Gabriola Island Local Trust Committee
Special Meeting Revised Agenda

Date: November 2, 2018
Time: 10:15 am
Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

Pages

1. CALL TO ORDER 10:15 AM - 10:15 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

3.1 Local Trust Committee Special Meeting Minutes dated October 12, 2018 - for Adoption 2 - 3

3.2 Local Trust Committee Regular Meeting Minutes dated September 27, 2018 - for adoption *4 - 16*

4. LOCAL TRUST COMMITTEE PROJECTS 10:15 AM - 11:10 AM

4.1 Mudge Island Lot Coverage Review Project - Staff Report 17 - 29

Bylaw No. 299 for consideration of third reading

5. CLOSED MEETING 10:10 AM - 11:15 AM

5.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(d) for the purpose of considering adoption of In-Camera Minutes dated September 27, 2018 and October 12, 2018 AND that the recorder and staff attend the meeting.

5.2 Recall to Order

5.3 Rise and Report

6. ADJOURNMENT 11:15 AM - 11:15 AM

Gabriola Island Local Trust Committee
Minutes of Special Meeting

Date:	**October 12, 2018**
Location:	**Islands Trust, Northern Office** **700 North Road** **Gabriola Island, BC**
Members Present:	**Laura Busheikin, Chair, by telephone** **Melanie Mamoser, Local Trustee** **Heather O'Sullivan, Local Trustee**
Staff Present:	**Russ Hotsenpiller, Chief Administrative Officer, by telephone** **David Marlor, Director, Local Planning Services, by telephone** **Ann Kjerulf, Regional Planning Manager** **Miles Drew, Bylaw Enforcement Manager** **Wil Cottingham, Recorder**
Others Present:	**None**

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 Busheikin called the meeting to order at 8:49 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. CLOSED MEETING

3.1 Motion to Close the Meeting

GB-2018-065
It was MOVED and SECONDED
that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(i) to consider the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose AND that the recorder and staff attend the meeting.

CARRIED

3.2 Recall to Order

By general consent the meeting was recalled to order at 9:08am

3.3 Rise and Report

The Gabriola Island Local Trust Committee reported that it will be appealing the Da Fonseca court decision.

4. ADJOURNMENT

By general consent the meeting was adjourned at 9:14 am.

_____
Laura Busheikin, Chair

Certified Correct:

_____
Wil Cottingham, Recorder

Gabriola Island Local Trust Committee
Minutes of Regular Meeting

Date: September 27, 2018
Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

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

Staff Present: Ann Kjerulf, Regional Planning Manager
Sonja Zupanec, Island Planner
Jaime Dubyna, Planner 1
Teresa Rittemann, Planner 2
Fiona MacRaild, Senior Intergovernmental Policy Advisor
Nadine Mourao, Recorder

Others Present: There were approximately nine (9) 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 Busheikin called the meeting to order at 10:16 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, welcomed the public and introduced Trustees, Staff and Recorder.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Add 9.4 Letter dated September 18, 2018 from A. Lessard regarding BC Heritage Registry - Gabriola Community Hall;
- Move 12.2 Mudge Island Lot Coverage Review Project – Staff Report following 11 Closed Meeting; and
- Move the 12.3 First Nation Relationship Building – Briefing prior to 11 Closed Meeting

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

Nancy Hetherington Pierce from the Board of the Gabriola Housing Society requested a status update on 7.1 Follow Up Action Report 12-July2018 Housing Options Review Project Phase 2.

- Staff noted that last week the budget was approved, a package will be sent to the Advisory Planning Commission (APC) for referral on a communications and engagement strategy and returned to the Local Trust Committee (LTC) for approval.

John Pierce thanked the Trustees and Staff for all their hard work over their term.

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Minutes dated August 16, 2018 – for Adoption

By general consent the Local Trust Committee meeting minutes of August 16, 2018 were adopted.

6.2 Local Trust Committee Community Information Meeting Minutes dated September 9, 2018 - for Adoption

The following amendments to the minutes were presented for consideration:

- Page 2, 2nd bullet, change "(1.076 square feet)" to read "(1,076 square feet)".

By general consent the Local Trust Committee Community Information Meeting Minutes dated September 9, 2018 were adopted as amended.

6.3 Section 26 Resolutions-Without-Meeting Report dated September 19, 2018

Received for information.

6.4 Advisory Planning Commission Minutes - None

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated September 20, 2018

The Regional District of Nanaimo (RDN) Staff have requested a meeting with current Trustees regarding the Village Trail, Affordable Housing and Economic Development opportunities before the end of the term.

- Trustees expressed interest with meeting with the RDN, however, felt that meeting after the election was preferable in order to benefit newly elected Trustees.

The LTC requested activity GB-DVP-2017.1 from 07-Sep-2017 should move forward if the input from First Nations and the Archaeology Branch has not been received.

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

7.2 Gabriola Island Local Trust Committee Fees Bylaw No. 300 - for Adoption

GB-2018-079
It was MOVED and SECONDED
that Gabriola Island Local Trust Committee Bylaw No. 300, cited as "Gabriola Island Local Trust Committee Fees Bylaw 2018", be adopted.

CARRIED

7.3 Gabriola Local Trust Committee BEN Bylaw No. 298 - for Adoption

GB-2018-080
It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 298, cited as "Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw, 2011, Amendment No. 1, 2018", be adopted.

CARRIED

7.4 Response from Executive Committee Regarding Rainwater Harvesting Standards Advocacy – Memorandum

Trustees expressed that Trust Council may wish to include Rainwater Harvesting Standards within their Strategic Plan next term.

8. DELEGATIONS - None

9. CORRESPONDENCE

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

9.1 Email dated August 14, 2018 from H. Reid

GB-2018-081
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee request Staff to send a response to the writer of the letter about anchorages in Pylades Channel, thanking them for their input and include a copy of the recent letter from the Chair to the Federal Government regarding working towards elimination of freighter anchorages in the Trust area.

CARRIED

9.2 Letter dated August 20, 2018 from B. Thomson

GB-2018-082
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee request Staff to add the link to the "Naturescape" program to the Resources section of the Gabriola Island Local Trust Committee website and request staff to respond to the writer to thank them for their stewardship and provide a link to the updated resource page.

CARRIED

9.3 Email dated September 15, 2018 from L. Carter

Trustees noted that a response has been sent to L. Carter advising of the Standing Resolution on Communication Towers and Antennae.

9.4 Letter dated September 18, 2018 from A. Lessard regarding BC Heritage Registry - Gabriola Community Hall

Staff summarized the request and noted the following key points:

- The applicants completed the research and submitted a request directly to the BC Heritage Registry in error; procedurally a request has to be initiated and submitted by the local government; and
- Staff would need to verify research and supporting documentation for completeness and accuracy before submitting the request to the BC Heritage Registry.

GB-2018-083
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee request Staff to add BC Heritage Registry – Gabriola Community Hall to the Follow-up Action List.

CARRIED

10. APPLICATIONS AND REFERRALS

10.1 GB-TUP-2018.1 (Garner) - Staff Report

Staff summarized the report regarding the application for a Temporary Use Permit (TUP) for the temporary operation of a commercial vacation rental within the single-family dwelling on the subject property located at 671 Balsam Street, Gabriola Island and noted the following points:

- Application is proceeding as a result of a bylaw enforcement file for the operation of a commercial vacation rental;
- Guideline for the supply of water was discussed, however, there was uncertainty related to the supply of water and whether it would be sustained over the time period of the TUP;
- The Islands Trust's Freshwater Specialist recommended that a pumping test be conducted, followed by an assessment report completed by a professional hydrogeologist, however, Staff noted that TUP guidelines do not require this type of assessment and reporting;
- The *BC Water Sustainability Act* (WSA) requires commercial vacation rentals to apply for a commercial groundwater license; applicant stated that they will be applying to the Ministry of Forests, Lands, Natural Resource Operations & Rural Development for a water license; and
- Public notice has been mailed to neighbouring properties, published in the Sounder newspaper and Staff received written and verbal correspondence from neighbours and community members.

Trustees requested the following key points:

- Staff do a search as to whether Gabriola Wildwood Estates Ltd. endures; and
- The applicant to include a copy of their insurance as part of the conditions.

Chair Busheikin requested that First Nations historical use be included in the applicant's pamphlet for visitors.

GB-2018-084
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee request that the applicant submit to the Islands Trust details of measures taken or to be taken to address neighbours' concerns.

CARRIED

10.2 GB-TUP-2018.2 (Lenz) - Staff Report

Staff summarized the report regarding the application for a Temporary Use Permit (TUP) for the temporary operation of a commercial vacation rental within the single-family dwelling on the subject property located at 3158 Whalley Road, Gabriola Island and noted the following point:

- On pages 1 and 2 of the Staff report, the file number was incorrectly noted and should read GB-TUP-2018.2.

GB-2018-085
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee approve issuance of Temporary Use Permit GB-TUP- 2018.2 for a commercial vacation rental for a period of three (3) years from date of issuance, subject to the following conditions:

a) the single-family dwelling and subject property must maintain a residential appearance, and the existing vegetative screening or fencing must not be removed;
b) parking for a minimum of two (2) vehicles for the commercial vacation rental use must be provided on the property;
c) the owner or an operations manager must reside on Gabriola Island and be available by telephone 24 hours per day, seven days per week. Any changes to contact information must be provided to the Islands Trust within seven (7) working days;
d) neighbours within a 100-metre radius of the commercial vacation rental must be provided with a contact phone number, and a copy of the temporary use permit;
e) information must be posted for guests pertaining to: noise bylaws, water conservation, fire safety, storage of garbage, septic care, First Nations historical use of area, control of pets (if pets are permitted) and information to remind guests that they are in a residential area;
f) a supply of water in the amount of 227 litres (50 imperial gallons) per paying guest must be provided for the duration of the permit;
g) the maximum number of bedrooms in the single-family dwelling for the commercial vacation rental is three (3);
h) the maximum number of people that can stay in the commercial vacation rental is a maximum of two (2) guests per bedroom, for a maximum of six (6) guests at any given time;
i) the maximum number of signs advertising the commercial vacation rental is restricted to one (1) sign, with a maximum area of 0.3 square metres, and is to be made of wood and not illuminated;
j) the rental or provision of motorized personal watercraft to rental clients is prohibited;
k) the use of recreational vehicles and camping for the overnight accommodation of guests is prohibited;
l) onsite wastewater management for the commercial vacation rental use shall be in accordance with the Assurance of Compliance prepared by Jeffrey Butler, Registered Onsite Wastewater Practitioner, dated April 25, 2018, attached to and forming part of this permit as Schedule C;
m) between one year and 13 months following the date of issuance, the landowner shall supply the Islands Trust with a report, prepared by a Registered Onsite Wastewater Practitioner, certifying that the onsite wastewater management system is sufficient for the commercial vacation rental use; and
n) the holder of the Permit will be responsible for any violation of the conditions of this Permit. For the purpose of investigating a complaint, the Islands Trust Bylaw Investigations Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation.

CARRIED

10.3 GB-DP-2018.4 (Kent) - Staff Report

The applicant, David Kent joined the meeting via telephone at 11:32 am.

Planner Zupanec summarized the Staff Report that considered a Development Permit (DP) application for the restoration of the streamside protection and enhancement area (SPEA) on LOT 33, SECTION 18, Gabriola, Nanaimo District, Plan 22657 PID 000-181-749, which is located within Development Permit Area (DPA) No. 3 – Riparian Areas. A DP is required to be issued by the LTC prior to development occurring within DPA No. 3. The following key points were noted:

- The application was triggered by an Islands Trust Bylaw Enforcement investigation, where it was determined that site clearing and tree removal had occurred within 30 metres of a watercourse, Castel Brook;
- A stop work order was issued due to the unauthorized tree removal and installation of a driveway culvert along Suzanne Avenue;
- The applicant retained a Qualified Environmental Professional (QEP) to prepare a *Riparian Areas Regulation* (RAR) assessment report that recommended several mitigation measures, enhancement and restoration requirements for the 0.17-hectare subject property;
- QEP recommendations that form part of the proposed DP include:
  - Replanting 22 trees within the Streamside Protection and Enhancement Area (SPEA) south of Castell Brook tributary;
  - Removing over five cords of piled firewood from the SPEA;
  - Fencing the SPEA boundaries to protect the SPEA and future encroachment;
  - Ensuring QEP site inspections and follow up reports are completed and filed; and
- Future amendments to the DP to allow for the installation of a sewage disposal field or construction of a dwelling should be conditional on the completion of the requirements set out in the DP.

GB-2018-086
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee approve issuance of Development Permit GB-DP-2018.4 (Kent) for LOT 33, SECTION 18, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 22657 (PID 000-181-749).

CARRIED

10.4 GB-RZ-2016.1 (Potlatch) - Staff Report

Planner Zupanec reviewed the Staff Report considering the adoption of Proposed Bylaw Nos. 289 and 290, arising from rezoning application GB-RZ-2016.1 (Potlach Development and Pilot Bay Holdings.) The following was noted:

- Prior to consideration of final reading of the bylaws, the LTC required:
  - Proof of registration of the restrictive covenant on the "receiver lands";
  - Letter of undertaking from the applicant's solicitor to transfer the "donor lands" to the RDN upon adoption of Bylaw Nos. 289 and 290;
  - Confirmation that the applicant has contacted the RDN to initiate the process to explore an option to purchase the remainder parcel adjacent to the "donor lands"; and
- Prior to consideration of adoption of Proposed Bylaw No. 290, three minor technical amendments be made to the bylaw to replace references to "accessory cottage" use found in Appendix 1 with the term "secondary suite".

GB-2018-087
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee Bylaw No. 289, cited as "Gabriola Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2016", be adopted.

CARRIED

GB-2018-088
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee Bylaw No. 290, cited as "Gabriola Land Use Bylaw, 1999, Amendment No. 1, 2016", be amended as follows:

a) Appendix 1, Subsection D.2.6(A) Resource Residential 2 (RR2), Article D.2.6(A)1. Permitted Uses, Clause b. Permitted Accessory Uses, Item ii. is deleted in its entirety and replaced with "secondary suite residential, on lots 2.0 hectares (4.94 acres) or larger, subject to Section B.6.3.";
b) Appendix 1, Subsection D.2.6(A) Resource Residential 2 (RR2), Article D.2.6(A)2. Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i., second bullet text is deleted in its entirety and replaced with "three buildings per lot, excluding a secondary suite, pump/utility house and woodshed, that are accessory to all dwellings"; and
c) Appendix 1, Subsection D.2.6(A) Resource Residential 2 (RR2), Article D.2.6(A)2. Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i., fourth bullet text is deleted in its entirety and replaced with "one secondary suite per lot".

CARRIED

GB-2018-089
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee Bylaw No. 290, cited as "Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2016", be adopted as amended.

CARRIED

10.5 Regional District of Nanaimo Standardization of Development Permit Area and Temporary Use Permit Areas - Proposed Bylaw Referral

Received for information.

Staff will respond to the RDN and thank them for the information.

By general consent the meeting was recessed at 12:07 pm and reconvened at 12:29 pm.

11. CLOSED MEETING

11.1 Motion to Close the Meeting

GB-2018-090
It was MOVED and SECONDED
that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(d) for the purpose of considering adoption of In-Camera Minutes dated May 3, 2018 and August 16, 2018 AND that the recorder and staff attend the meeting.

CARRIED

Chair Busheikin closed the meeting to the public at 12:30 pm.

11.2 Recall to Order

By general consent the meeting was recalled to order at 12:31 pm.

11.3 Rise and Report –

Adopted in camera meeting minutes of May 3 and August 16, 2018

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Water Taxi Zoning Review Project - Staff Report

Planner Dubyna provided an overview of the Staff Report which summarized the results of the community questionnaire, discussed issues identified in the questionnaire responses, provided recommendations for the potential next step options, and noted the following:

- Potential safety and accessibility concerns with the Green Wharf access road and Degnan Bay Road;
- Descanso Bay was identified as being the most obvious Water Commercial 3 – Marine Transportation (WC3) zoned location to permit moorage and dockage for water taxi use due to existing parking and infrastructure, and accessibility to most of the island's population, however, there were concerns with the potential for increased marine and upland congestion;
- Potential conflicts with BC Ferries and the RDN emergency dock were identified and consultation with both BC Ferries and the RDN regarding the Descanso Bay location would be appropriate prior to drafting a bylaw amendment; and
- Protection of the marine and upland environments are an important issue, as this project proposed to potentially increase marine traffic, LTC to consider creating a Development Permit Area (DPA) for development of environmental protection and mitigation measures for Gabriola's shorelines

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

- Supported creation of a DPA in anticipation of proposed development to marine shoreline in BC Ferries Terminal Development plan;
- Community showed support for Descanso Bay location and wanted this shared with BC Ferries for consideration in their Terminal Development plan;
- Requested the sharing of the results of the community questionnaire with the RDN and possible referendum or alternate approval process regarding use of the RDN emergency dock for water taxi usage; and
- Noted that the location of Green Wharf in the Land Use Bylaw map was incorrect.

GB-2018-091
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee request Staff to add the development of a comprehensive Development Permit Area for shorelines in the Gabriola Island Local Trust area to the coastal areas protection projects on the Projects List.

CARRIED

GB-2018-092
It was MOVED and SECONDED
that the Gabriola Local Trust Committee write a letter to the Regional District of Nanaimo board, sharing the pertinent results of our community consultation on the Water Taxi Feasibility study, encouraging them to determine the implications of broadening the use of Descanso Bay emergency dock to include water taxi pick up and drop off and to approach the community for approval through either a referendum or alternate approval process, if required.

CARRIED

GB-2018-093
It was MOVED and SECONDED
that the Gabriola Local Trust Committee write a letter to BC ferries advising them of strong community support for water taxi drop off and pick up service in Descanso bay and consider it as part of the BC Ferries Terminal Development planning process, cc. the Gabriola Island Ferry Advisory Committee and the Nanaimo Port Authority.

CARRIED

GB-2018-094
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee write a letter to the Ministry of Transportation and Infrastructure and to the owner of property legally described as THE SOUTH PART OF THE SOUTH EAST 1/4, SECTION 10, GABRIOLA ISLAND, NANAIMO DISTRICT AS SHOWN ON CROWN GRANT (DD 1763), EXCEPT PARTS ON PLANS 7908, 12887, 20670, 21652, 27576 AND EPP22670 (PID 000-648-396) to request that they investigate and address potential safety and accessibility issues related to the Green Wharf access road, and that the Ministry of Transportation and Infrastructure also be asked to investigate and address potential safety and accessibility issues related to Degnan Bay Road.

CARRIED

GB-2018-095
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee add to their activities under the Land Use Bylaw Amendment Project List, correction of the Water Commercial 3 – Marine Transportation zone in the Land Use Bylaw map to cover the actual location of Green Wharf.

CARRIED

12.2 Mudge Island Lot Coverage Review Project - Staff Report

Planner Rittemann summarized the report which requested the LTC amend the wording of proposed Bylaw No. 299, regulation 5.1(4.1)(n), give the bylaw second reading, and consider waiving the Public Hearing.

GB-2018-096
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee amend proposed Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018", as follows:

3. PART 5. ZONE PROVISIONS, Section 5.1 Rural Residential (RR), Subsection (4.1) is amended by deleting Article (n) in its entirety and adding:

(n) a maximum of 15 square metres (161.46 square feet) of floor area in *accessory buildings,* intended to be used for the food storage or production, or the keeping of animals.

CARRIED

GB-2018-097
It was MOVED and SECONDED
that Gabriola Island Local Trust Committee Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018", be read a second time, as amended.

CARRIED

GB-2018-098
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee waive the holding of a Public Hearing for Proposed Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018", and request that notice be published in accordance with the requirements of the *Local Government Act.*

CARRIED

GB-2018-099
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee request staff to schedule a special meeting on November 2, 2018 for consideration of 3rd reading of "Mudge Island Land Use Bylaw, 2007, Amendment No.1, 2018".

CARRIED

12.3 First Nations Relationship Building – Briefing

Fiona MacRaild, Senior Intergovernmental Policy Advisor summarized the briefing which considered adoption of a standing resolution with respect to First Nation Relationship Building and noted the following key points:

- The purpose of a standing resolution is to establish administrative and specific rules and conduct that is of a continuing (or standing) nature;
- This process differs greatly from the way First Nation cultures build relationships, which generally used processes such as ceremony, circles and collective-decision-making;
- Asked LTC to consider a culturally-sensitive team approach that provided a new way forward in support of reconciliation and respects the Aboriginal title, Aboriginal rights, treaties and United Nations Declaration on the Rights of Indigenous People (UNDRIP) in the Gabriola Local Trust Area, and incorporates culturally significant practices for both the LTC and First Nations;
- There are eight unique First Nations with interests in the Gabriola Island Local Trust Area (GILTA) with often differing objectives;
- Three iterative stages of the standing resolution were identified:

- Observe, learn and better understand; she can provide a 60-page handbook pertaining to Gabriola, with details of First Nations history etc., suggested providing this to the eight First Nations title holders asking for input and consideration;
- Finding ways to meaningfully engage in land use issues; and
- An authentic relationship that is continuous.

GB-2018-100
It was MOVED and SECONDED
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.

CARRIED

13. REPORTS

13.1 Work Program Reports

13.1.1 Top Priorities Report dated September 19, 2018

GB-2018-101
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee remove First Nations Relationship Building from the Top Priority List in light of the standing resolution for First Nations Relationship Building.

CARRIED

13.1.2 Projects List Report dated September 19, 2018

Received for information.

13.2 Applications Report dated September 20, 2018

Received for information.

13.3 Trustee and Local Expense Report dated July, 2018

Received for information.

13.4 Adopted Policies and Standing Resolutions

Trustees would like a standing resolution to be drafted regarding enforcement of limited public markets, in response to the resolution passed as at the May 3, 2018 LTC meeting.

13.5 Local Trust Committee Webpage

13.6 Chair's Report

Chair Busheikin reported the following:

- Attended the Trust Council meeting on Keats Island and noted:
  - The anchorages letter was published in the Sounder and thanked communities and Local Trustees for bringing forward to Trust Council;
  - Reached clarity and advancement around *Islands Trust Act* Amendments;
  - Ministry of Community Affairs and Housing is interested in meeting with Trust Council; and
- Executive Committee will meet twice in October.

13.7 Trustee Reports

Trustee O'Sullivan reported the following:

- Regrettably was not able to attend Trust Council meeting;
- Attending the anchorage roundtable meeting with Members of Parliament, Sheila Malcolmson and Alistair MacGregor;
- Last Trust Programs Committee (TPC) meeting October 15th, 2018, received the Salt Spring Island Service Integration reports and looking forward to discussing; and
- Grateful to have the unique, challenging, and rewarding opportunity to serve Gabriola Island and best of luck to incoming Local Trust Committee.

Trustee Mamoser reported the following:

- Attended the Trust Council meeting and noted a report which looked for efficiencies in the Trust, such as specialist on subjects and evaluating how business is done;
- Our freshwater specialist gave a presentation on the *Water Sustainability Act* and has confirmed a water license would not be required on a primary or secondary suite, even if that secondary suite is being rented out; and
- Attending a Local Planning Committee (LPC) meeting next month, looking at adopting the Coastal Douglas Fir and Associated Eco Systems Project Toolkit, finalization of the Affordable Housing project, protecting Coastal Douglas Fir Eco Systems project, and Radio Antennas and their placement project to bring to Trust Council.

13.8 Electoral Area Director's Report - None

13.9 Trust Conservancy Report - None

14. NEW BUSINESS

14.1 Local Trust Committee 2014 - 2018 Term Summary Report

GB-2018-102
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee endorse the 'Top Priorities List' and 'Projects List' as amended for further consideration by the incoming Local Trust Committee.

CARRIED

13. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Thursday, November 22, 2018 at the Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC

15.2 Proposed Special Meeting scheduled October 12, 2018.

16. TOWN HALL

Kees Langereis and Scott Colbourne thanked Trustees for all their service.

Derek Kilbourne of the Sounder noted that a press conference will be held after the roundtable, a Gabriola Against Freighter Anchorages meeting will be held at the Agricultural Hall on October 14, 2018 at 3:00pm and thanked Trustees for their service.

Trustees and Chair thanked Derek from the Sounder for his journalistic work.

17. ADJOURNMENT

By general consent the meeting was adjourned at 1:51 pm.

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Laura Busheikin, Chair

Certified Correct:

_____
Nadine Mourao, Recorder

DRAFT

STAFF REPORT

File No.: 6500-20 - Mudge Island Lot Coverage Review Project

DATE OF MEETING: November 2, 2018

TO: Gabriola Island Local Trust Committee

FROM: Teresa Rittemann, Island Planner
Northern Team

SUBJECT: Proposed Bylaw No. 299 – Consideration of 3rd Reading

RECOMMENDATION

1. **That the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Checklist and determined that Bylaw No. 299 cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018" is not contrary to or at variance with the Islands Trust Policy Statement.**

2. **That Gabriola Island Local Trust Committee Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018," be read a third time.**

3. **That Gabriola Island Local Trust Committee Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018," be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.**

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider third reading of proposed Bylaw No. 299, confirm compliance with the Islands Trust Policy Statement, and forward the bylaw to the Executive Committee.

BACKGROUND

With respect to proposed Bylaw No. 299 (Attachment 1), the LTC passed the following resolutions at their previous regular business meetings:

August 16, 2018:

GB-2018-067
that the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Checklist and determined that Bylaw No. 299 as amended cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018" is **not contrary to or at variance with the Islands Trust Policy Statement**.

GB-2018-068
that the Gabriola Island Local Trust Committee Bylaw No. 299 cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018" be **read a first time**.

GB-2018-069
that the Gabriola Island Local Trust Committee refer proposed Bylaw No. 299 to Islands Trust Bylaw Enforcement, Ministry of Forests, Land, Natural Resource Operations and Rural Development, Ministry of Transportation and Infrastructure, Agricultural Land Commission, Snuneymuxw First Nation and all Hul'qumi'num Treaty Group members and all other First Nations identified as having interests in the Gabriola Local Trust Area per the Province of British Columbia Consultative Areas Database.

September 27, 2018:

GB-2018-097
that Gabriola Island Local Trust Committee Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018", be **read a second time**, as amended.

GB-2018-098
that the Gabriola Island Local Trust Committee **waive the holding of a Public Hearing** for Proposed Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018", and request that notice be published in accordance with the requirements of the *Local Government Act.*

GB-2018-099
It was MOVED and SECONDED
that the Gabriola Island Local Trust Committee request staff to schedule a **Special Meeting on November 2, 2018 for consideration of third reading** of "Mudge Island Land Use Bylaw, 2007, Amendment No.1, 2018".

ANALYSIS

Policy/Regulatory

In accordance with Islands Trust Council Policy 5.7.1, the LTC is asked to consider an updated Islands Trust Policy Statement (ITPS) Directives Checklist (Attachment 3), as amendments have been made subsequent to the LTC's initial consideration of Bylaw No. 299. Staff have determined that the bylaw, as amended, continues to be in compliance with ITPS policies.

Consultation

Statutory Requirements

As noted above, at the regular business meeting on September 27, 2018 the LTC waived the requirement to hold a Public Hearing for proposed Bylaw No. 299. Following the meeting, the public notice (Attachment 2) was published as required by the *Local Government Act*.

Referral Responses Received to date

Agencies

The following Agencies were sent a referral package for proposed Bylaw No. 299, with a requested response date of October 29, 2018. The following responses were received prior to the time of writing this report:

First Nation	Response / Comments Received
Islands Trust Bylaw Enforcement	*(None received)*
Ministry of Forests, Lands, Natural Resource Operations, and Rural Development (FLNRORD)	Comments received as noted below.
Ministry of Transportation and Infrastructure	Interests Unaffected.
Agricultural Land Commission	Interests Unaffected.

Response received from FLNRORD – (Jenna Cragg) Ecosystems Biologist, West Coast Region:

> *"We have no concerns with the proposed Bylaw No. 299 update for Mudge Island, with the exception of point 2, Part 3, General Regulations, Section 3.3 Siting and Setback Regulations, Subsection 3.3 (4).* ***We recommend that this section be modified to align with Provincial Riparian Area Regulations. Specifically, we recommend that points (a) and (b) be divided into separate regulations for marine foreshore and freshwater waterbodies.*** *Under point (a), boat or barge ramps* ***into a freshwater***

waterbody *would require authorization under the Water Sustainability Act (**this is not required for ramps into the marine foreshore**); it would be helpful to include this information in the bylaw. Under point (b), we **recommend that wording be changed to minimize impacts to the Streamside Protection and Enhancement Area (SPEA) from trails, stairs and walkways. The Riparian Area Regulations does not permit structures within the SPEA.** The exemption for access points through the SPEA could be worded similarly to these examples of exemptions for riparian DPAs (provided here for reference):*

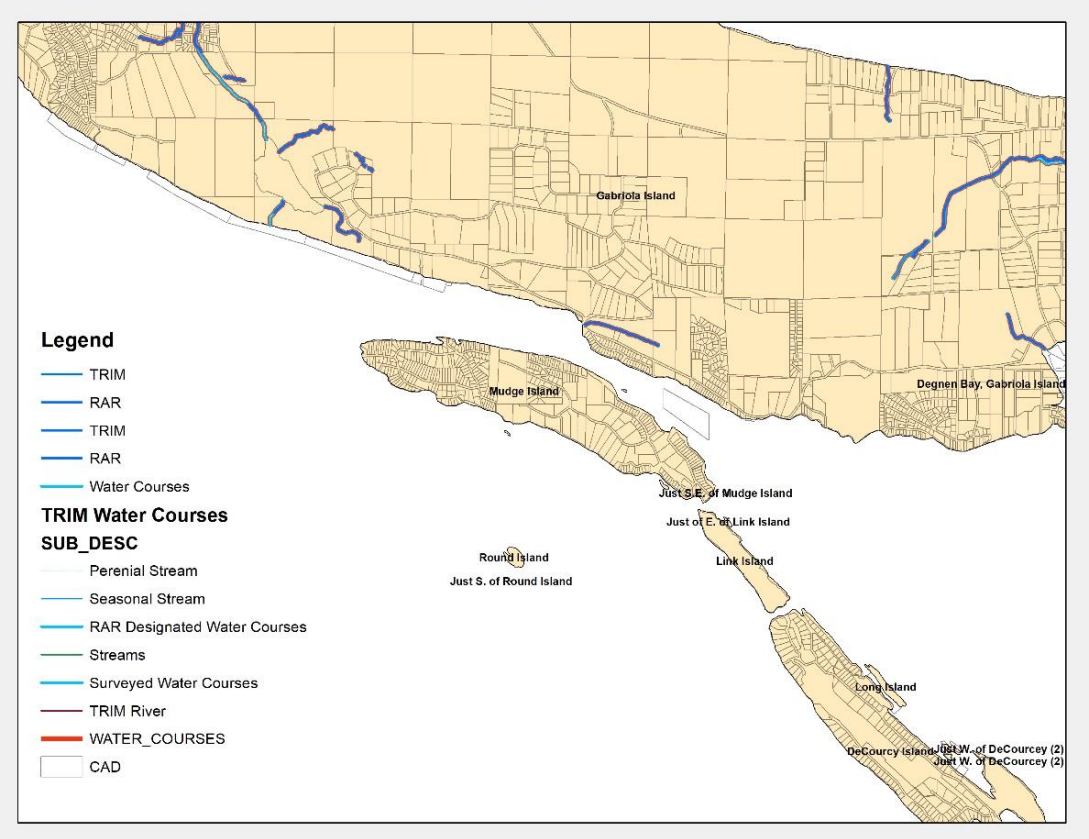
Powell River RD (Freshwater Riparian Areas DPA) – sec 9.8.5 Exemptions

9.8.5 (k) "Paths for personal use by the parcel owners, provided they do not exceed 1.0 metre in width, do not adversely affect tree roots by compacting soils, are constructed of pervious natural materials with no concrete, asphalt or pavers and no creosoted or otherwise treated wood, do not involve structural stairs, require no removal of streamside vegetation and lead to a stable stream bank"

Sechelt (Watercourses (Habitat protection and creek hazards) DPA) - General Exemptions

9. "Construction of a private access trail less than 1.0m wide where no trees are removed and the surface of the trail is pervious (soil, gravel, wood chips)"

In response to FLNRORD comments above, Staff note that Mudge Island does not have any mapped data for freshwater bodies for which a barge ramp or boat ramp, or stairs, or walkways may extend into, as shown below:



The LTC may wish to identify or initiate a project to undertake a field assessment to confirm the presence or absence of freshwater bodies on Mudge Island. Such an assessment could occur in conjunction with a subsequent Official Community Plan review process.

First Nations

Referral packages were sent to the following First Nations, with a requested response date of October 29, 2018:

First Nation	Response / Comments Received
Snuneymuxw	Overall are concerned about impact on Aboriginal Rights and are working to tie up loose ends with the Regional District of Nanaimo; expressed concerns over how meaningful engagement can occur.
Cowichan Tribes	Interests Unaffected.
Lake Cowichan	Level 3 Rights Area, and deferred to other FNs in the area.
Halalt	*(None received)*
Lyackson	*(None received)*
Penelakut	Deferred to other FNs in the area (especially Snuneymuxw). Asked to be updated about proposed Bylaw No. 299.
Stz'uminus	*(None received)*
Semiahmoo	*(None received)*
Hul'qumi'num Treaty Group	*(None received. Was provided a referral for information only.)*

Rationale for Recommendation

Given the above discussion in light of referral responses received to date, Staff recommend that proposed Bylaw No. 299 be read a third time and sent to the Executive Committee for approval, as noted on page 1 of this report.

ALTERNATIVES

1. **Amend the Bylaw**

   The LTC may choose to amend Bylaw No. 299 prior to consideration of third reading. Note, any amendments to use or density would require that second reading of the bylaw be rescinded and that the LTC either hold a public hearing or, again, waive the holding of a public hearing prior to consideration of third reading. A resolution to amend the bylaw (with no changes to use or density) would be as follows:

   That Gabriola Island Local Trust Committee Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018," be amended as follows [list amendments].

   Once the bylaw is amendment, the LTC should reconsider the ITPS Checklist and then consider third reading "as amended".

2. **Request further information**

   The LTC may request further information prior to making a decision, including confirmation of the presence or absence of freshwater bodies on Mudge Island. Staff note that addition of a watercourse assessment would prolong the bylaw process and could result in the requirement to hold a public hearing. Resolution wording is as follows:

   That the Gabriola Island Local Trust Committee request that the following information be received before considering third reading for proposed Bylaw No. 299: [insert information requested].

3. Amend the Projects List

The LTC may wish to add to its projects list, a review of the Mudge Island Official Community Plan, including watercourse assessment as an activity for such a project. Recommended wording is as follows:

That the Gabriola Island Local Trust Committee add to its Projects List, "Mudge Island Official Community Plan Review", and include "watercourse assessment" as a discrete activity for this project.

NEXT STEPS

Should the LTC proceed with third reading of Bylaw No. 299, and following EC approval, Bylaw No. 299 will be brought to the regular business meeting on November 22 LTC for adoption. Staff would then consolidate the Mudge Island Land Use Bylaw and update Agencies and First Nations regarding the progression of Bylaw No. 299.

Submitted By:	Teresa Rittemann, MCIP, RPP Island Planner	October 23, 2018
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	October 24, 2018

ATTACHMENTS

1. Bylaw No. 299
2. Copy of Public Notification
3. Islands Trust Policy Statement Directives Checklist (Updated)

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 299

A BYLAW TO AMEND MUDGE ISLAND LAND USE BYLAW, 2007

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act,* enacts as follows:

1. Citation

   This bylaw may be cited for all purposes as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018".

2. Gabriola Island Local Trust Committee Bylaw No. 228, cited as "Mudge Island Land Use Bylaw, 2007," is amended as noted in Schedule 1, attached to and forming part of this bylaw.

READ A FIRST TIME THIS	16	DAY OF	AUGUST	, 2018
READ A SECOND TIME THIS	27	DAY OF	SEPTEMBER	, 2018
PUBLIC HEARING HELD THIS	____	DAY OF	_____	, 201_
READ A THIRD TIME THIS	____	DAY OF	_____	, 201_
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST				
THIS	____	DAY OF	_____	, 201_
ADOPTED THIS	____	DAY OF	_____	, 201_

_____ _____

SECRETARY **CHAIRPERSON**

GABRIOLA ISLAND LOCAL TRUST COMMITTEE

BYLAW NO. 299

SCHEDULE 1

Schedule "A" of the Mudge Island Land Use Bylaw No. 228 cited as "Mudge Island Land Use Bylaw, 2007" is amended as follows:

1. **PART 1. INTERPRETATION**, Section **1.1 Definitions**, is amended by deleting the definitions of LOT COVERAGE and STRUCTURE and replacing them with the following:

   LOT COVERAGE means the area of a lot, expressed as a percentage of the total lot area, that is covered by *buildings* and *structures* as measured from the outermost perimeter of all *buildings*, *structures*, and parts thereof, including the outer edge of the drip line of roofs.

   STRUCTURE means a construction of any kind, or portion thereof, that is fixed to, supported by, or sunk into land or water, including all pathways, driveways and paved areas, whether pervious or impervious.

2. **PART 3. GENERAL REGULATIONS**, Section **3.3 Siting and Setback Regulations**, Subsection **3.3(4)** is deleted in its entirety and replaced with**:**

   (4) Despite all provisions in this Bylaw other than subsection 3.3(5), buildings and structures must be sited a minimum of 30 metres (98.4 feet) from and 1.5 metres (4.9 feet) above the natural boundary of a wetland, watercourse, the sea or other body of water, except for:

   (a) boat and barge ramps; and

   (b) stairs and walkways with an average maximum elevated floor height of 0.3 metres (0.9 feet) and a maximum width of 1.5 metres (4.92 feet).

3. **PART 5. ZONE PROVISIONS**, Section **5.1 Rural Residential (RR)**, is amended by adding the following as Subsection **5.1(4.1):**

   (4.1) For the purpose of Subsection 5.1(4) above, the following *buildings* and *structures* shall not be included when calculating lot coverage:

   (a) cisterns, dugouts, ponds, and similar catchment systems for the collection and storage of water;
   (b) fences;
   (c) fire-fighting water towers;
   (d) garden beds;
   (e) pervious ground-level foot paths, driveways, and parking spaces;
   (f) on lots less than 0.40 hectares (1 acre), up to 100 square metres (1,076 square feet) of outdoor, unenclosed decks;
   (g) *pump/utility houses;*

(h) retaining walls;
(i) septic tanks, sewage absorption fields, and related sewage-disposal system appurtenances below ground;
(j) signs;
(k) *utilities*;
(l) one woodshed with a *floor area* no greater than 15 square metres (161.46 square feet);
(m) wells;
(n) a maximum of 15 square metres (161.46 square feet) of *floor area* in *accessory buildings*, intended to be used for food storage or production, or the keeping of animals.

NOTICE TO WAIVE PUBLIC HEARING

NOTICE is hereby given that the Gabriola Island Local Trust Committee is waiving a public hearing for proposed Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018". The public hearing is being waived under the authority granted in Sections 464(2) and 467 of the *Local Government Act* that states that a local government may waive the holding of a public hearing on a proposed bylaw if an Official Community Plan is in effect for the area that is subject to a proposed zoning bylaw, and the proposed bylaw is consistent with the plan. Proposed Bylaw No. 299 is consistent with the Official Community Plan for Mudge Island.

At their regular business meeting on August 16, 2018, the Gabriola Island Local Trust Committee gave first reading to Proposed Bylaw No. 299 and at their regular business meeting on September 27, 2018 they amended Bylaw No. 299 and gave it second reading.

Special Meeting to Consider Proposed Bylaw No. 299

Following a waiver of the Public Hearing, the Gabriola Island Local Trust Committee will consider giving the bylaw 3rd reading at a Special Meeting to be held on Friday, November 2, 2018 at 10:15 a.m. at the Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island.

What is Proposed Bylaw No. 299 about?

In general terms, if adopted, Proposed Bylaw No. 299 will amend Mudge Island Land Use Bylaw No. 228 as follows:

1. **PART 1. INTERPRETATION, Section 1.1 Definitions** by deleting and replacing the definitions for "Lot Coverage" and "Structure".
2. **PART 3. GENERAL REGULATIONS, Section 3.3 Siting and Setback Regulations, Subsection 3.3(4)** is deleted and replaced.
3. **PART 5. ZONE PROVISIONS, Section 5.1 Rural Residential (RR)**, is amended by adding a new Subsection **5.1(4.1).**

How Do I get More Information?

A copy of the proposed bylaw may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, between the hours of 8:30 am and 4:00 pm, Monday to Friday, excluding statutory holidays ending Thursday, November 1, 2018.

In addition, the proposed Bylaw may be viewed on the Islands Trust website (www.islandstrust.bc.ca) under "Islands", "Local Trust Area", "Gabriola", "Bylaws".

Enquiries may be directed to Island Planner Teresa Rittemann, by email to northinfo@islandstrust.bc.ca; by phone at 250-247-2063; for toll-free access, request a transfer to the above telephone number via Service BC: in Vancouver at 604-660-2421 and elsewhere in BC at 1-800-663-7867.

Claire Olivier,
Acting/Legislative Clerk

ATTACHMENT 3
ISLANDS TRUST POLICY STATEMENT
DIRECTIVES ONLY CHECKLIST

File No.: 6500-20 - Mudge Island
Targeted Review Project for Lot Coverage
File Name: LUB Amendment Bylaw No. 299

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain a matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

✓ if the bylaw is consistent with the policy from the Policy Statement, or
× if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	NO.	DIRECTIVE POLICY
	3.1	**Ecosystems**
N/A	**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.
N/A	**3.1.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	**3.1.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	**Forest Ecosystems**
N/A	**3.2.2**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	**Freshwater and Wetland Ecosystems and Riparian Zones**
N/A	**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 and to protect aquatic wildlife.
	3.4	**Coastal and Marine Ecosystems**
N/A	**3.4.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	**3.4.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	NO.	DIRECTIVE POLICY
	4.1	**Agricultural Land**
N/A	**4.1.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	**4.1.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	**4.1.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	**NO.**	**DIRECTIVE POLICY**
N/A	**4.1.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	**4.1.8**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	**4.1.9**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	**Forests**
N/A	**4.2.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	**4.2.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	**4.2.8**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.

CONSISTENT	NO.	DIRECTIVE POLICY
	4.3	**Wildlife and Vegetation**
	4.4	**Freshwater Resources**
✓	**4.4.2**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	**4.4.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	**Coastal Areas and Marine Shorelands**
N/A	**4.5.8**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	**4.5.9**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
✓	**4.5.10**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	**4.5.11**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	**Soils and Other Resources**
N/A	**4.6.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	**Aesthetic Qualities**
✓	**5.1 3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	**Growth and Development**
✓	**5.2.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	**5.2.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
✓	**5.2.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	**5.2.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	**Transportation and Utilities**
N/A	**5.3.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	**5.3.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	**5.3.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	**5.3.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	**Disposal of Waste**
N/A	**5.4.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

CONSISTENT	NO.	DIRECTIVE POLICY
	5.5	**Recreation**
N/A	**5.5.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	**5.5.4**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	**5.5.5**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	**5.5.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	**5.5.7**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	**Cultural and Natural Heritage**
N/A	**5.6.2**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
✓	**5.6.3**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	**Economic Opportunities**
N/A	**5.7.2**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	**Health and Well-being**
✓	**5.8.6**	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	***In compliance with Trust Policy***
	Not in compliance with Trust Policy for the following reasons: