

**MINUTES OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE MEETING
HELD AT 10:15 AM ON THURSDAY, APRIL 19, 2012
AT THE WOMEN'S INSTITUTE
476 SOUTH ROAD, GABRIOLA ISLAND, BC**

PRESENT: David Graham Chair
Sheila Malcolmson Local Trustee
Gisele Rudischer Local Trustee
Chris Jackson Regional Planning Manager
Chloe Fox Island Planner
Stephen Orgill Recorder

There were two (2) local media representatives and twelve (12) members of the public in attendance.

1. CALL TO ORDER

Chair Graham called the meeting to order at 10:15 am. He introduced himself, the Local Trust Committee, and staff to the public in attendance.

2. APPROVAL OF AGENDA

The agenda was reviewed and the following changes and additions were made:

- Add item 13.1.3 correspondence package dated April 15 – 18, 2012
- Reorder agenda to consider item 7.3 to after item 15.1.2

The Local Trust Committee adopted the agenda by consensus as amended.

3. MINUTES

3.1 *Local Trust Committee Meeting Minutes of March 22, 2012*

The Local Trust Committee reviewed the minutes of the *March 22, 2012* Local Trust Committee meeting and the following amendments were made:

- Page 3, item 7.1, 2nd sentence, replace with: *“Trustee Malcolmson advised that the memorandum was the result of experience last term that greater community understanding of what the Local Trust Committee is intending to protect, before bylaw drafting, could assist the bylaw change process.”*
- Page 3, item 8., second paragraph, first sentence, insert *“Statement”* after *“Islands Trust Policy”*; replace second sentence with: *“She described a presentation she will make on Islands Trust Council’s concerns about Canadian federal government oil spill preparedness at a workshop on San Juan Island March 26, 2012.”*
- Page 3, item 9, second sentence, delete *“and spared further elaboration”* at end of sentence.

- Page 5, item 13.2, 4th paragraph, replace “on” with “that”, remove next “that”, add to end of sentence: “since the Official Community Plan was amended last year.”
- Page 8, item 18, last sentence, replace “an Official Community Plan” with “a rezoning”.

The minutes of the March 22, 2012 meeting Local Trust Committee were adopted as amended by consensus.

3.2 Section 26 Resolutions Without Meeting

There were no Resolutions Without Meeting.

3.3 Gabriola Island Advisory Planning Commission Meeting Minutes

There were no Gabriola Island Advisory Planning Commission meeting minutes.

3.4 Mudge Island Advisory Planning Commission Meeting Minutes

There were no Mudge Island Advisory Planning Commission minutes.

3.5 Gabriola Island Agricultural Advisory Commission Draft Meeting Minutes dated March 15, 2012

The Local Trust Committee reviewed the draft minutes of the March 15, 2012 meeting of the Gabriola Island Agricultural Advisory Commission for information. There were no comments.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action Report dated April 5, 2012

The Local Trust Committee reviewed the Follow Up Action Report dated April 5, 2012. Planner Fox briefly elaborated and Regional Planning Manager Jackson reported that the Regional District of Nanaimo Protocol Agreement meeting would take place in late June. He requested additions to the agenda be incorporated with the draft that is presented prior to the meeting.

4.2 Regional District of Nanaimo Water Budget Funding Request

Planner Fox advised the Local Trust Committee of the update on the Regional District of Nanaimo budget request. Trustee Malcolmson suggested that a detailed list of approved budget items for the 2012-2013 fiscal year should be on the next meeting agenda. Regional District of Nanaimo Director Howard Houle advised the Local Trust Committee about the current status of the water budget project. Further discussion suggested that the request could be a topic on the protocol agreement meeting agenda in June.

5. CORRESPONDENCE

Correspondence specific to an active development application and/or project will be received by the Gabriola Island Local Trust Committee when that application and/or project is on the agenda for consideration.

There was no correspondence for consideration other than what had been included with agenda items.

6. REPORTS

6.1 Work Program Reports

The Local Trust Committee reviewed the Top Priorities and Projects dated April 5, 2012. There were no comments.

6.2 Applications Log dated April 5, 2012

The Local Trust Committee reviewed the Applications Log and Planner Fox provided a verbal update in response to questions. Trustee Malcolmson requested an update on the density transfer in the Lock Bay Development Permit Area. There was discussion regarding the overall status of the applications log. The Regional Planning Manager explained that at the staff level a number of files had been closed.

6.3 Trustee and Local Expenses

6.3.1 Expenses posted to March 31, 2012

The Local Trust Committee reviewed the local expense statement with postings to March 31, 2012.

6.3.2 Local Trust Committee Budget for 2012-2013

Trustee Rudischer proposed a draft of the Local Trust Committee 2012-2013 budget that was discussed by the trustees.

GB-038-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee approve the proposed budget for the Gabriola Local Trust Committee Budget 2012-2013 as presented.

CARRIED

Trustee Malcolmson raised the question on whether it would be appropriate for the Local Trust Committee to release funds for a community member to attend the Velo Village conference at Salt Spring Island on June 21, 2012 on cycle route planning.

GB-039-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff advice on releasing Local Trust Committee Expense funds for a community member to attend the Velo Village conference on Salt Spring Island in June on cycle route planning.

CARRIED

7. NEW BUSINESS

7.1 Advisory Planning Commission Appointments

Planner Fox noted that two new members had been appointed to the Advisory Planning Commission in January to replace vacancies and that the current term of membership on the commission will expire at the end of April. She suggested expressions of interest to serve on the commission for the new term should be sought at this time. There was further discussion about how the expressions of interest would be sought.

GB-040-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff to invite Advisory Planning Commission members and those who volunteered in 2011 to reapply and advertise for new Advisory Planning Commission members.

CARRIED

GB-041-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee release funds from its local expense account 65210 for the purpose of newspaper advertisements for Advisory Planning Commission volunteers.

CARRIED

7.2 2011-2012 Annual Report

The Local Trust Committee reviewed the draft wording for the Gabriola Island Local Trust Committee section of the Trust Council 2011-2012 Annual Report.

GB-042-2012

It was **MOVED** and **SECONDED** that the 2011-2012 Annual Report draft wording for the Gabriola Island Local Trust Committee section be amended by inserting the following words; "*the emergency medical clinic rezoning was approved*" after "*In addition*" on page 2, last paragraph, last sentence.

CARRIED

(Item 7.3 was deferred until 15.1.2.)

7.3 Screening Officer and duties Cancellation Policy for Bylaw Enforcement Notification Bylaw No. 263, 2011

7.4 *Budget Amount for Snuneymuxw First Nation*

Planner Fox referred to her memorandum dated April 3, 2012 regarding some provincial government funds available to the Local Trust Committee to use towards work with the Snuneymuxw First Nation. The Local Trust Committee discussed the past meetings with the Snuneymuxw First Nation and reviewed what had been accomplished. Trustee Rudischer raised several questions regarding the funding availability and how it should be spent. Chair Graham noted that there is no deadline on when the funds should be spent. Regional Planning Manager Jackson advised on how funds could be spent. Trustee Malcolmson suggested that the protocol meetings would be where issues are discussed and suggested writing a letter to the Snuneymuxw First Nation.

GB-043-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee delegate Trustee Malcolmson to write to the Snuneymuxw First Nation chief to discuss the funding ideas listed in the April 3, 2012 memorandum from staff.

CARRIED

8. TRUSTEES' REPORTS

Trustee Rudischer thanked the volunteers on the Advisory Commissions in acknowledgement of National Volunteers Week. Trustee Rudischer did not have a report for this meeting.

Trustee Malcolmson reported that the Islands Trust stewardship awards nominations deadline is near and urges constituents to submit nominations. She summarized the Agricultural Land Commission Chair's presentation for keeping agricultural lands intact and Islands Trust work on tanker spill preparedness. She noted that the volume of tanker travel will increase dramatically if the pipeline application is approved.

9. CHAIR'S REPORT

Chair Graham reported on the weekend in Ucluelet and reviewed the conference he attended. He provided an update on the island train corridor and the costs of replacing track.

10. REGIONAL DIRECTOR'S REPORT

Regional District of Nanaimo (RDN) Director Howard Houle reported on the various meetings that he had attended during the past month.

11. DELEGATIONS

There were no delegations.

12. **TOWN HALL SESSION**

Deborah Ferens commented on the Riparian Areas Regulation and suggested that there may be an opportunity to engage the public to talk about why salmon and other sensitive areas are so important. She suggested that it may be that some of members of the community who could take this on as a project communicating all of the great values that we wish to protect on Gabriola. She pointed out that the language of the act says that local government can exceed the minimum standards and therefore the community could share their knowledge.

Mike Philips said that his notice of the meeting allowed no time for preparation to speak to the issues surrounding a radio communications tower on Gabriola. Trustee Malcolmson commented that discussing the process is the item that the Local trust Committee will be making a decision on today and there would be an opportunity for public input.

George Szantos referred to a proposed open house for the radio communications tower application at the commons on Wednesday afternoon and would like to be assured that this is not the public hearing on their application. He was assured that public input would follow.

Sheila Haniszewska reiterated that we need more public forums to discuss the radio communications tower issue.

Theresa Beers said that she would appreciate the radio communications tower public meeting to be held at a location other than at the Commons. She suggested that the Community Hall might be more central.

Mike Phillips said that he is interested in a questions and answers session instead of an open house format for the radio communications tower public meeting.

13. **APPLICATIONS AND PERMITS**

13.1 *Proposed Radio Communication Tower*

13.1.1 *Staff Report dated March 23, 2012*

Planner Fox reviewed the March 23, 2012 staff report for the application to erect a tower to be used by the Gabriola Radio Society for broadcast purposes. She said that the ultimate approval resides with Industry Canada. She described the process of the application. She reviewed the recommendations from staff. Chair Graham asked the trustees for questions about the report. Planner Fox clarified questions from Trustee Malcolmson about the process that Industry Canada follows.

Ken Zakreski, the applicant, distributed his written notes and played from CBC Radio broadcaster Jian Ghomeshi, an audio congratulating CKGI on receiving their broadcast license and pledging to devote his future to listening to Radio Gabriola. Ken Zakreski addressed a few of the points that were raised at the Town Hall and provided a presentation reviewing the

radio station's mandate and the differences between commercial and community media. He advised that all of the minutes of the Gabriola Radio Society's board meetings are posted on the website and reflects the issues that the board had been discussing.

John Hague, C.A., Gabriola Radio Society Director, commented on the sponsorship of CKGI and how the money had been spent. He said that the radio society had obtained the license with funds obtained from the community participation.

Ken Zakreski continued saying the CKGI proposal is to locate transmitting facilities at a location known as Stony Ridge by erecting a 40 metre tower to transmit a 60 watt signal, a small building adjacent to the tower for transmitting equipment, and to park a remote broadcast vehicle at the site.

Trustee Rudischer asked if other options for a site had been investigated. Ken Zakreski replied that Mt. Benson had been reviewed, the TELUS site, CirCom site, the high ridge on Berry Point Road and others. Mt. Benson doesn't provide better coverage to Gabriola due to it being too high, and that there are no tower sites that provide close to what the Stony Ridge site offers. Trustee Rudischer asked if space is planned to be sold on the tower. Ken Zakreski said there are no commercial ventures and hopes to license the aperture to first responders of Gabriola only. He added that the board had adopted a motion not to license to commercial businesses. He also added that CKGI would use the tower site temporarily for training purposes. Ken Zakreski responded to a question that the cost of the tower is between \$80,000 – \$280,000 and said that the radio station office is proposed in a central area and currently there are five prospective locations.

Trustee Malcolmson remarked that she is looking at whether there is public support for the application to locate a tower on this specific site, and doesn't intend to draw conclusions about its health impacts or the merits of public radio. She continued with comments on what questions had been raised about the public consultation process. She continued with other questions addressed to Planner Fox.

Trustee Rudischer commented on the public process that would be pursued by the Local Trust Committee and thinks there should be a community information meeting like what is required for a bylaw amendment. The Local Trust Committee is an impartial body and the applicant is not, and the expense could possibly come from the local expense budget. Trustee Rudischer also mentioned not being satisfied with the lack of information provided by the applicant on potential impacts to sensitive eco-systems in the vicinity of the tower.

The Local Trust Committee continued discussion.

GB-044-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee amend the proposed Gabriola Radio Society consultation program to have the Local Trust Committee schedule and hold a meeting modeled after a Community Information Meeting and Public Hearing.

CARRIED

GB-045-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee, with respect to Gabriola Radio Society's application for a radio tower, approve the amended proposed consultation as an overall concept towards fulfillment of Standing Resolution GB-025-2010, subject to the following modifications:

- The applicant give notice to the Islands Trust Fund, Regional District of Nanaimo, the Gabriola Fire Protection District, and the provincial Archaeology Branch, including an opportunity to provide written comments on the application;
- That the applicant include in the notice to the Snuneymuxw First Nation an opportunity to provide written comments on the application and that the applicant follow up by telephone with the Snuneymuxw First Nation should a written response not be received within one (1) month of sending the notice;
- That the applicant include either a covering letter with the notice introducing the application and the materials enclosed or, that the information requested in the standing resolution and included in the application package be transcribed into a notification letter.

CARRIED

GB-046-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee, with respect to Gabriola Radio Society's application for a radio tower, approve the amended proposed consultation as an overall concept towards fulfillment of Standing Resolution GB-025-2010, subject to the following modifications:

- that the notice include additional details regarding ecosystems and other important habitat areas 120 meters from the subject property and that potential impacts and mitigation measures be addressed in the required notice and at the public meeting;
- that the applicant retain and submit a record of all public feedback received at the public meeting or on the Gabriola Radio Society's website to the Islands Trust Northern Office;
- that the applicant retain and submit all written comments received from the Snuneymuxw First Nation, the Regional District of Nanaimo, the provincial Archaeology Branch, the Islands Trust Fund and the Gabriola Fire Protection District; and
- that the applicant retain and submit all other correspondence sent and received as part of their consultation efforts.

CARRIED

GB-047-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request that the Gabriola Radio Society provide more precise details regarding the proposed location of the tower to determine whether or not the proposed siting will be in violation of covenants *EN11467* and *EN117468*.

CARRIED

GB-048-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff advice on a recommendation to release funds from the local expense budget to pay for hard costs of the Gabriola Radio Society tower application.

CARRIED

13.1.2 Email dated March 6, 2012 from George Szanto regarding Proposed Radio Tower

The Local Trust Committee reviewed an email from George Szanto requesting the Local Trust Committee ensure that a full public hearing is held regarding the proposed construction of a radio tower.

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Official Community Plan and Land Use Bylaw Review

14.1.1 Riparian Areas Regulation

Regional Planning Manager Jackson referred to the staff report dated April 5, 2012 regarding compliance with the Provincial Riparian Areas Regulation. He elaborated on several sections of the report and stipulated that community consultation and education are areas the Local Trust Committee need to address. Regional Planning Manager Jackson recommended establishing a northern working group made up of northern trustees and staff in order to develop community consultation options and education materials for Riparian Areas Regulation implementation and preparing draft maps for the Local Trust Committee's review.

Trustee Malcolmson was concerned about the timeline of such a working group and whether the trustees have the appropriate expertise. Trustee Rudischer expressed concern about the staff time committed to the working group. Discussion continued proposing a program to articulate what is being protected and suggesting the program be called Riparian Area Protection for Fish Habitat.

GB-049-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff to propose communications to articulate why protecting fish habitat is important, with a view to preparing draft development permit area maps and provision for Local Trust Committee review that would be in accordance with the provincial Riparian Areas Regulation.

CARRIED

14.1.2 Draft Community Engagement Survey

Planner Fox referred to the staff report dated April 4, 2012 concerning a draft community engagement survey and strategy for distribution and advertisement and reviewed the options presented in the report.

The Local Trust Committee reviewed the survey and discussed comments that arose concerning the survey questions and distribution and collection of the survey.

GB-050-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee endorse the proposed advertisement and distribution of the amended Community Engagement Survey, including the posting of advertisements on all community bulletin boards on Gabriola Island and the running of advertisements in the April 30, 2012 and May 7, 2012 editions of both the Gabriola Sounder and the Flying Shingle.

CARRIED

15 BYLAWS

15.1 Bylaw Enforcement Notification System

15.1.1 Staff Report dated February 28, 2012

The Local Trust Committee reviewed the staff report dated February 28, 2012 regarding final adoption of Bylaw No. 263.

15.1.2 Proposed Bylaw No 263 cited as "Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 263, 2011".

Bylaw Enforcement Coordinator Miles Drew presented the proposed bylaw cited as "Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 263, 2011".

GB-051-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee adopt Bylaw No. 263 cited as "Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 263, 2011".

CARRIED

*7.3 Screening Officer and duties Cancellation Policy for Bylaw Enforcement Notification
Bylaw No. 263, 2011*

Bylaw Enforcement Coordinator Miles Drew referred to the staff report dated February 28, 2012 regarding the appointment of Screening Officers, designation of Screening Officer Powers and Duties, Bylaw Violation Notice Cancellation Policy and the stipulation of the Form of Violation Notice. The Local Trust Committee reviewed and discussed the report.

GB-052-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee appoints the Bylaw Enforcement Assistant, the Bylaw Enforcement Coordinator and the Regional Planning Manager as Screening Officers pursuant to Gabriola Island Local Trust Area Bylaw Enforcement Notification Bylaw No. 263.

CARRIED

GB-053-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee adopt the Bylaw Enforcement Notice Bylaw Screening Officers; Powers and Duties Policy attached to staff report dated February 28, 2012.

CARRIED

GB-054-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee stipulates that the attached Bylaw Violation Notice is the form of violation notice to be used pursuant to the Bylaw Enforcement Notice Bylaw No. 263.

CARRIED

16. ISLANDS TRUST WEBSITE

The Local Trust Committee reviewed the Gabriola Island Local Trust Committee page of the Islands Trust website. Regional Planning Manager Jackson updated the Local Trust Committee on the new website. Planner Fox noted that since the printout of the website was done a number of other items had been posted.

17. NEXT BUSINESS MEETING

The next Local Trust Committee meeting will be held at 10:15 am on May 9, 2012 at the Women's Institute, 476 South Road, Gabriola Island.

18. TOWN HALL SESSION

There were no comments from the public in attendance.

19. ADJOURNMENT

The Local Trust Committee adjourned the meeting by consensus at 2:35 pm.

Recorder

Chair