

**MINUTES OF THE VOLUNTEER REVIEW COMMITTEE MEETING
FOR THE OFFICIAL COMMUNITY PLAN AND LAND USE BYLAW
HELD AT 7:00 P.M. ON MONDAY, MAY 9, 2011
AT THE ISLANDS TRUST BOARD ROOM
700 NORTH ROAD, GABRIOLA ISLAND, BC**

PRESENT: Co-Chair Peirce Co-chair
Kathryn Molloy Co-chair
Kees Langereis Member
Carly McMahon Member
Melanie Mamoser Member
Adam Velsen Member
Lisa Webster-Gibson Member
Susan Yates Member
Kaitlin Kazmierowski Island Planner
Stephen Orgill Recorder

REGRETS: Tom Kirchmayer Member

ABSENT: Daniele Rudischer Member
Randy Young Member

Local Trustee Deborah Ferens and 2 local media representatives were present.

1. CALL TO ORDER

Katherine Molloy chaired the meeting and called to order at 7:07 pm.

2. APPROVAL OF AGENDA

The agenda was reviewed and the Volunteer Review Committee approved by consensus as presented.

3. STANDING ITEM

3.1 Volunteer Review Committee Terms of Reference

The Gabriola Island Official Community Plan and Land Use Bylaw Review Volunteer Review Committee Terms of Reference as adopted by the Gabriola Island Local Trust Committee on March 30, 2010 was provided for information.

4. COMMUNITY INPUT SESSION

There were no members of the public in attendance.

5. MINUTES

5.1 *Volunteer Review Committee Minutes dated February 7, 2011*

The Volunteer Review Committee reviewed the minutes of the February 7, 2011 meeting and the following amendments were made:

- Page 3, item 6.1, first paragraph; remove and replace as follows:

Local Trustee Sheila Malcolmson reviewed some of the issues that the Local Trust Committee had considered at their January 27, 2011 meeting. She reported that the Vision Statement for the Official Community Plan was adopted as recommended by the Volunteer Review Committee with minor changes after lengthy discussion. She said that the Local Trust Committee discussed changing the word “*recognize*” to “*support*”, rationalizing that “*support*” has connotations that imply financial support, which is not the case. Trustee Malcolmson said that the Local Trust Committee added words to specify that the vision is for the future of Gabriola. She said that defining the word “*resilient*” was considered inappropriate in that particular section and that feedback from local business considered that the term “*small*” is appropriate when applied to business on Gabriola.

She reviewed the work on the Official Community Plan that the Local Trust Committee recognizes can be completed in the current term. While referring to the section around bike policies and bus routes, she suggested that the Local Trust Committee is not making too many changes apart from updating the map. She mentioned that road surfacing material and speed limits are not within the terms of the review.

Trustee Malcolmson said that she anticipates the Local Trust Committee requesting updated language concerning *special needs and housing* and looks forward to advice from the Volunteer Review Committee, including what to call that section. She said that the Local Trust Committee had given direction to staff to map out potential lots for multi-family development within the proximity of the village. Trustee Malcolmson continued on the subject of multi-family affordable housing applications.

Trustee Malcolmson confirmed that the Local Trust Committee is responsible for issues around membership of the Volunteer Review Committee and had accepted the resignations of Bill Pope and June Harrison. She also confirmed that the Local Trust Committee would like the Volunteer Review Committee to stay in place to

provide advice on policy areas for which planner reports are pending. Trustee Malcolmson advised that the Volunteer Review Committee meeting schedule could be limited to respond to Local Trust Committee referrals.

Trustee Malcolmson reported that the water and waste management documents forwarded by the Volunteer Review Committee had been forwarded to the Executive Committee for further referral to the appropriate agencies.

- Page 4, item 7.1, first sentence; replace “*decision*” with “*advice*”
- Page 4, item 7.1, after fourth sentence (...not allowed.); insert “*If a member refuses to vote and is present, then that member is counted as voting for the motion under BC rules.*”
- Page 4, item 7.1, last sentence; replace “*abstain*” with “*refrain*”
- Page 5, item 7.2, second paragraph, first sentence; correct typo “a”
- Page 5, item 7.2, second paragraph, second sentence; delete “and”, and break into two sentence.
- Page 6, item 8.1.1, sixth paragraph; correct typos “*it is*” in two places.
- All resolutions; renumber to 2011

The minutes of the February 7, 2011 meeting of the Volunteer Review Committee were adopted by consensus as amended.

6. GUEST SPEAKERS

6.1 Local Trustee Report

Local Trustee Deborah Ferens thanked the members of the Volunteer Review Committee for their advice to the Local Trust Committee. She briefly reviewed several items that are included as attachments to the agenda concerning changes in the “visual companion” to the Official Community Plan bylaw amendment. Trustee Ferens suggested that clarification and consistency in the document is important. Trustee Ferens advised the committee on sections of the document that the Local Trust Committee would appreciate to hear recommendations on at its next meeting on May 19, 2011. Trustee Ferens outlined the reasoning for having adopted changes in the Official Community Plan and summarized the overall scope of Phase One of the review. Trustee Ferens referred to several pending documents and further changes that the Local Trust Committee is still working on with respect to the overall improvement of the Official Community Plan.

Co-Chair Peirce invited Trustee Ferens to act as a resource during the meeting. He asked Trustee Ferens if the Riparian Areas Regulation would be included in the second reading of the bylaw. Trustee Ferens told Co-Chair Peirce that the Riparian Areas Regulation would probably be a separate bylaw.

6.2 Island Planner – Overview of Referral Items

Planner Kazmierowski explained the Bylaw Referral Form and suggested to only address the areas at this meeting that are being targeted as topic areas on the form. She also suggested including technical changes if they become evident. Planner Kazmierowski explained the other documents that had been included on the agenda and suggested focusing on the visual guide to the proposed bylaw as a starting point in the discussion.

Co-Chair Peirce asked Planner Kazmierowski about improving the process of circulating the draft minutes of meetings.

Lisa Gibson-Webster commented that the Local Trust Committee had not acknowledged a lot of work done by the Volunteer Review Committee. She elaborated that resolutions forwarded by the Volunteer Review Committee had not been incorporated into the changes in the Official Community Plan.

Carly McMahon agreed with Lisa Gibson-Webster's comment and suggested that the Volunteer Review Committee have a debrief session at the end of the meeting schedule.

Planner Kazmierowski clarified that the Official Community Plan Review file has included all of the advice from the Volunteer Review Committee and that the Local Trust Committee and public have had access to all that is in the file.

7. NEW BUSINESS

7.1 Referral from the Gabriola Island Local Trust Committee: Proposed Bylaw No. 262 cited as "Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2011"

Co-Chair Kathryn Molloy commented on the referral form with a question to Planner Kazmierowski about how the document is circulated. Planner Kazmierowski explained how the referrals are processed and responses subsequently become part of the public hearing binder. She explained the post public hearing process that cannot provide additional input to the Local Trust Committee and the benefit of hearing comment on a proposed bylaw prior to the public hearing.

Co-Chair Peirce explained the advisory role that the Volunteer Review Committee is performing for the Local Trust Committee.

- 7.1.1 *Cover Memo dated April 27, 2011; Bylaw Referral Form dated April 13, 2011; Proposed Bylaw No. 262, first reading March 30, 2011; Official Community Plan working document – Visual Companion to Proposed Bylaw No. 262 dated April 5, 2011; Visual guide to Proposed Bylaw No. 262 Appendix 1 – Definitions*

Planner Kazmierowski referred to her memorandum to the Volunteer Review Committee dated April 27, 2011. She reviewed the areas of amendment to the Official Community Plan that the bylaw proposes as well as the technical changes to improve the document. Planner Kazmierowski explained each of the four attachments included with the memorandum.

Co-Chair Molloy asked members if they had prepared comments on the material under review.

Co-Chair Peirce distributed a written list of 9 items and invited discussion as he reviewed each item. He referred to Figure 3 on page 40 of the agenda and suggested adding *provincial crown land* to be more complete. He cited references to the “Trust Committee” on pages 12, 26, and 28 that, for consistency, should be the “Local Trust Committee”. He suggested that General Land Use Advocacy Policy m) on page 15 is now irrelevant due to the elimination of the antler-less deer season on Gabriola several years ago. Subsequent policies should then be renumbered.

Co-Chair Peirce suggested including in the introduction to Residential Land Use on page 15, the number of LRR lots outside the Agriculture Land Reserve that are permitted accessory cottages and how many actually have accessory cottages. He said the information could also be included in Section 2.6. Also on page 15 and on page 23 there are references to assessment data for 2011 and 2010 respectively, and Co-Chair Peirce suggested the data source should be the same year.

Co-Chair Peirce suggested rewriting the second paragraph on page 16 to read: *“In addition, while issues carrying capacity of Gabriola’s land base to accommodate more development have not been substantiated, there are known problems with inadequate soil percolation for septic disposal and with the groundwater supply because of the complex nature of groundwater flow through fractures in the bedrock.”*

Co-Chair Peirce also referred to the background at Section 3.1 on page 23 that references “three small local commercial sites” and pointed out that there are four sites enumerated later in the section.

He requested a spelling correction of “gravel” on page 36 at point (t) and a confirmation or clarification of the use of MOTH on page 51 at point (h).

The Volunteer Review Committee discussed each item and Co-Chair Molloy received consensus on agreeing with Co-Chair Peirce's suggested corrections.

Kees Langereis distributed a document containing his general comments, specific comments on Single-dwelling Affordable Housing, Density Bank, and overall technical comments on the Official Community Plan. He reviewed his comments and explained. There was discussion relating to secondary suites and accessory cottages accommodating affordable housing.

Kees Langereis's technical comments on the Official Community Plan are:

1. General Land Use Policies section:
 - 1.1 Paragraph (a) (i) refers to "school sites". Recommend defining term "school" and any designation.
 - 1.2 Paragraphs (b) and (c) uses phrases "any land use designation", respectively. Recommend clarifying these terms by definition or if same meaning intended that one phrase be used. The term "designation" is used in other phrases elsewhere in the OCP as well and sometimes including the term residential.
 - 1.3 Paragraphs (f) and (g) use phrases "shall be required to include" and "shall be required to be undertaken" respectively. There read as a direction that must somehow be put into force but do not actually bring these requirements into force. If the intent is that these are the requirements in these sections then rewording is recommended, i.e., replaced with "must include" for (f) and "must be undertaken" for (g).
2. Small Rural Residential
 - 2.1 Background paragraph states "all residential properties on Gabriola rely on individual wells..." A more accurate statement would be "most residential properties..."
3. Gabriola Density Bank Policies
 - 3.1 Paragraph (a) refers to "densities resulting from rezoning pursuant to Objective 1." This captures rezoning to parks. When the policies for density donations are developed will this section be reworded to capture donations or will such a donation necessitate a rezoning, thereby being captured by this section?

Adam Velson commented on increasing density for affordable housing.

Carly McMahon suggested capping the increase of density and explained with examples. Other examples were discussed.

Co-chair Molloy suggested clarification on how to proceed with the topics under discussion and a motion was put on the floor for further discussion.

VRC-014-2011

It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that Co-Chair Peirce's technical comments and Kees Langereis's technical comments be referred to the Local Trust Committee as recommended changes for the Official Community Plan and;

- the definition of *school* should correspond to the definition found in the Land Use Bylaw,
- paragraph (f) in General Residential Policies on page 16, there should be clarification of the phrase "this section",
- use of the Land Use Bylaw definition for *community care facility* and also to define *special needs* in the Official Community Plan.

CARRIED

(8 in favor, 0 opposed)

There was discussion about the definition of *school* as used in the Official Community Plan and Carly McMahon suggested that the definition of *school* should correspond to the definition found in the Land Use Bylaw.

Discussion continued with reference to paragraph (f) in General Residential Policies on page 16. It was suggested that there should be clarification of the phrase "this section".

Discussion of further definitions suggested the use of the Land Use Bylaw definition for *community care facility* and also to define *special needs* in the Official Community Plan.

Co-Chair Molloy received consensus to add the items discussed above as a friendly amendment to resolution VRC-014-2011.

Discussion continued evaluating technical changes intended to correct several inconsistencies.

Carly McMahon raised discussion regarding section 2.1, General Residential Policies, paragraph i), and suggested replacing the words "special needs residents and seniors" with "Gabriola residents" and add "iii. a housing agreement must be registered"

VRC-015-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that page 16 of the Official Community Plan, section 2.1, General Residential Policies, paragraph i), remove the words “special needs and seniors” and replace the words “for special needs residents and seniors” with a comma, and add “iii. a housing agreement must be registered to maintain affordability”.

CARRIED
(7 in favor, 1 opposed)

Further discussion resulted in several motions summarizing the topic areas under discussion.

VRC-016-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommend that the definition for *special needs* is inclusive or reflective of populations with unique needs.

CARRIED
(8 in favor, 0 opposed)

VRC-017-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommend that page 18 of the Official Community Plan, section 2.4, background, remove the words “*living with physical or mental disabilities*” in that phrase.

CARRIED
(8 in favor, 0 opposed)

VRC-018-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommend that item c) on page 14, section 2.0, General Land Use Policies be removed.

CARRIED
(8 in favor, 0 opposed)

VRC-019-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommend that page 16 of the Official Community Plan, section 2.1, General Residential Policies, paragraph a), remove the words “*Special Needs and Seniors*” and add “*and no more than 2% or the equivalent of 65 increased densities of total current total build-out*”

CARRIED
(7 in favor, 1 opposed)

ADOPTED

Discussion focused on where multi-dwelling affordable housing should be permitted. The question whether affordable housing should be forced only into the village rather than allowing it in other population nodes was discussed. It was suggested that allowing multi-family affordable housing in other areas could encourage rural agricultural development.

VRC-020-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends deleting section 2.4, e), iv., due to it being environmentally too restrictive.

CARRIED
(8 in favor, 0 opposed)

Co-Chair Molloy asked members to raise issues other than technical issues related to the document. There was discussion of further changes.

Lisa Webster-Gibson left the meeting at 9:26.

VRC-021-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that on page 18, section 2.4, c), remove the words “*for low income families*” and replace the word “*only*” with the word “*first*”.

CARRIED
(7 in favor, 0 opposed)

Discussion focused on amenity zoning provisions and whether it refers only to affordable housing for multi-dwellings.

Lisa Webster-Gibson returned to the meeting at 9:40.

VRC-022-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that on page 18, section 2.4, b) remove the words “*for seniors and special needs residents*”.

CARRIED
(8 in favor, 0 opposed)

VRC-023-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that on page 19, section 2.4, i), replace “*lowest possible net water*” with “*low net water*”.

CARRIED
(8 in favor, 0 opposed)

ADOPTED

- VRC-024-2011** It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that on page 19, item j), remove “*for low-income families*” from end of sentence.
- CARRIED**
(8 in favor, 0 opposed)
- VRC-025-2011** It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends section 2.5 be rewritten to apply to all kinds of multi-dwelling affordable housing.
- CARRIED**
(8 in favor, 0 opposed)
- VRC-026-2011** It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that on page 20, Gabriola Island Density Bank Policies, remove c), because it could be covered in item 1., ii. of above.
- CARRIED**
(7 in favor, 1 opposed)
- VRC-027-2011** It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that on page 21, section 2.6, a) insert “*or secondary suite*” between “*cottage*” and “*on a parcel*” and add “*with title notation*” at end of sentence.
- CARRIED**
(8 in favor, 0 opposed)
- VRC-028-2011** It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that on page 56, section 7.4, e), replace “*should*” with “*must*”.
- CARRIED**
(8 in favor, 0 opposed)
- VRC-029-2011** It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommends that item 3.3 District Commercial Policies, item c) is deleted.
- DEFEATED**
(3 in favor, 5 opposed)

Several members explained their rationale for opposing the resolution.

Lisa Gibson-Webster commented that there is no wildlife mentioned in the Official Community Plan and that wildlife should be considered as part of the environmental impact assessment. Co-Chair Peirce added that the Development Permit areas are toothless. Susan Yates said that she worries more about the size of the dwellings, the carport, garages, etc., and said that it's not about the build out but the environmental impact. The suggestion was made that there should not be a house of more than 2300 sq. feet and the next section of the Official Community Plan should put a limit on the size of houses. The size of the house affects the long-term affordability.

Co-Chair Kathryn Molloy raised discussion about Environmental Goal 7 on page 13, and recommended that it should be stronger. There was further discussion about adding to the social and economic goals such as; *local economic diversity is encouraged through the development of a community economic development plan that considers appropriate land use bylaws and the protection of rural and environmental qualities of the Local Trust Area.*

Co-Chair Molloy recommended that the definition of *family* be deleted from Appendix 1 Definitions. She suggested that it borders on unconstitutional. There was further discussion and it was felt that the definition is there because it was a word used prior to revisions.

VRC-030-2011

It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee recommend that the definition of *family* be removed from the Official Community Plan.

CARRIED
(6 in favor, 2 opposed)

7.2 Timeline Overview for Phase One

The Timeline Overview for the Phase One review of the Official Community Plan was briefly considered and questions clarified by Planner Kazmierowski.

7.3 Referral from the Gabriola Island Local Trust Committee: Steep Slopes and Hazardous Areas

Co-Chair Peirce commented that he and others had prepared a report on the study and would provided the other members with copies. Further discussion was deferred.

7.3.1 Cover Memo dated May 2, 2011; Staff Memo dated April 12, 2011; Final Consultant Report

8. NEXT MEETING

There are no meetings currently scheduled for the Volunteer Review Committee.

VRC-031-2011 It was **MOVED** and **SECONDED** that the Gabriola Island Official Community Plan and Land Use Bylaw Volunteer Review Committee requests the Local Trust Committee schedule another meeting of the Volunteer Review Committee for consideration of item 7.3 of this agenda.

CARRIED
(8 in favor, 0 opposed)

9. ADJOURNMENT

The meeting was adjourned by consensus at 10:44 pm.

Co-Chair

Co-Chair

Recorder