



Islands Trust

A NOTICE OF A BUSINESS MEETING OF **THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE**
to be held at 10:15 AM on Thursday, February 20, 2014 at the Women's Institute,
476 South Road, Gabriola Island, BC

AGENDA

	Page No.	*Approx. Time*
1. CALL TO ORDER		10:15 am
2. APPROVAL OF AGENDA		
3. MINUTES		
3.1 Local Trust Committee Meeting Minutes of January 16, 2014 – <i>for adoption</i>	1	
3.2 Section 26 Resolutions Without Meeting Log dated - <i>none</i>		
3.3 Gabriola Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
3.4 Mudge Island Advisory Planning Commission Meeting Minutes - <i>none</i>		
3.5 Gabriola Island Agricultural Advisory Commission Meeting Minutes - <i>none</i>		
4. BUSINESS ARISING FROM MINUTES		
4.1 Follow-up Action List dated February 11, 2014 - <i>attached</i>	22	
4.2 Follow-up Action List Memorandum dated January 17, 2014 - <i>attached</i>	25	
5. CORRESPONDENCE		
<i>“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”</i>		
6. REPORTS		10:30 am
6.1 Work Program Reports		
6.1.1 Top Priorities Report & Projects List dated February 11, 2014 - <i>attached</i>	27	
6.1.2 Top Priorities Report & Projects Memorandum dated January 17, 2014 <i>- attached</i>	30	
6.2 Applications Log		
6.2.1 Report dated February 11, 2014 - <i>attached</i>	32	

6.3	Trustee and Local Expenses	
6.3.1	Expenses posted to month ending January 2014 - <i>attached</i>	35
7.	NEW BUSINESS	
7.1	Definition of Restaurant and Structures – <i>for discussion</i>	11:00 am
8.	TRUSTEES' REPORT	
9.	CHAIR'S REPORT	
10.	REGIONAL DIRECTOR'S REPORT	
11.	DELEGATIONS	
12.	TOWN HALL SESSION	
13.	APPLICATIONS AND PERMITS - none	
14.	LOCAL TRUST COMMITTEE PROJECTS	11:30 am
14.1	Official Community Plan/Land Use Bylaw Review	
14.1.1	Riparian Areas Regulation Implementation Bylaw 265 Referral Response – <i>to be distributed</i>	
14.1.2	Climate Change Policy Implementation Staff Report dated February 11, 2014 - <i>attached</i>	36
14.1.3	Agriculture Policies – <i>verbal update</i>	
	BREAK	12:00 pm
15.	CLOSED MEETING: The Gabriola Island Local Trust Committee closes the next part of the February 20, 2014 business meeting to discuss matters pursuant to Section 90(1)(a) of the <i>Community Charter</i> to consider Agricultural Advisory Commission and Transportation Advisory Commission Appointments and 90(1)(f) Bylaw Enforcement update, and that Staff be invited to attend this meeting.	12:30 pm
16.	RECALL TO ORDER: The Gabriola Island Local Trust Committee re-opens this meeting to the public subject to Section 89 of the Community Charter. 16.1 Rise and Report from Closed Meeting	12:45 pm
17.	ISLANDS TRUST WEBSITE Gabriola Pages – <i>for discussion</i> The Gabriola Island Local Trust Committee Website can be found at: http://www.islandstrust.bc.ca/islands/local-trust-areas/gabriola.aspx	
18.	NEXT MEETING: Thursday, March 13, 2014 at 10:15 a.m. at the Women's Institute, 476 South Road, Gabriola Island, BC	
19.	TOWN HALL SESSION – <i>time permitting</i>	
20.	ADJOURNMENT	1:00 pm

*Approximate time is provided for the convenience of the public only and is subject to change without notice



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

Date of Meeting: Thursday, January 16, 2013
Location: Women's Institute
246 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
Marnie Eggen, Planner
Sonja Zupanec, Planner (via telephone)
Jessie Sherk, Recorder

Media and Others Present: Five (5) members of the public and two (2) local media representatives were present.

1. CALL TO ORDER

Chair Graham called the meeting to order at 10:15am. 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 amendments:

Late items added:

- 7.3 Follow-Up Letter regarding the Duke Point Incinerator**
- 7.4 Presentation on Natural Areas Protection Tax Exemption Program**

3. MINUTES

3.1 Local Trust Committee Meeting Minutes of November 28, 2013

The minutes were adopted by consensus with the following amendments:

- Page 4, first paragraph, 2nd sentence, amend to read "She stated that the Local Trust Committee had been proactive by referring the issue

to the transportation advisory commission before the cuts were even announced.”

- Page 5, first paragraph, 2nd sentence, propose it read “...spoke to the VIEA, where she was a panelist in Nanaimo about how to strengthen and not undermine the underlying values that drew people to islands in the first place.”
- In the Chair’s Report, page 5, first bullet – Economic Sustainability, should read “how DO we maintain” rather than “how TO”.
- In the Chair’s Report, page 5, second bullet should read “...but the financial planning committee has now carved it down to a 1% increase”.

3.2 Section 26 Resolutions Without Meeting Log dated November 19, 2013

Received

Items 3.3 and 3.4 were omitted from the agenda by error.

3.5 Gabriola Island Agricultural Advisory Commission Meeting Minutes

None

3.6 Mudge Island Advisory Planning Commission Meeting Minutes

None

3.7 Gabriola Island Agricultural Advisory Commission Meeting Minutes

None

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated January 9, 2013

Regional Planning Manager Simpson introduced the list, invited questions, and there was a discussion.

4.2 Report dated December 12, 2013 from the Gabriola Transportation Advisory Commission and Ferry Advisory committee on the impacts of the proposed cancellations of sailings on BC Ferries Route 19: Gabriola-Nanaimo from the Gabriola Transportation Advisory Commission and Ferry Advisory Committee

Trustees agreed that no further action is required in response to this report. Trustee Malcolmson stated they do not know when the Province is going to come back with a response. Next week the Ferry Advisory Committee is meeting with BC Ferries again. She hopes people are continuing to tell the Province how unhappy they are about the proposed cuts.

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”

5.1 Email dated November 29, 2013 from Dov Glock and Devon Ronner regarding Duke Point Waste Incineration Site

Trustees discussed the email. Trustee Malcolmson stated that she emailed them a copy of the letter that was sent in August indicating the position of the Local Trust Committee on this matter.

5.2 Email dated December 8, 2013 from People for a Healthy Community to BC Ferry Commissioner, Gord Macatee

Received

6. REPORTS

6.1 Work Program Reports

6.1.1 Top Priorities Report and Projects List dated January 9, 2013

The Top Priorities Report, Projects List and target dates were discussed. Planning Manager Simpson noted that there is a typo under the Riparian Area Regulation target date, it says September 14, 2014 but it should say September 1, 2014. Trustee Rudischer and Planning Manager Simpson discussed the timing of the development approval information bylaw. Planning Manager Simpson stated that they are waiting to move forward with the Development Approval Information Bylaw for Bylaw Nos. 266 and 265 to advance a little bit further.

6.2 Applications Log

6.2.1 Report dated January 9, 2014

No updates.

Trustee Malcolmson wondered if it is a staff or trustee initiative to close applications that are 6 years old. She asked if it would be appropriate for the Trust Committee to give direction on this. Planning Manager Simpson stated that she would put it on the Follow-up Action List and would provide information to the Local Trust Committee on this.

6.3 Trustee and Local Expenses

6.3.1 Expenses posted to November 2013

Reviewed for information.

6.3.2 Expenses posted to December 2013

Reviewed for information.

GB-2014-001

it was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee move \$500 from Local Trust Committee Local Expense account 65240 "Miscellaneous" to "Advisory Planning Commission Meeting Expense" 65210.

CARRIED

Planning Manager Simpson stated that the eelgrass mapping was done this fiscal year, so that will be coming to the Local Trust Committee in a briefing from the Trust Fund at a meeting in the near future. There may be a request from the Islands Trust Fund for a small amount of money in the future if the Local Trust Committee would like a presentation about this on Gabriola.

7. NEW BUSINESS

7.1 Planner Time Allocation to Gabriola Local Trust Committee

7.1.1 Memorandum dated January 9, 2014

Staff and trustees discussed the memorandum. Trustee Rudischer asked what percentage of time a planner spends on training, and Planning Manager Simpson said she would find this information after the meeting and distribute it to the Local Trust Committee via email.

It was noted that the community benefits from having the office on Gabriola, and there was discussion about the high amount of time spent on enquiries for the Gabriola Local Trust Area compared to the other Local Trust Areas.

7.2 Gabriola Groundwater Model Budget Request from Regional District of Nanaimo

7.2.1 Memorandum dated January 6, 2014

Planning Manager Simpson reviewed the memorandum. She highlighted a few questions that she received clarification on from the Regional District of Nanaimo including:

- The Regional District of Nanaimo has existing budget allocated to this project
- A service contract with the Regional District of Nanaimo would be the mechanism to transfer the funds to them.
- Having the deliverables come in a different fiscal year than the expenditure is not a problem.

Planning Manager Simpson noted that if the Local Trust Committee wants to support this, she would forward the resolution today to the Financial Planning Committee for consideration in their meeting tomorrow.

Trustee Malcolmson stated that it sounds like the Regional Director is enthusiastic about this. She also noted that the RDN did say that the projections they were making based on the zoning was questionable in the first study and that they wondered to what extent would the next phase of study rely on the first study as a foundation.

Trustee Rudischer stated that if the Regional District of Nanaimo is going to contribute a large amount of money then we should make the contribution they've asked from us.

Chair Graham he has some concerns about the usefulness of the data this project would provide.

Trustee Malcolmson stated that there is a fair bit of land that would benefit. She also noted that the community of Gabriola voted in a referendum to put money into this. She feels we need this information.

Trustee Malcolmson noted that the zoning Gabriola has now was not predicated on deep knowledge of the groundwater availability. If we did have studies that identified areas of concern, it might be helpful for a future trust committee's proactive planning.

GB-2014-002

it was MOVED and SECONDED,

that the Gabriola Local Trust Committee request Financial Planning Committee consideration of a new 2014/15 budget request of \$6250 as described in the January 6, 2014 Regional District of Nanaimo/Simon Fraser University groundwater mapping proposal.

CARRIED

Speaking to the motion, Trustee Malcolmson stated that because the money can't be spent until next fiscal year she believes the Director would not be able to make a decision about the Technical Services budget until that budget exists for next term. If the Financial Planning Committee or Trust Council say they cannot fit

this into this coming year's budget, at that point, Trust Committee could ask for support from the Technical Services budget.

7.3 Follow up letter regarding Duke Point Incinerator

GB-2014-003

it was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request that the Chair send a cover letter and another copy of the letter written in August to the City of Nanaimo regarding the incinerator proposal at Duke Point.

CARRIED

Trustee Rudischer noted that no one else needs to be copied on the letter.

7.4. Presentation of Natural Areas Protection Tax Exemption Program Funding

Planning Manager Simpson reviewed the memorandum. Discussion ensued.

GB-2014-004

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee authorize an expenditure of up to \$450 from the Special Projects account 65230-620 for a Natural Areas Protection Tax Exemption Program presentation on Gabriola island by the Islands Trust Fund.

CARRIED

Trustee Malcolmson stated that small lot property owners, might think the program is not applicable to them, but, here are some examples on North Pender Island where some small lot property owners who live next to each other have come together to make a joint application to the Natural Areas Protection Tax Exemption Program. She asked that this possibility for small lot property owners is addressed in the presentation.

8. TRUSTEES' REPORT

Trustee Rudischer read her report stating that all the meetings she attended were about the ferries and how unacceptable the proposed service cuts are. The Gabriola Ratepayers meeting at the beginning of the month was well attended and it was obvious that residents are distressed by the cuts.

The next meeting was with representatives from the Ministry of Transportation and BC Ferries where they listened to residents but didn't provide any answers. As a member of the Ferry Advisory Committee, Trustee Rudischer thanked Dyan Dunsmore Farley for her presentation on their behalf and every other member of the community who spoke. She then spoke of the motion passed by the Local Trust Committee by Resolution Without Meeting to receive a report on the

impacts of the cancelled sailings drafted by the Transportation Advisory Commission and the Ferry Advisory Committee. The report is available on the Islands Trust website and was also submitted to the Ministry of Transportation and Infrastructure. She stated that the next steps were discussed after the New Year and it was decided to ask for an extension of the deadline from April 1, 2014 to at least the fall, after the tourist season ends.

Trustee Malcolmson thanked Trustee Rudischer for giving a good summary of all the ferry work being done. She stated that through Trust Council, they have articulated their deep disappointment in the Province for how they have handled the cut. She expressed a deep thanks to community members and volunteers who have contributed in a very effective way. She appreciated people being constructive and rising above the Province's disappointing approach in this area. She especially thanked the volunteers who compiled the information for the reports and stated that she will be participating in some additional ferry meetings. Trustee Malcolmson gave a big thanks to community members who help carry out the Islands Trust mandate, the Advisory Planning Commission and the Transportation Advisory Commission noting the success of the new bike lane. She also expressed a belated Happy New Year and said she is very grateful for all the support they get.

9. CHAIR'S REPORT

Chair Graham gave a report on the Trust Council meeting highlights. He noted that ferry cuts were the common denominator for impact on island economies. The other highlight was continuation of budget discussion, they have a financial planning committee meeting next week and they are still well under a two percent tax increase.

10. REGIONAL DIRECTOR'S REPORT - None

11. DELEGATIONS - None

12. TOWN HALL SESSION - None

13. APPLICATIONS AND PERMITS

13.1 GB-DVP-2013.1 (Close and Rogers)

13.1.1 Staff Report dated December 17, 2013

Planner Eggen reviewed the staff report, and there was a discussion.

GB-2014-005

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee issue a Development Variance Permit for GB-DVP-2013.1 (Close and Rogers) that authorizes the reduction of the minimum setback to the exterior lot line from 4.5 meters to 1 meter (3.3 feet) to allow the proposed new gable roof on the legal non-conforming dwelling, providing that the maximum height of the dwelling with the new roof does not exceed 5.6 meters (18.4 feet) within the setback area, located on Lot 9, Section 21 Gabriola Island, Plan 12655; PID 001-874-241 in accordance with Schedule 'A' attached to and forming part of the permit.

CARRIED

14. LOCAL TRUST COMMITTEE PROJECTS

14.1 Official Community Plan/Land Use Bylaw Review

14.1.1 Agriculture Policies –
Staff Report dated December 16, 2013

Planner Zupanec reviewed the Staff Report via telephone.

Trustee Malcolmson suggested deleting the draft policy listed as item 10 encouraging farm operators to employ sound environmental practices stating that it sounds condescending. Trustee Malcolmson had questions regarding the expansion of the policy listed as item 14 about environmental farm plans stating that this program may not exist six months from now.

GB-2014-006

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee in relation to the local food security and farm protection review request that staff delete on page 110, item 10, and instead add to item 14 on page 111, the phrase “encourage to enhance environmental farming practices, for example by participating in the Canada-BC Environmental Farm Plan Program”.

CARRIED

Trustee Rudischer requested the draft policy in item 6 be revised to indicate farm status is required.

GB-2014-007

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee amend The Table of Recommended Revisions for Gabriola Island Official Community Plan, Local Food Security and Farmland Protection under point 6 to add between “reserve” and “and the zoning bylaw” the words “and with farm status.”

CARRIED

Trustee Malcolmson asked if there are any benefits to a policy in the Official Community Plan that gives a general statement about land based aquaculture and then encourages the trust committee to regulate in the future. Planner Zupanec noted she would need some time to put wording together.

Staff and Trustees discussed the setbacks in item 2 regarding land use on properties adjacent to agriculture land. It was noted that this might be a way to be clear to adjacent landowners that they know that agriculture use takes priority and it is a way to remove the possibility of conflict before it happens. Trustee Rudischer noted that she has attended the meetings of the Agricultural Advisory Committee and there have been concerns expressed about the owners of adjacent properties doing something that could adversely impact agricultural activities. Trustees discussed the two perspectives. Also discussed was if they should move forward by going to the community with the idea first, or waiting until there is an inventory of information and then ask the community for input.

GB-2014-008

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff draft Official Community Plan policy language to encourage a farmland edge planning inventory to inform future community conversations about the extent to which agriculturally zoned land and neighboring properties would benefit from further buffering.

CARRIED

It was noted that this would replace item 2 on page 110 of the Table of Recommended Revisions for Gabriola Island Official Community Plan.

Staff and Trustees then discussed item 1 on page 112 of the Table of Recommended Revisions for Gabriola Island Land Use Bylaw where stronger language was suggested under ‘Prohibited Uses’. Planner Zupanec then explained the difference between what is being proposed and a genetically modified organism (GMO) free zone. She stated that it is very difficult, if not impossible, to regulate the sale of GMOs in the trust area because purchases outside the trust area that are brought in cannot be controlled. For example; people who bring in GMO corn to feed their cattle. It is a very broad category to place limitations on. She noted that under this specific example for the Land Use Bylaw, the use of the land, buildings or structures could be regulated to at least limit the research or manufacturing of these products.

Item 3 on page 112 was then discussed. Planner Zupanec noted that it was an error that the Commons Agriculture zone was excluded from the table.

Trustee Malcolmson had concerns with the ability for produce stands to be located anywhere in the front setback to the road; she worried that if this goes ahead it could be an additional structure that's popping up right near the road allowance. Trustee Malcolmson just wanted to flag that this may be an impediment to someone's visibility of the road or other unintended consequences. She wondered about enforceability in a situation where a structure is put there for the one year that someone has strawberries, but the structure would then stay there forever. Trustee Malcolmson feels that the Land Use Bylaw definition of "produce stand" has some typos. Discussion ensued amongst staff and trustees. Also discussed was square footage of produce stands.

GB-2014-009

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff propose a smaller size limit for produce stands in zones with small lots.

DEFEATED

Speaking to the motion, Trustee Rudischer stated that she thinks a decision should just be made and specify a smaller size at 100 square feet.

GB-2014-010

It was MOVED AND SECONDED,

that the Gabriola Island Local Trust Committee request staff to add a maximum size of 100 square feet for produce stands located on small rural residential properties.

CARRIED

Planner Zupanec was asked about the Agriculture Land Commission's (ALC) recommendations on setbacks and will provide that information at a future date.

It was noted that on page 113 in item 8, vi) it should have read for 4 hectares not 2 hectares.

Trustees and staff then discussed page 114, item 11 regarding the definition of secondary suites. Some points brought up by the trustees included:

- The concern that septic systems can't support the size of the secondary suite/cottage;
- 700 square feet is hard for families and this is an opportunity to add square footage; and

- Why do we regulate the small-scale secondary cottage when we do not regulate the size of the primary dwelling?

Also discussed was whether there should be information notes included in the regulation or definition regarding:

- Building permits;
- Short term vacation rentals not being permitted;
- Secondary suites must be contained within the walls of the building that contains the principle dwelling;
- The entrances to secondary suites;
- The maximum floor area for a secondary suite; and
- That a secondary suite must not be subdivided from the principle dwelling.

It was noted that Planner Zupanec would look into these matters.

The trustees asked to have both 700 square feet and 968 square feet included in the consultation so there is room for more feedback from the community.

Staff and trustees then discussed item 10 on page 114 and if it would allow a small bistro or wine bar and what permissions would be needed through zoning or the ALC. Adding a definition of the word “seasonal” was discussed.

GB-2014-011

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee ask that staff add to the Table of Recommended Revisions for Gabriola Island Land Use Bylaw Local Food Security and Farmland Protection Review a definition for the word “seasonal”

CARRIED

Staff and Trustees continued their discussion on bistros, wine bars and agri-tourism. Planner Zupanec will look up the policies in the ALC regarding these items and forward to the trustees.

Planner Zupanec stated that she would like to organize an open house event related specifically to the Agriculture Policies and Regulations that have been drafted, with handouts and staff on the floor to answer questions. Trustee Malcolmson suggested an additional opportunity, The Food Forum on February 15, 2014. She stated that it would be great to have a planner there in a booth to answer questions. At the very least have a station set up with a poster board. Discussion ensued. It was agreed that since the Trustees already attend every year, they would attend this year with the intention to provide information. They will also promote an open house on Twitter and Facebook. Planner

Zupanec will prepare draft materials next week and send them by email to the Trustees.

Planner Zupanec then went over the Results of Circulation in the staff report and discussion ensued. It was noted that the terms of the ALC members expires this month and no members indicated they would like to extend their terms, however, the advertising was done over the Christmas season and with all the ferry issues it may have been missed. It was noted that the Food Forum would be a good opportunity to encourage some volunteers.

GB-2014-012

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff provide Agriculture Draft Bylaw and Agriculture Advisory Commission materials for local trustees to host a Food Forum booth February 15, 2014.

CARRIED

GB-2014-013

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee direct staff to proceed with revising the annotated Agriculture Official Community Plan and Land Use Bylaw drafts based on the worksheets and the minutes of the January 16, 2014 Local Trust Committee meeting.

CARRIED

GB-2014-014

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee direct staff to schedule an open house meeting in February, 2014 on the annotated bylaws amending both the Official Community Plan and the Land Use Bylaw.

CARRIED

GB-2014-015

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee adds "Land based aquaculture" to the project list for future consideration.

CARRIED

By general consent the meeting was recessed at 12:47 pm and reconvened at 1:06 pm.

14.1.2 Climate Change Policy Implementation -
Memorandum dated December 8, 2013

Planner Zupanec reviewed the memorandum. She stated that she is developing a small focus group of six to ten volunteer members from the Chamber of Commerce, property owners and

business owners from the village core and commercial area, go through a short list of 5 regulatory options that the Local Trust Committee is requesting more information on.

Planner Zupanec apologized that she was unable to include some of the regulatory options in today's staff report but she felt that this process would be better. Discussion ensued between staff and Trustees.

Trustees would like to see the results of the focus group and technical advice before they commit to endorsing the draft and moving forward with a Community Information Meeting.

It was noted that Planner Zupanec would have all the technical advice to present at the February 20, 2014 Local Trust Committee meeting.

Planner Zupanec stated that first reading of Bylaw 273 should be considered after the community consultation, which would follow the February 20, 2014 meeting. Then the results of the Community Information Meeting should be considered by March 13, 2014.

Trustees were satisfied with the Consultation and Community Information Meeting schedule on page 137.

14.1.3 Parks Rezoning -
Staff Report dated December 18, 2013

Planner Zupanec introduced the report and explained the purpose and overview. She went through the staff comments and asked if there were any further questions or amendments.

The Regional District of Nanaimo did not endorse the Local Trust Committee's recommendations regarding the reduction of aggregate signs and requested a maximum sign size of 2.5 square metres per park entrance

Staff supported the RDN recommendation and amended the draft bylaw to reflect these changes for Local Trust Committee consideration. Trustee Rudischer expressed concerns that the correct process was not being followed and that the draft bylaw should only be changed by Local Trust Committee resolution.

Trustee Malcolmson had a concern with page 155 of Draft Bylaw 272, she wondered if including "ecological reserve" in this zone would create a possible interpretation that they are not allowed elsewhere. Trustee Malcolmson suggested removing that section from the bylaw.

GB-2014-016

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee amend Draft Bylaw 272, Schedule 1 to remove 1. d) i. sub iii) ecological reserves.

CARRIED

It was noted that this resolution is based on ecological reserves being an outright use allowed in all zones already.

It was also noted that on page 156 under d. Other Regulations in i) “principle” should be replaced with “principal”.

Trustee Rudischer stated that she was still opposed to allowing special uses in all parks. She read the definition of “special use” in the Regional District of Nanaimo bylaw and discussion ensued.

GB-2014-017

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee amend Draft Bylaw 272 to add a requirement that parks have management plans for special events.

CARRIED

Trustee Malcolmson was opposed.

GB-2014-018

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee give first reading to Proposed Bylaw No. 271 cited as “Official Community Plan 177, 1999, Amendment No. 1, 2013” as presented.

CARRIED

GB-2014-019

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee give first reading to Proposed Bylaw No. 272 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2013” as amended.

CARRIED

GB-2014-020

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee direct staff to refer proposed Bylaw Nos. 271 and 272 to the following agencies and First nations:

- Islands Trust Fund
- Halalt First Nation
- BC Parks
- School District No. 68
- Lake Cowichan First Nations
- Lyackson First Nation
- Te'Mexw Treaty Association
- Semiahmoo First Nation
- Regional District of Nanaimo
- H'ul'qumi'num First Nations
- Stz'uminus First Nations
- The Nature Trust of BC
- Agricultural Land Commission
- Penelakut Tribe
- Snaw'Naw'As Nation
- Snuneymuxw First Nation

CARRIED

14.1.7 Gabriola Project Budget Forecast to end of 2013/14 Fiscal Year Memorandum dated January 9, 2014

It was decided to move this item ahead so that Planner Zupanec could be present for it. Planning Manager Simpson gave an overview of the memorandum and discussion ensued.

14.1.4 Riparian Areas Regulation Implementation - Staff Report dated January 8, 2014

Planning Manger Simpson showed a PowerPoint presentation to introduce the staff report She highlighted that there is now a requirement for a second public hearing.

Staff and trustees discussed the results of the staff report. Planning Manager Simpson also went through all the responses that the Ministry of Forest, Lands and Natural Resource Operations had to the list of proposed exemptions. Trustees discussed which exemptions to add to the bylaw even though the Ministry of Forest, Land and Natural Resource Operations responded negatively. Planning Manager Simpson stated that she would email the original response from the Ministry of Forests, Lands and Natural Resources Operations to Trustees.

GB-2014-021

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee amend Proposed Bylaw No. 266 to add the following exemptions:

1. Farm operations as defined in the Farm Practices Protection (Right to Farm) Act, farm uses as defined in Section 2(2) of the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation and horticulture as defined in the Gabriola Island Land Use Bylaw 177;
2. The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 meters on either side of the fence, or 1.5 meters on either side of the fence in agricultural areas;
3. With the exception of nestling trees protected under Section 34 of the Wildlife Act, cutting of vegetation and trees more than 15 meters from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, the roots/stumps are left in the ground, and the cutting does not result in land alteration;
4. Disturbance of soils more than 15 meters from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 meters squared;
5. The constructing of a small accessory building such as a pump house, gazebo, garden shed or playhouse more than 15 meters from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of a small accessory building is less than 10 meters squared;
6. The construction of a private trail if all of the following apply:
 - a. The trail is 1 meter wide or less;
 - b. No native trees are removed;
 - c. The surface of the trail is pervious (for example, soil, gravel or wood chips);
 - d. The trail is designed to prevent soil erosion where slopes occur; and
 - e. Where the trail parallels the stream, the trail is more than 5 meters away from the high water mark of a stream.

CARRIED

Speaking to the motion, Trustee Rudischer stated that even though they have received a referral from an agency and that one of the objects of Islands Trust is to cooperate with other governments, she also feels that they have an obligation to their constituents and to her that is just as important. These are the concessions that they have made to try and make this more acceptable to a community that has expressed that they did not find it acceptable as it was. Trustee Malcolmson agreed but did not feel that any of these exemptions are against the object of

Islands Trust or against the object of the Ministry considering they have approved these in other situations.

Staff and trustees then discussed whether they are obliged to refer back to the Ministry of Forest, Lands and Natural Resource Operations.

GB-2014-022

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee rescinds motion GB-2014-021 that begins “amend Proposed Bylaw No. 266 to add the following exemptions starting with “farm operations””.

CARRIED

GB-2014-023

It was MOVED and SECONDED.

that the Gabriola Island Local Trust Committee rescind second reading of Proposed Bylaw No. 265 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2013.

CARRIED

GB-2014-024

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee give second reading to Proposed Bylaw No. 265 cited as Gabriola Island Official Community Plan Gabriola Island Bylaw 166, 1997 Amendment No. 1, 2012 as revised

CARRIED

GB-2014-025

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee rescind second reading of Proposed Bylaw No. 266 cited as Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2012.

CARRIED

There was discussion regarding the exemption regarding disturbance of soil and if it should not be included.

GB-2014-026

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend proposed Bylaw No. 266 as it appears in the staff report Dated January 8,2014 to add the following exemptions;

1. Farm operations as defined in the Farm Practices Protection (Right to Farm) Act, farm uses as defined in Section 2(2) of the Agricultural Land Reserve Use, Subdivision, and Procedure Regulation and horticulture as defined in the Gabriola Island Land Use Bylaw 177;
2. The construction of a fence if no native trees are removed and the disturbance of native vegetation is restricted to 0.5 meters on either side of the fence, or 1.5 meters on either side of the fence in agricultural areas;
3. With the exception of nestling trees protected under Section 34 of the Wildlife Act, cutting of vegetation and trees more than 15 meters from the stream's high water mark or the top of the ravine bank, provided the cutting is not a precursor to development, the roots/stumps are left in the ground, and the cutting does not result in land alteration;
4. Disturbance of soils more than 15 meters from the stream's high water mark or the top of the ravine bank if the total area of soil disturbance is less than 5 meters squared;
5. The constructing of a small accessory building such as a pump house, gazebo, garden shed or playhouse more than 15 meters from the stream's high watermark or the top of the ravine bank if the building is located within an existing landscaped area and the total area of a small accessory building is less than 10 meters squared;
6. The construction of a private trail if all of the following apply:
 - a. The trail is 1 meter wide or less;
 - b. No native trees are removed;
 - c. The surface of the trail is pervious (for example, soil, gravel or wood chips);
 - d. The trail is designed to prevent soil erosion where slopes occur; and
 - e. Where the trail parallels the stream, the trail is more than 5 meters away from the high water mark of a stream.

CARRIED

GB-2014-027

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee give second reading to Proposed Bylaw No. 266 cited as Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2012" as revised.

CARRIED

GB-2014-028

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee refer Proposed Bylaw No. 265 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1 2012” to the Ministry of Forests, Lands and Natural Resources Operations.

CARRIED

Staff and trustees then discussed how to communicate this information to affected property owners. After discussion, it was decided that all property owners who were previously affected should be contacted. Also noted was that the website will be updated with this information.

GB-2014-029

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to conduct a direct mail out to all property owners affected by the previous Riparian Areas Regulation bylaws and this version.

CARRIED

GB-2014-030

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff schedule a public hearing for Proposed Bylaw Nos. 265 and 266.

CARRIED

Trustee Malcolmson thanked the planning team for all the work they have done on this.

14.1.5 Madrone Report dated December 3, 2013

Received.

14.1.6 Letter dated December 9, 2013 from Steve Thompson, Minister of Forests, Lands and Natural Resource Operations

Received.

15. BYLAWS

15.1 Draft Bylaw No. 271 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2013” for consideration of first reading

15.2 Draft Bylaw No. 272 cited as Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2013” for consideration of first reading

Direction was given on first reading of these bylaws under agenda item 14.1.3

18. ISLANDS TRUST WEBSITE

Gabriola Pages

Staff was asked to post the August 7, 2014 letter of opposition to Nanaimo incinerator to the Gabriola page.

16. CLOSED MEETING:

GB-2014-031

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee closes the next part of the January 16, 2014 business meeting to discuss matters pursuant to Section 90 (1)(a) of the Community Charter to consider Agricultural Advisory Commission and Transportation Advisory Commission Appointments and that Staff be invited to attend this meeting.

CARRIED

The Committee closed the meeting at 2:45pm.

By general consent the Committee reconvened in open meeting at 2:50pm to rise and report.

17. RECALL TO ORDER

17.1 Rise and report from Closed Meeting

GB-2014-032

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee extends the submission deadlines for the Agricultural Advisory Commissions and the Transportation Advisory volunteer appointments to February 18, 2014

CARRIED

The Local Trust Committee then went back to 14.1.3 Parks Rezoning, to recheck the wording of resolution GB-2014-017 and found it to be incorrect.

GB-2014-033

It was MOVED and SECONDED,

That the Gabriola Island Local Trust Committee rescind resolution # GB-2014-017.

CARRIED

GB-2014-034

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee amend Draft Bylaw No. 272 to allow special events only in parks that have management plans in place.

CARRIED

Trustee Malcolmson was still opposed on the basis that it keeps people out of parks.

19. NEXT MEETING:

Thursday, February 20, 2013 at 10:15am at the Women's Institute, 476 South Road, Gabriola Island, BC

20. TOWN HALL SESSION - None

21. ADJOURNMENT

By general consent the meeting adjourned at 3:00pm.

David Graham, Chair

CERTIFIED CORRECT:

Jessie Sherk, Recorder



Islands Trust

Follow Up Action Report w/ Target Date

Gabriola Island Jan-27-2011

No.	Activity	Responsibility	Target Date	Status
1	Staff directed to do the following with respect to Snuneymuxw First Nation: 1) Staff to work with Snuneymuxw First Nation staff to finalize joint letter seeking funding for archaeological mapping and bring letter to an LTC meeting before sending. 2) GBLTC to host and invite Snuneymuxw First Nation Councilor Geraldine Manson to make a storytelling presentation on Gabriola.	Courtney Simpson	May-19-2011	On Going

Apr-19-2012

No.	Activity	Responsibility	Target Date	Status
1	Trustee Malcolmson to write to the Chief of the Snuneymuxw First Nation to discuss funding ideas in the memorandum from staff dated April 3, 2012.		May-11-2012	On Going

Oct-04-2012

No.	Activity	Responsibility	Target Date	Status
1	Trustee Malcolmson to draft a letter from the LTC to the Regional District of Nanaimo based on the October 3, 2012 draft letter and attach a list of relevant OCP policies		Nov-01-2012	On Going

Nov-01-2012

No.	Activity	Responsibility	Target Date	Status
1	Bylaw enforcement staff requested to provide a report on methods for proactive enforcement on advertised unlawful dwellings, as that is the point they are most likely to be unoccupied.	Miles Drew	Oct-10-2013	On Going

1	Bylaw enforcement staff requested to provide a report on proactive enforcement of unlawful foreshore structures.	Miles Drew	Oct-10-2013	On Going
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Feb-21-2013

No.	Activity	Responsibility	Target Date	Status
1	The LTC releases up to \$600 from its Local Expense account 65220 620 for trustee newsletter printing and postbox mailing April 18/13 update: newsletter deferred	Nancy Roggers	Mar-29-2013	On Going

1	The trustees invite Silva Bay comment, via a newsletter, on the proposed National Marine Conservation Area Reserve proposed boundary, and return the January 24, 2013 memo to the GBLTC April business meeting agenda. Trustee Malcolmson to do.	Becky McErlean	Oct-10-2013	On Going
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Jul-18-2013

No.	Activity	Responsibility	Target Date	Status
1	Add to housekeeping bylaw amendments list the inclusion of "ground-level detached deck" in the definition of "structure" <i>Dec 23, 2013 update: this work, along with preparing a report on the list of housekeeping bylaw amendments for the LTC continues to be deferred from the October, 2013 target date due to ongoing higher priority OCP/LUB project work.</i>	Courtney Simpson	Oct-10-2013	On Going

1	Add the topic of "notification to property owners that Development Permits may be required to the next RDN protocol meeting agenda, in relation to the landowners' comments for GB-DP-2013.1 (Gaviola Island).	Courtney Simpson	Jan-31-2014	On Going
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1	Submit resolution to Trust Council to amend development application forms to include climate change considerations such as energy efficiency, renewable energy, and carbon sequestration. <i>Staff to prepare submission for Trust Council once bylaw 266 has been given 3rd reading</i>	Sonja Zupanec	Jan-31-2014	On Going
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Nov-28-2013

No.	Activity	Responsibility	Target Date	Status
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1	Refer draft bylaw 273 with the amendments discussed November 28 to the APC and the RDN building inspection, but after having held a CIM for property and business owners in the Village Commercial zones.	Sonja Zupanec	Jan-16-2014	On Going
1	For draft bylaw 273 (climate change), staff to advise on: <ul style="list-style-type: none"> • whether parking mins or lot coverage amendments should be considered in village commercial zones in conjunction with the parking maximums for village commercial zones • the requirement for a proportion of small car parking spaces • adding dimensions and area of small car and motorcycle parking spaces and aisles to draft bylaw 273 • bylaw language that would require permeable paving in commercial zones (strong than "should" language in F.3.7.8 of the DP-7). 	Sonja Zupanec	Feb-20-2014	On Going
1	LTC directs staff to schedule a CIM re draft bylaw 273 and specifically request input from property and business owners in the Village Commercial and District Commercial zone	Sonja Zupanec	Feb-28-2014	On Going

Jan-16-2014

No.	Activity	Responsibility	Target Date	Status
1	Staff to report back on possibility of closing old, dormant applications.	Courtney Simpson	Feb-20-2014	On Going
1	Move \$500 from LTC local expense account 65240 "Miscellaneous" to "APC Meeting Expense" 65210.	Nancy Roggers	Feb-20-2014	On Going
1	LTC authorizes expenditure of up to \$450 from the special projects account 65230-620 for a NAPTEP presentation on Gabriola by the Islands Trust Fund.	Nancy Roggers	Feb-20-2014	On Going
1	Bylaw enforcement staff requested to attend in camera session at February 20 LTC meeting	Miles Drew Peter Phillips	Feb-20-2014	On Going
1	Food and Farmland Security - Agriculture Policies and Regulations Review Staff to update draft annotated OCP and LUB excerpts to reflect changes endorsed by LTC Jan 16/14. Coordinate an Open House in February to provide an opportunity for the public to learn about the draft policies and regulations being considered to strengthen food and farmland security. Provide materials to trustees for the Food Forum on Gabriola.	Sonja Zupanec	Feb-27-2014	On Going



Memorandum

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Date January 17, 2014 File Number 6500-01

To Gabriola Island Local Trust Committee
 For meeting of February 20, 2014

From Courtney Simpson
 Regional Planning Manager
 Northern Office

Re Follow up Action List

There are a number of old items on the Follow-up Action List (FUAL) that the Local Trust Committee (LTC) should consider moving to another list to keep track of the task, or deleting entirely if it is no longer relevant. Trust Council Policy 6.7.i provides guidelines for the use of the FUAL, stating that it is designed to be used to track tasks that can be completed within the next three months. While all of the tasks on the list were likely expected to be completed within that time period when first put on, at this point when there is no clear idea of when some may be completed, staff recommends tracking the tasks elsewhere.

The following table lists these tasks with recommended action to move the task to a different location to keep track of it.

Meeting Date	Activity	Recommendation
Jan-27-2011	Staff directed to do the following with respect to Snuneymuxw First Nation: 1) Staff to work with Snuneymuxw First Nation staff to finalize joint letter seeking funding for archaeological mapping and bring letter to an LTC meeting before sending. 2) GBLTC to host and invite Snuneymuxw First Nation Councillor Geraldine Manson to make a storytelling presentation on Gabriola.	Reword tasks as follows and move to Projects List. <u>Description:</u> First Nations cultural references in land use planning <u>Activity:</u> Work with Snuneymuxw First Nation to seek funding for archaeological mapping and host and invite Snuneymuxw First Nation Councillor Geraldine Manson to make a storytelling presentation on Gabriola. ¹
Apr-19-2012	Trustee Malcolmson to write to the Chief of the Snuneymuxw First Nation to discuss funding ideas in the memorandum from staff dated	The April 2, 2012 memorandum is attached for information. This item can simply be removed from the FUAL. The funding referred to in this memo still exists and can be spent

¹ No draft letter has been found in the files from 2011, but research into potential funding sources is on file, which may or may not be relevant at such time this project is re-started in the future.

	April 3, 2012.	on work related to the Snuneymuxw First Nation.
Oct-04-2012	Trustee Malcolmson to draft a letter from the LTC to the Regional District of Nanaimo based on the October 3, 2012 draft letter and attach a list of relevant OCP policies	This item is regarding follow up to amendment of the protocol agreement with the RDN. As this protocol agreement has since been finalized, staff believes this FUAL item is no longer relevant and can be deleted.
Nov-01-2012	Bylaw enforcement staff requested to provide a report on methods for proactive enforcement on advertised unlawful dwellings, as that is the point they are most likely to be unoccupied.	Move to projects list
Nov-01-2012	Bylaw enforcement staff requested to provide a report on proactive enforcement of unlawful foreshore structures.	Move to projects list
Feb-21-2013	The LTC releases up to \$600 from its Local Expense account 65220 620 for trustee newsletter printing and postbox mailing April 18/13 update: newsletter deferred	These items are in response to a January 24, 2013 memorandum identified options for commenting on the boundaries of the proposed NMCA to Parks Canada.
Feb-21-2013	The trustees invite Silva Bay comment, via a newsletter, on the proposed National Marine Conservation Area Reserve proposed boundary, and return the January 24, 2013 memo to the GBLTC April business meeting agenda. Trustee Malcolmson to do.	As more than a year has passed since the invitation to comment from Parks Canada, staff investigated if now is a good time to commit Islands Trust resources to this work. The response from Parks Canada is that they recommend we now wait until later in the process to devote the time to reviewing the maps. As such, staff recommends these two items are removed from the FUAL.



Top Priorities

Gabriola Island

No.	Description	Activity	Received/Initiated	Responsibility	Target Date	Status
1	Gabriola Planning Area OCP Review:	This a targeted OCP/LUB review and each topic is listed and described below in order of priority	Jan-19-2012	Courtney Simpson	Sep-01-2014	On Going
1	<i>1) Riparian Areas Regulation</i>	Implement the provincial Riparian Areas Regulation (RAR) and reduce fee for DP 3 application to \$200. Bylaws 265 and 266 Public Hearing held Sept 4, 2013. Simple Assessment conducted by Madrone to reduce DPA area from 30m where possible.	Jun-28-2011	Courtney Simpson	Sep-14-2014	On Going
1	<i>2) Rezoning new RDN Parks and ITF nature reserves</i>	First reading given Jan 16/14 to both bylaws with amendments as per resolution. Referrals to be sent to select agencies and First Nations.	Nov-29-2012	Sonja Zupanec	Sep-01-2014	On Going
1	<i>3) Review and amend OCP & LUB to increase local food security and farmland protection</i>	LTC reviewed draft amendments and endorsed consultation prior to drafting amending bylaws. Staff to schedule an open house in February 2014 and trustees will participate in the Food Forum to solicit input and volunteers for the ag. advisory committee.	Jan-19-2012	Sonja Zupanec	Sep-01-2014	On Going

1	<i>4) Implement OCP climate change policies into LUB</i>	Next steps: public consultation Jan/Feb 2014 on proposed amendments.	Jan-07-2013	Sonja Zupanec	Sep-01-2014	On Going
1	<i>5) Consider density transfer affordable housing policies for cottage densities</i>	Not started				On Going
1	<i>6) Review DP-7 form and character guidelines for Village Core, and review OCP/LUB to make Village more pedestrian friendly, and to consider passive solar, renewable energy and energy efficient design.</i>	Overlaps with implementing climate change policies into the LUB and partially addressed in those staff reports.	Jan-17-2013	Sonja Zupanec	Sep-01-2014	On Going
1	<i>7) Update the 2010 build out map and report (including the number of existing and potential residential cottages and a list of forestry parcels with the potential for density transfer)</i>	Not started				On Going
1	<i>8) Implement First Nations and Archaeological Protection policies, including improved engagement on land use referrals</i>	Not started				On Going
1	<i>9) Review OCP and LUB to include protective measures for biodiversity</i>	Not started				On Going
1	<i>10) Review OCP and LUB to improve protection of coastal areas</i>	Not started				On Going
1	<i>11) Review OCP and LUB to protect water quality and quantity</i>	Not started				On Going
2	Development Approval Information bylaw	Draft prepared. January 17, 2013 resolution to submit to EC. Draft will require review after bylaws 265 and 266 receive third reading.	Jun-28-2012	Sonja Zupanec	Jun-30-2013	On Going

3	Snuneymuxw First Nation Protocol Agreement Implementation	May 16, 2013 resolution to delay spending this budget until after top priority 1 (OCP/LUB review) topics have gone to public hearing.	David Marlor Courtney Simpson	Mar-31-2014	On Going
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Memorandum

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Date January 17, 2014 File Number 6500-02

To Gabriola Island Local Trust Committee
 For meeting of February 20, 2014

From Courtney Simpson
 Regional Planning Manager
 Northern Office

Re Top Priorities List

In the last year of the term of this Local Trust Committee (LTC), staff recommends revising the Top Priorities List so that it clearly reflects the priorities and expectations of the LTC given that there is not the time and resources to complete all of the listed items.

The following revised Top Priorities List is presented for review by the LTC. Note that the Development Approval Information Bylaw item is moved to be a part of the first priority, Riparian Areas Regulation. Although there are only supposed to be four top priorities according to Trust Council Policy 6.7.i, in this case staff would consider it appropriate to have four items, and once one is complete the list would return to three. Once there are only two remaining on the list, an item can be moved up from the Projects List.

The approach recommended differs from the way in which the Top Priorities List has been used so far this term, which has been to consider a long list of items as part of a single top priority, the Gabriola Planning Area OCP Review. The approach below recognizes that these items have effectively become separate projects with separate bylaws and separate public processes. The heading of the OCP Review is retained to indicate that the origin of all these items is a targeted OCP/LUB review.

Priority	Description	Activity
Gabriola Planning Area OCP Review:		This a targeted OCP/LUB review and topics are listed and described below in order of priority
1	Riparian Areas Regulation Implementation	Includes adopting new bylaws to implement the RAR, reducing the fee for DP 3 application to \$200, and adoption of a Development Approval Information Bylaw
2	Rezoning new RDN Parks and ITF nature reserves	
3	Review and amend OCP & LUB to increase local food security and farmland protection	
4	Implement OCP climate change policies into LUB	

The following items would then be moved to the Projects List:

- Consider density transfer affordable housing policies for cottage densities
- Review DP-7 form and character guidelines for Village Core, and review OCP/LUB to make Village more pedestrian friendly, and to consider passive solar, renewable energy and energy efficient design.
- Update the 2010 build out map and report (including the number of existing and potential residential cottages and a list of forestry parcels with the potential for density transfer)
- Implement First Nations and Archaeological Protection policies, including improved engagement on land use referrals
- Review OCP and LUB to include protective measures for biodiversity
- Review OCP and LUB to improve protection of coastal areas
- Review OCP and LUB to protect water quality and quantity
- Snuneymuxw First Nation Protocol Agreement Implementation

It is recommended THAT the Gabriola Island Local Trust Committee amend their Top Priorities and Projects list as presented in the January 17, 2014 memorandum.



Applications w/ Status - Gabriola Island Status: Open

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GB-DP-2014.1	Intrascap Developments Inc. Planner: Sonja Zupanec	Jan-29-2014	development of 6790 square feet of leasable area within one building - addition of second building to phase 2 of Madrona Marketplace

Planning Status

Status Date: Feb-05-2014

Planner reviewing file.

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2007.1	Donald and Brad Powell Planner: Courtney Simpson	Feb-16-2007	725 Church Street To rezone a portion of approximately 2 acres from institutional to seniors.

Planning Status

Status Date: May-08-2013

No new information from applicant

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2009.1	Williamson & Associates Planner: Courtney Simpson	Nov-09-2009	Proposed Density Transfer - transfer of lands off South Road (south of 707 park) to lands off Daniel Way in the Locke Bay Development Permit Area to create 10 new lots.

Planning Status

Status Date: Apr-23-2013

Nothing new - still waiting to hear from applicant

Subdivision

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2008.3	C.O. Smythies & Associates Ltd.	Oct-06-2008	To create 6 parcels btwn McCollum & Tait Roads. (PARCEL C (DD 51803I) OF THE NORTH 1/2 OF THE NORTH EAST 1/4 OF SECTION 9, GABRIOLA ISLAND, NANAIMO DISTRICT)

Planner: Marnie Eggen

Planning Status

Status Date: Oct-25-2013

PLA extension

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2010.2	Gary and Jane McCollum and Krul	Aug-13-2010	1520 McCollum Road Create 7 parcels

Planner: Linda Prowse

Planning Status

Status Date: Apr-23-2013

File reopened - Correspondence from MOTI says subdivision file is ongoing and that Preliminary Layout Approval has not yet been given

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2011.1	Williamson & Associates Professional Surveyors	Dec-23-2010	To create 2 parcels on Daniel Way (THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, GABRIOLA ISLAND, NANAIMO DISTRICT, EXCEPT PARTS IN PLANS 22029, 30038, 32376 AND VIP54644)

Planner: Marnie Eggen

Planning Status

Status Date: Oct-12-2012

PLA extension

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2012.2	Don Powell	Oct-24-2012	725 Church Street - subdivision to create one new lot and a remainder lot

Planner: Linda Prowse

Planning Status

Status Date: Dec-05-2013

No PLA received at the Islands Trust office as of yet.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2013.2	Centre Stage Holdings Ltd.	Aug-09-2013	Subdivision to 6 lots

Planner: Linda Prowse

Planning Status

Status Date: Sep-27-2013

Subdivision Referral Review Report sent to MOTI, applicant and LTC

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

Planning Status

Status Date: Nov-18-2013

Planner reviewing file

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2013.4	Planner: Marnie Eggen	Nov-13-2013	Driftwood Drive, Mudge Island Boundary Adjustment

Planning Status

Status Date: Feb-04-2014

Planner processing application; awaiting further info from applicant

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2014.1	Aaron & Jessica Dewarle Planner: Marnie Eggen	Jan-16-2014	565 South Road, Gabriola Is. Vacation Rental Application

Planning Status

Status Date: Jan-31-2014

Planner processing application

Islands Trust
 LTC EXP SUMMARY REPORT F2014
 Invoices posted to Month ending January 2014

620 Gabriola	Invoices posted to Month ending January 2014	Budget	Spent	Balance
65000-620	LTC "Trustee Expenses"	1,600.00	155.29	1,444.71
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	5,000.00	2,146.14	2,853.86
65210-620	LTC - Local Exp - APC Meeting Expenses	1,000.00	1,226.61	-226.61
65220-620	LTC - Local Exp - Communications	500.00	454.30	45.70
65230-620	LTC - Local Exp - Special Projects	3,500.00	3,660.44	-160.44
65240-620	LTC - Local Exp - Miscellaneous	1,000.00	0.00	1,000.00
TOTAL LTC Local Expense		11,000.00	7,487.49	3,512.51
Projects				
73001-620-2001	Gabriola OCP/LUB	12,000.00	5,261.84	6,738.16
TOTAL Project Expenses		12,000.00	5,261.84	6,738.16

Date: February 6, 2014

File No.: 6500-20 Climate Change
Policy Implementation

To: Gabriola Island Local Trust Committee
For meeting of February 20, 2014

From: Sonja Zupanec, Island Planner

Copy: Courtney Simpson, Regional Planning Manager

Re: Climate Change Policy Implementation – Revisions to Draft Bylaw No. 273

PURPOSE:

The purpose of this report is to present possible amendments to draft bylaw No. 273 (attached) for consideration by the Gabriola Island Local Trust Committee (LTC). In order to prepare advice to the LTC on the specific aspects of this draft bylaw, staff met with a four member focus group of volunteers from the Chamber of Commerce on February 5th 2014. Feedback from this group was sought on possible amendments to the draft bylaw addressed in the LTC resolutions listed below. The following recommendations are presented as options for the LTC to consider prior to public consultation in the form of a community information meeting in March.

STAFF COMMENTS:

Several resolutions were passed at the November 28, 2013 LTC meeting related to possible amendments to draft bylaw No. 273. Staff comments are provided below and a table of recommended revisions is attached.

Parking Maximums:

GB 120/13

*It was **MOVED AND SECONDED,***

That the Gabriola Island Local Trust Committee request staff advise on whether parking minimums or lot coverage amendments should be considered in conjunction with the parking maximum for Village Commercial zones for Draft Bylaw 273.

The use of parking maximums can be an innovative regulatory tool allowing for flexibility in the development of commercial zones while providing opportunities to create or maintain useable greenspace. This tool may not be ideal for use in Gabriola's village core as the success of the use of parking maximums typically depends on the accessibility and frequency of public transportation or off-street parking facilities. The Gabriola Village is situated in a low density, predominantly single use rural commercial centre that is not currently serviced by accessible

and frequent public transport or appropriate off street parking infrastructure. Although these factors may change in the future, there is a risk that until those services are in place, parking maximums may result in insufficient parking for new developments, placing pressure on adjacent and existing lots or off street parking areas.

The current regulations in Land Use Bylaw No. 177 stipulate maximum lot coverage for buildings and structures at 40% for the Village Commercial 1 (VC1) zone. The remaining 60% of the lot would theoretically be limited in use for setbacks (1.5 metres from a property boundary); parking (up to 50% of setback area can be used for parking); and possibly pedestrian access and greenspace consistent with the rural form and character of the community. Staff strongly supports regulatory options that promote public greenspace in the village core and feels there will be strong public support for increased opportunities for public greenspace. However, there may also be concerns that in the absence of alternative transportation and off street parking infrastructure, developers will have the unintended and undesirable need to rely on adjacent established parking facilities instead of providing an appropriate minimum number of spaces to adequately service the commercial needs.

Staff recommends the LTC maintain the draft bylaw provision for a parking maximum in the village core commercial zones at this stage in bylaw development, in order to solicit further input during the community information meeting.

Small Car Parking:

GB 122/13

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

That the Gabriola Island Local Trust Committee request staff advice on the requirement for a proportion of small car parking spaces.

Staff does not recommend the inclusion of a required proportion of small vehicle parking spaces to incentivise smaller, more energy efficient vehicle use but rather include an option that up to 20% of the total parking spaces (in a ten or more space lot) can be reduced in size. This allows for the flexibility to reduce stall size where appropriate or needed. For Gabriola's rural, low density commercial centre where parking lots are not patrolled and violations are not enforced, a small vehicle minimum requirement may not be the most effective tool to promote energy efficient vehicle use. In consultation with the focus group it was identified that "small vehicle" spots are often used by vehicles too large to property fit into the space, creating a hazard where there is no enforcement.

The following change to draft bylaw No. 273 is supported by staff:

"Where a building or use provides more than 10 parking spaces, 20% of the total spaces may be reduced to 2.4m in width and 4.6m in length and marked with the words 'SMALL VEHICLE ONLY' on the pavement or facing wall."

In order to incentivise energy efficient vehicle use, the LTC may instead consider including a development permit guideline for the Village Centre Development Permit Area requiring an electric vehicle (car or bike) charging station in new parking lot developments with 25 or more stalls:

The following change to draft bylaw No. 273 is supported by staff:

“Where a building or use provides more than 25 parking spaces, one electric vehicle charging station must be provided and marked with a sign or symbol identifying the space is reserved for charging/parking an electric vehicle.”

Small Car/Motorcycle Dimensions:

GB 123/13

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

That the Gabriola Island Local Trust Committee request staff advise on adding dimensions and area of small car and motorcycle parking spaces to the Draft Bylaw 273

Staff recommends the inclusion of dimensions for small car and motorcycle parking spaces to the draft bylaw in order to formally recognize the modern parking standards for common vehicle sizes. Staff also recommends prioritizing the location of these spaces closest to the main entrances of commercial buildings. The following additions to the draft bylaw are supported by staff:

“Despite B.5.3.2 parking spaces for small vehicles must be a minimum of 2.4 metres in width and 4.6 metres in length.”

“Despite B.5.3.2 parking spaces for motorcycles or scooters must be a minimum of 1.4 metres in width and 2.4 metres in length.”

B.5.4.2 “All accessible parking spaces, small vehicle and motorcycle/scooter parking spaces must be located adjacent to a main entrance of a building for which the parking is required and marked with a sign or symbol identifying each space reserved for such parking.”

Permeable Parking Surfaces:

GB 124/13

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

That the Gabriola Island Local Trust Committee ask staff advice on bylaw language that would require permeable paving in Draft Bylaw 273.

Staff recommends the inclusion of development permit guideline language requiring permeable paving for individual parking spaces, but not for the travel portions of a parking lot. This would ensure that objectives for groundwater recharge; runoff; dust control; and migration of gravel to the main roads can be addressed, while providing the option for paved travel portions in a lot to access individual parking spaces. The following revision to DP-7 is supported by staff:

“F.3.7.8 Off street parking spaces must be surfaced using permeable material such as gravel or engineered permeable materials or pavers, with the exception of accessible parking spaces which may be surfaced with hard or impermeable surfacing.”

Accessible Parking:

Although not identified by the LTC as needing revision, staff recommends that the current bylaw language “*Parking Requirements for Disabled Persons*” in Table 2 be changed to “*Accessible Parking Requirements*” to better reflect modern language pertaining to accessibility and universal access standards in built environments.

The following changes are also recommended to current LUB regulations:

B.5.3.3: “*Accessible parking spaces ~~for disabled persons~~ must be a minimum of 3.7 metres in width and 6.25 metres in length and have an unobstructed vertical clearance of at least 2.0 metres.*”

B.5.4.2 “*All accessible parking spaces, small vehicle and motorcycle/scooter parking spaces must be located adjacent to a main entrance of a building for which the parking is required and marked with a sign or symbol identifying each space reserved for such parking.*”

COMMUNITY INFORMATION MEETING(S):

The following resolutions were passed regarding this projects’ consultation and bylaw referrals:

GB 127/13

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

That the Gabriola Local Trust Committee direct staff to schedule a Community Information Meeting prior to referral of Draft Bylaw 273 to the Advisory Planning Commission and Regional District of Nanaimo Building Inspections.

A CIM can be scheduled for early March 2014. Notification could be through a targeted mail out to Village Core businesses and property owners; a public invitation can be posted to the project website and through social media and Chamber of Commerce email distribution lists; and a newspaper ad. In consultation with focus group members, staff recommends the CIM be scheduled as a weekday evening presentation with a question/answer period and opportunities for public input. The preferred suggested venue is the new fire hall.

Staff recommends the draft bylaw be amended with the specific revisions deemed appropriate by the LTC prior to consultation with stakeholders.

GB 125/13

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

That the Gabriola Island Local Trust Committee refers Draft Bylaw No 273 with the amendments discussed November 28, 2013, to the Advisory Planning Commission and the Regional District of Nanaimo Building Inspections.

The draft bylaw can be referred to the APC and RDN after the LTC has discussed the public input received on the draft bylaw resulting from the CIM.

RECOMMENDATIONS:

THAT the Gabriola Island Local Trust Committee:

1. Revise draft bylaw No. 273 with revisions deemed appropriate.
2. Direct staff to schedule a community information meeting regarding draft Bylaw No. 273 and specifically request input from property and business owners in the Village Commercial and District Commercial zones.

Prepared and Submitted by:

Sonja Zupanec

February 6, 2014

Sonja Zupanec, RPP
Island Planner

Date

Concurred in by:

Courtney Simpson

February 6, 2014

Courtney Simpson, RPP, MCIP
Regional Planning Manager

Date

Attachments:

1. Table of Recommended Revisions
2. Draft Bylaw No. 273



Islands Trust
Gabriola Island Local Trust
Committee

Table of Recommended Revisions for Gabriola Island Land Use Bylaw

Climate Change Implementation Review Draft Bylaw No. 273

February 2014

No.	Section or Regulation	Potential Revisions to LUB
Section B.5 – Parking		
1	EXISTING B.5.3.3	REVISE “Accessible parking spaces for disabled persons must be a minimum of 3.7 metres in width and 6.25 metres in length and have an unobstructed vertical clearance of at least 2.0 metres.”
2	EXISTING B.5.4.2	REVISE “All accessible parking spaces, small vehicle and motorcycle/scooter parking spaces must be located adjacent to a main entrance of a building for which the parking is required and marked with a sign or symbol identifying each space reserved for such parking.”
3	NEW B.5.3	ADD “Despite B.5.3.2 parking spaces for motorcycles or scooters must be a minimum of 1.4 metres in width and 2.4 metres in length.”
4	NEW B.5.3	ADD “Despite B.5.3.2 parking spaces for small vehicles must be a minimum of 2.4 metres in width and 4.6 metres in length.”
5	NEW B.5.3	ADD “Where a building or use provides more than 10 parking spaces, 20% of the total spaces may be reduced to 2.4m in width and 4.6m in length and marked with the words ‘SMALL VEHICLE ONLY’ on the pavement or facing wall.”
Section F.7 DP-7 The Village Core		
6	NEW F.3.7.8	ADD “Off street parking spaces must be surfaced using permeable material such as gravel or engineered permeable materials or pavers, with the exception of accessible parking spaces which may be surfaced with hard or impermeable surfacing.”
7	NEW F.3.7.9	ADD “Where a building or use provides more than 25 parking spaces, one electric vehicle charging station must be provided and marked with a sign or symbol identifying the space is reserved for charging/parking an electric vehicle.”

DRAFT

Gabriola Island Local Trust Committee

BYLAW NO. 273

A BYLAW TO AMEND THE GABRIOLA ISLAND LAND USE BYLAW, NO. 177

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. Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw No. 177, 1999” is amended as shown on Schedule 1, attached to and forming part of this bylaw.
2. This bylaw may be cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 2, 2013”

READ A FIRST TIME THIS	DAY OF	, 2014
PUBLIC HEARING HELD THIS	DAY OF	, 201x
READ A SECOND TIME THIS	DAY OF	, 201x
READ A THIRD TIME THIS	DAY OF	, 201x
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST		
THIS	DAY OF	, 201x
ADOPTED THIS	DAY OF	, 201x

SECRETARY

CHAIRPERSON

Gabriola Island Local Trust Committee

Bylaw No. 273

Schedule 1

1. Schedule “A” of Gabriola Island Land Use Bylaw No. 177 cited as “Gabriola Island Land Use Bylaw No. 177, 1999”, is amended as follows:

a) To section B.5 Parking:

- i. insert a new article B.5.2.2 as follows: “In calculating the parking spaces required in Table 2 of B.5.1.1, for commercial uses in the Village Commercial 1, Village Commercial 2, and District Commercial zones, the standard parking requirements in column 2 are to be maximum parking requirements; for all other zones and uses listed in Table 2 of B.5.1.1, standard parking requirements are to be minimum parking requirements.”;
- ii. insert a new article B.5.2.3 as follows: “Where parking spaces are designated for the use of motorcycles or scooters, such designated motorcycle/scooter parking spaces shall each be counted as the provision of 0.5 required vehicle parking spaces, to a maximum of 15% of required parking spaces.”;
- iii. to B.5.1 add the words “and Bicycles” after “Automobiles”; and
- iv. insert a new Column 4 to Table 2: Parking Requirements as follows:

Table 2: Parking Requirements			
Column 1	Column 2	Column 3	Column 4
Use	Standard Parking Requirements	Parking Requirements for Disabled Persons	Bicycle parking requirements
RESIDENTIAL			
<i>single family dwelling</i>	2 per <i>dwelling unit</i> plus 1 per <i>boarder</i>	None required	None required
<i>cottage</i>	2 per <i>cottage</i>	None required	None required
<i>multiple family dwelling</i>	1.25 per unit plus 1 per employee	Greater of 1 or 1 per 10 units	1 per unit without a garage
HOME OCCUPATIONS			
galleries and live theatre	1 per 16 square metres (172.2 square feet) of <i>floor area</i> or performance area used	None Required	None required
teaching of arts and crafts	1 per 2 students plus 1 per employee	None Required	None required
<i>bed and breakfast</i>	1 per rental room plus 1 per non-resident employee	None Required	None required
Instructional classes	1 per employee and 1 per 2 clients	None Required	None required

watercraft and bicycle rental	1 per 2 rentals	None Required	None required
other <i>home occupations</i>	1 per employee	None Required	None required
COMMERCIAL			
Village Commercial and District Commercial shopping centres	1 per 16.0 square metres (172.2 square feet) of leasable <i>floor area</i> in the <i>building</i>	Greater of 1 or 1 per 50 parking stalls	1 per 250 square metres (2690 square feet) of leasable <i>floor area</i> in the <i>building</i>
restaurants and bars	1 per 3 seats	Greater of 1 or 1 per 50 parking stall	1 per 15 seats
nurseries and greenhouses	1 per 16.0 square metres (172.2 square feet) of <i>floor area</i> of the retail sales <i>building</i>	Greater of 1 or 1 per 50 parking stall	1 per 10 parking stalls
Offices	1 per 35 square metres (376.7 square feet) of <i>floor area</i>	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls
mini-storage	1 per 5 mini-storage units	Greater of 1 or 1 per 50 parking stalls	None required
tourist accommodation except campgrounds	1 per sleeping unit plus 1 per 3 seats in a food or beverage area	Greater of 1 or 1 per 20 accommodation units	Greater of 1 or 1 per 10 sleeping units
<i>marina</i>	1 per 2 boats berthed on an annual basis and 1 per employee	Greater of 1 or 1 per 50 parking stalls	1 per 20 parking stalls
golf course	50 per nine holes plus 1 per employee	Greater of 1 or 1 per 50 parking stalls	1 per 20 parking stalls
<i>limited public market</i>	1 per vendor	Greater of 1 or 1 per 50 parking stalls	None required
INDUSTRIAL			
<i>light industry</i> and shipyard use	1 per 2 employees	Greater of 1 or 1 per 50 parking stalls	1 per 10 employees
boat building school	1 per 2 students and 1 per employee	Greater of 1 or 1 per 50 parking stalls	1 per 10 of the total number of students and employees
PUBLIC SERVICE AND UTILITY			
<i>Church</i>	1 per 2 metres of pews	Greater of 1 or 1 per 50 parking	1 per 10 parking stalls

		stalls	
community halls, auditoriums, lodges, theatres	1 per 4 seats	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls
<i>schools</i> , elementary	1 per 1 employee	Greater of 1 or 1 per 50 parking stalls	1 per 10 employees plus 1 per 10 students
<i>schools</i> – secondary	1 per employee plus 1 per 10 students	Greater of 1 or 1 per 50 parking stalls	1 per 10 employees plus 1 per 8 students
library, post office	1 per 20.0 square metres (215.2 square metres) of <i>floor area</i>	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls
police station	1 plus 1 per employee	Greater of 1 or 1 per 50 parking stalls	None required
fire hall	1 per 1 employee or volunteer	Greater of 1 or 1 per 50 parking stalls	None required
Museums	1 per 30.0 square metres (322.9 square feet) of <i>floor area</i>	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls
Medical Offices and Clinics	1 per 20 m ² (215 ft ²) of <i>floor area</i> .	Greater of 1 or 1 per 50 parking stalls	1 per 10 parking stalls

- v. Insert new subsection B.5.5 as follows:

“Standards for Bicycle Parking Spaces

- B.5.5.1 Each bicycle *parking space* must be accessible to a highway or vehicle *parking lot* via an access aisle that is not less than 1.2 metres (3.9 feet) in width.
- B.5.5.2 Bicycle *parking spaces* must be at least 0.8 metres (2.6 feet) in width and 1.8 metres (5.9 feet) in length with a minimum overhead clearance of 1.2 metres (3.9 feet).
- B.5.5.3 Bicycle *parking spaces* must include a fixed *structure* that supports the bicycle frame in a stable position without damage to the wheels, frame or components and that enables the frame and both wheels to be locked to the *structure* by the cyclist’s own locking device. Protection from precipitation must be provided for 50 per cent of all spaces required.
- B.5.5.4 Bicycle *parking spaces* are to be located at the primary entrance to the *building* or use being served.”

b) To section F.7 DP-7 The Village Centre:

- i. To F.7.3.7 to add the following text after “eating areas”: “and businesses should open to the street to create a greater sense of intimacy and walkability in the village core”; and
- ii. Add a new Guideline as shown below after F.7.3.7 and renumber the subsequent guidelines accordingly:
“F.3.7.8 Off-street parking should be surfaced using permeable material such as gravel. Where parking lot traffic demand requires hard surfacing, *parking spaces* should be surfaced with permeable material; interlocking brick pavers, or other visually appealing options, are encouraged to contribute to the village character.”.

c) To section G.1 Definitions:

- i. amend the definition of “floor area” to delete “the outer surface of the exterior walls” and replace with “the interior surface of the exterior walls”;
- ii. amend the definition of “parking area” by adding the words “and bicycles” after “motor vehicles”; and
- iii. amend the definition of “parking space” by adding the words “or bicycle” after “motor vehicle”.