

MINUTES OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE MEETING
HELD AT 10:15 P.M. ON THURSDAY, SEPTEMBER 6, 2012
AT THE WOMEN'S INSTITUTE
476 SOUTH ROAD, GABRIOLA ISLAND, BC

PRESENT: David Graham Chair
 Sheila Malcolmson Local Trustee
 Gisele Rudischer Local Trustee
 Chloe Fox Island Planner
 Stephen Orgill Recorder

There were two (2) local media representatives and fourteen (14) members of the public attending the meeting.

1. **CALL TO ORDER**

Chair Graham called the meeting to order at 10:15 am. He introduced himself, the Local Trust Committee and staff to the public in attendance. Chair Graham acknowledged that the meeting is taking place on the traditional territory of the Coast Salish People.

2. **APPROVAL OF AGENDA**

The Local Trust Committee reviewed the agenda and made the following change:

- add item *7.4 Gabriola Streamkeepers*

The Local Trust Committee approved the agenda by consensus.

3. **MINUTES**

3.1 *Local Trust Committee Meeting Minutes of July 26, 2012.*

The Local Trust Committee reviewed the minutes of the July 26, 2012 business meeting and made the following changes:

- Page 3, item 4.1, first paragraph, last sentence; replace "*Trust Council*" with "*Local Planning Committee*"
- Page 3, item 4.2, second sentence, replace "*Local Trust Committee*" with "*trustees*"
- Page 5, item 8, last paragraph, second and third sentences, delete "*local issues. Trust Council Had been engaged in public consultation on*" to combine sentences 2 and 3. Insert "*more oil*" between "*keeping*" and "*tankers*"
- Page 5, item 9, first sentence, correct typo "*early*"

- Page 6, item 11.1, third paragraph, first sentence, delete “*and that the Ministry of Transportation and Infrastructure had reduced the speed limit to accommodate zero emission neighbourhood vehicles*”; second sentence, delete “*commented on support for a rural safety course and*”
- Page 7, item 12, second paragraph, delete last sentence beginning; “*He noted that it was Phase 1...*”
- Page 7, item 13.1, first paragraph, last sentence, capitalize “Trust”
- Page 7, item 13.1, second paragraph, first sentence, replace, “*setbacks are on the plan,*” with “*trees on the plan are on the setback,*”
- Page 7 item 13.1, paragraph five, first sentence, insert spaces between “*that the*” and “*7 is*”; line space after fourth sentence ending paragraph at “...the development guidelines; sixth paragraph, second sentence, replace “struggling over” with “questioning”
- Page 8, item 13.2.1, second paragraph, first sentence, delete “*bylaws that*”; last sentence, delete “*the*” and “*all*” to read “...*given more time to get the necessary information.*”
- Page 8, item 13.2.1, third paragraph, last sentence, insert “*today*” after “*decision*” and replace “*this week.*” with “*today.*”
- Page 10, resolution GB-082-2012, correct typo “*advice*”
- Page 11, item 17, second paragraph, first bullet, replace “*l*” with “*meeting and*” after “Infrastructure; second bullet, change to “*Presentation of stewardship award.*”

The Local Trust Committee adopted the minutes of the July 26, 2012 meeting by consensus as amended.

3.2 *Section 26 Resolutions Without Meeting*

None.

3.3 *Gabriola Island Advisory Planning Commission Meeting Minutes*

None.

3.4 *Mudge Island Advisory Planning Commission Meeting Minutes*

None.

3.5 *Gabriola Island Agricultural Advisory Commission Draft Meeting Minutes*

None.

4. BUSINESS ARISING FROM MINUTES

4.1 *Follow-up Action Report dated August 15, 2012*

The Local Trust Committee reviewed the Follow-up Action Report dated August 15, 2012 and Planner Fox asked the trustees if there were questions.

Trustee Rudischer asked for further details about the distribution of the draft Regional District of Nanaimo Area Farm Plan.

5. CORRESPONDENCE

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

5.1 *Email dated July 31, 2012 from David Young and Michiko Young regarding Gabriola Rod, Gun & Conservation Club*

The trustees reviewed the correspondence concerning a request to review the zoning of the property occupied by the Gabriola Rod, Gun & Conservation Club. Trustee Rudischer read from the Official Community Plan, the wording concerning the allowed land uses and concluded that it indicates that there was intention to allow shooting ranges. Trustee Rudischer commented that the “existing shooting range” in 1996 is different from the shooting range of 2012. Trustee Malcolmson commented that the only place that a shooting range is allowed is on the property noted in the correspondence. It was noted that according to the neighbours, the noise level is no longer at an acceptable level. Trustee Rudischer remarked that there is an error on the Official Community Plan map and requested the planner to take note for future review. She suggested that a definition of a shooting range should be included to restrict hours or noise levels. Trustee Malcolmson suggested adding the item to the list of land use amendments for further consideration.

Paul Metcalf, Vice President of the Gabriola Rod, Gun & Conservation Club, asked if the Local Trust Committee is aware that the nature of the shooting activity at the club had changed back to the 1996 club activities. He noted that the letters received by the Local Trust Committee are from plaintiffs in a lawsuit they have launched against the gun club.

GB-083-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee add the definition of shooting range to the land use bylaw amendment list.

CARRIED

Trustee Rudischer offered to reply to the emails concerning the rezoning of land occupied by the Gabriola Rod, Gun & Conservation Club.

5.2 *Email dated July 31, 2012 from Drew Staniland regarding Gabriola Rod, Gun & Conservation Club*

Received.

5.3 *Email dated July 31, 2012 from Fred Harris and Mary Ann McDonald regarding Gabriola Rod, Gun & Conservation Club*

Received.

- 5.4 *Email dated August 3, 2012 from Tammy Hudgeon and Ode Howard regarding Gabriola Rod, Gun & Conservation Club*

417Received.

- 5.5 *Email dated July 31, 2012 from Maureen Karagianis regarding Oil Spills and Tanker Traffic*

The Local Trust Committee reviewed the email from Maureen Karagianis congratulating the Island Trust for perspective and tenacity when it comes to protecting Gulf Islands from oil spills and increased tanker traffic.

6. REPORTS

6.1 Work Program Reports

The Local Trust Committee reviewed the Top Priorities Report and Projects List dated August 15, 2012. Trustee Rudischer commented that the planner had been doing a good job informing the public about the Riparian Areas Regulation and the Hazardous Areas and Steep Slopes Development Permit Area.

6.2 Applications Log dated August 15, 2012

The Local Trust Committee briefly reviewed the Applications Log dated August 15, 2012.

Trustee Malcolmson asked the planner if the referral of the development permit application for Madrona Marketplace Phase 2 had been received by the Advisory Planning Commission. Planner Fox replied that there would hopefully be a meeting in the next couple of weeks.

6.3 Trustee and Local Expenses posted to July 31, 2012

6.3.1 Expenses posted to July 31, 2012

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

GB-084-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee direct staff to remove two thousand dollars (\$2000) from the Local Miscellaneous account (65240) and add one thousand dollars (\$1000) each to LTC Meeting Expenses (65200) and APC Meeting Expenses (65210).

CARRIED

6.3.2 Fiscal Year Budget for 2013/14

Trustee Malcolmson reviewed several budget items for discussion. Trustee Malcolmson suggested that a planner recommendation would be useful and a decision should be made at the next meeting.

7. NEW BUSINESS

*7.1 Islands Trust Fund Board Referral
Briefing and Five Year Plan*

The trustees reviewed the Islands Trust Fund Five Year Plan 2013-2017. Trustee Malcolmson commented that the form of the plan is directed by a statutory requirement.

7.2 Ministry of Transportation and Infrastructure Meeting Follow Up

Trustee Malcolmson summarized the June 18, 2012 meeting with the ratepayers association and the Ministry of Transportation and Infrastructure. She reviewed some of the issues discussed that included new grading of roads and the effect to the natural look of the road allowance, the bike path proposal and how bike paths may be implemented, renewing EMCON's contract, and the village footpath idea. She also mentioned that EMCON and the province should be reminded about the natural look of the road allowance.

Howard Houle, Regional District of Nanaimo Director, told the Local Trust Committee that the Regional District of Nanaimo Board is preparing a request to take over the authority for roadside sidewalks and bike paths from the Ministry of Transportation and Infrastructure.

Trustee Rudischer suggested that she would bring to the next meeting Official Community Plan advocacy policies in relation to the Ministry of Transportation and Infrastructure and referral to the Transportation Advisory Commission.

7.3 Regional District of Nanaimo Meeting Follow Up

Trustee Rudischer gave a verbal report of the meeting with the Regional District of Nanaimo. She mentioned one of the items under discussion was that the fencing at Descanso Bay campground doesn't provide access to the waterfront. She provided a list of items for consideration to Regional Director Houle.

Regional Director Houle provided an update with respect to federal government providing funding for 11 charging stations for electric vehicles in the Nanaimo area. He said that at least one would be for Gabriola Island. He suggested that the Islands Trust office could subscribe the Regional District of Nanaimo to the Local Trust Committee news updates to communicate on local projects.

Trustee Malcolmson offered to bring a draft letter to the next Local Trust Committee meeting as a follow up to the June meeting with the Regional District of Nanaimo.

7.4 Gabriola Streamkeepers

Trustee Malcolmson summarized receiving a letter August 24, 2012 from Adrienne Vance of the Gabriola Streamkeepers. She explained that the Gabriola Streamkeepers would like help in identifying property owners that the three streams flow through. Planner Fox noted that the streams identified in the letter were not among those mapped during the Riparian Areas Regulation Assessment and Mapping project. She commented that if these were streams that had already been mapped, it would be quick and easy, however identification of property owners in this case would involve planner time that had not been forecast.

GB-085-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff advice on the time required to provide streamkeepers with landowner contact information for Mallet and Descanso Creeks and Wagg Brook; offer Streamkeepers landowner contact information for existing Riparian Areas Regulation map creeks and advise Streamkeepers on alternate providers of this information.

CARRIED

The Local Trust Committee moved agenda item 14.1 forward by consensus.

14.1 Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas and Steep Slopes

Planner Fox summarized the August 13, 2012 staff report regarding the Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas & Steep Slopes) – draft amendments. She explained the attachments that include draft Development Permit Area 3 (DP-3) Riparian Areas, and draft Development Permit Area 6 (DP-6) Steep Slopes. She outlined three staff recommendations.

COMMUNITY STEWARDSHIP AWARD PRESENTATION

At 11:50 am Chair Graham called a recess for presentation of the Community Stewardship Award, informal discussion and refreshments.

Trustee Malcolmson explained to the audience that the Local Trust Committee presents the Community Stewardship Award where the award is being received and that this is the second award for Gabriola Island. The award is being presented to the Board of the Gabriola Healthcare Society for their direction in building the medical clinic. Trustee Malcolmson said that there were 18 or more nominations this year and that the award is meant to acknowledge groups and individuals who are preserving the community, culture or environment of an island. The award program is designed to celebrate the dedicated people who have donated countless hours in service to preserving and protecting the Islands Trust Area, in cooperation with others. She remarked that the award is a testament to all of Gabriola and thanked the people who nominated the Board.

Chair Graham called the meeting back to order at 12:15 pm.

8. **TRUSTEES' REPORTS**

Trustee Rudischer reported that she had attended a talk by Dr. Riki Ott about oil spills and their effect on the environment and on people. Dr. Ott had witnessed the Exxon Valdez oil spill and clean up in 1989 and the recent BP oil spill in the Gulf of Mexico. Trustee Rudischer said that she was surprised to learn that the technology for oil spill clean up hadn't changed in 20 years. Trustee Rudischer reported that she attended the opening of the Medical Clinic and praised everyone who had worked so hard to make the medical clinic a reality and provide the community with such an asset. Trustee Rudischer attended the Local Planning Committee meeting in Victoria discussing the Strategic Plan that will be on the agenda of the next Trust Council meeting. Trustee Rudischer attended the first meeting of the Gabriola Streamkeepers and commented on how helpful it is to have local residents monitoring streams and noting changing conditions. She also reported on a recent meeting with federal representatives to discuss the proposed National Marine Conservation Area.

Trustee Malcolmson added that Parks Canada is gathering public comments and the National Marine Conservation Area Atlas is available at the Gabriola Public Library. Trustee Malcolmson reviewed the proposed Trust Council Strategic Plan Priorities.

9. **CHAIR'S REPORT**

Chair Graham reported that the Executive Committee meeting had mostly worked on the agenda for the Trust Council meeting that takes place on Bowen Island next week. Chair Graham also commented on having attended the National Marine Conservation Area meeting.

10. **REGIONAL DIRECTOR'S REPORT**

Regional District of Nanaimo Director Howard Houle reported that the directional signs at the 707 Acre Park had been installed. He commented that the pond liner at the Rollo McClay Park might not get done before the rains start and that the design and materials are waiting for an installation date. Director Houle noted that dogs had become an issue and that dog owners are reminded that when you're in the parks on Gabriola that there are young deer and if your dog chases deer it is a \$100 fine. He commented that the Gabriola Lands and Trails Trust had been very busy with new trails and trail improvements. Director Houle reported that he had raised the question of the two water licenses on Agricultural Land Reserve land at a meeting with Chair Richard Bullock and was assured there would be a review in consultation with Islands Trust. He reported that Regional District of Nanaimo staff would be preparing a report for the Electoral Area B Parks and Open Space Advisory Committee and the Regional District of Nanaimo board on the short and long term parking improvements to Rollo McClay Community Park. Director Houle reported that the Regional District of Nanaimo board had approved a motion to develop a service area establishment bylaw for the creation of a taxi-saver service for Gabriola. Director Houle reported that Gabriola could be getting a level two electric vehicle charging station funded by the federal government.

11. **DELEGATIONS**

11.1 *Ken Zakreski for Gabriola Radio Society*

Due to the library on Gabriola having been closed during the summer and it being scheduled to open in mid September, Ken Zakreski brought documents that had been referred to at previous presentations to the Local Trust Committee. He reviewed those documents and offered them for public inspection.

Ken Zakreski, President of Gabriola Radio Society, distributed copies of a document outlining the Radio Society's response to questions that arose in previous staff reports. He told the Local Trust Committee that there are no tower sites in the vicinity designed to broadcast to Gabriola. He reported that the Gabriola Radio Society board at its last meeting had passed a motion to approve the expenditure for a legal survey of the site and also passed a motion to investigate and report back to the Local Trust Committee the environmental impact of constructing a broadcast tower. He advised that their engineer's report stated "no adverse environmental impact", the archaeological assessment indicated nothing within 50 metres, and there had been no objection from nearby covenant holders.

Ken Zakreski concluded that the Gabriola Radio Society propose to build a low impact radio transmission tower. He felt that the Society had addressed public concerns as well as it could, and asked the Local Trust Committee to support the referral.

12. **TOWN HALL SESSION**

Theresa Beers stated that the Local Trust Committee typically responds to the community input and would like the Local Trust Committee to hear the community response on this occasion. She said that she doesn't think this is the last time the issue would be discussed, and so it should be addressed in the Official Community Plan.

Linnet Kartar told the Local Trust Committee that we've made our point, please hear this, we do not want the tower.

An unidentified speaker said that the deadline is today and asked the Local Trust Committee to deny the referral.

Another unidentified speaker commented that it's not a radio tower but a million dollar piece of real estate.

An unidentified speaker suggested that there were options she hadn't heard discussed such as using the facilities at Vancouver Island University Radio CHLY.

Mike Philips requested the Local Trust Committee to deny the referral.

Ken Zakreski said that height is everything to FM radio transmission and that it does improve the coverage. He also commented that CHLY Radio and Gabriola Radio are working cooperatively.

13. APPLICATIONS AND PERMITS

*13.1 Gabriola Radio Society Tower Application
13.1.1 Staff Report dated August 15, 2012*

Planner Fox reviewed the staff report dated August 15, 2012 regarding the broadcast tower proposal. She summarized three Local Trust Committee resolutions that had been adopted at the previous meeting and commented that the purpose of the report is to provide an update on those resolutions and present the proposal for final consideration of the Local Trust Committee. Planner Fox presented the Local Trust Committee with several options in relation to the application and provided recommendations from staff.

The trustees discussed the consequences of not supporting the referral.

Trustee Rudischer summarized that of the 81 heard respondents providing comment, 70 are opposed and 11 supported the location of the transmission tower. She said that there appears to be a lot of support for the radio station but not for the tower site.

Trustee Malcolmson was in agreement with the staff recommendation citing that lack of support from the community is significant.

Trustee Rudischer noted that Gabriola bylaws don't support additional radio towers and they don't comply with the current Official Community Plan.

Chair Graham summarized: there had been public consultation, the Local Trust Committee has heard fears from neighbours; the tower site has attributes that works for the radio station; the tower is not what Gabriolans want.

GB-086-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee not support the proposal submitted by the Gabriola Radio Society, file 5590-20-01 (Gabriola Radio Society), for the siting of a radio tower on the property legally described as: The Southwest ¼ of Section 9, Gabriola Island, Nanaimo District, Except that Part in Plans 34295, VIP69975 and VIP71690, for the following reasons:

- It does not comply with the Official Community Plan or the Land Use Bylaw;
- Significant opposition among neighbouring property owners and other residents;
- A lack of information provided by the applicant to address environmental requirements of Standing Resolution GB-025-2010 of the Gabriola Island Local Trust Committee;
- A lack of information provided by the applicant to determine the exact location of the tower, associated buildings and structures, and the proposed easement/lease area, in relation to property lines and covenants, as required by Standing Resolution GB-025-2010, the Antenna Proposal Form and as requested by the Gabriola Island Local Trust Committee in Resolution GB-067-2012;
- Lack of support from emergency responders and arts community, which the radio tower had been presented as in-aid-of;
- Lack of support for proposed tower in light of options related to existing towers, co-location, and testing support for new community radio broadcasts over the internet (i.e. There is existing coop radio in Nanaimo, there is existing tower coverage for emergency services, there are options to broadcast Gabriola Coop radio in Nanaimo, there is existing tower coverage for emergency services, there are options to broadcast Gabriola coop radio without a tower).

CARRIED

GB-087-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee instruct staff to include in the final package to Industry Canada and the applicant for file 5590-20-01 (Gabriola Radio Society) a copy of the final resolution, a copy of all public correspondence received during the consultation period, a copy of all staff reports written on the application and a copy of all referral responses received on the application.

GB-088-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee amend resolution GB-087-2012 by inserting “, *relevant Official Community Plan and Land Use Bylaw provisions*” after “...reports written on the application”.

CARRIED

GB-087-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee instruct staff to include in the final package to Industry Canada and the applicant for file 5590-20-01 (Gabriola Radio Society) a copy of the final resolution, a copy of all public correspondence received during the consultation period, a copy of all staff reports written on the application, relevant Official Community Plan and Land Use Bylaw provisions, relevant Official Community Plan and Land Use Bylaw provisions and a copy of all referral responses received on the application.

CARRIED

13.1.2 Compilation of Correspondence to July 26, 2012 to August 24, 2012

Received.

13.1.3 Letter received after deadline from Dr. D.C. Worthing

Received.

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Gabriola Island Development Permit Areas (Riparian Areas, Hazardous Areas and Steep Slopes)

Discussion continued regarding the report presented earlier at this meeting by Planner Fox. The trustees questioned Planner Fox on several details contained in the report and Planner Fox explained further.

GB-089-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee refer Draft Development Permit Area 3 - Riparian Areas and Draft Development Permit Area 6 – Steep Slopes, including accompanying mapping, to the Gabriola Island Advisory Planning Commission for comment.

CARRIED

GB-090-2012

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff to schedule a Community Information Meeting as a Special Meeting of the Gabriola Island Local Trust Committee for the purpose of presenting and receiving input from the general public on Draft Development Permit Area 3 – Riparian Areas and Draft Development Permit Area 6 – Steep Slopes.

CARRIED

14.1.1 Project Charter – standing item

The trustees reviewed and commented on the Gabriola Island Development Permit Areas – Project Charter.

14.1.2 Communication Strategy – standing item

The Local Trust Committee reviewed and commented on the Communications Strategy.

14.1.3 Email dated July 26, 2012 from Nick Doe

The Local Trust Committee discussed Mr. Doe's email providing advice about problem soils.

15. BYLAWS

There were no bylaws for consideration on this agenda.

16. ISLANDS TRUST WEBSITE

The Local Trust Committee reviewed the Gabriola Island Local Trust Committee page of the Islands Trust website and made no changes.

17. NEXT BUSINESS MEETING

The next Local Trust Committee meeting will be at 10:15 am on Thursday, October 4, 2012 at the Women's Institute, 476 South Road, Gabriola Island, BC.

18. TOWN HALL SESSION

There were no comments or questions from the public

19. ADJOURNMENT

The Local Trust Committee adjourned the meeting by consensus at 1:45 pm.

Chair

Recorder