



Gabriola Island Local Trust Committee Minutes of Special Meeting

Date: September 9, 2018
Location: Mudge Island Driftwood Drive Public Access
 Mudge Island, BC

Members Present: Melanie Mamoser, Local Trustee, Acting Chair
 Heather O'Sullivan, Local Trustee

Staff Present: Ann Kjerulf, Regional Planning Manager
 Teresa Rittemann, Island Planner
 Nadine Mourao, Recorder

Others Present: There were approximately twenty-five (25) members of the public in attendance

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Acting Chair Mamoser called the meeting to order at 1:00 pm. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, welcomed the public and introduced Trustees, Staff and Recorder.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. COMMUNITY INFORMATION MEETING

3.1 Planner Presentation - Mudge Island Targeted OCP/LUB Review

Planner Rittemann provided a handout and summarized the draft amendments to Proposed Bylaw No. 299.

3.2 Proposed Gabriola Island Local Trust Committee Bylaw No. 299

Various buildings and structures in the Rural Residential zone would not contribute to the 10% maximum lot coverage calculation, as listed in the new subsection 5.1(4.1). This would allow for a reasonable build out on an average small lot on Mudge Island, while maintaining a low density of buildings and structures in the rural environment consistent with the Official Community Plan (OCP). Some of the main exemptions included:

- Cistern, dugouts, ponds, and similar catchment systems for the collection and storage of water, and similarly water towers that are for fire-fighting purposes;
- Garden beds and 15 square metres (161.4 square feet) of accessory buildings (for domestic food security and to encourage local food production. Any additional accessory buildings in excess of 15 square metres for this purpose, would continue to contribute to lot coverage;
- Pervious ground-level foot paths, driveways and parking spaces;
- 80% of Mudge Island lots are 0.4 hectares (1 acre); thus, on these smaller lots, up to 100 square metres (1,076 square feet) of outdoor, unenclosed deck space would continue to contribute to lot coverage;

- Many Mudge Islanders use wood to heat their dwellings, and therefore one woodshed up to 15 square metres (161.4 square feet) in size is proposed to be exempted from the 10% lot coverage calculations; a second woodshed or any area of a woodshed in excess of 15 square metres would continue to contribute to the maximum 10% lot coverage calculations; and
- Wells, utilities, pump/utility houses, and septic systems are all required for rural island life on Mudge and are therefore proposed to be excluded from the maximum lot coverage.

3.3 Questions and Answers Session

Members of the public asked the following questions, Staff and Trustees answered as follows:

- If you have a cistern in a pump utility house, does that count towards the 10% lot coverage?
 - The cistern would need to be separate from the building to be excluded from the lot coverage calculation.
- Are these bylaw amendments going forward or does my property built previously have to comply with the new bylaw?
 - If you have a property and there is a bylaw in place and you build according to that bylaw legally and then down the road the bylaw is changed there are provisions in the *Local Government Act* that allow you to continue using the property as originally allowed, this is called legally non-conforming.
- What happens when a structure was built 30 metres from the boundary of the sea and the waterfront changes due to erosion?
 - Should that situation arise, the property owner may then show when the structure was built it was not within the setback from the sea.
- Recognized that this is a huge improvement over the previous draft of Bylaw No. 299, as they have a long driveway and wanted to thank Staff and Trustees.
- Why does this Draft Bylaw not address increasing the maximum 10% lot coverage?
 - It was decided to move forward with lot exemptions rather than proceeding with the lengthier process of OCP amendments to increase the 10% lot coverage calculation.
- Is the square footage of a house included in the maximum 10% lot coverage calculation?
 - The footprint of the house is included in the lot coverage calculation.
- How does the maximum 10% lot coverage calculation work for 5 or 10 acre lots?
 - The maximum 10% lot coverage stays the same regardless of the size of the lot.
- Why does Mudge Island have a maximum 10% lot coverage and other islands have 15% or 20%?
 - Mudge Island was consulted for their first Mudge Island OCP and Land Use Bylaw (LUB), at that time the conservation-based approach to preserve and protect the natural integrity of Mudge Island was first and foremost; and
 - At that time the maximum 10% lot coverage was set as a mechanism to ensure that the maximum buildout does not affect the character of the more rural island.
- The Mudge Island OCP does not reference the maximum 10% lot coverage, why can we not increase the lot coverage percentage without opening up the OCP?

- The Mudge Island OCP does not specify 10% lot coverage; however, the OCP would have to be amended in order to increase the percentage in the LUB; and
- At the previous Local Trust Committee (LTC) meetings, a staggered tiered percentage based on lot size approach was proposed; however, it is likely that this approach would be rejected by the Executive Committee (EC).
- It is Mudge Islanders' responsibility to invest in the process; we have a LUB that does not work; this is a good start and next step is to review and amend the OCP.
- In 5 or 10 years, Mudge Island will see a substantial increase in population; there has to be a plan for this to happen; this is a great first step.
- What are the next steps?
 - There will be a Staff report presented for the LTC with recommendations to move forward with Draft Bylaw No. 299; the Draft Bylaw will then need second and third reading, Community Information Meeting, Public Hearing, referral to various agencies with a waiting period for agency responses, EC approval, and LTC approval.
- What are the chances of the process not reaching completion?
 - We believe that this version of Draft Bylaw No. 299 will not be rejected by the EC.
- Mudge Islanders have asked that whatever can be done to expedite the process should be done, such as, combining the second and third reading, waiving public hearing and providing a public notice as they anticipate no objections to this version of Proposed Bylaw No. 299.
- Are the agencies listed for referral a standard procedure?
 - All of the zoning amendments go through agency consultation particularly First Nations; however, this is not a provincially legislated procedure but a recommended best practice.
- If we proceed with Draft Bylaw No. 299, does this limit us to further pursue the goal of increasing the maximum 10% lot coverage calculation?
 - There is no time limitation to approach the LTC in this regard.
- This is the best step that we have at the moment and these changes will help with the majority of the lots; the next project for the Mudge Island Advisory Planning Commission (APC) will be to review the Mudge Island OCP.
- Asked for clarity on Subsection 5.1(4.1) (l) and (n) woodsheds and accessory buildings for small livestock and food production, what if the buildings are greater than 15 square metres? Does this then count towards lot coverage?
 - Staff will review the wording of these two points to clarify in the Proposed Bylaw.

4. ADJOURNMENT

By general consent the meeting was adjourned at 1:56 pm.

Melanie Mamoser, Acting Chair

Certified Correct:

Nadine Mourao, Recorder