



Gabriola Island Local Trust Committee

Regular Meeting Revised Agenda

Date: February 28, 2019
Time: 10:30 pm
Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

	Pages
1. CALL TO ORDER 10:30 AM - 10:30 AM	
“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”	
2. APPROVAL OF AGENDA	
3. MINUTES 10:30 AM - 10:40 AM	
3.1 Local Trust Committee Minutes dated January 24, 2019 – for adoption	4 - 13
3.2 Section 26 Resolutions-Without-Meeting - none	
3.3 Advisory Planning Commission Minutes - none	
4. BUSINESS ARISING FROM MINUTES	
4.1 Follow-up Action List dated February 21, 2019	14 - 17
5. COMMUNITY INFORMATION MEETING 10:40 AM - 10:45 AM	
Gabriola Cycle Route Plan - Bylaw No. 301	
6. PUBLIC HEARING - Bylaw No. 301 10:45 AM - 10:45 AM	
6.1 Recess for Public Hearing	
6.2 Recall to Order	
7. REPORTS	
7.1 Trustee Reports	
7.2 Chair's Report	
7.3 Electoral Area Director's Report	18 - 18

8.	TOWN HALL	
9.	APPLICATIONS AND REFERRALS	
9.1	GB-DVP-2018.1 (Upward - 1850 Maple Lane) - Staff Report	19 - 47
9.2	GB-DVP-2018.4 (Bowles - 601 Wildwood Crescent) - Staff Report	48 - 64
9.3	GB-DP-2018.3 (Bowles - 601 Wildwood Crescent) - Staff Report	65 - 102
9.4	GB-DVP-2017.1 (Weston - Acorn Island) - Memorandum	103 - 104
9.5	GB-DVP-2019.1 (Regional District of Nanaimo - RDN) (Huxley Park Skate and Bike Park Facility) - Staff Report	105 - 114
10.	LOCAL TRUST COMMITTEE WORK PROGRAM	
10.1	First Nations - Community Reconciliation - Staff Report	115 - 122
10.2	<i>Bylaw No. 301 - consideration of 2nd and 3rd readings</i>	
11.	DELEGATIONS - none	
12.	CORRESPONDENCE - none	
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
13.	NEW BUSINESS	
13.1	<i>Section 219 Covenant - (Moeller - 649 Taylor Bay Road) - Memorandum</i>	123 - 128
14.	WORK PROGRAM	
14.1	Top Priorities Report dated February 21, 2019	129 - 129
14.2	Projects List Report dated February 21, 2019	130 - 132
15.	REPORTS	
15.1	Trust Conservancy Report - none	
15.2	Applications Report dated February 21, 2019	133 - 141
15.3	Trustee and Local Expense Report dated December, 2019	142 - 142
15.4	Adopted Policies and Standing Resolutions	143 - 145
15.5	Local Trust Committee Webpage	

16. UPCOMING MEETINGS

- 16.1 Next Regular Meeting Scheduled for Thursday, April 11, 2019 at The Commons, 675 North Road, Large Meeting Room, Upstairs in Farm House, Gabriola Island, BC

17. ADJOURNMENT



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: January 24, 2019

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

Members Present: Dan Rogers, Chair
Kees Langereis, Local Trustee
Scott Colbourne, Local Trustee

Staff Present: Ann Kjerulf, Regional Planning Manager
David Marlor, Director, Local Planning Services
Sonja Zupanec, Island Planner
Ian Cox, Planner 1
Jaime Dubyna, Planner 1
Nadine Mourao, Recorder

Others Present: There were approximately (14) members of the public and one (1) member of the media in attendance

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Rogers called the meeting to order at 10:30 am. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations, welcomed the public and introduced Trustees, Staff and Recorder.

Trustee Colbourne acknowledged the passing, one year ago today, of Gabriola resident and volunteer firefighter, Jay Dearman.

2. APPROVAL OF AGENDA

The following amendments to the agenda were presented for consideration:

- Move 11.4 Electoral Area Regional Director's report to before 5. Town Hall; and
- There are no 8. Delegations.

By general consent the agenda was approved as amended.

3. MINUTES

3.1 Local Trust Committee Special Meeting Minutes dated November 2, 2018 - for adoption

By general consent the Local Trust Committee Special Meeting Minutes of November 2, 2018 were adopted.

3.2 Local Trust Committee Minutes dated November 22, 2018 – for adoption

The following amendments to the minutes were presented for consideration:

- Page 3, 8.1 GB-DVP-2018.5 (Goszczyński), add a second bullet under “The applicant noted the following points” stating “The applicant also provided additional email letters indicating no additional opposition”;
- Page 3, 8.2 GB-DVP-2018.6 (Durrance), add a second bullet under “Discussion ensued and the following point was noted by Trustees”, add “The enforcement action that occurred in 2012 was not related to the riparian area.”; and
- Page 1, Item 2, change “additions to agenda” to read “amendments to agenda”.

By general consent the minutes of November 22, 2018 were adopted as amended.

3.3 Section 26 Resolutions-Without-Meeting Report dated January 15, 2019

Received for information.

3.4 Advisory Planning Commission Minutes - none

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated January 15, 2019

Planner Zupanec noted for the Activity dated 22-Nov-2018 GB-DVP-2018.6 (Durrance), an extension to the January 31, 2019 deadline for receipt of the British Columbia Land Surveyors signed plan is requested; Staff intend to report on this item at the next regular meeting.

Trustees noted the following regarding the Activity dated 22-Nov-2018 first steps for Standing Resolution with respect to First Nations Relationship Building:

Through discussion with Lisa Wilcox, Senior Intergovernmental Policy Advisor, there is an opportunity consider adjustments to the Standing Resolution on First Nations Relationship Building.

GB-2019-001

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to report back to Gabriola Island Local Trust Committee follow up actions in regards to First Nations Relationship Building.

CARRIED

4.2 Development of Community Heritage Register - Staff Report

Planner Cox provided an overview of the report which asked the Local Trust Committee (LTC) to consider establishing a Community Heritage Register (CHR) and to include the Gabriola Island Community Hall as a heritage resource.

Discussion ensued and the following key points were noted by Trustees:

- Requested Staff to amend document updating “Gabriola Community Hall” to read “Gabriola Island Community Hall”;
- Questioned the accuracy of the Statement of Significance with regard to First Nations historical significance; and
- Would like consultation with local First Nations and community before moving forward with establishing a CHR.

GB-2019-002**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee receive File 6800 (20) Community Heritage Register report for information at this time.

CARRIED**5. TOWN HALL**

Members of the public expressed the following:

Support the idea of a Housing Advisory Planning Committee (HAPC), but expressed concerns that members may not have the skills to provide leadership.

Questioned if an application for an affordable housing development be processed by Islands Trust (IT) at the same time that the proposed HAPC is working on the Gabriola Housing Options and Impacts Review Project?

Requested consideration that under the Task A of the Purpose section of the Project, Staff prepare draft engagement and communications strategy and the proposed HAPC prioritize consultation methodology and topics.

- Staff noted that any application may be processed in parallel with any projects the Local Trust is working on.

6. APPLICATIONS AND REFERRALS**6.1 GB-DVP-2018.3 (645 Gallagher Way- Bye) - Staff Report**

Planner Dubyna summarized the report which asked the LTC to consider Development Variance Permit (DVP) application GB-DVP-2018.3, requesting two variances to Gabriola Island Land Use Bylaw No. 177 (LUB).

Trustees noted the following points:

- No written correspondence in support or opposition to the requested variances had been received;
- The proposed variances seemed minor in nature and would not likely result in adverse impacts to neighbouring properties or the environment; and
- Asked Staff if there was any requirement to forward application to the Agricultural Land Commission (ALC).
 - Staff noted there was no requirement to forward the application to the ALC.

GB-2019-003**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit GB- DVP-2018.3 (Bye) with the following variances to Gabriola Island Land Use Bylaw No. 177, 1999:

- To reduce the setback from a watercourse from 15 metres (49.2 feet) to a minimum of 10.47 metres (34.35 feet) for the existing pump/utility house; and
- To increase the floor area of a pump/utility house from 10.0 square metres (107.6 square feet) to a maximum of 10.26 square metres (110.44 square feet) for the existing pump/utility house.

CARRIED**6.2 GB-DP-2018.2 (645 Gallagher Way- Bye) - Staff Report**

Planner Dubyna summarized the report which asked the LTC to consider a DVP application for the construction of a proposed single-family dwelling on the subject property located within DVP Area No. 3 (DP-3) – Riparian Areas. Discussions ensued and the following was noted by Trustees:

- “McCray Creek” should be “McClay Creek”; and
- The site location on the property was well placed within a previously cleared area.

GB-2019-004

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee approve issuance of Development Permit GB-DP- 2018.2 (Bye).

CARRIED

By general consent the meeting was recessed at 11:50 am and reconvened at 11:57 am.

6.3 GB-TUP-2018.1 (671 Balsam, Gabriola - Garner) - Staff Report

Planner Dubyna summarized the report which asked the LTC to consider a Temporary Use Permit (TUP) for the temporary operation of a commercial vacation rental within the single-family dwelling on the subject property. Trustees noted the following key points:

- Requested that the owner or operations manager is a resident of Gabriola Island and available 24 hours a day to address any neighbours’ concerns and provide this contact information to neighbours;
- No clearing be done for parking spaces;
- No further correspondence has been received by Staff; and
- Would like possible wording updates to the First Nations area letter.

GB-2019-005

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend the Temporary Use Permit GB-TUP-2018.1 in Item 4, 4.4 neighbours within 100 metres within the vacation rental be provided with at least one Gabriola Island resident contact number.

CARRIED

GB-2019-006

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee approve as amended, issuance of Temporary Use Permit GB-TUP-2018.1 for a commercial vacation rental for a period of three (3) years from date of issuance.

CARRIED

GB-2019-007

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee include as a requirement of the Temporary Use Permit GB- TUP-2018.1 that it is the responsibility of the landowner to obtain any required authorization under the *Water Sustainability Act* or any other relevant legislation pertaining to groundwater.

CARRIED

7. LOCAL TRUST COMMITTEE PROJECTS

7.1 Gabriola Island Cycle Route Plan – Staff Report

Planner Zupanec reviewed the report which introduced Draft Bylaw No. 301 for LTC consideration of first reading and advancement to public hearing. The bylaw would amend the Gabriola Official Community Plan (OCP) by updating the Gabriola Island Cycle Route Plan to include the anticipated Church Street and Spruce Road connection and correct numbering references to the cycle route plan in the OCP.

GB-2019-008

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 301, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2019”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2019-009

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 301, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2019”, be read a first time.

CARRIED

GB-2019-010

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee has considered consultation requirements of section 475 of the *Local Government Act* and determined that consultation is not required with School District 68, First Nations, the Regional District of Nanaimo, or adjacent local trust committees for Bylaw No. 301, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2019”.

CARRIED

GB-2019-011

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee schedule a public hearing for Bylaw No. 301, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2019”.

CARRIED

7.2 Gabriola Housing Options and Impacts Review Project - Staff Report

Planner Zupanec provided an overview of the report which presented an updated project charter and recommended that the LTC consider establishing a special housing advisory planning commission to advance the work on the housing project over the next two years.

Discussion ensued and the following points were noted by Trustees:

- Enquired about procedures for additional project funding;
- Interested in extending an invitation to Snuneymuxw First Nation to sit on the Gabriola Island Advisory Planning Commission (APC);
- Interested in a special Housing Advisory Planning Commission (HAPC) and requested an environmental representative such as Sustainable Gabriola to be added to the list of agencies to receive expressions of interest;
- Requested that the HAPC DRAFT Terms of Reference, Second Paragraph, 1. Purpose, c) read “Inform the development of” for clarity;

- Update the Housing Options and Impacts Review Project – Charter v2.0, In Scope section by taking out the Build-out Map out of the Secondary Suites section and give it its own header, as the Build-out Map is not tied to secondary suites; and
- Requested that under the Task A of the Purpose section of the Project, Staff prepare draft engagement and communications strategy and the proposed HAPC prioritize consultation methodology and topics.

Staff provided information about alternatives to LTC project funding including requests for additional funding from Trust Council to hire a consultant or introduction of a special tax levy.

By general consent the meeting was recessed at 1:15 pm and reconvened at 1:51 pm.

GB-2019-012

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff take next steps in providing the seat on the Gabriola Island Advisory Planning Commission to the Snuneymuxw First Nations.

CARRIED

GB-2019-013

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff amend the Gabriola Island Housing Options and Impacts Review Project Charter v 2.0 to remove the “Build-out Map” out of Secondary Suites heading in the In Scope section and place it under a new heading in the In Scope section called “Build Out Map” with a bullet with the words “review and update the Gabriola Build Out Map”.

CARRIED

GB-2019-014

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to advertise for expressions of interest for volunteer(s) to be appointed to a 2-year term on a newly formed ‘Gabriola Island Housing Advisory Planning Commission’ and include the following agencies, community groups, and community members:

- a) Snuneymuxw Housing Committee;
- b) Gabriola Advisory Planning Commission;
- c) Gabriola Housing Society;
- d) People for a Healthy Community on Gabriola Island Society;
- e) Gabriola Chamber of Commerce;
- f) Gabriola Auxiliary for Island Health Care Society;
- g) Gabriola Village Vision;
- h) Sustainable Gabriola; and
- i) One member at large in response to Islands Trust advertising.

CARRIED

GB-2019-015

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee refer the ‘Housing Options and Impacts Review’ Project Charter to the Advisory Planning Commission and request the Advisory Planning Committee to assist in the preparation of a draft engagement and communication strategy by June 30, 2019 through the following activities:

1. Reviewing sample engagement and communication strategies; and

2. Identify key stakeholders, engagement phases and key messages, required background information, engagement methods and preferred implementation options for the strategy during the project.

CARRIED**GB-2019-016****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee amend the draft 'Terms of Reference' for the Gabriola Housing Advisory Planning Commission with the following:

1. Deleting 1a) and replacing with "assisting the LTC with the implementation of the Engagement and Communications Strategy and informing the topic priorities and schedule of consultation; and
2. Deleting items b) through d) in Section 2 Work Plan Overview and replacing with b) Subsequent Commission Meetings – to be determined (minimum 4 per year) as referred by the Gabriola Island Local Trust Committee.

CARRIED**GB-2019-017****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee endorse the 'Terms of Reference' for the Gabriola Housing Advisory Planning Commission as amended.

CARRIED**7.3 Development of an Ecological Protection Zone - Staff Report**

Planner Cox provided the LTC with information concerning the creation of an Ecological Protection Zone for inclusion in Gabriola Island Land Use Bylaw No. 177. The LTC was asked to consider approval of the draft project Charter "*Ecological Protection Zone*" in order to allow Staff to draft bylaw amendments necessary to update the zoning of Coats Marsh Regional Park and Burren's Acres Nature Reserve, in accordance with the LTC Top Priorities List item 3.

Trustees noted the following:

- Requested that First Nations within the Local Trust Area be advised of the LTC Top Priorities; and
- Supported the focus on non-human use of the Ecological Protection zone.

GB-2019-018**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to draft an introductory letter from the Gabriola Island Local Trust Committee to First Nations within the Trust area advising of the Gabriola Island Local Trust Committee Top Priorities Projects.

CARRIED**GB-2019-019****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee approve the "*Ecological Protection Zone*" Project Charter v 1.0 dated January 24, 2019.

CARRIED**8. DELEGATIONS - none****9. CORRESPONDENCE**

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

9.1 Letter dated December 1, 2018 from H Reid regarding Anchorages

Trustee Colbourne is attending the Anchorages Round Table meeting and will take the letter with him for presentation.

10. NEW BUSINESS

10.1 Coastal Douglas-fir & Associated Ecosystems Toolkit - Staff Report

<http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf>

The LTC was asked to consider implementation of the report *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)* as a top priority work program item.

Trustees responded with the following points noted:

- Requested that the toolkit be implemented as part of work flows on projects to ensure consistency; and
- Would like the tool kit used in the existing top priority projects.

GB-2019-020

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee add implementation of the report, *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)*, to the Gabriola Island Local Trust Committee Project List.

CARRIED

GB-2019-021

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee add implementation of the report, *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)*, as an objective to the project charters of the two top priority projects.

CARRIED

10.2 Updated Islands Trust Climate Change Webpages – Briefing

Trust Council have updated the website to identify the Climate Change project and the Director of Finance has broken out items directly related to climate change on the financial reports.

10.3 Mudge Island Special Local Trust Committee Meeting - for discussion

Trustees would like to consider the possibility for a Mudge Island meeting during their term.

11. REPORTS

11.1 Trustee Reports

Trustee Colbourne reported the following:

- Attended Trust Programs Committee (TPC) and was elected as Vice Chair, topics included policy and engagement of First Nations, talked with fresh water specialist and upcoming March 1st deadline for commercial groundwater registration; he will reach out regarding grants opportunities;
- Data collection ongoing with community groups;

- Received budget consultation survey and other tools; and
- Holding drop-in office hours at Islands Trust Northern Planning office from 3:00 pm – 5:00 pm on Tuesdays, alternating with Trustee Langereis.

Trustee Langereis reported the following:

- Attended the Trust Council orientation in Nanaimo and received a First Nations briefing binder;
- Attended the Truth and Reconciliation committee meetings;
- Noted the website www.policynote.ca on First Nations consultation and reconciliation;
- Attended a FLNRORD webinar;
- Attending the Gabriola Health & Wellness Collaborative Annual General Meeting; and
- Meeting with Housing Co-op group for information next week.

11.2 Chair's Report

Chair Rogers reported the following:

- Attended FLNRORD webinar;
- In the Southern Gulf Islands the Regional Director has had meetings regarding emergency preparedness;
- Attending an EC meeting in Victoria; asked trustees for any matters to bring forward;
- The Financial Planning Committee (FPC) has approved the 2019/20 budget outreach document and Trustees are asked to send survey to constituents for feedback; and
- Suggested possibly moving Trustee and Chair's report up earlier in the agenda if Trustees are interested.

11.3 Trust Conservancy Report dated November, 2018

Received for information.

11.4 Electoral Area Director's Report

Vanessa Craig, Regional District of Nanaimo (RDN), Area B reported on the following:

- The RDN has applied for grant funding for Phase 2 of Huxley Park;
- The Village Way Trail is being considered as a pilot project for a new agreement that would develop a standardized mechanism to provide for construction within a road allowance with the Ministry of Transportation and Infrastructure (MoTI);
- The RDN have a new protocol agreement in place to work with Islands Trust Staff to set two dates per year for protocol meetings between Islands Trust Staff, RDN Staff and elected officials;
- The Area B Parks and Open Spaces Advisory Committee (POSAC) recommended, after review of the costs and difficulties associated with replacing the stairs at Joyce Lockwood Community Park, that the beach access stairs be removed and that RDN Staff pursue a land use agreement for the existing beach access trail on the adjacent Federal lands;
- The RDN Board has passed resolutions to submit to the Association of Vancouver Island Coastal Communities requesting traffic calming in Electoral Areas and Regional District authority to enforce vehicle parking on public roads;

- Attending meetings with the RDN and community partners regarding emergency preparedness;
- Arranging Electoral Area Directors' tour of Gabriola; hopes Trustees are available to join;
- Attending first POSAC meeting February 4, 2019 at 10:30 am at the Gabriola Arts Council Building; and
- Holding drop-in office hours at the library 5:00 – 7:00 pm January 30 and February 27, 2019 and at the Islands Trust Northern Office on February 21, 2019 from 3:00 – 5:00.

11.5 Applications Report dated January 15, 2019

Received for information.

11.6 Trustee and Local Expense Report dated November, 2018

Received for information.

11.7 Adopted Policies and Standing Resolutions

Received for information.

11.8 Local Trust Committee Webpage

Staff request biographies from the Trustees.

12. Work Program Reports

12.1 Top Priorities Report dated January 15, 2019

Received for information.

12.2 Projects List Report dated January 15, 2019

Trustees would like to check the oldest item on the list regarding DeCourcy Island OCP and Bylaw Review.

13. UPCOMING MEETINGS

13.1 Next Regular Meeting Scheduled for Thursday, February 28, 2019 at The Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC

14. ADJOURNMENT

By general consent the meeting was adjourned at 2:57 pm.

Dan Rogers, Chair

Certified Correct:

Nadine Mourao, Recorder

Follow Up Action Report

Gabriola Island

08-Sep-2016

Activity	Responsibility	Target Date	Status
RDN annual protocol meeting topics: 1. Enforcement of RDN Noise Bylaw; 2. Mudge Island Public Dock; 3. Regulations for temporary dwellings being connected to a sewage disposal system 4. Village North Road street improvements (2a+2b of Village Vision submission to the LTC Jan. 3, 2018); RDN and Islands Trust staff will coordinate on the scheduling of a protocol meeting following the 2018 BC Local Government Election.			On Going

03-May-2018

Activity	Responsibility	Target Date	Status
Add consideration of definition of limited public market to the Projects List and request staff to bring back information on creating a standing resolution regarding enforcement before the next Gabriola Island Local Trust Committee meeting.	Miles Drew Sonja Zupanec Penny Hawley	11-Oct-2018	On Going

14-Jun-2018

Activity	Responsibility	Target Date	Status
Staff to provide LTC with standard resolution language around enforcement of "limited public market" provisions in the LUB.	Miles Drew Sonja Zupanec		On Going

Follow Up Action Report

16-Aug-2018

Activity	Responsibility	Target Date	Status
Staff to clarify the mechanism for implementing transfer of densities to the Gabriola Island Density Bank.	Sonja Zupanec	27-Sep-2018	On Going
Staff to advise LTC on how to integrate conservation data and mapping resources when considering projects and applications.	Sonja Zupanec	27-Sep-2018	On Going

22-Nov-2018

Activity	Responsibility	Target Date	Status
Trustee Colbourne to initiate first steps for Standing Resolution GB-2018-100 with respect to First Nations Relationship Building, and share an initial draft of a letter with staff and trustees.			On Going
LTC adopts a new standing resolution regarding cannabis (as per staff report) and request staff to draft a bylaw to amend the LUB re: cannabis production.	Penny Hawley Ann Kjerulf		On Going
GB-DVP-2018.6 (Durrance) - LTC resolution to defer consideration until receipt of a BCLS signed plan showing all setbacks to structures within 15 and 30 m of the natural boundary of Goodhue Creek; professional report addressing siting and operation of sewage disposal system as per staff recommendations. To be returned for LTC consideration.	Sonja Zupanec		On Going

24-Jan-2019

Activity	Responsibility	Target Date	Status
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**Follow Up Action Report**

Request that staff report to the Local Trust Committee regarding the standing resolution on First Nations Engagement and Relationship Building. Discussion to include recognition of First Nations heritage, cultural sites, and inclusion of language included with Commercial Vacation Rental information provided to visitors.	Ann Kjerulf	28-Feb-2019	On Going
GB-DVP-2018.3 (Bye) approved for issuance.	Becky McErlean Jaime Dubyna		Done
GB-DP-2018.2 (Bye) approved for issuance.	Becky McErlean Jaime Dubyna		Done
GB-TUP-2018.1 (Garner) approved for issuance. Condition 4.4d amended to require that neighbours within 100 metres be provided at least one resident contact number. Include requirement that it is the responsibility of the landowner to obtain required authorization re: groundwater	Becky McErlean Jaime Dubyna		Done
BL 301 (OCP Amendment - Cycle Route Plan); Bylaw given first reading. LTC resolution confirming no referrals or consultation required. Proceed to public hearing/CIM during the Feb 28 regular business meeting.	Becky McErlean Sonja Zupanec		On Going
Staff to invite Snunemuxw Nation representative to sit on the Gabriola Advisory Planning Commission and newly formed Housing APC. Staff to advertise for expressions of interest for HAPC and contact the following agencies and community groups to solicit expressions of interest: Gabriola APC; Gabriola Housing Society; PHC; Chamber of Commerce; Island Health Care Society; Village Vision; Sustainable Gabriola	Sonja Zupanec Penny Hawley		On Going

Follow Up Action Report

Housing Options and Impacts Review Project:

1. LTC resolution to amend the Project Charter to separate out the Build Out Map as in-scope item and add implementation of the Protection of the Coastal Douglas-fir ecosystem as an objective.
2. Terms of Reference for the HAPC endorsed as amended. Post to web and solicit expressions of interest.
3. Refer the revised project charter to the current APC as per LTC resolution to assist in the development of the engagement and communication strategy.

Sonja Zupanec
Penny Hawley

On Going

LTC endorsed the Ecological Protection Zone Project Charter v1 - with the amendment to the fourth bullet under 'Objectives' to read: "Ensure proposed policy/regulatory changes are consistent with the Object of the....Policy Statement, the protection of the coastal Douglas-fir and Associated Ecosystems Toolkit and with focus on...."

Ian Cox

On Going

Staff to prepare a draft letter under the signature of the LTC chair to advise the First Nations with an interest in the Gabriola LTA of the LTC's Top 3 Priority Projects currently underway.

Sonja Zupanec

On Going

Date: January 24 2019

To: Gabriola Island Trust Committee

From: Vanessa Craig, RDN Director Area B

Subject: Electoral Area Director's Report

- Village Way Trail update: The Village Way Trail project is continuing and is entering a new phase. This is a very exciting opportunity for Gabriola to finally have a safe and accessible pathway in the village core. The planned pathway currently extends from Tin Can Alley all the way to the corner of North and South roads. It includes an asphalt pathway separated from the roadway by a small curb. The asphalt path and presence of the small curb helps to ensure the safety of people using the path, and also prevents vehicles from using the new area for parking. In addition, it addresses MOTI engineering requirements for road safety, maintenance, and water flow. As I indicated earlier, the RDN, with other regional districts across the province, has been in conversation with MOTI about developing a standardized mechanism that would provide for construction within a road allowance. The Village Way Trail is being promoted as a pilot project for a new agreement, once/if it is reached.
- Thank you to Island Trustee Kees Langereis for providing an update from the Islands Trust to the Area B Parks and Open Spaces Advisory Committee (POSAC), and to Scott Colbourne for attending as well. I would be pleased to receive IT updates at each POSAC meeting. The next POSAC meeting is on June 17 2019 starting at 6 pm at the GAC Hall.
- The POSAC received a delegation about replacing the Spring Beach beach access stairs. The stairs were damaged in our recent winter storm and due to safety considerations, the stairs are currently closed and will be removed and an assessment of the potential costs associated with replacement. The budget and priorities for parks for 2019 have been set, but priorities for actions for 2020 will be discussed at the next POSAC meeting.
- MOTI personnel have accepted my invitation to come to Gabriola for an on-site meeting. We are currently discussing a date.
- Planning continues on an emergency planning event in associated with a Gabriola Fire Department open house scheduled for April.
- Upcoming:
 - I will be holding drop-in office hours. Upcoming dates include Feb. 21st 3-5 pm at the IT building and Feb. 27th 5-7 pm @ the library. Thank you for allowing me to use the IT space.



File No.: GB-DVP-2018.1 Upward
(Hansen)

DATE OF MEETING: February 28, 2019

TO: Gabriola Island Local Trust Committee

FROM: Ian Cox, Planner 1
Local Planning Services

SUBJECT: Development Variance Permit application GM-DVP-2018.1

Owners: Michael Upward & Tammy Upward

Applicant: Winston Hansen

Location: Legal Description: LOT 9, SECTION 1, GABRIOLA ISLAND,
NANAIMO DISTRICT, PLAN 13249 PID # 004-739-345

Civic address: 1850 Maple Lane, Gabriola Island

RECOMMENDATION

- 1. That the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit GM-DVP-2018.1 (Upward).**

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider Development Variance Permit (DVP) application GB-DVP-2018.1 (Upward). The applicant seeks to vary to the Gabriola Island Land Use Bylaw (LUB) setback regulations: to reduce the setback from the natural boundary of the sea from 30 metres to 22 metres; to reduce the setback from the interior lot line from 3 meters to 0.45 meters; and to reduce the setback from the exterior side lot line from 4.5 meters to 1.79 meters in order to permit the siting of a new Type 2 sewerage system.

The variances would facilitate compliance with the *BC Sewerage System Regulation*, which requires a 30 metre separation between sewerage systems and drinking water sources. Considering the system design and specifications as developed by the Registered Onsite Wastewater Professional (ROWP) (see Attachment 2 – Septic Filing and System Design), both the existing drinking water well on the subject property and the well on the neighbouring property at 1855 Maple Lane, would be within 30.0 metres of the sewerage system if strict compliance with the LUB was required, particularly given the design footprint of the proposed single family dwelling (see Attachment 3 - Site Plan Survey). Staff is recommending issuance of the proposed DVP.

BACKGROUND

The applicant proposes to construct a Type 2 sewerage system designed by a ROWP within 22 metres of the natural boundary of the sea to facilitate the construction of a proposed single family dwelling. The setback to the natural boundary is of concern given proximity to the marine environment; the interior and exterior side lot line variances are less concerning since the structures are buried underground and should not directly interfere with the ability for enjoyment of neighbouring property owners. The applicant has provided the following description of the reasons for the proposed variances and why the current LUB requirements cannot be met in this case:

“There is currently a small cottage and work shed on the land. The current cottage and work shed is planned to be demolished with a new cottage being constructed. Regulation B.2.1.1 of Gabriola Land Use Bylaw states that Septic Disposal Field must be 30m from the natural boundary of the ocean. We would like a variance to allow the septic field to be placed 24m [now 22m] from the ocean. If we move the planned location of the septic field, we would encroach on the setback required for the neighbour’s well, which they use for drinking water. If the field were placed at the back of the lot, it would encroach on 1850’s well, also used for drinking water.

We believe that this variance will minimize any risks from the use and construction of the septic field. This variance will mitigate any risks to the drinking water wells on the property and adjacent lots.

We have consulted a registered onsite wastewater designer and installer and believe that since we are utilizing a Type 2 system with a de-nitrification and subsurface drip that we will pose a minimal risk to health, safety and environment.”

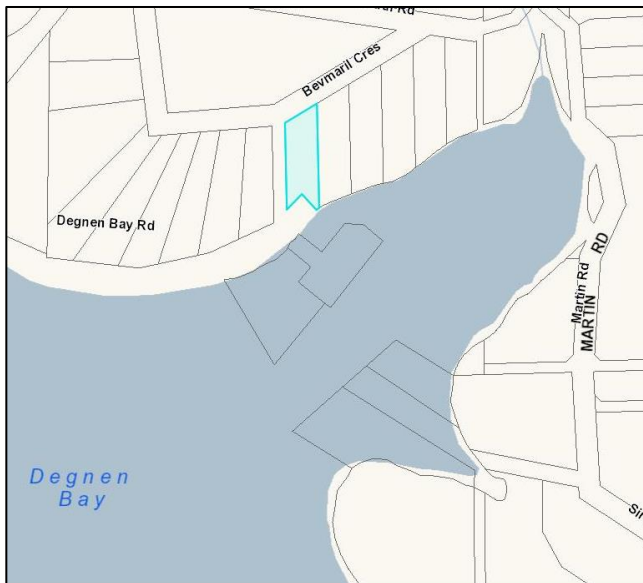


Figure 1: Subject Property

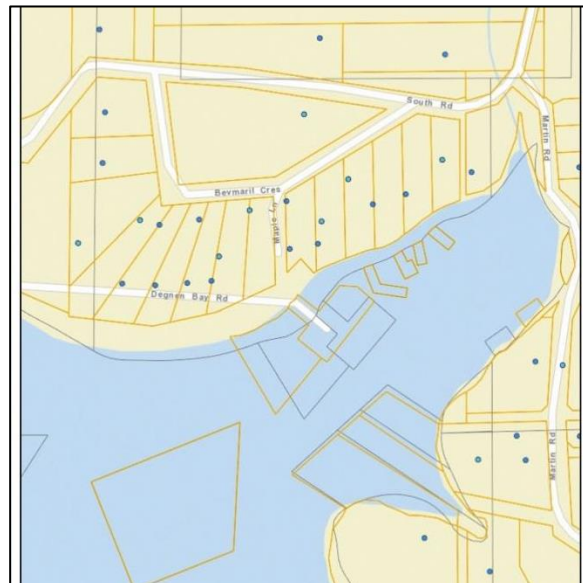


Figure 2: Area Water Wells (iMap BC)

ANALYSIS

Policy/Regulatory

Attachment 1 addresses the subject site context and Islands Trust policies in greater detail. The following is a summary:

Official Community Plan

The proposed residential development on the subject property is consistent with the land use designation in the [Gabriola Island Official Community Plan Bylaw No. 166](#) (OCP) (Attachment 1 – Site Context and Policies). Further, the subject property is not within any currently enacted Development Permit Areas for Gabriola Island.

Land Use Bylaw (LUB)

The property is currently zoned Small Rural Residential (SRR) under the Gabriola Island Land use Bylaw No.177 (LUB). The LUB requires that a sewage disposal system field must be sited a minimum of 30 metres from the natural boundary of the sea, lake, stream, or wetland.

BC Sewerage System Regulation

Provincial regulation requires sewerage systems to be located a minimum of 30 metres from domestic wells. For mapping of adjacent property wells, see Figure 2 – Area Water Wells, on page 2 of this report.

“Setback from wells

3.1 (1) In this section:

"professional" means a professional competent in the area of hydrogeology;

"well" means a well used to supply a domestic water system.

(2) Subject to subsections (3) and (4) (b), a person must not construct

(a) a holding tank less than 15 metres from a well, or

(b) a sewerage system less than 30 metres from a well.”

The applicant has engaged the services of a ROWP who has prepared and submitted the “Record of Sewerage System” with Island Health. A letter of approval from Island Health is no longer sent as confirmation of the filing of the plan as was the case in the past. The “Record of Sewerage System” now stands as confirmation of receipt of the filing.

Archaeological Concern

The variances requested are near an identified archaeological site by the natural boundary, as indicated by the provincial RAAD. No development is proposed to take place in this area as part of the septic system construction. Notwithstanding the forgoing, the owners and applicant should be aware that there is still probability that the lot may contain previously unrecorded archaeological material protected under the *Heritage Conservation Act*. If such material is encountered during development, all work should cease and the provincial Archaeology Branch should be contacted immediately, as a *Heritage Conservation Act* permit may be needed before further development is undertaken.

Issues and Opportunities

The requested variances are intended to address the need for adequate and required separation from neighbouring drinking water wells. Due to site constraints, the footprint of the proposed dwelling, and the location of existing wells (see Figure 2 on page 2 of this report), it appears that the optimal location of the system may be in the proposed location (within 22 metres of the natural boundary of the sea - See Attachment 2 – Septic Filing and System Design). The ROWP plan shows a 24m setback from the natural boundary, while the requested variance is a minimum 22m from the natural boundary in light of a more recent survey conducted at the request of Staff for greater accuracy.

As mentioned, the proposed sewerage system has been designed by a ROWP and has been filed with Island Health. Islands Trust is in possession of both the filing and design documents that are conditions of the permit (see Attachment 5 – Draft Development Variance Permit).

Since professional responsibility lies with the ROWP for design performance and safety of the system, Staff defer to the ROWP to ensure that the system is adequate for the intended use.

Despite OCP policies designed for the protection of the marine environment (see Attachment 1 – Site Context and Policies), the ROWP has ascertained that the proposed location is acceptable and would pose the least risk to drinking water sources and the marine environment due to the more advanced technology of a Type 2 compared with a Type 1 system.

The proposed development would involve relatively minimal removal of existing vegetation since the lot is largely cleared and current mapping indicates that there are no currently mapped sensitive ecosystems or Species at Risk (SAR) concerns on the property.

Provided that the proposed Type 2 system is constructed in accordance with the ROWP design, there should not be an issue with “daylighting” of effluent on the south-east facing slope adjacent to the natural boundary, as described in the ROWP design.

In the opinion of Staff, an alteration to the siting or a reduction to the footprint of the proposed single family dwelling could lessen the need for the requested variances. This would entail an amount of re-design work involving both the architect and the ROWP. Further to this, the roof overhang/eaves on the eastern face of the proposed SFD as shown on the site plan, appear to encroach into setback to the interior side lot line. The requested variances seek only to lawfully site the proposed septic system. However, should the applicant wish to proceed with the siting of the proposed SFD in the location shown on the current plan, a further variance would be needed to permit encroachment of the eaves. Staff are working with the project architect and the Regional District of Nanaimo Building Inspection Department to ensure satisfactory resolution to this matter.

Consultation

No consultation is required or recommended for this application beyond statutory Public Notice as required under the *Local Government Act*. Notice has been distributed to neighbouring property owners (see Attachment 4 - Statutory Notice of Development Variance Permit) on February 15, 2019 in accordance with *Local Government Act* requirements and in order for neighbouring property owners to make additional comments for consideration by the LTC.

No formal correspondence had been received at the time of preparing this report, but may be received before or during the LTC meeting on February 28th, 2019. All correspondence received on or before the LTC meeting will form part of the public record and will be considered by the LTC. Correspondence may be sent to GabriolaIslandLocalTrustCommittee@islandstrust.bc.ca.

Rationale for Recommendation

The proposed development is in accordance with Residential policies in the OCP, while the design of the septic system addresses policies related to Marine Resources and Liquid Waste Management protection objectives. As noted in the Recommendation section on page 1 of this report, Staff recommends that the DVP be issued, based on the rationale that the DVP would allow the proposed sewage disposal system to comply with the provincial *Sewerage System Regulation* and be lawfully sited in accordance with LUB regulations.

ALTERNATIVES

1. Request for further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

Resolution: “That the Gabriola Island Local Trust Committee request further information prior to making a decision on application GB-DVP-2018.1 including [specify information required].”

2. Amend the permit

The LTC may amend the proposed permit prior to rendering a decision regarding issuance. If this option is chosen, the LTC should first pass a resolution to amend the permit and subsequently render a decision to issue or not a permit (with or without conditions). Note, consideration of further variances would require additional public notification prior to decision.

3. Deny the application

If the LTC chooses to deny the application (or any requested variances), it should state reasons.

Resolution: *“That the Gabriola Island Local Trust Committee deny application GB-DVP-2018.1 for the following reasons [note specific reasons].*

Submitted By:	Ian Cox Planner 1, Local Planning Services	February 18, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager, Northern Team	February 20, 2019

ATTACHMENTS:

1. Site Context and Policies
2. Septic Filing and System Design
3. Site Plan Survey
4. Statutory Notice of Development Variance Permit
5. Draft Development Variance Permit

ATTACHMENT 1 – SITE CONTEXT AND POLICIES

LOCATION

Legal Description	LOT 9, SECTION 1, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 13249
PID	004-739-345
Civic Address	1850 Maple Lane, Gabriola Island
Lot Size	0.253997 hectares, 0.62764 acres

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential to the north, east, and west; marine (Degnen Bay) to the south

HISTORICAL ACTIVITY

File No.	None on record
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POLICY/REGULATORY

Islands Trust Policy Statement	The proposal is not contrary to or at variance with the ITPS provided that the proposed sewerage system is installed and maintained according to the ROWP design and specifications, including maintenance plan.
Gabriola Island Official Community Plan No. 166, 1997	Land Use Designation: Small Rural Residential (SRR) The subject property is neither within a Development Permit Area, Environmentally Sensitive Area, nor within DPA 6 – Escarpment Areas, but a small portion of the southern parcel where the boundary abuts the sea is mapped as a moderate to high risk steep slope area. See Figure 2 in Staff Report, page 5. Subject property not within any Development Permit Areas, however, the following objectives and policies from the OCP highlight the need for consideration of the marine environment: Section 6 - As the degree of human activity intensifies so does the threat to permanently alter or destroy valuable environmental features and resource areas. In accommodating future development on Gabriola, care must be taken so as not to irreversibly alter the island's healthy, liveable and aesthetically pleasing upland and marine-based natural areas. Marine Resources Objectives 1. To manage coastal marine resources in keeping with the Islands Trust preserve and protect mandate; 2. To preserve and protect unique, rare, or representative marine plant and animal communities in their natural habitats; 6.2 Marine Resources Background: Marine shorelands and foreshore are highly vulnerable to the effects of development. Gabriola Passage, located off the southern tip of Gabriola, is one marine location in the planning area which is deemed to be of exceptional importance and sensitivity. Consequently, it has been proposed for designation as a federal or provincial protection area.

	7.5 Liquid Waste Management Since groundwater from wells is the principle source of drinking water the safe disposal of all effluent is essential. Equally important is the need to prevent sewage seepage into the Island's marine or surface waters. Liquid Waste Management Objectives 1. To ensure that the disposal of sewage does not lead to health hazards through pollution of the groundwater or the marine waters within the Gabriola Planning Area. Liquid Waste Management Policies b) Sewage outfalls into the marine waters of the planning area shall not be permitted unless it may be demonstrated that the resulting effluent has received a tertiary level of treatment to ensure it will not harm the marine environment and the system is adequately maintained in proper working order. In particular, this policy and section 6.2 above regarding Gabriola Passage is relevant to this proposal. For information: Types of Sewage Systems The Sewerage System Regulation lists three types of sewage systems approved for the disposal of wastewater (domestic waste): Type 1: Treatment by a septic tank and dispersal field only. Type 2: Treatment that produces an effluent consistently containing less than 45 mg/L of total suspended solids and having a five-day biochemical oxygen demand of less than 45 mg/L. Type 3: Treatment that produces an effluent consistently containing less than 10 mg/L of total suspended solids and having a five-day biochemical oxygen demand of less than 10 mg/L. A median fecal coliform density of less than 400 Colony Forming Units per 100 mL. Source: Province of BC - https://www2.gov.bc.ca/gov/content/environment/waste-management/sewage/onsite-sewage-systems/onsite-sewage-system-management Liquid Waste Management Advocacy Policies c) The Ministry of Health and Ministry of the Environment shall be encouraged to consider alternative methods of sewage disposal and the beneficial reuse of treated domestic waste water e) All existing septic disposal systems in the planning area should be maintained in proper working order so as to prevent pollution of the fresh, marine and ground waters.
Gabriola Island Land Use Bylaw No. 177, 1999	Current zoning is Small Rural Residential (SRR). Relevant regulations: B.2.1 Special Setbacks and Elevations b. A septic sewage disposal field must be sited a minimum of 30 metres (98.4 feet) from the natural boundary of the sea, lake, stream or wetland. D.1.1.1.a. Permitted Principal Uses i. single family residential

	D.1.1.2 Buildings and Structures a. Permitted Buildings and Structures i. Maximum of: • one single family dwelling per lot; D.1.1.3 Regulations a. Buildings and Structures Siting Requirements i On <i>lots</i> less than 1.0 hectares (2.47 acres), except for a sign, <i>fence</i>, or <i>pump/utility house</i>, the minimum <i>setback</i> of <i>buildings</i> or <i>structures</i> is: • 6.0 metres (19.7 feet) from the <i>front lot line</i>; • 4.5 metres (14.8) from any <i>exterior side lot line</i>; and • 1.5 metres (4.9 feet) from any <i>interior lot line</i>.
BC Sewerage System Regulation, 2010	Setback from wells [This section of the Regulation deals with separation of drinking water wells and septic systems.] 3.1 (1) In this section: "professional" means a professional competent in the area of hydrogeology; "well" means a well used to supply a domestic water system. (2) Subject to subsections (3) and (4) (b), a person must not construct (a) a holding tank less than 15 metres from a well, or (b) a sewerage system less than 30 metres from a well. Offences [This section of the Regulation deals with offences and recourse should a person not comply with operation and maintenance in accordance with the ROWP system design.] 12 A person commits an offence if the person does any of the following: (a) knowingly makes a false or misleading statement (i) in the information submitted or filed under section 4 [permit for holding tank] or 8 [filing], (ii) in providing the information required under section 9 [letter of certification], or (iii) during an inspection for the purposes of this regulation; (b) constructs or maintains a sewerage system without proper qualifications, as set out in section 6 [restriction on construction and maintenance], (c) constructs a holding tank or sewerage system, or fails to repair or maintain a holding tank or sewerage system, in a manner that causes a health hazard; (d) fails to comply with (i) a requirement to file any of the matters described in section 8, (ii) a requirement to provide information or a letter of certification under section 9, or (iii) an order under section 11 of this regulation or section 31 (1) (b) of the Act, made in relation to a holding tank or sewerage system; (e) operates

	(i) a holding tank for which no permit has been issued under section 4, or (ii) a sewerage system for which no letter of certification has been filed under section 9; (f) contravenes either of sections 3 (1) [discharge of domestic sewage] or 10 (1) [maintenance of sewerage system].
Covenants	Currently none recorded
Bylaw Enforcement	Currently none recorded

SITE INFLUENCES

Islands Trust Fund	No referral to the Islands Trust Fund is required.
Islands Trust Regional Conservation Plan (2018-2027)	The proposal is not contrary to or at variance with the ITF RCP. Conservation of the Gabriola LTA is a high priority within the context of the RCP.
Species at Risk	None currently mapped on the subject parcel.
Sensitive Ecosystems	Portion of the property is within a sensitive ecosystem (wetland). More info regarding conservation of sensitive wetland ecosystems can be found on the Islands Trust Fund website here: http://www.islandstrustfund.bc.ca/initiatives/mapping-our-ecosystems/types-of-sensitive-ecosystems
Hazard Areas	None mapped on the subject property.
Archaeological Sites	Known archaeological site mapped on this property (Archaeological Site ID: DgRw-3) however, the area pertaining to this variance appears to be outside the mapped location. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that if archaeological material is encountered during any future development, all work should cease and Archaeology Branch should be contacted immediately, as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	No potential impacts anticipated.
Shoreline Classification	Boulder/Cobble Beach
Shoreline Data in TAPIS	Marine and foreshore of Degnen Bay is an environmentally sensitive and important area: GABRIOLA PASSAGE - Rock Fish Conservation Area.

**Attachment 2 - Septic Filing and System Design****SEWERAGE SYSTEM***"Loss"*

Filing # (OFFICE USE ONLY)

NA17/144

1. Property Information☐ New Construction☐ Alteration☒ Repair☐ Amendment - Original Filing #

Tax Assessment Roll #

04-768-13755.720

PID #

004-739-345

Legal Description (Plan Lot District Lot Block Numbers)

Lot 9 Plan VIP13249 Section 1 Land District 32 GABRIOLA ISLAND

Street (Civic) Address or General Location

1850 MAPLE LANE

City

GABRIOLA ISLAND

2. Owner Information

Name of Legal Owner

MICHAEL UPWARD

Mailing Address

Phone

City

Prov

Postal Code

BC

V7W 1E8

3. Authorized Person Information

Name of Authorized Person

JULIAN WRIGHT

Mailing Address

1154 SMITHERS RD

Phone

250-240-4824

City

PARKSVILLE

Prov

Postal Code

BC

V9P 2C1

Registration #

OW0734

Email

julian@wwoww.ca

4. Structure Information

Sewerage System Will Serve:

☒ Single Family Dwelling☐ Other Structure (specify)☐ Other Dwelling (specify)

The sewerage system is designed for an estimated minimum daily domestic sewage flow of (check one)

☒ Less than or equal to 9,100 litres☐ More than 9,100 litres but less than 22,700 litres**5. Site Information**

Depth of native soil to seasonal high water table or restrictive layer (cm)

61

Information respecting the type, depth and porosity of the soil is attached ☒ Yes ☐ No

GPS Location of System (decimal degrees): Latitude 49.137687

Longitude -123.713341

Horizontal Accuracy (m) 3

☐ Recreational GPS ☒ Differential GPS**6. Drinking Water Protection**Will the sewerage system be located less than 30 m from a well? ☐ Yes ☒ No

If yes, attach a professional's report and specify the intended distance (m)

Distance of proposed sewerage system to the closest body of surface water >15 (OCEAN) (m)

7. System InformationSewerage treatment method ☐ Type 1 ☒ Type 2 ☐ Type 3**8. Legal or Regulatory Considerations**☒ Construction of the proposed sewerage system will not conflict with legal instruments registered on the property.Is this filing submitted as the result of an order from the Health Authority? ☐ Yes (attach a copy of the order) ☒ No**9. Plot Plan and Specifications**Plot Plan (to scale) and specifications are attached ☒ Yes ☐ No☒ The plans and specifications are consistent with Standard PracticeSource of Standard Practice: ☒ Ministry of Health Standard Practice Manual ☐ Other**10. Authorized Person's Signature**

Signature

Date

OFFICE USE ONLY

Filing Accepted Date

Dec 4 / 17 NB

Receipt Number

222660



SEPTIC SYSTEMS
EXCAVATION
DRAINAGE

WRIGHTWAY ONSITE WASTEWATER LTD
1154 SMITHERS RD, PARKSVILLE BC V9P 2C1

ASTTBC # OW0734, WCOVMA # 2468
4480

GST:824277727RT0001

Email: julian@wwoww.ca
PH: 1 250 240 4824 FAX:1 250 586

VIHA initial filing for construction of sewerage system
Site investigation report, record of design and specs

Date: 10/11/2017

Legal description: Lot 9 Plan VIP13249 Section 1 Land District 32 GABRIOLA ISLAND

Address: 1850 Maple Lane, Gabriola Island. BC

GPS location: Lat 49.137687 Long -123.713341 (dispersal field)

Property owner: Michael Upward, [REDACTED] BC V7W 1E8

System Summary:

Replacement onsite wastewater system for a 3 bedroom house, DDF1300l/day

- Type 2 effluent
- 4540 litre single chamber tank plus waterloo l-10 treatment system in an infiltrator 4012 litre polypropylene tank with MYERS 10MD 115v 1/2hp turbine effluent pump in pump compartment. Waterloo PC-5 media dose tank between septic tank and treatment tank
- Timed micro dosing, 24 doses a day by Sje rhombus EZ control panel, transducer, with alarm and data logging
- Pressure distribution using SSD (sub surface distribution drip system by geoflow), 5% slope, field area 42.9sqm, 11.00m x 3.90m
- 7 looped laterals

Site information:

Lot size: 0.255 hectare

Potable water source: drilled well

Buildings: 253sqm

Vegetation: grass at proposed dispersal field

Topography: <5% slope at dispersal field

Setbacks: all setbacks meet SPM V3 guidelines, no breakout points

Note: This is a repair of an existing system

Site/soil evaluation:

Refer to site plan, drawing #1 for test pit locations. Tests conducted 7th August 2017

Test pit 1: vegetation grass

Horizon A

0-20cm, sandy loam, brown, 10% fragments, structure GR-FR, roots fine to coarse - abundant, mottles 0, dry, seepage 0

Horizon B

20-43cm, fine sandy loam, brown, 10% fragments, structure SGR-loose, roots fine to coarse – abundant, mottles 0, dry, seepage 0

Horizon C

43-81cm, sandy loam, light brown, 25% fragments, structure SGR-loose, roots fine to coarse – many to 71cm, mottles @70, dry, seepage 0

81cm bottom of pit

Restrictive layer SHWT

SHWT @ 70cm,

Usable soil depth/ VS in native soils = 70cm

Test pit 2: vegetation grass

Horizon A

0-18cm, sandy loam, brown, 10% fragments, structure GR-FR, roots fine to medium - abundant, mottles 0, dry, seepage 0

Horizon B

18-37cm, fine sandy loam, reddish brown, 30% fragments, structure SGR-loose, roots fine to coarse – abundant, mottles 0, dry, seepage 0

Horizon C

37-97cm, sandy loam, light brown, 30% fragments, structure SGR-loose, roots fine to coarse – many to 63cm, mottles @61, dry, seepage 0

97-100, sand, light brown, 0 fragments, 0 roots, mottles abundant, dry, seepage 0

100cm bottom of pit

Restrictive layer SHWT

SHWT @ 61cm,

Usable soil depth/ VS in native soils = 61cm

Hydraulic conductivity (kfs) = 1584mm/day

Constraints and design rational:

Below grade seepage bed and sand mound unable to meet LLR in available area would be too long and encroach into proposed covered patio; LLR has been adjusted, sub surface dispersal drip system with type 2 treatment, 4" blinding layer of sand and 13% increase in AIS, SSD micro dosed at 24 doses/day used to mitigate ground water mounding and aid oxygen flux to entire field area. 10cm mound sand blinding layer used to increase VS and aid pathogen removal. No setback constraints all setbacks will meet or exceed all required standards in SPM 3 vol II table II-20. Dripline to be spaced at 0.3m and emitters spaced at 0.3m for best possible uniform distribution
Timed micro dosing is to be used, as there are only 7 laterals of 22m constant flushing is possible.

Design information and calculations:

Type 2 effluent, pressurized to at grade SSD system using Geoflow PC wasteflow dripline, 7 laterals atop layer of a mound sand blinding layer <10cm used to level bed and maintain >60cm VS.

Laterals and emitters to be spaced at 0.3m (1ft)

Basal interface sandy loam, dispersal field constructed on 5% slope, VS in native soil minimum 61cm, VS as constructed 60cm exceeds minimum required of 45cm as per SPM V3 Vol II table II-18

DDF 1300lpd, 3bedroom house

HLR sandy loam kfs 1584 type 2 = 50L/sqm/day, for SSD x by factor of 0.7 for type 2 effluent= 35, SPM V3 III-5.2.2.3

LLR 75l/d/m, unachievable, 11.00m used see rational above.

AIS *minimum* for native soil: DDF/basal HLR = 1300/35 = 37.2sqm *actual AIS 42.9sqm*

Minimum drip line length required as per SPM V3 = 37.2/0.6 = 62m, *actual length 154m*

Minimum number of emitters as per SPM V3 = 62/0.6 = 103, *actual number emitters 504*

Septic tank size for DDF 1300L = 1300 x 3 = 3900L

Treatment tank size for waterloo I-10 = 4012L (includes pump chamber)

Tanks to be used 4540L 2 compartment concrete septic tank, waterloo I-10 treatment system

Bed length 11.00m

Bed width: line length/lateral length (*spaced at 0.30m*) 154/22 = 7 looped laterals spaced at 0.30m = 3.90m

Number of emitters = 504

Dosing to be timed, micro dosed. Emitter discharge rate of 0.53usgal/hr , SPM V3 III-6.11.3.1

Dose frequency = minimum required 10 per day. Geoflow recommend 24 doses per day

Dose volume = DDF/no. doses per day = 1300/24 = 54.2litres per dose. (*14.31usgallons*)

Dose frequency: 24hrs/24 = every 1hr minus the dose time

Pump run time per dose: 14.31/ (504x0.53/60) = 3min 13sec + field pressurization time of 30secs = *3min 43sec*
(override dose same at DDF peak flow = 14.31usgal dose frequency every 15min)

Equalization volume before override on = 871litres (= 67% DDF, SPM V3 vol III section III-6.12.2.1.(c))

Alarm reserve volume = 650litres = 50% DDF SPM V3 vol II table II - 46

See tank and pump chamber for transducer height settings

Recommending dosing velocity is 3ft/s, Minimum geoflow PC tubing flush velocity = 1ft/s = 0.741usgal/min/lateral

Pump flow required for dose and flush: 504 emitters x 0.53/60usgpm = 4.45usgpm + required flush usgpm as per geoflow spreadsheet 0.741 x 7 laterals = 5.19usgpm, *total dose flow required 9.64usgpm*

Pressure at beginning of dripfield, calculated 12.6psi use 20psi, 10psi minimum at return manifold

System total head requirement = 63

Pump Myers 10MD gives 17usgal at 63ft head

Dispersal field:

At grade SDD bed with <10cm mound sand blinding layer 11.00m x 3.90m

Supply force main and manifold to be CSA 25mm Sch 40 pvc pipe, return manifold and main to be CSA 20mm Sch 40 pvc pipe

1" MPT Geoflow Air/Vacuum valves to be placed on highest point of supply and return manifolds c/w 150mm round irrigation boxes

Geoflow PC wasteflow ½" dripline to be used, 7 laterals looped at distal end spacing 0.30m and emitters spaced at 0.30m
No. emitters per lateral 72

Dripline drains between doses, forcemain and return lines do not drain, freezing in winter not anticipated, check valve placed on force main above pump to prevent drain back to pump chamber.

Laterals to be looped so supply and return manifolds are in the same trench at proximal end of field, lockslip fittings (or compression adapters) glued into Sch 40 pvc fittings to be used with solid geoflow geoshield line out of trench to beginning of lateral, loops at distal end to use 2 x 90 deg lockslip fittings with solid ½" geoflow geoshield line between fittings (see drg#3)

Seepage bed construction specifications: see attached drawings for detail

- Lightly scarify basal infiltrative surface area 11.00m x 3.90m with excavator bucket teeth depth 5-10cm
- Place <10cm layer of C33 mound sand if required to level bed across contour, ensure good interface between native soil and sand, rake out sand
- Install manifold and return line in trench at proximal end with 2 x 45 deg gittings at end with air/vacuum valves installed vertically and cover with 150mm lawn boxes , install 7 laterals using pvc tees and lockslip fittings to connect dripline and solid lines, take care to ensure lines do not kink when backfilled
- Place 5cm of mound sand over dripline laterals and cover with 15cm of sandy topsoil extend cover soils a minimum of 60cm past edges of bed
- Rake soil ready for grass seed

Ensure C33 mound sand meets standards specified in SPM 3 vol II table II-25

Headworks: to be placed in 17x30x18" lawnbox**System to constantly flush**

Forcemain from pump to headworks to be CSA Sch 40 32mm pvc pipe

Ensure to fit CSA Sch 80 pvc unions at each end of all components for easy removal/servicing.

Install Geoflow biodisc 1.5F filter followed by PMR-30-HF pressure regulator followed by pressure gauge and a FM-DDS-100 digital flowmeter, forcemain to field to be CSA 25mm Sch 40 pvc pipe

Return line to have filter flush line tee'd in followed by a pressure gauge followed by a ball valve to enable setting of correct return line pressure.

Return line to be tee'd into 100mm pvc sewer inlet pipe of septic tank with an OP so return effluent can be seen/checked entering the pipe

Return line to be CSA Sch 40 20mm pvc pipe

Tank and pump chamber

Install new 4540 litre 2 compartment concrete septic tank from Dan's precast with with zabel A100 8x18 filter on the outlet side with handle brought up to within 15cm of tank lid.

Install 4012 litre 2 compartment I-10 waterloo treatment system, Install waterloo PC-5 treatment dose tank between septic and treatment tank with little giant pump and on/off float and high level alarm.

Ensure all access lids are above grade and slope surrounding soil away from lids to mitigate groundwater infiltration.

Install Myers 10MD pump in pump chamber of I-10

Connect building's sewer pipe outlet to septic tank and install cleanout at the abs to pvc junction.

Use CSA 4" sewer pipe between house sewer pipe and septic tank and between septic tank and pump chamber.

Ensure backfill between tanks is compacted paying particular attention under the pipes to prevent future settling and sagging. Preferred method under pipes is to backfill with pea gravel.

*Install pump as per SPM V3 with union, swing check valve and ball valve within 15cm of access lid. See dwg#4

Install a 1.25" check valve upside down between pump outlet and check valve in vertical position by first 90deg bend to prevent air slugs on pump start up.

Install transducer on a 1" float tree attached by "t" saddle to riser within 15cm of access lid for easy removal. Transducer to be located 1" off bottom of tank.

Tanks vent back through building plumbing vent stacks.

TIMER SETTINGS

PUMP ON	3min 43sec
PUMP OFF	56min 17sec
OVERIDE ON	3min 43sec
OVERIDE OFF	15min

TRANSDUCER SETTINGS

PUMP OFF	3"
PUMP ON	4"
ALARM ON	16"
OVERIDE ON	18"



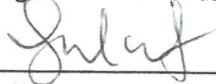
Control panel:

Control panel single phase, EZ series, simplex type 4x model 1S1W by Sje rhombus, comes with transducer. Install panel on the side of the house or on a pressure treated post in a visible and audible position, minimum 4ft above ground level. 3 separate 115v electrical circuits are required; 2x 15amp breaker for panel/alarm and high level alarm for PC-5 and 2 115v circuits with 20amp breakers for pump from house panel to control panel and pump in PC-5 dose chamber, all wiring etc be installed by a certified electrician. Ensure wires exiting tank are sealed thru riser and also sealed off from any junction boxes and the control panel so no sewer gas from tank comes into contact with any electrical connections. **Panel to be placed where it can be seen and heard in event of an alarm.**

Declaration:

The plans, calculations and specs herein are consistent with standard practice with regard to the SSR 2004 (amended 2010) and the SPM version 3, Sept 2014.

I have conducted a site investigation and evaluation and have exercised due diligence. I am an authorized person (AP) and registered ROWP as defined in the SSR.


Julian Wright ROWP



2965 BEVMARIL CRES

APPROXIMATE LOCATION OF EXISTING SEPTIC TANK

497.21

GARAGE

PROPOSED
HOUSE FOOTPRINT
INCLUDING
COVERED PATIOS

TOP OF BLUFF

435.05

1850

DRILLED WELL

19.00

1

2

32.43

OCEAN

481.16

MAPLE LANE

KEY:

□ TEST PIT LOCATION

● PERMEABILITY TEST LOCATION

1855

10.00 METRES



CLIENT: MICHAEL UPWARD	PROJECT: 1850 MAPLE LANE, GABRIOLA ISLAND		
	TITLE: SITE PLAN WITH TEST PIT LOCATIONS		
	DATE OF ISSUE: 10/11/2017	DRAWING No: 1	SCALE: 1:400



2965 BEVMARIL CRES

PC-5

4540 SEPTIC TANK

WATERLOO I-10

LAWN BOX WITH HEADWORKS

TOP OF BLUFF

SUPPLY AND FLUSH LINES

3.90

11.00

PROPOSED
HOUSE FOOTPRINT
INCLUDING
COVERED PATIOS

AIR/VACUUM VALVES

GARAGE

1850

DRILLED WELL



SLOPE

DISPERSAL AREA

MAPLE LANE

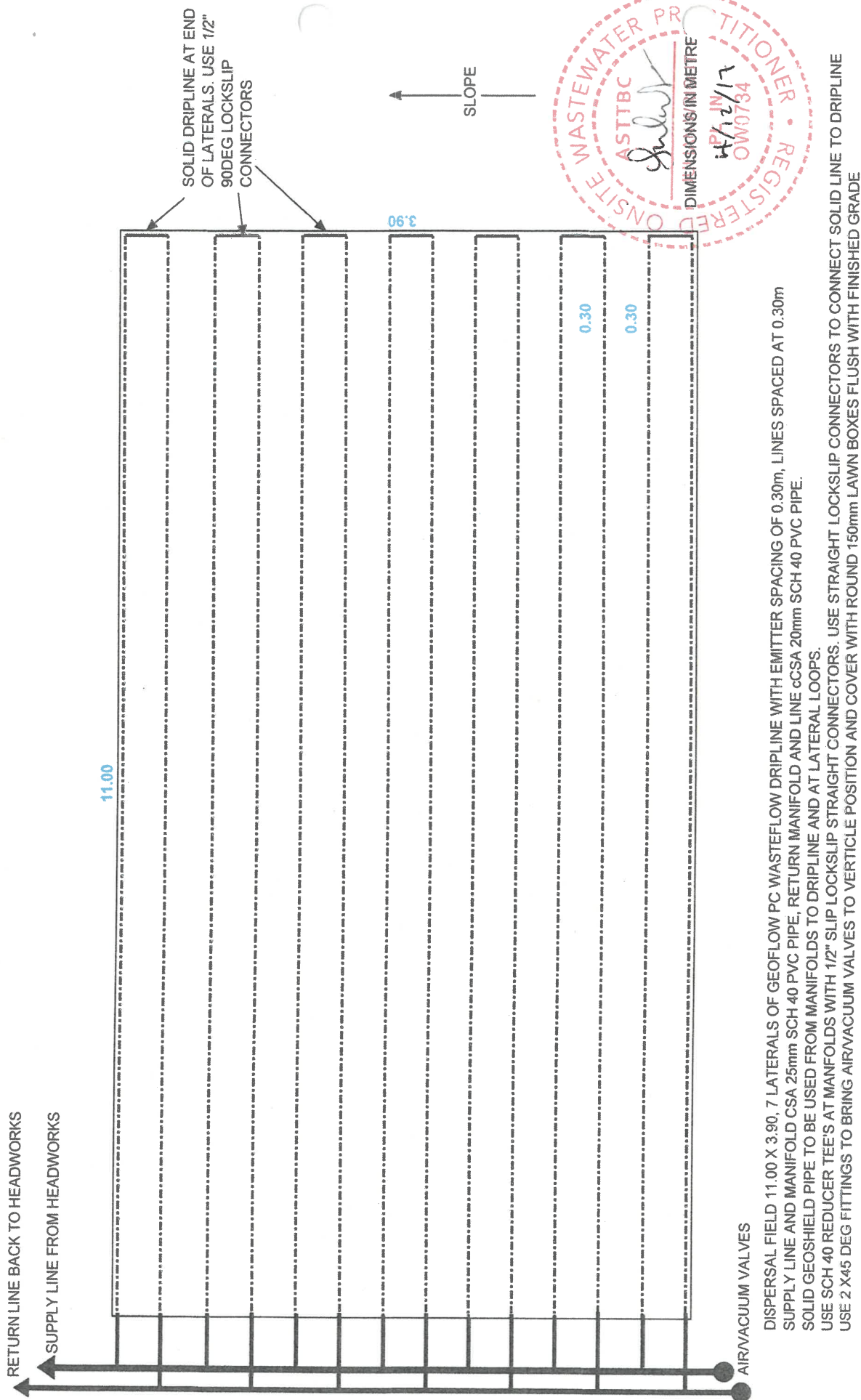
1855

OCEAN

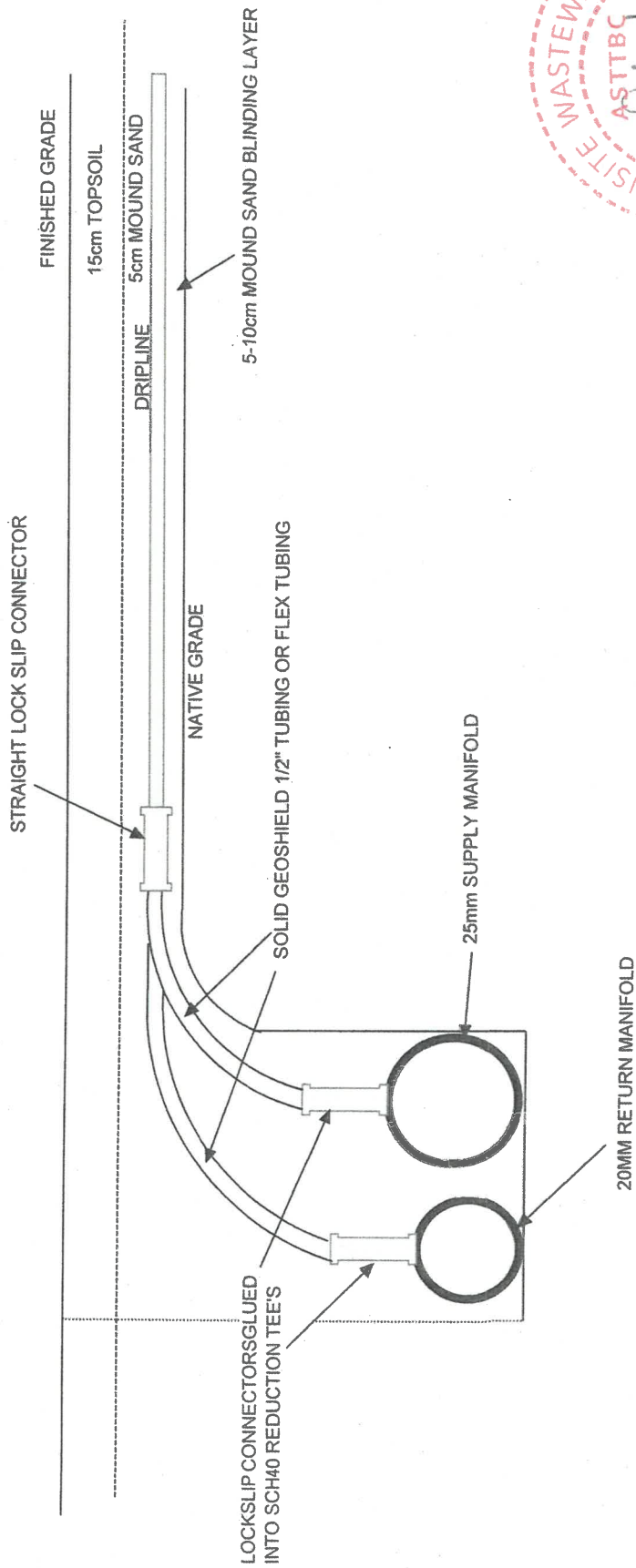
10.00 METRES



CLIENT: MICHAEL UPWARD	PROJECT:	1850 MAPLE LANE, GABRIOLA ISLAND		
	TITLE:	SITE PLAN		
	DATE OF ISSUE:	10/11/2017	DRAWING No:	2
				SCALE: 1:400

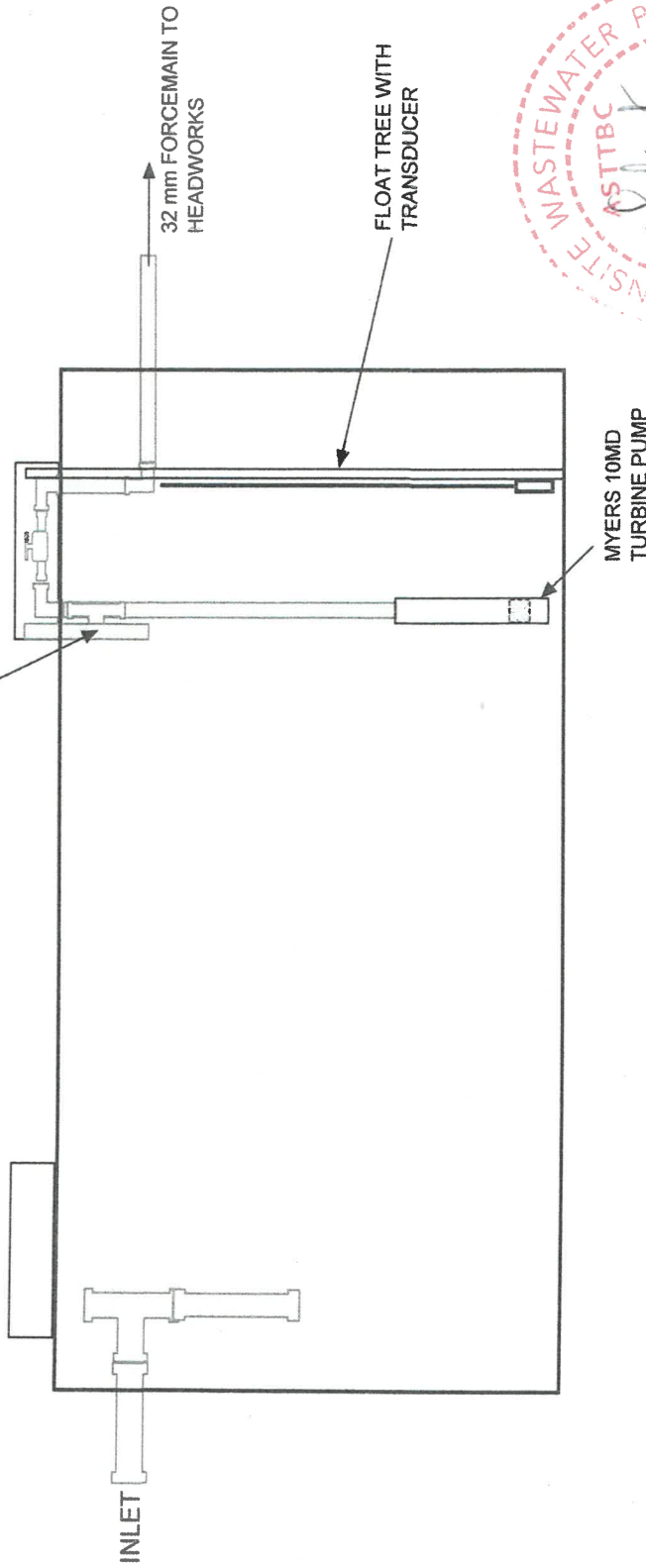


CLIENT:	PROJECT: 1850 MAPLE LANE, GABRIOLA ISLAND		
	1154 SMITHERS RD, PARKSVILLE, BC. V9P 2C1		
MICHAEL UPWARD	TITLE: DISPERSAL FIELD DETAIL		
	DATE OF ISSUE: 10/11/2017	DRAWING No: 3	SCALE: NTS



WRIGHTWAY ONSITE WASTEWATER LTD 1154 SMITHERS RD, PARKSVILLE, BC. V9P 2C1	PROJECT: 1850 MAPLE LANE, GABRIOLA ISLAND
CLIENT: MICHAEL UPWARD	TITLE: DISPERSAL FIELD DETAIL END VIEW
	DATE OF ISSUE: 10/11/2017 DRAWING No: 4 SCALE: NTS

PIPE SECURED TO RISER
WITH SADDLE AND UNION FOR DISCONNECT,
PUMP OUTLET PIPE TO BE GLUED TO SADDLE (SEE DWG #6)

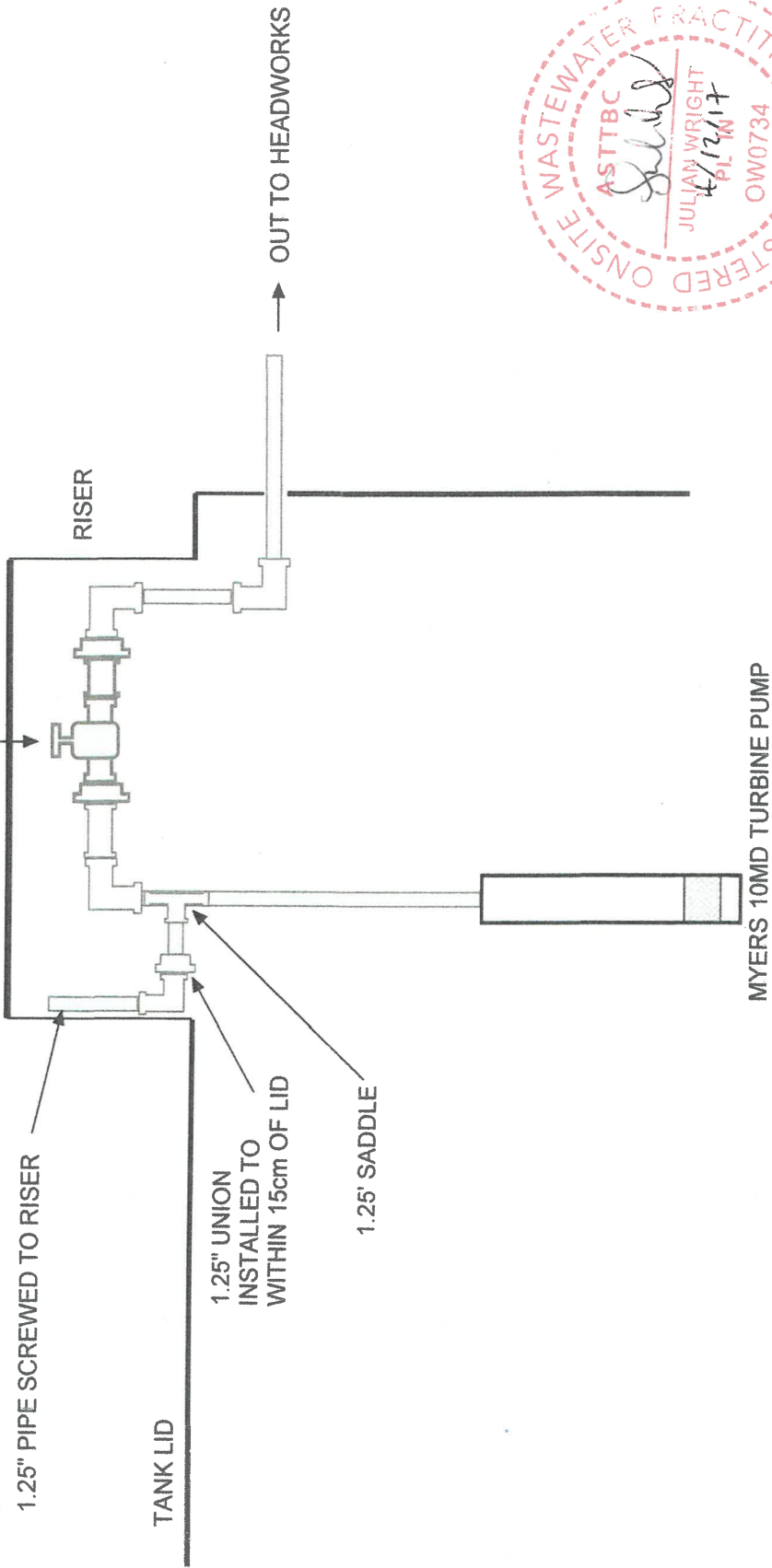


DAN'S PRECAST 2724 LITRE CONCRETE PUMP CHAMBER

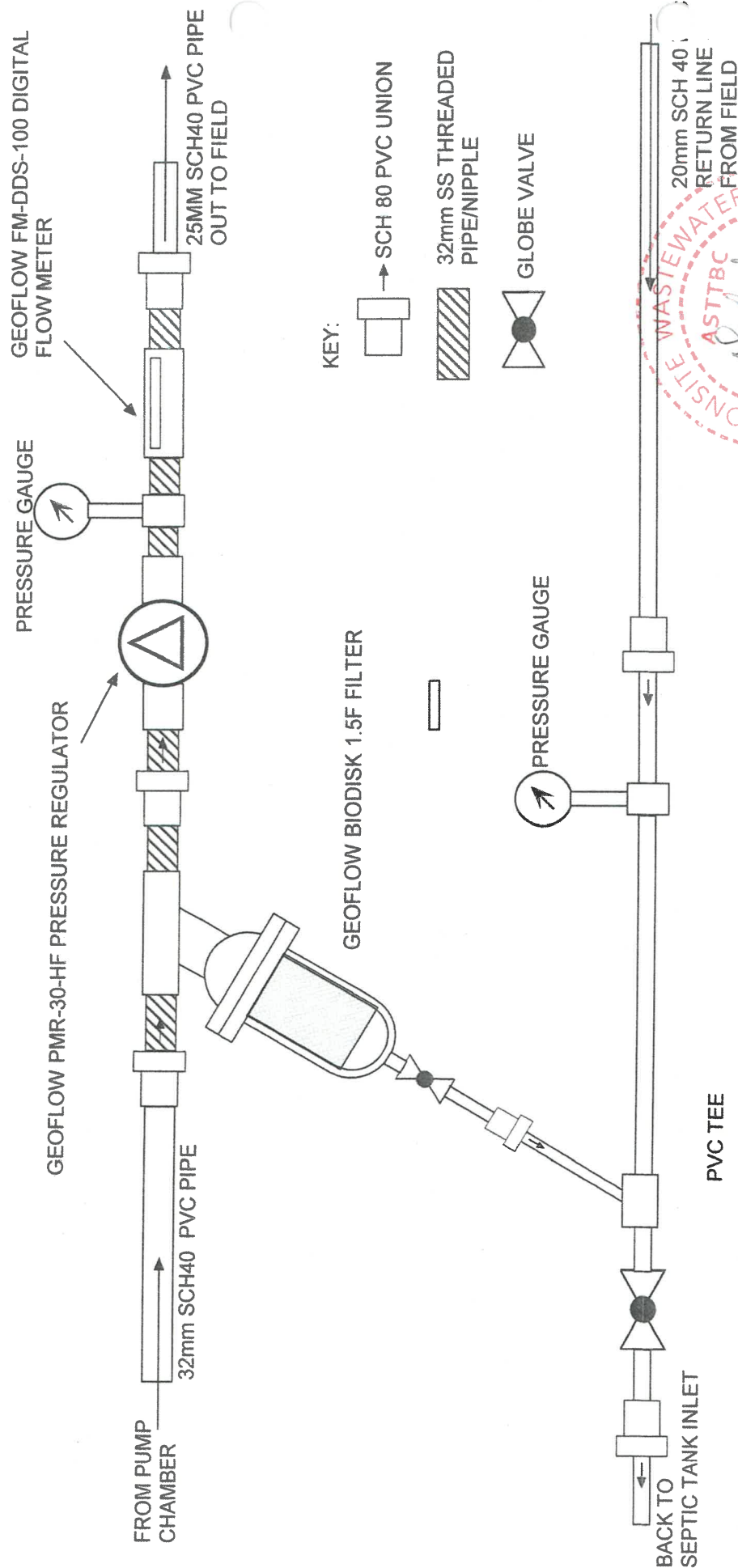


CLIENT: MICHAEL UPWARD	PROJECT: 1850 MAPLE LANE, GABRIOLA ISLAND
	TITLE: PUMP CHAMBER SET UP
	DATE OF ISSUE: 10/11/2017
	DRAWING No: 5
	SCALE: NTS

1.25" COMBINED SWING CHECK/BALL VALVE/ UNION



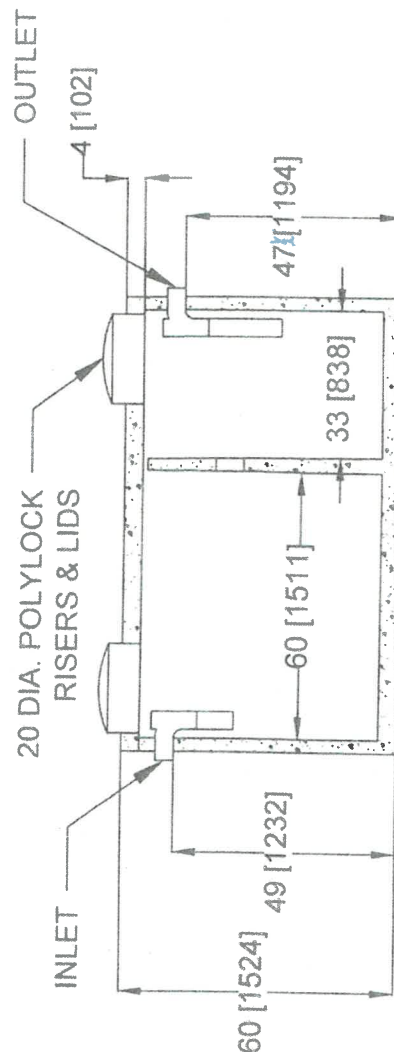
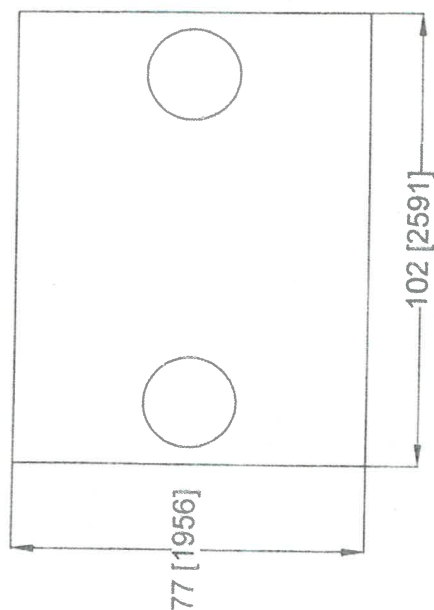
CLIENT: MICHAEL UPWARD	PROJECT: 1850 MAPLE LANE, GABRIOLA ISLAND
	TITLE: PUMP INSTALL DETAIL
	DATE OF ISSUE: 10/11/2016
	DRAWING No: 6
	SCALE: NTS



CLIENT: MICHAEL UPWARD	PROJECT: 1850 MAPLE LANE, GABRIOLA ISLAND TITLE: HEADWORKS
	DATE OF ISSUE: 10/11/2016
	DRAWING No: 7
	SCALE: NTS

1000 IMP. GAL. TANK (2 COMPARTMENT)

TOP VIEW



SIDE SECTION VIEW

UNITS IN INCHES [AND MM]

DAN'S
Pre-Cast
LTD.

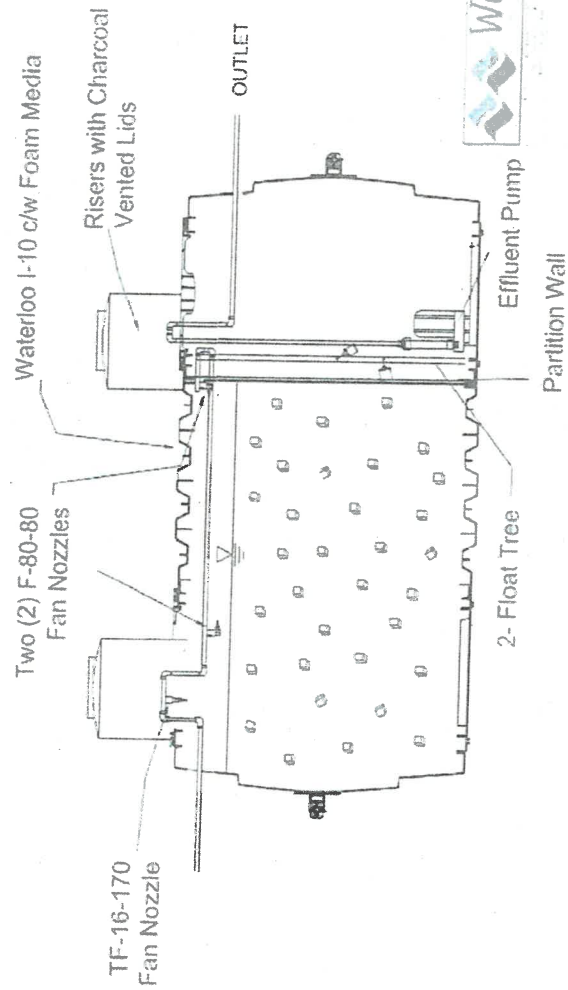
6100 SCOTT ROAD, DUNCAN
B.C., V9L 6Y8
TEL. (250) 746-7400
FAX (250) 746-3606

NOTES:

1. COMES WITH:
 - SEALED LIDS
 - POLYLOCK RISERS & LIDS
 - RUBBER INLET AND OUTLET CONNECTORS
 - FILTER ON OUTLET SIDE
2. LID DETAILS:
 - 4 INCHES THICK
 - REINFORCED WITH 15MM REBAR, AT 12 INCH SPACING
3. MAIN BODY:
 - ONE PIECE CONSTRUCTION
 - REINFORCED WITH 6INCH x 6INCH x 10 GAUGE WIRE

REV	DATE
1	AUG 26, 2010
SCALE 1:40	

Waterloo I-10 Treatment Unit



Waterloo I-10 Treatment Unit
 Pouch Polyethylene Design and Installation Guide



2965 BEVMARIL CRES

PC-5

4540 SEPTIC TANK

WATERLOO I-10

LAWN BOX WITH HEADWORKS

GARAGE

PROPOSED
HOUSE FOOTPRINT
INCLUDING
COVERED PATIOS

AIRVACUUM VALVES

DRILLED WELL

1850

TOP OF BLUFF

SUPPLY AND FLUSH LINES

OCEAN

11.00

0.6

SLOPE

DISPERSAL AREA

MAPLE LANE

1855

10.00 METRES



CLIENT: MICHAEL UPWARD	PROJECT:	1850 MAPLE LANE, GABRIOLA ISLAND		
	TITLE:	SITE PLAN		
	DATE OF ISSUE:	10/11/2017	DRAWING No:	2
			SCALE:	1:400

NOTICE

GB-DVP-2018.1 Upward (Hansen)
GABRIOLA ISLAND LOCAL TRUST COMMITTEE

NOTICE is hereby given that the Gabriola Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 498 of the *Local Government Act*, varying subsections of the Gabriola Island Land Use Bylaw No. 177, 1999, as follows:

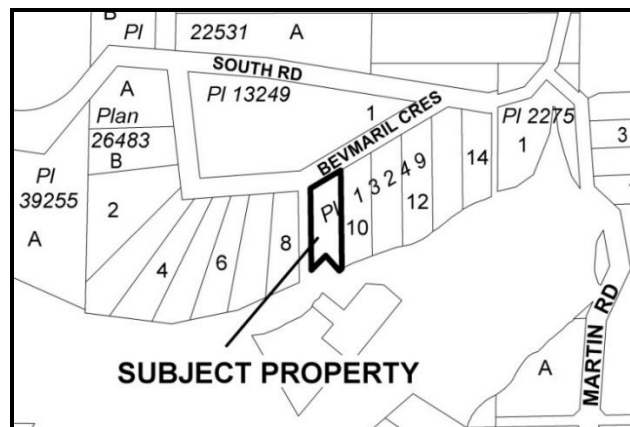
- A variance to Section B.2.1.1 (b) to reduce the minimum setback from the natural boundary of the sea from 30 meters to 22 meters to permit the siting of an approved Type 2 sewerage system at a minimum of 22 meters from the natural boundary of the sea.
- A variance to Section D.1.1.3.a.i to reduce the setback from the interior lot line for *buildings* and *structures* from 1.5 meters to 0.45 meters from the eastern lot line and 1.75 meters from the western lot line to permit the siting of an approved Type 2 sewerage system.

The subject property is legally described as:

PID: 004-739-345

LOT 9, SECTION 1, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 13249

The general location of the subject area is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3, between the hours of 8:30 am and 4:00 pm, Monday to Friday inclusive, excluding Statutory Holidays, commencing **February 15, 2019** and continuing up to and including **February 27, 2019**. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed Permit, please contact Ian Cox, Planner 1, at 250-247-2204; for Toll Free Access request a transfer via Enquiry BC, in Vancouver 604-660-2421 and elsewhere in BC at 1-800-663-7867. Written submissions should be sent to: **Mail:** Islands Trust, 700 North Road, Gabriola, BC V0R 1X3; **Fax:** 250-247-7514 or **Email:** icox@islandstrust.bc.ca

Following the end of the notice period, the Gabriola Island Local Trust Committee may consider issuance of the proposed Permit at its Regular Business Meeting to be held at **10:30 am, Thursday, February 28, 2019**, at the Gabriola Arts & Heritage Centre, 476 South Road, Gabriola Island, BC.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Becky McErlean
 Deputy Secretary

PROPOSED



GABRIOLA ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT NO. GB-DVP-2018.1

TO: Tammy Upward and Michael Upward

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

PID: 004-739-345

LOT 9, SECTION 1, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 13249

2. Pursuant to Section 498 of the *Local Government Act*, the *Gabriola Island Land Use Bylaw No. 177, 1999* is varied as follows:

a) **Part B – GENERAL REGULATIONS, Section B.2 – GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.1 – Special Setbacks and Elevations, Article B.2.1.1 – Setbacks and Elevations from Watercourses and the Sea, Clause b. – A septic sewage disposal field must be sited a minimum of 30 metres (98.4 feet) from the natural boundary of the sea, lake, stream or wetland, is varied:**

- To permit the siting of an approved Type 2 sewerage system at a minimum of 22 meters from the natural boundary of the sea.

b) **Part D – ZONES, SECTION D.1 RESIDENTIAL ZONES, SubSection D.1.1. – Small Rural Residential (SRR), Article D.1.13 Regulations, Clause a. - Buildings and Structures Siting Requirements, Item i – On lots less than 1.0 hectares (2.47 acres), except for a sign, fence, or pump/utility house, the minimum setback of buildings or structures is 6.0 metres (19.7 feet) from the front lot line; 4.5 metres (14.8) from any exterior side lot line; and 1.5 metres (4.9 feet) from any interior lot line, is varied**

- To permit the siting of an approved Type 2 sewerage system at a minimum of 0.45 meters from the eastern interior lot line and a minimum of 1.79 meters from the exterior side lot line.

Subject to the following conditions:

- The applicant shall provide a copy of the sewerage system design by a Registered Onsite Wastewater Practitioner and the subsequent Record of Sewerage System filing with Island Health for the described system.

The proposed development shall be consistent with Schedule “A”, which is attached to and forms part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Gabriola Island Land Use Bylaw No. 177, 1999 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

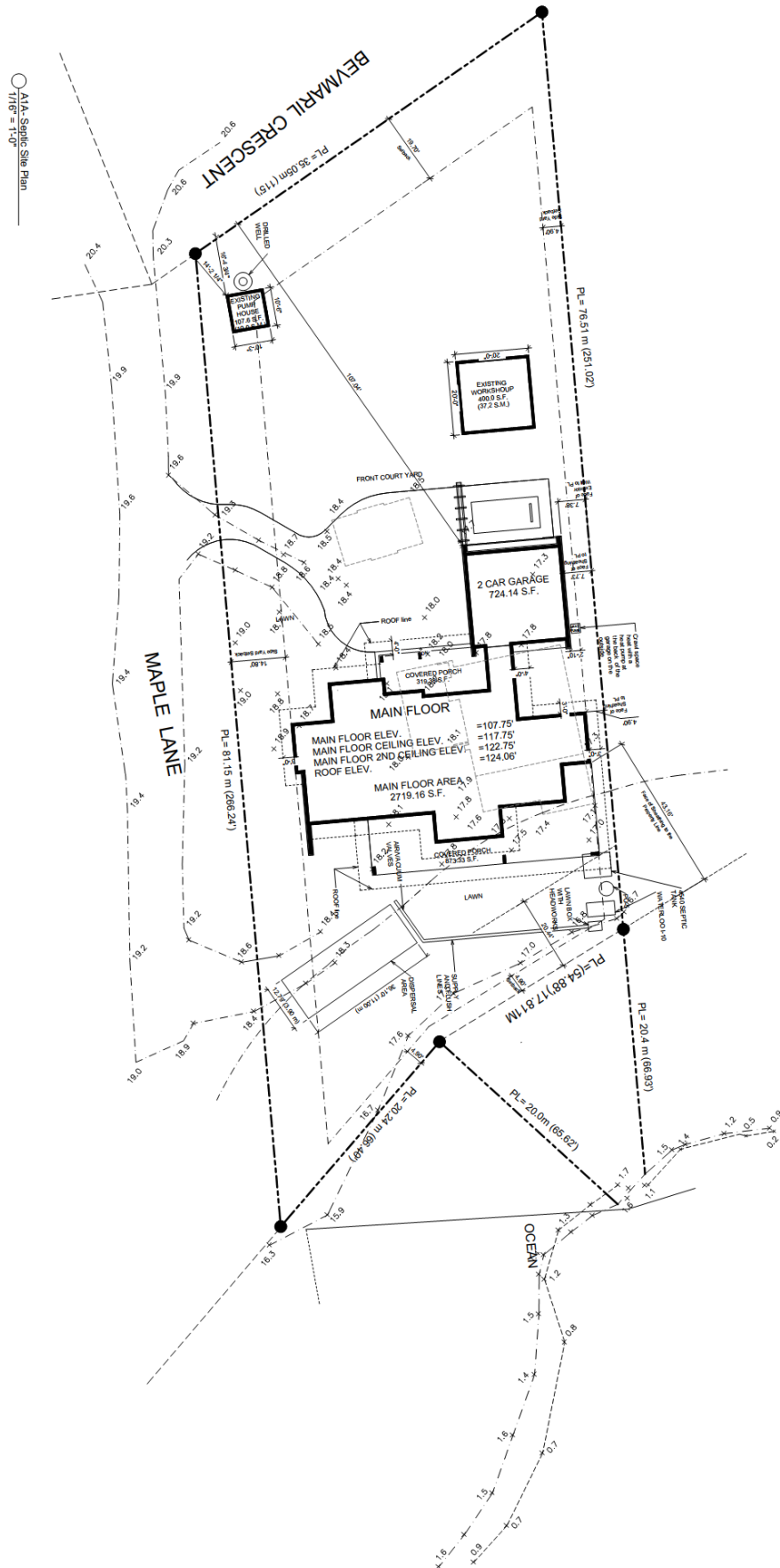
AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS _____ DAY OF _____, 2019.

Deputy Secretary, Islands Trust

Date of Issuance

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY
THE _____ DAY OF _____, 2021, THIS PERMIT AUTOMATICALLY LAPSES.**

Schedule "A" Site Plan





File No.: GB-DVP-2018.4 (Bowles)
X-REF GB-DP-2018.3

DATE OF MEETING: February 28, 2019
TO: Gabriola Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
SUBJECT: Development Variance Permit Application
Applicant: Anthony Bowles
Location: PID 003-432-394 (601 Wildwood Crescent, Gabriola)

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit GB-DVP-2018.4 (Bowles).

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider development variance permit (DVP) application GB-DVP-2018.4 (Bowles) to authorize the siting of a proposed sewage disposal system, which would not comply with [Gabriola Island Land Use Bylaw No. 177, 1999](#) (LUB) setback regulations. Staff recommend issuance of the permit as the applicant has provided professional verification that the proposed siting of the sewage disposal system would not adversely affect Castell Brook, which is designated as a *Riparian Areas Regulation* (RAR) stream. The proposed development is also within [Development Permit Area No. 3 – Riparian Areas](#) and the applicant is applying for a development permit (DP) concurrently, addressed in a separate report.

BACKGROUND

The applicant wishes to develop the vacant subject property with a single family residence, utility building and sewage disposal system (Attachment 2). Over half of the property is within Development Permit Area (DPA) No. 3 – Riparian Areas (DP-3)(see report GB-DP-2018.3 (Bowles)). A Type 2 sewage disposal system has been recommended by a qualified professional (Attachment 3). Due to site constraints on the property, a DVP is required to authorize construction of the system within the required 30 metre and 15 metre setbacks from the high water mark of an adjacent ditch and pond, which are tributaries of Castell Brook. A qualified environmental professional (QEP) has prepared a RAR Assessment report and verified that all proposed buildings and structures will be sited outside of the streamside protection and enhancement area (SPEA). The owner applied for a DVP in July 2018.

ANALYSIS

Policy/Regulatory:

The residential development on the subject property is consistent with the land use designation in [Gabriola Island Official Community Plan Bylaw No. 166](#) (OCP) (Attachment 1 – Site Context).

The siting of the proposed sewage disposal system (tanks and dispersal field) contravene setback and elevation provisions in sections B.2.1.1.a. and B.2.1.1.b. of the [Gabriola Island Land Use Bylaw No. 177](#) (LUB) (Attachment 1 – Site Context). As shown on the site plan (Figure 1) the proposed sewage disposal field and tanks are sited in proximity to the high water mark of the drainage ditch which is a tributary of Castell Brook, and a pond/wetland on the adjacent Lot 36.

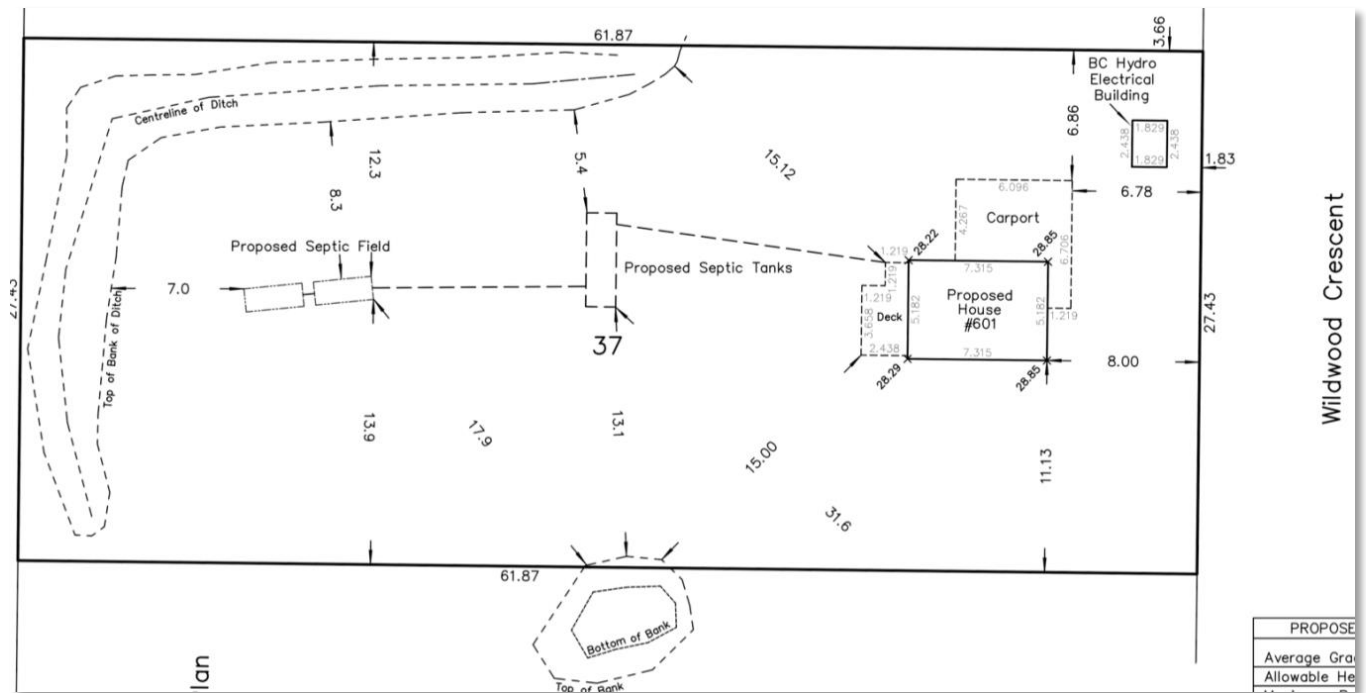


Figure 1 Proposed Site Plan

A QEP completed a RAR Assessment Report in June 2018 (see GB-DP-2018.3 (Bowles)) and delineated a 5 metre SPEA along the ditch and 10 metre SPEA around the pond on Lot 36. All proposed buildings and structures are to be located outside the SPEA. The QEP has not recommended restoration of the lawn within the SPEA, but has recommended silt fencing of the construction site at pre-, mid-term and post-construction site visits, and submission of a final report. Details of the RAR assessment and recommendations are in the staff report for application GB-DP-2018.3 (Bowles). Planning staff have prepared a draft DVP with no specific conditions pertaining to the SPEA as these are addressed in the concurrent DP application.

Issues and Opportunities:

Setbacks to Watercourses:

The applicant requires a variance to site the sewage disposal field within the 30 metre setback to the ditch and pond on Lot 36. The applicant also requires a variance to site the septic tanks below the 1.5 m elevation of the high water mark and within the 15 m setback to the ditch and pond. The draft DVP addresses both setbacks to the ditch and pond and elevation of the tanks (Attachment 2). The proposed siting of the sewage disposal system is greater than 30 metres from adjacent wells. An *Authorized Person* (qualified professional) under the *Sewerage System Regulation* has recommended the proposed dwelling be serviced with a Type 2 sewage disposal system (Attachment 3) in the location as presented. A Type 2 system is an advanced waste water treatment system suitable for environmentally sensitive areas and includes primary aerobic treatment and effluent being dispersed over bio-filters prior to release through the soil profile.

Consultation:

Notification of this DVP application (Attachment 2) was distributed to neighbouring property owners and tenants within 100 metres in accordance with statutory requirements. At the time of report writing there no submissions had been received; however any submissions received following report preparation will be presented at the LTC meeting on February 28, 2019. The owner indicated in his application that he had contacted adjacent property owners to advise them of his DVP and DP applications and development plans.

Rationale for Recommendation

An *Authorized Person* has confirmed that the placement of the septic disposal field and tanks in the proposed location complies with the *Sewerage System Regulation* and current Standards of Practice. A QEP has confirmed that all proposed buildings and structures will be sited outside of the SPEA. The subject property has limited development area as half of the property is situated within DP-3 and any proposed sewage system must be sited 30 metres from any well. Staff support the issuance of the DVP as presented in the staff recommendation on page 1 of the report.

ALTERNATIVES

1. Request for further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

Resolution: *"That the Gabriola Island Local Trust Committee request further information prior to making a decision on application GB-DVP-2018.4 including [specify information required]."*

2. Amend the permit

The LTC may amend the proposed permit prior to rendering a decision regarding issuance. If this option is chosen, the LTC should first pass a resolution to amend the permit and subsequently render a decision to issue or not a permit (with or without conditions). Note, consideration of further variances would require additional public notification prior to decision.

3. Deny the application

If the LTC chooses to deny the application (or any requested variances), it should state reasons.

Resolution: *"That the Gabriola Island Local Trust Committee deny application GB-DVP-2018.4 for the following reasons [note specific reasons]."*

NEXT STEPS

If the LTC concurs with the staff recommendations, the owner/applicant will be advised that, subject to the concurrent issuance of a Development Permit, development of the subject property must be in substantial compliance with the permit.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	February 16, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	February 20, 2019

ATTACHMENTS

1. Site Context
2. Draft Development Variance Permit and Notice
3. Sewerage Filing and Proposed System Specifications

ATTACHMENT 1 – SITE CONTEXT GB-DVP-2018.4 (BOWLES)

LOCATION

Legal Description	LOT 37, SECTION 12 AND 13, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN VIP21531
PID	003-432-394-
Civic Address	601 Wildwood Crescent, Gabriola Island
Lot Size	0.17 hectares (0.42 acres)

LAND USE

Current Land Use	Vacant Parcel
Surrounding Land Use	Residential

HISTORICAL ACTIVITY

File No.	Purpose
GB-BE-2015.13(<i>closed</i>)	Investigation into building/clearing adjacent to a stream.

POLICY/REGULATORY

Official Community Plan Designations	Land Use Designation: SRR – Small Rural Residential Development Permit Area 3 – DP-3 – Riparian Areas
Land Use Bylaw	Zone: Small Rural Residential (SRR) B.2.1.1.a Despite all other siting references in this Bylaw excepting B.2.1.4c, third party signs, fences, pump/utility houses, retaining walls, ground level decks, <i>structures</i> and <i>buildings</i> , excepting <i>boathouses</i> , must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the <i>natural boundary</i> of the sea and a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the <i>natural boundary</i> of any lake, stream or wetland. Where the <i>frontage</i> on the sea is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer, <i>buildings</i> and <i>structures</i> must be sited a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the <i>natural boundary</i> of the sea. B.2.1.1.b A septic sewage disposal field must be sited a minimum of 30 metres (98.4 feet) from the natural boundary of the sea, lake, stream or wetland.
Other Regulations	Public Health Act – Sewage System Regulation
Covenants	Restrictive Covenant 3951745 (1970) with Wildwood Estates restricting use of land to single family residential/home occupations
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Conservancy	The proposal does not directly affect an Islands Trust Conservancy Board (ITC) -owned property or conservation covenant, nor directly affects a property adjacent to an ITC-owned property or conservation covenant. Referral to ITC for comment is not required.
Regional Conservation Plan	Map 6 of the Regional Conservation Plan 2018-2027 estimated importance of habitat composition is LOW/MEDIUM.
Species at Risk	None mapped.
Sensitive Ecosystems	Riparian Area – Castel Brook Tributary 
Hazard Areas	None mapped.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) mapping does not indicate an archaeological site on the subject property, nor archaeological potential on the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Tree and vegetation planting and restoration is anticipated to mitigate greenhouse gas emissions associated with the residential development.
Groundwater Vulnerability	Islands Trust mapping indicates the subject property to be within a moderately low vulnerability area.
Shoreline Classification	n/a
Shoreline Data in TAPIS	n/a



NOTICE
GB-DVP-2018.4 (Bowles)
GABRIOLA ISLAND LOCAL TRUST COMMITTEE

NOTICE is hereby given that the Gabriola Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 498 of the *Local Government Act*, varying subsections of the Gabriola Island Land Use Bylaw No. 177, 1999, as follows:

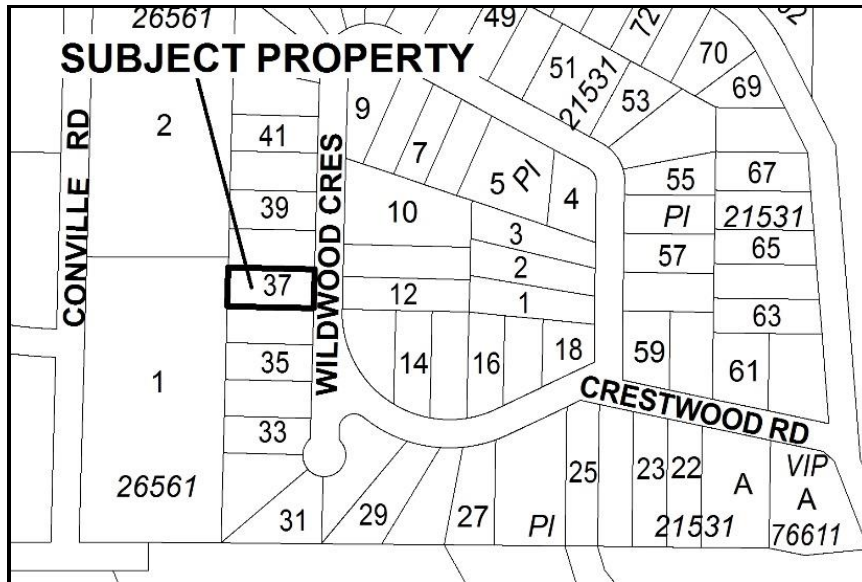
- **Part B – GENERAL REGULATIONS, Section B.2 – GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.1 – Special Setbacks and Elevations, Article B.2.1.1 – Setbacks and Elevations from Watercourses and the Sea, Clause B.2.1.1.a.** – “Despite all other siting references in this Bylaw excepting B.2.1.4c, third party signs, fences, pump/utility houses, retaining walls, ground level decks, structures and buildings, excepting boathouses, must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea and a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of any lake, stream, or wetland. Where the frontage on the sea is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer, buildings and structures must be sited a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea.”
 - Is varied in order to reduce the setback of the proposed septic tanks from the natural boundary of the stream, and wetland/pond from 15 metres to a minimum of **5.4 metres from the northern top of bank of the stream** and **13.1 metres from the wetland/pond on Lot 36**; and
 - Is varied in order to waive the required 1.5 metre elevation of the proposed septic tanks above the natural boundary of the stream and wetland/pond.
- **Part B – GENERAL REGULATIONS, Section B.2 – GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.1 – Special Setbacks and Elevations, Article B.2.1.1 – Setbacks and Elevations from Watercourses and the Sea, Clause B.2.1.1.b.** – “A septic sewage disposal field must be sited a minimum of 30 metres (98.4 feet) from the *natural boundary* of the sea, lake, stream or wetland.”
 - Is varied in order to reduce the setback of the proposed sewage disposal field from the natural boundary of the:
 - stream, from 30 metres to a minimum of **7.0 metres from the western top of bank**; and
 - stream, from 30 metres to a minimum of **8.3 metres from the northern top of bank**; and
 - wetland/pond on Lot 36, from 30 metres to a minimum of **17.9 metres from the top of bank**.

The subject property is legally described as:

PID: 003-432-394

LOT 37, SECTIONS 12 and 13, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 21531

The general location of the subject area is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3, between the hours of 8:30 am and 4:00 pm, Monday to Friday inclusive, excluding Statutory Holidays, commencing **February 15, 2019** and continuing up to and including **February 27, 2019**. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed Permit, please contact Sonja Zupanec, Island Planner, at 250-247-2211; for Toll Free Access request a transfer via Enquiry BC, in Vancouver 604-660-2421 and elsewhere in BC at 1-800-663-7867. Written submissions should be sent to: **Mail:** Islands Trust, 700 North Road, Gabriola, BC V0R 1X3; **Fax:** 250-247-7514 or **Email:** szupanec@islandstrust.bc.ca

Following the end of the notice period, the Gabriola Island Local Trust Committee may consider issuance of the proposed Permit at its Regular Business Meeting to be held at **10:30 am, February 28, 2019**, at the Gabriola Arts & Heritage Centre, 476 South Road, Gabriola Island, BC.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Becky McErlean
Deputy Secretary

PROPOSED



GABRIOLA ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT VARIANCE PERMIT - GB-DVP-2018.4 (BOWLES)

TO: Anthony J. Bowles

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

PID 003-432-394 Lot 37, Sections 12 and 13, Gabriola Island, Nanaimo District, Plan 21531

2. Pursuant to Section 498 of the *Local Government Act*, the *Gabriola Island Land Use Bylaw No. 177, 1999* is varied as follows:

- **Part B – GENERAL REGULATIONS, Section B.2 – GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.1 – Special Setbacks and Elevations, Article B.2.1.1 – Setbacks and Elevations from Watercourses and the Sea, Clause B.2.1.1.a.** – “Despite all other siting references in this Bylaw excepting B.2.1.4c, third party signs, fences, pump/utility houses, retaining walls, ground level decks, structures and buildings, excepting boathouses, must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea and a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of any lake, stream, or wetland. Where the frontage on the sea is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer, buildings and structures must be sited a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea.”
 - Is varied in order to reduce the setback of the proposed septic tanks from the natural boundary of the stream and wetland/pond from 15 metres to a minimum of **5.4 metres from the northern top of bank of the stream** and **13.1 metres from the wetland/pond on Lot 36**; and
 - Is varied in order to waive the required 1.5 metre elevation of the proposed septic tanks above the natural boundary of the stream and wetland/pond.
- **Part B – GENERAL REGULATIONS, Section B.2 – GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.1 – Special Setbacks and Elevations, Article B.2.1.1 – Setbacks and Elevations from Watercourses and the Sea, Clause B.2.1.1.b.** – “A septic sewage disposal field must be sited a minimum of 30 metres (98.4 feet) from the *natural boundary* of the sea, lake, stream or wetland.”
 - Is varied in order to reduce the setback of the proposed sewage disposal field from the natural boundary of the:
 - stream, from 30 metres to a minimum of **7.0 metres from the western top of bank**; and
 - stream, from 30 metres to a minimum of **8.3 metres from the northern top of bank**; and
 - wetland/pond on Lot 36, from 30 metres to a minimum of **17.9 metres from the top of bank**.

as shown in the attached site plan (Schedule “A”), which is attached to and forms part of this Permit.

3. All buildings and structures shall be consistent with Schedule “A” which is attached to and forms part of this Permit. 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 the Gabriola Island Land Use Bylaw No. 177, 1999 including use and density, and to obtain other appropriate approvals necessary for completion of the development.

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF _____, 2019

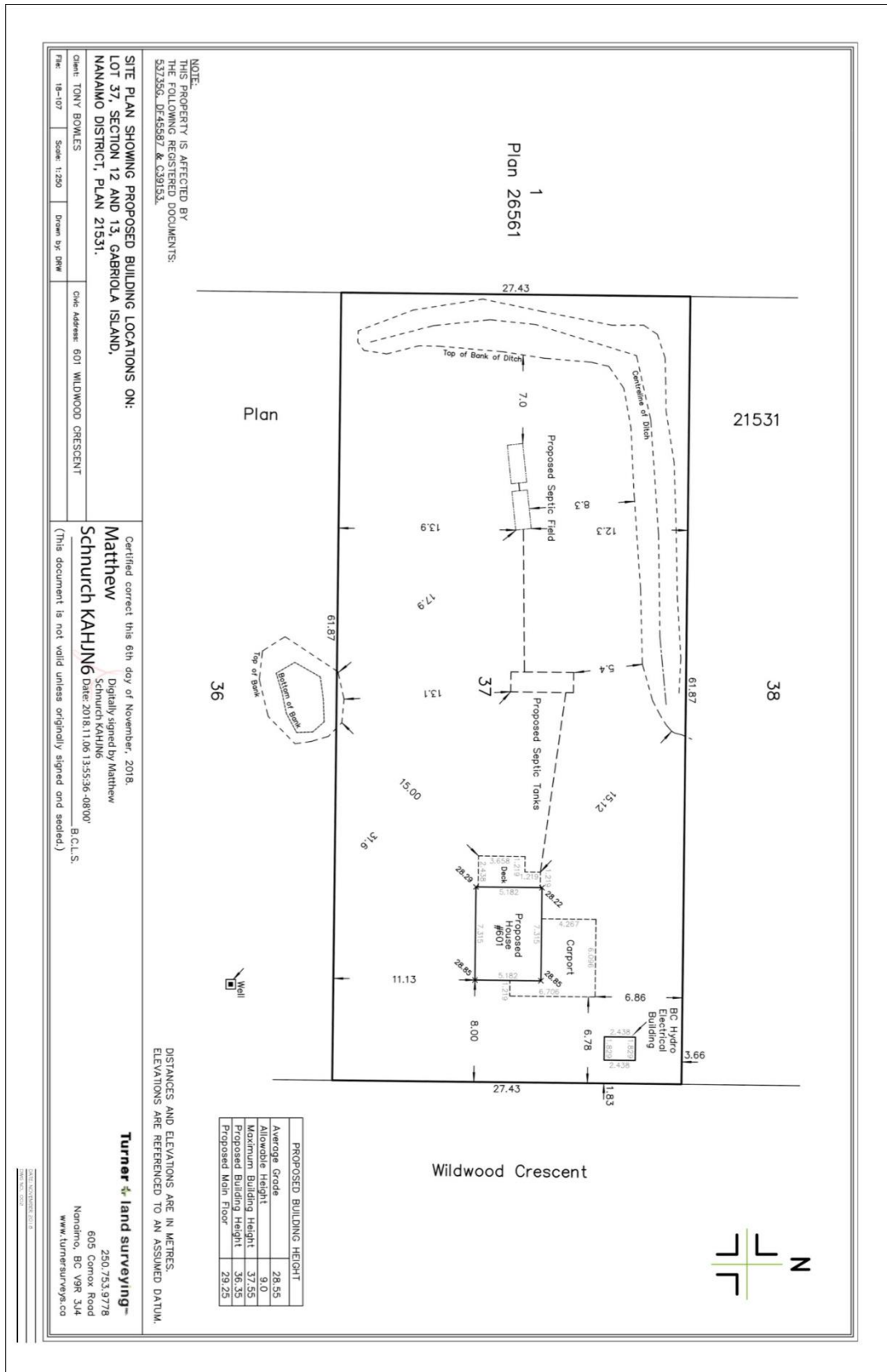
Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____, 2021, THIS PERMIT AUTOMATICALLY LAPSES.

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
GB-DVP-2018.4 (Bowles)**

Schedule "A" - Site Plan





RECORD OF SEWERAGE SYSTEM

		Filing # (OFFICE USE ONLY) NA18/057	
1. Property Information	☒ New Construction ☐ Alteration ☐ Repair ☐ Amendment – Original Filing #		
	Tax Assessment Roll # 04-768-13876.180		PID # 003 432 394
	Legal Description (Plan, Lot, District Lot, Block Numbers) LOT 37 PLAN VIP21531 SECTION 12 & 13 NANAIMO LAND DIST GABRIOLA		
2. Owner Information	Name of Legal Owner TONY BOWLES		Mailing Address N/A c/o Darryl
	Phone N/A	City N/A	Prov N/A Postal Code N/A
	Name of Authorized Person DARRYL SAAM		
3. Authorized Person Information	Mailing Address 2551 QUENNELL RD		
	Phone 250-713-0481	City NANAIMO	Prov BC Postal Code V9X2K8
	Registration # OW0863	Email darryl.discovery@shaw.ca	
4. Structure Information	Sewerage System Will Serve: ☒ Single Family Dwelling ☐ Other Structure (specify) ☐ Other Dwelling (specify)		
	The sewerage system is designed for an estimated minimum daily domestic sewage flow of (check one) ☒ Less than or equal to 9,100 litres ☐ More than 9,100 litres but less than 22,700 litres		
5. Site Information	Depth of native soil to seasonal high water table or restrictive layer (cm) 99 cm		Information respecting the type, depth and porosity of the soil is attached ☒ Yes ☐ No
	GPS Location of System (decimal degrees) Latitude 49-09'53.90"N Longitude 123-50' 35.83"W		
	Horizontal Accuracy (m) 70 ☒ Recreational GPS ☐ Differential GPS		
6. Drinking Water Protection	Will the sewerage system be located less than 30 m from a well? ☐ Yes ☒ No		
	If yes, attach a professional's report and specify the intended distance (m) Distance of proposed sewerage system to the closest body of surface water 30+ M (m)		
7. System Information	Sewerage treatment method ☐ Type 1 ☒ Type 2 ☐ Type 3		
8. Legal or Regulatory Considerations	Construction of the proposed sewerage system will not conflict with legal instruments registered on the property. ☒ Yes ☐ No		Is this filing submitted as the result of an order from the Health Authority? ☐ Yes (attach a copy of the order) ☒ No
	Plot Plan (to scale) and specifications are attached ☒ Yes ☐ No		
9. Plot Plan and Specifications	The plans and specifications are consistent with Standard Practice Source of Standard Practice: ☐ Ministry of Health Standard Practice Manual ☐ Other		
	Signature		
10. Authorized Person's Signature	Date APRIL 28 2018		OFFICE USE ONLY Filing Accepted Date May 2/18 Receipt Number 230537



**DRAIN
DOCTOR**
Septic Services
#3 - 5144 Metrol Drive
Nanaimo, B.C.
250-585-4443
www.draindoctors.ca

Design Date: 4/28/18

Proposed Installation Date: 6/04/18

Designed/Installed by: Darryl Saam, P.L.I.N. ROWP 0863

1

PROPERTY INFORMATION

Property address: 601 WILDWOOD

Legal Description: LOT 37, PLAN VIP21531 SECTION 12& 13, NANAIMO LAND DISTRICT GABRIOLA

PID# 003-432-394

Roll# : 04-768-13876.180

2

CLIENT & HOUSEHOLD INFORMATION

Client Names: Tony Bowles

Telephone: N/A Email: [REDACTED]

No. Bedrooms: 3

No. Residents: 3

☐ Other Buildings Connected to system

☐ Garbage Disposal

☒ Dishwasher

☐ High Efficiency Furnace

☐ Water Softener

☐ Jacuzzi/Hot Tub

**Furnace and water softeners should not be plumbed into the septic system*

3

SETBACKS/ELEVATIONS

SETBACKS

Tank setback to property line 10.5 M

Tank setback to nearest building 2 M

Tank setback to nearest well 30+ M

Drainfield setback to public water N/A

GPS COORDINATES: ^{49°09'53.70"N -123°50'35.83"W}

Drainfield setback to property line 12.5 M

Drainfield setback to building 14.7 M

Drainfield setback to nearest well 30+ M

Tank setback to public water N/A

4

SOIL DATA

Design texture: NATIVE SOIL/SAND

Depth of restricting layer: 99 cm

Elevation of restricting layer: N/A

Soil verification performed: Yes

Coarse Fragment: Less than 5%

Glazing Depth: N/A

HLR: 45 lpd/m

Soil Linear Loading Rate: 45 pd/m²

Elevation at surface: 69 m

Elevation of bottom of dispersal media: N/A

Soil Structure: BLOCKY/LIGHT BRWN TO 90 cm

Soil Type: LOAM/SILT

Perk Test Results: AVGE : 11 MIN

5



**DRAIN
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☒ Dishwasher

☐ High Efficiency Furnace

☐ Water Softener

☐ Jacuzzi/Hot Tub

**Furnace and water softeners should not be plumbed into the septic system*

3

SETBACKS/ELEVATIONS

SETBACKS

Tank setback to property line 10.5 M

Tank setback to nearest building 2 M

Tank setback to nearest well 30+ M

Drainfield setback to public water N/A

GPS COORDINATES: Click or tap here to enter text.

Drainfield setback to property line 12.5 M

Drainfield setback to building 14.7 M

Drainfield setback to nearest well 30+ M

Tank setback to public water N/A

4

SOIL DATA

Design texture: NATIVE SOIL/SAND

Depth of restricting layer: 99 cm

Elevation of restricting layer: N/A

Soil verification performed: Yes

Coarse Fragment: Less than 5%

Glazing Depth: N/A

HLR: 45 lpd/m

Soil Linear Loading Rate: 45 pd/m²

Elevation at surface: 69 m

Elevation of bottom of dispersal media: N/A

Soil Structure: BLOCKY/LIGHT BRWN TO 90 cm

Soil Type: LOAM/SILT

Perk Test Results: AVGE : 11 MIN

5

SYSTEM TYPE

System Condition: Excellent

System Type: Flat Bed Biofilter

Type of Distribution Media: FOAM/SAND

Type of Distribution: FLATBEDS

Type of Soil Treatment and Dispersal Area: 6 M sq, BASIL AREA 79cm NATIVE SOIL 30cm SAND

Existing System Abandoned: No

Method of Abandonment: None

6

DESIGN FLOW AND TANKS

Number of Septic Tanks: 1

Total volume of septic tanks: 5727 Litres

Number of Lift Tanks: 1

Total volume of lift tanks: 300 Litres

Effluent Screen and Alarm: Screen & Alarm

#of compartments in septic tank: 3

Pump size: N/A

Cover over tank: 1 meters

Pump manufacture: N/A

Insulation on: N/A

Pump alarm: HIGH WATER ALARM

Schedule 40: N/A

Water or Elapsed Time Meter: N/A

Number: N/A

Event Counter: N/A

Number: N/A

Head Loss: N/A

Air test required: No



7

SYSTEM DESIGN TYPE N/A

➤ TRENCH DESIGN SUMMARY (LEAVE BLANK IF NOT TRENCH DESIGN)

Number of trenches: Choose an item.

Linear meters of trench:

m

Trench width: Click or tap here to enter text.cm

Trench length:

cm

Trench depth: Click or tap here to enter text.cm

Depth of topsoil:

cm

INFILTRATOR OPTION: Standard Chamber

SAND/GRAVEL OPTION

Square meters required: m²

Depth of media under pipe:

cm

No. chambers needed: Choose an item.

Depth over pipe:

cm

Cubic yards sand/gravel:

y³

➤ MOUND DESIGN SUMMARY (LEAVE BLANK IF NOT MOUND DESIGN) N/A

Mound width: m

Depth of clean sand (upslope on bed):

cm

Mound length: m

Depth of clean sand (downslope on bed):

cm

Depth of rock: cm

Clean sand:

yds

Down slope width: m

Clean rock:

yds

Upslope width: m

Depth of topsoil:

cm

➤ PRESSURE BED DESIGN SUMMARY (LEAVE BLANK IF NOT BED DESIGN) N/A

Pressure bed width: m

Absorption area:

m³

Pressure bed length: m

Clean rock:

yds

Pressure bed depth: m

Loamy topsoil cover:

yds

Media depth under pipe: cm

Depth of topsoil:

cm

➤ **FLAT BED BIOFILTER SYSTEM (LEAVE BLANK IF NOT FLAT BED)**

Pressure: SIPHON

Media Filter Type: Absorbent Foam Filter Medium

Number of flat beds used: 2

cBOD5 Percentage Removal: 98%

TSS Percentage Removal: 98%+

Fecal Coliforms Percent Removal: 99%+

DOSING CHAMBER

Doses per day: N/A

Alarm depth: 90 cm

Syphon: YES

Size of flat beds used: 4X8

Daily Designed Flow per flat bed: 876 lpd

BOD5 Median Concentration: 4 mg/L

TSS Median Concentration: 4 mg/L

Fecal Coliform Concentration: 17,900 cfu/100 ml

Litres per dose: 40 L

8

MANAGEMENT PLAN REQUIREMENTS

Has the Designer completed a System check? No

Has Septic System Owner's Guide been handed out? Yes

9

AUTHORIZATION

DARRYL GEORGE SAAM - Planner/Installer ROWP 0863

I hereby certify that I have completed this work in full accordance with all of the applicable ordinances, rules and laws contained within the Standards of Practice.

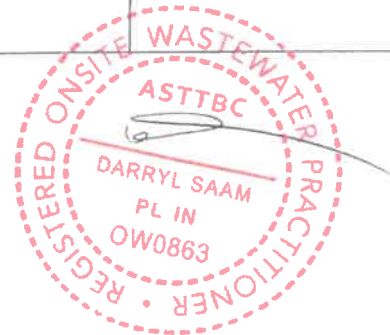
Darryl Saam, PL, IN, ROWP 0863

4/28/18
Date

SYSTEM SELECTION WORKSHEET

ITEM	VALUE	CONSTRAINT, OPPORTUNITY, RESULTS	SOLUTIONS & RATIONALE
SOIL TEXTURE	SILT/LOAM		
SOIL STRUCTURE/CONSISTENCY	BLOCKY/FRIABLE		
OTHER SOIL NOTES	DRK BROWN TO LIGHT BROWN	ROOTS TO 90 cm	30 cm SAND ADDED
KFS	800		
PERCOLATION RATE	AVERAGE 11 MIN		
SOIL DEPTH	99 cm	99 cm NATIVE SOIL	30 cm SAND ADDED TO VS
SLOPE %	FLAT-4%		
SLOPE SHAPE, LOCATION	FLAT-4%	N/A	NO ISSUES
ELEVATION HOUSE SEWER TO DISPERSAL AREA	3 M		
TEMPERATURE	NO FROST ISSUES		

NET POSITIVE EVAPOTRANSPIRATION	N/A		
RAINFALL?	1200 MM PER YEAR		ENVIROMENT CANADA
SOIL CONSTRAINTS	LIMITED VS	90 CM NATURAL SOIL, 30 CM OF SAND ADDED	TABLE II-14
HOUSE BEDROOMS	4		
HOUSE AREA	UNDER 330 CUBIC METERS		TABLE II-8
OCCUPANTS	3		
DAILY DESIGN FLOW	1600 LPD		TABLE II-8
DAILY DESIGN FLOW – OPTION 2	N/A		



ITEM	VALUE	CONSTRAINT, OPPORTUNITY, RESULTS	SOLUTIONS & RATIONALE
SOIL DEPTH AND VS OPTIONS, DISTRIBUTION AND DOSING OPTIONS	TYPE 2 BIOFILTER CTDS WITH 90 CM VS	NEED TO ADD 30 CM SAND MEDIA TO INCREASE VS	120 CM VS AS CONSTRUCTED
HORIZONTAL SEPARATION CONSTRAINTS	PROPERTY LINES WELLS	10 M 30+ M	NO ISSUES NO ISSUES
HLR FOR TYPE 1	N/A		
HLR FOR SAND	50 LPD M sq		
HLR FOR TYPE 2	45 LPD M sq		
MINIMUM SYSTEM CONTOUR LENGTH	35 m		TOTAL BASIL AREA 6 m sq
DISPERSAL AREA SIZE AND OPTIONS	FLATBED CTDS IS 35 m llr/ AS CONSTRUCTED IT NEEDS 6 sq m AREA		
LENGTH CONSTRAINT	N/A		
OTHER CONSIDERATIONS	N/A		
SYSTEM SUMMARY	THE HOUSE IS YET TO BE CONSTRUCTED. THIS SYSTEM IS DESIGNED FOR A MAXIMUM 4 BEDROOM HOME. 1780 LPD DDF		

BC Assessment - Independent, uniform and efficient property assessment



3/4

File No.: GB-DP-2018.3 (Bowles)
X-REF GB-DVP-2018.4

DATE OF MEETING: February 15, 2019
TO: Gabriola Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
SUBJECT: **Development Permit Application GB-DP-2018.3 – DP-3 Riparian Areas**
Applicant: Anthony Bowles
Location: 601 Wildwood Crescent, Gabriola Island (PID 003-432-394)

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee approve issuance of Development Permit GB-DP-2018.3 (Bowles).

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider a Development Permit (DP) application for the construction of a proposed single family dwelling, accessory building and sewage disposal system on the subject property located within Development Permit Area No. 3 (DP-3) – Riparian Areas. Pursuant to Section F.3.2 of the Gabriola Island Land Use Bylaw No. 177 (LUB), a DP is required to be issued by the LTC prior to development occurring within DP-3.

The applicant has submitted a *Riparian Areas Regulation* (RAR) assessment report prepared by QEP Environmental Ltd., dated June 11, 2018, which forms part of the draft permit (see Attachment 3). The RAR report has been assessed and approved for methodological compliance by Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) staff. The RAR report contains recommendations intended to meet the DP-3 guidelines for development, and these recommendations have been included as conditions in the draft Development Permit.

BACKGROUND

This application precedes a building permit application to the Regional District of Nanaimo (RDN) for the proposed single family dwelling. A Development Variance Permit (DVP) application (GB-DVP-2018.4) will also be considered for the subject property to reduce the required setbacks for a sewage disposal field and septic tanks.

The 0.17 hectares (0.42 acres) subject property is located on Wildwood Crescent, as shown on Figure 1. A tributary of Castell Brook includes a ditch on the subject property, underground pipe and a pond on adjacent Lot 36 (Attachment 3). The applicant proposes to construct a proposed single family dwelling, attached carport, utility shed and sewage disposal system. The siting of the proposed sewage disposal system and cisterns are within the 30-metre Riparian Assessment Area (RAA), therefore a development permit is required to be issued by the LTC prior to development occurring. The RAR report has established a 5 metre Streamside Protection and Enhancement Area (SPEA) from the high water mark of the ditch and 10 metre SPEA to the pond on Lot 36. No buildings or structures are proposed within the SPEAs.

Information about the subject property is contained with Attachment 1. Applicable DP guidelines are included in Attachment 2. The proposed development is shown on the site plan attached to the draft Development Permit in Attachment 3.

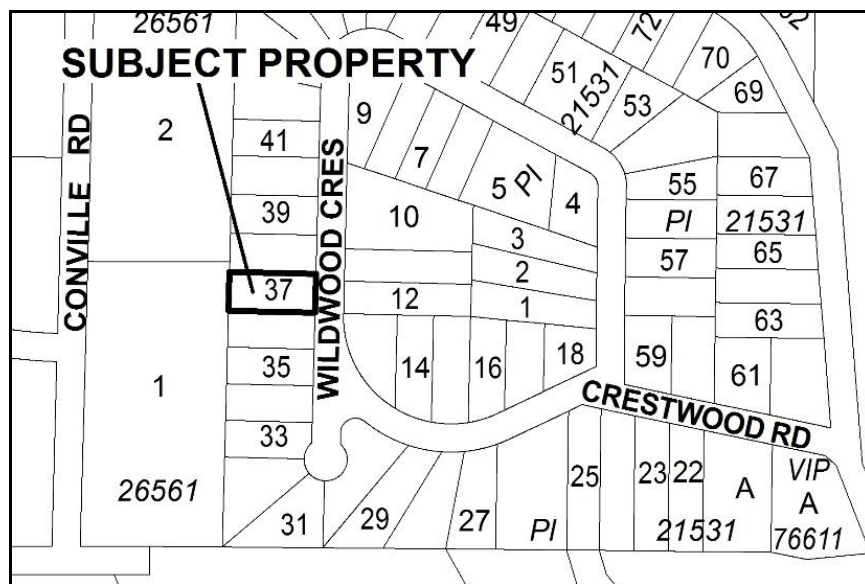


Figure 1. Subject property map

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The following Islands Trust Policy Statement (ITPS) directive policies are relevant to this application and are addressed through DPA No. 3 – Riparian Areas:

- 3.1.3 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.*
- 3.3.2 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands, and riparian zones to protect aquatic wildlife.*

This application is not contrary to the ITPS.

Official Community Plan:

The subject property is currently designated as Small Rural Residential (SRR) in the [Gabriola Island Official Community Plan](#) (OCP) Bylaw No. 166, and located within DP-3 – Riparian Areas. The OCP specifies a development permit area of 30 metres on both sides of a stream, measured from the high water mark.

The objectives of DP-3 are:

1. To protect the biological diversity and habitat values of riparian and aquatic ecosystems

2. To protect the natural environment necessary to conserve productive fish habitat, including both streams and the adjacent land and vegetation
3. To minimize adverse impacts of land use practices on fish habitat, which includes plant habitats in riparian areas.

The proposed development complies with the objectives and policies of the Official Community Plan.

Land Use Bylaw:

The subject property is zoned Small Rural Residential (SRR) under the LUB. The guidelines for DP-3 are contained within Section F.3.4 of the LUB.

The proposed development complies with applicable development permit guidelines (see Attachment 2). The proposed siting of the sewage disposal field and septic tanks would require variances to the setback and elevation provisions of the LUB. A separate report outlining the DVP application will also be considered by the LTC.

Issues and Opportunities

Protection Measures and Environmental Monitoring

Pursuant to Guideline F.3.4.1 of the LUB, the LTC may impose permit conditions where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems.

Staff have reviewed the RAR report by QEP Environmental Ltd., and recommend that silt fencing and pre-, mid-term, and post-construction site visits and a final report be conducted by a QEP, at the expense of the applicant, following the completion of the proposed development activities.

Consultation

A community information meeting and/or public consultation and notification are not required for DP applications.

Rationale for Recommendation

Staff advises that the guidelines for DP-3 appear to be satisfied through the recommendations of the RAR report completed by QEP Environmental Ltd., and these recommendations have been included in the draft DP.

In order to ensure protection of the biological diversity and habitat values of the riparian ecosystem, within 60 days of completion of the proposed development, the applicant has a responsibility to have a QEP complete and file a post-development report to ensure that the construction is in keeping with the RAR report.

Staff recommends issuance of the Development Permit as noted in the recommendation listed on page 1 of the staff report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Deny the application

The LTC may deny the application. If the decision is to deny the development permit application, the decision must be accompanied by reasons provided by the LTC. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee deny application GB-DP-2018.3 for the following reasons: [reasons provided by LTC].

2. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request that the applicant submit to the Islands Trust [requested information to be provided by the LTC].

NEXT STEPS

If the LTC resolves to issue the Development Permit and concurrent DVP, the applicant may commence with the building permit application process.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	February 16, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP, Regional Planning Manager	February 20, 2019

ATTACHMENTS

1. Attachment 1 – Site Context
2. Attachment 2 – Development Permit Area Guidelines Checklist
3. Attachment 3 – Draft Development Permit

ATTACHMENT 1 – SITE CONTEXT GB-DP-2018.3 (BOWLES)

LOCATION

Legal Description	LOT 37, SECTION 12 AND 13, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN VIP21531
PID	003-432-394-
Civic Address	601 Wildwood Crescent, Gabriola Island
Lot Size	0.17 hectares (0.42 acres)

LAND USE

Current Land Use	Vacant Parcel
Surrounding Land Use	Residential

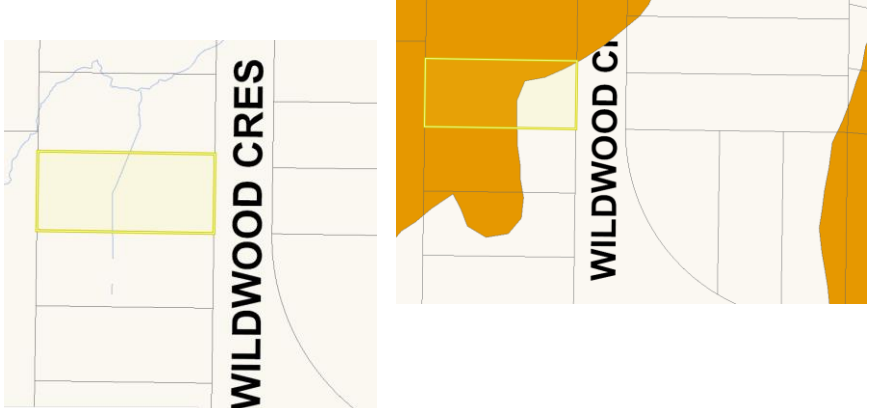
HISTORICAL ACTIVITY

File No.	Purpose
GB-BE-2015.13(<i>closed</i>)	Investigation into building/clearing adjacent to a stream.

POLICY/REGULATORY

Official Community Plan Designations	Land Use Designation: SRR – Small Rural Residential Development Permit Area 3 – DP-3 – Riparian Areas
Land Use Bylaw	Zone: Small Rural Residential (SRR) B.2.1.1.a Despite all other siting references in this Bylaw excepting B.2.1.4c, third party signs, fences, pump/utility houses, retaining walls, ground level decks, <i>structures</i> and <i>buildings</i> , excepting <i>boathouses</i> , must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the <i>natural boundary</i> of the sea and a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the <i>natural boundary</i> of any lake, stream or wetland. Where the <i>frontage</i> on the sea is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer, <i>buildings</i> and <i>structures</i> must be sited a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the <i>natural boundary</i> of the sea. B.2.1.1.b A septic sewage disposal field must be sited a minimum of 30 metres (98.4 feet) from the natural boundary of the sea, lake, stream or wetland.
Other Regulations	Public Health Act – Sewage System Regulation
Covenants	Restrictive Covenant 3951745 (1970) with Wildwood Estates restricting use of land to single family residential/home occupations
Bylaw Enforcement	N/A

SITE INFLUENCES

Islands Trust Conservancy	The proposal does not directly affect an Islands Trust Conservancy Board (ITC) -owned property or conservation covenant, nor directly affects a property adjacent to an ITC-owned property or conservation covenant. Referral to ITC for comment is not required.
Regional Conservation Plan	Map 6 of the Regional Conservation Plan 2018-2027 estimated importance of habitat composition is LOW/MEDIUM.
Species at Risk	None mapped.
Sensitive Ecosystems	Riparian Area – Castel Brook Tributary 
Hazard Areas	None mapped.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) mapping does not indicate an archaeological site on the subject property, nor archaeological potential on the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Tree and vegetation planting and restoration is anticipated to mitigate greenhouse gas emissions associated with the residential development.
Groundwater Vulnerability	Islands Trust mapping indicates the subject property to be within a moderately low vulnerability area.
Shoreline Classification	n/a
Shoreline Data in TAPIS	n/a

ATTACHMENT 2 – DEVELOPMENT PERMIT AREA GUIDELINES - GB-DP-2018.3 (BOWLES)

GABRIOLA ISLAND DPA No. 3 RIPARIAN AREAS

Guideline	Complies	Planner Comments
F.3.4.1 In general, all development in this DPA should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the report.	yes	The RAR Assessment Report provided by the QEP has indicated measures and recommendations to protect and maintain the riparian area and stream. Staff have included the measures and recommendations identified by the QEP in the RAR Assessment Report as conditions of the draft Development Permit. Staff have included as a condition in the permit that the property owner be required to hire a QEP at the property owner's expense to confirm that the protection requirements identified in the RAR Assessment Report dated June 11, 2018 have been properly implemented with a proposed environmental monitoring plan of 3 site visits (start up, middle-term and post construction) and final report submission.
F.3.4.2 The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA.	yes	The RAR Assessment Report provided by the QEP has identified the SPEA to be a maximum of 5 metres from the high water mark of the ditch and 10 metres from the high water mark of the pond on Lot 36. The site plan indicates that the proposed single family dwelling and attached carport, cisterns and septic field are located outside of the SPEA. Staff have included a condition in the permit that no residential, commercial or industrial development, including no vegetation or tree removal, shall take place within the SPEA identified by the QEP. The RAR Assessment Report provided by the QEP identifies the that a silt fence must installed prior to the commencement of construction and maintained during construction activities.
F.3.4.3 Where a QEP or other professional's report describes an area within the DPA as suitable for development, that is, where the SPEA is less than the width of the DPA, the development permit should only allow the	yes	The RAR Assessment Report outlines measures that must be taken to protect the riparian stream, including: • Clearing of vegetation and trees is prohibited

development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.		• No residential, commercial or industrial development shall take place within the SPEA. • Sediment and erosion control measures will be required, including the installation of a silt fence along the construction area to prevent any silted water from entering the SPEA. Staff have included a condition in the permit that the property owner be required to hire a QEP at the property owner's expense for 3 monitoring site visits (pre, middle-term and post construction) and forward confirmation of site visits to the Islands Trust.
F.3.4.4 If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.	yes	The RAR Assessment Report provided by the QEP indicates that a pre, middle-term and post-construction site visit and final assessment report by a QEP should be conducted to certify that the conditions set out in the assessment report have been properly implemented. Staff have included a condition in the permit that requires the submission of confirmation of the three site visits and final report by a QEP to the Islands Trust.
F.3.4.5 The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report.	yes	The applicant has submitted a development variance permit application (GB-DVP-2018.4), in conjunction with the development permit application. The development variance permit application proposes to vary the 15 metre and 30 metre setback from a watercourse required by the Land Use Bylaw and the 1.5 metre elevation above the high water mark for the siting of proposed sewage disposal system on the subject property.



GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GB-DP-2018.3 (Bowles)

To: Anthony John Bowles

1. This permit applies to:

PID 003-432-394

LOT 27, SECTION 12 and 13, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN VIP21531

2. Whereas the subject property as described above lies within “Development Permit Area No. 3 – Riparian Areas” designated under the Gabriola Island Official Community Plan Bylaw No. 166, this development permit is issued under the Gabriola Island Land Use Bylaw No. 177 and authorizes the **construction of one single family dwelling, attached carport, sewage disposal system, electrical shed and the placement of cisterns** in accordance with Schedules “A”, “B”, “C” and “D” attached to and forming part of this permit.
3. The Permit is subject to the following conditions:
 - 3.1 No residential, commercial or industrial development, including vegetation or tree removal, shall take place within the Streamside Protection and Enhancement Area (SPEA) identified in the Riparian Areas Regulation (RAR) Assessment Report by QEP Environmental Ltd., dated June 11, 2018, and attached as Schedule “D”.
 - 3.2 The property owner is required to install and maintain a silt fence around the construction site prior to commencement of any construction, to prevent any silted water from entering the SPEA;
 - 3.3 The property owner is required to retain a Qualified Environmental Professional (QEP), at the property owner’s expense, to monitor site conditions during three site visits (pre, middle-term and post construction) and provide confirmation to the Islands Trust via email northinfo@islandstrust.bc.ca within 10 business days of each site visit.
 - 3.4 The property owner is required to submit to the Islands Trust via email northinfo@islandstrust.bc.ca a post-development assessment report by a QEP that confirms the protection and environmental monitoring requirements identified in the RAR Assessment Report, dated June 11, 2018, and attached as Schedule “D”, have been properly implemented.

This permit does not relieve the applicant from complying with the provisions of *the Gabriola Island Official Community Plan Bylaw No. 166, 1997* and the *Gabriola Island Land Use Bylaw No. 177, 1999*, nor does it provide permission to construct any works without other lawfully required approvals and permits.

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS__ th
DAY OF _____, 2019.

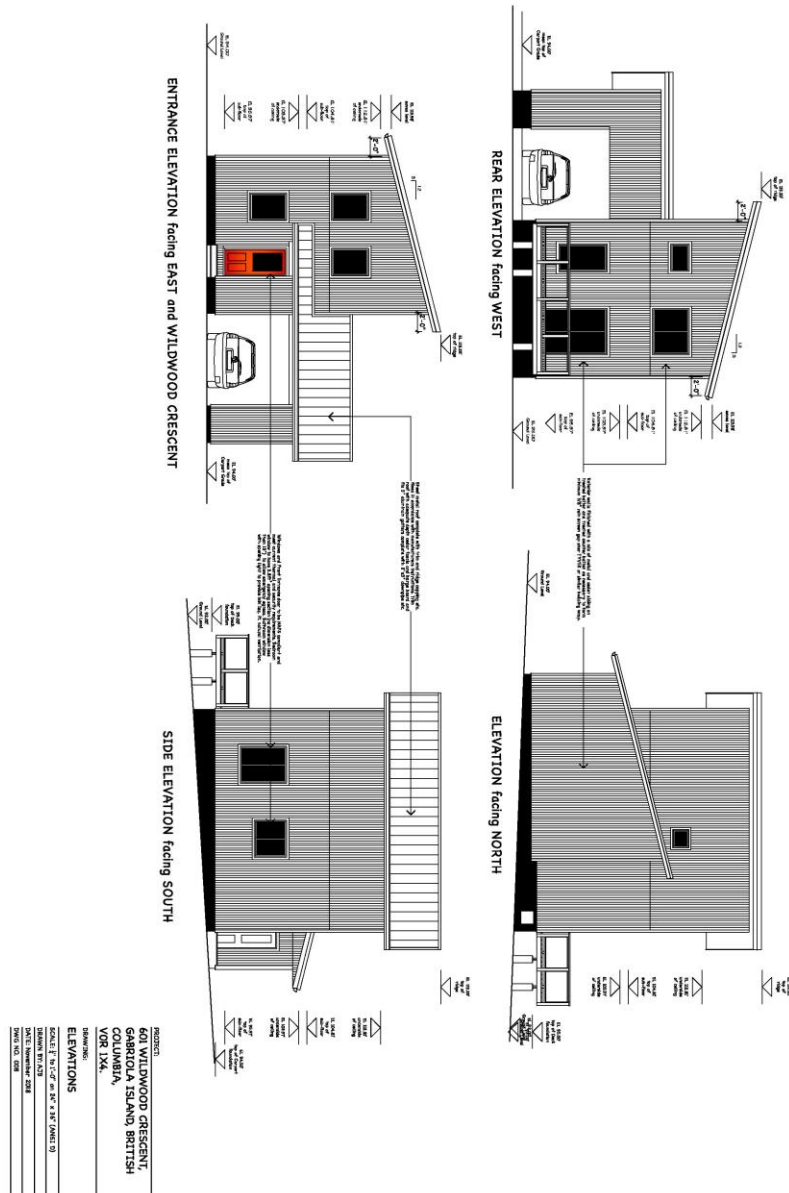
Deputy Secretary, Islands Trust

Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE __th DAY OF _____, 2021 THIS PERMIT
AUTOMATICALLY LAPSES.

GABRIOLA ISLAND LOCAL TRUST COMMITTEE DEVELOPMENT PERMIT GB-DP-2018.3 (Bowles)

Schedule "C" – Elevation Plan





**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GB-DP-2018.3 (Bowles)**

**Schedule "D" – Riparian Areas Regulation Assessment Report
dated June 11, 2018**



From: **QEP Environmental** contact@qepconsulting.ca
Subject: [FWD: Assessment has been updated]
Date: 11 June 2018 at 08:00
To: Tony Bowles tonybowles22@gmail.com

VITALY OSTROUMOV, PhD, RPBio

Environmental Scientist | QEP Environmental Ltd.
250-681-4838 | 778-432-4838 | contact@qepconsulting.ca | www.qepconsulting.ca

----- Original Message -----

Subject: [FWD: Assessment has been updated]
From: "QEP Environmental" <contact@qepconsulting.ca>
Date: Mon, June 11, 2018 7:50 am
To: Tony@qepconsulting.ca

Hi Tony,

Here copy of submission FYI.

Thank you.

VITALY OSTROUMOV, PhD, RPBio

Environmental Scientist | QEP Environmental Ltd.
250-681-4838 | 778-432-4838 | contact@qepconsulting.ca | www.qepconsulting.ca

----- Original Message -----

Subject: Assessment has been updated
From: RiparianAreas@Victoria1.gov.bc.ca
Date: Mon, June 11, 2018 7:48 am
To:
contact@qepconsulting.ca, INFORMATION@ISLANDSTRUST.BC.CA, RARREG1@GOV.BC.CA, RiparianAreas@Victoria1.gov.bc.ca, DFO_EPMP@PAC.DFO-MPO.GC.CA

Notification of the creation of this assessment has been sent to you, Fisheries and Oceans Canada (DFO), the BC Ministry of Environment and the appropriate local government.

Details of assessments are included in this notification.

Check content to ensure correctness.

If it is incorrect, modify your assessment.

Assessment Details

Assessment #: 4074

Creation Date: 2016-06-07 **Last Modified:** 2018-06-11

Development Details

Development Type:

Construction - Single
Family Residential

**Proposed Start
Date:**

2016-
06-30

Area of Development (hectares): 0
Lot Area (hectares): 0
Riparian Length: 40

Proposed End Date: 2018-03-30
Nature of Development: New
Section 9 Part 7 Activities: N

Location Details

Local Government: Islands Trust, Regional District of

DFO Area: South Coast Area

Region: Vancouver Island

Stream/River Type: Stream and Ditch

**Parcel Identification (PID)/
Parcel Identification Number (PIN):** 0034-32-2394

Stream/River Name: Unname

Address Line 1: 37 Wildwood Cr

Watershed Code: none

Address Line 2:

Postal Code:

Latitude: 50°35'37"

Longitude: 123°50'35"

Developer Details

Contact First Name: Tony

Address Line 1: 669 Gallannger Way

Contact Middle Name:

Address Line 2:

Contact Last Name: Bowles

City: Gabriola Island

Province/State: BC

Postal/Zip Code: V0R 1X3

Email Address: [REDACTED]

Country: Canada

Company Name:

Phone #: 778-269-2715

Primary QEP Details

Contact First Name: Vitaly

Address Line 1: 308-904 Carlton Terr.

Contact Middle Name:

Address Line 2:

Contact Last Name: Ostroumov

City: Victoria

Designation: Biologist

Province/State: BC

Registration #: 2046

Postal/Zip Code: V9A 5A5

Email Address: contact@qepconsulting.ca

Country: Canada

Company Name: QEP Environmental Ltd.

Phone #: 250-681-4838

Secondary QEP Details

Name:	Company	Address	Email	Phone
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Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date **May 12, 2016****I. Primary QEP Information**

First Name	Vitaly	Middle Name	
Last Name	Ostroumov		
Designation	Biologist	Company	QEP Environmental Ltd.
Registration #	2046	Email	contact@qepconsulting.ca
Address	308-904 Carlton Terrace		
City	Victoria	Postal/Zip	V9A 5A5
Prov/state	BC	Country	Canada
		Phone #	250-681-4838

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	
Prov/state		Country	
		Phone #	

III. Developer Information

First Name	Tony	Middle Name	
Last Name	Bowles		
Company			
Phone #	778 269 2715	Email:	
Address	669 Gallanger Way		
City	Gabriola Island	Postal/Zip	V0R 1X3
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Single family residence construction		
Area of Development (sq.m)	104	Riparian Length (m)	40
Lot Area (acres)		Nature of Development	New construction
Proposed Start Date	June 1, 2016	Proposed End Date	June 1, 2019

V. Location of Proposed Development

Street Address (or nearest town)	37 Wildwood Crescent		
Local Government	Island Trust	City	Gabriola Island
Stream Name	Unnamed creek, ditch, pond		
Legal Description (PID)	PID 0034- 32-2394	Region	Vancouver Island
Stream/River Type	Stream, Pond, Ditch	DFO Area	Vancouver Island
Watershed Code			
Latitude	49°	9'53.	74"N
Longitude	123°.	50'35	54"W

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed.
Insert that form immediately after this page.

Table of Contents for Assessment Report

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Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

SITE CHARACTERISTICS

The site is located along the Wildwood Cr., within the municipality of Gabriola Island which is located east of Nanaimo, Vancouver Island, BC. The site landscape is predominantly flat with small elevation on the east side. Vitaly Ostroumov, the QEP Environmental Project Biologist, completed the site visit on March 15th, 2016. The weather on the day of the investigation was cloudy and calm, the air temperature was about 12°C. The property was assessed without obstruction during the assessment.

The site has a rectangular shape and is bordering Unnamed Temporary Creek (Castel Brook Tributary) with the soil berm on the west, and residential property on the south, Wildwood Rd, from east and mature forest from north. The shallow pond is located in the middle-south part of the property. This pond is connected with the unnamed creek by the black plastic culvert crossing the property.

CURRENT RIPARIAN AREA VEGETATION CONDITION

The site surface has been altered by historical development, deforested and used for crop production. The natural mature forest trees (Douglas fir and cedar trees, 20-60 cm in diameter) located in the south-east part of the property. The 30 m riparian assessment area, stretching along the pond and creek, is sporadically covered by grass and shrubs. At the present time there are no structures on the subject property.

The creek shoreline is mostly grass with ferns and shrubs, whereas the pond shoreline is grass alone.

The ditch (1-2m wide and 10-30cm deep) runs along the west and north side of the property and is filled with grey crushed gravel with no sign of water.

FISHERIES RESOURCES

No visible signs of fish have been observed during this assessment. However, the pond and creek can potentially provide important habitat for amphibians and reptiles species.

PROPOSED DEVELOPMENT PLAN

The owner aims to build a new two storey house with detached garage and utility store (total foot print area 122 sq m), the septic field (to be located north east from the house), water well west side of the property (see attached drawing)

Section 2. Results of Riparian Assessment (SPEA width)

Refer to Chapter 3 of Assessment Methodology

Date: May 12, 2016

Description of Water bodies involved (number, type)

One Unnamed Creek

Stream	X
Wetland	
Lake	
Ditch	
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

	Channel Width(m)	Gradient (%)	
starting point	2.0	2	I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
upstream	2.1	2	
	0.8 min	2	
	1.5	2	
	1.5	2	
downstream	2.0	2	
	2.5	2	
	1.5	2	
	1.7	2	
	2.2 mx	2	
	2.0	2	
Total: minus high /low	14.3	18	
mean	1.58	2	
	R/P	C/P	S/P
Channel Type	X		

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
Polygon No:			Method employed if other than TR
SPVT Type	LC	SH	TR
Polygon No:			Method employed if other than TR
SPVT Type	LC	SH	TR
Polygon No:			Method employed if other than TR
SPVT Type			X

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons									
LWD, Bank and Channel Stability ZOS (m)	10									
Litter fall and insect drop ZOS (m)	10									
Shade ZOS (m) max	4.74		South bank	Yes		No	x			
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)							Manmade, strait morphology		
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report					
SP maximum	10		(For ditch use table3-7)							

Segment No:	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons									
LWD, Bank and Channel Stability ZOS (m)										
Litter fall and insect drop ZOS (m)										
Shade ZOS (m) max			South bank	Yes		No				
SP maximum			(For ditch use table3-7)							

Segment No:	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons									
LWD, Bank and Channel Stability ZOS (m)										
Litter fall and insect drop ZOS (m)										
Shade ZOS (m) max			South bank	Yes		No				
SP maximum			(For ditch use table3-7)							

I, Vitaly Ostroumov (*name of qualified environmental professional*), hereby certify that:

- I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (*name of developer*);
- I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

SPEA was measured from HWM as maximum ZOS -10 m , Gabriola Island OSP - Ditch or lotic system setback is 10 m.

Section 2.1 Results of Riparian Assessment (SPEA width)

Refer to Chapter 3 of Assessment Methodology

Date: May 12, 2016

Description of Water bodies involved (number, type)

One Pond/Lake/Wetland

Stream	
Wetland	1
Lake	
Ditch	
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)
starting point	10m	0
upstream		
downstream		
Total: minus high/low mean		0
	R/P	C/P
Channel Type		S/P

I, Vitaly Ostroumov (*name of qualified environmental professional*), hereby certify that:

e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (*name of developer*);

g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
			I, <u>Vitaly Ostroumov</u> (<i>name of qualified environmental professional</i>), hereby certify that:
			e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;
			f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Tony Bowles</u> (<i>name of developer</i>);
			g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
			h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
Polygon No:			Method employed if other than TR
	LC	SH	TR
SPVT Type			
Polygon No:			Method employed if other than TR
	LC	SH	TR
SPVT Type			X
Polygon No:			Method employed if other than TR
SPVT Type			

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons						
LWD, Bank and Channel Stability ZOS (m)	15						
Litter fall and insect drop ZOS (m)	15						
Shade ZOS (m) max	30	South bank	Yes		No	x	
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)					Manmade, strait morphology	
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report		
SP maximum	30	(For ditch use table3-7)					

Segment No:	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons						
LWD, Bank and Channel Stability ZOS (m)							
Litter fall and insect drop ZOS (m)							
Shade ZOS (m) max		South bank	Yes		No		
SP maximum		(For ditch use table3-7)					

Segment No:	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons						
LWD, Bank and Channel Stability ZOS (m)							
Litter fall and insect drop ZOS (m)							
Shade ZOS (m) max		South bank	Yes		No		
SP maximum		(For ditch use table3-7)					

I, **Vitaly Ostroumov** (*name of qualified environmental professional*), hereby certify that:

e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

f) I am qualified to carry out this part of the assessment of the development proposal made by the developer **Tony Bowles** (*name of developer*);

g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

h) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

SPEA was measured from HWM as maximum SHADE ZOS -30 m, Shade ZOS was dragged due South that reduced SPEA to 15 m. Gabriola Island OCP - setback 10 m.

Section 2.2 Results of Riparian Assessment (SPEA width)

Refer to Chapter 3 of Assessment Methodology

Date: May 12, 2016

Description of Water bodies involved (number, type)

One Unnamed Creek

Stream	
Wetland	
Lake	
Ditch	X
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)
starting point	1min	0
upstream	1	
	1	
	1	
	1	
downstream	1.5	
	1.8	
	2	
	2	
	2max	
Total: minus high /low	13.3	
mean	1.4	0
	R/P	C/P
Channel Type		S/P

I, **Vitaly Ostroumov** (name of qualified environmental professional), hereby certify that:

i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

j) I am qualified to carry out this part of the assessment of the development proposal made by the developer **Tony Bowles** (name of developer);

k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

l) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Site Potential Vegetation Type (SPVT)

	Yes	No
SPVT Polygons	☐	☒

Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes

I, **Vitaly Ostroumov** (name of qualified environmental professional), hereby certify that:

i) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

j) I am qualified to carry out this part of the assessment of the development proposal made by the developer **Tony Bowles** (name of developer);

k) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

l) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Polygon No:

SPVT Type

LC	SH	TR
☐	☐	☐

Method employed if other than TR

Polygon No:

SPVT Type

LC	SH	TR
☐	☐	☒

Method employed if other than TR

Polygon No:

SPVT Type

☐	☐	☐

Method employed if other than TR

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No	☐	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)	10					
Litter fall and insect drop ZOS (m)	10					
Shade ZOS (m) max	4.74	South bank	Yes	☐	No	☒

Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)		Manmade, strait morphology	
Ditch Fish Bearing	Yes		No	
	If non-fish bearing insert no fish bearing status report			
SP maximum	5	(For ditch use table3-7)		

Segment No:	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)				
Litter fall and insect drop ZOS (m)				
Shade ZOS (m) max		South bank	Yes	No
SP maximum		(For ditch use table3-7)		

Segment No:	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons			
LWD, Bank and Channel Stability ZOS (m)				
Litter fall and insect drop ZOS (m)				
Shade ZOS (m) max		South bank	Yes	No
SP maximum		(For ditch use table3-7)		

I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that:	
i)	I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ;
j)	I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>);
k)	I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
l)	In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

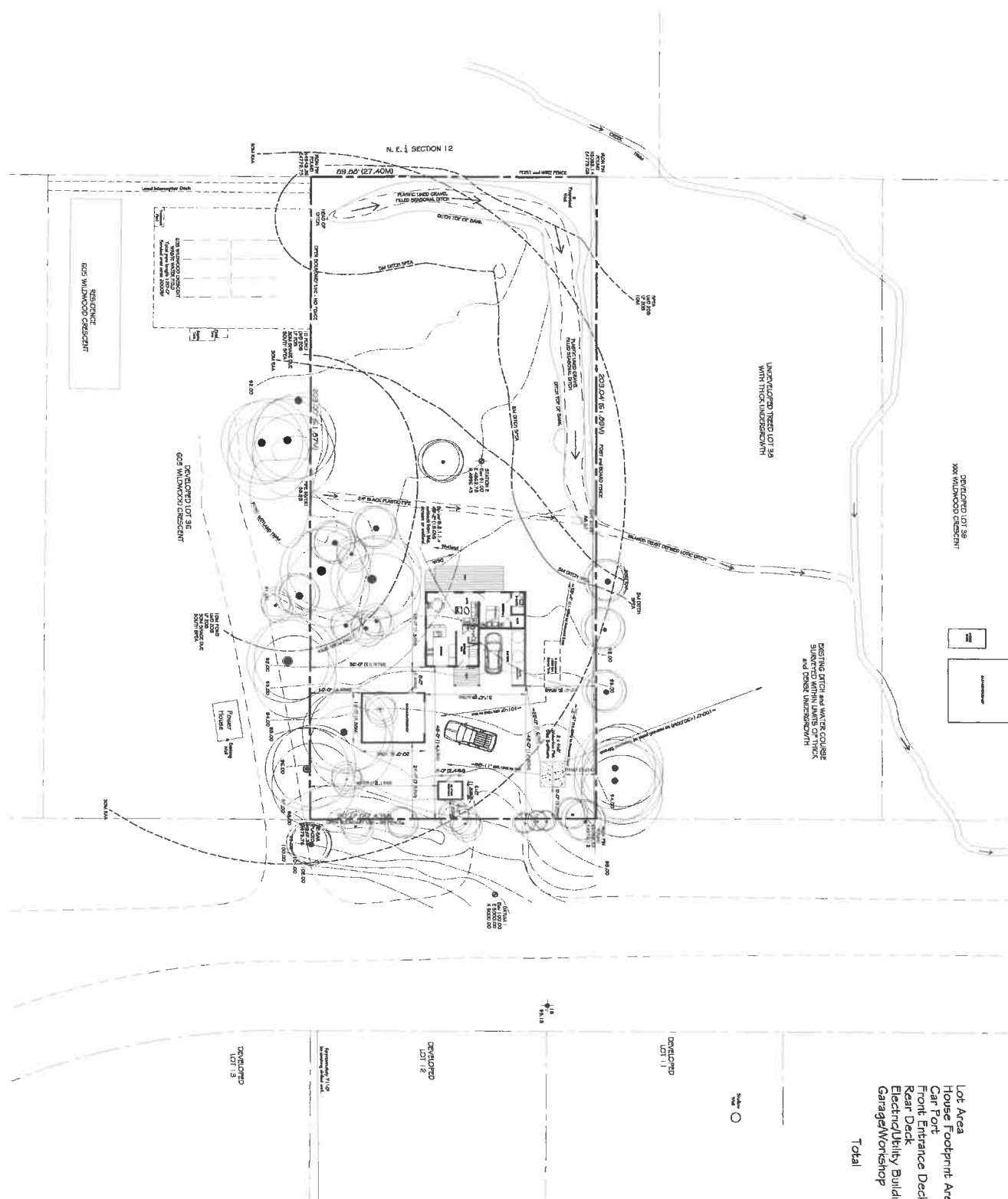
Comments

SPEA was measured from ditch TOB as 5 m , Gabriola Island OCP - 10 m setback.

Section 3. Site Plan

Insert jpg file below

Site Plan



Lot Area	203' x 90' = 18,270ft ²
House Footprint Area	= 616ft ²
Car Port	= 173ft ²
Front Entrance Deck	= 32ft ²
Rear Deck	= 191ft ²
Electricity Building	= 48ft ²
Garage/Workshop	= 320ft ²
Total	= 1,380ft ² = 7.55%



LEGAL DESCRIPTION:
 LOT 37, PLAN V/P21531,
 SECTION 12&13,
 NANAIMO LAND DISTRICT,
 GABRIOLA ISLAND,
 P.I.D. 003-432-394

PROJECT:
 601 WILLOW CRESCENT,
 GABRIOLA, BRITISH COLUMBIA,
 VOR 1X4.

DRAWING:
 PROPOSED LOT LAYOUT PLAN

SCALE: 1/175 @ A3/D
DRAWN BY: AUB
DATE: May 2010
DWG NO.: 002

Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF *before* inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

1. Danger Trees	
There are no danger trees on the development area. I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
2. Windthrow	
The proposed structure is located in an open space, so windthrow effects are not anticipated. I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
3. Slope Stability	
The slope of the property and around it is stable in its current configuration. Based on the field site investigation, there are no visible streams or temporary water courses on the property except those pond and stream. The proposed construction will not disturb any portion of the slope and will have no effect on slope stability. I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4. Protection of Trees	
All natural vegetation inside the SPEA area will remain intact. I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
5. Encroachment	
The proposed house is located outside the 10 m G. Island OCP setback. I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

6. Sediment and Erosion Control	
All necessary efforts must be used by the property owners to protect the water quality and fish habitat. It is recommended to keep a spill control kit on site during the construction period. If soil is exposed during construction, necessary erosion control measures must be implemented (absorption mats, silt fence). The silt fence must be placed along the construction area to prevent any silted water from construction site drain in to lake. I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
7. Stormwater Management	
Surface run-off water from storm events will be absorbed by soil and will flow into the municipal drain water system and will not drain directly into the SPEA area. I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
8. Floodplain Concerns (highly mobile channel)	
The pond and stream in their current condition are stable; there is no evidence of significant water level changes in the pond. The creek is separated from the property lot by a stable berm. I, Vitaly Ostroumov (<i>name of qualified environmental professional</i>), hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer Tony Bowles (<i>name of developer</i>); c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

It is recommended that an Environmental Monitor (QEP Environmental Ltd. provided) inspect the site before, during and after construction completion. The developer has been informed of their responsibility to have a QEP complete and file a post-construction report and to ensure that this takes place. This report will indicate whether or not the above measures were implemented, and how effective they were in protecting the integrity of the SPEA.

Proposed Environmental Monitoring Plan includes 3 site visits (start up, middle-term and post construction) and report preparation.

Section 6. Photos



Photo 1. The pond is located on the south side of the property



Photo 2. The west side of the property is soil and grass



Photo 3. The ditch runs along the west and north sides of the property



Photo 4. The creek culvert outlet is on the north side of the property



Photo 5. View of the subject property from the west



Photo 6. The temporary creek outside of the west boundary of the property

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date May 12, 2016

1. I/We Vitaly Ostroumov

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Tony Bowles (*name of developer*), which proposal is described in section 3 of this Assessment Report (the "development proposal");
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) ☒ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**

(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

- b) if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

MEMORANDUM

File No.: GB-DVP-2017.1
(X-REF GB-DP-2017.2)

DATE OF MEETING: February 28, 2019
TO: Gabriola Island Local Trust Committee
FROM: Ian Cox, Planner 1
Northern Team
SUBJECT: Application status update for GB-DVP-2017.1 and GB-DP-2017.2 (Acorn Island)

PURPOSE

This purpose of this memorandum is to provide the Gabriola Island Local Trust Committee (LTC) with information on the status of concurrent applications GB-DVP-2017.1 and GB-DP-2017.2, for Acorn Island.

The LTC passed the following resolution at its regular business meeting on September 27, 2018:

GB-2018-078

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to add GB-DVP-2017.1 to the next Gabriola Island Local Trust Committee agenda for consideration. CARRIED

The delay in bringing forward both GB-DVP-2017.1 (DVP) and GB-DP-2017.2 (DP) for LTC consideration is due to a change in the owner's applicant, who has requested further time to review the components of the permits, as well as the covenant(s) to be registered on title as per the LTC resolution passed on September 7, 2017:

GB-2017-121

It was MOVED and SECONDED

that, prior to issuance of Development Variance Permit GB-DVP-2017.1, a restrictive covenant be registered on title, in favour of the Gabriola Island Local Trust Committee in priority to all financial charges and that is delivered in a form satisfactory to the Gabriola Island Local Trust Committee, and that stipulates the following:

- a) Remediation of riparian vegetation and habitat along the marine shoreline;
- b) Protection of the marine shoreline from erosion, which includes a soft-engineered approach. A baseline erosion and sediment control study will be established in the present and monitored in the future to determine if the riprap wall is having long-term cumulative negative impacts on the surrounding shoreline. If it is found that there is a net-negative impact, then the owner must hire a bioengineering specialist with experience in shoreline stabilization for specific design and installation requirements for this site;
- c) Protection of the following sensitive habitats to restrict future development and motorized vehicle access, and to provide maximum protection for any sensitive Species at Risk that possibly reside in these areas: a 15 metre riparian buffer setback to the two seasonal wetlands; a 15 metre riparian buffer setback to the year-round freshwater pond, a 15 metre riparian setback to all marine shorelines, a 100 metre buffer around each identified eagle nest tree, and the protection of identified Garry Oak trees and their habitats; and
- d) Protection of known or potential archaeological sites; this shall include the requirement to complete Archaeological Impact Assessments, as required under a Heritage Conservation Act Permit. CARRIED

Two separate covenants were subsequently developed to effectively address the respective objectives of the Biophysical Inventory and Archaeological overview Assessment (AOA) reports that were conducted for the subject property. However, the specifics of the draft archaeological covenant have been of some concern to the owner's current consultant/legal counsel. Since review and consideration of the document may take further time, staff has suggested that registration of the environmental protection covenant should proceed prior to registration of the archaeological covenant in the interest of advancing both the DVP and DP applications.

NEXT STEPS

Should the applicant wish to proceed with the environmental covenant, staff will provide the covenant to the LTC for consideration and signatory authorization prior to registration. Staff will continue to work with the consultant to complete an archaeological covenant acceptable to both the applicant and staff so that the DVP and DP applications can be further considered by the LTC at the earliest possible opportunity.

Submitted By:	Ian Cox, Planner 1 Northern Team	February 17, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	February 21, 2019

DATE OF MEETING: February 28, 2019

TO: Gabriola Island Local Trust Committee

FROM: Bronwyn Sawyer, Planner 2
Northern Team

COPY: Ann Kjerulf, Regional Planning Manager

SUBJECT: GB-DVP-2019.1 (Huxley Park Skate and Bike Park Facility)

Applicant: Regional District of Nanaimo

Location: 585 North Road, Gabriola Island

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee refer proposed Development Variance Permit application GB-DVP-2019.1 (RDN) to the Advisory Planning Commission for comment.

REPORT SUMMARY

The Gabriola Island Trust Committee (LTC) is asked to consider Development Variance Permit (DVP) application GB-DVP-2019.1, which requests a relaxation of the required setback to the exterior side lot line and the maximum combined lot coverage for a community park in the Active Recreation Community Park (P3) zone. The application is under review by planning staff and it is recommended that concurrent to this review and prior to a decision on the DVP, the LTC refer the proposal to the APC for comment.

BACKGROUND

The Regional District of Nanaimo (RDN) has made the application in support of constructing a skate and bike park facility in Huxley Park. The RDN parks planner has stated that other sites were investigated for the skate and bike park; however, according to the subject application, this site was supported through the preparation of the *Park Master Plan*. The RDN has finalized the park plan and has applied for a DVP to vary setback and maximum combined lot coverage regulations in order to proceed with the skate and bike park facility.

No previous applications have been made to the LTC for this property. No previous LTC resolutions appear to have been made relating to the skate and bike park structure.

ANALYSIS

Policy/Regulatory

The subject property is zoned Active Recreation Community Park (P3) and the proposed skate and bike park is permitted in this zone. In the P3 zone, the required minimum setback for a structure is 6.0 metres from any lot line; as proposed, the skate and bike park structure will be 3 metres from the east lot line and requires a DVP prior to construction. In the P3 zone, the maximum combined lot coverage by buildings and structures is 20 percent of the lot area. Currently, the lot coverage of existing buildings and structure, as calculated by the

applicant, is 24 percent and is over the 20 percent permitted in the P3 zone. The requested maximum combined lot coverage to allow the construction of the skate park and associated structures is 34 percent.

Issues and Opportunities

Consultation

Under Section 461 of the *Local Government Act*, an advisory planning commission (APC) can be asked by the LTC to advise on matters respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit. It is considered that the level of community interest in the skate and bike park and the limited opportunities for staff and the LTC to receive feedback from the community as part of the DVP application process would merit review of this application by the APC. Planning analysis and a comprehensive staff report would be presented to the LTC following the APC meeting.

Notification of the proposed DVP will be sent to neighbouring land owners and tenants in accordance with statutory notification requirements.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Receive for information

The LTC may receive the report for information. If this alternative is chosen, staff will proceed with processing application GB-DVP-2019.1 and prepare notification and a draft permit for LTC consideration and the next regular business meeting. Notification will be sent to adjacent properties within 100 meters of the subject property (Huxley Park).

Submitted By:	Bronwyn Sawyer, MCIP, RPP Planner 2	February 19, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	February 20, 2019

ATTACHMENTS

- Proposed Plans for Huxley Park

Huxley Community Park Phase 2 Development

Issued for DVP Application

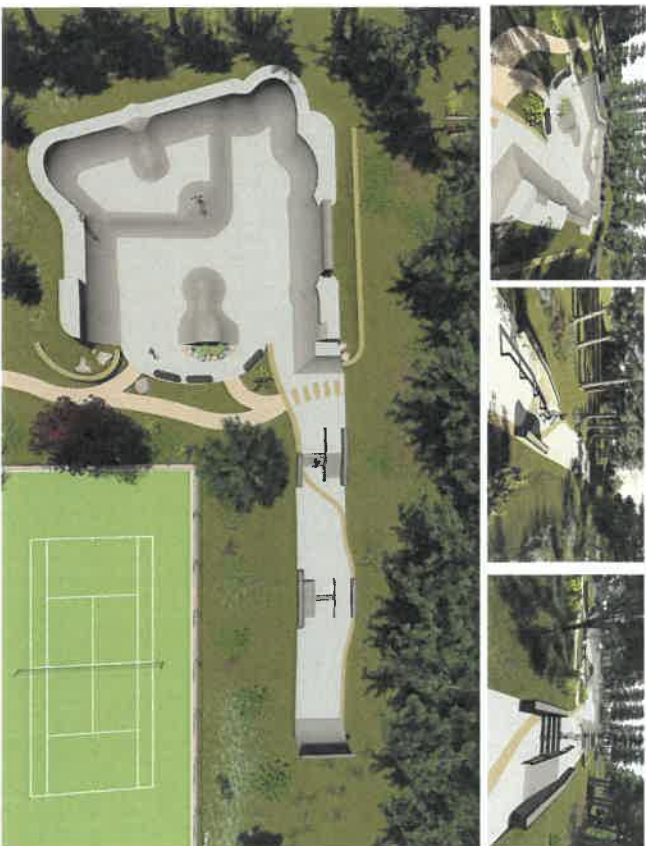
Contact Information	Other Key Contacts:
van der Zee + Associates Inc. 11111 111th Street, Suite 100 Surrey, BC V3V 2K1 Sara + 2017 979 Avenue Sara + 2017 979 Avenue L: 604-882-0024 F: 604-882-0045 www.vdz.ca Primary project contacts: Mikaela Malmgren L: 604-882-0023 F: 604-882-0023 Additional contacts (please email): Mikaela Malmgren L: 604-882-0023 F: 604-882-0023 Mikaela Malmgren L: 604-882-0023 F: 604-882-0023	New Line Skateparks Inc. 11111 111th Street, Suite 100 Surrey, BC V3V 2K1 Regional District of Nanaimo Parklands, British Columbia 3001 Macmillan Bay Road Nanaimo, BC VAN 602 L: 250-260-0111 F: 250-260-0111
Legal Address and Description: LOT 8, SECTION 26, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 5904	

Sheet List Table

Sheet Number	Sheet Title
L-01	COVER SHEET
L-02	TREE RETENTION AND REMOVAL PLAN
L-03	SITE PLAN
L-04	LOT COVERAGE PLAN
LD-01	LANDSCAPE DETAILS
LD-02	LANDSCAPE DETAILS
CV-05	GRADING PLAN
CV-06	SECTIONS

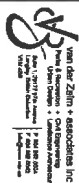


1 SITE LOCATION



2 PERSPECTIVE VIEW

Note: perspective drawing not for construction reference. Alterations have been made to model during detailed design phase. Image shown to display broader design concept only.



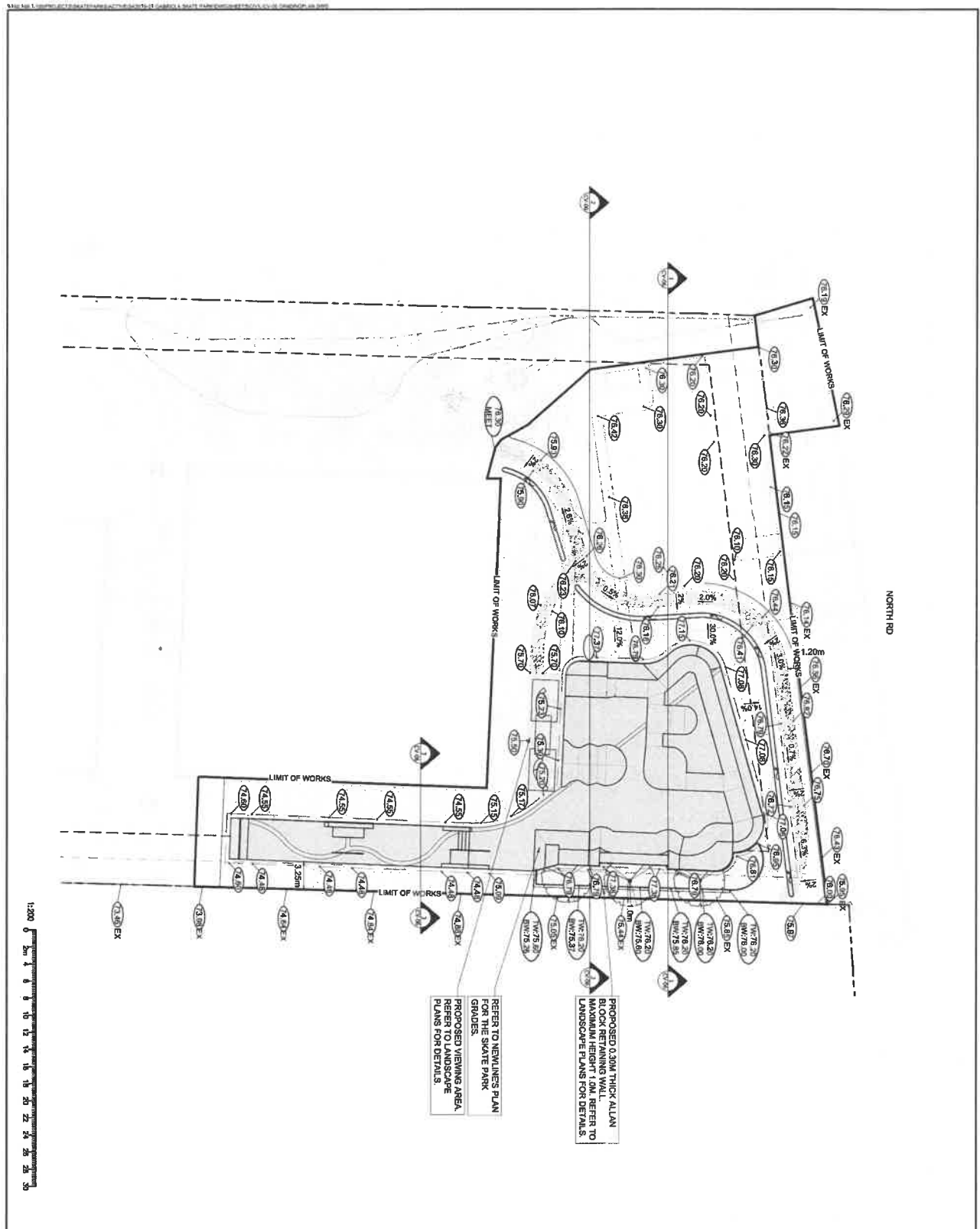
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50% Review Set



Drawing Title:
COVER SHEET

VDZ Project #:
SK2019-01

Drawing #:
L-01



3 **BENCHES**
NTS

NTS



- NOTES:**
1. Remove all string, twine, pots, tags from plant.
 2. All soil, mulch and plant material to meet latest Canadian Landscape Standard.
 3. O.C. specify per planting plan.

Manufacturer: Magen S&B Furnishing
Model: OGM1P00 - SECPS - LR
Description: Composite Seat - Charcoal



Manufacturer: Medgen Eco Furnishing
Model: BL WP2008-32
Description: Dorne Ltd, Englewood

AS BHOJAN

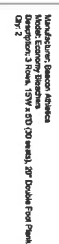
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Scale 1:2



Ecclesiastes 1:10



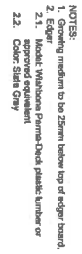
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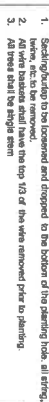
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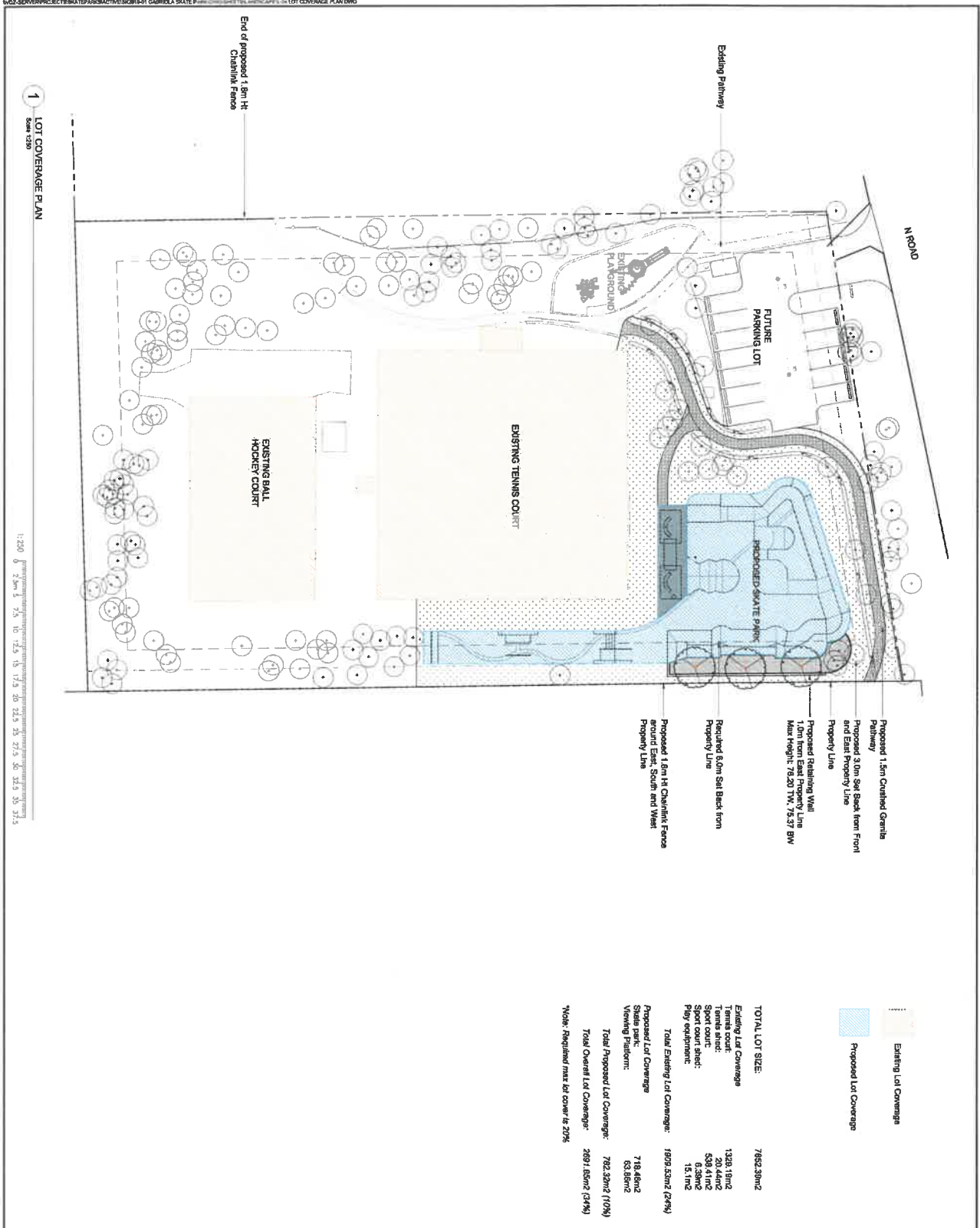
Scale 1:2



Scale 1:



Project:	HUXLEY SCATE PARK
Location:	555 NORTH ROAD, GABRIOLA ISLAND, BC
Owner:	Strapco
M&M:	
Designer:	CJ
Approved:	Debra and Rick
CU	2/8/95
Revised:	
AS BROWN	



van der Zalm - associates Inc.
 1000 Lakeshore Blvd. West - Lakeshore, Ontario
 Phone: 1-877-777-7668
 Fax: 905-881-1888
 E-Mail: info@vzassoc.com
 Web: www.vzassoc.com

DRAFT
Review Set

Key Map (m)

REVISIONS TABLE FOR DRAWINGS

No.	Description	Date
3	ISSUED FOR CON. REVIEW	Apr. 2, 2018
1	ISSUED FOR CON. REVIEW	Dec. 8, 2017

REVISIONS TABLE FOR SHEET

No.	Description	Date
1	ISSUED FOR CON. REVIEW	Dec. 8, 2017

Project: HUXLEY SKATE PARK

Location: 585 NORTH ROAD, GAMBRIOL ISLAND, BC

Owner: M&M

Shopper:

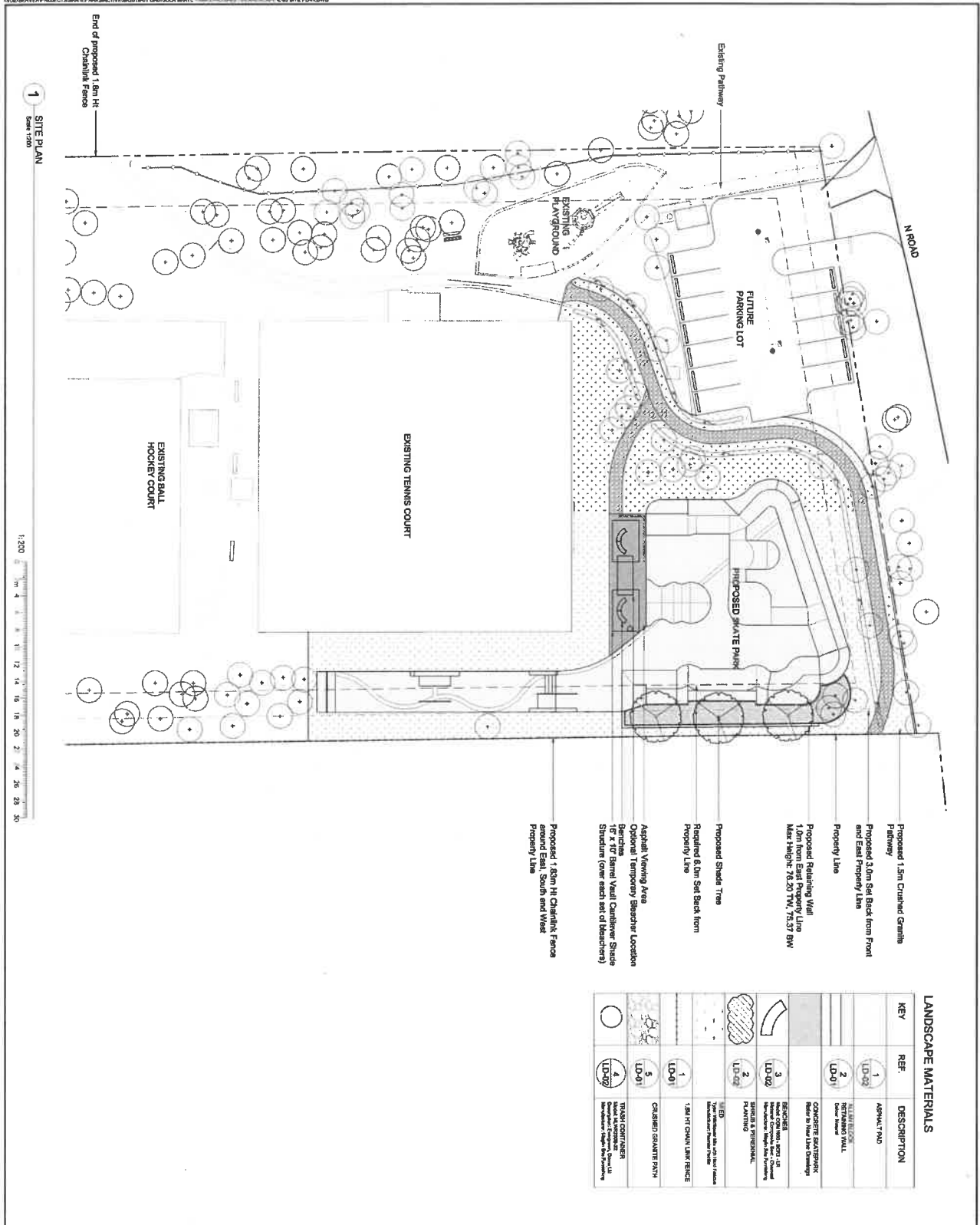
Contract: CU

Approval: CU

Scale: 1/300

COMMENTS: ALL DRAWINGS TO BE IN ACCORDANCE WITH THE BC BUILDING ACT AND THE BC BUILDING CODE. ALL DRAWINGS TO BE IN ACCORDANCE WITH THE BC BUILDING ACT AND THE BC BUILDING CODE. ALL DRAWINGS TO BE IN ACCORDANCE WITH THE BC BUILDING ACT AND THE BC BUILDING CODE.

DATE: 2/1/2018

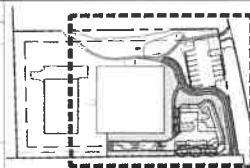


LANDSCAPE MATERIALS			
KEY	REF.	DESCRIPTION	
	1 LD-01	ASPHALT PAVING 1/2" ASPHALT REINFORCING MESH	
	2 LD-01	RETAINING WALL Concrete 6" thick	
	3 LD-02	CONCRETE RETAINING Pier to Main Lane Driveway	
	4 LD-02	RETAINING WALL CONCRETE 6" THICK REINFORCING MESH CONCRETE 6" THICK REINFORCING MESH	
	5 LD-01	BRICKS & PAVERS PAVING	
	6 LD-01	GRAVEL Gravel to Main Lane Driveway	
	7 LD-01	18M HT. CHAIN LINK FENCE	
	8 LD-01	CASTED GRANITE PATH	
	9 LD-02	TRENCHES CONCRETE 6" THICK REINFORCING MESH CONCRETE 6" THICK REINFORCING MESH	

LANDSCAPE MATERIALS

van der Zaaij + associates inc
 Parks & Recreation • Civil Engineering
 Urban Design • Landscape Architecture
 AIA • LEED AP
 1000 1st St. N. Suite 100
 Minneapolis, MN 55401
 Tel: 612.338.3333
 Fax: 612.338.3334
 www.vdzaij.com

Key Map (MTS)

[illegible]

HUXLEY SKATE PARK

Location:

GAFFNEY, ISABEL, BA

—

24"x36"

PROPERTY OF
U.S. AIR FORCE

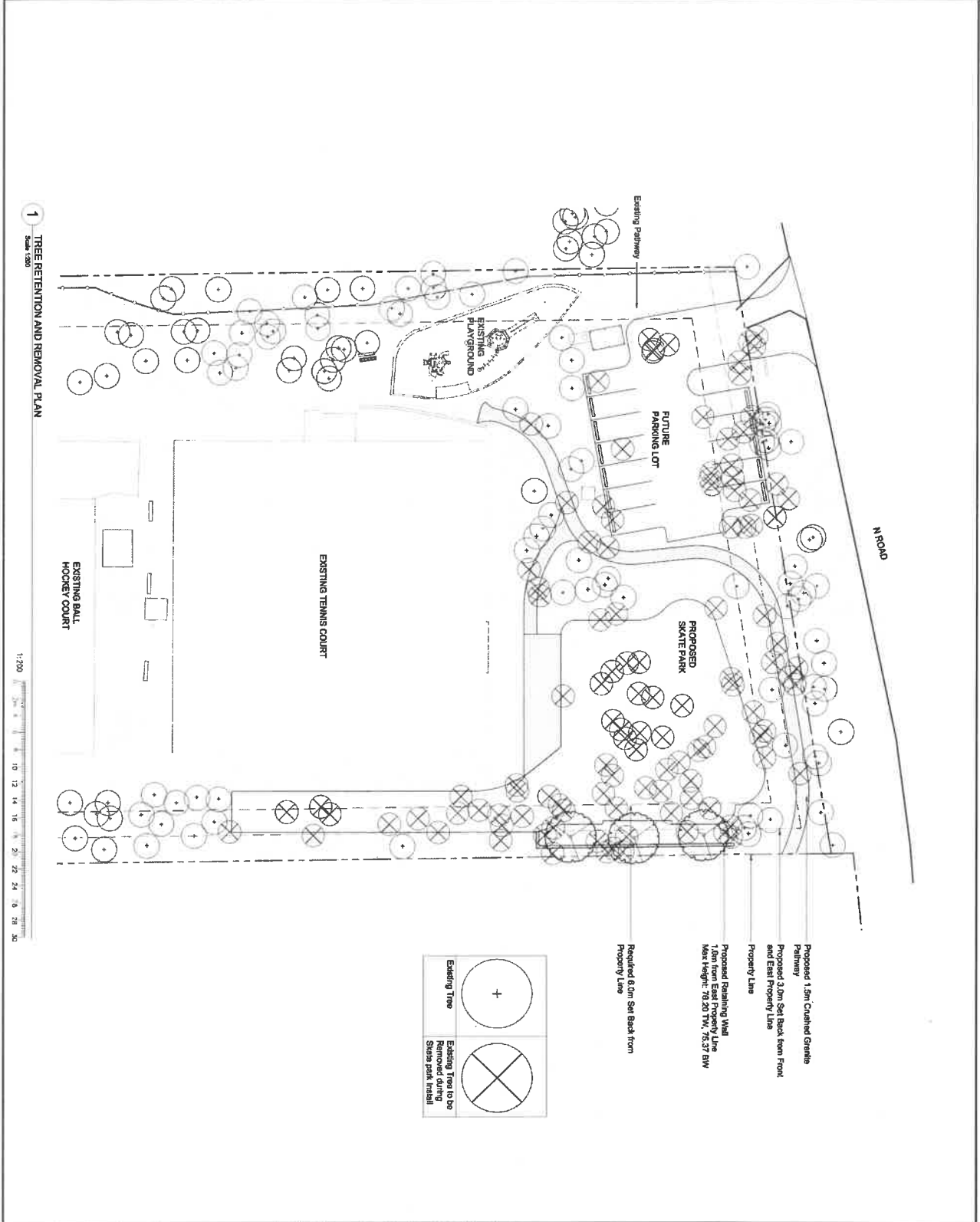
2005
 2006
 2007

Drawing #:
L-03

VDZ Project #:
SK2019-01

Drawing Title:
SITE PLAN





VDZ Project #: SK2019-01

Location: 555 NORTH ROAD, GABRIOLA ISLAND, BC

Project: HUXLEY SKATE PARK

Drawn: [Name]

Checked: [Name]

Approved: [Name]

Scale: 1"=200'

DRAFT

50% Review Set

VDZ Project #: SK2019-01

Location: 555 NORTH ROAD, GABRIOLA ISLAND, BC

Project: HUXLEY SKATE PARK

Drawn: [Name]

Checked: [Name]

Approved: [Name]

Scale: 1"=200'



DATE OF MEETING: February 28, 2019

TO: Gabriola Island Local Trust Committee

FROM: Ann Kjerulf, MCIP, RPP, Regional Planning Manager
Local Planning Services

COPY: Lisa Wilcox, Kwakwemtenaat, Senior Intergovernmental Policy Advisor

SUBJECT: Community Reconciliation

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee rescind standing resolution GB-2018-100.
2. That the Gabriola Island Local Trust Committee adopt the following standing resolution:

Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:

- a) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;
- b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;
- c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;
- d) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;
- e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider rescinding its current standing resolution and to adopt a new standing resolution to guide community reconciliation with First Nations of the Local Trust Area. The draft resolution, as stated in the recommendation above, is intended to establish a framework for the development of successful relationships among trustees, staff and local First Nations, and set realistic expectations for all parties.

BACKGROUND

The previous LTC adopted standing resolution GB-2018-100 in September 2018 as a measure to guide reconciliation and relationship with local First Nations, and as a continuation of the efforts over past LTCs (see Appendix A). Since the introduction of a new LTC and further discussion about First Nations' interests in the Local Trust Area, and about reconciliation more generally, trustees have expressed an interest in revisiting its approach to First Nations engagement.

The following resolution was passed at the November 22, 2018 LTC Meeting:

GB-2018-118

It was MOVED and SECONDED

that Trustee Colbourne will initiate the first steps of the Standing Resolution GB 2018-100 on First Nations Relationship Building and share a draft for review with Staff and the Gabriola Island Local Trust Committee.

CARRIED

The following resolutions were passed at the January 24, 2019 LTC Meeting:

GB-2019-001

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to report back to Gabriola Island Local Trust Committee follow up actions in regards to First Nations Relationship Building.

CARRIED

GB-2019-018

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to draft an introductory letter from the Gabriola Island Local Trust Committee to First Nations within the Trust area advising of the Gabriola Island Local Trust Committee Top Priorities Projects.

CARRIED

ANALYSIS

Issues and Opportunities

Approach to Reconciliation

The intent of a standing resolution is to provide a framework to guide reconciliation and relationship building with First Nations and our community in the local Trust Area. Key documents to guide the LTC's journey of reconciliation with local First Nations include:

- Truth and Reconciliation Commission (TRC) Calls to Action
https://nctr.ca/assets/reports/Calls_to_Action_English2.pdf
- United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP);
https://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf
- Draft Principles that Guide the Province of BC's Relationship with Indigenous Peoples;
https://www2.gov.bc.ca/assets/gov/careers/about-the-bc-public-service/diversity-inclusion-respect/draft_principles.pdf
- Islands Trust First Nations Engagement Principles.
<http://www.islandstrust.bc.ca/media/342128/firstnationsengagementprinciples.pdf>

Staff have postponed initiating any actions under the current standing resolution pending the outcome of resolution GB-2018-118. Reconsideration of the standing resolution can clarify the respective roles and responsibilities of staff and trustees and create a common path forward to developing positive and productive relationships with local First Nations.

Proposed Standing Resolution

Following discussion with Lisa Wilcox, Kwakwemtenaat, Islands Trust Senior Intergovernmental Policy Advisor, staff are recommending that the LTC rescind the existing standing resolution and consider adopting a new standing resolution. The draft resolution is worded as follows:

Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:

- f) Annually, write a letter to First Nations, (re)introducing trustees and staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as, provide an update of current projects and advocacy activities;**
- g) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;**
- h) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;**
- i) Work with First Nation governments on engagement principles for inclusive land use, marine use, and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols;**
- j) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.**

This draft resolution provides a non-linear timeline that respects an Indigenous worldview, by removing the timing and sequencing requirements which exist in the current resolution and providing a flexible timeline and variety of options to approach reconciliation and relationship building. This approach recognizes that local First Nations may have different interests or core concerns and that fulfilling the current standing resolution requirement for all eight local First Nations to participate in land use discussions with the LTC could be very challenging.

The draft standing resolution also aligns more carefully with key documents such as the TRC Calls to Action, UNDRIP, BC Draft Principles and Islands Trust Engagement Principles. It intends to lessen the demand on First Nations to act, provide resources, or to engage particularly in cases where First Nations have multiple competing priorities, demands of their time, and limited resources, and provide First Nations with the space and time to choose whether or not and how they wish to participate in LTC activities. The resolution also recognizes the educational and learning components of the TRC and UNDRIP principles and allows trustees, staff and the community time to learn about reconciliation as part of the process of cultural competency.

Additionally, the draft standing resolution provides a consistent approach that is achievable throughout the Islands Trust Area by all LTCs. It seeks to address that First Nations may have differing interests or core concerns within each LTC; however, they share similar protocols within the Coast Salish territory of the Islands Trust Area.

Rationale for Recommendation

The draft standing resolution provides a framework for the Gabriola LTC to engage with First Nations with interests in the Local Trust Area. It is intended to set the LTC for success in its efforts toward reconciliation and emphasises the work that the LTC will do in reconciliation with local First Nations.

Alternatives

- 1. Request further information**
- 2. Amend the draft Standing Resolution**
- 3. Recommend to the Islands Trust Local Planning Committee and/or Executive Committee that the standing resolution be adopted as a model approach to reconciliation for all Local Trust Committees.**

NEXT STEPS

Should the LTC adopt the recommended standing resolution, staff will draft letters of introduction to all First Nations within interests in the Local Trust Area, as noted in item (a) of the resolution and welcome input, dialogue and opportunities to address items (b) through (e) of the resolution.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	February 12, 2019
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ATTACHMENTS

- 1. Appendix A: Gabriola Island Local Trust Committee Resolutions Respecting First Nations (2008 – 2018)

APPENDIX A

GABRIOLA ISLAND LOCAL TRUST COMMITTEE RESOLUTIONS RESPECTING FIRST NATIONS (2008 – 2018)

Oct. 23, 2008

That the Gabriola Island Local Trust Committee approves the Snuneymuxw First Nation draft Protocol Agreement as dated October 23, 2008.

Mar. 19, 2009

That the Gabriola Island Local Trust Committee request that staff bring to the next Local Trust Committee meeting recommendations on Snuneymuxw First Nation Protocol implementation, and consider interim referral operating procedures, and consider setting the first working group date for June.

Oct 22, 2009

That the Gabriola Island Local Trust Committee appoint Trustee Malcolmson as delegate to the Snuneymuxw First Nations Working Group meetings.

That the Gabriola Island Local Trust Committee request that staff report back to the Local Trust Committee mechanisms to engage with the Snuneymuxw First Nations on the Official Community Plan review.

That the Gabriola Island Local Trust Committee request staff to add to the Islands Trust website, a website link to the Snuneymuxw First Nations website and a link to the Snuneymuxw First Nations Protocol Agreement.

June 24, 2010

That the Gabriola Island Local Trust Committee invite the Snuneymuxw First Nations Representative to attend the next Volunteer Review Committee meeting and request that staff propose an amendment to the Volunteer Review Committee Terms of Reference to enable a Snuneymuxw First Nations member as a sixteenth member of the Volunteer Review Committee.

Jan 27, 2011

That the Gabriola Island Local Trust Committee host and invite Snuneymuxw First Nation's Councilor Geraldine Manson to make a storytelling presentation on Gabriola Island.

Sept. 22, 2011

That the Gabriola Island Local Trust Committee forward the following recommendations to the 2011-2014 Gabriola Local Trust Committee for its consideration in Phase II of an Official Community Plan / Land Use Bylaw Review:

- Adopt a Terms of Reference and Project Scope again, with a public consultation plan included with it;
- Expand the use of alternate consultation methods, and better resource consultation with Snuneymuxw First Nations;

April 19, 2012

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.

Oct. 4, 2012

That the Gabriola Island Local Trust Committee revise and approve funding requests for Projects Proposed for Next Fiscal, 2013/2014 and forwarded to the Financial Planning Committee as revised as follows:

- Change proposed project name to "Snuneymuxw First Nation Protocol Implementation".

Feb. 21, 2013

That the Gabriola Island Local Trust Committee request staff support to develop a cover letter introducing First Nations newly on the Gabriola Island Local Trust Committee referral list to the Islands Trust and the Gabriola Island Local Trust Committee, to help follow the Strategic Plan item 5.1.

Jan. 22, 2015

That the Gabriola Island Local Trust Committee move the Snuneymuxw First Nation Protocol Agreement Implementation Project from the Top Priorities List to the Project List.

[Speaking to the motion, Trustee Mamoser stated that First Nation engagement is very important and wanted to be clear that the LTC is looking forward to having stronger relationships despite it being removed from the Top Priorities list and that this change is not indicative of our level of commitment.]

Apr. 2, 2015

That the Gabriola Island Local Trust Committee rename the item formerly known as "Implement First Nations and Archaeological Protection policies, including improved engagement on land use referrals" that is on the project list to read "Strengthen relationships with first nations".

May 7, 2015

That the Gabriola Island Local Trust Committee request that staff schedule a meeting with the Snuneymuxw First Nation as per our protocol agreement.

That the Gabriola Island Local Trust Committee recommend to Trust Council that item 5.1 in the Discussion Draft of the Strategic Plan for 2014-2018 be amended to include Activity 5.1.3 Seeking out common ground with local first nations and building on it by identifying areas of shared advocacy and proactively proposing shared partnerships.

July 23, 2015

That the Gabriola Island Local Trust Committee send an invitation to Chief Wesley to attend the Stewardship Award celebration at the September Local Trust Committee meeting.

April 25, 2016 (via RWM)

That the Gabriola Island Local Trust Committee seek funding from the Union of BC Municipalities to hold a Community to Community forum with the Snuneymuxw First Nation.

Nov. 24, 2016 (via RWM)

That the Gabriola Island Local Trust Committee request that the attached letter be sent to the Snuneymuxw First Nation, to be signed by the Chair of the Local Trust Committee, to congratulate the Snuneymuxw First Nation on the ratification of the Thlap'qwan Specific Claim Settlement.

Jan. 12, 2017

That the Gabriola Local Trust Committee support and participate in the One Book One Community Truth and Reconciliation initiative and that Trustee O'Sullivan represent the Local Trust Committee in the planning process.

Feb. 9, 2017

That the Gabriola Island Local Trust Committee request staff to post the First Nations reading list prepared by Trustee O'Sullivan on the Gabriola Island Local Trust Committee webpage.

April 27, 2017 (via RWM)

That the Gabriola Local Trust Committee authorize the expenditure of \$317.90 from the Local Expense Budget for the purpose of supporting the Gabriola First Nations Relationship Building project.

June 8, 2017

That the Gabriola Island Local Trust Committee add First Nations relationship building to the top priorities list.

That the Gabriola Island Local Trust Committee request staff to work with the Gabriola Land and Trails Trust to organize a gathering with the Snuneymuxw First Nation.

That the Gabriola Island Local Trust Committee request staff brings back a report on next steps on First Nations relationship building.

July 13, 2017

That the Gabriola Island Local Trust Committee endorse the First Nations Relationship Building Project Charter v1., that the Gabriola Island Local Trust Committee commit to hosting one or two public events on Gabriola Island and/or Mudge Island to help raise awareness of local First Nation's history, land and treaties amongst non-indigenous residents and visitors.

That the Gabriola Local Trust Committee ask staff to draft an amendment to the introduction of the Official Community Plans in coordination with First Nations with asserted interests in the Gabriola Island Local Trust Area, that includes an explicit acknowledgement of local First Nation history, land-use and treaties in the Gabriola Island Trust Area, and if possible, prepare mapping for inclusion in the Official Community Plans to identify places of significant historical value to local First Nations.

Dec. 14, 2017

That the Gabriola Island Local Trust Committee request a report on the first nation relationship building project for the next Local Trust Committee meeting.

That the Gabriola Island Local Trust Committee request staff to assist in the preparation of a letter of congratulations to incoming Chief and Council when they take office early next year.

June 14, 2018

That the Gabriola Island Local Trust Committee request Staff to draft a standing resolution with respect to First Nation Relationship Building.

September 27, 2018

That the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to First Nations Relationship Building: In order to learn about and better understand the eight local First Nations with asserted Aboriginal title, Aboriginal rights and treaty rights in the Gabriola Local Trust Area, the Gabriola Island Local Trust Committee resolves to:

- Annually, write a letter to each First Nation, (re)introducing Trustees and Staff and provide a schedule of known Local Trust Committee meetings for the upcoming year. This annual letter may include requests to meet or participate with the First Nation leadership or community members in their meetings or events in order for the Local Trust Committee to learn about and better understand the First Nation community's issues and history;
- One month in advance of each scheduled Local Trust Committee meeting, ask an elder from a local First Nation to provide a traditional welcome to the territory and stay for the meeting if interested.

Invitations may be sent in rotation to each of the eight local First Nations;

- Once the Gabriola Island Local Trust Committee has established the above administrative processes for at least one year, the Local Trust Committee will, annually, invite all eight local First Nations to a day of land use discussions, with a request for those First Nations to help plan the meeting so as to provide a culturally appropriate and safe place to talk freely about historical, current and upcoming land use issues in the Gabriola Land Trust Area; the invitation will include a map of the Local Trust Area jurisdictional boundaries); and
- Once the Gabriola Island Local Trust Committee has held annual meetings with local First Nations for two consecutive years, the Local Trust Committee will establish new or refreshed agreements with each of the eight local First Nations based on mutually agreed-upon processes of meaningful engagement in land use issues in the Gabriola Local Trust Area.



DATE: February 28, 2019
TO: Gabriola Island Local Trust Committee
FROM: Jaime Dubyna, Planner 2
Northern Team
COPY: Becky McErlean, Legislative Clerk
SUBJECT: Restrictive Covenant for a Secondary Suite

RECOMMENDATION

1. **“That the Gabriola Island Local Trust Committee accept a covenant under Section 219 of the *Land Title Act* from the registered owners of Lot 4, Section 20, Gabriola Island, Nanaimo District, Plan VIP86942, PID: 027-939-774, and authorize the chair and one other member of the Local Trust Committee to sign the covenant.”**

PURPOSE

This memorandum notifies the Gabriola Island Local Trust Committee (LTC) of the requirement for a restrictive covenant on LOT 4, SECTION 20, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN VIP86742 (PID: 027-939-774) and requests that the LTC accept and authorize signatories of the covenant.

DISCUSSION

Where a secondary suite is permitted in Part D of the Gabriola Island Land Use Bylaw No. 177 (LUB), the secondary suite is subject to Subsection B.6.3 and the Secondary Suite Regulations found in Subsection B.6.6. In the matter of the restrictive covenant, Article B.6.6.8 applies:

B.6.6.8 For lands outside of the ALR, a secondary suite shall not be permitted on a lot unless the owner of the lot has registered a restrictive covenant under Section 219 of the Land Title Act in favour of the Gabriola Island Local Trust Committee prohibiting the registration of a strata plan under the Strata Property Act or Land Title Act which would result in the secondary suite being a separate lot.

There is an existing dwelling on the subject property that, once a new principal dwelling has been constructed, will be converted to a secondary suite. The property owners have requested that the covenant be signed by the LTC at its earliest convenience in order to proceed with construction of a new principal dwelling.

Submitted By:	Jaime Dubyna, MSc.Pl. Planner 2	February 26, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	February 26, 2019

ATTACHMENTS

1. Covenant

LAND TITLE ACT
FORM C (Section 233) CHARGE
GENERAL INSTRUMENT - PART 1 Province of British Columbia

PAGE 1 OF 5 PAGES

Your electronic signature is a representation that you are a subscriber as defined by the Land Title Act, RSBC 1996 c.250, and that you have applied your electronic signature in accordance with Section 168.3, and a true copy, or a copy of that true copy, is in your possession.

1. APPLICATION: (Name, address, phone number of applicant, applicant's solicitor or agent)

Murray H. Grant

Barrister & Solicitor

#2020 - 650 West Georgia Street, PO Box 11547

Vancouver

BC V6B 4N7

Phone: 604-828-6340

File Ref. No: 19-1055 Moeller / Rudischer

Deduct LTSA Fees? Yes ☒

2. PARCEL IDENTIFIER AND LEGAL DESCRIPTION OF LAND:
 [PID] [LEGAL DESCRIPTION]

027-939-774

**LOT 4, SECTION 20, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN
 VIP86742**

STC? YES ☐

3. NATURE OF INTEREST

Covenant

CHARGE NO.

ADDITIONAL INFORMATION

Section 219 Covenant-Entire Instrument

4. TERMS: Part 2 of this instrument consists of (select one only)

(a) ☐ Filed Standard Charge Terms D.F. No.

(b) ☒ Express Charge Terms Annexed as Part 2

A selection of (a) includes any additional or modified terms referred to in Item 7 or in a schedule annexed to this instrument.

5. TRANSFEROR(S):

JOHN WILLIAM PETER MOELLER

6. TRANSFEREE(S): (including postal address(es) and postal code(s))

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE, A LOCAL TRUST COMMITTEE
 INCORPORATED UNDER THE ISLANDS TRUST ACT (BRITISH COLUMBIA)**

#200 - 1627 FORT STREET

VICTORIA

BRITISH COLUMBIA

V8R 1H8

CANADA

7. ADDITIONAL OR MODIFIED TERMS:

N/A

8. EXECUTION(S): This instrument creates, assigns, modifies, enlarges, discharges or governs the priority of the interest(s) described in Item 3 and the Transferor(s) and every other signatory agree to be bound by this instrument, and acknowledge(s) receipt of a true copy of the filed standard charge terms, if any.

Officer Signature(s)

Karin Darlene Young

Commissioner for Taking Affidavits in British Columbia

Commission Expires: August 31, 2019

#2020 - 650 West Georgia Street

Vancouver, BC V6B 4N7

Tel: 604-828-6340

(as to both signatures)

Execution Date		
Y	M	D
19	02	

Transferor(s) Signature(s)

John William Peter Moeller

OFFICER CERTIFICATION:

Your signature constitutes a representation that you are a solicitor, notary public or other person authorized by the *Evidence Act*, R.S.B.C. 1996, c.124, to take affidavits for use in British Columbia and certifies the matters set out in Part 5 of the *Land Title Act* as they pertain to the execution of this instrument.

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TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT

This COVENANT dated for reference the _____ day of February, 2019, is

BETWEEN:

John William Peter Moeller, President
649 Taylor Bay Road
Gabriola, British Columbia
V0R 1X0

(the “Owner”)

AND:

Gabriola Island Local Trust Committee, a local trust committee incorporated under the *Islands Trust Act* (British Columbia), having an office at:
200 - 1627 Fort Street,
Victoria, British Columbia,
V8R 1H8

(the “Local Trust Committee”)

WHEREAS:

A. The Owner is the owner in fee simple of that parcel of land on Gabriola Island, in the Province of British Columbia, more particularly known and described as:

PID: 027-939-774
Legal Description: Lot 4, Section 20, Gabriola Island,
Nanaimo District, Plan VIP86742

(the “Lands”);

B. Gabriola Island Land Use Bylaw 1999, as amended, permits the construction and use of a secondary suite only if the owner has registered a covenant under Section 219 of the *Land Title Act* prohibiting subdivision of secondary suite by stratification;

C. Section 219 of the *Land Title Act* permits the registration of a covenant of a negative or positive nature in favour of a municipality, in respect of the use of land, the building on land, the subdivision of land and the preservation of land or a specific amenity on the land;

THIS AGREEMENT is evidence that in consideration of payment of \$1.00 by the Local Trust Committee to the Owner (the receipt and sufficiency of which are acknowledged by the Owner), and in consideration of the promises exchanged below, the Owner covenants and agrees with the Local Trust Committee in accordance with Section 219 of the *Land Title Act* as follows:

GRANT OF SECTION 219 COVENANT

1. The Owner covenants with the Local Trust Committee that:
 - (a) the Lands shall not be subdivided by subdivision plan under the *Land Title Act*, by a strata plan or bare land strata plan under the *Strata Property Act*, or in any other manner, that creates a separate parcel for the secondary suite located on the Lands; and
 - (b) if the Lands are not designated as being within the Agricultural Land Reserve, there shall be no more than two dwellings permitted on the Lands, including the principal dwelling.

INDEMNITY

2. The Owner releases, and must indemnify and save harmless the Local Trust Committee, its elected and appointed officials and employees, from and against any and all liability, actions, causes of action, claims, costs, damages, expenses (including actual legal fees), costs, debts, demands or losses suffered or incurred by the Owner, or anyone else, arising from the performance by the Owner of this Agreement, or any default of the Owner under or in respect of this Agreement.

NO EFFECT ON LAWS OR POWER

3. Wherever in this Agreement the Local Trust Committee is required or permitted to form an opinion, exercise discretion, express satisfaction, make any determination, or give its consent, the Owner agrees that the Local Trust Committee may do so in accordance with the provisions of this Agreement and is under no public law duty of fairness or natural Justice, and agrees that the Local Trust Committee may do any of those things in the same manner as if it were a private party and not a public body.
4. This Agreement does not:
 - (a) affect or limit the discretion, rights or powers of the Local Trust Committee under any enactment (as defined in the Interpretation Act on the reference date of this Agreement) or at common law, including in relation to the use or subdivision of the Lands;
 - (b) affect or limit any enactment relating to the use or subdivision of the Lands; or
 - (c) relieve the Owner from complying with any enactment, including in relation to the use or subdivision of the Lands.

RUNS WITH THE LANDS

5. Every obligation and covenant of the Owner in this Agreement constitutes both a contractual obligation and a covenant granted under Section 219 of the *Land Title Act* in respect of the Lands and runs with the Lands and binds the successors of title to the Lands. This Agreement burdens the Lands and every part parcel into which the Lands may be subdivided by any means and any parcel into which the Lands are consolidated. The Owner is only liable for breaches of this Agreement that occur while the Owner is the registered owner of the Lands.

WAIVER

6. An alleged waiver of any breach of this Agreement is effective only if it is an express waiver in writing of the breach. A waiver by the Local Trust Committee of any default by the Owner shall not be deemed to be a waiver of any subsequent default.

SEVERANCE

7. If any part of this Agreement is held to be invalid, illegal or unenforceable by a court having the jurisdiction to do so, that part is to be considered to have been severed from the rest of this Agreement and the rest of this Agreement remains in force unaffected by that holding or by the severance of that part.

ENTIRE AGREEMENT

8. This Agreement is the entire agreement between the parties regarding its subject.

ENUREMENT

9. This Agreement binds the parties to it and their respective successors, heirs, executors and administrators.

DEED AND CONTRACT

10. By executing and delivering this Agreement each of the parties intends to create both a contract and a deed executed and delivered under seal.

FURTHER ASSURANCES

11. The Owner agrees to do everything reasonably necessary at the Owner's expense to ensure that this Agreement is registered against the title to the Lands with priority over all financial charges, liens, and encumbrances registered or the registration of which is pending, at the time of application for registration of this Agreement.

12. The Owner must do everything reasonably necessary to give effect to the intent of this Agreement, including execution of further instruments.

INVESTIGATION BY LOCAL TRUST COMMITTEE

13. The Owner hereby irrevocably authorizes the Local Trust Committee to make such inquiries as it considers necessary and reasonable in order to confirm that the Owner is complying with this Agreement and irrevocably authorize and direct the recipient of any request for information from the Local Trust Committee to provide such information to the Local Trust Committee.

As evidence of their agreement to be bound by the terms of this instrument, the parties hereto have executed the Land Title Form C which is attached hereto and forms part of this Agreement.



Gabriola Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Housing Options and Impacts Review Project	Develop an Engagement and Communication Strategy; Strengthen relationships with Snuneymuxw First Nation and incorporate First Nation perspectives into policy/regulatory options; Explore opportunities to foster affordable, rental, special needs and seniors housing and associated services; Develop a strategy to address all housing continuum gaps; Ensure policy/regulatory changes are consistent with the Object of the Islands Trust, the ITPS, with focus on water protection/conservation and ecological footprints.	22-Nov-2018		
2	Cannabis Production and Retail Sales		22-Nov-2018		
3	Develop an Ecological Protection Zone	Research and develop a new ecological protection zone as part of the Parks (P) OCP designation. Update zoning of Coats Marsh and Burren's Acres Nature Reserve properties.	22-Nov-2018		

**Projects****Gabriola Island**

Description	Activity	R/Initiated
DeCourcy Island OCP and Bylaw Review	Review DeCourcy Island Official Community Plan and Regulatory bylaws; establish an Advisory Planning Commission. Topics include: park areas without park zoning, DAI Bylaw, subdivision polices and regulations (added March 2017).	21-Apr-2011
Hazardous areas/Steep Slopes DPA	Consider hazardous areas and steep slopes development permit area designation; consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain	21-Feb-2013
Forage Fish Mapping Workshop	March, 2013 resolution	05-Sep-2013
Land Based Aquaculture	Review most recent provincial direction on land based aquaculture and develop appropriate policies and regulations.	16-Jan-2014
Biodiversity Protection	Identify measures to protect biodiversity	19-Jan-2012
Coastal areas protection	Review OCP and LUB to improve protection of coastal areas; development of a comprehensive DPA for shorelines in the Gabriola Island Local Trust Area	19-Jan-2012
Water Protection	Review OCP and LUB to protect water quality and quantity.	19-Jan-2012
First Nations cultural references	Consider 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
Eelgrass protection	Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).	14-May-2014



Projects

Gabriola Island

Description	Activity	R/Initiated
Snuneymuxw Protocol Agreement	Implementation of Snuneymuxw First Nation Protocol Agreement	22-Jan-2015
Gabriola Village Plan	Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core	02-Apr-2015
Snuneymuxw Relationship Building	Strengthen relationship with Snuneymuxw First Nation	02-Apr-2015
Food Trucks	Review land use bylaw regulations with respect to food trucks	02-Apr-2015
Eagle Nest Mapping	Incorporate eagle nest mapping into the OCP	02-Apr-2015
Green Energy	Consider policy and regulatory mechanisms to encourage green and renewable energy	02-Apr-2015
Commercial Vacation Rental Review	Review bylaws with respect to temporary use permits for commercial vacation rentals	07-May-2015
CDF Conservation	Consider policies and other recommendations regarding land use planning tools that will effectively conserve Coastal Douglas-fir forest ecosystems.	14-Jan-2016

**Projects****Gabriola Island**

Description	Activity	R/Initiated
LUB Amendments	- Review of temporary sawmill regulations - Definition of personal use of animals for SRR zoned lots - Review of how cisterns and solar panels are regulated as structures subject to lot coverage calculations -Review of section B.2.1.1 for variances within DP3 -Review minimum average parcel size calculations in LUB and OCP to ensure consistent and supportive of more than 5% dedication of parkland -IN1 zoning to ensure consistent with existing Arts Council use. -definition of limited public market and INI zone uses pertaining to market sales -correction to WC3 mapped location to coincide with Green Wharf	08-Sep-2016
Water Resource Planning	Review of water requirements at the time of subdivision	14-Jun-2018
Water Taxi Feasibility	Follow up items emerging out of water taxi feasibility (completed fall 2018)	22-Nov-2018
Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)	Implementation of the report recommendations into OCP policy and LUB regulations.	24-Jan-2019



Islands Trust

Print Date: February 21, 2019

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GB-DP-2017.2	Fenton, Rob	03-Aug-2017	PID: 009-796-045 To bring property into bylaw compliance Civic: Acorn Island

Planner: Ian Cox

Planning Status

Status Date: 21-Feb-2019

Staff Memo to Feb 28th LTC meeting - status update.

Status Date: 14-Jan-2019

New applicant legal counsel. Time needed for review and consideration of documents. Planner to work with Lawyer on providing needed documents to complete records before making a decision as to covenant, HCA notice on title, etc.

Status Date: 03-Jan-2019

File from planner Zupanec to planner Cox. Review for possibility to take to January LTC.

File Number	Applicant Name	Date Received	Purpose
GB-DP-2018.1	Jeff Wagner/Gordon Homes Sales Ltd.	26-Apr-2018	PID: 003-435-857 Placing new manufactured home on property Civic address: 9 Wildwood Crescent, Gabriola Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 19-Dec-2018

Applicant on behalf of property owners requested application be withdrawn.

Status Date: 11-Dec-2018

Planner requested Detailed Assessment by a QEP be submitted, as noted in Preliminary RAR Assessment dated Dec. 22, 2017.

Status Date: 27-Sep-2018

Site visit.

File Number	Applicant Name	Date Received	Purpose
GB-DP-2018.3	Bowles, ANTHONY	17-Jul-2018	PID: 003-432-394 Building new 2 bedroom home. Civic address: 601 Wildwood Crescent, Gabriola Island, BC

Applications

Planner: Sonja Zupanec

Planning Status

Status Date: 23-Nov-2018

Applicant preparing revised plan for inclusion in permit.

Status Date: 15-Aug-2018

Planner reviewing file

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2016.3	Van Herwaarden, Lynn	24-Aug-2016	PID: 003-422-852 539 Wildwood Crescent, Gabriola Island. DVP to bring property into compliance.

Planner: Marnie Eggen

Planning Status

Status Date: 15-Aug-2018

Awaiting further information/ exploring options

Status Date: 18-Aug-2017

Sent letter to the property owner and requested her (or her surveyor) to forward the completed survey / site plan to planning staff.

Status Date: 17-Aug-2017

Planning staff met with the owner on site, reiterated the need for a survey / site plan. The owner committed to providing a survey / site plan as per the Land Use Bylaw.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2017.1	Fenton, Rob	03-Aug-2017	PID: 009-796-045 To bring property into bylaw compliance. Civic address: Acorn Island

Planner: Ian Cox

Planning Status

Status Date: 21-Feb-2019

Staff Memo to Feb 28th LTC meeting - status update.

Applications

Status Date: 14-Jan-2019

New applicant legal counsel. Time needed for review and consideration of documents. Planner to work with Lawyer on providing needed documents to complete records before making a decision as to covenant, HCA notice on title, etc.

Status Date: 03-Jan-2019

File from planner Zupanec to planner Cox. Review for possibility to take to January LTC

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2018.1	Upward Construction	11-Apr-2018	PID: 004-739-345 Demolish cottage & work shed & rebuild. Need variance to allow septic field to be placed within setback from ocean. Civic address: 1850 Maple Lane, Gabriola Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 21-Feb-2019

Staff report approved for Feb 28th LTC meeting consideration.

Status Date: 25-Jan-2019

Planner Cox to prepare report and permit for Feb. 28th LTC

Status Date: 31-Jul-2018

File from planner Zupanec to planner Cox - waiting on current parcel survey showing natural boundary.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2018.4	Bowles, ANTHONY	17-Jul-2018	PID: 003-432-394 Building new 2 bedroom home Civic address: 601 Wildwood, Gabriola Island, BC

Planner: Sonja Zupanec

Planning Status

Status Date: 23-Nov-2018

Applicant preparing revised plans for inclusion in draft permit.

Status Date: 15-Aug-2018

Planner reviewing

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2018.6	MAUREEN / IAN Durrance	21-Sep-2018	PID: 003-431-657 Civic address: 538 Wildwood Cr, Gabriola Island Septic inside RAR setback X-file GB-BE-2015.8

Applications

Planner: Sonja Zupanec

Planning Status

Status Date: 22-Nov-2018

LTC resolution to defer consideration of the application until sewage assessment report and BCLS signed plan are received.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2019.1	Regional District of Nanaimo (Huxley Community Park)	22-Jan-2019	PID: 016-001-826 Setback variance. Civic address: 585 North Road, Gabriola Island, BC.
Planner: Bronwyn Sawyer			

Planning Status

Status Date: 14-Feb-2019

File under review by planner.

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2018.1	THOMAS W MELVILLE	06-Apr-2018	Foreshore lease #112998 Continuing annual moorage at Degnan Bay, Gabriola Island, BC
Planner: Sonja Zupanec			

Planning Status

Status Date: 01-Nov-2018

Staff met with applicant to discuss next steps in compliance with existing zoning and FLNRORD requirements. Applicant is deciding on how to proceed and whether to close rezoning file. Staff to follow up February 2019.

Status Date: 13-Sep-2018

No change in status.

Status Date: 01-Aug-2018

Application out for referrals to Arch Branch, local First Nations, and the Gabriola Island APC.

Subdivision

File Number	Applicant Name	Date Received	Purpose
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Applications

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)

Planner:**Planning Status**

Status Date: 24-Oct-2018

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 05-Jul-2018

Received confirmation from MOTI that PLA has been extended to June 28 2019

Status Date: 18-Jan-2018

Planner re-sent the revised referral report to MOTI. Will await a response from MOTI.

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:**Planning Status**

Status Date: 24-Oct-2018

Update email sent to MOTI and copied to applicant to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 03-Aug-2018

MOTI extended PLA until 2-Aug-2019

Status Date: 26-Jun-2018

Planner responded to MOTI request for extension to PLA. No concerns with extension.

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

Applications

Planning Status

Status Date: 03-Nov-2017

No change

Status Date: 08-Jan-2016

No change

Status Date: 13-Jan-2015

Applicant working to satisfy conditions

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:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 01-Apr-2015

Applicants are waiting for the right time to continue with their application with MOTI and to remove the conditions in the PLNA to change it to a PLA. MOTI confirmed this is the case.

Status Date: 03-Sep-2014

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

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

Planner:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 01-Apr-2015

**Applications**

MOTI response that there has been no recent action on this file but it will remain open, and the applicant is working with the ALC at this time

Status Date: 19-Mar-2015

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

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.2	MACKAY, IKE	23-Feb-2016	PIDs: 004-857-119 and 004-614-771 Lot Boundary Adjustment

Planner:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 05-May-2016

Awaiting response from MOTI to issue PLA or PLNA.

Status Date: 17-Mar-2016

File TR completed review and sent referral report to MOTI and copied to Gabriola LTC and applicant.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.4	C.O. Smythies & Associates	20-May-2016	PIDs: 001-271-806 and 009-735-755 Boundary adjustment. Civic address:1610 Hess Road, Gabriola Island.

Planner: Sonja Zupanec

Planning Status

Status Date: 08-Jun-2016

Referral response sent to MOTI and copied to applicant and LTC.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.6	C.O. Smythies & Associates	08-Sep-2016	PID: 000-305-120 215 Easthom Road, Gabriola Island. 3 lot subdivision.

Planner: Ian Cox

Planning Status

Status Date: 10-Jan-2019

Re-review by Planner Cox - 'No change to referral response' emailed to MOTI district development tech. Awaiting PLR

Applications

Status Date: 19-Dec-2018

File to Planner Cox. Contacted MOTI regarding change to PLA and need for re-referral.

Status Date: 24-Oct-2018

Update email sent to MOTI and copied to applicant to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.1	Williamson & Associates Professional Surveyors Planner: Jaime Dubyna	26-Jan-2017	PIDS: 000-427-110,025-720-821 & 025-720-830 Civic addresses: 1885 Martin Road, 1860 Martin Road & 1875 Stalker Road, Gabriola Island. Boundary adjustments.

Planning Status

Status Date: 14-Jan-2019

Planner reviewing revised plan.

Status Date: 10-Jan-2019

Revised proposed plan submitted for review.

Status Date: 10-Jan-2019

Planner JD assigned file.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.2	Williamson & Associates Planner: Marnie Eggen	19-Jan-2017	PIDs: 009-739-602 and 000-105-287. Lot line adjustment. Civic 831 Chelwood Road, Gabriola Island, BC

Planning Status

Status Date: 23-Jul-2018

PLA issued

Status Date: 01-Jun-2017

Referral response sent

File Number	Applicant Name	Date Received	Purpose
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Islands Trust

Print Date: February 21, 2019

Applications

GB-SUB-2018.1

Williamson &
Associates/Potlatch
Properties Ltd.

26-Jun-2018

PIDs:027-939-791, 027-939-804, 003-010-431, 006-635-121 27 lot subdivision
Civic address: Taylor Bay Road/Church Street

Planner: Sonja Zupanec

Planning Status

Status Date: 12-Jul-2018

Referral response sent to MOTI, applicant and LTC.

Islands Trust
LTC EXP SUMMARY REPORT F2019
Invoices posted to Month ending December 2018

620 Gabriola	Invoices posted to Month ending December 2018	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	1,500.00	953.46	546.54
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	4,750.00	3,634.24	1,115.76
65210-620	LTC - Local Exp - APC Meeting Expenses	600.00	223.71	376.29
65220-620	LTC - Local Exp - Communications	1,000.00	369.00	631.00
65230-620	LTC - Local Exp - Special Projects	1,000.00	0.00	1,000.00
TOTAL LTC Local Expense		<u>7,350.00</u>	<u>4,226.95</u>	<u>3,123.05</u>
Projects				
73001-620-2018	Gabriola Mudge Island OCP/LUB	3,500.00	4,006.43	-506.43
73001-620-4096	Gabriola Water Taxi Feasibility	450.00	488.00	-38.00
73001-620-4097	Gabriola Housing Options & Impact Review	2,500.00	0.00	2,500.00
TOTAL Project Expenses		<u>6,450.00</u>	<u>4,494.43</u>	<u>1,955.57</u>

Gabriola Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	January 29, 2010	GB-025-2010	Communication Towers and Antennae	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.
2.	June 14, 2018	GB-2018-040	Processing non-medical	It was MOVED and SECONDED

			cannabis retail license applications	That the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee; • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical; • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; and • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: ○ Name of the applicant and a description of the proposal in general terms; ○ The location of the proposed establishment and the subject site; ○ The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered; ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and ○ How public comments may be submitted to the Local Trust Committee.
3.	September 27, 2018	GB-2018-100	First Nation Relationship Building	That the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to First Nations Relationship Building: In order to learn about and better understand the eight local First Nations with asserted Aboriginal title, Aboriginal rights and treaty rights in the Gabriola Local Trust Area, the Gabriola Island Local Trust Committee resolves to: • Annually, write a letter to each First Nation, (re)introducing Trustees and Staff and provide a schedule of known Local Trust Committee meetings for the upcoming year. This annual letter may include requests to meet or participate with the First Nation leadership or community members in their meetings or events in order for the Local Trust Committee to learn about and better understand the First Nation community's issues and history; • One month in advance of each scheduled Local Trust Committee meeting,

				ask an elder from a local First Nation to provide a traditional welcome to the territory and stay for the meeting if interested. Invitations may be sent in rotation to each of the eight local First Nations; • Once the Gabriola Island Local Trust Committee has established the above administrative processes for at least one year, the Local Trust Committee will, annually, invite all eight local First Nations to a day of land use discussions, with a request for those First Nations to help plan the meeting so as to provide a culturally appropriate and safe place to talk freely about historical, current and upcoming land use issues in the Gabriola Land Trust Area; the invitation will include a map of the Local Trust Area jurisdictional boundaries); and • Once the Gabriola Island Local Trust Committee has held annual meetings with local First Nations for two consecutive years, the Local Trust Committee will establish new or refreshed agreements with each of the eight local First Nations based on mutually agreed-upon processes of meaningful engagement in land use issues in the Gabriola Local Trust Area.
4.	November 22, 2018	GB-2018-122	Applications for Federal Cannabis License	That the Gabriola Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.