

**MINUTES OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE MEETING  
HELD ON THURSDAY, JUNE 27, 2013 AT 10:15 AM  
AT THE WOMEN'S INSTITUTE  
476 SOUTH ROAD, GABRIOLA ISLAND, BC**

**Members Present:**

David Graham, Chair  
Sheila Malcolmson, Local Trustee  
Gisele Rudischer, Local Trustee

**Staff Present:**

Courtney Simpson, Regional Planning Manager  
David Marlor, Director, Local Planning Services  
Jessie Sherk, Recorder

**Media and Others Present:**

Howard Houle, Regional Director  
Deborah Ferens, Chair, Advisory Planning Commission  
Jason Youmans, Summer Intern  
Seth Wright, Summer Intern  
Two local media representatives and one member of the public were in attendance

**1. CALL TO ORDER:**

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

**2. APPROVAL OF AGENDA**

The agenda was adopted by consensus with the following amendment:

- Late item added, 7.4 – Proactive Bylaw Enforcement of Illegal Structures on the foreshore
- Late Item Added, 7.5 - Development Permit Fees discussion for Riparian Area Regulation
- 6.1, add in work program – talk about Riparian Area Regulation meeting

**3. MINUTES**

**3.1 Local Trust Committee Meeting Minutes May 16, 2013**

The minutes of the May 16, 2013 Gabriola Island Local Trust Committee were reviewed and adopted by consensus with the following amendments:

- Beginning of the first paragraph on page 4 should read “Trustee Malcolmson noted....” and then join into the second sentence instead of “Trustee Malcolmson read her report.”

- First sentence on page 4 should read “the Spring Fair at the Commons, presented at the Island Studies Conference and saw a presentation...”
- Page 9, item 3, in bold it should read **is** instead of **in**
- Strike sentence in Trustee Rudischer’s report that reads “The Local Planning Committee also approved the quality toolkit.”
- Add the two planning students, Seth Wright and Jason Youmans, to “Media and Others Present”

**3.2 Section 26 Resolution Without Meeting – none**

**3.3 Gabriola Island Advisory Planning Commission Draft Minutes date June 11, 2013 – for information**

Discussed after 6.1.1

**3.4 Mudge Island Advisory Planning Commission Meeting Minutes – none**

**3.5 Gabriola Island Agricultural Advisory Commission Meeting Minutes – none**

**4. BUSINESS ARISING FROM MINUTES**

**4.1 Follow-up Action List dated June 18, 2013**

Planning Manager Simpson went through the list and gave a verbal update on each item. Staff and trustees discussed the Follow-up Action List and what trustees could do to help move certain items along.

**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 or project is on the Agenda for Consideration.”*

**5.1 Email dated May 3, 2013 from Lorena Lavers regarding home based businesses regarding Bonny’s Towing - attached**

Trustee Malcolmson discussed the email and situation with trustees and staff as she has met with the author regarding this matter, and advised that Bonny’s Towing would write to the Local Trust Committee again with an updated request.

**6. REPORTS**

**6.1 Work Program Reports**

**6.1.1 Top Priorities Report and Projects List dated June 18, 2013**

Discussed following 3.3.

**3.3 Gabriola Island Advisory Planning Commission Draft Minutes date June 11, 2013 – for information**

Trustees and staff went through each recommendation in the Advisory Planning Commission (APC) draft minutes dated June 11, 2013. Having the Local Trust Committee (LTC) incur the cost of the Qualified Environmental Professional (QEP) assessment was discussed. Staff explained that this cost could not be covered by the LTC but that the LTC could lower the application fees. The possibility of having a QEP do a simple assessment of the island to refine the setbacks to be as tight as possible was also discussed. It was noted that a landowner would still need to have an assessment done for development.

The City of Nanaimo's approach to the Riparian Area Regulation (RAR) was compared in discussion and it was noted that the Ministry of Forest Land and Natural Resources Operations does not support the approach.

The following motion arose from reflections of the APC's recommendations.

**GB-052-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request staff to provide an estimate of the cost of doing a simple Riparian Area Regulation assessment on the 240 Riparian Area Regulation identified properties on Gabriola Island.

**CARRIED**

David Graham recognized that the chair of the APC, Deborah Ferrens joined the meeting.

Trustee Malcolmson summarized the staff advice in relation to the APC recommendation that the LTC incur the cost of the QEP assessment. The LTC can reduce application fees but not pay the cost of individual QEP reports.

The next recommendation; "Have the Islands Trust advocate for a tax relief for property owners who are impacted by RAR", was discussed by staff and trustees.

In relation to this APC recommendation, it was noted that the Ministry of Environment has indicated that this is not an option, but the trustees can better promote the Islands Trust Natural Area Tax Exemption Program to islanders.

The third recommendation; "Give the property owner an option for an appeal regarding the RAR at their own expense", was then discussed.

It was noted that there are several ways to appeal already in place.

**6.1.1 Top Priorities Report and Projects List dated June 18, 2013**

A discussion regarding the Community Information Meeting (RAR) on June 26, 2013 ensued. It was agreed that the meeting went well. The public had great questions, the presentations were interesting, and it was

nice to have someone from the Ministry of Forests, Lands and Natural Resources Operations attend.

Trustee Malcolmson wondered if there were areas in the proposed bylaw where the LTC still has discretion to minimize the burden on the 240 landowners.

The ditch dredging being done by the Ministry of Transportation and Infrastructures as well as making the removal of invasive species exempt in the proposed Bylaw 266 was also discussed.

**GB-053-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request staff advice on Bylaw amendments to make removal of invasive species exempt from Riparian Area Regulation.

**CARRIED**

Speaking to the motion, Trustee Malcolmson noted that the planning advice might be that no changes can be made.

Trustees and staff discussed tree pruning. Planning Manager Simpson stated that there is flexibility on the two tree pruning exemption and she will look into it.

**GB-054-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request staff advice on whether the proposed Bylaw could be amended to expand the two tree pruning exemption.

**CARRIED**

**GB-055-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee reduce the fees for development permits for Riparian Area Regulation from \$450 to \$200.

**CARRIED**

Permit and application fees were discussed further.

**GB-056-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request an update from the Ministry of Environment on whether it has been able to secure an agreement that the Ministry of Transportation and Infrastructure and its contractors won't damage potential fish habitat, and that the Local Trust Committee convey that when provincial agents dredge the same ditches landowners are being asked to protect, paying significant professional fees to comply with Riparian Area Regulation, it erodes support for Riparian Area Regulation implementation.

**CARRIED**

**GB-057-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request that staff add to the Riparian Area Regulation communications strategy provision of the adopted riparian area map to relevant agencies including EMCON.

**CARRIED**

Staff and trustees then discussed the public hearing. It was decided that the public hearing should not be scheduled until after receiving staff advice as per the resolutions above.

**6.2 Applications Log**

6.2.1 Report dated June 18, 2013

The length of time that applications remain open was discussed. Staff advised that ongoing files aren't typically closed by staff and usually remain open unless the applicants themselves withdraw the application. Trustees advised that if there is any way of supporting the staff in clearing these applications off the list to please let them know.

**6.3 Trustee and Local Expenses**

6.3.1 Expenses posted to May 31, 2013

The Trustee and Local Expenses report was reviewed for information.

**7. NEW BUSINESS**

**7.1 Gabriola Island Advisory Planning Commission Vacancy**

7.1.2 Email dated June 6, 2013 from Nancy Crozier regarding resignation

Reviewed.

**7.2 Mudge Island Advisory Planning Commission Appointments**

7.2.1 Memorandum dated June 7, 2013

Reviewed.

**GB-058-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request that staff advertise for new members for the Gabriola and the Mudge Islands Advisory Planning Commissions including contacting current Mudge Island members to ask if they are interested in serving another term.

**CARRIED**

**7.3 Executive Committee Local Trust Area (Ballenas-Winchelsea Islands)  
Bylaw Referral Request for Response – attached**

The Bylaw Referral Request for Response was reviewed and discussed by staff and trustees.

**GB-059-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee respond to the Bylaw referral on the Ballenas-Winchelsea Islands Official Community Plan and Land Use Bylaw with an interest unaffected by the Bylaws.

**CARRIED**

**8. TRUSTEES' REPORTS**

Trustee Rudischer stated that she would give her report next meeting.

Trustee Malcolmson spoke of the Trust Council meeting on Mayne Island that she attended two weeks ago and mentioned that highlights will be posted on the website soon. Watershed management and protection as well as the Kinder Morgan presentation about pipelines and the peaceful protest that a number of Mayne Islanders were involved in will be included in those highlights. Trustee Malcolmson also spoke of her trip to Norway to learn about their oil spill response program. She was honored to be council's representative.

**9. CHAIR'S REPORT**

Chair Graham mentioned the Community Stewardship Award winners from surrounding islands noting that it is good to acknowledge the work that is being done by groups and people. He also spoke of the new website and that the Islands Trust Fund is going ahead with the eelgrass mapping of the islands. Seachange will be mapping the local trust areas of Denman, Hornby, Gabriola, Galiano, Gambier and Winchelsea Islands and the Islands Trust Fund remains optimistic that Gabriola will decide to fund the project.

**10. REGIONAL DIRECTOR'S REPORT**

Regional Director Howard Houle read his report. The report was handed out to those in attendance and it is also available online.

**11. DELEGATIONS – None.**

**12. TOWN HALL SESSION**

There were no members of the public with questions or statements. Trustee Malcolmson used this time to start a conversation with Director Houle about the potential garbage incinerator at Duke Point.

**BREAK 12:10 -12: 30**

**7.4 Proactive Bylaw Enforcement of Illegal Structures on the Foreshore, Memorandum dated June 18, 2013**

Director Marlor reviewed the memorandum stating that the Local Planning Committee has decided to pursue enforcement of illegal structures on the foreshore with a limited budget of \$2000. It was discussed with the trustees what the \$2000 would cover in the pilot program.

**GB-060-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee convey to the Local Planning Committee that it welcomes a pilot project to proactively address the issue of illegal foreshore structures (e.g. buildings, decks, seawalls) through improving awareness about, and enforcement of, regulations pertaining to structures built near the sea, and that staff convey the November, 2012 Gabriola Island Local TC resolution passed on the same matter.

**CARRIED**

It was noted that this pilot project could encompass educational information that would be useful to other local trust areas.

**7.5 Development Permit Fees discussion for Riparian Areas Regulation**

Already dealt with.

**13. APPLICATIONS AND PERMITS – None.**

**14. LOCAL TRUST COMMITTEE PROJECTS**

**14.1 Official Community Plan/Land Use Bylaw Review**

**14.1.1 Parks Rezoning – Staff Report dated June 13, 2013**

Regional Planning Manager Simpson reviewed the report noting that this project was initiated at a November 29, 2012 meeting and since then, staff has met with BC Parks, Regional District of Nanaimo and Nature Trust of BC where the project was discussed and additional park areas were identified. Regional Planning Manager Simpson and trustees discussed the report and reviewed the recommendation at the end of the report.

**GB-061-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee direct staff to prepare draft Bylaws to amend the Gabriola Island Official Community Plan and the Gabriola Island Land Use Bylaw to update the land use designations and zoning categories of the following park areas to reflect their current uses and management plans adopted by the Regional District of Nanaimo, and to ensure zoning boundaries match park boundaries:

- Cox Community Park
- Coats Marsh Regional Park
- Descanso Bay Regional Park
- 707 Community Park
- Community Park – corner of Coast Road and South Road
- Community Parks at northern edge of Drumbeg Provincial Park
- Petroglyph Way trails
- Accesses to Whalebone Community Parks
- Community Park – trail off Seymour Road
- Sandwell Provincial park – parking area and marine boundaries
- Gabriola Sands Provincial park – marine
- Drumbeg Provincial Park – marine boundaries
- Community Park – Paisley Place

**CARRIED**

It was noted that Planning Manager Simpson would look into ways of allowing temporary use structures in the parks.

**GB-062-2013**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee convey its intention to refer the draft Gabriola Parks Rezoning Bylaw amendment to the Parks and Open Spaces Advisory Committee via the Regional District of Nanaimo.

**CARRIED**

It was noted that the next Parks and Open Spaces Advisory Committee meeting is July 2, 2013 and there won't be another one until November which means there is a sense of urgency if this is to be considered soon.

**GB-063-2013**

**It was MOVED and SECONDED,**  
that the Gabriola Island Local Trust Committee add the issue of park areas that do not have park zoning to the project long list under Decourcy Island OCP Review.

**CARRIED**

**16. ISLANDS TRUST WEBSITE  
Gabriola Pages**

The new Gabriola page was discussed.

**17. NEXT BUSINESS MEETING**

**17.1 The next business meeting will be held Thursday, July 18, 2013 at 10:15 a.m. at the Women's Institute, 476 South Road, Gabriola Island, BC**

**GB-064-2013**

**It was MOVED and SECONDED,**  
that the Gabriola Island Local Trust Committee add "letter of opposition to garbage incinerator at Duke Point" to the July meeting agenda.

**CARRIED**

**18. TOWN HALL SESSION**

A member of the local media discussed the new website with staff, specifically how to find info on the Advisory Committees.

**19. ADJOURNMENT**

The meeting was adjourned by consensus at 1:10 p.m.

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Recorder

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Chair