



**Gabriola Island  
Local Trust Committee  
Minutes of a Regular Meeting**

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**Date of Meeting:** Thursday, September 5, 2013 at 10:15am  
Women's Institute  
South Road, Gabriola Island, BC

**Members Present:** David Graham, Chair  
Gisele Rudischer, Local Trustee  
Sheila Malcolmson, Local Trustee

**Staff Present:** Courtney Simpson, Regional Planning Manager  
Jessie Sherk, Recorder  
Peter Phillips, Bylaw Enforcement Officer

**Media and Others Present:** There were two (2) members of the local media and four (4) members of the public in attendance.

**1. CALL TO ORDER**

Chair Graham called the meeting to order at 10:17am. He acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations. Staff and trustees were introduced.

**2. APPROVAL OF AGENDA**

The agenda was approved by consensus with the following amendment:

- Move 17. 1 and 17.2 BYLAWS to after the close of the Public Hearing on the agenda.
- Remove 21. PRESENTATION of 2013 Community Stewardship Award to Chris and Judith Plant from the agenda
- Under New Business add 9.4 Gabriola Eagle Nest Report Proposal

**RECESS FOR PUBLIC HEARING - 10:20am**

For Proposed Bylaw No. 267 (Mudge Island) & Proposed Bylaw No. 268 (Decourcy Island)

**RECONVENE – 10:35am**

17. BYLAWS

- 17.1 **Proposed Bylaw No. 267 cited as “Mudge Island Official Community Plan Bylaw 227, 2007, Amendment No. 1, 2012” – *for consideration of second and third readings and submission to Executive Committee and to the Minister of Community Sport and Cultural Development for approval***

Trustees discussed that they had not received opposition to this administrative bylaw from Mudge residents and they were confident they are aware of the bylaw.

**GB 083/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee give second reading to Proposed Bylaw No. 267 cited as “Mudge Island Official Community Plan Bylaw No. 227, 2007, Amendment No. 1, 2012”

**CARRIED**

**GB 084/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee give third reading to Proposed Bylaw No. 267 cited as “Mudge Island Official Community Plan Bylaw No. 227, 2007, Amendment No. 1, 2012”

**CARRIED**

**GB 085/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee submit Proposed Bylaw No. 267 cited as “Mudge Island Official Community Plan Bylaw No. 227, 2007, Amendment No. 1, 2012” to Executive Committee and to the Minister of Community, Sport and Cultural Development for approval.

**CARRIED**

- 17.2 **Proposed Bylaw 268 cited as “Decourcy Island Official Community Plan Bylaw 16, 1981, Amendment No. 1, 2012” – *for consideration of second and third readings and submission to Executive Committee and to the Minister of Community Sport and Cultural Development for approval***

Staff and trustees discussed the bylaw noting that letters from the public indicate that there hasn't been enough done by the Local Trust Committee as to the purpose of the bylaw.

Trustees thanked the representatives that came from Decourcy Island to speak today and apologized for any anxiety that this proposed bylaw has caused.

**GB 086/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee proceed no further with Proposed Bylaw No. 268 cited as “Decourcy Island Official Community Plan Bylaw 16. 1981, Amendment No. 1, 2012”

**CARRIED**

**3. CLOSED MEETING**

**GB 087/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee close the next part of the September 5, 2013 meeting to discuss matters pursuant to Section 90 (1) (f) (Bylaw Enforcement) of the Community Charter and staff be invited to attend this meeting.

**CARRIED**

Committee closed the meeting at 10:40am.

**BREAK 11:10 – 11:15am**

**4. RECALL TO ORDER**

Chair Graham reconvened the regular meeting at 11:15am.

**5. MINUTES**

**5.1 Local Trust Committee Meeting Minutes of July 18, 2013**

The Local Trust Committee Meeting minutes were adopted by consensus with the following amendments

- Page 4, Trustee’s Report, second paragraph attributed to Trustee Malcolmson, in the 3<sup>rd</sup> last sentence delete the words “for their involvement” and end the sentence after “...thanked those groups.”
- Page 10, 14.1.1 after “Veronica” insert “Hartman, chair of the Agriculture Advisory Commission” and delete the words “from the”
- Page 13, In sentence beginning with “Speaking to the motion,” delete the word “businesses” and replace with “development”

**5.2 Section 26 Resolutions Without Meeting – None.**

**5.3 Gabriola Island Advisory Planning Commission Meeting Minutes – None.**

**5.4 Mudge Island Advisory Planning Commission Meeting Minutes – None.**

**5.5 Gabriola Island Agricultural Advisory Commission Meeting Minutes – None.**

**6. BUSINESS ARISING FROM MINUTES**

**6.1 Follow-up Action List dated August 27, 2013**

Planning Manager Simpson reviewed the Follow-up Action list. She updated the Trustees on some of the items. She sought clarification regarding the June 27, 2013 item to convey to the Ministry of Environment a message about local erosion of support for the Riparian Areas Regulation when the Ministry of Transportation and Infrastructure is allowed to dredge ditches. It was decided that Planning Manager Simpson would write a letter for the Chair's signature.

Regarding the item to reduce the fee for a development permit application for Development Permit Area (DPA) #3, the Local Trust Committee directed that this is added to the scope of the Official Community Plan targeted review rather than left as a follow up step after that project is complete.

Trustee Rudischer asked that staff correct the wording regarding the Local Trust Committee's budget submission for the 2014/15 fiscal year regarding further mapping for the Riparian Areas Regulation (RAR) DPA on Gabriola to be consistent with the wording of the resolution from July.

**6.2 Promoting NAPTEP on Gabriola**

Discussion ensued regarding how to promote Natural Area Protection Tax Exemption Program. Its association with RAR and conservation oriented property tax reductions were noted. The trustees discussed how they could raise the visibility and profile on this.

**GB 088/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request that Islands Trust Conservancy staff consider a Gabriola presentation on the Natural Area Protection Tax Exemption Program.

**CARRIED**

**7. CORRESPONDENCE**

**7.1 Email dated August 21, 2013 from Mike Donnelly of the Regional District of Nanaimo Regarding Water Budget Report**

Trustees and staff discussed the possibility for someone from the Regional District of Nanaimo to come to Gabriola to make a presentation on their water budget study. Planning Manager Simpson noted that there is a meeting scheduled on October 29, 2013 at 7:00pm and that the public is welcome to attend.

**GB 089/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee invite Regional District of Nanaimo staff to any of our Local Trust Committee Meetings to present their water budget report for Area B.

**CARRIED**

**7.2 Email dated August 26, 2013 from Judith Graham regarding Rogers cell tower**

The email was reviewed by staff and trustees. Planning Manager Simpson stated that Rogers has asked to meet with them to give advice on how to consult with the community before they submit any application. At the moment, a date and time are being discussed for a meeting with the Local Trust Committee. She also stated that she would be sending them information on the 2007 Rogers cell tower proposal.

Discussion ensued with trustees. The author of the email, Judith Graham, was in the audience and stated that it would be nice if the residents didn't have to rally over and over again about this. She requested a full analysis before they get into this and before they are allowed to come to the island.

**8. REPORTS**

**8.1 Work Program Reports**

**8.1.1 Top Priorities Report and Projects List Dated August 27, 2013**

It was noted that a few things should be added to the Project List on page 28 including:

- Under item 2, Development Approval Information Bylaw for Decourcy Island
- New item, Forage Fish Mapping Workshop

**8.2 Applications Log**

**8.2.1 Report date August 27, 2013**

Reviewed. Trustee Malcolmson encouraged staff to take action and close files if they are no longer current.

**8.3 Trustee and Local Expenses**

**8.3.1 Expenses posted to July 31, 2013**

Reviewed for information.

8.3.2 Expenses posted to Aug 31, 2013

Reviewed for information.

**9. NEW BUSINESS**

**9.1 2014-15 Budget Submissions**

9.1.1 Memorandum dated August 1, 2013

Trustees discussed the possibility of increasing some of the budgets.

**GB 090/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee amends its budget request to request \$10,000 for Official Community Plan review, and to modify the wording in the Riparian Area Regulation description to reflect the June resolution of the Trust Committee, and forward to the Financial Planning Committee as revised.

**CARRIED**

**9.2 Proposed Business Meeting Schedule for 2014**

Staff and trustees discussed the proposed business meeting schedule for 2014.

**GB 091/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee amend the proposed meeting schedule to replace October 9 and November 20 with October 2 and October 30 and adopt the meeting schedule as amended.

**CARRIED**

**9.3 Bike Path Referral from MoTI for Discussion**

Trustee Malcolmson gave some background stating that last term the Trust Committee amended the Official Community Plan (OCP) to incorporate a policy and map for bike paths. This flows from an agreement that the Islands Trust has with the Ministry of Transportation and Infrastructure (MoTI) from 1996 that says when they are doing road resurfacing, they will consider putting bike paths in if we have something adopted in the OCP.

Trustees and staff then discussed the two options given by the MoTI.

**GB 092/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee has considered the two options prepared by the Ministry of Transportation and Infrastructure for the road section on Taylor Bay Road immediately south of the intersection with McConvey Road and for reasons of pedestrian and cycling safety, recommends a hybrid approach with a 1.2 m wide Option -1-style shoulder lane on the west side and a 1.2 – 1.5 m wide Option-2-style pedestrian/cycling lane on the east side. While the total width is similar to option 1, there would be two curbs on the east side; instead of one.

**CARRIED**

The trustees expressed their thanks to the MoTI for considering bike lanes and also to the Gabriola Island Transportation Advisory Committee members

**9.4 Gabriola Eagle Nest Report Proposal**

Planning Manager Simpson advised that this program is a standard region wide approach and it is useful for staff to have current eagle nest mapping available. Discussion with trustees ensued.

**GB 093/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request staff advise on how the Local Trust Committee can facilitate the Gabriola eagle nest mapping proposal.

**CARRIED**

**10. TRUSTEES' REPORT**

Trustee Malcolmson thanked the community groups responsible for all of the summer activities on Gabriola including the salmon barbeque, theatre festival, and the United Church anniversary, as well as the work of the bike paths group. She also recognized Katherine Malloy is leaving People for a Healthy Community and thanked her for her work. Trustee Malcolmson spoke of the Trust Council meeting next week on Lasqueti Island and noted that the full agenda package is available online. Also noted was the Union of British Columbia Municipalities convention that is taking place next week.

**11. CHAIR'S REPORT – None.**

**12. REGIONAL DIRECTOR'S REPORT – None.**

**13. DELEGATIONS – None.**

**14. TOWN HALL SESSION – None.**

**Break at 12:05 – 12:25pm**

**15. APPLICATION AND PERMITS – None.**

**16. LOCAL TRUST COMMITTEE PROJECTS**

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

**16.1.1 Parks Rezoning  
Staff Report dated August 19, 2013**

Planning Manager Simpson reviewed the report. She noted that Trustee Rudischer pointed out some errors in the report and she will address them. Staff and trustees discussed all the errors in the draft bylaw. There was also discussion about what is actually in the scope of this project.

**GB 094/13**

**It was **MOVED** and **SECONDED**,**

that the Gabriola Island Local Trust Committee request staff to amend the draft bylaws and direct staff to present the amended draft bylaws to the Local Trust Committee at a subsequent meeting, at which time the Local Trust Committee may consider proceeding with early referrals to the Regional District of Nanaimo and BC Parks.

**CARRIED**

**16.1.2 Riparian Areas Regulation Implementation  
Questions & Answers Document**

Staff and Trustees discussed the next steps with the proposed bylaws.

Planning Manger Simpson said there were many submissions and speakers last night at the Public Hearing and staff needs some time to fully consider everything. At the least she will provide a memorandum at the next meeting regarding how we should proceed and at that time the Trust Committee can add further direction.

Trustee Rudischer recognized that there is a lot of apprehension and opposition, as well as misinformation. Valid concerns have been raised and she is personally alarmed that a large percentage of Qualified Environmental Professional (QEP) reports paid for by the public were found to be inadequate. She felt that it was unreasonable that everyone within the DPA should need a QEP report. She stated that past experience tells her that not everyone is a good steward of the

environment so she is not sure if this should be completely scratched, but they need to find a way to do this in a manner that doesn't cause financial burdens. She feels they should go back to the drawing board.

Trustee Malcolmson stated that a lot of the concerns that were heard last night were spawned from the province and although it may seem that Islands Trust invented this regulation, they did not. She also noted that although people believe that the mapping is incorrect, any QEP would generate a map like that if they follow the definition of the RAR. She stated that the mapping is properly done in the wet months. Also noted was that the proposed bylaws do allow fire control, farming, food production and use of the land. Out of the 105 other areas that have already implemented this regulation, we have not heard those concerns. She then discussed some of the good ideas that were presented at last night's hearing.

Staff and Trustees discussed customizing the bylaw to fit the community, adding exemptions, simple assessments, and dealing with the public's confusion regarding setbacks, streamside protection and enhancement areas. The trustees discussed the possibility of putting together a Gabriola Riparian Areas Regulation and letting the Province decide yes or no. Some exemptions discussed included:

- Pruning fruit and nut trees
- Invasive species removal
- Planting for soil habitat restoration
- Fence construction
- Trails with conditions (within the streamside protection and enhancement area)
- Vegetation and tree cutting with no soil disturbance and soil disturbance less than 5 meters (outside the streamside protection and enhancement area)

**GB 95/13**

**It was MOVED and SECONDED,**

that the Gabriola Island Local Trust Committee request that staff outline a process for the Local Trust Committee doing simple Riparian Areas Regulation assessment as a way to have landowners avoid hiring their own Qualified Environmental Professional.

**CARRIED**

**GB 96/13**

**It was MOVED and SECONDED,**

That the Gabriola Island Local Trust committee request staff advise on the bylaw changes proposed by Trustee Rudischer and Malcolmson, and any other issues arising from the public input.

**CARRIED**

Speaking to the motion, Trustee Malcolmson stated that she really appreciated all the input and was still absorbing the information. This direction to staff doesn't lock anything in. She also encouraged the public to come into the trust office to speak to staff if their property is affected.

16.2 Development Approval Information Bylaw  
Memorandum dated August 27, 2013

Trustees discussed the memorandum and the possibility of having a biologist on staff.

**18. ISLANDS TRUST WEBSITE**

Gabriola Pages

Trustees thanked staff for all of the updates on the web pages.

**19. NEXT MEETING**

Thursday, October 10, 2013 at 10:15am at the Women's Institute, 476 South Road, Gabriola Island, BC

**20. TOWN HALL SESSION – None.**

**21. PRESENTATION** of 2013 Community Stewardship Award to Chris and Judith Plant.

Deferred.

**22. ADJOURNMENT**

**By general consent** the meeting adjourned at 1:20pm.

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David Graham, Chair

CERTIFIED CORRECT:

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Jesse Sherk, Recorder