



**Gabriola Island
Local Trust Committee
Minutes of a Special Business Meeting
to Hold a Community Information Meeting
Regarding
Proposed Bylaw Nos. 265 and 266**

Date of Meeting: Wednesday, March 12, 2014
Location: Gabriola Island Community Hall
2200 South Road, Gabriola Island, BC

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

Staff Present: Courtney Simpson, Regional Planning Manager
Lisa Webster-Gibson, Planning Clerk
Jessie Sherk, Recorder

Media and Others Present: Approximately (53) members of the public and (2) members of the local media were in attendance

1. CALL TO ORDER

Chair Graham called the Community Information Meeting to order at 7.00 pm. He introduced himself, Local Trustees and staff.

2. INTRODUCTIONS AND OPENING REMARKS FROM THE CHAIR AND TRUSTEES

Chair Graham explained the purpose of the Community Information Meeting and summarized the agenda. He explained that there would be a Public Hearing following the Community Information Meeting where everyone would have a chance to be heard.

**3. BYLAW NOS. 265 AND 266
RIPARIAN AREAS REGULATION IMPLEMENTATION**

Planning Manager Simpson gave a presentation on the proposed bylaws aided by a slide presentation. Some members of the public stated that their ditches are dry most of the year so they could not support fish and questioned why a manmade ditch is now being considered riparian.

Planning Manager Simpson explained that if a watercourse only has water in it for a few months of the year, that water might flow into other areas below that actually do have fish or could support fish. She mentioned that the public is encouraged to come to the Islands Trust office and speak to a planner about their specific properties.

A member of the public stated that the new regulations would mean that they could not build a guest cottage. She wondered who will help pay for the costs associated with that.

Trustee Malcolmson remarked that being in the Development Permit Area (DPA) does not mean that the property is undevelopable. Also noted was that when the Province was asked about compensation for landowners, it was advised that that is not in their plan. She also stated that it is extremely rare that a Qualified Environmental Professional (QEP) cannot find a way to develop the property and that they will be able to come up with solutions to make it work. Lastly, it was noted that since 2005 that concern has not been experienced in other local governments.

Chair Graham clarified that the cost of a QEP on Denman Island was a little over \$1000. Other communities have been able to find retired biologists living in their community to do the assessments at a local rate.

Other questions and answers from the public, staff and trustees included:

- The criteria used during the simple assessment to reduce or eliminate properties from the DPA included the width of the existing and potential vegetation at the streamside and the type and extent of vegetation.
- The simple assessment performed by Madrone did not include any new field work.
- The Local Trust Committee decided to have Madrone conduct the simple assessment based on the feedback received at the last Public Hearing. Any further assessments have to be conducted on a property-specific scale at the cost of the property owner.
- Field work for stream mapping was conducted at the end of 2011 and beginning of 2012, during the winter season, based on recommendations that stream mapping is done in times of high water flow so it is easier to see where the streams are. It is not recommended to map in the dry season.
- The previous approach to notifying property owners when the mapping was done, was to send a letter asking the property owner to let Islands Trust know if they do not grant permission for anyone to enter on to their property. Due to the negative feedback received about this approach, Islands Trust will not be using this approach if there is future mapping and will require positive confirmation from the property owner before the biologist enters the property.
- Islands Trust has a certain responsibility to uphold the laws set by the Province and they are not legally able to say no to this regulation.
- The Gabriola Island Local Trust Committee has done as much mapping and made as many exemptions as possible. The Local Trust Committee is one of the last of 105 local governments to implement Riparian Areas Regulation

(RAR). They have done everything possible to lessen the impacts for property owners.

- In most areas of Gabriola Island, a QEP will determine that development can occur between 10-15 metres back from a stream in this DPA.
- Other local governments that are being asked to implement this regulation include the Lower Mainland and the Okanagan.
- The enforcement of bylaws and regulations on Gabriola Island is complaint driven.
- If a property should have been included in the RAR, but was missed in the original mapping, this would have to be brought to the attention of Local Trust Committee at such time it would need to be mapped and added to the DPA.
- The Madrone Report is available to the public on the Islands Trust website.
- There are current and historical reports of fish in watersheds on Gabriola Island.
- The biologist's reports met all the criteria of the RAR.

4. ADJOURNMENT

By general consent, the meeting was adjourned at 8:03 pm.

David Graham, Chair

CERTIFIED CORRECT:

Jessie Sherk, Recorder