

MINUTES OF THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE MEETING
HELD ON THURSDAY, MARCH 14, 2013 AT 10:15 AM
AT THE WOMEN'S INSTITUTE
476 SOUTH ROAD, GABRIOLA ISLAND, BC

MEMBERS PRESENT:

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

STAFF PRESENT:

Courtney Simpson, Regional Planning Manager
Chloe Fox, Island Planner
Jessie Sherk, Recorder

MEDIA AND OTHERS PRESENT:

Howard Houle, Regional Director, Regional District of Nanaimo
2 media representatives were in attendance

1. **CALL TO ORDER:**

Chair Graham called the meeting to order at 10:15 am. He introduced staff and trustees and acknowledged that the meeting is being held in the traditional territory of the Coast Salish First Nations.

2. **APPROVAL OF AGENDA**

The agenda was adopted by consensus with the following amendment:

- Add under New Business, item 7.3 – Letter of concern to Ministry of Transportation and Infrastructure.

15. **BYLAWS**

15.1 *(Development Approval Information, Development Permit Area 3 – Riparian Areas, and Moving Existing Development Permit Areas Guidelines)*
Draft Bylaw No. 265, cited as "Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2012"

Planner Fox introduced the bylaw for first reading. She noted that some changes had been made including the changes that were suggested at the last Local Trust Committee meeting.

ADOPTED

There was some discussion regarding the wording of the bylaw and if it would be easy for the general public to understand.

GB-027-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee amend Draft Bylaw No. 265, cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2012” on page 3, section 4, i) Location, by removing the words “as the term is defined in the provincial riparian areas regulation”

CARRIED

GB-028-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee give first reading to draft amendment bylaw 265, cited as Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997 Amendment No. 1, 2012”

CARRIED

15.2 *Development Permit Area 3 – Riparian Areas and Moving Existing Development Permit Area Guidelines)*
Draft Bylaw No. 266 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2012

There was some discussion regarding the consultants report pertaining to the Riparian Area Regulation

GB-029-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee give first reading to draft amendment bylaw 266, cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2012”

CARRIED

GB-030-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee refer proposed Amendment Bylaw 265, cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1 2012” and proposed Amendment Bylaw 266, cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1 2012”, to the following agencies and First Nations:

- Regional District of Nanaimo
- School District #68 (Nanaimo-Ladysmith)
- Provincial Ministry of Community, Sport and Cultural Development
- Provincial Ministry of Forests, Lands and Natural Resource Operations – Ecosystems Branch
- Agricultural Land Commission
- Fisheries and Oceans Canada
- Islands Trust Fund
- Cowichan Tribes
- Halalt First Nation
- H’ul’qumi’num Treaty Group
- Stz’uminus First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Penelakut Tribe
- Snaw’Naw’as Nation
- Te’Mexw Treaty Association
- Semiahmoo First Nations, and
- Snuneymuxw First Nation.

CARRIED

3. MINUTES

3.1 Local Trust Committee Meeting Minutes of February 21, 2013

The minutes of the February 21, 2013 Gabriola Island Local Trust Committee were reviewed and adopted by consensus with the following amendments:

- Page 2, 5.1. 4th bullet, amend to read, “There have been no complaints about home occupation signs, who will pay for enforcement.”
- Page 2, 5.1, 2nd to last line after the word “implemented” add the words “by the Local Trust Committee”
- Page 3, 5.6, amend 2nd sentence amend to read “Trustee Malcolmson said the Agricultural Land Commission’s decision was consistent with the Local Trust Committee’s advice.”
- Page 7, 14.1.3 3rd paragraph, 1st sentence amend to read, “ Trustee Malcolmson asked about the impact of leaving the project in limbo and having a map out there that people are nervous about.”
- Page 7, 14.1.3 3rd paragraph, after the first sentence add a sentence to indicate the Planners response to the above noted question which should

- read “ The Planner replied that the Regional District of Nanaimo and Islands Trust planning staff won’t use the map and that it has no status.”
- Page 7, 14.1.1, delete last sentence that begins with “It was agreed that...

- 3.3 *Section 26 Resolution Without Meeting – none*
- 3.4 *Gabriola Island Advisory Planning Commission Meeting Minutes – none*
- 3.5 *Mudge Island Advisory Planning Commission Meeting Minutes – none*
- 3.6 *Gabriola Island Agricultural Advisory Commission Meeting Minutes – none*

4. BUSINESS ARISING FROM MINUTES

4.1 *Follow-up Action List dated March 4, 2013*

Staff and trustees discussed the Follow-up Action List.
Trustee Malcolmson gave an update on the signage issue.

GB-031-2013

It was **MOVED** and **SECONDED** that Gabriola Island Local Trust Committee request that staff schedule a meeting with Ministry of Transportation staff for the Chamber of Commerce to discuss signage in the road right-of-way

CARRIED

4.2 *Letter of Resignation from Lisa Webster-Gibson regarding Gabriola Advisory Planning Commission*

Received.

4.3 *Climate Change Policy Implementation*

Chair Graham recognized that Courtney Simpson is now officially the Regional Planning Manager.

Regional Planning Manager Simpson gave a verbal update. She noted that they are in the process of putting together a contract for a consulting firm to do this project. It will span over the next fiscal year using funds from the staffing budget that were not used due to being short staffed. The consultants will aim to present their report at the April Local Trust meeting.

4.4 *Greening Our Shores Workshop*

There was a discussion regarding the workshop including the format for presenters and if anything else needed to be done.

5. CORRESPONDENCE

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

None.

6. **REPORTS**

6.1 *Work Program Reports*
Top Priorities Report and Projects List dated March 4, 2013

The staff and trustees discussed the items in the Top Priorities list including food security, build-out maps, densities and rezoning. There was discussion around the possibility of changing the order of the list.

GB-032-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee move #8 - Consider density transfer affordable housing policies for cottage densities, to follow # 4 of top priorities list and move everything else down.

CARRIED

Trustee Malcolmson requested that discussion of #2.3 on the Top Priorities List – Review and amend Official Community Plan and Land Use Bylaw to increase local food security and farmland protection, be added to the next agenda.

6.2 *Applications Log*
Report dated March 4, 2013

There was discussion between staff and trustees about the applications log and how long it is before an application is taken off the log.

It was also flagged that the trustees are trusting that in consideration of the two rezoning applications, that there will be a perfect handover to the new planner, as the Gabriola Local Trust Committee has not worked on these applications this term.

6.3 *Trustee and Local Expenses*

6.3.1 *Expenses posted to February 28, 2013*

Received.

7. **NEW BUSINESS**

7.1 *2012-2013 Annual Report – Draft Wording*
Memorandum dated February 28, 2013

The memorandum was discussed and the following changes were agreed upon:

- Amend the first paragraph, second to last sentence, to insert a comma in between “deferred” and “while”
- Remove references to subdivision referrals from the 3rd paragraph of the draft annual report

GB-033-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee approve the wording of the 2012-2013 Annual Report as amended.

CARRIED

A discussion ensued regarding email lists and other new ways to get information out to the public. Regional Planning Manager Simpson noted that the new Islands Trust website will have a better way for people to sign up for news and notifications.

7.2 *Forage Fish Workshop*

Trustee Malcolmson discussed the purpose of the Forage Fish Workshop and the benefits to the community with staff.

GB-034-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee host a Forage Fish Habitat Mappings Workshop and request staff advice on how to contract for that and coordinate with the "Forage fish habitat assessment item 1.4.4" approved in the 2013/14 Trust Council Budget

CARRIED

7.3. *Letter of Concern to Ministry of Transportation*

GB-035-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff to draft a letter for the Local Trust Committee Chair's signature conveying to the Ministry of Transportation and Infrastructure that using a rotary pruner for aerial pruning in the road right of way is damaging, and inconsistent with Official Community Plan objectives 7.1.9 and E, and inconsistent with the letter of agreement between the Ministry of Transportation and Infrastructure and the Islands Trust on Road Standards, Classification and Ministry of Transportation and Infrastructure/Islands Trust Consultative Process in the Islands Trust Area (reference E 2b, page 14 <http://www.islandstrust.bc.ca/tc/pdf/orgagredec081992pro.pdf>)

CARRIED

Speaking to the motion, Trustee Malcolmson stated that the protocol is extremely specific and that this is an agreement made between agencies. Maybe there is something that the Local Trust Committee can help with. Trustee Rudischer commented that she felt this is a good idea and that she has received a lot of phone calls on this topic.

It was also discussed that staff would find the appropriate person at the ministry to direct the letter to.

8. TRUSTEES REPORTS

Trustee Rudischer read her report. She spoke about the Streamkeepers meeting she attended on February 28, 2013 as well as the Thetis Island Trust Council meeting.

Trustee Malcolmson read her report. She spoke about her presentation at a community meeting on oil spill preparedness and concerns of increased tanker traffic associated with the proposed Kinder Morgan project. She also worked on the new Official Community Plan and Land Use Bylaw for the Ballenas - Winchelsea Islands, attended a public hearing on Saltspring Island regarding a secondary suites pilot project, participated in a San Juan Island Marine Managers workshop, attended a Trust Council meeting where ferry fares were discussed and met with a representative of the Gabriola Chamber of Commerce to discuss road signage proposals.

9. CHAIRS REPORT

Chair Graham mentioned that he had the pleasure of working with fellow trustees on Thetis Island.

10. REGIONAL DIRECTORS REPORT

Regional Director Howard Houle passed out a paper copy of his report and indicated that it would also be online for anyone interested.

11. DELEGATIONS

12. TOWN HALL SESSION

13. APPLICATIONS AND PERMITS

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Gabriola Island Development Permit Area (Riparian Areas)

14.1.1 Project Charter (March 2013) – for endorsement

Planner Fox reviewed the Project Charter and stated that with the deferral of the steep slopes development permit area portion, staff has updated the project charter and the communication strategy to remove all steep slopes portions of the project. The communication strategy has also been updated to include instruction from the last Local Trust Committee Meeting regarding having an additional community information meeting.

The following changes were noted:

- Amend the “In Scope”, third bullet by deleting the word “of”
- Amend the “work plan overview” in First Reading section by replacing “February” with “March”

Trustee Rudischer wondered where the Community Information Meeting regarding the Riparian Area Regulation was on the list. Planner Fox stated that she could add it into the charter.

GB-036-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee endorse the Gabriola Island Development Permit Project Charter as amended.

CARRIED

14.1.2. Communications Strategy (March 2013) – for endorsement

It was noted that the Community Information Meeting described on the bottom of page 30 in the Communications Strategy would happen several weeks before the public hearing.

GB-037-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee endorse the February 28, 2013 Communications Strategy for Riparian Area Regulation.

CARRIED

*14.1.3 Guide To Proposed Bylaws No. 265, 266, 267 and 268
Memorandum dated February 28, 2013*

Planner Fox reviewed the memorandum. As directed in the last Local Trust Committee Meeting, staff has prepared a guide. It is still in draft form and would like to discuss possible changes today.

There was discussion about how the wording should read to be easily understood by an untrained individual. The following suggestions and changes were noted:

- Instead of using the word “applicant”, change to “landowner”
- Spell out the meanings for “OCP” and “LUB” the first time they are used.
- In the first section “Description of Bylaws”, delete the first bullet of 265/266 and all of 267 and 268 to read:
 - “Proposed bylaws 265 (Gabriola), 267 (Mudge) and 268 (Decourcy) amends each island’s OCP to specify what sort of expert reports might be required of landowners who apply for a zoning change. For example, landowners proposing to rezone from Residential to Commercial would know in advance they may have to commission a traffic impact study and make it public. Proposed Bylaw 265 (Gabriola) does the same for environmental development permit areas. These are administrative changes that do not alter any community land

use policies, but confirm those community policies can be better implemented, more transparently.”

- At the end 265/266, 3rd bullet (Riparian Area Regulation) add “to protect potential habitat for fish”
- In the 3rd section “What’s The Same?” define a Development Permit, specify that the guidelines are dated, and unchanged from, 1997 and add rationale to the last sentence, that we hope being in the Land Use Bylaw makes the Development Permit “regulations” more visible.
- 4th section “Implementing...” add that this has no bearing on building permits, only on Local Trust Committee decisions.

Planner Fox indicated that she could make the changes this afternoon.

GB-038-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee endorse the Information Guide for Proposed Bylaws 265, 266, 267 and 268 as amended.

CARRIED

It was also noted that the guide would be sent to referral agencies.

*14.1.4 Visual Aids to Riparian Areas Regulation and Streamside Protection and Enhancement Areas Process
Staff Report dated March 5, 2013*

Planner Fox reviewed the memorandum. She noted that staff did an extensive search but hasn’t found existing materials for determining Streamside Protection Enhancement Areas and Riparian Area Regulations. Planner Fox went through the options listed in the memorandum and requested that staff give further direction on how to proceed.

Trustee Malcolmson showed the planners her idea of a bird’s eye graphic, power point or slide that would show the step-by-step process from where the Qualified Environmental Professional does the evaluation, to when the permits are being issued. The planners agreed that the suggested visual would be helpful to include.

Trustee Rudischer had some concerns with step #2 on the second page of the visual aid. There was discussion between trustees and staff regarding how the government would monitor setbacks. It was also discussed that this visual aid would be handed out to the public with a presentation at a Community Information Meeting, as well as posted to the website. There would need to be someone contracted to artistically render this into something that can be used.

GB-039-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee direct staff to allocate up to \$200 for Riparian Area Regulation power point graphics.

CARRIED

GB-040-2013

It was **MOVED** and **SECONDED** that the Gabriola Island Local Trust Committee request staff to post on the Gabriola page of the Islands Trust website all three Riparian Area Regulation communication materials as outlined in the March 5, 2013 staff report.

CARRIED

16. ISLANDS TRUST WEBSITE

16.1 Gabriola Page

None.

17. NEXT MEETING:

The next meeting of the Gabriola Island Local Trust Committee is Thursday, April 18, 2013 at 10:15 am at the Women's Institute, 476 South Road, Gabriola Island, BC

18. TOWN HALL SESSION

There was no town hall session.

Chair Graham acknowledged that today is Planner Fox's last day of work. He and the Trustees conveyed their well wishes to the planner and thanked her for her high level of service and professionalism.

19. ADJOURNEMENT

The meeting was adjourned at 11:55 am by consensus

Recorder

Chair