



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

- Date of Meeting:** Wednesday, January 14, 2016
- Location:** Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC
- Members Present:** Laura Busheikin, Chair
Melanie Mamoser, Local Trustee
Heather O’Sullivan, Local Trustee
- Staff Present:** Ann Kjerulf, Regional Planning Manager
Aleksandra Brzozowski, Island Planner
Teresa Rittemann, Planner 1
Clare Frater, Trust Area Policy Analyst (by phone)
Warren Dingman, Bylaw Enforcement Officer
Jessie Sherk, Recorder
- Others Present:** Howard Houle, Regional Director
1 member of the local media
Approximately 5 members of the public

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following addition to the agenda was presented for consideration.

- 6.3 Adopted Gabriola APC minutes of October 28, 2015
Draft Gabriola APC minutes of January 6, 2016**
- 8.2.2 Notes from the anchorage meeting held in Victoria November 4, 2015**
- 8.4.2 Noise Violation Issues - Bylaws**
- 13.1.2 Additional piece of correspondence regarding dog sitting regulations received by email.**
- 15.3 Brief memo from staff regarding next fiscal year’s budget.**
- 15.4 Bridge study information**

Reorder the agenda so that item 11.1 follows item 6.

By general consent, the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

None.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated November 26, 2015 – for adoption

**Page 5, 10.1.1 Amend the second sentence to read
“...correspondence provided from Jes
Andersen that is NOT in support...”**

By general consent the minutes were adopted as amended.

6.2 Section 26 Resolutions-Without-Meeting Report dated January 5, 2015

Received for information.

**6.3 Gabriola Advisory Planning Commission Minutes
6.3.1 Adopted Minutes of the October 28, 2015 meeting
6.3.2 Draft Minutes of the January 6, 2016 meeting**

Received for information.

6.4 Mudge Island Advisory Planning Commission Minutes – none

6.5 Agricultural Advisory Commission Minutes – none

6.6 Transportation Advisory Planning Commission Minutes – none

11.1 GB-DVP-2015.1 (Da Fonseca – Mudge Island)

11.1.1 Memorandum dated January 4, 2016

Planner Ritemann summarized the memorandum and introduced supplemental information received since the last meeting. The two pieces of public correspondence were noted and discussion ensued amongst staff and trustees.

Trustees made the following comments:

- They recognize that the applicant believes that what he is doing is preventing erosion on his property, however, these

ADOPTED

measures are affecting the entire shoreline and other properties and are not in line with the Green Shores principles.

- They have difficulty identifying his deck as a “walkway”, which is the structure allowed in the Mudge LUB.
- There are concerns relating to the rural form and character when viewing his structures from the water.
- Mudge Island recently created its Official Community Plan (OCP) and those values should be upheld and respected.

Discussion ensued between the applicant, staff and trustees.

GB-2016-001

It was MOVED and SECONDED,

That the Gabriola Island Local Trust Committee deny the request to issue a Development Variance Permit for Section 2 of the proposed permit GB-DVP-2015.1 regarding siting and setback regulation 3.3(4) in accordance with the reasons for refusal noted in the Staff Report and Memo, and comments made by Trustees.

CARRIED

Staff and trustees then discussed the accessory structure within the setback and what kind of mitigative measures could be carried out as a condition of the structure being allowed.

GB-2016-002

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee postpone the request to issue a Development Variance Permit for Section 3 of the proposed permit GB-DVP-2015.1 regarding the siting and setback regulation 5.1(6)(b), in order to allow the applicants time to present a plan for mitigative measures.

CARRIED

Lot coverage was then discussed.

GB-2016-003

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee postpone the request to issue a Development Variance Permit for Section 4 of proposed permit GB-DVP-2015.1 regarding maximum lot coverage regulation 5.1(4).

CARRIED

7. CLOSED MEETING

7.1 Motion to Close the Meeting

GB-2016-004

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee close the meeting to the public in accordance with the Community Charter, Part 4, Division 3, s.90(l)(d) and (f) for consideration of adoption of Closed Meeting Minutes dated November 26, 2015 and Bylaw Enforcement matters and that the recorder and staff attend the meeting.

CARRIED

Chair Busheikin recessed the regular meeting at 11:13 am.

7.2 Recall to Order

Chair Busheikin reconvened the meeting at 12:00 pm.

7.3 Rise and Report

Chair Busheikin stated that the minutes of the November 26, 2015 Closed Meeting were adopted and that a report from bylaw enforcement was discussed.

8. BUSINESS ARISING FROM MINUTES

8.1 Follow-up Action List dated January 5, 2015

Received.

8.2 Pacific Pilotage Authority Anchorage Proposal (Postponed Resolution from September 10, 2015)

8.2.1 Memorandum dated December 18, 2015

Planner Brzozowski summarized the memorandum. Trust Area Policy Analyst Frater joined the meeting via telephone and discussion ensued regarding the effectiveness of a letter written to the Pacific Pilotage Authority (PPA) from the Local Trust Committee (LTC).

Trust Area Policy Analyst Frater stated the following:

- In a letter sent to the Minister, a response was requested by the end of February so that Trust Council could make decisions at the March Trust Council meeting.
- She has direction to help organize the consultation on Gabriola Island 90 days after the environmental assessment is released.
- She is not recommending further advocacy to the Transport Minister at this time.

ADOPTED

A letter that would highlight the goals and objectives of Islands Trust and sent directly to Kevin Obermeyer, President and CEO of the PPA was discussed. It was noted that Trustee O'Sullivan would be willing to work with staff on the letter.

The committee then discussed the postponed motion from the September 10, 2015 LTC meeting.

GB-2016-005

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee and consider the postponed motion:

“GB-2015-097

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee request the Chair to write a letter in response to the Pacific Pilotage Authority anchorage proposal.”

CARRIED

GB-2016-006

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee request the Chair to write a letter to the Pacific Pilotage Authority in response to their anchorage proposal.

CARRIED

8.3 Coastal Douglas-Fir Conservation Strategy

8.3.1 Briefing Report – November 10, 2015

The three available options outlined in the briefing report were reviewed and discussed.

GB-2016-007

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee become a signatory to the Coastal Douglas-fir Conservation Partnership statement of collaboration.

CARRIED

GB-2016-008

It was MOVED and SECONDED,
that the Gabriola Island Local Trust Committee place Land Use Planning Tools to Conserve Coastal Douglas Fir Forest Ecosystems on the Project List.

CARRIED

8.4 Summary of Annual Meeting with the Regional District of Nanaimo

8.4.1 Memorandum dated January 5, 2016

Planner Brzozowski summarized the memorandum. Discussion ensued.

GB-2016-009

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee communicate to the Regional District of Nanaimo that it wishes to be included in the LiDAR mapping on sea level rise.

CARRIED

GB-2016-010

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to compile a package of information including eagle nest inventories for the Regional District of Nanaimo to distribute when issuing building permits.

CARRIED

8.4.2 Noise Violation Issues – Bylaws

Trustee O’Sullivan summarized what was discussed at the annual Regional District of Nanaimo (RDN) meeting regarding noise bylaws and how they are enforced. Discussion ensued.

GB-2016-011

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to research any policy language in the Gabriola OCP regarding the issue of noise and dogs at large.

CARRIED

12. BREAK

Chair Busheikin recessed the meeting for a break at 12:53 pm. The meeting reconvened at 1:12 pm.

13. LOCAL TRUST COMMITTEE PROJECTS

13.1 Dog Siting Regulations

13.1.1 Staff Report dated December 6, 2016

Planner Brzozowski summarized the staff report and the two draft bylaws that outline guidelines for permitting dog care as a

ADOPTED

temporary use. She put forth the idea of having a workshop that would engage the public and solicit feedback about details of the bylaws. Discussion ensued.

The following amendments to the Temporary Use Permit Guidelines for dog care operations were suggested and discussed:

- Set a quantitative limit on the noise allowed from the property inclusive of noise from dogs belonging to the operator.
- In item 10, change the word “should” to “must”.
- Amend the definition of “dog care” to better reflect that the activity occurs inside the home/adding language regarding the activity taking place predominately in the primary dwelling.

Staff and trustees discussed the cost of a legal review.

GB-2016-012

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to amend the Draft Bylaw to require a quantitative limit on the noise allowed from the property inclusive of noise from dogs belonging to the operator and amend the definition of “dog care” to add language regarding the activity taking place in the primary dwelling.

CARRIED

In recognition of the amount of public interest on this topic, it was noted for the minutes that although this resolution was passed, it does not necessarily mean that any decisions have been reached. It was further noted that it is very important to get to the community information/public hearing stage of this process and giving the Draft Bylaws First Reading is what will trigger that.

GB-2016-013

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee give first reading to Bylaw No. 282 as amended, cited as “Gabriola Island Official Community Plan, 1997, Amendment No. 1, 2015” and Bylaw No. 281 as amended, cited “Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2015” as amended.

CARRIED

GB-2016-014

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee refer Bylaw No. 282 as amended, cited as “Gabriola Island Official Community Plan, 1997, Amendment No. 1, 2015” and Bylaw No. 281 as amended, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2015” to:

- Gabriola Island Advisory Planning Commission
- Islands Trust – Bylaw Enforcement
- Regional District of Nanaimo – Bylaw Enforcement
- Island Health
- Penelakut Tribe
- Snuneymuxw First Nations
- Cowichan Tribes
- Halalt First Nation
- Hul’qumi’num Treaty Group
- Stz’uminus First Nation
- Lyackson First Nation
- Semiahmoo First Nation

CARRIED

GB-2016-015

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff facilitate a public workshop to discuss the draft Temporary Use Permit guidelines and present a summary of public and referral agency input to the Local Trust Committee.

CARRIED

13.1.2 Correspondence from October 23 to December 31, 2015

Received.

14.8 Electoral Area Director's Report

Regional Director Houle reported on the following:

- The Association of Vancouver Island and Coastal Communities (AVICC) resolution that the RDN is working on will come before the board on January 26, 2016.
- The RDN just finished two meetings with the Qualicum First Nation on a protocol, said this was historic and ground breaking.
- GERTIE referendum on February 13, 2016.
- Requested a letter of support from the LTC for the narrow width planned for the Village Way Trail cycle path.

By general consent the committee then discussed item 15.2.

ADOPTED

15.2 Support Letter to Ministry of Transportation and Infrastructure (MOTI) for Village Trail - for discussion

GB-2016-014

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee direct staff to write a letter from the Chair to the Ministry of Transportation and Infrastructure in support of the Regional District of Nanaimo Village Way Trail cycle path plans.

CARRIED

9. DELEGATIONS

10. CORRESPONDENCE

(Correspondence received concerning current applications or projects is posted to the LTC webpage)

11. APPLICATIONS AND REFERRALS

11.2 GB-OTH-2014.1 Antenna Siting Proposal (Gabriola Radio Society)

11.2.1 Memorandum dated December 21, 2015

Planner Brzozowski summarized the memorandum. Discussion ensued.

11.3 Thetis Island Local Trust Area Bylaw Referral Request for Response regarding Bylaw No. 96 and Bylaw No. 97

GB-2016-016

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee states that its interests are unaffected by Thetis Island Local Trust Area Bylaws No. 96 and No. 97.

CARRIED

13. LOCAL TRUST COMMITTEE PROJECTS

13.2 Roadside Signage on Gabriola Island

13.2.1 Memorandum dated December 18, 2015

Planner Ritemann summarized the memorandum. Discussion ensued regarding the community information meeting and possible community survey.

14. REPORTS

14.1 Work Program Reports

14.1.1 Top Priorities Report dated January 5, 2016

Received.

14.1.2 Projects List Report dated January 5, 2016

Discussion ensued.

GB-2016-017

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee remove from the Project List "Bylaw Enforcement staff requested to provide a report on methods of proactive enforcement on advertised unlawful dwellings, as that is the point they are most likely to be unoccupied."

CARRIED

14.2 Applications Report dated January 5, 2016

No updates.

14.3 Trustee and Local Expense Report dated December 2015

Received.

14.4 Adopted Policies and Standing Resolutions

Received.

14.5 Local Trust Committee Webpage

No additions.

14.6 Chair's Report

Chair Busheikin reported on the following:

- The Executive Committee agenda for next week.
- Upcoming Financial Planning Committee meeting.
- Some Executive Committee members will be attending the Local Government Leadership Academy.
- Workshop on First Nations issues at upcoming March Trust Council regarding cultural competency and overall understanding.

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14.7 Trustee Reports

Trustee O'Sullivan reported on the following:

- CAO Linda Adams' retirement.

- Follow up on the letter to the Nanaimo Airport authority regarding noise issues; the traffic patterns have changed.
- The Gabriola Advisory Planning Commission is a great team with a high level of engagement.

Trustee Mamoser reported on the following:

- Her participation in a public meeting for GERTIE on Saturday where she highlighted some of the OCP policies that are supported by GERTIE.

14.9 Trust Fund Board Report - none

15. NEW BUSINESS

15.1 Zoning for Water Taxi Service - for discussion

Discussion ensued regarding adding “water taxi zoning”/“looking at the emergency dock” to the Project List as future agenda items. No decision made.

15.3 Brief memo from staff regarding next fiscal year’s budget.

Will address via Resolution-Without-Meeting (RWM).

15.4 Fixed Link Study

No significant update. Discussion ensued.

GB-2016-018

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request that staff ask the Ministry of Transportation and Infrastructure for an update on the release of the Fixed Link Study.

CARRIED

16. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for Thursday, February 11, 2016 at the Gabriola Arts & Heritage Centre, 476 South Road, Gabriola, BC

17. TOWN HALL

None.

18. ADJOURNMENT

Chair Busheikin adjourned the meeting at 2:56 pm.

Laura Busheikin, Chair

Certified Correct:

Jessie Sherk, Recorder