylaw No. 177 being the Gabriola Island Zoning Bylaw (LUB) which states, in part:

Cottage Regulations

B.6.3.2 The maximum permitted floor area for a cottage is 65.0 square metres (699.7 square feet).

The purpose of the application (Attachment 1) is to seek an increase to the maximum permitted floor area (from 65.0 square metres to 92.6 square metres) for an existing cottage on the subject property so as to legalize the cottage for residential use .

A copy of the proposed development variance permit is attached (Attachment 2) to this report.

BACKGROUND

A bylaw complaint was received on January 8, 2014 regarding the use of the building which is the subject of this application. A subsequent inspection by a Bylaw Enforcement officer showed that a converted garage was being used as a short term vacation rental, contrary to the zoning provisions for the property. The applicants subsequently submitted an application for a TUP (GB-TUP-2014.1) later that month seeking a permit to allow the continuation of the short term rental use.

The initial processing of the TUP involved discussions with the Regional District of Nanaimo (RDN) which identified that no building permit had been issued for the conversion to residential use of a structure that was originally built as a garage in 1993. Given the absence of a building permit authorizing the conversion it was not possible for the Islands Trust to approve a TUP for a residential use and the application was subsequently withdrawn. As a result of that review it

Cottages are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited.

SITE CONTEXT

Figure 1: Subject Property

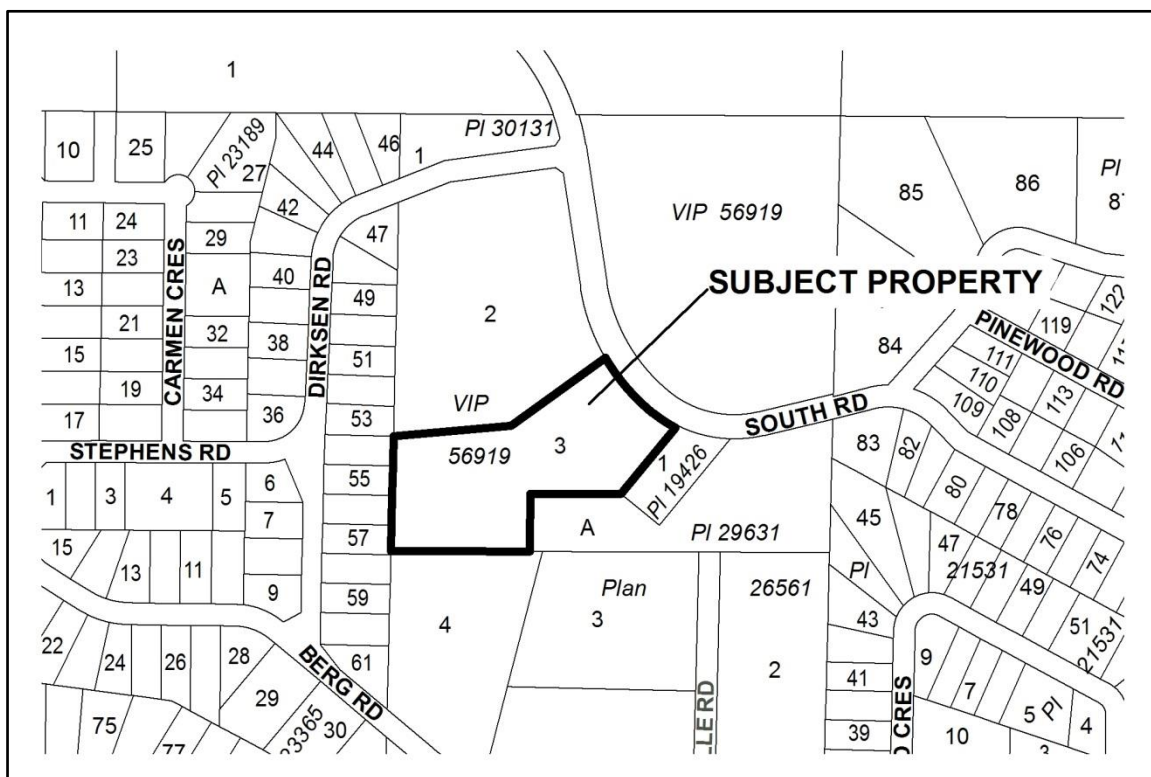
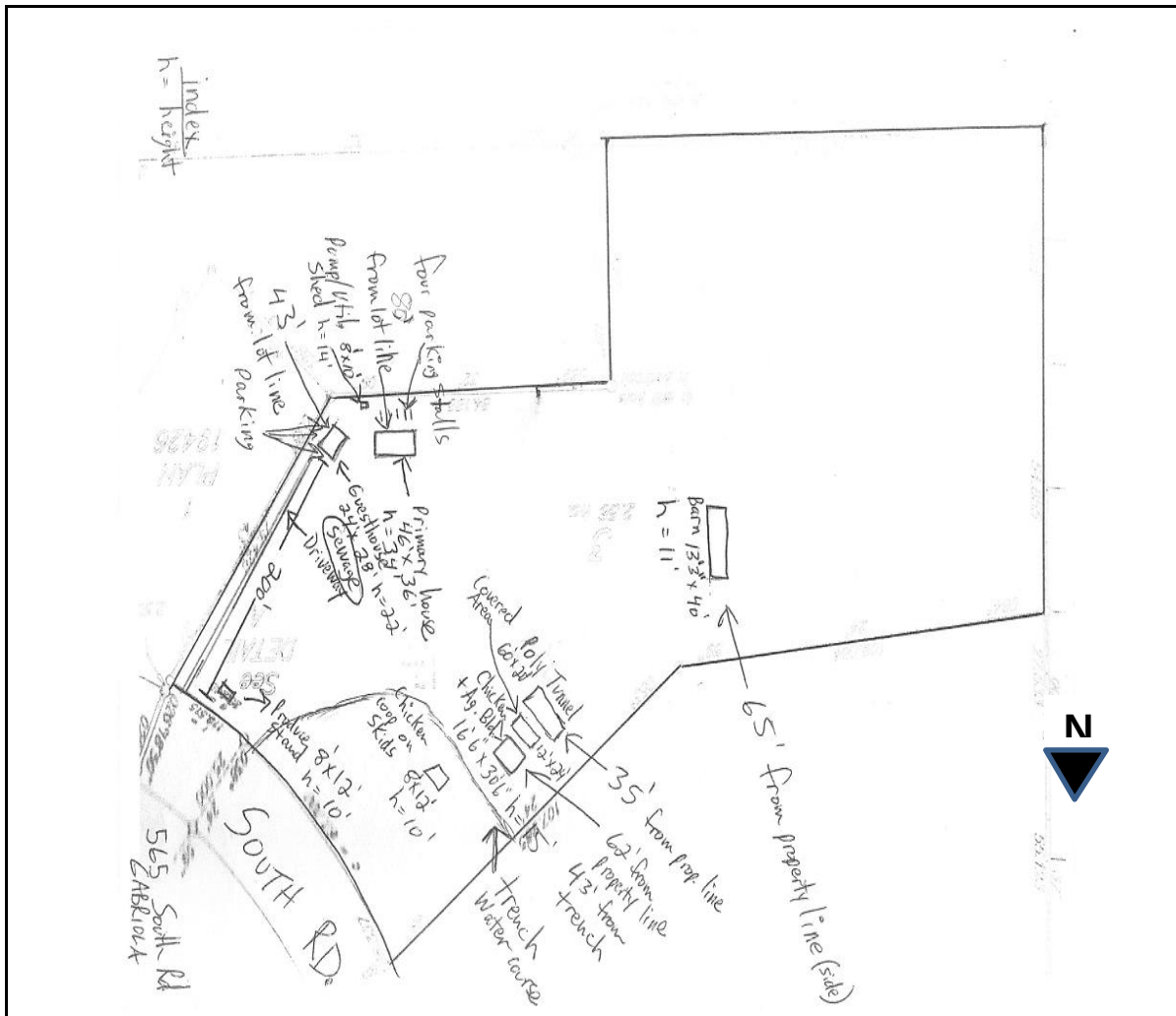


Figure 2: Existing Buildings and Structures



CURRENT PLANNING STATUS OF SUBJECT LANDS

Islands Trust Policy Statement:

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

Official Community Plan

Gabriola Island Official Community Plan No. 166

The subject property is located in the "Large Rural Residential" designation.

Large Rural Residential Objective

1. To permit a range of uses that will support the retention of unsubdivided land.

Large Rural Residential Policies

- a) The principal use shall be residential.
- b) One single-dwelling residential unit shall be permitted per parcel.

- c) The minimum parcel size shall be 2 hectares (4.94 acres) and the average parcel size shall be 4 hectares (9.88 acres).

Land Use Bylaw

The property is zoned Large Rural Residential (LRR) as per the Gabriola Island Land Use Bylaw, No. 177. This zone permits one single family residence and agriculture (excluding animal husbandry) as principal uses. Accessory uses include one accessory cottage dwelling and accessory buildings.

Islands Trust Fund

As per the Islands Trust Fund and Local Planning Services Coordination Policy Manual, this application does not directly affect Islands Trust Fund Board (TFB) interests as it does not directly affect a TFB owned property or conservation covenant or a property adjacent to a TFB owned property or conservation covenant.

Regional Conservation Plan

Map 8 of the Islands Trust Fund Regional Conservation Plan indicates that the estimated importance of habitat composition is between low and medium for this property.

Sensitive Ecosystems and Hazard Areas

Islands Trust Sensitive Ecosystem Mapping does not show any sensitive ecosystems or hazard areas being mapped for this property.

Archaeological Sites

There are no recorded archaeological sites located on or within 50.0 m of the property.

Covenants

Covenant EG92506- Section 215 LGA restrictive covenant- Floodproofing setback from natural boundary, height of construction.

Covenant EG92507- Section 996 LGA restrictive covenant limiting use and subdivision.

These registered interests do not affect this Development Variance Permit application.

Bylaw Enforcement

The structure which is the focus of this application was the subject of a bylaw complaint regarding its use for accommodation on less than a monthly basis for monetary gain.

Climate Change Mitigation and Adaptation

There are no anticipated impacts on greenhouse gas emissions that would result from increasing the permitted floor area as proposed.

COMMUNITY INFORMATION MEETING(S)

No Community Information Meeting is recommended for this application.

RESULTS OF CIRCULATION

Notification of this variance application will be distributed in accordance with statutory requirements. At the time of writing this report, staff had received no submissions from neighbouring property owners or tenants regarding the application.

STAFF COMMENTS

As has been noted in this report the structure which is the focus of this report, and its use, are the subject of a bylaw complaint. At the time of the complaint the cottage (Attachment 4) was being used for short term vacation rentals in association with the ongoing agricultural activity on the property. The revenues from this agri-tourism activity were intended to support the financial viability of the agricultural use of the property (Attachment 3). Short term vacation rental use is contrary to the provisions of the Gabriola Island Land Use Bylaw.

This application for a development variance permit (DVP) seeks to make the necessary changes to the land use bylaw to allow an increase in the maximum permitted floor area for a cottage; subsequently, the applicant would have the opportunity to apply for a TUP to permit short term vacation rentals. *Note, approval of the variance would not bind the LTC to approve a future TUP application.*

Should the LTC approve the requested DVP, the applicants will be required to obtain a building permit from the RDN to ensure that the converted garage complies with BC Building Code requirements for residential use. The RDN building inspector has advised that through their review, they would ensure that the building is connected to an approved waste water disposal system.

Staff conducted a site inspection of the property and structure on January 19th. During that site inspection staff measured the floor area of the cabin to ensure the correct floor area had been calculated for the variance application. This was considered a necessary step as the Gabriola Land Use Bylaw defines floor area as follows:

floor area means the total area of all floors for each *storey* of a *building* measured to the interior surface of the exterior walls and if there are no walls, measured to the outer edge of the drip line, and for purposes of calculating *floor area*, the following apply:

1. all areas of a *building* having a floor and ceiling at least one metre apart constitute a *storey*;
2. the *floor area* occupied by any cistern used for the collection of rainwater for domestic use or fire protection is excluded; and
3. *covered walkways* up to 1.8 metres (5.9 feet) in width adjacent to a *building's* exterior walls in this Bylaw's Commercial and Institutional zones are excluded;
4. a *sustainable energy systems utility room*; in a cottage, up to a maximum of 2.3 square metres (25 square feet) is excluded.

Inspection of the structure confirmed the existing floor area of the cottage to be 92.6 square metres. Inspection of the surrounding property confirmed a significant level of agricultural activity and no indication of adverse impacts upon adjacent properties should the DVP be approved. The structure is only visible from the immediately adjacent property to the south (Attachment 4). It should be noted that the owners of that adjacent property have permission to use the driveway to access their property and do so for the purpose of storing their fifth wheel.

Analysis:

When reviewing applications of this nature staff consider the intent of the OCP policies and the zoning provisions that may be amended, and whether the amendment may conflict with policy direction provided by the OCP or set a precedent for similar applications. Staff also consider the potentially beneficial outcomes of a proposed amendment.

The possible issuance of a DVP to vary the maximum permitted floor area of a cottage specific to the subject property does not allow for the proposed short term vacation rental use. As noted earlier in this report engaging in that use would require a successful application for a TUP. The applicants have also been informed that a TUP is only valid for a three year period with the possibility of a further three year extension following which the property would have to be rezoned to continue a use allowed under the TUP process.

One of the greatest attributes of TUP is that it allows a community to “test drive” a use for a defined period of time without the fear that an approved use will be automatically become permanent as is the case in a rezoning.

In consideration of the foregoing it is the view of staff that the proposed increase in the maximum floor area for a cottage in this particular case would not be in conflict with the intent of the OCP. The structure in question exists and it is currently rented on a monthly basis in compliance with the provisions of the LUB, the issue of floor area aside.

The OCP does not provide for a specific limit on cottage floor area but is understood as intending to ensure that a cottage is smaller than the principal residence and clearly accessory to the permitted principal uses of the property which in this case are Residential, Agriculture and Forestry. Approval of the DVP would legalize the current structure for affordable housing without permitting short term vacation rentals which can only be achieved through a TUP or a rezoning.

This approach is supported by Objective 5 of the “General Residential Objectives” section of Part 2.1, “Residential Land Use” of the OCP:

5. *To support a mix of housing types which includes affordable and market housing in appropriate locations.*

As noted above, agriculture is a permitted principal use of the subject property. In the letter provided in support of their application (Appendix 3) the applicants advise that they consider the use of the cottage for agri-tourism (short term vacation rental) purposes to be a necessary component of their organic farming business providing up to 20% of their cash flow. This cash flow helps sustain the farming activity which last year produced almost 30,000 eggs and approximately 11,340 kg. of food, all of which was sold on Gabriola Island.

Staff, therefore, supports this variance application which, subject to BC Building Code compliance, would have the effect of legalizing the residential use of a structure created in 1993 and will assist in the viability of a business that provides a significant source organic foods for Gabriola Island residents, notwithstanding whether or not a TUP is approved in the future to allow short term vacation rentals.

RECOMMENDATION

It is the recommendation of staff:

THAT the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit GB-DVP-2015.2.

Prepared and Submitted by:

Rob Milne

January 20, 2016

Rob Milne, MCIP, RPP
Island Planner

Date

Concurred in by:

Ann Kjerulf

January 26, 2016

Ann Kjerulf, MCIP, RPP
Regional Planning Manager

Date

Attachments:

1. Application
2. Proposed Development Variance Permit
3. Applicant cover letter
4. Site photos



Islands Trust

Preserving *Island* communities, culture and environment

Victoria Office

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

Salt Spring Office

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

Northern Office

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

www.islandstrust.bc.ca

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

Development Variance Permit Application Form

Print Form

Fee Paid: \$600.00

Office Use Only

Receipt No.: 3037

File No.: GB-DVP-2015-2

SECTION 1: DESCRIPTION OF PROPERTY

(AS INDICATED ON STATE OF TITLE CERTIFICATE)

Lot/Parcel 3 Plan VIP56919 Block _____ District Lot/Section Sec. 12
Range _____ Other Description _____
Street Address or General Location 565 South Rd. Gabriola-Nanaimo District
Jurisdiction and Folio Number 13875.003 (From Property Assessment/Tax Notice)
Parcel Identifier (PID) 018-331-840 (From State of Title Certificate)

SECTION 2: OWNER INFORMATION

(ADD ADDITIONAL PAGE IF MORE THAN TWO OWNERS)

First Owner Information

Aaron Dewarle
Name
565 South Rd.
Street Address
City Gabriola Island ☒ Region Northern
Postal/Zip Code V0R1X0
Telephone 250-247-7457
Fax 250-247-7457
E-mail ajdewarle@gmail.com

Second Owner Information

Jessica Dewarle
Name
565 South Rd.
Street Address
City Gabriola Island ☒ Region Northern
Postal/Zip Code V0R1X0
Telephone 250-247-7457
Fax 250-247-7457
E-mail ajdewarle@gmail.com

SECTION 3: APPLICANT INFORMATION

(IF DIFFERENT FROM OWNER)

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

RECEIVED

DEC 08 2015

**ISLAND TRUST
NORTHERN OFFICE**

Freedom of Information and Protection of Privacy

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

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

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

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

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

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

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

The primary use of the land and all out buildings is farming related. The guesthouse was being used for less than monthly rental as part of the agri-tourism component of the farm as well as to house workers. The principal residence is owner occupied.

The guesthouse's current permitted use is as an accessory building

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

The proposed use of the land is the continuation of organic farming. The proposed use of the guesthouse (if a Development Variance Permit is granted) is to obtain a Change of Use permit through the RDN, this would then satisfy one of the requirements in order to apply for a Temporary Use Permit in order to continue renting it out on a less than monthly bases for monetary gain.

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

The proposed variance is required to comply with Gabriola Land Use Bylaw No. 177, B.6.3.2 which states "The maximum permitted floor area for a cottage is 65.0 square metres (699.7 square feet). The current square footage is 1019 or 990 sq./ft if the unusable space under the stairs is taken into consideration.

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

In order to apply for a TUP, and thus continue to grow food for Gabriola, we need to obtain a DVP. All other options of reducing the square footage of the building have been explored and deemed either too costly or do not make sense given the layout of the farming operation (i.e. installing an indoor rainwater harvesting cistern).

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

Since the guesthouse was built in 1992 it has continued to house families. We were unaware it did not have the proper permits to do so. Since we began using it as part of our farm and offering over-night accommodations in it, the use of the building and all the systems pertaining to it have drastically decreased (i.e. well and sewage use). The building is no longer occupied 365 days per year, hence reducing the water and septic usage.

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

Prior to applying for the TUP this past year we consulted with the neighbors who share our driveway and therefore would be most impacted by the coming and going of guests. They expressed no concerns as they stated they were used to the building be used by long term tenants.

SECTION 11: APPLICATION COMPLETION CHECKLIST

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

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

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

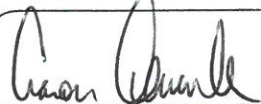
SECTION 12: OWNER'S CONSENT AND AUTHORIZATION

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

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

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

First Consent and Authorization

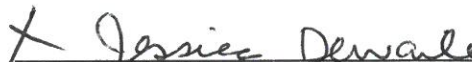


Consent and Authorization Signature

Dec. 7 2015

Date

Second Consent and Authorization



Consent and Authorization Signature

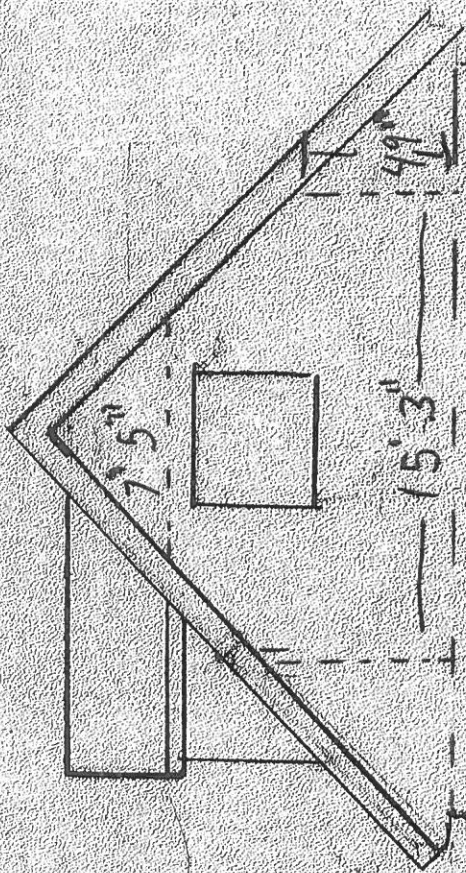
Dec. 7 2015

Date

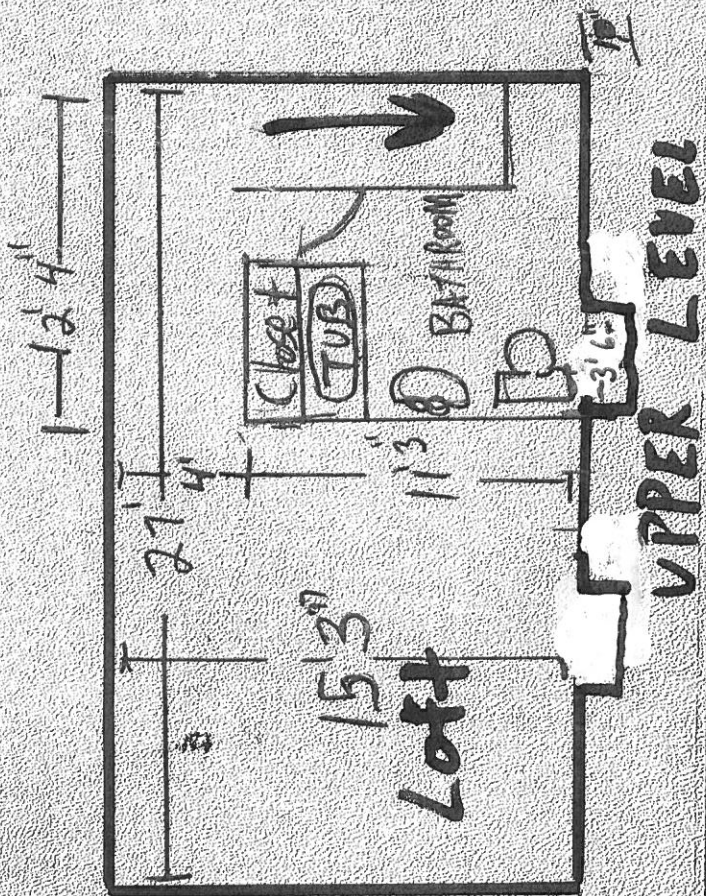
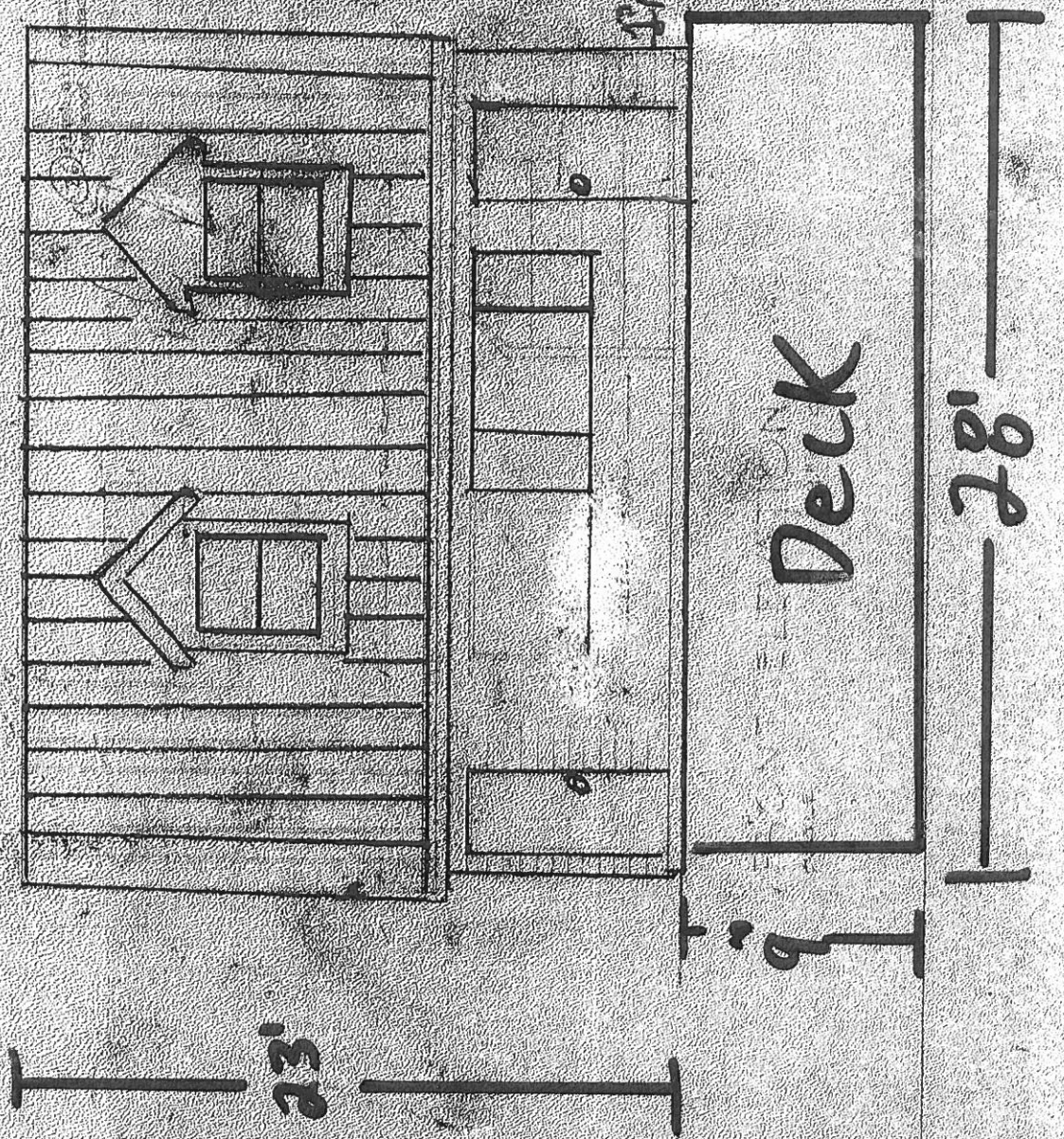
Print Form

Contaminated Sites Regulation

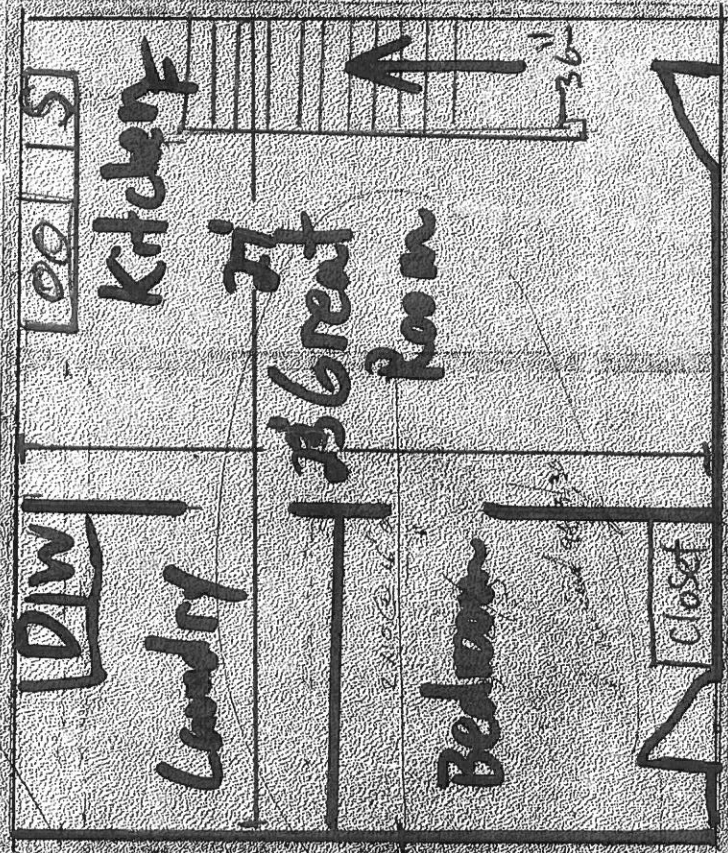
Please note that pursuant to Section 4(4) of the Contaminated Sites Regulation, B.C.Reg. 375/96, site profile is not required and will not be accepted by the Islands Trust. If you have any questions, please contact the Islands Trust office.



SIDE ELEVATION



UPPER LEVEL



LOWER LEVEL

565 South RD.

PROPOSED



Islands Trust

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
GB-DVP-2015.2 (DEWARLE)**

TO: Aaron and Jessica Dewarle

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

PID 018-331-840

Lot 3, Section 12, Gabriola Island, Nanaimo District, Plan VIP56919

2. Pursuant to Section 498 of the *Local Government Act*, Subsection B.6.3 Cottage Regulations, Article B.6.3.2 of Gabriola Island Land Use Bylaw No. 177:

“The maximum permitted floor area for a cottage is 65.0 square metres (699.7 square feet).”

is varied to:

“The maximum permitted floor area for a cottage is 92.6 square metres (996.9 square feet).”

3. This permit is not a building permit and does not remove any obligation on the part of the permittee to comply with all other requirements of Gabriola Island Land Use Bylaw No. 177, 1999 and to obtain other appropriate approvals necessary for completion of the proposed development.

**AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE
THIS ____ DAY OF ____, 2016.**

Deputy Secretary, Islands Trust

Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF 2018,
THIS PERMIT AUTOMATICALLY LAPSES.**

The Garden Bed Farm
Eggs, Poultry, Produce and more...
565 South Road Box 57 Gabriola BC V0R1X0 250.247.7457

January 19, 2016

Dear Rob Milne,

RE: Development Variance Permit for allowable cottage square footage

We have a farm on South Road called The Garden Bed (just past the RCMP). For the past 3 1/2 years we have been growing food for our Island, and have become one of the biggest producers on Gabriola. We also rent out a guesthouse where people can come and learn about small-scale organic farming and take part in the daily chores (egg collecting, feeding Alpaca's). It is this component of our farm business that is in conflict of the Islands Trust Bylaw due to the guesthouse being over 699 Sq/ft. As the guesthouse is over the maximum limit, we are unable to apply for a TUP.

The reality is that the agri-tourism component makes growing food for our community feasible and sustainable. The agri-tourism component represents approximately 20% of net farm earnings, yet only 2-3% of our time.

Background

Through talking to the original owners, RDN, and other long-term Islanders we have learned about the origin of the two dwellings on our property. The cottage was built in the early 1990's with all the required permits and obtained occupancy while they built the bigger house. They moved into the bigger house and the former became a cottage which has housed many different Gabriolans over the past 20 years. When we bought the land and started the farm, the cottage became a place for farm help to stay as well as part of the agri-tourism component of our farm. Families pay to stay there and have the opportunity to learn about growing food, collecting eggs, animal care, and running an organic farm. This year we will have supplied Gabriola with almost 30, 000 eggs and approximately 25, 000 lbs. of food. All of the food we produce is sold on Gabriola.

After a successful year of doing this we learned it was contrary to a local Bylaw regarding "less than one month stay for monetary gain". We were told we needed to apply for a TUP. We went through the lengthy process and paid to have all the necessary inspections done (ROWP, Fire Chief, plumber) and the \$900 permit application. Later, we learned that the cottage only had temporary occupancy as it was over 699 sq.ft, therefore we would have to rescind the permit application (with a partial refund). The planner advised us that we could install an indoor rainwater cistern to decrease the square footage. We discussed this idea with a builder and were told it was ludicrous, costly, and made no sense for our farm layout.

Solution

Evidently, the Trust is aware food security is a strong value of the people of Gabriola. The tens of thousands of dollars the Islands Trust has spent on producing papers and amendments to increase agriculture demonstrates that it is a complex issue and flexibility is needed to support farmers.

Through supporting a Development Variance Permit to increase the allowable square footage for our cottage, we will be able to apply for an Occupancy Permit through the RDN and then a TUP. By providing a space for people to sleep (and letting them collect eggs, hold baby chicks, feed Alpacas, teaching them about small scale organic farming), we will be able to continue growing food for Gabriola. Thank-you for considering our application.

Sincerely

*Aaron and Jessica Dewarle
The Garden Bed
Local Organic Food Producer*

Attachment 4

SITE PHOTOS



Looking west down the driveway towards South Road. Adjacent residence is visible in the background. Note access for trailer.



View of cottage from driveway looking north. Principal residence is visible in the background.



View of cottage from driveway looking to the north east.



View of principal residence looking north east.



Memorandum

Date: February 1, 2016 File Number GB-DVP-2015.1 (Da Fonseca)

To: Gabriola Island Local Trust Committee

From: Teresa Ritemann, Planner 1
Local Planning Services - Gabriola

Re: **Development Variance Permit – PID 004-097-637; Lot 11, Section 26, Mudge Island, Nanaimo District, Plan 16872 (874 Driftwood Drive, Mudge Island)**

At its regular business meeting on January 14, 2016 the Gabriola Island Local Trust Committee passed the following resolutions:

GB-2016-001

It was MOVED and SECONDED,

That the Gabriola Island Local Trust Committee deny the request to issue a Development Variance Permit for Section 2 of the proposed permit GB-DVP-2015.1 regarding siting and setback regulation 3.3(4) in accordance with the reasons for refusal noted in the Staff Report and Memo, and comments made by Trustees.

CARRIED

GB-2016-002

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee postpone the request to issue a Development Variance Permit for Section 3 of the proposed permit GB-DVP-2015.1 regarding the siting and setback regulation 5.1(6)(b), in order to allow the applicants time to present a plan for mitigative measures.

CARRIED

GB-2016-003

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee postpone the request to issue a Development Variance Permit for Section 4 of proposed permit GB-DVP-2015.1 regarding maximum lot coverage regulation 5.1(4).

CARRIED

Following the meeting, Staff received the following photos via email from the applicant (January 16), showing that the barbecue pit structure had been removed, but that a garden bed structure was put up in its place and that the concrete barbecue slab still remained.

Image 1



Image 2



Staff contacted the applicant to request the submission of a new site plan which shows:

1. the proposed mitigative measures (visual and to address possible drainage concerns) for the accessory building;
2. non-approved structures within the natural boundary of the sea having been removed; and
3. the new requested maximum lot coverage reflecting the fact that the structures within the natural boundary of the sea were not approved.

At the time of writing this memorandum, Staff had not received an updated site plan from the applicant as requested above.

Staff also contacted the adjacent neighbours, Dale and Jana Erickson, to ask if they would be more supportive of the variance request to allow the accessory building to be located in its current location within the setback, should the applicant supply a revised plan to provide mitigative measures addressing the visual impact and any possible drainage concerns of the accessory building.

The Ericksons responded that the “privacy issue” of the location of the accessory building has never been a part of their concern, that building a wall or screen would add another structure even closer to their property and increase the visual impact, and that adding vegetation within 0.6 metres of space between the building and the fence would be challenging for the maintenance of the accessory building. They added their concern that the deconstruction of the accessory building could create even further issues rather than mitigating the current ones. The Ericksons requested the following, which the applicant, Mr. Da Fonseca confirmed via email that he would be willing to accept:

1. Mr. Da Fonseca build no further walls/screens of any kind along their shared property line.
2. Mr. Da Fonseca plant no further trees/shrubs of any kind along their shared property line.
3. Mr. Da Fonseca tastefully maintain the building in a similar fashion to that of his home and other buildings within his property, (no odd colours, murals, etc.).
4. Mr. Da Fonseca keep eaves and perimeter drains of the accessory building clean and in good working order.
5. Mr. Da Fonseca accept educational material from The Island’s Trust and/or RDN Hydrologist on the facts of ground water aquifers and the importance of conservation.

Consideration of the Deck Structure as a “Walkway”

The applicant has inquired if/how his deck structure could be considered a “walkway” under the Mudge Island Land Use Bylaw. Under the current bylaw, walkways with an average maximum elevated floor height of 0.3 metres (0.9 feet) are currently permitted within the setback to the natural boundary of the sea. Staff concluded that although not defined or regulated in the LUB, a walkway with a maximum width of 1.0 metre (3.3 feet) and meeting the LUB height requirement would likely be acceptable, given that this is what is permitted in the Gabriola Island Land Use Bylaw.

New Maximum Lot Coverage Calculation

As originally noted in the Staff Report from November 2015, the current lot coverage is 342 square metres. With the LTC resolving to not approve the structures within setback of the natural boundary of the sea (concrete slab, waterfront deck, fences/footings, and the two concrete walls), a total structural coverage of 37.4 square metres was not approved. This leaves 304.6 square metres of current lot coverage, which still exceeds the 10% maximum lot coverage (263.1 square metres) specified by the LUB. **Removing the non-approved structures would change the variance request from a maximum of 13% lot coverage to a requested maximum of 11.6% lot coverage.** Staff also note that the 10% lot coverage is currently being exceeded by 41.5 square metres, and that the accessory building, including its addition, is currently 77.0 square metres.

CC: Ann Kjerulf, Regional Planning Manager
Aleksandra Brzozowski, Island Planner

Date: February 1, 2016

File Number GB-6500-20 – LTC Project –
Roadside Signage Gabriola

To: Gabriola Island Local Trust Committee

From: Teresa Ritemann, Planner 1
Local Planning Services – Northern Office

Re: Gabriola Roadside Signage – Community Information Meeting and Community Outreach Survey

Discussion:

A Special Meeting to hold a Community Information Meeting (CIM) regarding Roadside Signage on Gabriola was held on January 28, 2016 at the Agricultural Hall (465 South Road, Gabriola Island) from 6:30 pm to 8:00 pm. Local Trustees Melanie Mamoser and Heather O'Sullivan were in attendance, along with Planning Staff Ann Kjerulf and Teresa Ritemann. Five members of the public attended the meeting, including representatives from the Gabriola Arts Council, Chamber of Commerce, Power Squadron, and Haven.

Following a Staff presentation, attendees split into two small working groups to discuss roadside signage issues, stakeholder needs and concerns, and possible solutions. Attendees were asked to identify specific locations that might work best for a consolidated solution (i.e. a multi-party sign or community message board). A summary of the main discussion points are included as Attachment 1. Attachment 2 is a copy of a letter from the Gabriola Island Power Squadron that was received at the meeting.

Staff have not yet processed the results of the CIM, but intend to provide a more comprehensive report at the March 10, 2016 meeting. In the interim, staff are developing and will be distributing a community outreach survey, (as outlined in the endorsed Project Charter (Attachment 3)), to gather feedback on information collected from the CIM and further public input on the roadside signage issue. Staff will hold a second CIM in March with the intent to gather feedback on preliminary recommendations for a Roadside Signage Strategy.

Recommendation:

Staff requests that the LTC provide input concerning possible content and questions for the community outreach survey.

Attachments:

1. Notes from Community Information Meeting, January 28, 2016
2. Copy of letter (dated January 28, 2016) received at the Community Information Meeting, from the Gabriola Island Power Squadron
3. Copy of the Roadside Signage – Endorsed Project Charter (dated October 22, 2015)

CC: Ann Kjerulf, Regional Planning Manager
Rob Milne, Island Planner
Miles Drew, Bylaw Enforcement Manager

Notes from Roadside Signage CIM (January 28, 2016)

Issues:

- Gabriola Island Chamber of Commerce has identified more than 600 businesses on Gabriola; but many of which don't want or need signage (lots of galleries, B&B's etc.). The results of the Chamber's 2011 Tourism Audit Report hasn't changed much.
- **Safety** is an issue when pedestrian/cyclist flow is interrupted along Ferry Hill and in the Village on Market Days
- Signs can **disrupt community harmony** when people are upset (e.g. vandalism)
- Sometimes unclear where the edge of the road right-of-way is
- EMCON – signs could interfere with road maintenance (mowing/plowing)
- **Obsolete** signs need to be removed. But who is responsible for this?
- **3 key types of signs: Events, Business Directional, and Business Advertising** (Studio Signs, Real Estate etc.)
- Who would be responsible for: maintenance? Paying for signs? Upkeep and updating them?
- What is the role of local government or Regional District of Nanaimo on maintaining signs? Are there any such precedents?
- Could a ***private company be contracted for the maintenance of the signs*** in the same way as EMCON is contracted by MOTI for road maintenance on Gabriola? If so, how would this be funded?
- Could temporary signs be permitted by MOTI?
- Perhaps don't enforce on temporary event signage at all (e.g. "Open Hours" of a local artisan who puts up a sign only when they're open and not any other times)? But this may be difficult to decide whether or not to enforce because it needs to be fair and equal when enforcement does happen.
- Businesses advertising on private lands are a different issue and bylaw regulations already limit these, so it's less of a concern for enforcement. Businesses can already make deals with property owners to put up a 3rd party sign. The existing bylaw is clear on this.
- **Existing size limit is too small**, but not sure of how big is adequate (e.g. based on driving speeds, how big does a sign need to be to be effective?) Suggestion: maybe graphic artists at the Arts Council know the answer to this? Allow a realistic size for all sign types.
- **Directional signs are the main concern here**, not signs that are advertising temporary events. The purpose of directional signs is to help customers find permanent businesses on the island.
- Some people find that there are **too many signs**
- Some people find the **generic, provincial wayfinding (blue and white, or brown and white) boring and not helpful**, and would like to see a solution that is a better fit for Gabriola

Solutions:

- Whatever solution is concluded for enforcement of signage regulations needs to be **simple** and **fair**. If it is fair and meeting the needs of businesses, then the rules will be followed and businesses will adhere to them
- Nanaimo signage may be a precedent to look at. They have designated intersections for **temporary** signage boards (i.e. which must be taken down after a certain amount of time); could have a designated area(s) on Gabriola for roadside signs (event signs in the right-of-way) and event signs should be time-limited
- Current sandwich board signs are **12 square meters in size**
- No sandwich board signs should be permitted below Taylor Bay Road
- Gabriola Island Chamber of Commerce would want all directional and event signs to be located in the road right-of-way (and not private property) and so MOTI would have to be part of the enforcement solution
- Roadside Signage Strategy could address signs in the right-of-way and on private property
- Silva Bay sign and Gabriola churches sign on Ferry Hill are good **examples of multi-business signs**
- Canada post site could be a **great location for a multi-party sign**
- **Other good locations for multi-party signs:** Agi Hall/Parking lot to North Rd (uphill from Rick's driveway); just beyond Wishbone; and the Arts Centre property (to be 3rd party sign) which loops around the Post Office property
- Multi-party signs (e.g. at Taylor Bay) could be used for **directional purposes to permanent businesses** (natural materials good, but contrast/visibility is also important)
- There is a **need for directional signage on all 5 main roads:** North, South, Taylor Bay, Berry Point, and Barrett. There are likely strategic locations at turnoffs or intersections which have commercial zoning or tourist commercial zoning or parks zoning etc. off a main road
- GICC would like to see **signs be designed by local artists to have a generic look/feel across the island** that is not like the generic wayfinding signs that MOTI uses for the rest of the province. The solution would need to support the community character and ambience of the island
- **Distinct** guidelines needed for directional signs vs. other types
- **Event signage is less of an issue** because it is **temporary**. But Gabriola needs a **solution to advertise events at:** Ferry, Silva Bay (south end b/c people also come in that way by boat), Village Core, Twin Beaches (north end)
- Thetis Island has a good example of bulletin boards for events... (would need to check: is this on a private lot or in the road right-of-way?)

Gabriola Island Squadron



PO Box 71 Gabriola BC VOR 1X0

<http://powersquadron.gabriola.org/>

Google Gabriola Power Squadron



a unit of the Vancouver Island North District of Canadian Power & Sail Squadrons

January 28, 2016

Submission to Islands Trust Regarding Signage on Gabriola

On behalf of Mike Hoeinghaus – Commander, Gabriola Island Power and Sail Squadron I would like to make the following submission on behalf of the Squadron regarding the discussion of road signage on Gabriola.

We understand that a by-law exists which prohibits temporary signs (sandwich boards, banners) from being placed on road shoulders and public right of ways but has in fact, not been enforced in the past. This has resulted in many signs being placed alongside roadways by a variety of organizations and businesses, giving directions or advertising upcoming events. The Gabriola Island Power and Sail Squadron has regularly participated in this activity as it has proven to be a very effective way of advertising and announcing our upcoming Power Squadron courses on boating safety and certification for Pleasure Craft Operators and Maritime Radio Licences over the past 20 years.

We further understand that consideration is being given to enforcing the existing by-law and prohibiting the placement of signs on road shoulders and public right of ways by Islands Trust. We are concerned that this would seriously impact, in a negative sense, the ability of our organization to advertise our courses and raise our profile to the general public. The Gabriola Island Power and Sail Squadron is a non-profit organization established for the benefit of our members and the general public to educate and promote safe boating practises and have very little funding for advertising our courses. We have tried other means of advertising but the feedback has been that our signs are the most effective means of attracting students. Eliminating signs would greatly inhibit our ability to meet our objectives,

We therefore respectfully request that the Islands Trust give serious consideration to the value of allowing temporary signage to continue on Gabriola as long as it is done in a safe and responsible manner.

Sincerely,
George Myette Public Relations Officer
per: Commander Mike Hoeinghaus

Roadside Signage – Endorsed Project Charter

Gabriola Island Local Trust Committee

Date: October 22, 2015

Purpose To review Gabriola Island’s Land Use Bylaw No. 177 (and, where appropriate, Gabriola Island’s Official Community Plan No. 166) with respect to the issue of roadside signage regulations.

Background The issue of roadside signage on Gabriola has been discussed since at least 2010. Staff had initial discussions with the Ministry of Transportation and Infrastructure (MOTI) in 2010; the Local Trust Committee revised the Official Community Plan in 2011; the Gabriola Island Chamber of Commerce (GICC) completed a Tourism Signage Audit report in 2011; Bylaw Enforcement followed up with various public complaints (2012-2015); and in May 2015, the Local Trust Committee resolved to add roadside signage as a Top Priority (resolution GB-2015-058).

Objectives

- To meet with MOTI to discuss the ongoing roadside signage issue;
- To hold Open Houses/CIMs and a public survey to hear from GICC and other stakeholders (e.g. Gabriola businesses) regarding roadside signage; and
- To develop a roadside signage strategy for Gabriola (including a Terms of Reference)

In Scope

- One Staff meeting with MOTI as per 1992 Letter of Agreement (amended 1996)
- Two Open Houses/CIMs and one public survey for public consultation to discuss issues around roadside signage on Gabriola
- Develop a strategy for roadside signage on Gabriola (including a Terms of Reference)
- Review and revise Project Charter as necessary

Out of Scope

- Meeting with MOTI on behalf of GICC and other stakeholders
- IT acting as a liaison for the GICC to solve signage concerns for businesses
- Public consultation beyond two Open Houses/CIMs and one survey

Workplan Overview	
Deliverable/Milestone	Date
Adoption of Project Charter	October 22, 2015
Planning Staff meeting with MOTI staff (as per Interagency Task Force in the 1996 Letter of Understanding) to discuss roadside signage issues on Gabriola	Nov. or Dec. 2015
Open House/CIM to meet with GICC and other stakeholders to follow up with info and discussion regarding meeting with MOTI, as well as hearing public concerns around signage	January 2016
Presentation of public findings from Open House/CIM to the LTC during the regular business meeting. LTC to provide feedback and direction to Staff	February 2016
Planning staff to hold second Open House/CIM to get additional public feedback on roadside signage issues on Gabriola and work to develop a roadside signage strategy for the island	March 2016
Planning Staff presentation of final recommendations and roadside signage strategy to the LTC during the regular business meeting	April 2016

Project Team	
Teresa Ritemann, Planner 1	Project Manager
Ann Kjerulf, Regional Planning Manager	Project Supervisor
Rob Milne, Island Planner	Project Support
Penny Hawley, Planning Team Assistant	Mail-outs / Support
Islands Trust Bylaw Enforcement Department	Bylaw Support

Budget		
Budget Source: Special Projects		
Fiscal	Item	Cost
2015/16	Communications (e.g. advertising for Open Houses/Community Information Meetings)	\$900
2015/16	Two Open Houses (venue rental, refreshments, other associated costs etc.)	\$1,000
	Total	\$1,900

RPM Approval: A. Kjerulf Date: December 18, 2015	LTC Endorsement: Resolution #: GB-2015-112 Date: October 22, 2015
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Follow Up Action Report

Gabriola Island

26-Feb-2015

No.	Activity	Responsibility	Target Date	Status
1	LTC requests staff to advertise for membership in a Board of Variance appointed jointly with other LTC's in the Northern Region.	Lisa Webster-Gibson	30-Jun-2015	On Going

07-May-2015

No.	Activity	Responsibility	Target Date	Status
1	Staff to further discussion regarding zoning of Coats Marsh Regional Park with The Nature Trust of BC and the Regional District of Nanaimo, encouraging them to request approval from the Ecological Gifts Program for the change in zoning from Resource to Parks 1, that was removed from bylaws 271 and 272 prior to their adoption.	Sonja Zupanec	11-Jun-2015	On Going
1	Staff to schedule a meeting with Snuneymuxw First Nation as per our protocol agreement. Update: staffing changes at SFN as of early July.	Aleksandra Brzozowski	11-Jun-2015	On Going

22-Oct-2015

No.	Activity	Responsibility	Target Date	Status
1	Update appropriate sections of website to provide information on public input options for Gabriola LTC.	Aleksandra Brzozowski	26-Nov-2015	Done

26-Nov-2015

No.	Activity	Responsibility	Target Date	Status
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Follow Up Action Report

1	Prepare a letter for the Chairs signature to MOTI regarding recommendations from TAC about the Easthom Road widening.	Aleksandra Brzozowski	24-Dec-2015	On Going
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14-Jan-2016

No.	Activity	Responsibility	Target Date	Status
1	Staff to send LTC copy of BEN report prepared by Miles Drew when the system was introduced.	Aleksandra Brzozowski	11-Feb-2016	Done
1	Trustee OSullivan to draft letter, for Staff review and the Chairs signature, to go to Pacific Pilotage Authority providing PPA with information regarding relevant policies in Gabriola OCP.	Aleksandra Brzozowski	11-Feb-2016	On Going
1	Send CDFCP membership form to LTC.	Aleksandra Brzozowski	11-Feb-2016	Done
1	Place CDFCP project onto the Projects List.	Aleksandra Brzozowski	11-Feb-2016	Done
1	Staff to prepare information package to send to RDN staff to distribute to Building Permit applicants.	Aleksandra Brzozowski	11-Feb-2016	On Going
1	Staff to research OCP policies relevant to issues of noise and animal control.	Aleksandra Brzozowski	11-Feb-2016	On Going
1	Staff to communicate a request for LIDAR shoreline mapping to include LTA to the RDNs Sustainability Select Committee prior to their meeting on February 11.	Aleksandra Brzozowski	01-Feb-2016	On Going
1	Refer Proposed Bylaws 281 and 282 (Dog Care Regulations) to relevant agencies and First Nations.	Becky McErlean Aleksandra Brzozowski	10-Mar-2016	On Going
1	Staff to prepare public workshop on proposed Dog Care Regulations.	Aleksandra Brzozowski	11-Feb-2016	On Going
1	Staff to draft letter to MOTI, for the Chairs signature, citing OCP policies in support of the width of the Village Trail cycle path.	Aleksandra Brzozowski	11-Feb-2016	On Going
1	Staff to ask MOTI for an update on the Fixed Link study.	Aleksandra Brzozowski	11-Feb-2016	On Going

**Follow Up Action Report**

1	LTC does not approve Section 2 of GB-DVP-2015.1, and postpones decision on Sections 3 and 4 of the permit pending mitigation strategy information from the applicant.	Teresa Rittermann Warren Dingman	11-Feb-2016	On Going
1	Bylaw Enforcement, LPS, and TAS staff to prepare information mailout to property owners on Pat Burns regarding DPA-6, and to prepare content for a submitted article to the Gabriola Sounder.	Aleksandra Brzozowski Pamela Hafey Warren Dingman	11-Feb-2016	On Going
1	Staff to follow up on decisions made at RDN COW meeting Jan 26 regarding motion to AVICC about rainwater harvesting.	Aleksandra Brzozowski	01-Feb-2016	On Going
1	LTC gives First Reading, AS AMENDED, to Bylaws 281 and 282 (Dog Care Regulations).	Becky McErlean Aleksandra Brzozowski	01-Feb-2016	On Going
1	Remove from the Projects List those noted in the minutes of Jan 14, 2016.	Aleksandra Brzozowski	01-Feb-2016	Done
1	Roadside Signage update. Memo from Planner TR. Staff met with MOTI staff in Dec to discuss signage. CIM scheduled for Jan 28 to get public feedback. Results of CIM to be presented at LTC meeting Feb. 11 as well as inform basis for electronic survey regarding possible Roadside Signage Strategy.	Teresa Rittermann	11-Feb-2016	On Going



Memorandum

700 North Road Gabriola Island, BC BC V0R 1X3

Telephone (250) 247-2063 FAX: (250) 247-7514

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

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

Date January 25, 2016 File Number 3030-01

To Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Thetis Island Local Trust Committee
Ballenas Winchelsea Islands (Executive Committee) Local Trust Committee

From Sonja Zupanec
Island Planner
Local Planning Services

Re Land Use Consultation for Radio Communication Utilities

The Executive Committee is asking LTC's to consider the attached letter from Innovation, Science and Economic Development Canada indicating they are giving notice of rescinding the 1996 Letter of Understanding (LOU) "Land Use Consultation for Radio Communication Utilities". The LOU is included in the attachment.

As indicated in the letter, the Federal Government (Canada) has developed an antenna siting policy and a guide to assist local governments in developing antenna system siting protocols. In addition, the Federation of Canadian Municipalities has developed an Antenna system siting protocol template.

In the absence of a LOU, Canada will expect local trust committees to either develop their own consultation policy or use the consultation guidelines provided by Canada. The Gabriola LTC is the only northern LTC with a standing resolution (GB-025-2010) stipulating consultation policies for radio communication utilities.

If a local trust committee would like to have a Trust-wide consultation policy, or model policy and procedures developed by Trust Council, a resolution indicating your LTC's preference is requested. This resolution will be forwarded to the Executive Committee for consideration as a Trust Council agenda topic.

Option 1: Request Trust Council develop a Trust-wide consultation policy

THAT the XX Island Local Trust Committee requests Trust Council explore the option of a Trust-wide policy on land use consultation for radio communication utilities.

Option 2: Request Trust Council develop model policy and procedures for each LTC to consider

THAT the XX Island Local Trust Committee requests Trust Council explore the option of a model policy and procedures on land use consultation for radio communication utilities.

R:\LTC\Multi-LTC Projects\Radio Communications Utilities\LTC memo Jan 2016 Radio communication utilities.docx

copy Ann Kjerulf, Manager

Attachment:

1. Letter from Innovation, Science and Economic Development Canada



Linda Adams
Chief Administrative Officer, Islands Trust
Suite 200, 1627 Fort St.
Victoria, BC
V8R 1H8

Date: December 1st, 2015

Subject: Rescinding the 1996 Letter of Understanding (LOU) "*Land use Consultation for Radio Communication Utilities*"

Dear Ms. Adams,

As per our telephone discussion today, please accept this letter as our formal notification to provide a three month notice to rescind the above LOU. I have attached a copy for your reference. It is our belief that this document is outdated.

Going forward, Islands Trust may wish to consider an "islands wide" tower siting consultation policy of their own. There are many good examples of these being used by various local governments. If drafted well, clearly outlining the requirements and obligations of both the proponent and the land use authority, such a policy can save both parties time and result in a more streamlined, timely and assured process.

Most jurisdictions either have their own tower siting consultation policy or use the Innovation, Science and Economic Development Canada policy:

CPC 2-0-03 Radiocommunication and Broadcasting Antenna Systems: <http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf08777.html>

If this is of interest, our department provides a guide that can be used to help develop a policy. It is called the *Guide to Assist Land-use Authorities in Developing Antenna System Siting Protocols*:

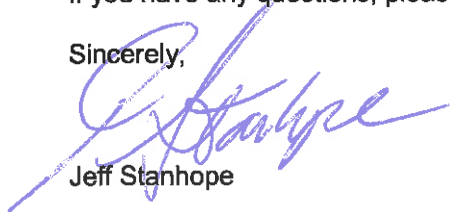
<http://www.ic.gc.ca/eic/site/smt-gst.nsf/eng/sf10860.html>

Also, the Federation of Canadian Municipalities, in partnership with the Canadian Wireless Telecommunications Association, have developed a policy template: *Antenna System Siting Protocol Template*:

http://www.fcm.ca/documents/tools/fcm/Antenna_System_Siting_Protocol_EN.pdf

If you have any questions, please do not hesitate to call me at the number below.

Sincerely,



Jeff Stanhope

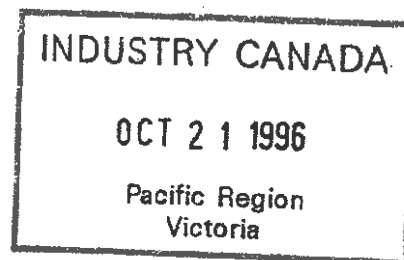
Spectrum Operations Manager, Spectrum Management Operations Branch
Innovation, Science and Economic Development / Government of Canada
Jeff.Stanhope@canada.ca / Tel: 250-363-3597 / TTY: 1-866-694-8389

3

Letter of Understanding

between

INDUSTRY CANADA
Vancouver Island District
Spectrum Program
("Industry Canada")



and the

ISLANDS TRUST COUNCIL on behalf
of Trust Area Local Trust Committees
("Islands Trust")

regarding

LAND-USE CONSULTATION FOR RADIO COMMUNICATION UTILITIES
within the Islands Trust Area

WHEREAS, section 8.1 of the *Islands Trust Act* authorizes the Islands Trust Council to enter into agreements with the Government of Canada on behalf of one or more local trust committees to coordinate activities within the Islands Trust Area to achieve the legislated object of the *Islands Trust Act* ... "to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of the Province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of the Province";

WHEREAS, a local trust committee is responsible for regulating the development and use of land within a local trust area;

WHEREAS, Section 5 of the *Radiocommunications Act* defines the Minister's powers, the Minister may, (i) approve each site on which radio apparatus, including antenna systems, may be located and approve the erection of all masts, towers and other antenna-supporting structures;

WHEREAS, Industry Canada recognizes that land-use authorities may have an interest in the location of significant antenna structures proposed within their jurisdiction and may have concerns that should be considered in the exercise of authority under the *Radiocommunications Act*;

AND WHEREAS, the Islands Trust consider significant antenna structures as being any structure over 25 metres measured from the ground level.

NOW THEREFORE, both parties agree to implement the following interagency consultation procedures regarding applications to Industry Canada for the site-specific authorization of significant antenna structures within the Islands Trust Area:

1.0 NOTIFICATION

- 1.1 Either party will use best efforts to notify the other party of an applicant's expression of interest to build or modify a significant antenna structure.
- 1.2 Industry Canada will use best efforts to advise applicants that they are required to notify and consult with the appropriate local trust committee to address local land-use concerns as explained in Client procedure Circular, CPC-2-0-03.

2.0 APPLICANT / LOCAL TRUST COMMITTEE CONSULTATION

- 2.1 Local trust committees will make their views known to both the applicant and Industry Canada within 60 days of receiving an application unless otherwise mutually agreed by the local trust committee and the applicant.
- 2.2 The local trust committee will use its best efforts to consult with the applicant and to consider requirements of the applicant.
- 2.3 When Industry Canada becomes aware of a local trust committee's objection to a site-specific significant antenna structure, consideration to issue a license will be delayed for up to 60 days or longer if otherwise mutually agreed by the local trust committees and the applicant so consultations can occur between the applicant and the local trust committee.

3.0 APPLICATION APPROVAL

- 3.1 Industry Canada does not play a direct role in land-use consultations. This responsibility remains with the applicant and the local trust committee to work toward a mutually acceptable agreement.
- 3.2 Industry Canada will use best efforts to notify a local trust committee of its intent to process an application indicating the content of the applicant's signed land-use consultation attestation.
- 3.3 Industry Canada, upon the request of a local trust committee, will meet with that local trust committee to hear its concerns before final approval of a license.

4.0 CONDITIONS

- 4.1 Nothing in this agreement shall be construed to fetter the legislative or administrative discretion of either of the parties within their respective areas of jurisdiction.
- 4.2 Any party to this Agreement may terminate this Agreement at any time by delivering three months written notice to the other party.
- 4.3 The officials of each party who shall be responsible for notices and the administration of this Agreement are:

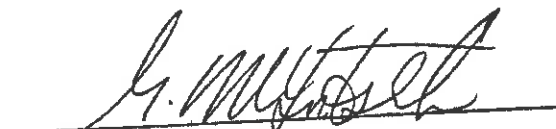
Executive Director
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2nd Floor, 1627 Fort Street
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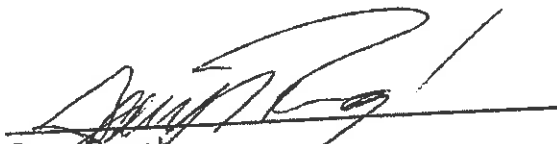
Phone #: (604) 952-4182
Fax #: (604) 952-4193

Director, Vancouver Island District
Pacific Region
Industry Canada
#318 - 816 Government Street
Victoria, British Columbia
V8W 1W9

Phone #: (604) 363-3800
Fax #: (604) 363-0208

Both parties commit to respect the terms of this agreement dated this 30 day of October, 1996.


Gordon A. McIntosh
Executive Director
Islands Trust


Gary Paugh
Director, Vancouver Island District
Industry Canada



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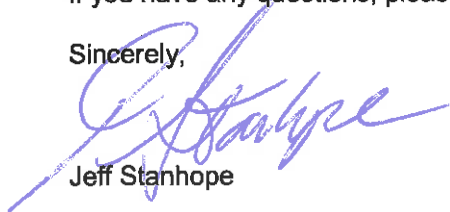
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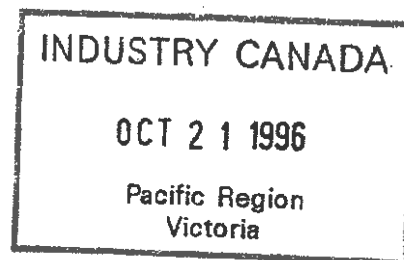

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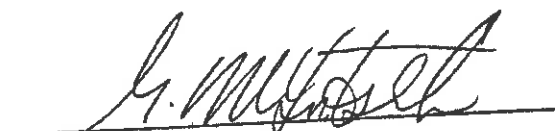
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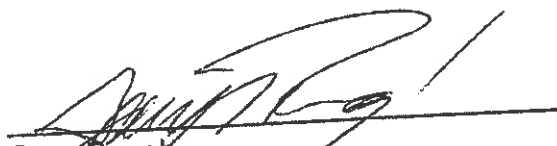
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Gary Paugh
Director, Vancouver Island District
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Memorandum

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

Date January 29, 2016

To Gabriola Island Local Trust Committee

From Aleksandra Brzozowski, Island Planner

Re **Follow Up on Gabriola Fixed Link Study**

File Number: GB-3030-03

On January 25, 2016, the Ministry of Transportation and Infrastructure released the results of the Gabriola Island Fixed Link Feasibility Study. The study was commissioned in 2014 to explore the feasibility of a fixed link from Vancouver Island to Gabriola Island.

The study concluded that while a fixed link to Gabriola Island is technically possible, the project would not be a cost-effective alternative to the current ferry link.

The study can be found at <http://www2.gov.bc.ca/assets/gov/driving-and-transportation/reports-and-reference/reports-and-studies/vancouver-island-south-coast/gabriolafixedlink.pdf> and the Ministry's news release is attached to this memorandum.

The Gabriola Island Local Trust Committee (LTC) was briefed on the study results prior to publication. MOTI staff confirmed that the Ministry does not intend to proceed any further with this topic at this time.

Attachment: MOTI News Release dated January 25, 2016

pc: Ann Kjerulf, Regional Planning Manager

British Columbia News

Study concludes costs outweigh benefits of bridge to Gabriola Island

<https://news.gov.bc.ca/10149>

Monday, January 25, 2016 2:30 PM

Nanaimo - Results of the Gabriola Island Fixed Link Feasibility Study conclude that while a bridge appears to be technically feasible, it would not be a cost-effective alternative to the current ferry link.

Because of this, the Government of British Columbia will not consider a fixed link to Gabriola Island at this time.

“There is simply not enough compelling evidence to proceed with further work on a fixed link to Gabriola Island,” said Transportation and Infrastructure Minister Todd Stone. “Our goal is ensure coastal communities are connected in an affordable, efficient and sustainable manner. This study shows that continuation of a coastal ferry service for Gabriola Island residents is the best way to achieve that goal.”

The study examined alignments, road connections, construction cost, operation and maintenance costs, travel time, reliability and flexibility for potential users. It also includes a high-level assessment of the socio-economic and environmental impacts of such a connection. Feasible options were evaluated against the existing ferry service.

The study confirms that a number of combinations of possible road and bridge options exist, ranging in cost from \$258 million to \$520 million. The average estimated project cost is \$359 million, on which the business case was based. However, the costs outweigh the measured benefits.

Beyond the business case, the study notes there are other significant considerations for government if the project were to proceed, including archaeological and environmental conditions.

The report was prepared for the Ministry of Transportation and Infrastructure by CH2MHill.

Learn more:

The Gabriola Island Fixed Link Feasibility Study is available on the ministry’s website:

<http://www2.gov.bc.ca/assets/download/18C0E9F4D7AF4EBA8E96F10D10B37FD3>

Media Contacts

Media Relations

Government Communications and Public Engagement

Ministry of Transportation and Infrastructure

250 356-8241



Gabriola Island Chamber of Commerce/Visitor Centre
PO Box 249/ #5 - 377 Berry Point Road
Gabriola Island, BC, V0R 1X0

DATE: April 21, 2014
(sent via e-mail)

RE: Follow-up to March 11th Delegation Request for Action from Gabriola Chamber of Commerce – Descanso Bay Wharf Usage Conditions

Dear Chairman Stanhope & Director Houle:

On behalf of the Gabriola Island Chamber of Commerce, and the delegation of supportive organizations that signed on to our request for action, I am writing to request a written reply from the RDN. At the March 11, 2014 Committee as Whole meeting, Area B Director Houle mentioned several objections to our request verbally; however, we would like an official reply as we requested an action from the RDN Board.

After consulting with our Chamber Board and other directors from our delegation of supporters, we ask the RDN to cite the bylaws, policies or regulations that Director Houle described as reasons why he would not support our proposed Change of Use denoted on page 2 of our document submitted to the Committee as Whole.

To clarify, we seek an official response to the following objections and reasons we noted in Director Houle's verbal reply to our delegation:

1) A referendum would be required to add an additional restricted use.

Our understanding is that the Local Government Act sets out parameters to guide regional governments against the over or under use of referenda as a democratic tool. Since our request does not in any way change the existing Bylaw; does not require a tax requisition; does not prevent the current designated usage – a referendum to add usage would be a misuse of this tool, cost taxpayers money and set a precedent for the RDN that would not be productive. However, if this position is maintained and allowed under the Director's sole discretion and control, then we request a clear answer about the process, legal wording, and timeline for ensuring this is added to the November 2014 election ballot.

2) Zoning for parking and waiting rooms.

As we understand it, these are land-use designations that fall outside of the RDN's jurisdiction. If not, please cite the RDN regulations. But to the point, there is already properly zoned, well-established public pay parking available within 100-200 metres of the RDN wharf. The Gertie bus stop at Descanso Bay has a marked waiting room outside of the Skol Pub. The Skol is a chamber member and understands the business benefits of providing this amenity. No government requirements or rules were necessary here and a zoning amendment was not required by the Islands Trust.

3) The Area B Director cited concerns for unrestricted access, and fears that the public would abuse the wharf or patrons from the Skol might come to harm.

This is unfounded. Our delegation is not requesting wide-open, unlocked access; we have clearly stated that usage by water taxi as we propose is for licensed, restricted (i.e. gated, locked and regulated) access to the wharf. A simple terms and conditions of use for charter water taxi operators is all that is needed, and bar patrons have many easier access points to go swimming.

4) The Area B director said no water taxi operator has come forward to the RDN seeking to establish a water taxi service to Gabriola.

As we stressed in our presentation and documentation, our role and goal is for the RDN to be proactive and establish the policy and business conditions for such a designated use. Frankly, our marine transportation contacts have stressed there is little motivation for them to invest time and effort approaching the RDN for such a small venture with low profit potential. Our delegation is trying to create a more business-friendly pathway through the bureaucracy or nothing will ever happen. At the March 11th RDN meeting Director Ruttan alluded to this as well, citing the difficulty in maintaining a ferry operator for Newcastle and Protection Islands, and that adding Gabriola as a charter service route may afford some economies of scale to a water taxi service provider. An additional use would also create an extra business incentive for a contractor that provides emergency service – current agreement expires at the end of 2014.

5) The Area B director cited there is the Green Wharf where such a service could be established.

The Director knows very well that this locale (and Degnen Bay wharf) is obviously impractical and access is difficult and far from the Village, with no parking, pedestrian and transit connection points to be useful to Gabriolans for a pedestrian water taxi.

6) The Area B director cited that a water taxi would be in conflict with BC ferries.

Again, this is something to be set-out by the RDN or a delegated transportation organization in a “conditions of use” policy. The intent is not to duplicate BCF service, but be a good neighbour and complement and offer niche service during times when the ferry is not operating (i.e. afternoon service gaps) and for charters of pedestrian groups to-from Nanaimo. It is clear from BCF that more service reductions and rate increases are coming in 2016 and beyond; proactive policy by the RDN creates an option for the travelling public: a plan B as we have stressed is needed.

7) The Area B director said the current dock would require upgrades such as a wider float.

Should this not have been addressed for emergency use with EMTs and stretchers and water taxi usage when the Nanaimo ferry wharf was damaged? That would already mean the dock is not in compliance. If there is a regulatory requirement for water taxi usage to widen the float, a preliminary estimate from a wharf float construction company we contacted is under \$5,000 and well within the budgeted maintenance and upkeep resources already allocated.

7) The Area B director has requested to see community support for adding this designated use to the Descanso Bay Wharf.

The Chamber and other Boards of Directors that all approved and supported our delegation to the RDN include: Gabriola Ratepayers' Association, Gabriola Transportation Association, Gabriola Arts Council, Gabriola Island Futures, Gabriola Historical & Museum Society; these Directors represent a total of over 1,000 members collectively. Our proposal was brought forward after much deliberation and discussion and years of interaction with the BCF-Gabriola Ferry Advisory Group among others. We find it difficult to understand that Director Houle believes that this is not an indication of community support for adding an additional restricted use to the Wharf as we propose. However, if our Director requests more indicators of public support, we hereby request the following information:

a) Will he undertake gathering feedback to our proposal as we provided by including this in his newsletter and media correspondence to canvas support directly as our elected representative?

b) If he would like to see "letters" as he mentioned as an indication of public support beyond our delegation, how many letters would that require? We assume e-mail is acceptable as this is the primary method of communication in our world.

c) If a petition is required, what wording and format is legally required by the RDN and how many signatures of voters would he need to provide a level of confident direction?

Thank you Mr. Chairman and Director Houle for your attention to these details. We cannot stress enough that our delegation is merely seeking the conditions for usage for restricted water taxi access. We believe it is a very important matter of public transportation policy and service to this region. Our community and our tourism-based island economy depend on marine transportation links. This is one small but important policy direction that the RDN can help our community achieve versus other alternatives and future uncertainties with BC Ferries. We await your reply which can be sent via email or paper mail (to the address on our masthead).

Yours sincerely,



Ken P. Gurr
President,
Gabriola Island Chamber of Commerce
Kenpgurr@telus.net 250-247-7510

From: Timothy Maika [REDACTED]
Sent: Wednesday, January 6, 2016 12:57 PM
To: Melanie Mamoser; Heather O'Sullivan
Cc: Aleksandra Brzozowski
Subject: Proposed changes for Beach Access Stairs: Bylaw 177 Section B.2.1.4

Dear Gabriola Trustees and Planners,

I recently completed a set of beach access stairs for a client on Gabriola and wish to share with you a couple of suggestions to amend bylaw 177, section B.2.1.4.

I have attached photos of my project for your interest. This project was built with the guidance and approval of Geotechnical and Structural engineers, the Province, and the RDN. Our goal was to provide the homeowner with access to the beach beneath an unstable slope and at the same time use the structure to help stabilise the slope and support the long term survival of several large fir trees and other vegetation. We also wanted to preserve the natural appeal of the viewscape, both from the property and from the beach.

- This first suggestions would, in my view remove a conflict with the BC building code:
 Section B.2.1.4 c should be changed to allow a maximum width greater than 1.0 m for stairs and walkways. The BC building code 9.8.2.1 requires a minimum stair tread width of 900mm(36"). If I were to build with 36" metal treads (standard size) and attach them to 4 inch wide stringers (4x12) the total width of the stairs would be 44" or 1118 mm. Then if I attached 4x4 posts to the outside of the stringers the whole stair system would be 1320 mm. wide. With concrete landings, I would need a further 4inches of width in order to safely drill and attach the posts to the landing. As you can see, I have exceeded the maximum width allowed in Section B.1.2.4. The Gabriola Bylaw makes it impossible in most cases to build a set of stairs that would conform to the BC Building code.

If the intent of the bylaw is to prevent the building of large decks and landings, then perhaps the bylaw could be worded in way that would only allow for a maximum tread width and landings that correspond to the requirements of the stair system, the site and the building code.

Perhaps something along the lines of: " Stairs, walkways, and corresponding landings* should be built with an *effective* maximum width, or *useable* maximum width of 1.0 m." *Keep in mind some landing configurations require that they be at least two times the width of the stair tread to accommodate a 180 degree change in direction, or in the case of exterior stairs, simply in order to avoid an obstacle such as a tree.

For your interest, I used a narrower (30") stair tread and two double 2x12 stringers in order not to conflict with the Gabriola bylaw, but this is not ideal as it does not conform with the minimum width tread that the BC Building code requires. Since the system was engineer approved, the building dept. was able to use their discretion and approve our design. As you may be aware, this kind of discretionary decision may not be possible with changes next year that will require the building code be applied uniformly across the province. See below:

<http://www2.gov.bc.ca/gov/content/industry/construction-industry/building-codes-standards/building-act>

Consistency:Limits local government authority to set building requirements	If local governments have any existing building requirements in their bylaws, those requirements will have no legal force after the two-year transition period has ended. To avoid confusion for the construction sector, the Province encourages local governments to amend their bylaws to eliminate such requirements.	Two-year transition period for section 5 of the Building Act starts December 15, 2015 and ends December 15, 2017
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- A second amendment I would suggest concerns the “average maximum floor height of 0.3 m” for walkways and stairs. B.2.1.4 c.

Where a slope is greater than 30 degrees it is not possible to build a 1 metre long landing that conforms to the above maximum average height. Or imagine a horizontal walkway on running parallel to a steep slope. The leading edge of the walkway could easily exceed the height allowed by the Gabriola bylaw.

The intermediate landing I built is constructed to be as small and as discreet as possible and still conform to the BC building code. A more important consideration than average height above the ground was impact on the stability of the slope and the trees and other vegetation. I did not, for example want to cut any large fir roots in order to facilitate anchoring my footings. With the guidance of a geotechnical and structural engineers, I was able to build a set of stairs that ensures greater stability to the slope than if no stair case had been built at all.

There need to be greater flexibility in the Gabriola bylaw to allow the builder and homeowner to work with each site’s unique conditions, especially if the goal is to preserve the natural integrity of the site and to build safe, code conforming structures.

The above suggestions would not only give the builder greater margin to work with unique site conditions and offer some flexibility of design, but importantly help convince landowners and builders to construct beach access structures that conform to local and provincial laws. As you know, the vast majority of beach accesses on Gabriola have been without formal approvals and many are unsightly, dangerous and damaging to the natural landscape.

I believe I have demonstrated with my project, that beach access stairs can be built on a difficult site in a way that is not only aesthetically pleasing, but enhances the longer term stability and integrity of the slope and trees.

Before I built the stairs, people and animals were scrambling up and down the unstable bank, causing erosion and impacting surrounding vegetation. With the stair system being anchored in key locations in the bank, the bank is much more secure than before. Even the river otter seem to approve as they have left gifts upon the landings in recognition of my hard work.

Thank you for considering my suggestions.

I would be pleased to discuss any of this further with you,

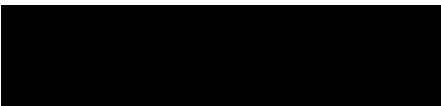
Regards,

Timothy

Timothy Maika

Maika Construction

Licensed Residential Builder



**Top Priorities****Gabriola Island**

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Compliance with new Ministry of Agriculture bylaw standards regarding Medical Marihuana Production Facilities in the Agricultural Land Reserve		23-Jul-2015	Aleksandra Brzozow	31-Dec-2015	On Going
2	Review of roadside signage regulations	Consider options for businesses to have directional and other signage in the Ministry of Transportation right-of-way.	07-May-2015	Aleksandra Brzozow Teresa Rittemann		On Going
3	In house dog boarding definition (Gabriola)	Consider allowing in-house dog boarding in the small rural residential zone.	22-Jan-2015	Aleksandra Brzozow		On Going
4	Review of affordable housing strategies	To be further scoped by LTC	07-May-2015	Heather O'Sullivan Melanie Mamoser		On Going

**Projects****Gabriola Island**

No.	Description	Activity	Received/Initiated	Status
1	DeCourcy Island Official Community Plan Review and Advisory Planning Commission Appointments. Topics include: ·park areas without park zoning ·DAI Bylaw		21-Apr-2011	On Going
1	Hazardous areas and steep slopes development permit area ·also consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain		21-Feb-2013	On Going
1	Forage Fish Mapping Workshop	March, 2013 resolution	05-Sep-2013	On Going
1	Land Based Aquaculture	Review most recent provincial direction on land based aquaculture and develop appropriate policies and regulations.	16-Jan-2014	On Going
1	Review OCP and LUB to include protective measures for biodiversity.	Species and Ecosystems at Risk (SEAR) Local Government Working Group may have resources for this project.	19-Jan-2012	On Going
1	Review OCP and LUB to improve protection of coastal areas.		19-Jan-2012	On Going
1	Review OCP and LUB to protect water quality and quantity.		19-Jan-2012	On Going
1	First Nations cultural references in land use planning	Work with Snuneymuxw First Nation (SFN) to seek funding for archaeological mapping and host and invite SFN Councillor Geraldine Manson to make a storytelling presentation on Gabriola.	27-Jan-2011	On Going

**Projects****Gabriola Island**

No.	Description	Activity	Received/Initiated	Status
1	Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).		14-May-2014	On Going
1	Snuneymuxw First Nation Protocol Agreement Implementation		22-Jan-2015	On Going
1	Consideration of affordable housing strategies		02-Apr-2015	On Going
1	Village Core Review		02-Apr-2015	On Going
1	Strengthen relationship with First Nations		02-Apr-2015	On Going
1	Review of food truck regulations		02-Apr-2015	On Going
1	Including eagle nest mapping in Gabriola OCP		02-Apr-2015	On Going
1	Initiatives to encourage green and renewable energy		02-Apr-2015	On Going
1	Housekeeping Bylaw Amendments	May 7, 2015 Bylaws 278 and 279 given third reading and forwarded to EC and Minister.	07-May-2015	On Going
1	Review bylaws around temporary use permits for short term vacation rentals		07-May-2015	On Going
1	Coastal Douglas Fir Conservation Strategy work	Consider policies and other recommendations regarding land use planning tools that will effectively conserve Coastal Douglas-fir forest ecosystems.	14-Jan-2016	On Going



Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2015.1	DA FONSECA, JOAQUIM	26-May-2015	PID 004-097-637 874 Driftwood Road, Mudge Island. Variance of the setback to the sea.

Planner: Teresa Rittemann

Planning Status

Status Date: 01-Feb-2016

At LTC meeting on January 14 LTC resolved to not approve the structures within the setback of the NB of the sea. They postponed their decision on side lot setback and lot coverage variances until next meeting on February 11. Staff waiting to receive mitigative measures plan to address the siting of the accessory building

Status Date: 06-Jan-2016

LTC deferred decision at 26-Nov-2015 meeting. Trustees did site visit of property. Staff Memo and update to be presented at 14-Jan meeting for consideration.

Status Date: 17-Nov-2015

Notice has gone out

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2015.2	DEWARLE, AARON	08-Dec-2015	PID: 018-331-840 565 South Road. Change in permitted use of accessory cottage on property.

Planner: Teresa Rittemann

Planning Status

Status Date: 06-Jan-2016

Planner currently reviewing file.

Status Date: 08-Dec-2015

File received. Assigned to Planner.

Subdivision

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2008.3	C.O. Smythies & Associates Ltd.	06-Oct-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)

Applications

Planner: Marnie Eggen

Planning Status

Status Date: 08-Jan-2016

PLA extension

Status Date: 14-Apr-2014

parent lot is in transition of sale

Status Date: 25-Oct-2013

PLA extension

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

Planner: Teresa Ritemann

Planning Status

Status Date: 15-Jan-2016

Applicant currently working on parkland dedication proposal. Once proposed, Staff will bring the proposal before the Gabriola LTC for consideration.

Status Date: 14-Jan-2016

Letter from MOTI requesting referral response by February 14, 2016. Planning Staff to review application and send a response.

Status Date: 08-Jan-2016

File reopened due to unique circumstances. No additional fees requested at this time. Parkland dedication is an outstanding issue.

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

Planner: Marnie Eggen

Planning Status

Applications

Status Date: 08-Jan-2016

No change

Status Date: 13-Jan-2015

Working to satisfy conditions

Status Date: 14-Mar-2014

PLA received

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

Planner: Teresa Rittemann

Planning Status

Status Date: 01-Feb-2016

No change in status.

Status Date: 03-Sep-2014

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

Status Date: 18-Mar-2014

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

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

Planner: Teresa Rittemann

Planning Status

Status Date: 29-Jan-2016

Staff reviewed the history of this file as well as related files GB-SUB-01-01 and GB-SUB-2012.1. Due to a number of concerns regarding parkland dedication, protection of archaeological sites, and FN referral, staff concluded they would not support an extension to the PLA dated November 8, 2013. Email response to MOTI stating such.

Status Date: 14-Jan-2016

Email received from MOTI requesting Islands Trust comments and response on whether we would approve of a one-year extension of the PLA dated November 8, 2013.

Applications

Status Date: 09-Oct-2014

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

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

Planner: Teresa Rittemann

Planning Status

Status Date: 01-Feb-2016

No change in status.

Status Date: 19-Mar-2015

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

Status Date: 16-Feb-2015

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

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.1	Williamson & Associates	07-Jan-2016	PIDs: 000-189-901 and 028-875-109. To create two lots within the SRR zoning contained in existing Lot 4 and the northerly portion of existing Lot 5. The southerly boundary of the two SRR lots will be along the ALR boundary and will leave the remainder of Lot 5 as a single Ag zoned parcel of 15 hectares wholly within the ALR.

Planner: Teresa Rittemann

Planning Status

Status Date: 01-Feb-2016

Planner currently reviewing file and aims to send referral response to MOTI by February 4.

Status Date: 07-Jan-2016

File received and assigned to Planner TR.

Islands Trust
 LTC EXP SUMMARY REPORT F2016
 Invoices posted to Month ending January 2016

620 Gabriola	Invoices posted to Month ending January 2016	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	1,500.00	802.99	697.01
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	4,250.00	4,510.80	-260.80
65210-620	LTC - Local Exp - APC Meeting Expenses	750.00	350.68	399.32
65220-620	LTC - Local Exp - Communications	750.00	360.00	390.00
65230-620	LTC - Local Exp - Special Projects	2,250.00	190.48	2,059.52
TOTAL LTC Local Expense		<u>8,000.00</u>	<u>5,411.96</u>	<u>2,588.04</u>
Projects				
73001-620-2001	Gabriola OCP/LUB	3,500.00	3,462.74	37.26
73001-620-4026	Gabriola RDN/SFU Groudwater Mapping	6,250.00	6,250.00	0.00
TOTAL Project Expenses		<u>9,750.00</u>	<u>9,712.74</u>	<u>37.26</u>

Gabriola Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: February 2, 2016

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	January 29, 2010	GB-025-2010	Communication Towers and Antennae	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution: - Proposals for any new or expanded communication towers and antennae require an application to the Gabriola Islands Local Trust Committee. - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting and one advertisement in both local newspapers. - The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; however, as a minimum, the proponent shall give written notice to Islands Trust Northern Office staff and the Snunéymuxw First Nation, all owners and residents of properties within a 2 kilometre radius of the subject property where the facility is proposed. The required notice shall include the following information: - the proposed location of the tower on the subject site - a description of the predicted power density level of the antenna/tower - methods to mitigate any aesthetic or visual impact - description of the natural environment, any sensitive ecosystems or other important habitat areas within 120 metres of the subject property and mitigation of impacts to such areas - physical details and example illustrations of the tower including its height, colour, type and design - the time and location of a public meeting and advertising - the name and contact information of the contact person employed by the proponent - the name and all contact information of the Islands Trust planning staff available for public comments and questions regarding the proposal; and - the proponent may be required to enter into a cost recovery agreement with the Islands Trust, in order to offset application processing costs incurred.

Memorandum

700 North Road Gabriola Island BC V0R 1X3

Telephone **250. 247-2063** FAX: 250. 247-7514

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

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

Date: January 29, 2016

File Number: GB-3050-01 (AAC)

GB-3050-01 (TAC)

To: Gabriola Island Local Trust Committee
For meeting of February 11, 2016

From: Aleksandra Brzozowski, Island Planner

Re: Transportation and Agricultural Advisory Commission Appointments

Terms for the Transportation Advisory Commission and the Agricultural Advisory Commission are set to expire on February 20, 2016 and March 4, 2016 respectively. All current members will be thanked for their service and staff requests direction from the LTC on whether to appoint members for another term at this time.

If the LTC wishes to have further terms of either commission, staff seeks direction on how the LTC would like to advertise for expressions of interest. Typical practice follows one of two procedures:

- a. Staff contacts current members by email to ask if they would like serve another term, and places an ad in the Gabriola Sounder for remaining positions.
- b. All positions are advertised at once, and current members are advised to re-express their interest alongside new expressions of interest.

TRANSPORTATION ADVISORY COMMISSION

In accordance with the Terms of Reference for the Transportation Advisory Commission (TAC), the LTC should appoint five (5) members to the commission for a two (2) year term. The current term of the TAC expires on February 20, 2016. Because of ongoing transportation concerns particularly at the ferry, staff recommends this commission is reappointed.

AGRICULTURAL ADVISORY COMMISSION

In accordance with the Terms of Reference for the Agricultural Advisory Commission (AAC), the LTC should appoint five (5) members to the commission for a two (2) year term. The current term of the AAC expires on March 4, 2016.

pc Penny Hawley, A/Planning Team Assistant

WILDLIFE HEALTH FACT SHEET

Feeding Wild Ungulates – why it isn't the answer.

Keep wildlife wild – it is BC policy and it makes sense. When humans provide food to wild animals it changes their “wildness”, no matter what species is being fed. There are justifiable reasons to feed wild animals, such as to attract them for capture, but these situations are rare. The consequences of feeding a wild animal unnatural types and amounts of feed can range from mildly irritating behaviour to catastrophic health issues, so understanding the reasons behind this policy is important.

The following guidance is specific to ungulates (hoofed mammals) such as deer, elk, or bighorn sheep but the principle of keeping wildlife wild apply to all wild animals.

Background

Opportunities to come close to wild ungulates are rare but rewarding, especially when the animals are unaware of the humans. Habituation, or increased animal tolerance for close contact with humans, occurs when animals are fed, and with this comes unplanned consequences. Some of the consequences include:

1. Feed Effects

Wild ungulates have specialized seasonal food requirements, which they fulfill by eating a wide variety of foods from their environment. Well-intentioned people may quite literally be “killing with kindness” when they provide unnatural food items to wild ungulates.

- All ungulates are ruminants with specific bacteria in their digestive tracts, specialized to digest their specific diet. It can take weeks for ungulate digestive systems to adjust to new food items. Rapid changes, especially at critical times such as the fall, can result in death, even with ruminants full of (unnatural) food.
- Dry feeds, such as hay, grains or pelleted types, are prepared for domestic livestock and meant to be used with abundant fresh water. Without ready access to water, dry feed can impact in the digestive tract and can kill wild ungulates.
- Grains, pelleted feeds or surplus fruits are high in carbohydrates/protein/energy and even small amounts can cause digestive upsets that lead to diarrhea, bloating and significant damage to ungulate digestive tracts.

2. Population Effects

Wild ungulate populations are naturally limited by a number of factors, including the amount and quality of food their habitat supplies. Animals in poor body condition or with high nutritional needs, such as the young may die when natural environmental conditions and appropriate foods are not present in the right amount and quality to sustain them.

Feeding of wild ungulates by humans increases animal density in the short term by concentrating animals around the feed source. Density increases may also occur over time if the feeding results in

improved body condition or more frequent reproduction. Increased density results in increased competition for natural resources with other animals that share that range. Other consequences of increased animal density include:

- Increased risk of infectious diseases:
 - Disease transmission and outbreaks – animals in close and frequent contact with others transmit organisms more easily than when at lower density. There are many examples across North America where high ungulate density contributes to disease issues, e.g. pneumonia in wild sheep, tuberculosis, brucellosis and chronic wasting disease.
 - Higher stress on individual animals. Stress can lead to reduced immune function, making these animals more susceptible to infections.
 - In BC, viral papillomas (warts) in deer appear to be increasing in urban areas where deer numbers are unnaturally high.
- Poor body condition – animals may not grow or gain weight due to reduced feed quality or quantity.
- Increased conflicts with humans:
 - Increased habituation. Animals that learn to take human supplied feed become habituated, losing their natural wariness of humans. Habituated ungulates can be aggressive towards humans and their pets – especially during the spring when protecting the young fawns or in the fall during the breeding season.
 - Increased motor vehicle collisions causing injuries or death of humans and wildlife.
- Increased mortality from wild predators and humans – when animals are concentrated and much easier to find.
- Other major ecological effects from ungulate feeding are documented across North America and include:
 - Disruption of normal wild animal movement patterns and spatial distribution
 - Alteration of native plant community structure with reduced diversity and abundance
 - Introduction and/or expansion of invasive exotic plant species
 - General degradation of local habitat

Alternatives to Feeding *Better ways to help wild ungulates*****

Wild ungulates benefit when we preserve and restore natural habitats and reduce human-caused disturbances, leaving them alone to conserve their energy to survive severe winter conditions.

- The best way to help wild ungulates survive in severe weather is to maintain high-quality habitat year-round. If animals enter the winter in good condition, most survive persistent deep snow and cold temperatures. Even in well-functioning natural ecosystems, however, some animals succumb during winter months. This is natural, winter mortality helps keep ungulates populations in balance with the available habitat.
- Another way to help wild ungulates in winter is to avoid disturbing them. Animals must conserve their energy to survive in winter conditions. Human-related causes of disturbance such as from recreation (e.g. snowmobile activity) and chasing by domestic dogs can result in wild ungulates expending valuable energy.

Dr. Helen Schwantje, Wildlife Veterinarian
helen.schwantje@gov.bc.ca

Wildlife Health website: <http://www.env.gov.bc.ca/wld/wldhealth.html>