



Gabriola Island Local Trust Committee Regular Meeting Agenda

Date: May 16, 2019
Time: 10:30 am
Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

Pages

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|---|---------------------|---------|
| 1. CALL TO ORDER | 10:30 AM - 10:30 AM | |
| "Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change." | | |
| 2. APPROVAL OF AGENDA | | |
| 3. DELEGATIONS | | |
| 3.1 Sam Betts regarding Huxley Park - GB-DVP-2019.1 | 10:30 AM - 10:35 AM | |
| 4. TOWN HALL | 10:35 AM - 10:45 AM | |
| 5. REPORTS | 10:45 AM - 11:00 AM | |
| 5.1 Trustee Reports | | |
| 5.2 Chair's Report | | |
| 5.3 Electoral Area Director's Report - attached for receipt | | 4 - 4 |
| 6. MINUTES | 11:00 AM - 11:05 AM | |
| 6.1 Local Trust Committee Minutes dated April 11, 2019 – for adoption | | 5 - 12 |
| 6.2 Section 26 Resolutions-Without-Meeting Report dated May 8, 2019 | | 13 - 13 |
| 6.3 Advisory Planning Commission Minutes dated April 8, 2019 - for receipt | | 14 - 16 |
| 6.4 Advisory Planning Commission Draft Minutes dated April 29, 2019 - for receipt | | 17 - 20 |
| 7. BUSINESS ARISING FROM MINUTES | 11:05 AM - 11:30 AM | |
| 7.1 Follow-up Action List dated May 8, 2019 | | 21 - 24 |

7.2	Bylaw No. 302 - for consideration of adoption	25 - 25
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That Gabriola Island Local Trust Committee Bylaw No. 302, cited as "Gabriola Island Local Trust Committee Fees Bylaw, 2018, Amendment No. 1, 2019", be adopted.

8.	APPLICATIONS AND REFERRALS	11:30 AM - 12:30 PM
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8.1	GB-DVP-2019.1 (Regional District of Nanaimo) - Staff Report - for decision	26 - 47
8.2	Thetis Island Local Trust Committee Referral - Request for Response regarding Bylaw No. 103	48 - 49

----- BREAK 12:30 PM TO 12:50 PM -----

9.	LOCAL TRUST COMMITTEE PROJECTS	12:50 PM - 1:15 PM
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9.1	Housing Options and Impacts Review Project - Memorandum	50 - 50
9.2	Cannabis Land Use Regulations - Staff Report - for decision	51 - 57

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

11.	NEW BUSINESS	1:15 PM - 1:30 PM
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11.1	Islands Trust 2018-2019 Annual Report - Memorandum - for decision	58 - 58
11.2	Public Engagement on Gabriola Island for Visions 2099 - The Future of the islands in the Salish Sea - Staff Report - for decision	59 - 100
11.3	Water Balance Project	

12.	REPORTS	1:30 PM - 2:00 PM
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12.1	Climate Change Action Update	
12.2	First Nations Relationship Building - Update from Trustee Colbourne	
12.3	Trust Conservancy Report dated March, 2019	101 - 102
12.4	Applications Report dated May 8, 2019	103 - 110
12.5	Trustee and Local Expense Report dated March, 2019	111 - 111
12.6	Adopted Policies and Standing Resolutions	112 - 115
12.7	Local Trust Committee Webpage	

- 13. WORK PROGRAM** 2:00 PM - 2:15 PM
- 13.1 Top Priorities Report dated May 8, 2019 116 - 116
- 13.2 Projects List Report dated May 8, 2019 117 - 120
- 14. UPCOMING MEETINGS**
- 14.1 Next Regular Meeting Scheduled for Thursday, June 27, 2019 at The Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC
- 15. ADJOURNMENT** 2:15 PM - 2:15 PM

Date: May 16 2019

To: Gabriola Island Trust Committee

From: Vanessa Craig, RDN Director Area B

Subject: Electoral Area Director's Report

- Village Way Trail update: as of early March, the Ministry of Transportation and Infrastructure confirmed their support of the Village Way Path design. The RDN has committed an additional \$20,000 in Community Works Funds to complete the final project plan and operating plan.
- The public input on the draft Strategic Plan is being compiled and will be incorporated in the revised Strategic Plan. The eight focus areas in the draft plan include: 1. To become leaders in climate change and adaption, 2. To protect and enhance the natural environment, 3. To promote affordable housing, 4. To provide effective land use planning and responsible asset management, 5. To provide opportunities for effective movement throughout the region, 6. To “set the table” to promote diverse economic opportunities, 7. To improve the governance and awareness of the RDN, and 8. To make the region a safe and vibrant place for all. To read more, see: <https://www.getinvolved.rdn.ca/rdntalks-priorities>
- The inaugural meeting between the Drinking Water and Watershed Protection (DWWP) Action Plan Steering Committee and the RDN's Technical Advisory Committee began the process of updating the Action Plan. I was happy to see Trustee Scott Colbourne in the audience. The Islands Trust does have representation on the Technical Advisory Committee, and I suggested during our visioning process that having additional involvement from local trustees would be useful. I would appreciate the Islands Trust's support in ensuring that Area B residents are well represented in this process by spreading the word about a survey on drinking water and watershed protection, which is open until May 27th. People who take the survey can be entered to win a rain barrel! <https://www.getinvolved.rdn.ca/dwwp-action-plan-update-2019>
- Some other activities that might be of interest:
 - The Board approved a revised Policy for groundwater assessment requirements for rezoning unserviced lands and development permits. The staff report is available here: <https://rdn-pub.escribemeetings.com/filestream.ashx?DocumentId=7779>
 - The RDN Board supported partnering with the Comox Valley Regional District and the Cowichan Valley Regional District to implement a performance monitoring program for a new waste technology in Nova Scotia (Sustane Chester) <https://rdn-pub.escribemeetings.com/filestream.ashx?DocumentId=7680>

Upcoming:

- I will hold office hours at the Islands Trust office on May 6th and on May 27th from 2-4 pm. I very much appreciate the support of the Islands Trust in allowing me to use the space.
- At the end of May, MOTI personnel will come to Gabriola to discuss issues of concern to Area B residents. I welcome participation by the Islands Trustees.
- Also at the end of May, RDN staff will be visiting Gabriola to discuss issues around waste management with the Fire Chief. I also welcome Islands Trustee participation in this meeting.

Respectfully submitted,
Vanessa Craig



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: April 11, 2019

Location: Gabriola Commons, Large Meeting Room, Farm House, Upstairs
675 North Road, Gabriola, BC, V0R 1X5

Members Present: Dan Rogers, Chair
Kees Langereis, Local Trustee
Scott Colbourne, Local Trustee

Staff Present: Ann Kjerulf, Regional Planning Manager
Warren Dingman, Bylaw Compliance and Enforcement Officer
Nadine Mourao, Recorder

Others Present: There were approximately three (3) members of the public and one (1) member of the media 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."

Chair Rogers called the meeting to order at 10:38 am. He 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

The following additions / amendments to the agenda were presented for consideration:

- Added 11.2 Request for support email from Brenda Fowler at People for a Healthy Community on Gabriola Society (PHC);
- Added 11.3 Request Staff to advertise for expressions of interest for the Gabriola Island Advisory Planning Commission (APC); and
- Moved 9. Delegations prior to 3. Town Hall.

By general consent the agenda was approved as amended.

3. TOWN HALL - none

4. REPORTS

4.1 Trustee Reports

Trustee Colbourne reported the following:

- Attended Islands Futures Round table along with the representatives of Gabriola Ferry Advisory Committee (FAC) and Gabriola Community Bus (GERTIE);

- Collected housing data from the Gabriola Health & Wellness Collaborative, PHC, and Angela Pounds, Gabriola Social Worker and now looking for outside funding and support;
- BC Ferries is consulting the public on replacing their Queen class ferries, looking for feedback on customer experience; and
- Toured the Highlands Council Eco-Sense farm in Victoria.

GB-2019-037**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee accept the Highlands Council Municipal Survival Climate Challenge.

CARRIED

Trustee Langereis reported on his attendance at the following meetings:

- With Lisa Wilcox, Intergovernmental Policy Advisor;
- Regional District of Nanaimo (RDN); and
- Trust Council (TC);

4.2 Chair's Report

Chair Rogers reported his attendance at meetings and on the following:

- TC where the budget was adopted and the Intergovernmental Policy Advisor position was made permanent;
- Meeting with the Squamish First Nation;
- Association of Vancouver Island and Coastal Communities (AVICC) meeting;
- Executive Committee (EC) meeting, the proposal for the Trust Engagement Policy Statement renewal will be coming through Trust Programs Committee (TPC) with an ambitious engagement process;
- Reminder that the Community Stewardship award nominations are due shortly; and
- Upcoming changes to Staff hours calculations due to changes to the union agreement, see upcoming communication.

4.3 Electoral Area Director's Report

Received for information.

5. MINUTES**5.1 Local Trust Committee Minutes dated February 28, 2019 – for adoption**

By general consent the Local Trust Committee meeting minutes of February 28, 2019 were adopted.

5.2 Local Trust Committee Public Hearing Record dated February 28, 2019 - for receipt

Received for information.

5.3 Section 26 Resolutions-Without-Meeting - none**5.4 Advisory Planning Commission Draft Minutes dated March 20, 2019 - for receipt**

Received emailed Advisory Planning Commission Draft Minutes dated April 8, 2019.

Trustees noted GB-APC-2019-001 regarding density measurement being added to the “In Scope” section of the “Housing Options and Impacts Review Project Charter” and received it for information.

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated April 2, 2019

Received for information.

6.2 Standing Resolution on First Nations Relationship Building - Update from Trustee Colbourne

Trustee Colbourne provided an update and noted the following:

- Anticipated draft letter to First Nations will be included at next Local Trust Committee (LTC) meeting for approval; once approved it will be disseminated to the 8 First Nations with interests in Gabriola Island.

6.3 Enforcement of Limited Public Market Provisions in the Land Use Bylaw - Standing Resolution - Staff Report

Warren Dingman, Bylaw Compliance and Enforcement Officer summarized the report which asked the LTC to consider adopting an enforcement policy via standing resolution for limited public markets.

Discussion ensued and the following key points were noted by Trustees:

- That no further complaints have been received regarding indoor limited public markets;
- Requested Staff replace “Gabriola Agriculture Association” with “Gabriola Agricultural Association Co-op”; and
- Requested the review of limited public market definition and regulations be added to the Projects List.

GB-2019-038

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to limited public markets:

- a) Islands Trust Bylaw Enforcement Staff are directed to not enforce Section B.6.2 of Gabriola Island Land Use Bylaw No. 177, 1999 when limited public markets are operated indoors, but rather to inform the operators of the applicable land use regulations;
- b) This enforcement policy does not permit violation of the Land Use Bylaw and the Gabriola Island Local Trust Committee may at any time, by resolution, modify or rescind this policy or give direction to expand enforcement activities.

CARRIED

GB-2019-039

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to place “Review of limited public market definition and regulations” on its Projects List.

CARRIED

6.4 Secondary Suite Covenants - Standing Resolution for Signatories - Staff Report

Planning Manager Kjerulf summarized the report which asked the LTC to consider a standing resolution to assign signatories for standard secondary suite covenants on Gabriola. The registration of a covenant is a requirement of subsection B.6.6.8 of the Gabriola Island Land Use Bylaw No. 177 (LUB), for the construction of new secondary suites on appropriately zoned parcels, outside of the provincial Agricultural Land Reserve (ALR) boundaries.

Trustees noted the following:

- Requested that the words “by both Local Trustees” of the LTC be replaced with “two members” of the LTC in case of absences.

GB-2019-040

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee adopt the following standing resolution:

that the Gabriola Island Local Trust Committee is authorized to enter into section 219 covenants, in the form of the ‘Model Covenant for Secondary Suites’ attached and in satisfaction of subsection B.6.6.8 of the Gabriola Island Land Use Bylaw No. 177, provided that such covenants must be executed on behalf of the Local Trust Committee by two members of the Local Trust Committee.

CARRIED

6.5 Section 219 Covenant (Secondary Suite) (1430 Hess Road) – Memorandum

The standing resolution GB-2019-039 was passed and outlines the authorization process for Section 219 Covenant (Secondary Suite) (1430 Hess Road).

7. APPLICATIONS AND REFERRALS - none

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Proposed Bylaw No. 301 (Cycle Route Plan) – Memorandum

GB-2019-041

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 301, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2019”, be forwarded to the Minister of Municipal Affairs and Housing for approval.

CARRIED

8.2 Housing Options and Impacts Review Project – Memorandum

Received for information.

9. DELEGATIONS

Dave Teichroeb spoke as a neighbourhood representative in opposition to the usage of well water by Silva Bay Marina on PID 003-081-621.

10. CORRESPONDENCE

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

By general consent the meeting was recessed at 11:58 am and reconvened at 12:05 pm.

11. NEW BUSINESS

11.1 Bylaw No. 302 - Minor Technical Amendment to Gabriola Fees Bylaw - Staff Report

Planning Manager Kjerulf provided an overview of the report which asked the LTC to consider amending Gabriola Island Local Trust Committee Fees Bylaw, 2018 to correct a technical error in section 3.2, which inadvertently references Tables 2, 3, and 4.

GB-2019-042

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 302, cited as "Gabriola Island Local Trust Committee Fees Bylaw, 2018, Amendment No. 1, 2019" be amended by replacing the word "and" with "or" in paragraph 2 subsection 1.

CARRIED

GB-2019-043

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 302, cited as "Gabriola Island Local Trust Committee Fees Bylaw, 2018, Amendment No. 1, 2019", be read a first time.

CARRIED

GB-2019-044

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 302, cited as "Gabriola Island Local Trust Committee Fees Bylaw, 2018, Amendment No. 1, 2019", be read a second time.

CARRIED

GB-2019-045

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 302, cited as "Gabriola Island Local Trust Committee Fees Bylaw, 2018, Amendment No. 1, 2019", be read a third time.

CARRIED

GB-2019-046

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 302, cited as "Gabriola Island Local Trust Committee Fees Bylaw, 2018, Amendment No. 1, 2019", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

11.2 REQUEST FOR SUPPORT – letter of support requested from Brenda Fowler, PHC email dated April 8, 2019 forwarded to LTC on April 9, 2019

Received email requesting a letter of support from the LTC regarding the shortage of home care support on Gabriola Island and supportive of the People for a Healthy Community (PHC) recruitment program for home care assistants for inclusion in PHC's grant application.

GB-2019-047**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee supports in principal the application of People for a Healthy Community on Gabriola Society, related to the program to address the shortage of Home Care Support workers and will address a letter of support via resolution without meeting.

CARRIED

11.3 Request Staff to advertise for expressions of interest for the Gabriola Island Advisory Planning Commission

GB-2019-048**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to advertise for expressions of interest for the Gabriola Island Advisory Planning Commission.

CARRIED**12. REPORTS****12.1 Trust Conservancy Report - none****12.2 Applications Report dated April 2, 2019**

Received for information.

12.3 Trustee and Local Expense Report dated February, 2019

Received for information.

12.4 Adopted Policies and Standing Resolutions

Trustees noted that the standing resolution on communication towers and antennae included reference to “both” local newspapers and required update as there is currently one local newspaper.

GB-2019-049**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee amend the following standing resolution:

that the Gabriola Island Local Trust Committee amend the communication towers standing resolution by removing the word “both” in the second bullet.

CARRIED**12.5 Local Trust Committee Webpage**

Trustee Colbourne has submitted his biography and will talk to the Chair and Trustees about common reports for posting to the website.

13. WORK PROGRAM**13.1 Top Priorities Report dated April 2, 2019**

Received for information.

13.2 Projects List Report dated April 2, 2019

Received for information.

14. CLOSED MEETING**14.1 Motion to Close the Meeting****GB-2019-050****It was MOVED and SECONDED**

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a), (f), and (m) for the purpose of considering Appointment of Housing Advisory Planning Commission Members, Bylaw Enforcement, receipt of advice that is subject to solicitor-client privilege, and Adoption of In-Camera Minutes dated November 2, 2018 and November 22, 2018 and that the Recorder and Staff attend the meeting.

CARRIED

Chair Rogers closed the meeting to the public at 12:36 pm.

14.2 Recall to Order

By general consent the meeting was recalled to order at 1:35 pm.

14.3 Rise and Report

Chair Rogers reported that the Local Trust Committee had considered a bylaw enforcement matter, received legal advice and adopted in-camera minutes.

14.4 Motion to Close the Meeting**GB-2019-051****It was MOVED and SECONDED**

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a) for the purpose of considering Appointment of Housing Advisory Planning Commission Members and that Staff attend the meeting.

CARRIED

Chair Rogers closed the meeting to the public at 1:44 pm

14.5 Recall to Order

By general consent the meeting was recalled to order at 2:16 pm

14.6 Rise and Report

Chair Rogers reported that the Local Trust Committee has appointed Angela Pounds, Dave Needs, John Woods, Heather Cameron, Dyan Dunsmoor-Farley, Howard Houle, Steve Earle and Toby Elliott to the Gabriola Housing Advisory Planning Committee and has also kept a position open for a Snuneymuxw First Nation representative.

15. UPCOMING MEETINGS**15.1 Next Regular Meeting Scheduled for Thursday, May 16, 2019 at the Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC**

16. ADJOURNMENT

By general consent the meeting is adjourned at 2:28 pm.

Dan Rogers, Chair

Certified Correct:

Nadine Mourao, Recorder



Islands Trust

Gabriola Island

Print Date: May 8, 2019

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2019-01	In Favour	THAT the Gabriola Island Local Trust Committee authorize planning staff to coordinate the work of the Advisory Planning Commission in order to conduct short interviews with representatives of various Gabriola Island community groups, to solicit perspectives on the issues being considered in the Housing Options and Impacts Review Project, and that Information collected will be incorporated into a background document to preface the draft 'Communication and Engagement Strategy'.	30-Apr-2019



Minutes of the Gabriola Island Advisory Planning Commission

Date of Meeting:	Monday April 8, 2019
Location:	Islands Trust Office 700 North Road, Gabriola, BC
APC Members Present:	Jeff Malmgren, Chair Angela Pounds Tatha Cornish Bob Andrew Anne Landry Bill McCaugherty
Regrets:	Penelope Bahr, Secretary Stuart Denholm
Staff Present:	Sonja Zupanec, Island Planner Nadine Mourao, Recorder
Others Present:	There were approximately three (3) members of the public in attendance

1. CALL TO ORDER

Chair Malmgren called the meeting to order at 8:03 am.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved.

3. MINUTES

3.1 Gabriola Island Advisory Planning Commission Draft Minutes dated March 20, 2019 – for Adoption

By general consent, the Advisory Planning Commission meeting minutes of
March 20, 2019 were adopted.

4. HOUSING OPTIONS AND IMPACT: REVIEW PROJECT CHARTER AND DEVELOPMENT OF A DRAFT ENGAGEMENT AND COMMUNICATION STRATEGY

4.1 Presentation by Sonja Zupanec, Island Planner - None

Chair Malmgren provided the following handouts:

- “Development Process” which outlined Session I through Session V. Session II dated April 8, 2019 noted the following points:
 - Review of proposed process;
 - Review of success elements and principles;
 - Identification of story themes – basis for communications;
 - Identification of gaps and input opportunities;
 - Review timeline and schedule for strategy development process;
- “What does success look like?” which included the following principles:
 - Inclusion:
 - Age groups are heard;
 - Different community demographics are engaged in the process;
 - People of different ideas of the issue can hear each other and find common ground;
 - People feel respected;
 - Empowerment:
 - Community feels the decision has come from them, not above;
 - The community feels ownership of the project;
 - The community feels heard;
 - The selected option reflects multiple interests;
 - The Local Trust Committee (LTC) feels supported to make decisions/enact strategy;
 - Wholly and equitably informed:
 - Wide ranging data is considered or developed;
 - The community understands the history of the project;
 - The community is informed about the objectives and the process;
 - Innovative:
 - Community, Staff and Trustees are inspired to consider new ways of looking at old problems;
 - Engagement as an ongoing process:
 - There are processes in place for continuing engagement; and
 - People look forward to future engagement.

Discussion ensued regarding “What does success look like?” and the following key points were noted by Advisory Planning (APC) members:

- Addition of an environmental principle;
- Inclusion of the core Islands Trust values;
- Addition of the inherent priority to include First Nations interests in process;
- Brainstormed on “why is there a need to increase housing options” and “what are the driving issues?” Main topics or themes were identified:
 - Diversity;
 - Cost;
 - Environmental;
 - Risk;
 - Economic;

- Identified community groups as sources of information on areas that are driving a need to review the housing options and build the story:
 - People for a Healthy Community (PHC);
 - Trust Conservancy;
 - Gabriola Health & Wellness Collaborative;
 - Gabriola Housing Society;
 - Sustainable Gabriola;
 - Village Vision;
- Identified need for individual personal impact stories;
- Inclusion of historical data and stories;
- Brainstormed on “what do you think will worry people about this process?” and noted the following two areas of concern:
 - The process itself – all talk and no action;
 - The outcome of the process – increased density, negative environmental impact etc.;
- Purpose of the engagement process is to clearly identify the change wanted on Gabriola and charge Staff and the LTC to enable this change on a legislative basis with potential improvements to bylaws;
- Chair Malmgren suggested that he will email APC members to follow up with next steps and requested that APC members continue to be responsive on email due to the tight timelines; and
- Chair Malmgren requested Staff to set up cloud document sharing.

5. FUTURE MEETING DATES

Requested to meet every couple of weeks and Staff send out a Doodle Poll for possible meeting dates.

6. ELECTION OF APC VICE-CHAIR

Deferred to the next meeting.

7. ADJOURNMENT

By general consent, the meeting was adjourned at 9:30 am.

Jeff Malmgren, Chair

Certified Correct:

Nadine Mourao, Recorder



Minutes of the Gabriola Island Advisory Planning Commission

Date of Meeting: Monday April 29, 2019

Location: Islands Trust Office
700 North Road, Gabriola, BC

APC Members Present: Jeff Malmgren, Chair
Angela Pounds
Bob Andrew
Anne Landry
Penelope Bahr, Secretary

Regrets: Tatha Cornish
Bill McCaugherty
Stuart Denholm

Staff Present: Sonja Zupanec, Island Planner
Nadine Mourao, Recorder

Others Present: There were approximately three (3) members of the public

1. CALL TO ORDER

Chair Malmgren called the meeting to order at 8:00 am.

2. APPROVAL OF AGENDA

By general consent, the agenda was approved.

3. MINUTES

3.1 Gabriola Island Advisory Planning Commission Draft Minutes dated April 8, 2019 – for Adoption

The following amendments to the Local Trust Committee meeting minutes of April 8, 2019 minutes were presented for consideration:

- Change “August” to “April” in first bullet under 4.1 Presentation by Sonja Zupanec.

By general consent, the Advisory Planning Commission meeting minutes of April 8, 2019 were adopted as amended.

4. HOUSING OPTIONS AND IMPACT: DRAFT ENGAGEMENT AND COMMUNICATION STRATEGY

Staff to set up online drop box type account for sharing documents with Advisory Planning Commission (APC) members.

Chair Malmgren provided an overview of Development Process Session III which noted:

- Review of story and themes;
- Identification of key stakeholders/engagement targets;
- Connection between story themes and stakeholders;
 - Prioritization process.

Chair Malmgren provided a handout “Story Themes for Engagement Strategy” which noted the following:

- Housing issues:
 - Community and housing diversity;
 - Cost of housing/affordability;
 - Environmental issues;
 - Economic impact of current housing situation;
 - Community at risk;
- Housing review process;
 - History and sources of information (data and stories);
 - Credibility of process;
 - What will people worry about;
 - About the process.

Discussion ensued and the following key points on “Housing Issues” were noted by members:

- Add to *Cost of housing/affordability*:
 - Stories to find:
 - People having left or not able to reside on Gabriola long term;
 - Inability to afford a down payment and move from rental to home ownership;
 - Impact of migration out of the Lower Mainland on housing prices;
 - Input from local builders and real estate agents to show trend in housing costs and home building prices;
 - Data:
 - Housing Forum report;
 - Comparative of current and historical income to rental/home ownership affordability ratio;
 - Housing Needs Assessment;
 - BC Housing projections;
 - Interviews:
 - Welcome Wagon;

- Local home builders;
 - Local real estate agents;
- Add to *Environmental issues*:
 - Water;
 - Protection of Coastal Douglas Fir Eco System;
 - Stories to find:
 - Rigour around *Water Sustainability Act* have made it more challenging to finance and set up a community water system for multi-family buildings;
 - First Nations history of Gabriola;
 - Data:
 - Protecting the Coastal Douglas Fir Toolkit;
 - Current Gulf Island multi-family building project experiences;
 - Interviews:
 - Stream Keepers;
 - GROWLS;
 - Department of Fisheries and Oceans;
 - Trust Conservancy;
 - GALT;
 - Snuneymuxw First Nations;
- Add to *Economic impact of current housing situation*:
 - Stories to find:
 - Short/long term development impact on current housing issues;
 - Impact on starting a business;
 - Percentage of primary versus seasonal residency;
 - Interviews: Julie Sperber, Community Economic Development Officer;
 - Data:
 - Housing momentary snapshot;
 - Build out map to demonstrate if all parcels were subdivided to maximum build out;
 - Housing Needs Assessment;
- Add increase of interpersonal violence to *Community at risk*.

The following points on “Housing Review Process” was noted by members:

- Clearly define the process and the ability of Staff to educate applicants and assist developers on the process, however, IT will not build affordable housing buildings;
- Manage expectations;
- Ensure Engagement Strategy is a plain language communication tool to educate the public on the process;
- Draft organizational request / collection of stories to find:
 - Staff to contact organizations or individuals and send email requesting interview with an APC member;
 - Staff to provide list of identified individuals to the APC members to contact for a 15 - 20 minutes interview;
 - Staff to provide APC members with interview questionnaire template;
 - APC members to provide the interview results to Staff by the end of May 2019;

5. ELECTION OF APC VICE-CHAIR

Deferred to the next meeting.

6. CONFIRMATION OF NEXT MEETING

Secretary Bahr to reschedule the next two APC meetings, Chair Malmgren will send dates of availability.

7. ADJOURNMENT

By general consent, the meeting was adjourned at 9:23 am.

Jeff Malmgren, Chair

Certified Correct:

Nadine Mourao, Recorder

Follow Up Action Report

Gabriola Island

16-Aug-2018

Activity	Responsibility	Dates	Status
1 Staff to advise LTC on how to integrate conservation data and mapping resources when considering projects and applications.	Sonja Zupanec		In Progress
2 Staff to verify the mechanism for transferring density into the Gabriola density bank.			In Progress

22-Nov-2018

Activity	Responsibility	Dates	Status
3 GB-DVP-2018.6 (Durrance) - LTC resolution to defer consideration until receipt of a BCLS signed plan showing all setbacks to structures within 15 and 30 m of the natural boundary of Goodhue Creek; professional report addressing siting and operation of sewage disposal system as per staff recommendations. To be returned for LTC consideration.	Sonja Zupanec		In Progress

Follow Up Action Report

Gabriola Island

24-Jan-2019

Activity	Responsibility	Dates	Status
4 LTC endorsed the Ecological Protection Zone Project Charter v1 - with the amendment to the fourth bullet under 'Objectives' to read: "Ensure proposed policy/regulatory changes are consistent with the Object of the....Policy Statement, the protection of the coastal Douglas-fir and Associated Ecosystems Toolkit and with focus on...."	Ian Cox		In Progress
5 Staff to prepare a draft letter under the signature of the LTC chair to advise the First Nations with an interest in the Gabriola LTA of the LTC's Top 3 Priority Projects currently underway.	Sonja Zupanec		In Progress



Follow Up Action Report

Gabriola Island

11-Apr-2019

Activity	Responsibility	Dates	Status
6 LTC accepted the Highlands' climate change survival challenge			In Progress
7 OCP Bylaw No. 301 (cycle route plan) forwarded to the Minister of Municipal Affairs and Housing for approval.	Becky McErlean Sonja Zupanec		Completed
8 LTC adopted the following standing resolution: 1.The Gabriola Island LTC is authorized to enter into s. 219 covenants in the form of the Model Covenant for Secondary Suites, provided the covenants are executed by two members of the LTC.ï»¿	Becky McErlean Penny Hawley Sonja Zupanec		Completed
9 Bylaw No. 302 (Minor Technical Amendment to the Gabriola Fees Bylaw) given three readings and forwarded to the Secretary of the Islands Trust for Executive Committee approval.	Becky McErlean		Completed
10 LTC supported PHC application for homecare support workers in principle and will address a letter of support via resolution without meeting.	Ann Kjerulf		In Progress
11 LTC requested staff to seek expressions of interest for new appointments or reappointments to the Gabriola Advisory Planning Commission.	Penny Hawley		In Progress
12 GB-025-2010 (communication towers and antennae) standing resolution amended to remove the word 'both' before 'local newspapers'.	Penny Hawley		Completed

Follow Up Action Report

Gabriola Island

11-Apr-2019

Activity	Responsibility	Dates	Status
13 LTC adopted the following standing resolution: 1. Islands Trust Bylaw Enforcement Staff are directed to not enforce Section B.6.2 of Gabriola Island Land Use Bylaw No. 177, 1999 when limited public markets are operated indoors, but rather to inform the operators of the applicable land use regulations; 2. This enforcement policy does not permit violation of the Land Use Bylaw and the Gabriola Island Local Trust Committee may at any time, by resolution, modify or rescind this policy or give direction to expand enforcement activities.	Penny Hawley Warren Dingman		Completed
14 LTC appointed the following individuals to the Gabriola Housing Advisory Planning Commission: Angela Pounds, Dave Needs, John Woods, Heather Cameron, Dyan Dunsmoor-Farley, Howard Houle, Steve Earle, and Toby Elliott, and kept one position open for a Snuneymuxw First Nation representative.	Penny Hawley Sonja Zupanec		In Progress

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 302

A BYLAW TO AMEND THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE FEES BYLAW, 2018

WHEREAS Section 462 of the *Local Government Act* provides that a local government may, by bylaw, impose fees related to applications and inspections;

NOW THEREFORE the Gabriola Island Local Trust Committee, being the trust committee having jurisdiction in respect of the Gabriola Island Local Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Local Trust Committee Fees Bylaw, 2018, Amendment No. 1, 2019”.

2. Gabriola Island Local Trust Committee Bylaw No. 300, cited as “Gabriola Island Local Trust Committee Fees Bylaw, 2018” is amended as follows:

1. Part 3 Application Fees, in Section 3.2 – delete “, Table 2, Table 3 or Table 4”.

READ A FIRST TIME THIS 11TH DAY OF APRIL , 2019

READ A SECOND TIME THIS 11TH DAY OF APRIL , 2019

READ A THIRD TIME THIS 11TH DAY OF APRIL , 2019

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

8TH DAY OF MAY , 2019

ADOPTED THIS DAY OF , 201X

Chair

Secretary

DATE OF MEETING: May 16, 2019

TO: Gabriola Island Local Trust Committee

FROM: Bronwyn Sawyer, Planner 2
Northern Team

COPY: Ann Kjerulf, Regional Planning Manager

SUBJECT: Development Variance Permit Application – Lot Coverage and Setbacks (Huxley Park)
Applicant: Regional District of Nanaimo
Location: 585 North Road, Gabriola Island

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee waive the requirement to provide a plan signed by BC Land Surveyor as per Gabriola Island Land Use Bylaw No. 177, A.3.5.1 *Enforcement of Siting Regulations* for application GB-DVP-2019.1 (Regional District of Nanaimo).
2. That the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit GB-DVP-2019.1 (Regional District of Nanaimo) with the following variances to Gabriola Island Land Use Bylaw No. 177, 1999:
 - a) To reduce the setback for the construction of a skate park structure from 6.0 metres to 3.0 metres;
 - b) To reduce the setback for an existing playground structure from 6.0 metres to 5.5 metres; and
 - c) To increase the maximum combined lot coverage by buildings and structures from 20 percent to 35 percent of the lot area.

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider Development Variance Permit (DVP) application GB-DVP-2019.1. The applicant seeks to vary the Gabriola Island Land Use Bylaw (LUB) as follows: to reduce the setback from a lot line from 6.0 metres to 5.5 metres (existing playground structure); to reduce the setback from a lot line from 6.0 metres to 3.0 metres (new skate and bike park); and to increase the maximum combined lot coverage by buildings and structure from 20 percent of the lot area to 35 percent. The variance would facilitate the construction of a skate and bike park, which will be located in the northeast corner of Huxley Park – the subject property – extending south alongside the existing tennis courts.

BACKGROUND

The Regional District of Nanaimo (RDN) has made the application in support of constructing a skate and bike park and installing a cistern in Huxley Park (Figure 1). The 0.79 hectare park is extensively developed with two tennis courts, a sport (ball/hockey) court, storage sheds, bleachers, a paved surface used for various activities, unpaved parking lot and a newer playground structure (Figure 2).

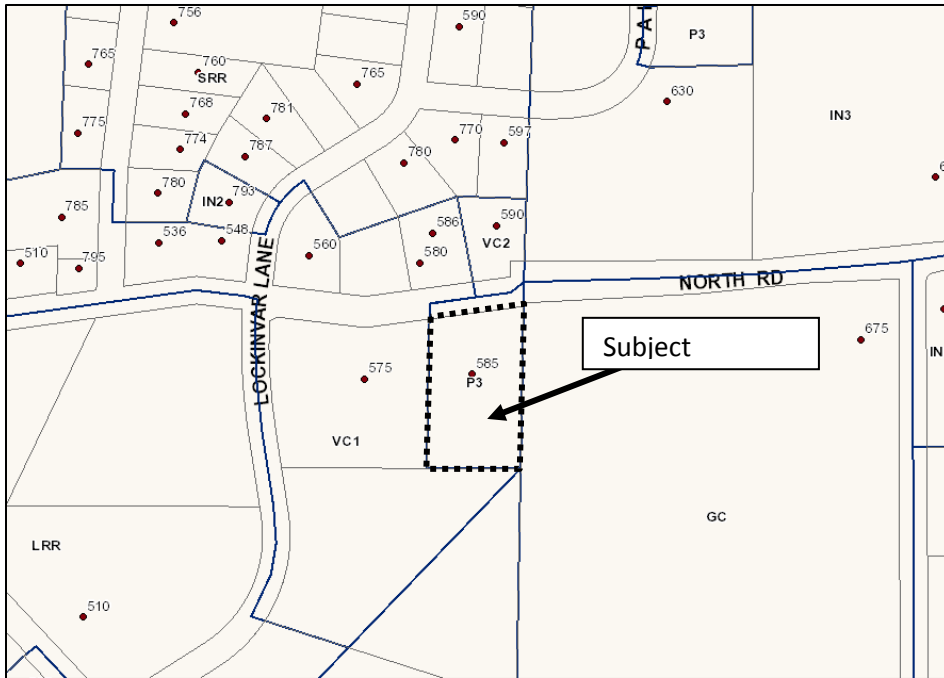


Figure 1: Subject Property - Location

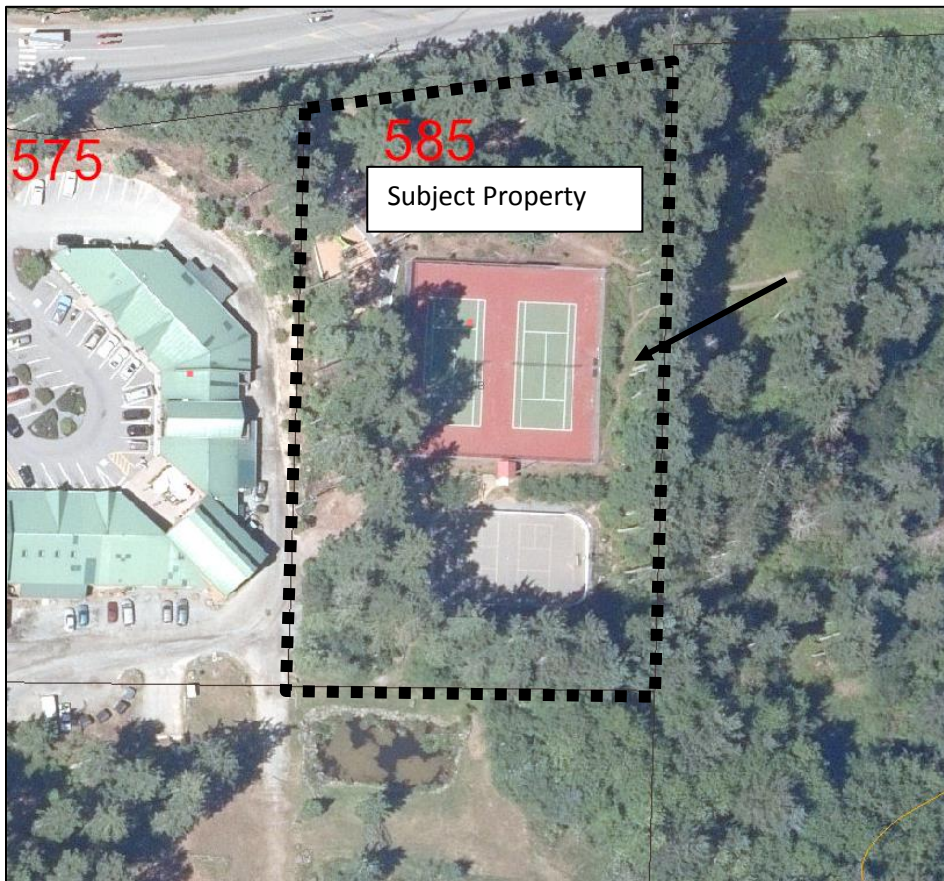


Figure 2: Subject Property - Air Photo

In support of this request, the application states the following: “In preparing the Park Master Plan, the community was consulted and the majority of respondents supported the construction of a skate and bike park in the proposed location in Huxley Park. The RCMP were consulted as part of the Master Planning process - they supported a skate park in full view of North Road as a way to increase user safety. Both east and west neighbours have been consulted regarding the construction of a skate park at the proposed location and the required setback variance – neither have expressed concerns”.

There is an informal skate park area that exists at the southern part of the property. The applicant has expressed a commitment to replace this hard surface area with a permeable surface such as gravel or grass. By removing this structure, the lot coverage calculation would be reduced.

A preliminary staff report was prepared and presented at the February 28th, 2019 LTC meeting.

ANALYSIS

Policy/Regulatory

Attachment 1 addresses the subject site context.

Islands Trust Policy Statement:

Relevant Guiding Principles:

- Trust Council will seek information from a broad range of sources in its decision-making processes, recognizing the importance of local knowledge in this regard.
- Trust Council believes that open, consultative public participation is vital to effective decision making for the Trust Area.

Ecosystem Preservation and Protections: Recommendation

- 3.2.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect forested areas through voluntary donation, acquisition, conservation covenant and careful management.

Commitment of Trust Council

- 5.2.2 Trust Council holds that tree cover on the islands is of great importance and should be preserved.
- 5.5.1 It is Trust Council’s policy that recreational activities in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.8.5 It is the position of Trust Council that the development and maintenance of healthy communities in the Trust Area through the process described in the Provincial Ministry of Health’s “Healthy Communities Program” should be encouraged.

The policy statement provides some direction in that it speaks to the protection of trees and also to the development and maintenance of healthy communities. The proposal is found to be not contrary to the *Islands Trust Policy Statement*.

Official Community Plan:

Below is a review of relevant policies and objectives found in Gabriola Island Official Community Plan No. 166 (OCP). OCP section 4.2 *Parks and Outdoor Recreational Use* provides some direction in the review of this

application. The OCP states, “The Islands Trust has no direct jurisdiction over the operation of park sites on Gabriola. Yet, in recognition of the importance of parks and outdoor open space to the overall fabric of the Gabriola community (for residents and visitors alike), the community plan contains a set of objectives and policies intended to outline preferences to the island’s outdoor recreational assets in the future” (p.29). There are three outdoor recreational facilities that are open to the public, which are identified in the OCP: Huxley Park (tennis and basketball courts), Rollo McClay Community Park (ball diamond) and Gabriola Elementary School (playing fields).

Under *Parks and Outdoor Recreation Objectives*, the following apply to parks:

- 4.2.3 To involve the community in parks planning; and
- 4.2.5 To work in cooperation with the Regional District of Nanaimo in acquiring and managing community parks.

Under *Parks and Outdoor Recreation Policies*, the following apply to parks:

- 4.2 f) Where practical, the community’s network of trails should endeavour to connect to public parks and to existing trails within parks.
- 4.2 j) The development of additional community field space in close proximity to the Village Centre or existing playing fields shall be encouraged.
- 4.2 l) The Trust Committee shall work with the Regional District of Nanaimo ensuring a smooth coordination of efforts between the two agencies respecting the securing, use, development and planning for park and outdoor recreational space on Gabriola.

Many of the above-noted OCP statements focus on public participation in the creation and maintenance of Gabriola parks, which were established through the creation of the OCP. The RDN has made the application based on information and feedback they have collected from the community, as stated in the rationale. In reviewing the OCP, it can be determined that the proposed development and application is consistent with the land use designation. The subject property is not in a development permit area.

Land Use Bylaw:

The subject property is zoned Active Recreation Community Park (P3) and the proposed development of skate and bike park is a permitted use in this zone. In the P3 zone, the required minimum setback for a structure is 6.0 metres from any lot line; as proposed, the skate and bike park structure will be 3 metres from the east lot line, requiring a development variance permit. The existing playground structure is located in the setback and is being considered as part of this application (with a variance from 6.0 m to 5.5 m). In the P3 zone, the maximum combined lot coverage by buildings and structures is 20 percent of the lot area. Currently, the lot coverage of existing buildings and structure, as calculated by the applicant, is 27 percent. The requested maximum combined lot coverage to allow the construction of the skate and bike park and associated structures is 35 percent, an increase of 8 percent over the existing lot coverage. The P3 zone regulations are included in Attachment 2.

Issues and Opportunities

Parks Planning

According to the applicant, the community was consulted during the preparation of the Park Master Plan, which included a skate and bike park, and the proposed development was supported by the majority of respondents. The property is zoned appropriately and can be developed in various ways that support active recreation; many of the uses permitted, such as tennis and basketball courts and swimming pools, require a hard surface that contributes to the maximum combined lot coverage calculation.

Tree Removal

Several trees will be removed from the park and, based on a preliminary count of trees identified in the *Tree Retention and Removal Plan*, this number could exceed 50 trees in order to accommodate the skate and bike park development. The removal of trees for the purpose of constructing structures and impervious surfaces has been a concern and there is an expectation that the RDN should address this through their community parks planning process. The Islands Trust has not been involved in detailed planning of Huxley Park. The *Islands Trust Policy Statement* does have language that seeks to protect trees, but the property is not within a development area and no regulation applies to the property to prevent or control the property owner from removing the trees.

Setbacks

The proximity of the skate and bike park to the side yard (3 metres) will be closer than required in the LUB. The 2.75 metre wave feature to be located within the setback at the south end of the skate and bike park may impact shading and privacy along the east property line. The neighbours have been notified and may express concerns or support as part of this process.

Road Safety

Increasing the number of users of the park by way of adding more park infrastructure could merit involving the Ministry of Transportation and Infrastructure (MOTI) and evaluating the speed limit along North Road (MOTI was not notified as part of this development variance permit application). In conversations with the applicant, the RDN has been working to address the issue of drainage and water runoff that might result as part of the skate and bike park development, and is also planning on roadway improvements (pedestrian/cyclist pathway and pedestrian crossings along North Road).

Authority to Vary Lot Coverage

The question has arisen as to whether or not the local trust committee has the authority to vary lot coverage. There may be a perception that lot coverage is a measure of density. The use and density of land can only be altered through a rezoning process. However, the courts have confirmed through case law that local governments have the authority to vary lot coverage.

Consultation

There have been many submissions by the public and this application appears to have elicited a strong response from community members. Although the majority of respondents have been in support of issuing the development variance permit, there have been several letters noting concerns. There is a protocol agreement in place between the RDN and the Islands Trust with a commitment to regular meetings. The level of public interest indicates that a community park planning process would be beneficial.

Statutory Requirements

Notification of this DVP application (Attachment 3) was distributed to neighbouring property owners and tenants within 100 metres in accordance with statutory requirements. At the time of report writing, 96 submissions had been received. Any submissions received following report preparation will be presented at the LTC meeting on May 16, 2019. Of the submissions received, 66 voiced support in issuing permit and 30 voiced objection in issuing the permit. Reasons to support the application included: centrally located to the village centre and the elementary school; easy access to public transportation; and high visibility. Concerns included: loss of forested area; other parks/sites on Gabriola are better suited for this type of development; and the incompatibility and proximity of this use with other park uses within Huxley Park.

Rationale for Recommendation

Staff consider this request unlikely to have a negative impact on neighbouring property owners and finds that the variances would not be contrary to the Islands Trust Policy Statement or OCP, and that the proposed development is consistent with the P3 zone – Active Recreation Community Park. Therefore, staff are recommending that the development variance permit (Attachment 4) be issued. The staff recommendation can be found on Page 1 of this report.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request further information prior to making a decision on application GB-DVP-2019. [specify information required].

2. Deny the application

The LTC may deny the application. If selecting this alternative, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee deny application GB-DVP-2019.1 for the follows reasons [note specific reasons].

NEXT STEPS

If the LTC agrees with the staff recommendation, the Development Variance Permit in Attachment 4 will be issued.

Submitted By:	Bronwyn Sawyer, MCIP, RPP Planner 2	May 3, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	May 9, 2019

ATTACHMENTS

1. Site Context
2. P3 Zone Regulations
3. Notice
4. Draft Development Permit

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	Lot B, Section 20, Gabriola Island, Plan 50404, Nanaimo District
PID	016-001-826
Civic Address	585 North Road, Gabriola Island
Lot Size	0.79 Ha

LAND USE

Current Land Use	Community park with two tennis courts, a sports court, playground and parking.
Surrounding Land Use	West – Village Commercial 1 East – Gabriola Commons South – Village Commercial 1/Agriculture North – North Road; VC1 and VC2

HISTORICAL ACTIVITY

File No.	Purpose
	None on record

POLICY/REGULATORY

Official Community Plan Designations	Park No development permit areas
Land Use Bylaw	Active Recreation Community Park (P3)
Other Regulations	None
Covenants	None
Bylaw Enforcement	Nothing found

SITE INFLUENCES

Islands Trust Fund	Not applicable
Regional Conservation Strategy	Not applicable
Species at Risk	None currently mapped on the subject property
Sensitive Ecosystems	Islands Trust Ecosystem Mapping shows the northern portion covered in young forest while the remainder is identified as developed. Sensitive Ecosystem Mapping shows southern portion covered in Coastal Douglas Fir. Sensitive ecosystem mapped for southeast portion of property. Polygon 50146 CDFmm

	5MF:co DS 6 4NA DS 3 1WN:sp RP 6 5 Ground water vulnerability identified as moderately low to moderate.
Hazard Areas	None identified
Archaeological Sites	Archeological potential has been identified in the area. The owners and applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Loss of forest cover and impermeable surfaces. No mitigation is proposed.
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	Not applicable

D.4.3 Parks 3 – Active Recreation Community Park(P3)

D.4.3.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Parks 3 - Active Recreation Community Park (P3) *zone*:

a. Permitted *Principal* Uses

- i active recreational activities including tot *lots*, and playground equipment
- ii outdoor sport facilities including ball diamonds, tennis and basketball courts, swimming pool and playing fields
- iii indoor sport facilities including swimming pool , gymnasium, and courts for racket sports
- iv special events under permit by the Regional District of Nanaimo

b. Permitted *Accessory* Uses

- i concessions
- ii offices

D.4.3.2 Buildings and Structures

The *buildings* and *structures* permitted in Article B.1.1.2, plus the following *buildings* and *structures* and no others are permitted in the Parks 3- Active Recreation Community Park (P3) *zone*:

a. Permitted *Buildings* and *Structures*

- i *Buildings* and *structures* to accommodate active recreational activities, outdoor sport facilities, indoor sport facilities, concessions and offices.

D.4.3.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Parks 3 – Active Recreation Community Park (P3) *zone*:

a. *Buildings* and *Structure Height* Limitations

- i The maximum *height* of *buildings* and *structures* is 9.0 metres (29.5 feet).

b. *Buildings* and *Structures* Siting Requirements

- i The minimum *setback* for *buildings* or *structures* except a sign, *fence*, or *pump/utility house* is 6.0 metres (19.7 feet) from any *lot line*.

c. *Lot Coverage* Limitations

- i The maximum combined *lot coverage* by *buildings* and *structures* is 20 percent of the *lot area*.

D.4.4 Institutional 1(IN1)

D.4.4.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Institutional 1 (IN1) *zone*:

 Islands Trust	NOTICE GB-DVP-2019.1 (REGIONAL DISTRICT OF NANAIMO) GABRIOLA ISLAND LOCAL TRUST COMMITTEE
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NOTICE is hereby given that the Gabriola Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 498 of the *Local Government Act*, varying subsections of the Gabriola Island Land Use Bylaw No. 177, 1999, as follows:

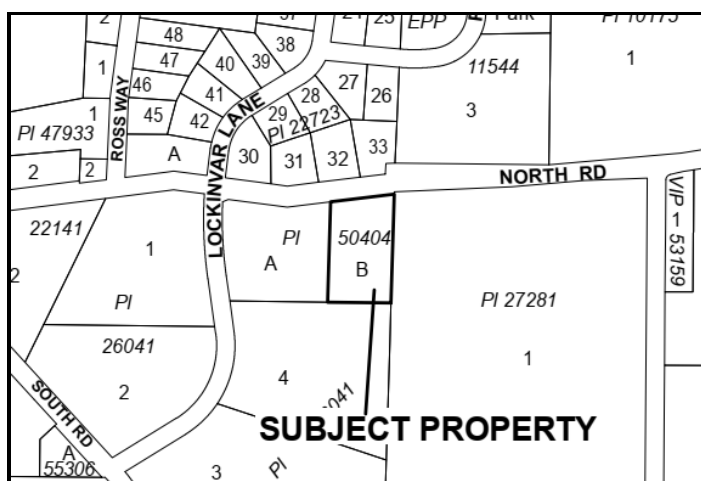
- a) PART D **ZONES**, Section D.4 **RECREATION AND INSTITUTIONAL ZONES**, Subsection D.4.3 **Parks 3 – Active Recreation Community Park (P3)**, Subsection D.4.3.3 **Regulations**, Article D.4.3.3.b. **Buildings and Structures Siting Requirements**, Clause D.4.3.3.b.i: “The minimum setbacks for buildings or structures except a sign, fence, or pump/utility house is 6.0 metres (19.7 feet) from any lot line”;
 - **Is varied** in order to reduce the setback for the construction of a skate park structure from 6.0 metres to 3.0 metres, and
 - **Is varied** to reduce the setback for an existing playground structure from 6.0 metres to 5.5 metres;
- b) PART D **ZONES**, Section D.4 **RECREATION AND INSTITUTIONAL ZONES**, Subsection D.4.3 **Parks 3 – Active Recreation Community Park (P3)**, Article D.4.3.3 **Regulations**, Clause c **Lot Coverage Limitations**, Item i “The maximum combined lot coverage by buildings and structures is 20 percent of the lot area”; and
 - **Is varied** in order to increase the maximum combined lot coverage by buildings and structures from 20 percent to 35 percent.

The subject property is legally described as:

PID 016-001-826

Lot B, Section 20, Gabriola Island, Nanaimo District, Plan 50404

The general location of the subject area is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3, between the hours of 8:30 am and 4:00 pm, Monday to Friday inclusive, excluding Statutory Holidays, commencing **May 3, 2019** and continuing up to and including **May 15, 2019**. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed Permit, please contact Bronwyn Sawyer, Planner, at 250-247-2207; for Toll Free Access request a transfer via Enquiry BC, in Vancouver 604-660-2421 and elsewhere in BC at 1-800-663-7867.

Written submissions should be sent to:

Mail: Islands Trust, 700 North Road
Gabriola Island, BC V0R 1X3
Fax: 250-247-7514
Email: bsawyer@islandstrust.bc.ca

Following the end of the notice period, the Gabriola Island Local Trust Committee may consider issuance of the proposed Permit at its Regular Business Meeting to be held at **10:30 am, Thursday, April 16, 2019, at the Gabriola Arts & Heritage Centre, 476 South Road, Gabriola Island, BC**

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Becky McErlean
Deputy Secretary



**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. GB-DVP-2019.1**

TO: Regional District of Nanaimo

1. This Development Variance Permit applies to the land described below:

PID: 016-001-826

Lot B, Section 20, Gabriola Island, Nanaimo District, Plan 50404

2. Pursuant to Section 498 of the *Local Government Act*, the *Gabriola Island Land Use Bylaw No. 177, 1999* is varied as follows:

- a) PART D **ZONES**, Section D.4.3 **Parks 3 – Active Recreation Community Park (P3)**, Subsection D.4.3.3 **Regulations**, Article D.4.3.3.b. **Buildings and Structures Siting Requirements**, Clause D.4.3.3.b.i: “The minimum setbacks for buildings or structures except a sign, fence, or pump/utility house is 6.0 metres (19.7 feet) from any lot line”; **is varied:**

- To reduce the setback for the construction of a skate park structure from 6.0 metres to 3.0 metres, and
- To reduce the setback for an existing playground structure from 6.0 metres to 5.5 metres;

- b) PART D **ZONES**, Section D.4.3 **Parks 3 – Active Recreation Community Park (P3)**, Subsection D.4.3.3 **Regulations**, Article D.4.3.3.c **Lot Coverage Limitations**, Clause D.4.3.3.c.i: “The maximum combined lot coverage by buildings and structures is 20 percent of the lot area”; **is varied:**

- To increase the maximum combined lot coverage by buildings and structure from 20 percent to 35 percent of the lot area

3. The proposed development shall be consistent with **Schedule “A” – Site Plan, Schedule “B”- Sections, Schedule “C” – Foundations, Schedule “D” – Walls, Schedule “E” – Dimensions, Schedule “F” – Grading, Schedule “G” – Details Sheet 1, Schedule “H” – Details Sheet 2, Schedule “I”- Details Sheet 3, Schedule “J” – Typical Details** which are attached to and form part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Gabriola Island Land Use Bylaw No. 177, 1999 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

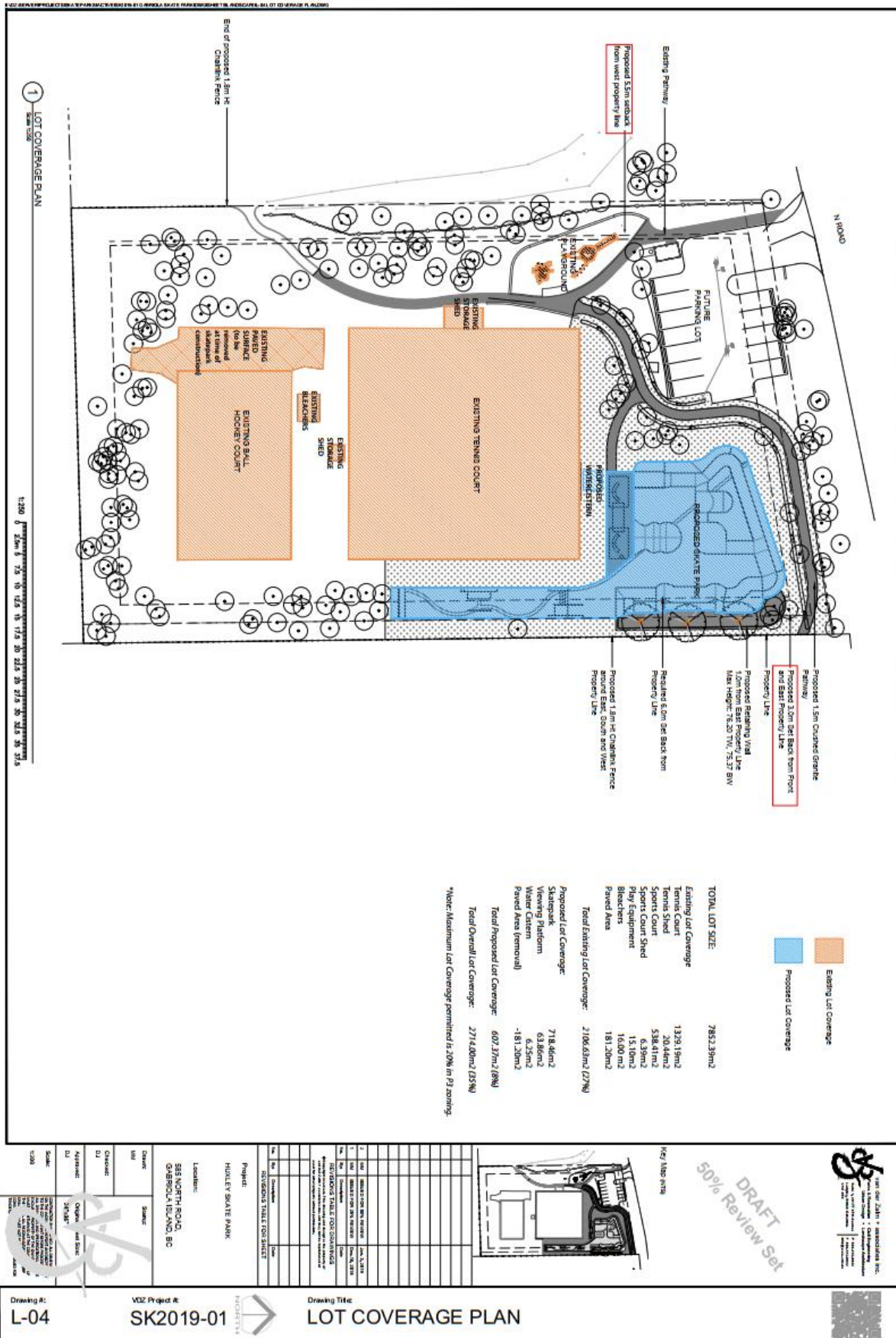
AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS ____ DAY OF _____, 2019.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ____ DAY OF _____, 2021, THIS PERMIT AUTOMATICALLY LAPSES.

Schedule "A" Site Plan





LEGEND	
	SKATEPARK CONCRETE
	150mm A BASE LAYER
	ESTIMATED BASE LAYER PER EXISTING ROAD (ONLY FOR EXISTING ROADS)
	ESTIMATED EXISTING BEDROCK
	ESTIMATED EXISTING MATERIAL
	ESTIMATED EXISTING SAND
	ESTIMATED EXISTING GRADE
	ESTIMATED LIMIT OF EXISTING SAND

	NO	DATE	BY	DESCRIPTION
D	03.26.19	CB		100% ISSUE
C	01.16.19	CB		100% PROGRESS REVIEW
B	01.07.19	CB		DVP APPLICATION
A	12.24.18	CB		50% PROGRESS REVIEW

CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK AND REPORT ANY DISCREPANCY TO THE CONSULTANT BEFORE PROCEEDING. ALL DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF THE OWNER AND MUST BE RETURNED AT THE COMPLETION OF THE WORK.

PROJECT: HUXLEY SKATEPARK

LOCATION:

DRAWN:	CB	START DATE:	01.03.2017
CHECKED:	JB		
APPROVED:	JB		

DRAIVING
TITLE:

TITLE:
SECTIONS

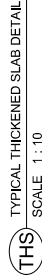
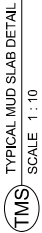
SCALE: 1" = 10'-0"	PAGE SIZE: 345x225
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SCALE: AS SHOWN	PAGE SIZE: 24 X 36
PROJECT NUMBER:	

PROJECT NUMBER: SK2016-39

REV

DRAWING NUMBER:

[illegible]

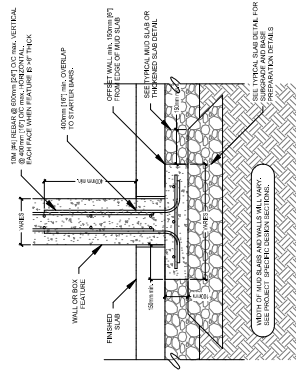
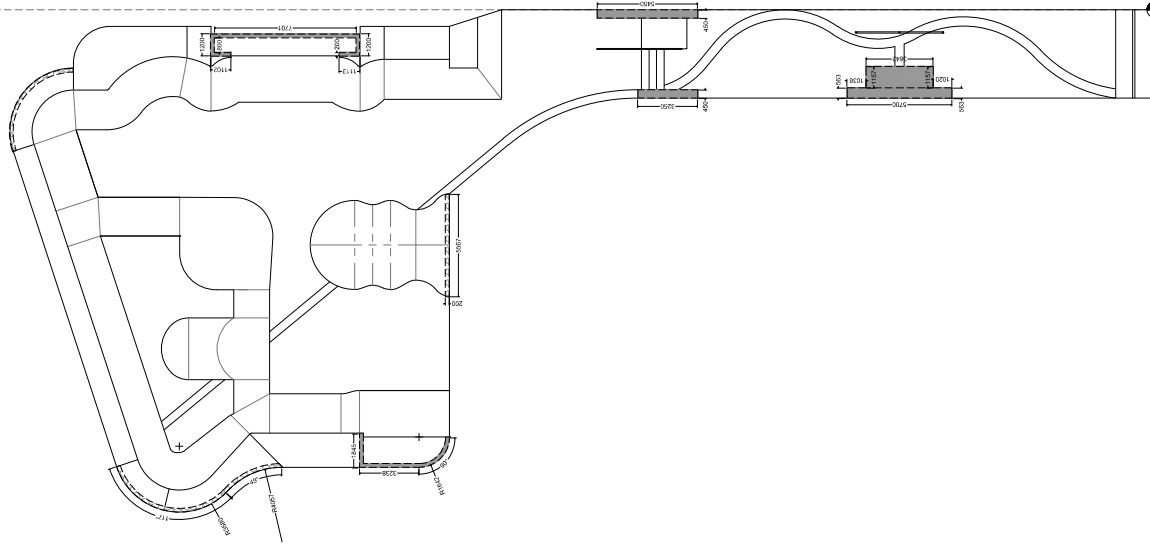
NOTES:
1. ALL ELEVATIONS SHOWN ON THIS DRAWING
ARE IN METERS

PROJECT:
HUXLEY SKATEPARK

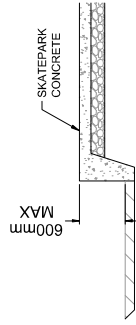
TITLE:
FOUNDATIONS

DRAWING NUMBER: SK-003	REV D	
SK2016-39		

Schedule "D" - Walls



TW
TYPICAL WALL DETAIL
SCALE 1:10



TD TURNDOWN SLAB DETAIL
SCALE 1:25

D	03.26.19	C3	100% ISSUE
C	07.10.19	C3	100% PROGRESS REVIEW
B	07.07.19	C3	DWP APPLICATION
A	16.05.19	C3	100% PROGRESS REVIEW
N	DATE	BY	DESCRIPTION

COMPANY REFERENCE: THE DOWNSIDE DEVELOPMENT
 BASED FOR OTHER PROJECTS: 15/16/17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100/101/102/103/104/105/106/107/108/109/110/111/112/113/114/115/116/117/118/119/120/121/122/123/124/125/126/127/128/129/130/131/132/133/134/135/136/137/138/139/140/141/142/143/144/145/146/147/148/149/150/151/152/153/154/155/156/157/158/159/160/161/162/163/164/165/166/167/168/169/170/171/172/173/174/175/176/177/178/179/180/181/182/183/184/185/186/187/188/189/190/191/192/193/194/195/196/197/198/199/200/201/202/203/204/205/206/207/208/209/210/211/212/213/214/215/216/217/218/219/220/221/222/223/224/225/226/227/228/229/230/231/232/233/234/235/236/237/238/239/240/241/242/243/244/245/246/247/248/249/250/251/252/253/254/255/256/257/258/259/260/261/262/263/264/265/266/267/268/269/270/271/272/273/274/275/276/277/278/279/280/281/282/283/284/285/286/287/288/289/290/291/292/293/294/295/296/297/298/299/300/301/302/303/304/305/306/307/308/309/310/311/312/313/314/315/316/317/318/319/320/321/322/323/324/325/326/327/328/329/330/331/332/333/334/335/336/337/338/339/340/341/342/343/344/345/346/347/348/349/350/351/352/353/354/355/356/357/358/359/360/361/362/363/364/365/366/367/368/369/370/371/372/373/374/375/376/377/378/379/380/381/382/383/384/385/386/387/388/389/390/391/392/393/394/395/396/397/398/399/400/401/402/403/404/405/406/407/408/409/410/411/412/413/414/415/416/417/418/419/420/421/422/423/424/425/426/427/428/429/430/431/432/433/434/435/436/437/438/439/440/441/442/443/444/445/446/447/448/449/450/451/452/453/454/455/456/457/458/459/460/461/462/463/464/465/466/467/468/469/470/471/472/473/474/475/476/477/478/479/480/481/482/483/484/485/486/487/488/489/490/491/492/493/494/495/496/497/498/499/500/501/502/503/504/505/506/507/508/509/510/511/512/513/514/515/516/517/518/519/520/521/522/523/524/525/526/527/528/529/530/531/532/533/534/535/536/537/538/539/540/541/542/543/544/545/546/547/548/549/550/551/552/553/554/555/556/557/558/559/560/561/562/563/564/565/566/567/568/569/570/571/572/573/574/575/576/577/578/579/580/581/582/583/584/585/586/587/588/589/590/591/592/593/594/595/596/597/598/599/600/601/602/603/604/605/606/607/608/609/610/611/612/613/614/615/616/617/618/619/620/621/622/623/624/625/626/627/628/629/630/631/632/633/634/635/636/637/638/639/640/641/642/643/644/645/646/647/648/649/650/651/652/653/654/655/656/657/658/659/660/661/662/663/664/665/666/667/668/669/670/671/672/673/674/675/676/677/678/679/680/681/682/683/684/685/686/687/688/689/690/691/692/693/694/695/696/697/698/699/700/701/702/703/704/705/706/707/708/709/710/711/712/713/714/715/716/717/718/719/720/721/722/723/724/725/726/727/728/729/730/731/732/733/734/735/736/737/738/739/740/741/742/743/744/745/746/747/748/749/750/751/752/753/754/755/756/757/758/759/760/761/762/763/764/765/766/767/768/769/770/771/772/773/774/775/776/777/778/779/780/781/782/783/784/785/786/787/788/789/790/791/792/793/794/795/796/797/798/799/800/801/802/803/804/805/806/807/808/809/810/811/812/813/814/815/816/817/818/819/820/821/822/823/824/825/826/827/828/829/830/831/832/833/834/835/836/837/838/839/840/841/842/843/844/845/846/847/848/849/850/851/852/853/854/855/856/857/858/859/860/861/862/863/864/865/866/867/868/869/870/871/872/873/874/875/876/877/878/879/880/881/882/883/884/885/886/887/888/889/890/891/892/893/894/895/896/897/898/899/900/901/902/903/904/905/906/907/908/909/910/911/912/913/914/915/916/917/918/919/920/921/922/923/924/925/926/927/928/929/930/931/932/933/934/935/936/937/938/939/940/941/942/943/944/945/946/947/948/949/950/951/952/953/954/955/956/957/958/959/960/961/962/963/964/965/966/967/968/969/970/971/972/973/974/975/976/977/978/979/980/981/982/983/984/985/986/987/988/989/990/991/992/993/994/995/996/99

PROJECT:
HUXLEY SKATEPARK

LOCATION: Gabriela Island BC

GABRIOLA ISLAND, DC	DRAWN:	CB	START
	CHECKED:	JB	DATE:
	APPROVED:	JB	01.03.2017

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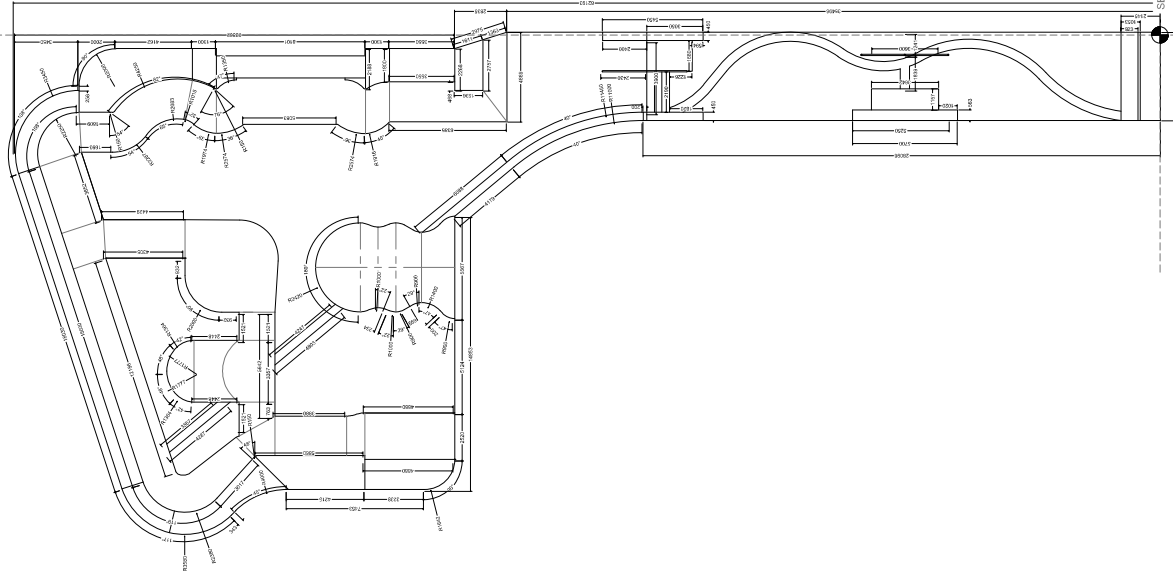
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ALL DIMENSIONS IN MILLIMETRES

Schedule "E" - Dimensions



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SETOUT LINE "Y" —

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C	01.18.19	CD	100% PROGRESS REVIEW
C	01.18.19	CD	DWP APPLICATION
E	07.27.19	CD	NO. PROGRESS REVIEW
A	12.24.10	CD	NO. PROGRESS REVIEW
NO	DATE	BY	DESCRIPTION

① CONTRACTOR TO BE COMPLETED TO BE THE INDUSTRY
 BASED ON THE PROJECT'S PROGRESS TO BE COMPLETED

CONTRACTOR SHALL CHECK ALL
 DIMENSIONS ON THE WORK AND
 REPORT ANY DISCREPANCY TO THE
 OWNER IMMEDIATELY. ALL
 DIMENSIONS AND SPECIFICATIONS
 ARE THE EXCLUSIVE PROPERTY OF
 THE OWNER AND MUST BE RETURNED

PROJECT:
HUXLEY SKATEPARK

LOCATION:

LOCATION:
Gabriola Island BC

DRAWN:	CB	START DATE: 01.03.2017
CHECKED:	JB	
APPROVED:	JB	

DRAWING
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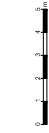
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PROJECT NUMBER:	SK2016-39	+
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DRAWING NUMBER:
SK-005

REV **D**





CONTRACTOR SHALL CHECK ALL DIMENSIONS ON THE WORK AND REPORT ANY DISCREPANCY TO THE CONSULTANT BEFORE PROCEEDING. ALL DRAWINGS AND SPECIFICATIONS ARE THE EXCLUSIVE PROPERTY OF THE OWNER AND MUST BE RETURNED TO THE CONSULTANT UPON THE COMPLETION OF THE WORK.

LOCATION: Gabriola Island, BC

DRAFTING

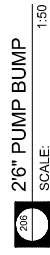
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PROJECT NUMBER:	017004000
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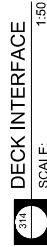
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LOCATION: Gabriola Island, BC

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TITLE:
DETAILS SHEET 2

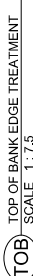
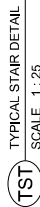
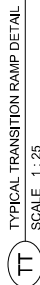
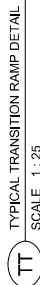
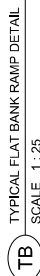
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DRAWING NUMBER:		REV	
SK-D-003		D	

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Islands Trust

BYLAW REFERRAL FORM

Island: Thetis Island Local Trust Area Bylaw Nos.: 103 Date: March 19, 2019

You are requested to comment on the attached Bylaws for potential effect on your agency's/organization's interests. We would appreciate your response by **April 9, 2019**. If no response is received by that date, it will be assumed that your agency's/organization's interests are unaffected.

APPLICANTS NAME / ADDRESS:

THETIS ISLAND LOCAL TRUST COMMITTEE

PURPOSE OF BYLAWS:

The intent of bylaw no. 103, if adopted, would be to amend the Thetis Associated Islands Land Use Bylaw No. 94, 2014 (LUB) regulations for private moorage structures, boat ramps, walkways, floats and other structures in order to reduce their environmental and visual impact and to accommodate public access to the foreshore.

GENERAL LOCATION:

Ruxton Island, BC

OTHER INFORMATION:

Responses should be addressed to bmcerlean@islandstrust.bc.ca or northinfo@islandstrust.bc.ca

Any questions or concerns regarding the proposed bylaw, please contact Miles Drew, Bylaw Enforcement Manager at mdrew@islandstrust.bc.ca or 250-886-6716.

Please fill out the *Response Summary* attached to this form. If your agency's interests are "*Unaffected*", no further information is necessary. In all other cases, we would appreciate receiving additional information to substantiate your position and, if necessary, outline any conditions related to your position. Please note any legislation or official government policy which would affect our consideration of this Bylaw.

Marnie Eggen

(Signature)

Name:

Title

Marnie Eggen

Island Planner

This referral has been sent to the following agencies:

First Nations

Cowichan Tribes
Halalt First Nation
Lake Cowichan First Nation
Lyackson First Nation
Penelakut Tribe
Snuneymuxw First Nation
Semiahmoo First Nation
Stz'uminus First Nation

Provincial Agencies

Ministry of Forests, Lands and Natural Resources Operations and Rural Development (MFLNRORD) – Crown Land and Resources & Archaeology Branch
Ministry of Environment – BC Parks

Regional Agencies

Cowichan Valley Regional District – Parks, Planning, building inspection

Adjacent Local Trust Committees

Gabriola Island Local Trust Committee
Galiano Island Local Trust Committee
Salt Spring Island Local Trust Committee

Federal Agencies

Transport Canada
Department of Fisheries and Oceans

Non-Agency Referrals

Ruxton Island Property Owners Association

PLEASE TURN OVER 

**BYLAW REFERRAL FORM
RESPONSE SUMMARY**

- ☐ Approval Recommended for Reasons Outlined Below
- ☐ Approval Recommended Subject to Conditions Outlined Below
- ☐ Interests Unaffected by Bylaw
- ☐ Approval Not Recommended Due to Reason Outlined Below

Thetis Island Local Trust Area – Ruxton Island

(Island)

(Signature)

(Date)

Bylaw No. 103 (LUB Amendment)

(Bylaw Number)

(Title)

(Agency)

MEMORANDUM

File No.: 6500-20

Gabriola Housing Options and
Impacts Review Project

DATE OF MEETING: May 16, 2019
TO: Gabriola Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
SUBJECT: Update on Housing Options and Impacts Review Project

PURPOSE

The purpose of this memorandum is to update the Local Trust Committee (LTC) on the status and next steps of the Housing Options and Impacts Review Project.

UPDATES

Appointments to the newly created Housing Advisory Planning Commission (HAPC) were made in April 2019 and planning staff are organizing the first meeting as an orientation. The primary role of the HAPC will be to implement the communication and engagement strategy that is currently being developed by the Advisory Planning Commission (APC) with staff assistance. Staff will continue to liaise with the Snuneymuxw First Nation office to seek a representative for the HAPC.

The APC met on April 29, 2019 and have three additional meetings scheduled to further work on the development of the draft communication and engagement strategy for completion by June 30, 2019.

NEXT STEPS

Staff will schedule the HAPC orientation meeting for late May or early June 2019 and continue to work with the APC to finalize the draft communication and engagement strategy.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	May 6, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	May 6, 2019

File No.: 6500-20
(GB Cannabis Regulations)

DATE OF MEETING: May 16, 2019
TO: Gabriola Island Local Trust Committee
FROM: Ann Kjerulf, Regional Planning Manager
Northern Team
SUBJECT: Cannabis Regulations Project

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee endorse the Cannabis Regulations Project Charter v. 1, dated May 16, 2019 [as amended].

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider endorsing a project charter (Attachment 1) for its Top Priority "Cannabis Regulations" project.

BACKGROUND

The LTC adopted a standing resolution on the processing of non-medical retail cannabis license applications (which may be referred by the Province of BC Liquor and Cannabis Regulation Branch) at its June 14, 2018 meeting. Subsequently, the LTC passed the following resolutions which form the basis for the Cannabis Regulations Project:

June 14, 2018	2018-042 It was MOVED and SECONDED that Gabriola Island Local Trust committee add to the project list cannabis production and retail sales and request staff to provide a report on options regarding Land Use regulations on this topic. CARRIED
August 16, 2018	2018-071 It was MOVED and SECONDED that the Gabriola Island Local Trust Committee amend the activity for Cannabis Production and Retail Sales on the Projects List to include "including on Agricultural Land Reserve". CARRIED
November 22, 2018	2018-117 It was MOVED and SECONDED that the Gabriola Island Local Trust Committee request Staff to move the Cannabis Production Retail Sales Project to the Top Priorities List. CARRIED

Regulatory Framework

The *Cannabis Act*¹ provides a framework for the production, distribution, sale and possession of cannabis, which is jointly regulated by federal, provincial and local governments across Canada. Under the *Cannabis Act*, the federal government's primary responsibilities include licensing both medical and non-medical cannabis producers, regulating the industry (advertising, marketing, and promotion), and determining health and safety standards (e.g. potency and ingredients).

Provinces and territories license and oversee the distribution and retail sale of cannabis.²

Local governments have delegated zoning authority from the Province, through the *Local Government Act (LGA)*, to regulate the location, size, and siting of cannabis businesses and cannabis-related land use activities.

ALR Use Regulation

The Agricultural Land Commission (ALC) regulates farm and non-farm uses and development within the Agriculture Land Reserve (ALR) in the context of the mandate to protect land for agricultural purposes. In 2018, the *ALR Use Regulation* (BC Reg. 171/2002) was amended by adding:

Cannabis

- 8** (1)The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced
- (a)outdoors in a field, or
 - (b)inside a structure that, subject to subsection (2), has a base consisting entirely of soil.
- (2)The use of agricultural land for producing cannabis lawfully may not be prohibited as described in section 4 if the cannabis is produced inside a structure that meets both of the following conditions:
- (a)the structure was, before July 13, 2018,
 - (i)constructed for the purpose of growing crops inside it, including but not limited to producing cannabis lawfully, or
 - (ii)under construction for the purpose referred to in subparagraph (i), if that construction
 - (A)was being conducted in accordance with all applicable authorizations and enactments, and
 - (B)continues without interruption from the date it began until the date the structure is completed, other than work stoppages considered reasonable in the building industry;
 - (b)the structure has not been altered since July 13, 2018 to increase the size of its base or to change the material used as its base.

Cannabis production that does not comply with the ALR Use Regulation is considered a non-farm use.

Storing, packing, preparing or processing cannabis can be undertaken without a non-farm use application to the ALC if the cannabis has been produced in a manner consistent with the ALR Use Regulation AND at least 50% of the cannabis being stored, packed, prepare or processed is produced on the farm. If less than 50% of the cannabis is produced on the farm OR cannabis production is inconsistent with the ALR Use Regulation, a non-farm use application to the ALC is required.³

¹ *Cannabis Act*. <https://laws-lois.justice.gc.ca/eng/acts/c-24.5/>

² FCM. 2018. Municipal Guide to Cannabis Legalization. <https://fcm.ca/Documents/issues/Cannabis-Guide-EN.pdf>

³ ALC Information Bulletin 04 Cannabis Production in the ALR: https://www.alc.gov.bc.ca/assets/alc/assets/legislation-and-regulation/information-bulletins/information_bulletin_04_cannabis_production_in_the_alr.pdf

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The Islands Trust Policy Statement (ITPS) expresses the commitments of Trust Council and directives to local trust committees regarding the protection of agricultural land. Directive policies (Attachment 2) are intended to preserve agricultural land and address the relationship of farming and neighbouring land uses.

Official Community Plan:

The Gabriola Official Community Plan (OCP) contains statements regarding industrial and agricultural uses (Attachment 2). Heavy industrial uses are explicitly discouraged while light industrial uses are to be evaluated “on their own merits” subject to various criteria. Agricultural policies generally support the preservation and protection of agricultural land.

Land Use Bylaw:

Gabriola Island Land Use Bylaw No. 177, 1999 includes the following relevant provisions:

Gabriola Island Land Use Bylaw (LUB)

The LUB contains the following relevant definitions:

Agriculture (means) “growing, rearing producing or harvesting agricultural crops, livestock and other animals for economic gain and includes the processing on a lot of primary agricultural products harvested, reared or produced on that lot, plus the storage of machinery, implements and agricultural supplies for the farm;”

Light industry (means) “means processing, fabricating, assembling, storing, transporting, distributing, wholesaling, testing, servicing, repairing or salvaging goods or materials;”

Agriculture is a permitted principal use in the LRR, R, AG, RR1, RR2, GC zones, and a permitted accessory use in the SRR and F zones.

Light industry is a permitted principal use in the I (industrial – light) zone.

Regulation of Marihuana Production

- Permitted uses in the Agriculture (AG) zone include: “Indoor production of medical marihuana licenced under the *Marihuana for Medical Purposes Regulation* on lots in the Agricultural Land Reserve”.
- The maximum *height of buildings* in the Agricultural Land Reserve used exclusively for a Medical Marihuana Production Facility licenced under the *Marihuana for Medical Purposes Regulation* is 15.0 metres (49 feet); and
- The minimum setback for buildings, structures and fencing used for the indoor production of medical marihuana licenced under the *Marihuana for Medical Purposes Regulation* is 30 metres (98.4 feet) from any lot line and 150 meters (492.13 feet) from any school or park.

Issues and Opportunities

Regulation of Cannabis Production

The Gabriola Island LUB was amended in 2016 to align with the (Agriculture) Minister's Bylaw Standards (MBS)⁴ respecting Medical Marihuana in the Agricultural Land Reserve. The MBS was based in part on the *Marihuana for Medical Purposes Regulation* (MMPR), which has been repealed.

In order to ensure consistency with new legislation and the Gabriola OCP, the Gabriola LUB should be reviewed and amended as follows:

- Adding definitions for cannabis, cannabis production and cannabis research
- Adding a general prohibition for cannabis production and cannabis research in all zones, except as permitted in the ALR.
- Amending the existing height and setback provisions so that they apply to cannabis rather than marihuana.

The LTC may wish to consider further amendments such as:

- maximum building footprint and/or lot coverage for cannabis facilities (or industrial buildings in general);
- vegetative screening/buffering requirements;
- alternative setback requirements; and
- minimum lot size requirements.

Regulation of Cannabis Sales

The LTC previously adopted a standing resolution on applications for non-medical cannabis retail sales. To date, no license applications have been referred to the Islands Trust despite that sales of non-medical cannabis are currently occurring on the island. The LTC may wish to consider amending the Gabriola LUB as follows:

- Adding a definition of cannabis sales;
- Specifying the zones in which cannabis sales are permitted or prohibited; and
- Specifying siting criteria for cannabis sales such as a minimum distance to schools, libraries or other public gathering places.

Other LTC Bylaws

Staff analysis to date has focused on the Gabriola Island Land Use Bylaw. However, other LTC bylaws such as the Mudge and DeCourcy LUBs may also be reviewed and amended accordingly.

Climate Change

The Islands Trust Council recently passed a climate emergency resolution, which requires consideration of potential climate change impacts in relation to development applications or bylaw amendment proposals. In this particular case, the LTC should consider the potential negative impacts of large-scale industrial cannabis facilities

⁴ Province of BC. <https://www2.gov.bc.ca/gov/content/industry/agriculture-seafood/agricultural-land-and-environment/strengthening-farming/local-government-bylaw-standards-and-farm-bylaws>

within the LTA, including a reduction in pervious surfaces, loss of productive agricultural land, potential groundwater extraction and potential greenhouse gas emissions.

Project Charter

Staff have prepared a draft project charter (attached) for LTC consideration, which proposes a phased approach to dealing with the regulation of cannabis in the Local Trust Area. The first phase of the project would focus on correcting the current Gabriola LUB so that it is consistent with federal and provincial legislation. Subsequent project phases could look at potential amendments to the Mudge and DeCoursey LUBs and to amendments to address cannabis retail sales. The latter is not considered to be a time-sensitive issue since the LTC is required to advise the Province whether or not it concurs with non-medical cannabis retail license applications. If the LTC does not concur with a retail license application, the Province has stated that it will not issue a license.

Consultation

The project charter includes a bylaw consultation phase; a subsequent report to the LTC will elaborate on the recommended consultation process and referral agencies and First Nations.

Rationale for Recommendation

The recent introduction of the *Cannabis Act* and *Regulations* and changes to provincial legislation have created a new regulatory framework for cannabis. LTC bylaws should be amended in order to be consistent with new legislation and to ensure continued alignment with OCP policies. The Cannabis Regulations project seeks to address current deficiencies in LTC regulations and provide an avenue for community consultation on future bylaw amendments. The staff recommendation is included on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

- 1. Amend the Project Charter
- 2. Receive for information

NEXT STEPS

Subject to concurrence with the staff recommendations and budget confirmation from the Director of Local Planning Services, staff will prepare a draft bylaw for LTC consideration at a future meeting.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	May 8, 2019
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ATTACHMENTS

- 1. Draft Project Charter
- 2. Policies

Cannabis Regulations — Project Charter v.1

Gabriola Island Local Trust Committee

Date: May 16, 2019

Purpose: The Gabriola Island Local Trust Committee seeks to update its land use regulations to ensure consistency with federal and provincial legislation respecting cannabis and the Agricultural Land Reserve.

Background: The federal Cannabis Act and Regulations were introduced in 2018, establishing a new regulatory framework for cannabis. The federal government issues licenses for industrial cannabis cultivation, production and research while the provincial government regulates retail sales; local governments may regulate or prohibit cannabis land use activities (except to a certain extent in the Agricultural Land Reserve).

Objectives

- Ensure LTC bylaws are consistent with federal and provincial legislation respecting cannabis
- Ensure land use regulations are consistent with OCP policies
- Consultation with stakeholders, agencies and First Nations

In Scope

- Amendments to Gabriola Island Land Use Bylaw
- Stakeholder consultation
- Bylaw Amendment process
- Identification of subsequent project phases

Out of Scope

- OCP Amendments
- Advocacy to federal or provincial agencies

Workplan Overview

Deliverable/Milestone	Date
Preliminary Report to LTC / Endorsement of Project Charter	Spring 2019
Preparation of Project Webpage	Spring 2019
Preparation of Draft Bylaw	Spring 2019
Report to LTC—request for 1st reading and referral to agencies, First Nations and APC	Summer 2019
Communications (Information handout/guide)	Summer 2019
Community Information Meeting #1	Summer 2019
Report to LTC—request for 2nd reading/Public Hearing or Notice in Lieu	Fall 2019
Community Information Meeting #2 / Public Hearing	Fall 2019
Report to LTC—request for 3rd reading / Forward to Executive Committee	Fall 2019
Bylaw adoption	Fall 2019

Project Team

Ann Kjerulf, Regional Planning Manager	Project Manager
Jaime Dubyna	Planning Support
Wil Cottingham, Office Admin Asst.	Admin Support

Director Approval:

Date:

LTC Endorsement:

Date:

Budget

Budget Sources: LPS Project Budget (2019/2020)

Fiscal	Item	Cost
2019-20	APC Referral	\$400
2019-20	Communications	\$500
2019-20	Community Information Meeting	\$200
2019-20	Public Hearing	\$1500
	Total	\$2,600

ATTACHMENT 2 – POLICIES

ISLANDS TRUST POLICY STATEMENT

COMMITMENTS OF TRUST COUNCIL

- 4.1.3 It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.

DIRECTIVE POLICIES

- 4.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
- 4.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.

GABRIOLA OFFICIAL COMMUNITY PLAN

Industrial Land Use Policies

- a) No provision shall be made for any heavy industrial use in the planning area.
- c) Future applications to establish light industrial use shall be evaluated based on individual merit.
- d) Future applications to designate a site for light industrial use shall be evaluated based on compliance with the following criteria:
- i. the minimum and average parcel size shall be 1.0 hectares (2.47 acres);
 - ii. the proposed light industrial use is non-polluting to land, water and air;
 - iii. it is demonstrated that adequate fire protection, site servicing (sewer and water) and solid and environmental waste handling can be provided;
 - iv. the site is not located in a Small Rural Residential area and will not cause industrial traffic to be routed along a local road through a residential neighbourhood; and
 - v. adequate provision has been made for screening, fencing, buffering and/or landscaping the proposed use from adjoining properties off-street parking.
- f) The existing industrial site and any future site designated light industrial shall be required to be designated as a development permit area.

Agriculture Policies

- a) The retention of farmland within the ALR and the inclusion of other lands into the ALR which are suitable for farm use subject to policy 2.0(g) is supported.
- d) The minimum and average parcel size in the Agriculture zone shall be 8 hectares (19.76 acres).
- e) The keeping of livestock and large scale horticulture operations shall be permitted subject to compliance with the requirements of the Provincial Agricultural Waste Control Regulations Act and the Health Act.
- g) The removal of soil from or the deposition of soil on agricultural land shall be strongly discouraged where it would reduce the agricultural viability of the farm parcel. Soil removal and/or deposition is also subject to approval of an application to the Agricultural Land Commission for a Soil Conservation Permit.
- l) The zoning bylaw shall prohibit the use of lands, buildings or structures in any zone being used for the manufacturing or research of genetically engineered seeds, plants or animals.

DATE OF MEETING: May 16, 2019

TO: Gabriola Island Local Trust Committee

FROM: Ann Kjerulf, Regional Planning Manager
Northern Team

SUBJECT: 2018-2019 Annual Report

RECOMMENDATION:

1. That the Gabriola Island Local Trust Committee endorse the following text for inclusion in the 2018-2019 Annual Report for approval by the Islands Trust Council and submission to the Minister of Municipal Affairs & Housing.

The Gabriola Island Local Trust Committee (GB LTC) held nine regular business meetings, four special meetings, and one public hearing in the 2018/19 fiscal year.

Work for this period included amending the Mudge Island Land Use Bylaw 2007 to update lot coverage regulations. A review of Gabriola Island Land Use Bylaw 1999 regulations applicable to water taxis was completed. The GB LTC advanced Phase 2 of its Housing Options and Impacts Review, which involves potential changes to the Gabriola Official Community Plan and Land Use Bylaw. The GB LTC also adopted standing resolutions for the processing of non-medical retail cannabis application referrals and for First Nations engagement and reconciliation.

The Gabriola Island Local Trust Committee considered 21 development applications including six development permits, seven development variance permits, one rezoning application (commercial moorage), and one temporary use permit application (commercial vacation rental).

DISCUSSION

Local trust committees are asked to endorse their draft sections of the 2018-2019 Annual Report so that Trust Council is readily able to approve the annual report at the Trust Council meeting in June 2019.

Preparation of the Islands Trust Annual Report is outlined in Trust Council's [Annual Report Policy 6.10.i](#). Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee and subsequent consideration of Trust Council in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs & Housing and circulate it as indicated in Trust Council's policy.

The recommended text (above) has been reviewed by the Islands Trust Communications Specialist and approved by the Director of Local Planning Services.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	May 7, 2019
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File No.: 4800-25

DATE OF MEETING: May 16, 2019

TO: Gabriola Island Local Trust Committee

FROM: Gillian Nicol,
Project Lead, Visions 2099: The Future of the islands in the Salish Sea
Program Coordinator, Trust Area Services

Andrew Templeton,
Communication Lead, Visions 2099– The Future of the islands in the Salish Sea
Communication Specialist, Trust Area Services
Southern Team

COPY: Russ Hotsenpiller
Project Sponsor, Visions 2099–The Future of the islands in the Salish Sea
Chief Administrator Officer, Islands Trust

SUBJECT: Public Engagement on Gabriola Island for Visions 2099: The Future of the islands in the Salish Sea (Working Title)

RECOMMENDATION

That the Gabriola Island Local Trust Committee approve the recommended public engagement activities to take place in the Gabriola Local Trust Area in support of the Trust Council's Visions 2099: The Future of the islands in the Salish Sea, as outlined in the May 16, 2019 staff report.

REPORT SUMMARY

The purpose of this report is to give the Gabriola Island Local Trust Committee (GI LTC):

- background information on Trust Council's Visions 2099: The Future of the islands in the Salish Sea (working title);
- an outline and description of the in-person and online engagement activities that are proposed for the Gabriola Island Local Trust Area, which will take place at some point between June and November 2019.

BACKGROUND

On June 21, 2017, the Islands Trust Council voted to assign the Executive Committee (EC) co-ordination of a review of the following sections of the Islands Trust Policy Statement: Introduction, Part I, Part II and Schedule 1 - Definitions.

The Executive Committee established the objectives for this review as follows:

1. To receive final adoption by Trust Council of a bylaw amending Introduction, Part I, Part II and Schedule 1 - Definitions sections of the Policy Statement that includes up-to-date information, improved history section and appropriate acknowledgment of First Nations, and a recognition of the increasing impacts of climate change.

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2. To improve understanding of the content and function of the Policy Statement
3. To increase awareness and knowledge about Islands Trust and its mandate
4. To promote understanding of Reconciliation and history
5. To develop stronger relationships with First Nations
6. To seek input on long term visions for the Trust Area.
7. To gain experience with the Policy Statement amendment process to inform future processes and budget processes.
8. To increase awareness about the potential impacts of climate change on the Trust Area, as well as opportunities for mitigation, resilience, and adaptation policies to prepare for this threat.

At its March 2019 meeting, EC approved an engagement plan to support this review process. With the working title Visions 2099: The Future of the islands in the Salish Sea, the plan features a twin-track approach with strategies designed to engage First Nations alongside residents of the island communities and the general public. It is with the latter engagement work that this current report is concerned.

An individual engagement plan will be developed for each local trust area, making use of different engagement options, which are outlined in the appendix.

Both online and in-person, the approach will be one of openhearted engagement, a genuine opportunity to take the temperature and better understand the visions that different communities/people have for themselves, the islands individually, and for the region as a whole, in order to better understand present hopes and fears and to effectively prepare for the future.

This discussion will be framed through the Object of the Islands Trust with acknowledgement that the world has changed in the intervening years, and the Islands Trust needs to remain effective in preserving and protecting for the long-term and be prepared to meet new and unexpected challenges.

Recommended Engagement Activities

The recommended course of action for the Gabriola Island Local Trust Area in support of Visions 2099 is as follows:

- a) We would hold a community drop-in and world café event (Appendix 1, Page 14 for more information) during the engagement period between October to November 2019.

During the community drop-in portion of the event, information boards with the following content will be posted:

- The history of First Nations in the Salish Sea region, with specific reference to the Gabriola Island LTA;
- Reconciliation and rights and title;
- A very brief history and purpose of the Islands Trust and our areas of responsibility;
- An overview of how the Policy Statement impacts decision-making in the Islands Trust Area;
- A snapshot of environmental health and demographics of the Gabriola Island LTA, how things might change in the future if trends continue as they are;
- A snapshot of the environmental and social health of the Salish Sea region as a whole;

- Identify some of the issues that unite island communities; how things might change in the future if trends continue as they are.

The world café is a technique that brings people together in simultaneous rounds of conversation about questions that matter. We will provide members of the public an opportunity to foster meaningful discussion on questions pertaining to the topics from the information boards and others identified. This method provides the opportunity for members of the public to collaborate with others and empower one another.

- b) We will hold an information booth (Appendix 1, Page 14 for more information), featuring local and regional information boards and access to the online survey during one of the existing community events, markets, and/or other community driven events. We hope to target the general public as well as residents of the island during one of these existing events.
- c) We will offer online engagement (Appendix 1, Page 15 for more information) with a robust online campaign using a range of social media tools and our website to disseminate information about the engagement process. It will contain the same information about the Gabriola Island LTA provided during the in-person engagement and encourage online participation on the issues.
- d) We will provide an educational and fun opportunity to connect with youth during their elementary school classroom time, and/or after school activities by getting them involved in the process (Appendix 1, Page 15 for more information).

Promotion of the project will happen at both the regional and local level. This will include advertising in local papers and promotion through social media. A few weeks in advance of the proposed in-person engagement, individuals with an interest in the Gabriola Island LTA will be invited to submit their suggestions and ideas for topics that could fit within the broad themes of the project for the in person engagement.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request.

2. Suggest alternative engagement methods

The LTC suggest an alternative option for how engagement could take place in the Gabriola LTA, supported by the materials contained in the attached Visions 2099 document. The LTC should be aware that the engagement processes—involving as it does, 13 different local trust areas and Bowen Island Municipality—is complex and requires a certain level of consistency across the entire Islands Trust Area to support appropriate data-collection.

RECOMMENDATION

That the **Gabriola Island Local Trust Committee** approve the recommended public engagement to take place in the Gabriola Island Local Trust Area in support of the Trust Council's Policy Statement amendment project.

Submitted By:	Gillian Nicol, Project Lead, Visions 2099: The Future of the islands in the Salish Sea Program Coordinator, Trust Area Services Andrew Templeton Project Communication, Visions 2099: The Future of the islands in the Salish Sea Communications Specialist, Trust Area Services Southern Team	May 2, 2019
Concurrence:	Russ Hotsenpiller Project Sponsor, Visions 2099: The Future of the islands in the Salish Sea Chief Administrator Officer, Islands Trust	May 2, 2019

ATTACHMENTS

Appendix 1: Engagement plan for the Visions 2099: The Future of the islands in the Salish Sea, working title.



**Visions 2099:
The future of the islands in the Salish Sea
(Working Title)
Engagement Plan**

**(to inform amendments to Introduction, Part I, Part II and
Schedule 1 - Definitions sections
of the Islands Trust Policy Statement and the Islands Trust Act)**

March 29, 2019

Introduction

On June 21, 2017, the Islands Trust Council voted to assign the Executive Committee, with involvement from Trust Programs Committee as appropriate, co-ordination of a review of the Introduction, Part I, Part II and Schedule 1 - Definitions sections of the Policy Statement; herein called Phase 1. By limiting the review/ amendment process to the preamble and definitions sections, Trust Council provides an opportunity to update sections of the document while promoting better understanding of the Islands Trust and an opportunity for all parties in the amendment process (Islands Trust staff, provincial staff, First Nations, referral agencies and the public) to familiarize themselves with the Policy Statement and amendment processes.

Thereafter, information and insight gained from Phase 1 will be applied to the more complex engagement required to amend the commitment, recommendation and directive policies of Trust Council in Part Three of the Policy Statement; herein called Phase 2. Trust Council's Policy Statement Amendment Policy outlines the required steps for Trust Council to review and amend the Policy Statement Bylaw. Key considerations for the amendment process are that the Policy Statement Bylaw may be amended by Trust Council only with the approval of the Minister responsible for local government, and such Ministerial approval will be based on ensuring no conflicts with Provincial interests and adequate engagement with First Nations.

The Policy Statement Amendment Policy defines the required sections and audiences for a plan for engaging First Nations and stakeholders on the Policy Statement. These are addressed below.

In November 2017, the Islands Trust Chair sent letters to First Nations inviting them to be involved in this project. This plan will support re-initiation of that invitation.

In December 2018, Trust Council requested that the Minister consider 10 changes to the Islands Trust Act that address the themes of enforcement and administration, modernization and advancing the mission.

In March 2019, Trust Council adopted a Reconciliation Declaration that will underpin this project. The First Nations Engagement Principles Policy sets out that Trust Council is committed to proving sincere desire for reconciliation with First Nations. Phase 1 engagement will endeavor to ensure First Nations define how they want to comment and which areas of the Policy Statement they would like to review. Phase 1 should ensure that we do not define the process and limit it to how we would like to engage. We want to ensure that engagement is allowing for collaborative decision-making and relationship building. This may include First Nations providing extensive comments on the document as a whole, while others may only focus on certain areas.

In March 2019, Trust Council added climate change mitigation, resilience, and adaptation policies to the Islands Trust Policy Statement amendment project.

Reconciliation with First Nations and the impact of climate change are changing how we think of our communities and how we plan for the future. With these major forces in play, impacting our lives on both the individual and collective levels, we need to ensure that the policy foundations set in place today preserve and protect the islands in ways that will ensure their health into the long-term future. What are our Island Visions for 2099? Do our current policy frameworks guide us to that desired future?

Objectives

1. To receive final adoption by Trust Council of a bylaw amending Introduction, Part I, Part II and Schedule 1 - Definitions sections of the Policy Statement that includes up-to-date information, improved history section and appropriate acknowledgment of First Nations, and a recognition of the increasing impacts of climate change.
2. To improve understanding of the content and function of the Policy Statement
3. To increase awareness and knowledge about Islands Trust and its mandate
4. To promote understanding of Reconciliation and history
5. To develop stronger relationships with First Nations
6. To seek input on long term visions for the Trust Area.
7. To gain experience with the Policy Statement amendment process to inform future processes and budget processes.
8. To increase awareness about the potential impacts of climate change on the Trust Area, as well as opportunities for mitigation, resilience, and adaptation policies to prepare for this threat

Context

The Policy Statement was developed over a period of two years from 1991 to 1993, through a comprehensive public consultation process that generated a high level of public participation and interest. However, at that time the consultation process did not focus or include engagement with First Nations who had historical and present day treaty, rights and title, and reserves within the Trust Area. Trust Council considered input from individuals, groups and other government agencies through presentations and more than 400 written submissions that outlined values, hopes and concerns. The Islands Trust Council adopted the Policy Statement bylaw in June 1994, following approval by the Minister of Municipal Affairs. Trust Council made updates to the Policy Statement in 1996, 1998, and 2002, following further consultation and ministerial approval.

In March 2010, Trust Council established a Policy Statement Assessment Task Force to conduct a preliminary assessment of the Trust Policy Statement and make recommendations regarding further actions. The task force produced a final report in May 2011. In March 2012, Trust Council decided not to undertake a three year comprehensive Policy Statement review process with funding from Canada's Gas Tax Fund.

Since that time there has been many changes in case law such as the Tsilhqot'in decision, signing of the United Nations Declaration on the Rights of Indigenous Peoples, the Trust and Reconciliation

Commission Calls to Action, as well as the Islands Trust First Nations Engagement Policy, and Islands Trust Reconciliation Declaration. There have also been changes in the region that include population growth, property value increases, demographics changes, climate change concerns, and increased concern with marine shipping and other marine uses. In preparation for this engagement initiative, staff have prepared an interim State of the Islands report that will inform conversations. There is an opportunity to engage on these societal and environmental changes through an inclusive process that creates positive opportunities to educate about the present state and the role of Islands Trust, and to envision a desired future.

Approach

Island Vision 2099

The project will be overseen by the Executive Committee with involvement from Trust Programs Committee as appropriate. In addition, the Ministry of Municipal Affairs and Housing has requested that the project have an inter-municipal advisory group comprised of, at minimum, representatives of the Ministry of Municipal Affairs and Housing, the Ministry of Indigenous Relations and Reconciliation, and Forests, Lands and Natural Resource Operations and Rural Development. There is also a need to keep the Minister of Municipal Affairs and Housing informed about the project on a regular basis. The first update to the Minister is proposed for mid-May 2019.

The project will feature a twin-track approach with strategies designed to engage with First Nations alongside engagement work designed for general island communities. It will also include regular updates to Trust Council and some engagement with Trust Council itself. As an agency that works on behalf of all British Columbians, the project will accept feedback from individuals who have an interest in the Trust Area but may not currently be a resident or landowner.

Both online and in-person, the approach will be one of openhearted engagement, a genuine opportunity to take the temperature and better understand the visions that different communities/people have for themselves, the islands individually and for the region as a whole, in order to better understand present hopes and fears and to effectively prepare for the future.

This discussion will be framed through the Object of the Islands Trust with acknowledgement that the world has changed and the Islands Trust needs to remain effective in preserving and protecting for the long-term and be prepared to meet new and unexpected challenges.

To support the conversation, we will provide background information in the following topic areas:

- The history of First Nations in the region and the LTA in question;
- Reconciliation and rights and title;
- A very brief history and purpose of the Islands Trust and our areas of responsibility;
- A snapshot of environmental health and demographics of the LTA in question, how things might change in the future if trends continue as they are;
- A snapshot of the environmental and social health of the region as a whole;

- Identify some of the issues that unite island communities; how things might change in the future if trends continue as they are.

The first three bullet points—dealing with First Nations, Reconciliation, and the Islands Trust—are communication exercises that will help establish context and baseline knowledge among those who are participating in the process. If people want to discuss these issues, we will note their points of view but will try to gently keep the conversation focused on the primary topics.

It will be under the following bullet points—local and regional environmental health—that the engagement activities will be organized (at least for the general communities). Feedback and ideas generated under these two headings will help us reshape how the Policy Statement could / should be reframed.

Both online and in-person, the process for engagement will be similar: layout the background information, as described above, and then invite feedback on the core issues that communities are facing on the local and larger regional levels and what could/should be doing to preserve and protect.

Key messages

In keeping with Islands Trust Public Engagement Principles (Appendix C) and the [December 2016 First Nations and Public Engagement project charter](#) this engagement strategy aims to be inclusive, respectful of Reconciliation principles, accessible, transparent, and adaptable. Initial key messages will be those below, recognising that these messages will evolve as staff develop the engagement materials, hear from the Ministry about how to proceed with engaging on the Islands Trust Act changes, and receive feedback:

- The Islands Trust Policy Statement is fundamental to the operations of the Islands Trust, guiding decisions about land use planning and advocacy.
- The 20-year-old Policy Statement continues to offer a positive vision for the Trust Area but is overdue for some updates.
- The Policy Statement Amendment Project will offer diverse opportunities for community members and First Nations to raise issues they are passionate about;
 - Trust Council's current Policy Statement Amendment Project is focused on the introduction and definition sections.
- The Policy Statement will play a role in reconciliation creating policies and principles that uphold the Islands Trust Reconciliation Declaration, and other guiding principles at this time.

Staff will work with the Executive Committee on any major deviations from this messaging.

Interested parties

- Trust Council
- Executive Committee
- Trust Programs Committee
- Interagency advisory group
- Trust Area community members
- Islands Trust trustees
- Islands Trust staff
- Honourable Selina Robinson, Minister of Municipal Affairs and Housing
- Ministry of Municipal Affairs and Housing staff
- Media
- First Nation Chiefs and Councils
- Referral agencies: (listed below)

Islands Trust bodies

1. Ballenas-Winchelsea Islands LTC
2. Bowen Island Municipality
3. Denman Island LTC
4. Gabriola Island LTC
5. Galiano Island LTC
6. Gambier Island LTC
7. Hornby Island LTC
8. Lasqueti Island LTC
9. Mayne Island LTC
10. North Pender Island LTC
11. Salt Spring Island LTC
12. Saturna Island LTC
13. South Pender Island LTC
14. Thetis Island LTC
15. Trust Fund Board

First Nations

16. Cowichan Tribes
17. SXIMEŁEŁ (Esquimalt) Nation
18. Halalt First Nation
19. Homalco First Nation
20. K'ómoks (Comox) First Nation
21. Klahoose First Nation
22. Lake Cowichan First Nation
23. Lyackson First Nation

24. MÁLEXEL (Malahat) Nation
25. xʷməθkʷəy̓əm Musqueam Indian Band
26. BOKÉCEN (Pauquachin) First Nation
27. Penelakut Tribe
28. Qualicum First Nation
29. Scia'new (Beecher Bay) First Nation
30. SEMYOME (Semiahmoo) First Nation
31. Shíshálh (Sechelt) Nation
32. Snaw-naw-as (Nanoose) First Nation
33. Snuneymuxw (Nanaimo) First Nation
34. Lekwungen (Songhees) Nation
35. Sk̓wx̓wú7mesh (Squamish) Nation
36. Stz'uminus (Chemainus) First Nation
37. Tla'amin (Sliammon) First Nation
38. T'Sou-ke (Sooke) Nation
39. W̱JOŁŁP (Tsartlip) First Nation
40. S̱ÁUTW̱ (Tsawout) First Nation
41. Tsawwassen First Nation
42. Tsleil-Waututh/
Səlílwətaʔ/Selilwitulh (Burrard Inlet)
Nation
43. W̱SIKEM (Tseycum) First Nation
44. We Wai Kai (Cape Mudge) First
Nation
45. Wei Wai Kum (Campbell River) First
Nation

46. Treaties and Treaty Groups

47. Douglas Treaty
48. Nanwakolas Council
49. Hul'qumi'num Treaty Group
50. Laich-kwil-tach Treaty Society
51. Naut'sa mawt Tribal
52. Te'mexw Treaty Association

Regional Districts

53. Capital Regional District
54. Comox Valley Regional District
55. Cowichan Valley Regional District
56. Metro Vancouver Regional District

- 57. Nanaimo Regional District
- 58. qathet Regional District
- 59. Sunshine Coast Regional District

School District Boards

- 60. School District No. 45 (West Vancouver) (Gambier)
- 61. School District No. 46 (Gambier)
- 62. School District No. 79 (Thetis)
- 63. School District No. 68 (Gabriola/Ballenas-Winchelsea)
- 64. School District No. 69 (Lasqueti/Ballenas-Winchelsea)
- 65. School District No. 71 (Denman/Hornby)
- 66. School District No. 64 (Gulf Islands – Galiano/Mayne/North Pender/Salt Spring/Saturna/South Pender)

Improvement District Boards

- 67. Gabriola (Fire Protection District)
- 68. Graham Lake (Improvement District)
- 69. Schmidt (Improvement District)
- 70. Galiano Estates (Improvement District)
- 71. Gossip Island (Improvement District)
- 72. Montague (Improvement District)
- 73. Spanish Hills (Improvement District)
- 74. Wise Island (Improvement District)
- 75. Bennett Bay (Waterworks District)
- 76. Campbell-Bennett Bay (Improvement District)
- 77. Lighthouse Point (Waterworks District)
- 78. Mayne Island (Improvement District)
- 79. Village Point (Improvement District)
- 80. Georgina (Improvement District)
- 81. Razor Point (Improvement District)
- 82. Trincomali (Improvement District)
- 83. Harbour View (Improvement District)
- 84. Mount Belcher (Improvement District)
- 85. North Salt Spring (Waterworks District)
- 86. Piers Island (Improvement District)
- 87. Salt Spring Island (Fire Protection District)
- 88. Scott Point (Waterworks District)
- 89. Secret Island (Waterworks District)
- 90. Saturna Shores (Improvement District)
- 91. Thetis Island (Improvement District)
- 92. Vaucroft (Improvement District)

Provincial Government

- 93. Ministry of Agriculture

94. Ministry of Municipal Affairs and Housing (Intergovernmental Relations and Planning Branch)
95. Ministry of Municipal Affairs and Housing (Housing Policy Branch)
96. Ministry of Energy, Mines and Petroleum Resources
97. Ministry of Environment and Climate Change Strategy
98. Ministry of Environment and Climate Change (BC Parks and Conservation Officer Service Division)
99. Ministry of Forests, Lands, Natural Resource Operations and Rural Development – South Coast Office, Crown Lands, Water Licensing, Ecosystems, Archaeology
100. Ministry of Forests, Lands, Natural Resource Operations and Rural Development – West Coast Office– South Coast Office, Crown Lands, Water Licensing, Ecosystems, Archaeology
101. Ministry of Transportation and Infrastructure on Vancouver Island and South Coast
102. Ministry of Indigenous Relations and Reconciliation (West Coast Office)
103. Ministry of Indigenous Relations and Reconciliation (South Coast Office)
104. Ministry of Health
105. BC Ferries
106. Agricultural Land Commission

Federal government

107. Environment Canada
108. Transport Canada
109. Fisheries and Oceans Canada – Fish Protection and Aquaculture
110. Parks Canada

Resources

The project will be supported by the following elected officials:

Position	Role
Chair	Spokesperson and participant in First Nations meetings
Vice Chairs	Participant in First Nations meetings, as required, as spokespeople as required.
Trustees	Participants in public engagement processes on their islands.

This project will be supported by the following staff positions:

Position	Role
Chief Administrative Officer	General project oversight and participant at meetings with First Nations, project sponsor
Director, Trust Area Services	Project manager, note taker at First Nations meetings as required, project reporting
Senior Intergovernmental Policy Advisor	Delivery of First Nations engagement, support to public engagement, note taker at First Nations meetings as required, project reporting
Senior Policy Advisor	Support for public engagement and support to First Nations engagement, note taker at First Nations meetings as required, project reporting
Communications Specialist	Communications planning and implementation
Program Coordinator	Project lead, Project coordination, delivery of public engagement, delivery of first nations engagement, correspondence mgm't, meeting logistics, referral mgm't, tracking of project milestones/ costs/reporting, comms support
Finance Officer	Processing of service contracts
Finance Clerk	Processing of invoices
Director, Local Planning Services	Advisor on public engagement processes

Regional Planning Officers	Support and advisor on public engagement processes and events
Island Planners and Planners 1 and 2	Provide support when leading up to engagements and during engagements
Legislative Clerks	Support report writing and event/engagement planning
Administration Assistant	Support event/engagement planning

Promotion

To support the engagement processes in-person and online, staff will be creating a variety of print and digital materials that will explore the key themes of the review process from both a regional and local perspective for each local trust area.

Launch: On Monday June 24th, 2019, after presenting to Trust Council, staff will launch the Island Visions 2100 engagement. This will include sending out a media release and follow up with key media, an all island subscriber notice, a dedicated page on our website with a pop-up from the home page, and through our social media platforms for both the Islands Trust and the Islands Trust Conservancy (Twitter, YouTube, and a planned new Facebook page). This campaign will be supported by advertising in local print media and strategic boosts to social media posts.

Throughout the engagement process, these social media platforms will lead individuals to information about the upcoming in-person engagements, as well as the online survey-based engagement process.

Video: During the launch period, the Trust will release two videos: **What is the Islands Trust?** and **What is your Vision for the islands in the Salish Sea** (which will act as an introduction to goals of the Policy Statement process). In addition to supporting dialogue, the videos will help build awareness about the Islands Trust and the work that we do.

Print: Brochures on both subjects – What is the Islands Trust and the Policy Statement review—will be made available to trustees and staff, along with posters of detailing upcoming island engagements and links to the Islands Trust website where they can connect to the online survey.

Social media: Staff will provide trustees with the appropriate information and tools to help spread the word on our social media platforms, which will help boost our new Facebook page.

Partnerships: Staff will reach out and collaborate with regional governments, local governments, community organizations, and educational intuitions to help spread the word.

Prizes: The Islands Trust will offer a range of prizes during the engagement process. We will provide some prizes during our online survey, in-person engagement events, and/or for youth who participate in

our art engagement at the markets/fairs. We will also offer door prizes at every in-person engagement to help spread the word. The prizes would range from \$5.00 to \$250.00. Some examples are ferry passes, local artwork and other local products from islands, and short trips depending on the engagement method.

Engagement Method

This plan includes multiple channels for engagement with the public, First Nations, referral agencies, and Trust Council. It includes a suite of tools that will be selected and applied as appropriate for each community/Nation.

First Nations and Organizations Engagement

First Nations engagement begins with Trust Council's Declaration on Reconciliation and making that visible and distributed out to community. The Declaration affirms the organization's commitment to Reconciliation and how the Trust will be moving forward. From that platform we will then begin re-engaging with First Nations within the consultation boundary of the Islands Trust Area. The engagement will consider the commitments within existing and planned protocol agreements with First Nations. Results from this re-engagement will determine which Nations we will develop more meaningful engagement with in the process of a dialogue about and reviewing the Policy Statement. Meaningful engagement will include the following suite of engagement option to be applied as appropriate and as desired by the individual Nations:

- Leadership government to government meetings to discuss core concerns;
- Community meetings with membership and leadership to talk about the Policy Statement and the vision for the future;
- Online interaction including surveys, newsletter notices, Facebook, letters to Chiefs and Councils;
- Meetings with alliances and First Nation associations such as First Nations Summit, BC Treaty Commission and Tribal Councils;
- Collaborate with schools and youth organizations.

There will be follow-up and building of relations. Staff will ensure that meetings held for purposes of relationship building are not classified as consultation on the Policy Statement. Staff will keep a record of each meeting and compile into an engagement record to provide to Ministry with the final bylaw after third reading.

Staff will collaboratively develop storyboard as an education component of Reconciliation for use at engagement events. Acknowledgement of place will be included as a central theme.

General Public and Island Resident Engagement

The engagement strategies for the general public and island residents will include educational materials and will be supported by prepared questions and a strongly facilitated process. All in-person events will be supported by companion online engagement opportunities (survey and e-mail).

Creating opportunities for meaningful engagement means building new communities and sparking people's imagination. Our goal is to create content that resonates enough that people personalize it and push it onto the other audiences. We want social media users to own the message we are trying to confirm with them. We will do this by encouraging them to personally consider: What are their Island Vision 2099?

There will be a suite of five different engagement options developed to be applied locally as appropriate, with decisions to be made in consultation with local trustees and in consideration of different island populations.

- Large-scale community drop-in and open space / world café events, featuring educational information boards;
- Vision Booth, featuring information boards set up at community events, markets, or other community driven event; this could also include making online content available through laptops or tablets;
- Online survey/e-mail feedback;
- Collaborating with schools/ youth organizations.

Each engagement channel will feature a data collection method, all of which will feed into a final report on the findings from the engagement process. During in person, large-scale community engagements, we will provide educational information boards and brochures that address the key themes and help explain the work of the Islands Trust. Each of these themes will also be supported by a short explainer video that provides the context and background, which will also be a part of our online education campaign. The online component will feature a survey and potential live-streaming of key meeting(s).

Our goal is to have in-person engagements within each of the thirteen island communities. Because each island community is different, our expectation is that the Island Vision 2099 process will have a different look in each local trust area, drawing on the different engagement options available. Working with trustees, we will identify which combination of engagements will work best in a particular local context. It is also expected that local trust areas with larger populations will receive a higher number of in-person engagements.

This process is also an opportunity for Islands Trust to pilot the use of different forms of engagement tools and methods and measure their effectiveness.

Below are identified 'options' streams which will run parallel to one another. First Nation and Alliances engagement will commence at the same time as the process designed to reach out to the general public and island residents

Engagement methods: the suite of options

The IAP2's Spectrum of Public Participation (see Appendix D) was designed to assist with the selection of the level of participation that defines the public's role in any public participation process as much as possible, within resources, we will strive to follow these guidelines for public engagement

In defining the different First Nations engagement options, it is acknowledged that some Nations might rather have Islands Trust build relationships with designated individuals and/or committees instead of with the wider community. This form of engagement, which is outlined below as option C, could be something that happens in its own right or as a precursor to a large-scale event that involves the rest of the community. In these instances, individuals and/or committees could support the implementation of a large-scale event hosted by both governments

General Public and Island Residents	Options	Description	Objectives	Timeframe	Who is involved?	Estimated Budget
	Option A: Community drop-in and open space, featuring information boards that explore each of the major Visions 2099 themes.	Following IAP2 guidance on how to conduct healthy engagement processes, we host an open house first to featuring information boards that explore each of the major Visions 2099 themes, and then we would use world café forms of engagement. The goal through open house engagement is to help improve public understanding about a complex project to receive public input and provide information through information boards covering major themes. World Café engagement style would help foster meaningful discussion on questions pertaining to	To provide opportunities for members of the public and island residents a chance to participate in an interactive and dynamic way where we inform, consult, involve, collaborate and empower with them.	July – December 2019, Jan – March 2020	Trust Area Services staff, local trustees, Information Systems Coordinator, and Computer Applications Support Technician,	Upfront Cost - \$5,000.00, Individual Event - \$500.00 – \$2000.00

		these topic(s) among participants who otherwise would not listen, talk or share with one another.				
	Option B: Vision Booth	We will set up information booths, featuring local and regional information boards and access to the online survey during existing community events, markets, and/or other community driven events.	To target the general public as well as residents of the islands at existing events	July – December 2019	Trust Area Services staff, local trustees	\$300.00 - \$500.00 per event
	Option C: On-line survey & dedicated email address	The main form of the online engagement will be survey-based. We would offer a robust online campaign using a range of social media tools and our website to disseminate information about the engagement process. The online information campaign will replicate the information that will be produced for the in-person engagements, so individuals can learn about the situation in their local context as well as the regional context. Because some individuals are more comfortable with emails than surveys, we will also provide a dedicated	To provide an inclusive opportunity for the general public and island residents to participate in the process, if they cannot attend in person participation. It is also an opportunity to gain input from wider communities outside of the Islands Trust Area.	July – December 2019, January – March 2020	Trust Area Services Staff, Information Systems Coordinator, and Computer Applications Support Technician	\$4000.00

		"Visions2099@" email address where people can send in their idea. They can also send them through traditional mail as well				
	Option D: Collaborate with Schools/ Youth Organizations	We will provide opportunities to connect with students and youth with school classrooms and youth organizations. We would use a creative writing and/or art opportunities for youth to describe their vision of the islands. We would offer a prize.	To connect with youth, to be able to provide them with opportunities to engage in the issues that Visions 2099 is concerned with	July – December 2019	Trust Area Services Staff,	\$500 - \$1000.00

First Nations and Alliances	Options	Description	Objectives	Timeframe	Who is involved?	Estimated Budget
	Option E: Leadership government-to-government meetings	Leadership from Trust Council and leadership from a First Nation(s) meet to discuss core concerns. Each meeting takes place at a location convenient for First Nation leaders to attend.	To build relationship and discuss core concerns. If appropriate, support the provision of other 'options' for engagement to their membership	July 2019 — June 2021 and ongoing (Squamish mtg April 8)	CAO, Chair, Executive Committee, Trust Area Services Director and some Staff, possibly Trust Council	\$300.00 - \$500.00
	Option F: Community meetings with membership and leadership	A small-large scale lunch/dinner event where Islands Trust, in partnership with the Nation, provides opportunities for community members to share their core concerns of their territory, and their vision for the future.	For Islands Trust to build relationships with staff, leadership, and members of the community, Visions 2099 process and create opportunity to discuss their vision for the future and, if	July – December 2019	Trust Area Services Staff and local trustees	\$500.00 - \$2000.00

			appropriate, contribute to the Visions 2099 process.			
	Option G: Face-to-face with staff	Meetings with staff, and/or committees to work on various topics: educational materials, visioning work as part of the Visions 2099 process as well as other core concerns and/or items of interest to the First Nation.	To communicate and engage with Nations in an accessible manner that is appropriate to the situation.	July – December 2019	CAO, Trust Area Services Director and staff, Local Planning Services Director	\$200 - \$1000
	Option H: Survey engagement	A social media campaign targeted at a variety of community members from different Nations across the Salish Sea. Using a variety of tools, including targeted advertising and prizes, the campaign would encourage participants to view our background materials and fill in a special survey. May also include printed material distributed through newsletters and on reserve.	To engage a range of First Nations members through online survey.	July – December 2019	Trust Area Services Staff	\$750.00 - \$1000.00
	Option I: Meetings with alliances and First Nation associations	Islands Trust co-host an event with First Nation associations/alliances such as First Nations Summit, BC Treaty Commission, and Tribal Councils.	To connect with a range of First Nations all at once and build relationships with them. If appropriate, engage them with the issues of Visions 2099 and how they imagine the future.	July – December 2019	CAO, Trust Area Services Director and staff, Local Planning Services Director	\$250.00 - \$5000.00

	Option J: Collaborate with Schools/ Youth Organizations	We connect with schools in community along with organizations that support youth to offer some opportunities for them to be heard and to be able to take action through various means (e.g. art work, writing, etc).	To connect with youth, to be able to provide them with opportunities to engage in the issues that Visions 2099 is concerned with	July – December 2019, January to March 2020	Trust Area Services staff	\$500.00 - \$1000.00
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Referral agencies	N/A	As required by provincial statutes: LTCs; First Nations; local, regional, provincial and federal government agencies will be sent referral letters inviting input on the draft amendments to the Policy Statement	To solicit feedback on the proposed amendments.	June – September 2021	Trust Area Services staff, Chair	\$1,000
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Risks and mitigation

There are risks with any project. Due to the nature of this project and the number of First Nations and stakeholders involved, there is substantial risk that the project plan will need to be amended to respond to emerging issues, communication/engagement requests or other developments. Staff will try to be nimble and responsive and will maintain a focus on the big-picture (e.g. Reconciliation as an overarching priority) and will bring forward recommendations to Executive Committee for project amendments as needed.

At this time the Islands Trust has established a level of engagement and relationship with First Nations within the Trust Area. However, when looking at the relationship over time, many Nations may view processes and engagement with the Trust with hesitation. Not only is there a level of jurisdictional scepticism but there is also a level of distrust that the mandate of the Trust applies to First Nations concerns. First Nations view government bodies such as municipal, district, regional, and city as not having their interests at the forefront of their policies and processes. They may feel the jurisdictional authority lies with the Province and that providing education on Reconciliation, rights and title, and treaty is not a valuable process to engage in.

It is staff's understanding that many Nations within the Island Trust Area continue to see a lack of consideration by the Islands Trust and other levels of government in relation to their cultural heritage, archaeological sites, land use and marine use planning, and use of cultural and spiritual areas for recreational use without engagement on impacts or accommodation. This raises questions for Nations about the willingness of the Island Trust to truly engage and create meaningful policy processes that are inclusive of their core concerns. At this time, it could be seen that the Islands Trust preserves and protects only the values of post-colonial interests.

Given this situation, it maybe difficult to create an effective engagement process that allows for meaningful understanding of core concerns and impacts. It may be difficult to receive responses that recognize the cumulative effects and policy infinitives that will impact Nations rights and title. Therefore, it will require that the Islands Trust continues to engage and sets out the processes in which it will regain the trust of First Nations and First Nations community without defined timelines. Interagency meetings may allow for more valuable interactions that provide informed recommendations for engagement, but processes will be highly dependent on walking the talk: to build trust all Islands Trust bodies need to make decisions and undertake reconciliation actions that result in tangible sustained changes that demonstrate sustained commitment over time.

There is also risk that referral agencies will not understand the Policy Statement or purpose of referral. It has been many years since Islands Trust referral agencies have had to consider changes to the Policy Statement. In addition, they may question why their input is being sought on the introduction and definition sections only, rather than the policies that they may be more familiar with. They may wish to request significant amendments that are outside the scope of the project. To mitigate these risks, staff will undertake an assessment and, as necessary, contact referral staff before the referral is sent to explain the project. Should there be requests for significant changes that are outside the scope of this

project, staff will explain that these requests will be considered in future phases and will work with Ministry of Municipal Affairs staff and the interagency working group to coordinate responses.. Staff will also draft a clear, easy-to understand, referral letter.

Appendices

Appendix A – Draft timeline (subject to change based on feedback and First Nation engagement processes)

Appendix B – Budget

Appendix C – Islands Trust Public Engagement Principles and Communication Objectives

Appendix D - IAP2 Spectrum

Appendix E –Reconciliation Declaration

Appendix F – December 2018 Chair letter to Honourable Selina Robinson re Legislative change to the *Islands Trust Act*.

Appendix G – Visions 2099 Project charter



Appendix A: Visions 2099 Engagement Strategy – Work Plan

Deliverables Detail

Phase 1 of the Islands Trust Policy Statement involves amending Part 1, Part II and definitions.

Deliverable / Milestone	Target Completion Date	Responsible
Approval of revised Project Charter	March 27, 2019	Executive Committee
Endorsement of Policy Statement Engagement Plan	March 27, 2019	Executive Committee
Review of Policy Statement Engagement Plan	May ?, 2019	Trust Programs Committee
Approval of Policy Statement Engagement Plan	June 5, 2019	Executive Committee
Launch Policy Statement Engagement Process	June 24, 2019	Trust Council/Chair
Launch on-line engagement	June 24, 2019	TAS Staff
Undertake in-community meetings in each local trust area	July to December 2019	TAS Staff
Bowen Island Municipality	July to October 2019 - TBA	TAS Staff
Denman LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Gabriola LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Galiano LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Gambier LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Hornby LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Lasqueti LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Mayne LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
North Pender/South Pender LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Salt Spring LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Saturna LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Thetis LTA public engagement meeting	July to October 2019 - TBA	TAS Staff
Undertake First Nations engagement	July to December 2019 and ongoing throughout	SIPA, CAO, Chair, Executive Committee, TAS Staff
Interim Report to Trust Council	December 2019	TAS Staff
Compilation of community and First Nations input report	December 2019	TAS Staff
Draft RFD with engagement analysis based on community and First Nations input, and recommendations to request staff draft bylaw	December to March 2020	TAS Staff
RFD to Trust Council with recommended ITPS amendments and request staff to draft bylaw	March 2020	
Trust Council – 1 st Reading of ITPS Amendment Bylaw	June 2020	
Referral of proposed bylaw to agencies and First Nations	June to September 2020	

Deliverable / Milestone	Target Completion Date	Responsible
Public Meeting (or on-line public review of the draft bylaw amendments)	June to September 2020	
RFD to Trust Council with summary of referrals and recommended amendments – if any	September 2020	
Trust Council consideration of 2 nd and Third Reading Reading	December 2020	
Submission to Minister for Approval	December 2020	
Final adoption by Trust Council (can be by RWM if not back in time for council meeting)	June 2021	

Appendix B: Budget

Preliminary estimates per activity are included above in the engagement methods section. A detailed budget will be developed prior to the launch of Visions 2099.

Item	Cost
Communication Materials	\$11,000
Legal review	\$4,000
FN engagement	\$20,000
Public engagement	\$25,000
Total activity costs:	\$60,000

Appendix C: Islands Trust Public Engagement Principles and Communications Objectives

(adopted by the Executive Committee, August 17, 2016)

“Good public participation results in better decisions” – [International Association for Public Participation](#).

Local trust committees and Trust Council make decisions about the islands in the Salish Sea that affect First Nations, the public and other stakeholders.

Effectively and consistently engaging with people affected by those decisions leads to good governance, better policies, durable decisions, reduced conflict and enhanced civic participation.

Successful public engagement is guided by well-defined and formalized principles that represent a promise to the public and stakeholder groups, help establish shared expectations and a shared vocabulary and improve the working relationship between elected officials, senior managers and staff.

The principles that follow are adapted from the Islands Trust Policy Statement, the Communications Policy 6.10.ii, in the Executive Committee Terms of Reference, observations from Trust Council roundtable discussions, staff survey and conversations, as well as the International Association of Public participation and best practices research in local government public engagement.

The principles will guide the communications and engagement initiatives and activities sponsored by Trust Council, local trust committees and within the organization.

Guiding Principles for public engagement at Islands Trust

Inclusive:

Those who are affected by an issue or decision should have an opportunity to influence outcomes and choices. Trust Council will seek information from a broad range of sources in its decision-making processes, recognizing the importance of local knowledge in this regard (Policy Statement)

Open and authentic:

Input of the public should play a role in the decision-making process. Trust Council believes that open, consultative public participation is vital to effective decision making for the Trust Area (Policy Statement)

Respectful of First Nations:

To strengthen relationships with over 30 tribes and nations in the Trust Area, Trust Council will root all its engagement practices in the spirit of reconciliation. (In a separate RFD, staff are seeking direction from EC to develop a Project Charter and set of principles to inform a new organizational approach to First Nations' relationship-building. Once approved by EC and possibly TC, these principles would be incorporated into all correspondence and communication.)

Diverse:

Decisions are more durable when all participants are aware of the range of interests and needs of everyone involved, including decision makers, surrounding an issue or decision.

Accessible:

Everyone potentially affected by the process has an opportunity to become involved.

Appropriate:

The public engagement process uses one or more discussion formats to reach the identified participants and, where feasible, invites input into the design of the process.

Informed:

Those involved in engagement exercises have the information required to meaningfully participate in the process.

Transparent:

Participants are informed about how their contributions were considered, used and/or not used.

Adaptable:

Each public engagement process, along with the collected feedback, is evaluated so that lessons can be shared broadly and applied to future engagement efforts.

Communications Objectives

The following communications objectives will be realized using different strategies and will be updated regularly as appropriate.

1. Improve community and agency understanding and support of the Islands Trust (2014-2018 Strategic Plan – priority #9)
2. Improve community engagement and participation in Islands Trust work (2014-2018 Strategic Plan – priority #10)
3. Increase profile (visibility) of the Islands Trust within the Trust Area (e.g. increased presence at community events and going where the public is)
4. Create and maintain a positive (modern, consistent, uniform) image of the Islands Trust (e.g. graphic design standards, issues management and processes, revisit tag line – on EC agenda)
5. Prepare trustees and staff (planning and bylaw enforcement) – the face of the organization – to deliver consistent and co-ordinated messages to the public and stakeholders in a way that reflects the unique character and needs of each island and project.
6. Create ongoing opportunities to listen to public and stakeholder opinions and concerns and report back when appropriate (e.g. web comments handling, feedback line/channel, comment cards at offices, rotating weekly/monthly FAQs on web, at LTC meetings, etc.)

Appendix D: IAP2 Spectrum

IAP2 Spectrum of Public Participation



IAP2's Spectrum of Public Participation was designed to assist with the selection of the level of participation that defines the public's role in any public participation process. The Spectrum is used internationally, and it is found in public participation plans around the world.

INCREASING IMPACT ON THE DECISION 					
	INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
PUBLIC PARTICIPATION GOAL	To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.	To obtain public feedback on analysis, alternatives and/or decisions.	To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.	To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	To place final decision making in the hands of the public.
PROMISE TO THE PUBLIC	We will keep you informed.	We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision.	We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.	We will look to you for advice and innovation in formulating solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.	We will implement what you decide.

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Appendix E: Reconciliation Declaration

The Islands Trust Council acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous peoples since time immemorial and honours the rich history, stewardship, and cultural heritage that embody this place we all call home.

The Islands Trust Council is committed to establishing and maintaining mutually respectful relationships between Indigenous and non-Indigenous peoples. Islands Trust states a commitment to Reconciliation with the understanding that this commitment is a long-term relationship-building and healing process.

The Islands Trust Council will strive to create opportunities for knowledge sharing and understanding as people come together to preserve and protect the special nature of the islands within the Salish Sea.

Adopted: March 14, 2019 Trust Council on Gabriola Island

Appendix F: December 2018 Chair letter to Honourable Selina Robinson re Legislative change to the Islands Trust Act



200 - 1627 Fort Street, Victoria BC V8R 1H8
Telephone **(250) 405-5151** Fax (250) 405-5155
Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC **1.800.663.7867**
Email information@islandstrust.bc.ca
Web www.islandstrust.bc.ca

December 18, 2018

File No.: 0110-20

via email: MAH.minister@gov.bc.ca

The Honourable Selina Robinson
Minister of Municipal Affairs and Housing
Parliament Buildings
Victoria BC V8V 1X4

Dear Minister Robinson:

Re: Request for legislative change

This request follows our January 23, 2018 meeting to discuss matters of importance to the Islands Trust Executive Committee, including potential legislative changes to the *Islands Trust Act* and other relevant legislation. At that time you requested a prioritized list of *Act* amendments that could form the basis for a review by Ministry and Islands Trust staff. I also understood from that discussion that it would be important that the Islands Trust ensure that it was fully utilizing its current authorities to achieve its preserve and protect mandate and that any proposed amendments to the *Act* would need to be demonstrably necessary.

We have taken that advice to heart and believe that we have identified realistic and achievable amendments to our primary legislation that will support the efforts of the Trust on behalf of all British Columbians. At their September 18, 2018 meeting Trust Council requested that I write to you asking for legislative change along three broad themes, as follows:

ENFORCEMENT AND ADMINISTRATION: Improvements to the Islands Trust's ability to enforce its current regulatory and legislative powers in support of the preserve and protect mandate of the Trust and its land use planning function. The Islands Trust does not have the same enforcements tools as other land use jurisdictions in British Columbia but is expected to provide a similar service. The recommended amendments are:

1. Allowance for entry warrants;
2. Development permit area enforcement via municipal ticketing;
3. Adoption of development approval information bylaws by local trust committees;
4. To enable the ability to charge fees for telecommunication applications.

MODERNIZATION: The *Islands Trust Act* has not been substantially amended in a number of years and there are areas that require updating in order for the organization to remain relevant. Recommended amendments are:

5. Amending the *Act* to add "First Nations" to the list of those with whom we work "in co-operation;"
6. The ability to delegate development permit and temporary use permits to staff;
7. Clarification of foreshore zoning authority and jurisdiction throughout the Trust Area;
8. In keeping with broader powers afforded regional districts, relative to S. 294 of the *Local Government Act*, to allow the Islands Trust entities, "incidental or conducive powers;"
9. To include reference to the ecosystem in section 8.2 of the *Islands Trust Act*.

ADVANCING THE MISSION OF THE ISLANDS TRUST: Diverse communities are a key element of Trust Council's vision for the Trust Area and relates to its current land use authority. Recommended amendments are:

10. Affordable Housing: to be able to enter into agreements with third parties to administer affordable housing, to be able to operate a housing service, and for local trust committees to be able to acquire and dispose of land.

(Appendix A attached provides a brief rationale and implementation requirement for each of the above amendments)

These amendments vary in terms of the difficulty or complexity of implementation with, in our minds, the foreshore jurisdiction and affordable housing service amendments being the most complicated and in need of a cooperative approach.

We would sincerely appreciate your Ministry's feedback on this proposal and how it could be achieved. We are hopeful that you will be able to dedicate some Ministry staff time in order to work with us on developing a defensible and modern update to the *Islands Trust Act*. Of course, we also wish to understand your priorities and if they can be realized through this work. Trust Council considers that this is an important opportunity for the Islands Trust, and the region, and we wish to work with you to implement reasonable change.

A topic as important as legislative change to the *Islands Trust Act* will require public engagement and I would appreciate collaboration with the Ministry on how it would foresee an appropriate process. Undoubtedly full and authentic public engagement will generate additional suggestions for legislative changes from the community itself. We are mindful that Island communities are participatory, feel their future is vested in the Trust and want to contribute to that future.

In closing, I note that Bill 52, : *Agricultural Land Commission Act* 2018 has passed into legislation and I am struck by the symmetry of how the Islands Trust and the Agricultural Land Reserve, born of a certain era in BC politics, have stood the test of time. We believe it is time that the *Islands Trust Act* is given appropriate and similar attention.

Of course, if it would be convenient to you or beneficial to this request, we are happy to meet with you at your convenience.

With appreciation,



Peter Luckham, Chair
Islands Trust Council

cc: Islands Trust Area MPs
Islands Trust MLAs
Islands Trust Electoral Area Directors
Assistant Deputy Minister Faganello
BOKEĆEN (Pauquachin) First Nation
Cowichan Tribes
Halalt First Nation
Homalco First Nation
Klahoose First Nation
K'ómoks First Nation
Lake Cowichan First Nation
Lekwungen (Songhees) Nation
Lyackson First Nation
MÁLEXEŁ (Malahat) Nation
Penelakut Tribe
Qualicum First Nation
Scia'new (Beecher Bay) First Nation
SEMYOME (Semiahmoo) First Nation
shíshálh First Nation

Snuneymuxw First Nation
Sḵwxwú7mesh (Squamish) Nation
Snaw-naw-as (Nanoose) First Nation
SḶÁUTW (Tsawout) First Nation
Stz'uminus First Nation
SXIMEŁEŁ (Esquimalt) Nation
Tla'amin (Sliammon) Nation
Tsawwassen First Nation
Tsleil-Waututh Nation
T'Sou-ke Nation
Wei Wai Kum (Campbell River) First Nation
We Wai Kai (Cape Mudge) First Nation
WJOLÉLP (Tsartlip) First Nation
WŚIḶEM (Tseycum) First Nation
xʷməθkʷəṽəm Musqueam
Bowen Island Municipal Council
Islands Trust Council
Islands Trust website

Appendix A

Summary of potential amendments to the

Islands Trust Act, 2018

ENFORCEMENT AND ADMINISTRATION AMENDMENTS

1. Allowance for Entry Warrants	S. 28(1.1) of the <i>Local Government Act</i> is applicable to Regional Districts but not the Islands Trust. This authority should not be excluded from Islands Trust/local trust committees and the lack of authority impacts delivery of enforcement of land use planning decisions.
Implementation i. Amend Section 28 (1.1) of the <i>Local Government Act</i> to add “Islands Trust”. ii. Staff training and administrative training would be required. Actual bylaw enforcement procedures would require some change management process to ensure appropriate use. iii. There does not seem to be any cogent policy reason for excluding s. 424 of the <i>Local Government Act</i> (entry warrants) from the bundle of enforcement powers conferred on local trust committees. With this amendment of s. 28(1.1) of the <i>Islands Trust Act</i>, Division 1 of Part 12 of the <i>Local Government Act</i> including s. 424 would apply to the local trust committees and s. 424 in turn applies s. 275 of the Community Charter. Section 275 enables a justice to issue an entry warrant if satisfied that access to property is necessary for the purposes of the <i>Local Government Act</i>, which is the source of the enforcement powers that are conferred on local trust committees by s. 28(1.1) of the <i>Islands Trust Act</i>, in connection with which an entry warrant would be sought.	
2. Development Permit Area Enforcement Using Tickets	The use of ticketing to support the administration and delivery of a robust development permit authority would be the preferred outcome. The Trust has made this request of the Ministry in the past, most recently in 2016.
Implementation i. Pilot project in the Islands Trust Area – by conferring additional enforcement powers by regulation under Section 54(2) of the <i>Islands Trust Act</i>. ii. Add to s. 28 a section to the effect that under s. 264 of the Community Charter, applicable to local trust committees under s. 414 of the <i>Local Government Act</i> and s. 28(1.1) of the <i>Islands Trust Act</i>, a local trust committee may also designate ss. 489 and 501(2) of the <i>Local Government Act</i> for the purposes of s. 264. Section 489 is the section of the <i>Local Government Act</i> that prohibits subdivision, etc. in a development permit area if a development permit hasn’t been obtained. Section 501(2) is the section that requires land to be developed strictly in accordance with the permit. There are currently no jurisdictions that have the authority to issue tickets for development permit	

violations, so the Islands Trust would be joining municipalities and Regional Districts in requesting this change. While this authority would be useful to all local governments, it is particularly relevant for an entity with a statutory mandate to “preserve and protect” an area of the province that is environmentally sensitive, since the key land use management tools in relation to environmental protection are development permit area designations and development permit conditions. However, allowing local governments to ticket for an offence against a provincial statute is a novel idea.

The Ministry may want to consider proposing this amendment as a “pilot project” for the Islands Trust only, following the evaluation of which the Province might consider extending the authority to municipalities and regional districts, and offering to partner with the Province in monitoring and evaluating the enforcement approach. This additional authority could be conferred on the local trust committees by Cabinet order under s. 54(2) of the *Islands Trust Act* on a pilot project basis.

3. Adoption of Development Approval Information Bylaws by local trust committees (LTC)	Mainly an administrative improvement, this amendment would increase the efficiency and independent ability of LTCs to administer their areas. This should reduce wait times for applicants.
Implementation i. Amend <i>Islands Trust Act</i> by repealing s.29(3.1) Amendment of s. 29(3.1) of the <i>Local Government Act</i> is required. Implementation by the Islands Trust would be relatively easy, would simplify the process and would reduce staff/administrative time.	

4. For the Islands Trust to obtain the authority to charge a fee for telecommunications applications	A fee structure and process is needed to allow thorough review of antenna and telecom infrastructure applications.
Implementation (to be determined) The Ministry of Innovation, Science and Economic Development Canada (ISED) has jurisdiction over telecommunications. ISED looks for the relevant land use authority to issue a letter of concurrence, the production of which requires a public process. Section 462 of the <i>Local Government Act</i> restricts the ability for local trust committees to charge fees. The <i>Islands Trust Act</i> limits the Islands Trust to only proscribe fees associated with its land use authority. We would request assistance from the Ministry to find a means for the Islands Trust to charge a fee for such an occurrence as is described.	

MODERNIZATION

5. Support in principle for amending the <i>Islands Trust Act</i> to add "First Nations" to the list of those with whom we work "in co-operation"	This amendment is both timely and appropriate with the focus of Trust Council on principles of reconciliation and the adoption of a First Nations Engagement Plan.
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Implementation

- i. amendment to the *Islands Trust Act*, Part 2, Section 9 to add First Nations.
- ii. amendment to *Islands Trust Act*, Part 3 to add “First Nations”

This request was made to the Ministry in 2015. It would not be a significant challenge for the Islands Trust to implement. An amendment to Part 2 section 9 ‘Coordination agreements with other government bodies’ would enable the Trust Council and its delegates to enter into coordination agreements with First Nations and this seems uncontroversial.

6. Development Permit and Temporary Use Permit delegation to Staff

Unlike other jurisdictions in BC with land use authority, the Islands Trust does not have the ability to delegate via bylaw the authority to staff to issue development permits.

Implementation

- i. Amend Section 29 of the *Islands Trust Act* to enable local trust committees to delegate, by bylaw, the issuance of development permits and development variance permits, subject to the right of the applicant to have the local trust committee reconsider the matter without charge and to the local trust committee, in its procedures bylaw enacted under s. 460 of the LGA, establishing reconsideration procedures.

Each LTC would decide on whether or not to delegate issuance of development permits. This would reduce wait times, simplify the application process and reduce administrative costs. As development permits are issued based upon guidelines in the OCP or LUB, which are approved by LTCs, there is relatively little discretion afforded staff in issuing a permit. Implementation from an operating perspective would be straight forward once the delegation bylaws were adopted.

7. Clarification of foreshore zoning authority

There are jurisdictional inconsistencies with how foreshore zoning is administered with regard Regional Districts throughout the Trust Area. This matter is long standing and is a function of language and mapping in the *Islands Trust Act* and the Islands Trust Regulation.

Implementation (to be determined)

Clarification on this matter would support consistency in interpretation and aid in working with other jurisdictions that have foreshore zoning powers. Implications of implementation of any potential changes are undetermined. Engaging in discussions with the Ministry on this issue would require dedicated staff time and legal analysis.

The matter is sensitive since it potentially affects the enforcement of Islands Trust and regional district bylaws throughout the water areas within the trust area, where some of the most controversial land use issues tend to arise. Jurisdiction should not be controversial in relation to either the foreshore areas immediately adjacent to the various Gulf Islands or the estuary areas immediately adjacent to the upland areas of the regional districts, because effective land use management in either case has to include jurisdiction over immediately adjacent water area. However, a dividing line between jurisdictions has to be established somewhere, and there may be legitimate differences of opinion on where it should be.

8. Add language to *Islands Trust Act* similar to *Local Government Act*, s. 294, allowing for “incidental or conducive powers.”

A minor broadening of corporate power, similar to what Regional Districts have, would allow the Trust to undertake some supportive actions in support of the mandate of Trust.

Implementation

- i. Amend Section 4 of the *Islands Trust Act* by adding “The Trust Council, the executive committee, and the local trust committees have all the necessary power to do anything incidental or conducive to the exercise or performance of any power, duty or function conferred by this or any other enactment.”

This power is not a full ‘corporate person power;’ rather it would provide a backstop to a given jurisdictional issue or challenge. Some recommended language would be something like:

“the Local Trust Committee and, the Executive Committee, have all necessary power to do anything incidental or conducive to the exercise or performance of any power, duty, or function conferred on them by this or any other enactment.”

There is no logical reason that Islands Trust entities exercising exactly the same type of regulatory authority as other land use regulators should not have access to the same complementary authority to do things that are “incidental and conducive” to the exercise of their land use management authority. The wording of s. 294 makes the scope of these complementary powers exactly coterminous with the scope of the basic powers that have otherwise been conferred, so there is no substantive expansion of jurisdiction or authority and this should not be controversial.

9. Include reference to the ecosystem in section 8.2 of the *Islands Trust Act*

8.2 (f) and (h) of the ITA allows for ‘support and give financial assistance to activities referenced to in paragraphs (f) and (g) that are undertaken by others. This section seems to all LTCs to fund heritage and history related activities but does not include “environment or ecosystem.”

Implementation

- i. Amend s. 8(2)(f) of the *Islands Trust Act* to “amenities, environment, history and heritage”

Clarity is sought as to whether LTCs can allocate funds for environmental activities undertaken by others, in a similar fashion to history and heritage conservation. We recommend amending “history and heritage” in

two places in 8(2)(f) to “amenities, environment, history and heritage”. Amenities and environment are the terms used in the object statement in s. 3 of the Act.

ADVANCING THE MISSION OF THE ISLANDS TRUST

10. Affordable Housing and Housing service amendments	The Islands Trust has limited ability to provide affordable housing initiatives to communities and is reliant on Regional Districts to establish and deliver affordable housing services, in cooperation with the Trust. Increased authority in this area would be in keeping with both a key vision element of Trust Council and its strategic plan.
Implementation i. Amendments to confer the powers of a regional district board that would be required to establish and operate a non-profit housing service, including the authority to acquire and dispose of land and interests in land The Islands Trust would seek to be able to hold land for the purposes of affordable housing. We would seek to cooperate with relevant Regional Districts but also provide this service if a given Regional District does not provide a satisfactory service. Desired changes: a) To be able to enter into agreements with third parties to administer affordable housing. b) To be able to operate a housing service. c) Local Trust Committees be able to acquire and dispose of land.	



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality March 2019

Local Trust Committee Referrals

The ITC Board considered two local trust committee referrals regarding development proposals on two properties adjacent to ITC Nature Reserves on Salt Spring and North Pender Islands. Read the details in the Island-by-Island Activities.

Standards and Practices for Land Trusts

The ITC Board received a comparison report about the revised Canadian Land Trust Alliance Standards and Practices. While the Islands Trust Conservancy meets the majority of recommended standards, there will be further work done to ensure it fulfills all relevant recommendations.

ITC Board Fund Development Advisory Committee

The ITC Board Fund Development Advisory Committee met for the first time since forming in a special closed meeting after the regular closed and open March 26 ITC Board meetings.

Islands Trust Reconciliation Declaration

The ITC Board discussed options for endorsement or participation in the Islands Trust Reconciliation Declaration.

Summary of Current Island-by-Island Activities

The ITC continues to work on management plans for eight nature reserves on Thetis (1), Gambier (3) and Denman (4) Islands and received forage fish habitat mapping for Sidney and James Islands.

Denman

The ITC Board received a briefing on the Comox Valley Regional District Engagement with First Nations in relation to a request from the Cowichan Valley Regional District to allow a segment of the Denman Cross Island Trail to cross the Lindsay Dickson Nature Reserve.

Management planning for the Valens Brook Nature Reserve, including the recent addition, is under way. Invasive species removal and trail clearing, sign installation, and tree protection for forest restoration continue at Inner Island, Lindsay Dickson, and Morrison Marsh Nature Reserves on Denman. New ten-year management plans for these three nature reserves will be completed in 2019.

Gabriola

Expansion of the boardwalk over wet areas and exposed roots on the west side of the loop trail in Elder Cedar Nature Reserve has been completed and additional minor trail improvements are planned for 2019.

Galiano

The ITC received a report from the Habitat Acquisition Trust that approximately 30 m³ of Scotch broom was removed from the bluffs at Trincomali Nature Sanctuary by volunteers in October 2018. Improved signage for the trail in Vanilla Leaf Land Nature Reserve is planned for 2019.

Gambier

Management planning for three Gambier Island Nature Reserves (Brigade Bluffs, Long Bay Wetland, Mount Artaban) continues.

Lasqueti

The ITC and the Lasqueti Island Nature Conservancy (LINC) have met the fundraising goal for the Salish View acquisition campaign. Staff are continuing working to finalize the land transfer. Once the land transfer is complete, public consultation and management planning will begin.

North Pender

The ITC Board discussed a referral from the North Pender Island Local Trust Committee for Bylaw No. 220. The subject property for the bylaw is adjacent to the Medicine Beach Nature Sanctuary. The ITC Board noted concerns about the effects of light pollution on many animal species, including bats, and concerns about storage of toxic materials on the site. Staff provided the ITC Board response to the local trust committee and followed up with planning staff regarding best management practices for external lighting and wildlife.

Salt Spring

The ITC Board considered a referral from Salt Spring Island planning staff regarding a Development Variance Permit for lands adjacent to the Lower Mount Erskine Nature Reserve. The ITC Board indicated that its interests are not significantly impacted and directed staff to work with the Salt Spring Island Planner to follow up with the landowner to provide information regarding conservation options to provide a natural buffer for the Nature Reserve.

Thetis

The ITC is assisting the Thetis Island Nature Conservancy and the Cowichan Community Land Trust with an application for funding for a trail and kiosk on Fairyslipper Forest Nature Reserve. The ITC continues to work on management plans for recent acquisitions on Thetis Island, including archaeological work and communications with the Penelakut Tribe regarding cultural values on the lands. ITC staff plan to install signage informing the public of Thetis Island nature reserve boundaries in 2019.

Please feel free to contact the Islands Trust Conservancy for more details.

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca



Islands Trust

Print Date: May 8, 2019

Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GB-DP-2017.2	Fenton, Rob	03-Aug-2017	PID: 009-796-045 To bring property into bylaw compliance Civic: Acorn Island

Planner: Ian Cox

Planning Status

Status Date: 21-Feb-2019

Staff Memo to Feb 28th LTC meeting - status update.

Status Date: 14-Jan-2019

New applicant legal counsel. Time needed for review and consideration of documents. Planner to work with Lawyer on providing needed documents to complete records before making a decision as to covenant, HCA notice on title, etc.

Status Date: 03-Jan-2019

File from planner Zupanec to planner Cox. Review for possibility to take to January LTC.

File Number	Applicant Name	Date Received	Purpose
GB-DP-2019.1	Potlatch Properties Ltd. (Williamson & Associates)	18-Mar-2019	PIDs: 003-010-431 & 006-635-121 Ten percent road frontage relaxation as noted in the subdivision referral. Location: Spruce to Church Mallett Creek Subdivision, Gabriola Island, BC.

Planner: Sonja Zupanec

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
GB-DP-2019.2	Williamson & Associates	19-Mar-2019	PIDs: 000-105-287 and 009-739-602 Development Permit required. Daniel Way & Chelwood Road, Gabriola Island, BC.

Planner: Marnie Eggen

Planning Status

Status Date:



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2016.3	Van Herwaarden, Lynn	24-Aug-2016	PID: 003-422-852 539 Wildwood Crescent, Gabriola Island. DVP to bring property into compliance.

Planner: Marnie Eggen

Planning Status

Status Date: 15-Aug-2018

Awaiting further information/ exploring options

Status Date: 18-Aug-2017

Sent letter to the property owner and requested her (or her surveyor) to forward the completed survey / site plan to planning staff.

Status Date: 17-Aug-2017

Planning staff met with the owner on site, reiterated the need for a survey / site plan. The owner committed to providing a survey / site plan as per the Land Use Bylaw.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2017.1	Fenton, Rob	03-Aug-2017	PID: 009-796-045 To bring property into bylaw compliance. Civic address: Acorn Island

Planner: Ian Cox

Planning Status

Status Date: 21-Feb-2019

Staff Memo to Feb 28th LTC meeting - status update.

Status Date: 14-Jan-2019

New applicant legal counsel. Time needed for review and consideration of documents. Planner to work with Lawyer on providing needed documents to complete records before making a decision as to covenant, HCA notice on title, etc.

Status Date: 03-Jan-2019

File from planner Zupanec to planner Cox. Review for possibility to take to January LTC

File Number	Applicant Name	Date Received	Purpose
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**Applications**

GB-DVP-2018.6 MAUREEN / IAN 21-Sep-2018 PID: 003-431-657 Civic address: 538 Wildwood Cr, Gabriola Island
DURRANCE Septic inside RAR setback X-file GB-BE-2015.8

Planner: Sonja Zupanec

Planning Status

Status Date: 22-Nov-2018

LTC resolution to defer consideration of the application until sewage assessment report and BCLS signed plan are received.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2019.1	Regional District of Nanaimo (Huxley Community Park)	22-Jan-2019	PID: 016-001-826 Setback variance. Civic address: 585 North Road, Gabriola Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 16-May-2019

Report to LTC

Status Date: 28-Feb-2019

Report to LTC

Status Date: 14-Feb-2019

File under review by planner.

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2019.1	BC Transportation Financing Authority/BC Ferry Services Inc.	05-Apr-2019	PIDs: 025-798-090 and 025-798-103 Rezoning for improved ferry terminal - future marine and upland improvements. Civic address: Descanso Bay, Gabriola

Planner: Jaime Dubyna

Planning Status

Status Date: 06-May-2019

Applicant submitted copy of AOA by Golder Associates, to planner.

Applications

Status Date: 24-Apr-2019

Planner reviewing file.

Subdivision

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2008.3	C.O. Smythies & Associates Ltd.	06-Oct-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:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 05-Jul-2018

Received confirmation from MOTI that PLA has been extended to June 28 2019

Status Date: 18-Jan-2018

Planner re-sent the revised referral report to MOTI. Will await a response from MOTI.

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

Planner: Ian Cox

Planning Status

Status Date: 21-Mar-2019

Planner in contact with Applicant to satisfy conditions of PLA including covenant, cash-in-lieu, and subdivision drainage requirements.

Status Date: 24-Oct-2018

Update email sent to MOTI and copied to applicant to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Applications

Status Date: 03-Aug-2018
MOTI extended PLA until 2-Aug-2019

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2011.1	Williamson & Associates Professional Surveyors Planner: Marnie Eggen	23-Dec-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)

Planning Status

Status Date: 03-Nov-2017
No change

Status Date: 08-Jan-2016
No change

Status Date: 13-Jan-2015
Applicant working to satisfy conditions

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

Planning Status

Status Date: 24-Oct-2018
Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 01-Apr-2015
Applicants are waiting for the right time to continue with their application with MOTI and to remove the conditions in the PLNA to change it to a PLA. MOTI confirmed this is the case.

Status Date: 03-Sep-2014
Status has not changed. Still awaiting MOTI direction that reasons for non-approval have been overcome

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

Applications

Planner:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 01-Apr-2015

MOTI response that there has been no recent action on this file but it will remain open, and the applicant is working with the ALC at this time

Status Date: 19-Mar-2015

No change in status. Contacted MOTI to see if they closed the file, but have not yet heard back.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.2	MACKAY, IKE	23-Feb-2016	PIDs: 004-857-119 and 004-614-771 Lot Boundary Adjustment

Planner:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 05-May-2016

Awaiting response from MOTI to issue PLA or PLNA.

Status Date: 17-Mar-2016

File TR completed review and sent referral report to MOTI and copied to Gabriola LTC and applicant.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.4	C.O. Smythies & Associates	20-May-2016	PIDs: 001-271-806 and 009-735-755 Boundary adjustment. Civic address: 1610 Hess Road, Gabriola Island.

Planner: Sonja Zupanec

Planning Status

Status Date: 08-Jun-2016

Referral response sent to MOTI and copied to applicant and LTC.

File Number	Applicant Name	Date Received	Purpose
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**Applications**

GB-SUB-2016.6 C.O. Smythies & 08-Sep-2016 PID: 000-305-120 215 Easthom Road, Gabriola Island. 3 lot subdivision.

Associates

Planner: Ian Cox

Planning Status

Status Date: 10-Jan-2019

Re-review by Planner Cox - 'No change to referral response' emailed to MOTI district development tech. Awaiting PLR

Status Date: 19-Dec-2018

File to Planner Cox. Contacted MOTI regarding change to PLA and need for re-referral.

Status Date: 24-Oct-2018

Update email sent to MOTI and copied to applicant to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.1	Williamson & Associates Professional Surveyors Planner: Jaime Dubyna	26-Jan-2017	PIDS: 000-427-110,025-720-821 & 025-720-830 Civic addresses: 1885 Martin Road, 1860 Martin Road & 1875 Stalker Road, Gabriola Island. Boundary adjustments.

Planning Status

Status Date: 14-Jan-2019

Planner reviewing revised plan.

Status Date: 10-Jan-2019

Revised proposed plan submitted for review.

Status Date: 10-Jan-2019

Planner JD assigned file.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.2	Williamson & Associates Planner: Marnie Eggen	19-Jan-2017	PIDs: 009-739-602 and 000-105-287. Lot line adjustment. Civic 831 Chelwood Road, Gabriola Island, BC

Planning Status

Applications

Status Date: 23-Jul-2018

PLA issued

Status Date: 01-Jun-2017

Referral response sent

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2018.1	Williamson & Associates/Potlatch Properties Ltd.	26-Jun-2018	PIDs:027-939-791, 027-939-804, 003-010-431, 006-635-121 27 lot subdivision Civic address: Taylor Bay Road/Church Street
	Planner: Sonja Zupanec		

Planning Status

Status Date: 12-Jul-2018

Referral response sent to MOTI, applicant and LTC.

Islands Trust
 LTC EXP SUMMARY REPORT F2019
 Invoices posted to Month ending March 2019

620 Gabriola	Invoices posted to Month ending March 2019	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	1,500.00	1,043.71	456.29
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	4,750.00	5,033.20	-283.20
65210-620	LTC - Local Exp - APC Meeting Expenses	600.00	520.71	79.29
65220-620	LTC - Local Exp - Communications	1,000.00	369.00	631.00
65230-620	LTC - Local Exp - Special Projects	1,000.00	0.00	1,000.00
TOTAL LTC Local Expense		<u>7,350.00</u>	<u>5,922.91</u>	<u>1,427.09</u>
Projects				
73001-620-2018	Gabriola Mudge Island OCP/LUB	3,500.00	4,006.43	-506.43
73001-620-4096	Gabriola Water Taxi Feasibility	450.00	488.00	-38.00
73001-620-4097	Gabriola Housing Options & Impacts	2,500.00	153.14	2,346.86
TOTAL Project Expenses		<u>6,450.00</u>	<u>4,647.57</u>	<u>1,802.43</u>

Gabriola Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	January 29, 2010	GB-025-2010	Communication Towers and Antennae	That the Gabriola Island Local Trust Committee adopt the following standing resolution: • Proposals for any new or expanded communication towers and antennae require an application to the Gabriola Islands Local Trust Committee. • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting and one advertisement in the local newspaper. • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; however, as a minimum, the proponent shall give written notice to Islands Trust Northern Office staff and the Snunéymuxw First Nation, all owners and residents of properties within a 2 kilometre radius of the subject property where the facility is proposed. The required notice shall include the following information: ○ the proposed location of the tower on the subject site ○ a description of the predicted power density level of the antenna/tower ○ methods to mitigate any aesthetic or visual impact ○ description of the natural environment, any sensitive ecosystems or other important habitat areas within 120 metres of the subject property and mitigation of impacts to such areas ○ physical details and example illustrations of the tower including its height, colour, type and design ○ the time and location of a public meeting and advertising ○ the name and contact information of the contact person employed by the proponent ○ the name and all contact information of the Islands Trust planning staff available for public comments and questions regarding the proposal; and ○ the proponent may be required to enter into a cost recovery agreement with the Islands Trust, in order to offset application processing costs incurred.

2.	June 14, 2018	GB-2018-040	Processing non-medical cannabis retail license applications	It was MOVED and SECONDED That the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee; - The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical; - The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; and - However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: - Name of the applicant and a description of the proposal in general terms; - The location of the proposed establishment and the subject site; - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered; - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and - How public comments may be submitted to the Local Trust Committee.
3.	November 22, 2018	GB-2018-122	Applications for Federal Cannabis License	That the Gabriola Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.
4.	February 28, 2019	GB-2019-031	First Nations - Community Reconciliation	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution: Whereas the Local Trust Committee seeks to engage in Reconciliation with local First Nations, governments and the island community by honouring the Truth and Reconciliation Commission (TRC) Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands

				Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing Trustees and Staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; and e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
5.	April 11, 2019	GB-2019-038	Limited Public Markets Enforcement	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to limited public markets: a) Islands Trust Bylaw Enforcement Staff are directed to not enforce Section B.6.2 of Gabriola Island Land Use Bylaw No. 177, 1999 when limited public markets are operated indoors, but rather to inform the operators of the applicable land use regulations; b) This enforcement policy does not permit violation of the Land Use Bylaw and the Gabriola Island Local Trust Committee may at any time, by resolution, modify or rescind this policy or give direction to expand enforcement activities.

6.	April 8, 2019	GB-2019-040	S219 Covenant Signatories	GB-2019-040 It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution: that the Gabriola Island Local Trust Committee is authorized to enter into section 219 covenants, in the form of the 'Model Covenant for Secondary Suites' attached and in satisfaction of subsection B.6.6.8 of the Gabriola Island Land Use Bylaw No. 177, provided that such covenants must be executed on behalf of the Local Trust Committee by two members of the Local Trust Committee.
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Top Priorities Report

Gabriola Island

1. *Housing Options and Impacts Review Project*

Responsible

Dates

Develop an Engagement and Communication Strategy;
Strengthen relationships with Snuneymuxw First Nation and incorporate First Nation perspectives into policy/regulatory options;
Explore opportunities to foster affordable, rental, special needs and seniors housing and associated services;
Develop a strategy to address all housing continuum gaps;
Ensure policy/regulatory changes are consistent with the Object of the Islands Trust, the ITPS, with focus on water protection/conservation and ecological footprints.

Rec'd: 22-Nov-2018

2. *Cannabis Production and Retail Sales*

Responsible

Dates

Rec'd: 22-Nov-2018

3. *Develop an Ecological Protection Zone*

Responsible

Dates

Research and develop a new ecological protection zone as part of the Parks (P) OCP designation. Update zoning of Coats Marsh and Burren's Acres Nature Reserve properties.

Rec'd: 22-Nov-2018



Projects Report

Gabriola Island

1. DeCourcy Island OCP and Bylaw Review	Responsible	Date Received
Review DeCourcy Island Official Community Plan and Regulatory bylaws; establish an Advisory Planning Commission. Topics include: park areas without park zoning, DAI Bylaw, subdivision polices and regulations (added March 2017).		21-Apr-2011
2. Hazardous areas/Steep Slopes DPA	Responsible	Date Received
Consider hazardous areas and steep slopes development permit area designation; consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain		21-Feb-2013
3. Forage Fish Mapping Workshop	Responsible	Date Received
March, 2013 resolution		05-Sep-2013
4. Land Based Aquaculture	Responsible	Date Received
Review most recent provincial direction on land based aquaculture and develop appropriate policies and regulations.		16-Jan-2014
5. Biodiversity Protection	Responsible	Date Received
Identify measures to protect biodiversity		19-Jan-2012
6. Coastal areas protection	Responsible	Date Received
Review OCP and LUB to improve protection of coastal areas; development of a comprehensive DPA for shorelines in the Gabriola Island Local Trust Area		19-Jan-2012



Projects Report

Gabriola Island

7. Water Protection

Responsible

Date Received

Review OCP and LUB to protect water quality and quantity.

19-Jan-2012

8. First Nations cultural references

Responsible

Date Received

Consider First Nations cultural references in land use planning; Work with Snuneymuxw First Nation (SFN) to seek funding for archaeological mapping and host and invite SFN Councillor Geraldine Manson to make a storytelling presentation on Gabriola.

27-Jan-2011

9. Eelgrass protection

Responsible

Date Received

Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).

14-May-2014

10. Snuneymuxw Protocol Agreement

Responsible

Date Received

Implementation of Snuneymuxw First Nation Protocol Agreement

22-Jan-2015

11. Gabriola Village Plan

Responsible

Date Received

Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core

02-Apr-2015

12. Snuneymuxw Relationship Building

Responsible

Date Received

Strengthen relationship with Snuneymuxw First Nation

02-Apr-2015



Projects Report

Gabriola Island

13. Food Trucks

Responsible

Date Received

Review land use bylaw regulations with respect to food trucks

02-Apr-2015

14. Eagle Nest Mapping

Responsible

Date Received

Incorporate eagle nest mapping into the OCP

02-Apr-2015

15. Green Energy

Responsible

Date Received

Consider policy and regulatory mechanisms to encourage green and renewable energy

02-Apr-2015

16. Commercial Vacation Rental Review

Responsible

Date Received

Review bylaws with respect to temporary use permits for commercial vacation rentals

07-May-2015

17. LUB Amendments

Responsible

Date Received

Projects Report

Gabriola Island

- Review of temporary sawmill regulations
- Definition of personal use of animals for SRR zoned lots
- Review of how cisterns and solar panels are regulated as structures subject to lot coverage calculations
- Review of section B.2.1.1 for variances within DP3
- Review minimum average parcel size calculations in LUB and OCP to ensure consistent and supportive of more than 5% dedication of parkland
- IN1 zoning to ensure consistent with existing Arts Council use.
- definition and regulations for limited public market, and INI zone uses pertaining to market sales
- correction to WC3 mapped location to coincide with Green Wharf

08-Sep-2016

18. Water Resource Planning

Responsible

Date Received

Review of water requirements at the time of subdivision

14-Jun-2018

19. Water Taxi Feasibility

Responsible

Date Received

Follow up items emerging out of water taxi feasibility (completed fall 2018)

22-Nov-2018

20. Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)

Responsible

Date Received

Implementation of the report recommendations into OCP policy and LUB regulations.

24-Jan-2019