



Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: July 13, 2017
Time: 10:15 am
Location: Mudge Island Driftwood Drive Public Access
Mudge Island, BC

Pages

1. **CALL TO ORDER** 10:15 AM - 10:15 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. **TOWN HALL AND QUESTIONS** 10:15 AM - 10:30 AM
4. **COMMUNITY INFORMATION MEETING - none**
5. **PUBLIC HEARING - none**
6. **MINUTES** 10:30 AM - 10:35 AM
 - 6.1 Local Trust Committee Minutes dated June 8, 2017 – for adoption 3 - 10
 - 6.2 Local Trust Committee Special Meeting Minutes dated June 14, 2017 - for adoption 11 - 15
 - 6.3 Section 26 Resolutions-Without-Meeting - none
7. **BUSINESS ARISING FROM MINUTES** 10:35 AM - 10:50 AM
 - 7.1 Follow-up Action List dated July 5, 2017 16 - 18
 - 7.2 Coats Marsh Regional Park Zoning - Memorandum 19 - 20
8. **DELEGATIONS**
9. **CORRESPONDENCE**
(Correspondence received concerning current applications or projects is posted to the LTC webpage)
10. **APPLICATIONS AND REFERRALS** 10:50 AM - 11:00 AM
 - 10.1 Forests, Lands and Natural Resource Operations (FLNRO) - Referral Application No. 1414427 - for discussion

- | | | | |
|------------|---|----------------------------|---------|
| 11. | LOCAL TRUST COMMITTEE PROJECTS | 11:00 AM - 11:20 AM | |
| 11.1 | Housing Options Review Project - Staff Report | | 21 - 33 |
| | ... BREAK 11:20 AM TO 11:40 AM | | |
| 11.2 | First Nations Relationship Building - Staff Report | 11:40 AM - 12:00 PM | 34 - 40 |
| 12. | REPORTS | 12:00 PM - 12:20 PM | |
| 12.1 | Work Program Reports | | |
| 12.1.1 | Top Priorities Report dated July 5, 2017 | | 41 - 41 |
| 12.1.2 | Projects List Report dated July 5, 2017 | | 42 - 44 |
| 12.2 | Applications Report dated July 5, 2017 | | 45 - 50 |
| 12.3 | Trustee and Local Expense Report dated May, 2017 | | 51 - 51 |
| 12.4 | Adopted Policies and Standing Resolutions | | 52 - 52 |
| 12.5 | Local Trust Committee Webpage | | |
| 12.6 | Chair's Report | | |
| 12.7 | Trustee Reports | | |
| 12.8 | Electoral Area Director's Report | | |
| 12.9 | Trust Fund Board Report - none | | |
| 13. | NEW BUSINESS | | |
| 14. | UPCOMING MEETINGS | | |
| 14.1 | Next Regular Meeting Scheduled for Thursday, September 7, 2017 at 10:15 AM
at The Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC | | |
| 15. | TOWN HALL | 12:20 PM - 12:30 PM | |
| 16. | CLOSED MEETING - none | | |
| 17. | ADJOURNMENT | 12:30 PM - 12:30 PM | |

12:30 PM

PRESENTATION ON FIRST NATIONS - FIONA MacRAILD



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: June 8, 2017
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

Members Present Laura Busheikin, Chair
 Melanie Mamoser, Local Trustee
 Heather O'Sullivan, Local Trustee

Staff Present Ann Kjerulf, Regional Planning Manager
 Lisa Millard, Recorder

Others Present Warren Dingman, Bylaw Enforcement Officer
 Miles Drew, Bylaw Enforcement Manager
 There were three (3) members of the public and one (1) member of the media in attendance.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

13.2 Correspondence from the Gabriola Land and Trails Trust (GaLTT)

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

A member of the public stated the following:

- She was pleased to see that the Land Use Bylaw (LUB) Amendment Project will include support of more than 5% dedication of parkland.
- The changes to Bylaw No. 295 seem to result in no quorum being present.
- Advocacy for a water taxi is not within the jurisdiction of the Local Trust Committee (LTC).
- The LTC should enforce existing bylaws applicable to short term vacation rentals versus making regulations for something that is not allowed by the LUB.

Regional Planning Manager Kjerulf noted that the wording used within Bylaw No. 295, regarding Electronic Meetings, refers to a Chair or an Alternate Chair being appointed for that particular event, and therefore a quorum would be present.

4. COMMUNITY INFORMATION MEETING - none

5. PUBLIC HEARING - none

6. MINUTES

6.1 Local Trust Committee Minutes dated May 11, 2017 – for adoption

The following amendments to the minutes were presented for consideration:

Page 7 of the minutes, second to last bullet from bottom, in the last sentence the word “if” should be changed to “it”.

By general consent the minutes were adopted as amended.

6.2 Local Trust Committee Special Meeting Minutes dated May 23, 2017 – for adoption

By general consent the minutes were adopted as presented.

6.3 Section 26 Resolutions-Without-Meeting Report dated May 31, 2017

Received for information.

6.4 Advisory Planning Commission Minutes - none

6.5 Agriculture Advisory Commission Minutes - none

6.6 Transportation Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated May 31, 2017

Regional Planning Manager Kjerulf reported that Bylaws No 289, 290, and 296 had been approved by Executive Committee and Bylaw No. 289 had been forwarded to the Ministry of Community, Sport, and Cultural Development for consideration.

7.2 Bylaw Enforcement Status Report

Bylaw Enforcement Manager Drew summarized the report and noted the following:

- The Temporary Use Permit (TUP) was previously identified as a means of managing short term vacation rentals;
- Very few TUP applications have been made for this purpose;
- The existing system is not functioning effectively and bylaw violations have been occurring.

Discussion ensued and Trustees indicated there is a need for community education about the bylaws related to short term vacation rentals and the TUP

application process. They noted their concern that short term vacations rentals potentially impact the availability of longer term rental housing units.

GB-2017-093

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to develop a short term vacation rental enforcement strategy, communication plan, and policy for its consideration.

CARRIED

Bylaw Enforcement Manager Drew noted that there are currently three bylaw enforcement files open regarding signage that is in violation of regulations and that the violators will be advised of their options under the new bylaw.

7.3 Development Permit Area No. 3 - Riparian Areas Procedure – Memorandum

Received for information.

8. DELEGATIONS - none

9. CORRESPONDENCE - none

10. APPLICATIONS, REFERRALS AND BYLAWS

10.1 LTC Electronic Meetings - Bylaw No. 295 - Staff Report

GB-2017-094

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 295, cited as “Gabriola Island Local Trust Committee Meeting Procedure Bylaw No. 225, 2004, Amendment No. 1, 2017”, be read a first time.

CARRIED

GB-2017-095

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 295, cited as “Gabriola Island Local Trust Committee Meeting Procedure Bylaw No. 225, 2004, Amendment No. 1, 2017”, be read a second time.

CARRIED

GB-2017-096

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 295, cited as “Gabriola Island Local Trust Committee Meeting Procedure Bylaw No. 225, 2004, Amendment No. 1, 2017”, be read a third time.

CARRIED

GB-2017-097

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 295, cited as "Gabriola Island Local Trust Committee Meeting Procedure Bylaw No. 225, 2004, Amendment No. 1, 2017", be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

10.2 Advisory Planning Commission Bylaw No. 296

GB-2017-098

It was MOVED and SECONDED

That Gabriola Island Local Trust Committee Bylaw No. 296 cited as "Gabriola Island Local Trust Committee Advisory Planning Commission Bylaw, 2017", be adopted.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

This topic was discussed as part of the Trustee Reports.

12. REPORTS

12.1 Work Program Reports

12.1.1 Top Priorities Report dated May 31, 2017

Received for information.

12.1.2 Projects List Report dated May 31, 2017

Received for information.

12.2 Applications Report dated May 31, 2017

Received for information.

12.3 Trustee and Local Expense Report dated April, 2017

Received for information.

12.4 Adopted Policies and Standing Resolutions

Received for information.

12.5 Local Trust Committee Webpage

No updates or changes noted.

12.6 Chair's Report

Chair Busheikin reported the following:

- Fiona MacRaid, Senior Intergovernmental Policy Advisor presented a discussion on Hornby Island and Denman Island about the histories and legal developments of the 37 First Nations in the Trust area.
- The Executive Committee (EC) is preparing for the upcoming Trust Council meeting. The EC will focus on making connections with the newly elected provincial MLAs to discuss relevant Islands Trust issues.
- A Fresh Water Specialist position will be filled soon.
- The vacant Policy Analyst position has been filled.
- Staff have been asked to come forward with a written vision statement based on feedback received at recent visioning sessions.
- A policy statement review, and an action plan for this review, is forthcoming.

12.7 Trustee Reports

Trustee O'Sullivan reported on the following:

- She attended the recent Trust Programs committee meeting in which the community stewardship award nominations were reviewed in order to forward recommendations at Trust Council.
- She plans to attend the upcoming water conservation and well workshop discussions and hopes to see high community attendance.

Trustee Mamoser reported on the following:

- Trustee office hours have ended for the summer however she is available to meet by appointment.
- She attended the mural unveiling at the Gabriola Island Community Hall.
- She attended the theatre play in which Trustee O'Sullivan had a role and she congratulated Trustee O'Sullivan on her performance.
- She attended a Local Programs Committee meeting in which the community housing needs assessment was discussed and she noted that they will be seeking community input regarding housing challenges on the island.

12.8 Electoral Area Director's Report - none

12.9 Trust Fund Board Report - none

13. NEW BUSINESS

13.1 Well and Groundwater Workshops – Memorandum

Received for information.

13.2 Correspondence from the Gabriola Land and Trails Trust (GaLTT)

Fiona MacRaid, Senior Intergovernmental Policy Advisor attended this portion of the meeting by telephone conference call.

Anne Landry, President of GaLTT, noted that she is seeking support for an event, co-hosted by GaLTT and the Gabriola Museum, which would invite members of the Snuneymuxw First Nation to attend, visit various sites on Gabriola, share food, and provide community connection.

Discussion ensued regarding this proposed event, the First Nations Cultural References project currently on the projects lists, and an upcoming community presentation and workshop titled "From Truth to Reconciliation".

GB-2017-099

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee add First Nations relationship building to the top priorities list.

CARRIED

GB-2017-100

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to work with the Gabriola Land and Trails Trust to organize a gathering with the Snuneymuxw First Nation.

CARRIED

GB-2017-101

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff bring back a report on next steps on First Nations relationship building.

CARRIED

Discussion ensued regarding Community to Community (C2C) funding and it was noted that a third intake for grant applications has been opened and that a previous LTC application had been approved for funding but had expired.

GB-2017-102

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to assist in re-submitting a grant application for Community to Community funding for the summer intake.

CARRIED

14. UPCOMING MEETINGS

14.1 Community Information Meeting regarding Housing Options Review, on Wednesday, June 14, 2017 at 6:30 pm at The Haven, Heron Meeting Room, 240 Davis Road, Gabriola Island, BC

14.2 Next Regular Meeting Scheduled for Thursday, July 13, 2017 - to be held on Mudge Island - Details to be announced.

15. TOWN HALL

A member of the public noted that it is World Oceans Day today (June 8, 2017) and that Gabriola Oceans Days is Sunday June 11. She indicated that she hoped the Trustees could attend the event.

Two members of the public stated that it would be appreciated if, at the upcoming Trust Council Meeting, the LTC could bring the message that Salt Spring Island is considered a valuable part of the Islands Trust Federation and it would be unfortunate for the Federation if Salt Spring Island's upcoming referendum on becoming a municipality were to be successful. Chair Busheikin clarified that Salt Spring Island would remain a part of the Islands Trust Federation, with representatives on Trust Council, even if the referendum results in a municipality being formed.

A member of the public asked for clarification on the TUP renewal process and was advised that a TUP was valid for three years, could be renewed for a three year term and, when this term expired, a new application would need to be made.

16. CLOSED MEETING

16.1 Motion to Close the Meeting

GB-2017-103

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), (d) and (i) for the purpose of considering Adoption of In-Camera Meeting Minutes dated May 11, 2017; Appointment of APC Members and Legal Advice and that the recorder and staff attend the meeting.

CARRIED

The meeting was adjourned at 12:04 pm.

16.2 Recall to Order

The meeting was recalled to order at 12:13 pm.

16.3 Rise and Report

Chair Busheikin reported that in the closed meeting the *In Camera* Minutes dated May 11, 2017 were adopted and that Madeleine Ani, Bob Andrew, Anne Landry, Penelope Bahr, Angela Pounds, Bill McCaugherty, Stuart Denholm, Tatha Cornish and Jeff Malmgren were appointed to the new Advisory Planning Commission.

17. ADJOURNMENT

The meeting was adjourned at 12:14 pm.

Laura Busheikin, Chair

Certified Correct:

Lisa Millard, Recorder



Gabriola Island Local Trust Committee Minutes of Special Meeting

Date: June 14, 2017
Location: The Haven - Heron Room
 240 Davis Road, Gabriola Island, BC

Members Present Laura Busheikin, Chair
 Melanie Mamoser, Local Trustee
 Heather O'Sullivan, Local Trustee

Staff Present Sonja Zupanec, Island Planner
 Madeleine Koch, Planner 1
 Lisa Millard, Recorder

Others Present There were approximately twenty (20) members of the public and one (1) member of the media in attendance

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 6:30 pm. She acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. COMMUNITY INFORMATION MEETING

Housing Options Review Project

3.1 Planner Presentation

Planner Zupanec conducted a presentation and highlighted the following:

- The objectives and scope of Phase I of the project;
- Current zoning for accessory cottage provisions;
- The proposed bylaw amendments to the Official Community Plan (OCP);
- The proposed bylaw amendments to the Land Use Bylaws (LUB);
- The proposed bylaw amendments do not increase density allowances;
- It was clarified that this is not an affordable housing project but a housing options review;
- The consultation process to date;
- Allowable configurations for secondary suites;
- The differences between allowances for secondary suites within the Agricultural Land Reserve (ALR) and outside of the ALR;
- A manufactured home for family farm worker use in addition to a secondary suite will be allowed within the ALR;

- Lot owners building new secondary suites will be required to register a restrictive covenant under Section 219 of the Land Title Act and this covenant prohibits the registration of a strata plan under the Strata Property Act which would result in the secondary suite becoming a separate lot;
- A map that previously created a geographical restriction of the location of a suite that could be developed on one specific lot will be eliminated;
- The timeline of the project including upcoming review by the newly formed APC and opportunity for public input through a public hearing.

3.2 Public Questions and Answers

Members of the public asked questions and staff responded as follows:

- Will the restrictive covenant become a disincentive for property owners to build a secondary suite, particularly because the covenant stays on the title?
 - Registering the covenant becomes another step in the process and will be part of the building permit application. It is not an onerous step as most of the work is already done through the use of a model covenant.
- While the process of getting the covenant registered might not be difficult isn't it a disincentive to tie up the use of a secondary suite and land forever when we don't know if this is the best way to go about protecting against subdivision.
 - If the Local Trust Committee (LTC) wanted to allow the subdivision of suites or an accessory cottage in the future then the covenant could be discharged. The intent of the covenant is to ensure that the rental accommodation dwelling is secured for that purpose and not be allowed to be subdivided and sold off as a building strata.
- Are there not other ways to protect rental accommodation other than a covenant?
 - No, the only way to close the loophole that exists in the Strata Property Act is through a covenant.
- Is a housing use agreement an option?
 - A housing use agreement is a tool used to ensure the rental rate, or sale or re-sale of a unit, is fixed. It can be explored as part of the Phase II project.
- There is a concern that the covenant is in perpetuity unless it is discharged. Are there other mechanisms that can be explored? Has there been any research into other options that don't create limitations?
 - The covenant allows for the protection of the principal dwelling and a secondary suite which has the potential to be used as a rental unit. Until the Strata Property Act is fixed and this loophole is closed, there is an argument to be made that 5 acre parcels should not be further subdivided. The covenant is the only mechanism to prevent a property owner from submitting a plan to the Land Titles office creating a strata property. The Land Titles office does not look at any documents other than those registered on the title.

- Is the reason for the covenant being put in place due to an application for a strata property subdivision not having to go through the local authority but going straight to the Land Titles office and the Land Titles office has no obligation to look at, or adhere to, our LUB.
 - Yes, that is correct.
- Why doesn't this covenant apply to cottages? Why does it apply to suites built within a house?
 - It applies to new building construction only, and it does apply to cottages as well. This can only happen if either dwelling has never been occupied.
- What is the length of time to complete the housing needs assessment?
 - Approximately six months. The focus of Phase II of this project will be considered once the housing needs assessment is completed.
- Is there a place we can find definitions of terms and acronyms used?
 - Definitions in the OCP and LUB are located in the definitions section of each document.
- Can you apply for a permit to build a new garage with a suite above it within the ALR? Currently you can only build one at a time.
 - Staff are trying to get clarification from the Agricultural Land Commission (ALC) as this only applies in agricultural zones. In non-agricultural zones you can apply to build both units at the same time.
- Is there opportunity for public input for terms of reference for the housing needs assessment?
 - The southern Gulf Islands have started their assessment and the model has been established and is available on their website. It is important to note that standardization allows for better opportunities for comparisons and larger scale of analysis of data. There will also be consultation with relevant community groups prior to doing the Gabriola housing needs assessment.
- Can a manufactured home be raised and a suite built under it? Is this allowed under the building code?
 - Manufactured homes are built to Canadian Safety Association (CSA) standards and the foundation is designed for the manufactured home only.
- Is there anything in the proposed bylaw that would prohibit a property owner of a five acre lot from applying for a bare land strata?
 - If someone owned a ten acre parcel and wanted to subdivide it into two five acre lots they would need to meet minimum lot size to apply for a bare land strata.
- The OCP prohibits strata division of existing buildings and the Strata Property Act states that if it is an existing building the strata process must go through local government. Why do we want to limit the authority of the LTC if the LTC wants to allow a strata subdivision of that particular lot?
 - The covenant applies to new builds only and there is an opportunity prior to occupation for a strata division to occur through the Land Titles office. If there is a site specific case that the LTC chooses to approve for strata the covenant could be discharged.

- Would a covenant be required if someone has an existing dwelling and is putting in a suite?
 - Yes as the OCP stipulates that no building can be stratified and the covenant would prevent re-development of the house and suite into a building strata.
- The covenant might unintentionally cause a restriction to creative ways of securing home ownership. The strata option is one of the more familiar forms of ownership and one that is acknowledged by financiers. A covenant would restrict the co-ownership option.
- Can the proof of water aspect be a separate bylaw?
 - Proof of water is triggered for subdivision application and secondary suites are separate to this.
- Is there a risk leaving the covenant until Phase II of the project? Does it need to be placed at this point?
 - The timing is market driven in nature and the longer the loophole is left open the more vulnerable that the housing stock is to building strata development, particularly on water front lots.
- Is there a sense that strata applications are coming?
 - We don't know about them until they have been filed. We are informed after the fact that they have become registered subdivisions and we have not had an opportunity to review them.
- Instead of placing a covenant stating a property can never be stratified, can the covenant instead state that the owner agreed to get approval by the LTC?
 - It is easier to discharge a covenant based on the merits of a proposal.
- How onerous is it to get a discharge on a covenant?
 - It is not onerous. It is a document that both parties sign and register with the Land Titles office.

Discussion ensued and Trustees noted that the issue of subdividing using the strata property act is complex however the use of a covenant to prevent this from happening might also restrict opportunity for creative forms of housing ownership, or create disincentive to building secondary suites.

3.3 Local Trust Committee Consideration

GB-2017-104

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to prepare a report for the July 2017 Local Trust Committee meeting outlining the implications of, and options for, the proposed requirement for a covenant prohibiting subdivision under the Strata Property Act.

CARRIED

Trustees discussed the bylaw amendment allowing kitchens to be built in accessory buildings and it was determined that restricting this to commercial kitchens was too limiting and onerous. Discussion ensued regarding the headings used within the OCP and LUB documents.

GB-2017-105

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff review the headings of Section 2.6 of the Official Community Plan.

CARRIED

3.3.1 Proposed Bylaw No. 292

Comments regarding this proposed bylaw are noted in Item 3.2

3.3.2 Proposed Bylaw No. 293

Comments regarding this proposed bylaw are noted in Item 3.2

3.3.3 Bylaw Referral Response - Ministry of Agriculture

Received for information.

4. ADJOURNMENT

By general consent the meeting was adjourned at 8:55 pm.

Laura Busheikin, Chair

Certified Correct:

Lisa Millard, Recorder

Follow Up Action Report

Gabriola Island

07-May-2015

Activity	Responsibility	Target Date	Status
Staff to further discussion regarding zoning of Coats Marsh Regional Park with The Nature Trust of BC and the Regional District of Nanaimo, encouraging them to request approval from the Ecological Gifts Program for the change in zoning from Resource to Parks 1, that was removed from bylaws 271 and 272 prior to their adoption. RDN has indicated they have no objection to the change in zoning but noted potential for a perceived concern regarding negative tax implication due to Ecological Gifts Program participation.	Sonja Zupanec Ann Kjerulf	11-Jun-2015	On Going
Staff to schedule a meeting with Snuneymuxw First Nation as per our protocol agreement. Letter of invitation to participate in C2C Forum sent September 22, 2016		11-Jun-2015	On Going

14-Jan-2016

Activity	Responsibility	Target Date	Status
Staff to prepare information package to send to RDN staff to distribute to Building Permit applicants.	Sonja Zupanec	11-Feb-2016	On Going

08-Sep-2016

Activity	Responsibility	Target Date	Status
For RDN annual meeting agenda for 2017 - ADD: 1. Enforcement of RDN Noise Bylaw; 2. Mudge Island Public Dock; 3. Regulations for temporary dwellings being connected to a sewage disposal system			On Going

**Follow Up Action Report****30-Mar-2017**

Activity	Responsibility	Target Date	Status
GB-RZ-2016.1 - Bylaws 289 and 290 amended as per minutes of Mar 30 sp LTC mtg. Third reading and forward to Executive Committee. Update bylaws and post to web. - Done LTC resolutions confirming proof of covenant registration required prior to adoptions of bylaws. Investigate and report back on covenant recommendations being imbedded in text of covenant. Include requirement in covenant for an integrated storm water management plan at the time of subdivision.	Becky McErlean Sonja Zupanec	11-May-2017	On Going
Create a name plate for the GB minute taker. Look into a more permanent name plate for LTC/staff identification at meetings.	Wil Cottingham	11-May-2017	On Going

11-May-2017

Activity	Responsibility	Target Date	Status
Housing Options Review Project: -Proposed Bylaw 293 amended as per minutes of meeting; 1st reading as amended and not contrary to ITPS; -Request staff to research new headings for Section 2.6 of the OCP for Bylaw 292 at second reading; -Request staff to bring back information on the use of the term family in the OCP/LUB; -Request staff to schedule a CIM and Special Meeting for Bylaws 292 and 293; -Refer both bylaws to the APC (once appointed); -Refer both bylaws to the Ministry of Agriculture and ALC for written confirmation of compliance to ALC Act and Regulations.	Becky McErlean Sonja Zupanec Wil Cottingham	31-May-2017	On Going

08-Jun-2017

Activity	Responsibility	Target Date	Status
----------	----------------	-------------	--------

**Follow Up Action Report**

Bylaw enforcement staff to draft a policy and communications strategy pertaining to STVR enforcement.	Miles Drew	29-Jun-2017	On Going
Forward Bylaw No. 295 (electronic meetings) to EC for approval.	Becky McErlean	22-Jun-2017	Done
Bylaw No. 296 (APC) adopted; update website.	Becky McErlean	22-Jun-2017	Done
Add First Nation Relationship Building to the Top Priorities list.	Ann Kjerulf	22-Jun-2017	Done
Schedule teleconference to discuss First Nations Relationship Building opportunities (Fiona MacRaid, Gabriola trustees)	Wil Cottingham	22-Jun-2017	On Going
Request staff to work with GALLT to organize a gathering with the Snuneymuxw First Nation (Fiona MacRaid).	Wil Cottingham	29-Jun-2017	On Going
Request staff to provide a report on next steps in First Nations Relationship Building (Fiona MacRaid)			On Going
Staff to submit an application to UBCM for Community to Community (C2C) Funding (Fiona MacRaid; Mike Richards)		22-Jun-2017	Done
Staff to send notification letters to APC candidates.	Penny Hawley	22-Jun-2017	Done
Staff to schedule and conduct an orientation session for new APC members.	Sonja Zupanec	29-Jun-2017	Done



DATE OF MEETING: July 13, 2017
TO: Gabriola Island Local Trust Committee
FROM: Ann Kjerulf, Regional Planning Manager
Northern Team
SUBJECT: Coats Marsh Regional Park Zoning

PURPOSE

The purpose of this memorandum is to respond to the Local Trust Committee (LTC) request for staff to engage in discussions with the Nature Trust of BC and Regional District of Nanaimo regarding the zoning of Coats Marsh Regional Park, and to advise on potential opportunities to rezone lands for ecological protection.

BACKGROUND

Coats Marsh Regional Park was donated to the Regional District of Nanaimo and Nature Trust of BC in 2008 through the federal Ecological Gifts Program:

*"Canada's Ecological Gifts Program provides a way for Canadians with ecologically sensitive land to protect nature and leave a legacy for future generations. Made possible by the terms of the Income Tax Act of Canada and the Taxation Act in Quebec, it offers significant tax benefits to landowners who donate land or a partial interest in land to a qualified recipient. Recipients ensure that the land's biodiversity and environmental heritage are conserved in perpetuity."*¹

A previous attempt to rezone Coats Marsh from Resource to Parks 1 was unsuccessful due to the perception that rezoning could result in a "change in use", which would not be permitted under the terms of the Ecological Gift Program. The LTC passed the following resolutions at their meeting May 7, 2015:

GB-2015-046

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee Bylaw No. 271, cited as "Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2013", be revised by removing all changes to Coats Marsh Regional Park, which is legally described as "The Northwest ¼ of Section 10, Gabriola Island, Nanaimo District, Except those Parts in Plans 29152, 30043 and 30051".

CARRIED

GB-2015-048

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee Bylaw No. 272 cited as "Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2013" be revised by removing all changes to Coats Marsh Regional Park which is legally described as the Northwest ¼ of Section 10, Gabriola Island, Nanaimo District, Except those Parts in Plans 29152, 30043 and 30051.

CARRIED

¹ Environment and Climate Change Canada Ecological Gifts Program. <https://www.ec.gc.ca/pde-egg/>

GB-2015-050

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to further discuss with The Nature Trust of BC and the Regional District of Nanaimo, encouraging them to request approval from the Ecological Gifts program for the change in zoning for the Coats Marsh Regional Park Property from Resource to Parks 1.

CARRIED

DISCUSSION

Staff have since met with Regional District of Nanaimo (RDN) staff who have indicated that they have no concerns with Coats Marsh being rezoned to Park, and that this would be consistent with the RDN Coats Marsh Regional Park 2011-2021 Management Plan².

Staff have also had discussions with Islands Trust Fund staff and confirmed that other sites within the Islands Trust have been gifted through the Ecological Gifts Program and subsequently rezoned. For example, portions of Retreat Island within the Galiano Local Trust Area, were gifted to the Galiano Conservancy through the Ecological Gifts Program and subsequently rezoned to "Nature Park". Jennifer Eliason, Islands Trust Fund Manager, has recently contacted the Ecological Gifts program and confirmed rezoning the land for the purpose of ecological protection after the gift is not a concern and does not constitute a "change in use". Furthermore Environment Canada considers a recipient to have changed the use of an ecological gift if the recipient:

- undertakes any action that results in or could result in a diminution of the ecological condition or protection of the ecological gift; or
- fails to take reasonable action to manage and protect the ecological condition of the ecological gift;

With this in mind, it seems logical that the ecological condition of the ecological gift should be protected through appropriate zoning.

Based on the information obtained, staff are of the opinion that Coats Marsh Regional Park should be rezoned to Park 1 or another conservation type zone, consistent with the intent of the Ecological Gifts Program to "*ensure that the land's biodiversity and environmental heritage are conserved in perpetuity*". Furthermore, Islands Trust Fund staff note that Burren's Acres Nature Reserve, located at 1027 Conville Road (Lot 3, Section 12, Gabriola Island, Nanaimo District, Plan 26561) is also a candidate site for rezoning. The nature reserve was an Ecological Gift to the Islands Trust Fund in 2013.

Development of a new ecological protection zone is currently an LTC Top Priority.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	June 9, 2017
---------------	---	--------------

² Regional District of Nanaimo. Coats Marsh Regional Park 2011-2021 Management Plan.

<http://www.rdn.bc.ca/cms/wpattachments/wpID2222atID7635.pdf>

File No.: GB-6500-20
Housing Options Review Project

DATE OF MEETING: July 13, 2017
TO: Gabriola Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
SUBJECT: Housing Options Review Project – Supplemental Report

RECOMMENDATION

1. That Gabriola Island Local Trust Committee Bylaw No. 292, cited as “Gabriola Island Official Community Plan (Gabriola Island), 1997, Amendment No. 1, 2017”, be amended as specified in Attachment 1 of the staff report dated July 13, 2017.
2. That Gabriola Island Local Trust Committee Bylaw No. 292, cited as “Gabriola Island Official Community Plan (Gabriola Island), 1997, Amendment No. 1, 2017”, be read a second time as amended.
3. That Gabriola Island Local Trust Committee Bylaw No. 293, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2017”, be amended as specified in Attachment 2 of the staff report dated July 13, 2017.
4. That Gabriola Island Local Trust Committee Bylaw No. 293, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2017”, be read a second time as amended.
5. That the Gabriola Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Gabriola Island Local Trust Committee Bylaw No. 292, cited as “Gabriola Island Official Community Plan (Gabriola Island), 1997, Amendment No. 1, 2017”.
6. That the Gabriola Island Local Trust Committee request staff to schedule a Community Information Meeting and Public Hearing for Gabriola Island Local Trust Committee Bylaw No. 293, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2017”.

REPORT SUMMARY

The purpose of this report is to provide specific recommendations to amend Proposed Bylaw Nos. 292 and 293 and additional information based on Local Trust Committee (LTC) resolutions passed at the Special Meeting and Community Information Meeting (CIM) held on June 14, 2017.

BACKGROUND

On June 14, 2017 the LTC passed the following resolutions:

GB-2017-104**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff to prepare a report for the July 2017 Local Trust Committee meeting outlining the implications of, and options for, the proposed requirement for a covenant prohibiting subdivision under the *Strata Property Act*.

CARRIED**GB-2017-105****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff review the headings of Section 2.6 of the Official Community Plan.

CARRIED**ANALYSIS****Proposed Bylaw No. 292**

The current Official Community Plan (OCP) section 2.6 heading 'Single-family Affordable Housing' is meant to differentiate from section 2.4 'Multi-dwelling affordable housing' objectives and policies. The OCP definition of 'single dwelling' is currently "one residential unit on a parcel". Under the Land Use Bylaw (LUB), an accessory cottage or secondary suite would classify as a 'dwelling' therefore creating unnecessary ambiguity of whether two dwellings on a parcel are consistent with the 'single-dwelling' definition in the OCP. Because the current OCP definition of "single-dwelling" is inconsistent with the intent of revised policy 2.6(1)(a), Staff suggested that this term be removed from the section sub-headings and Proposed Bylaw No. 292 was drafted to this effect. Revised policy 2.6.(1)(a) would recognize secondary suites (in a variety of configurations – including detached) on a parcel as a means of providing affordable housing. Staff also suggested deferring a more comprehensive review of all affordable housing objectives, policies and associated headings to Phase II of the Housing Options Review Project. The LTC can consider replacing 'single-dwelling' with 'single-family' to create a distinction between objectives and policies under sections 2.4 and 2.6.

The definition of "family" in the OCP is also proposed to be removed as it is unnecessary in either the OCP or the Land Use Bylaw (LUB).

Proposed Bylaw No. 293

At the June 2017 CIM, staff identified two additional amendments to the LUB that would be required if Proposed Bylaw No. 293 proceeds to public hearing. Both amendments replace the word 'cottage' with 'secondary suite' where they appear in the LUB under section C.3.1.2 (b) and Part G Definitions. No other amendments are proposed at this time.

Proposed s.219 Restrictive Covenant

Proposed Bylaw No. 293 contains a provision in new section B.6.3.7 requiring a section 219 covenant under the *Land Title Act* to be registered on (non ALR) property at the time of construction of a secondary suite. The LTC has requested that staff report back on the implications of, and options for, the proposed requirement for a covenant prohibiting subdivision under the *Strata Property Act*.

Staff provided a comprehensive overview of the current state of legislation at the June CIM. In summary, the current legislation allows for the deposit of a building strata plan at the Land Titles Office without any approval from the local government or approving officer, for buildings that have not been previously occupied. Presumably, the original intent of this legislation was to allow the strata titling of large, multi-dwelling buildings

such as apartment or townhouse developments where the zoning and density of the lot permits the number of proposed units. Through staff conversations with the Land Titles Office, it appears the BC Law institute and the Association of BC Land Surveyors are aware of the mis-use of the *Strata Property Act* provision which allows the deposit of a building strata subdivision plan at the Land Titles Office for a house and secondary suite without prior approval of the Ministry of Transportation and Infrastructure (MOTI) approving officer or the local government authority. The BC Law Institute has a '*Strata Property Act* Reform' working group that is looking to address this 'loophole' by requiring approving officer approval for any subdivision, which would then trigger a referral to the local government (Islands Trust) to comply with zoning, and any local regulations prohibiting building strata subdivisions of accessory cottages or secondary suites.

Even though these typically rural, large lot 'pseudo-subdivisions' comply with the *Strata Property Act* legislation in theory and may be registered with Land Titles, the end result may not match community planning objectives, such as limiting density, and may lead to land use bylaw violations; in fact, Islands Trust staff recently had an experience where a new owner of a strata titled waterfront accessory dwelling sought to expand the floor area of this dwelling in order to meet his desire for more space. Creation of a separate real estate entity by building strata, on a lot that would not otherwise be subdividable, may inevitably also result in increased property values.

The implications of building strata tenures in the rural context are complex and appear to be poorly understood. The loophole is most often used for waterfront and view lots where potential real estate values can be higher. The resulting subdivision severs a secondary suite (interior walls and floor area of the suite) from the parent parcel as a separate real estate entity. The exterior of all the buildings (including accessory buildings such as a garage, woodshed etc.) and all the land form the 'common property' which must be managed by a strata corporation (comprised of the 'owners'). When financial disputes between strata corporation members arise and professional mediation is ineffective, the local government is often asked to remedy the situation by allowing small lot fee-simple subdivisions in lieu of building strata subdivisions to allocate a more "equitable" share of land and buildings and the flexibility to add, remove, manage and use the property without approvals by the strata corporation.

Staff maintains that a s. 219 covenant is the most effective mechanism to ensure that new detached secondary suites do not end up as separate real estate entities, potentially further parcelizing waterfront (and view lot) properties, and raising lot owner expectations that rural lots can be further developed beyond what the LUB would allow.

By requiring the registration of the covenant at the time of construction (regardless of whether it is new or occupied), the risk of a building strata subdivision at the time of re-construction is eliminated (due to fire, flood, renovations etc.). The covenant can be discharged by the owner and the Local Trust Committee if the covenant is deemed to be an encumbrance to an attainable or affordable housing initiative in the future. The LTC at that time can review the merits of a proposal to consider a discharge request.

The LTC has endorsed the preparation of a model covenant for use by property owners at the time of application for a building permit with the Regional District of Nanaimo. Provision of a model covenant is beneficial as the land owner would not need to assume the legal costs of covenant preparation. Costs are limited to covenant registration, which are nominal.

The concerns expressed by some members of the public that the encumbrance of a restrictive covenant on title would stifle opportunities for attainable housing tenure in the future have been received by the LTC. Staff have repeatedly expressed concerns that just under 2100 fee simple residentially zoned lots on Gabriola are already less than 0.3 ha (0.8 acres) in size, representing 66% of residential lots on the island. Diversity in the island housing stock is a key tenant of a healthy community and small-lot rural options do not appear to be in short supply on Gabriola. However, secure long term attainable and/or affordable housing rentals and ownership

opportunities are limited. The completion of the housing needs assessment will quantify this more clearly. Building strata subdivisions of secondary suites on rural lots across the province appear to have negligible potential to address affordable tenure gaps in the housing continuum.

Discussion on exploring the use of housing agreements for building strata subdivisions can be considered by the LTC as part of Phase II of the Housing Options Review Project. Moving forward, there would be no obstacles preventing a property owner from requesting a discharge of a s.219 covenant if they have prepared a housing agreement with the LTC to secure, in perpetuity, the market sale, resale or rental of the secondary suite within the confines of a pre-agreed upon 'affordability' metric. Upon the completion of the housing needs assessment the LTC can consider policy guidance, LUB amendments or a standing resolution to this effect to confirm that property owners can explore the housing agreement model with a building strata subdivision.

Rationale for Recommendation

Proposed Bylaw No. 292 (OCP) and Proposed Bylaw No. 293 (LUB) should be corrected and amended as per the attachments included in this report prior to a community information meeting and public hearing in the fall of 2017.

ALTERNATIVES

- 1. Request further information from staff.**
- 2. Make additional changes to the bylaws based on public input.**

NEXT STEPS

If the LTC concurs with staff recommendations, a CIM and public hearing will be scheduled in September 2017.

Submitted By:	Sonja Zupanec, RPP Island Planner	June 30, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	June 30, 2017

ATTACHMENTS

1. Proposed Bylaw 292 - tracked changes version
2. Proposed Bylaw 293 - tracked changes version

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 292

A BYLAW TO AMEND GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN, 1997

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Official Community Plan (Gabriola), 1997, Amendment No. 1, 2017”.

2. Gabriola Island Local Trust Committee Bylaw No. 166, cited as “Gabriola Island Official Community Plan (Gabriola), 1997” Schedule “A” is amended as follows:

2.1 Section 2. – General Land Use and Residential Development, Section 2.0 General Land Use, General Land Use Policies, Clause j) is amended by deleting the word “permit” and replacing it with the word “support”.

2.2 Section 2. – General Land Use and Residential Development, Section 2.1 – Residential Land Use, General Residential Policies, Clause g) is deleted in its entirety and replaced with:

“g) On parcels 2.0 hectares (4.94 acres) or larger, one secondary suite shall be permitted per parcel, accessory to a principal single family dwelling.”

2.3 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Background is deleted in its entirety and replaced with:

“Background: A community plan is intended to contain a statement concerning the provision of affordable housing in the community. Currently on Gabriola, the allowance of secondary suites on parcels 2.0 hectares or larger, is considered a means of addressing the islands’ need for diversity in housing options and affordability.”

2.4 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Single-dwelling Affordable Housing Objectives is amended by deleting the words “Single-dwelling” and replacing with “Single-family”.

2.5 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Single-dwelling Affordable Housing Policies is amended by deleting the words “Single-dwelling” and replacing with “Single-family”.

2.6 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Single-dwelling Affordable Housing Policies’, Clause a) is deleted in its entirety and replaced with:

- “a) Provision for a secondary suite on a parcel 2.0 hectares or larger (as per policy 2.1 g) shall be recognized as a means of providing for affordable housing in a rural, low density context.”

2.7 Section 2. – General Land Use and Residential Development, Section 2.7 Home Occupational Use, Home Occupational Policies, Clause b, Item i, is deleted in its entirety and replaced with:

“i the use is accessory to a dwelling unit on a parcel;”

2.8 Appendix 1 - Definitions is amended by deleting the following terms and the associated definitions:

“accessory”	“Accessory cottage”	“bed and breakfast accommodation”
<u>“family”</u>	“boarder”	“building”
“dwelling unit”	“home occupation”	“horticulture”
“industry”	“principal”	“public park”
“public utility”	“residence”	“school”
“single-dwelling”	“structure”	“tourist accommodation”
“tourist accommodation unit”		

2.9 Appendix 1 – Definitions is amended by deleting the word “means” from the beginning of each definition.

READ A FIRST TIME THIS 9TH DAY OF FEBRUARY ,2017

PUBLIC HEARING HELD THIS _____ DAY OF _____ 201X

READ A SECOND TIME THIS _____ DAY OF _____ 201X

READ A THIRD TIME THIS _____ DAY OF _____ 201X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ 201X

ADOPTED THIS _____ DAY OF _____ 201X

Chair

Secretary

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 293

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation:

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2017”.

2. Gabriola Island Local Trust Committee Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw, 1999, ” is amended as shown on Schedule 1, attached to and forming part of this bylaw:

READ A FIRST TIME THIS 11TH DAY OF MAY ,2017

PUBLIC HEARING HELD THIS _____ DAY OF _____ ,201X

READ A SECOND TIME THIS _____ DAY OF _____ ,201x

READ A THIRD TIME THIS _____ DAY OF _____ ,201X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ ,201X

ADOPTED THIS _____ DAY OF _____ ,201X

Chair

Secretary

Gabriola Island Local Trust Committee

Bylaw No. 293

Schedule 1

Schedule “A” of Gabriola Island Land Use Bylaw No. 177 cited as “Gabriola Island Land Use Bylaw, 1999 is amended as follows:

2.1 Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.1 Prohibited Uses, Clause a. is amended by deleting the words “an accessory cottage” and replacing it with the words “a secondary suite”.

2.2 Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.3 Additional Dwellings, Clause a. text is deleted in its entirety and replaced with:

“The construction, placement, or use of more than one dwelling unit on a lot is prohibited, unless specifically permitted in the zone.”

2.3 Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.3 Additional Dwellings, Clause b. is deleted in its entirety.

2.4 Part B – GENERAL REGULATIONS, Section B.3 Home Occupations, Subsection B.3.3 General Provisions, Article B.3.3.1, Clause a. is amended by deleting the word “principal”.

2.5 Part B – GENERAL REGULATIONS, Section B.3 Home Occupations, Subsection B.3.3 General Provisions, Article B.3.3.1, Clause b. text is deleted in its entirety and replaced with:

“Home occupations must be entirely enclosed within a dwelling and/or an accessory building, providing the combined total floor area for home occupation uses on a lot do not exceed 95 square metres (1,023 square feet), except on lots greater than 2.0 hectares (4.95 acres), where the total combined floor area of home occupation uses may not exceed 150 square metres (1,615 square feet).”

2.6 Part B – GENERAL REGULATIONS, Section B.5 PARKING, Subsection B.5.1 Minimum Number of Parking Spaces for Automobiles and Bicycles, Article B.5.1.1, Table 2: Parking Requirements is amended by replacing the word “cottage” with “secondary suite”.

2.7 Part B – GENERAL REGULATIONS, Section B.6 MISCELLANEOUS, Subsection B.6.3 Commercial Vacation Rentals is deleted in its entirety and replaced with the following:

“B.6.3 Secondary Suite Regulations

Secondary Suites are subject to the following requirements:

- B.6.3.1 Secondary suites are a permitted accessory use in the SRR, LRR, F, R, RR1, AG zones on lots 2.0 hectares (4.94 acres) or larger;
- B.6.3.2 On land outside the Agriculture Land Reserve a maximum of one (1) secondary suite is permitted per lot in a configuration consistent with Figure 1;
- B.6.3.3 The maximum permitted floor area for a secondary suite located wholly within or attached to a single family dwelling is 90 square metres (968 square feet) or 40% of the floor area of the dwelling, whichever is less;
OR
- B.6.3.4 The maximum permitted floor area for a secondary suite detached from a single family dwelling, or within an accessory building is 90 square metres (968 square feet);
- B.6.3.5 Secondary suites are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited unless authorized by a temporary use permit;
- B.6.3.6 A secondary suite must not be located within a manufactured home or multiple family dwelling;
- B.6.3.7 For lands outside of the ALR, a secondary suite shall not be permitted on a lot unless the owner of the lot, has registered a restrictive covenant under Section 219 of the *Land Title Act* in favour of the Gabriola Island Local Trust Committee:
- a. prohibiting the registration of a strata plan under the *Strata Property Act* or *Land Title Act* which would result in the secondary suite being a separate lot; and
 - b. limiting the number of dwellings permitted on the lot to two, including the principal dwelling.

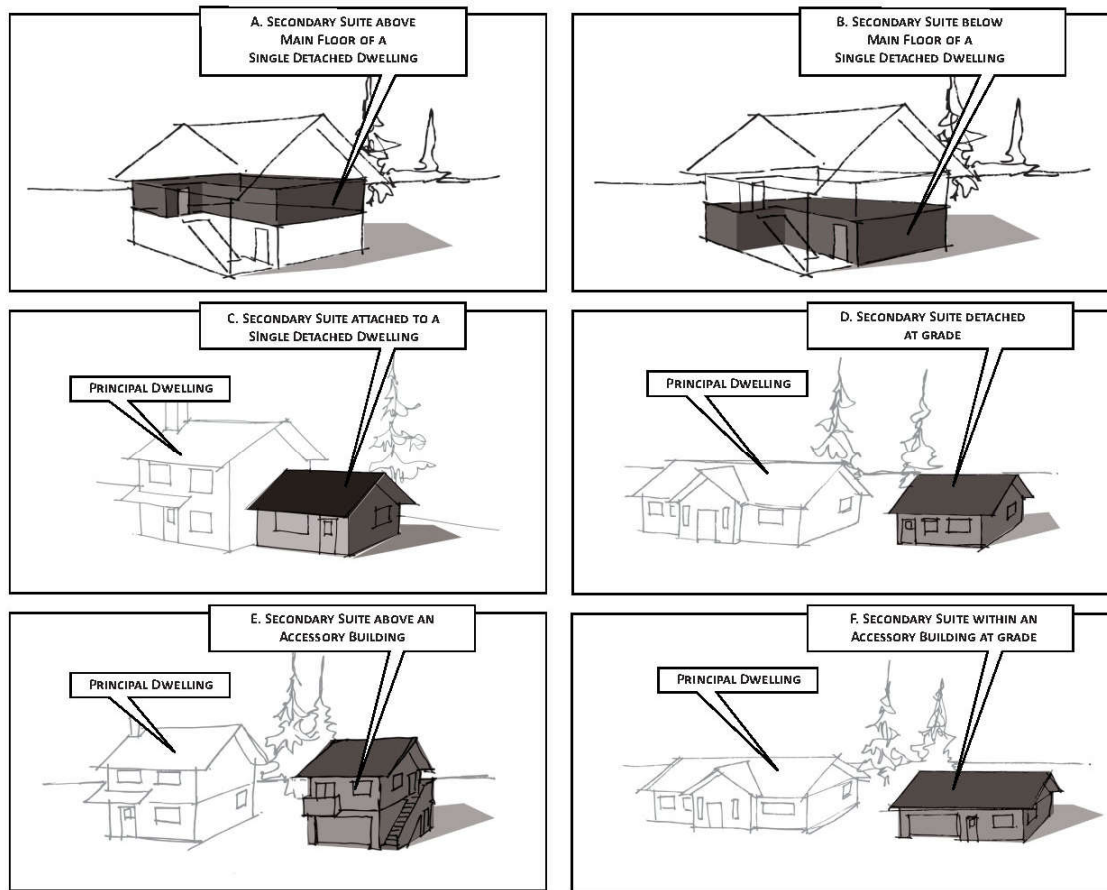


Figure 1. Permitted configurations for a secondary suite.”

- 2.8 Part B – GENERAL REGULATIONS, Section B.6 MISCELLANEOUS, Subsection B.6.4 Use of Travel Trailers, Recreational Vehicles and Accessory Buildings, Article B.6.4.1, Clause c. to be deleted in its entirety and replaced with the following:

“c. the travel trailer, recreational vehicle or accessory building is connected to an approved sewage disposal system.”

- 2.9 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word “cottage” with “secondary suite”.

- 2.10 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i, second and third bullets are deleted and replaced with:

“-one secondary suite per lot;
-three buildings per lot excluding a secondary suite, pump/utility house and woodshed and that are accessory to all dwellings; and”

- 2.11 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.2 Large Rural Residential (LRR), Article D.1.2.1 Permitted Uses, Clause b. Permitted

Accessory Uses, Item ii is amended by replacing the word “cottage” with “secondary suite”.

- 2.12 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.2 Large Rural Residential (LRR), Article D.1.2.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third bullets are deleted and replaced with:

“-one secondary suite per lot;
-three buildings per lot excluding a secondary suite, pump/utility house and woodshed and that are accessory to all dwellings; and”

- 2.13 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by deleting the words “or cottage”.

- 2.14 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third and fourth bullets are deleted and replaced with:

“-one secondary suite per lot;
-for lots in the Agricultural Land Reserve, one secondary suite dwelling located wholly within a building ~~that is a single lot~~ which otherwise contains a single family dwelling AND one secondary suite located above an accessory building OR one manufactured home for immediate family or farmworker housing;
-three buildings per lot- excluding a secondary suite, pump/utility house and woodshed and that are accessory to all dwellings; and”

- 2.15 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item ii text prefacing the bullets is deleted and replaced with:

“On lands in the Agriculture Land Reserve where a manufactured home is permitted on a lot 2.0 hectares (4.94 acres) or larger for immediate family or farm worker housing, the following conditions apply.”

- 2.16 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item i, first bullet is amended by replacing the word “cottage” with “secondary suite”.

- 2.17 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item ii, first bullet is amended by replacing the word “cottage” with “secondary suite”.

- 2.18 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.2 Forestry (F), Article D.2.2.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word “cottage” with “secondary suite”.

- 2.19 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.2 Forestry (F), Article D.2.2.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third bullets are deleted and replaced with:
- “- one secondary suite per lot;
 - three buildings per lot excluding a secondary suite, pump/utility house and woodshed and that are accessory to all dwellings; and”
- 2.20 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.4 Resource (R), Article D.2.4.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word “cottage” with “secondary suite”.
- 2.21 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.4 Resource (R), Article D.2.4.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third bullets are deleted and replaced with:
- “- one secondary suite per lot;
 - three buildings per lot excluding a secondary suite, pump/utility house and woodshed and that are accessory to all dwellings; and”
- 2.22 Part D – , ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii text is deleted in its entirety and replaced with:
- “secondary suite residential .”
- 2.23 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii, second bullet is amended by replacing the words “cottage residential on lands shown on Schedule C, Map 14” with “secondary suite”.
- 2.24 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i, second and fourth bullet text are deleted and replaced with
- “- three buildings per lot excluding a secondary suite, pump/utility house and woodshed and that are accessory to all dwellings;
 - one secondary suite per lot.”
- 2.25 Part E – SUBDIVISION, Section E.1 GENERAL, Subsection E.1.3 Covenant Against Further Subdivision and Development, Article E.1.3.3 is amended by deleting the words “ or cottage” in each instance it appears and replacing the words “and in a form complying with Appendix E” with “under s.219 of the Land Title Act in favour of the Gabriola Island Local Trust Committee,”.
- 2.26 Part G – DEFINITIONS, Section G.1 DEFINITIONS is amended by deleting the term “cottage” and definition.
- 2.27 Part G – DEFINITIONS, Section G.1 DEFINITIONS, “*dwelling – multiple family*” is amended by replacing the word “two” with “three”.

2.28 Part G – DEFINITIONS, Section G.1 DEFINITIONS, “secondary suite” is amended by replacing the definition with the following text:

“a self-contained dwelling unit consisting of one or more habitable rooms and a cooking facility for residential occupancy accessory to a principal dwelling unit located on the same lot.”

2.29 Part G – DEFINITIONS, Section G.1 DEFINITIONS, is amended by deleting the word “means” from the beginning of each definition in the section.

2.30 Part G – DEFINITIONS, Section G.1 DEFINITIONS, “floor area” is amended by replacing the word “cottage” with “secondary suite”.

2.31 Schedule C – Map 14 is deleted and subsequent Schedule C map 15 and 16 are renumbered accordingly.

2.32 PART C – Establishment of Zones, Sections C.3 Interpretation of Zone Boundaries, Subsection C.3.1.2 b. Lots in more than One Zone is amended by replacing the word “cottage” in each instance it appears with “secondary suite”.



File No.: File Number(s)
(File Name or Cross Ref. No.)

DATE OF MEETING: July 13, 2017
TO: Gabriola Island Local Trust Committee
FROM: Fiona XETXÁTTEN MacRaid, First Nations and Marine Issues
Local Planning Services
SUBJECT: Report subject : Relationship Building between the LTC and Snuneymuxw Nation

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee endorse the First Nations Relationship Building Project Charter v1 [as amended],. That the Gabriola Island Local Trust Committee commit to hosting one or two public events on Gabriola Island and/or Mudge Island to help raise awareness of local First Nation's history, lands and treaties amongst non-Indigenous residents and visitors.
2. That the Gabriola Island Local trust Committee ask staff to draft an amendment to the Introduction of the Official Community Plan, in coordination with First Nations with asserted interests in the Gabriola Local Trust Area, that includes an explicit acknowledgement of local First Nation history, land-use and treaties in the Gabriola Trust Area and, if possible, prepare mapping for inclusion in the Official Community Plan to identify places of significant historical value to local First Nations.

REPORT SUMMARY

The purpose of this report is to request that the Gabriola Island Local Trust Committee (LTC) endorse the attached First Nations Relationship Building Project Charter, which is intended to:

- Increase awareness and respect for the history, lands and treaties of local First Nations; and
- Improve the working relationship of the LTC and local First Nations, with priority for the Snuneymuxw First Nation.

Endorsement of the project charter would also commit LTC funds to support key project activities including and associated LTC financial commitment to carry out First Nations relationship building activities in the Gabriola Local Trust Area. These have been identified as public education events, a Community to Community (C2C) Forum, and consideration of Official Community Plan (OCP) amendments.

Staff ask that the LTC consider the following:

- Is hosting a public educational event on local First Nations history, lands and treaties an appropriate way to raise awareness amongst island residents and visitors? If so, when and where should those events be held?
- Is an OCP amendment as described in the recommendations an appropriate project to improve respectful relationships between the LTC and local First Nations?

Is it feasible to draw funds from the LTC Special Projects budget to provide additional support (\$800) to this project, should the C2C application be approved and the events proceed?

BACKGROUND

On June 8, 2016 Fiona MacRaild joined the Local Trust Committee meeting by telephone and discussed First Nations relationship-building opportunities with trustees. The following resolutions were passed:

GB-2017-099

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee add First Nations relationship building to the top priorities list.

CARRIED

GB-2017-100

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to work with the Gabriola Land and Trails Trust to organize a gathering with the Snuneymuxw First Nation.

CARRIED

GB-2017-101

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff bring back a report on next steps on First Nations relationship building.

CARRIED

GB-2017-102

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to assist in re-submitting a grant application for Community to Community funding for the summer intake.

CARRIED

Subsequent to the meeting, through phone calls and emails with trustees and staff, as well as a conversation with resident Ann Landry (who has expressed a desire to coordinate with the LTC to raise awareness of First Nations history and issues on behalf of the Gabriola Lands and Trail Trust), a draft plan was agreed on to include in the C2C funding application and submitted on June 30, 2017 to UBCM. The description of the draft plan in the funding application is as follows:

- A public education pre-event sponsored wholly by the LTC to provide an educational community presentation and discussion session called "Local First Nations of the Island Region: Understanding History, Lands and Treaties". This is intended to educate and "soften" the community members of the Gabriola Trust Area for a subsequent event involving members of Snuneymuxw Nation, and to allow them the public space to ask questions and clarification without risking offence to First Nations members. Snuneymuxw members will be invited to attend event and a copy of the presentation will be sent to them for any comment or edits in advance of the event.
- A C2C event designed in cooperation with Chris Good, who is a Snuneymuxw Councillor, the Fisheries Guardian and Douglas Treaty Implementation band staff member who already has an informal relationship with staff at Islands Trust. Possible themes for this event may include the history of Snuneymuxw clam gardens and mariculture in the Gabriola Trust Area, current fisheries ventures, or a

general history of the Snuneymuxw First Nation. Advice and cooperation from Snuneymuxw members in designing this C2C event will be key to its success. It is anticipated that the event would consist of two parts. The first would be a 1-2 hour conversation between elected officials of Snuneymuxw First Nation and Gabriola Island Local Trust Committee with a focus on understanding respective interests and exploring interests, including fisheries opportunities, with the goal of defining a specific project of mutual benefit for the two governments in the coming year. The second part of this event would involve a public education session with Snuneymuxw members speaking to their Nation's connections to the lands and waters of the Gabriola Trust Area.

Although the draft plan included in the funding application can be amended with notice to UBCM, it was decided that the LTC should discuss at the July 13, 2017 meeting how to amend the budget to accommodate that plan (if approved), the timing and location of the pre-C2C Event public educational outreach events, and any other options that may seem appropriate to start to compliment the draft plan.

Snuneymuxw Nation signed a Protocol Agreement with Islands Trust Council on December 4, 2008 but much has changed in decade since that - federally, provincially and locally – in awareness and respect for First Nations' Aboriginal rights and title, and treaty rights.

Snuneymuxw Nation is also the first successful Douglas Treaty Nations (there are 10 Douglas Treaty Nations with asserted interests in the Trust Area) to receive significant compensation (over \$49 million and lands) in November 2016 for the "villages and enclosed fields" that were not set aside for them per their pre-Confederate treaty. This recent acknowledgement of the validity and importance of their Douglas Treaty rights, sets the tone for the LTC to build on the decade-old Protocol Agreement and finds ways to learn from, and work with Snuneymuxw Nation on issues of mutual interest.

ANALYSIS

Policy/Regulatory

First Nations Engagement Principles Policy 6.1.i (endorsed by Trust Council December 2016):

The First Nations Engagement Principles:

- 1.1 underpin every activity of Islands Trust in order to have an enduring relationship with First Nations based on trust, honour and goodwill; and
- 1.2 are sequential and they speak of a way forward to acknowledge how profoundly First Nations have been ignored and disrespected, but these principles also point to a path forward that is genuine and sincere.

In committing to Principle 1.1 and 1.2, Islands Trust should and island municipalities are encouraged to:

- 2.1 commit to "listening and learning" about the history of First Nations' connection to the land and waters;
- 2.2 commit to "listening and learning" about First Nations' perspective on treaties, rights and title; and
- 2.3 commit to acknowledging that history, to ensure First Nations and ourselves that the history has been heard and understood correctly.

In committing to Principle 1.1 and 1.2, Islands Trust should and island municipalities are encouraged to:

- 3.1 commit to acknowledging the historical biases in the organization, which come from Canadian culture and assumptions, and have often resulted in non-Natives citizens ignoring and minimizing their relationship with First Nations; and
- 3.2 commit to undertaking actions that reflect an effort to change societal attitudes and systems.

In committing to Principle 1.1 and 1.2, Islands Trust should and island municipalities are encouraged to:

- 4.1 commit to supporting, where possible, traditional gathering and harvesting activities;
- 4.2 commit to supporting, where possible, the integration of Traditional Knowledge into stewardship practices and policies; and
- 4.2 commit to supporting the development of a Reconciliation Action Plan.

Official Community Plan:

An Official Community Plan is one of the more significant and long-standing tools the LTC use in their day-to-day decision in land-use planning and would amending it to reflect a respect for First Nations history would demonstrate a sincere desire to build a mutually respectful relationship.

Both the Gabriola Island Official Community Plan Bylaw No. 166 and the Mudge Island Official Community Plan Bylaw No. 227 could update their “Community Context” sections from a few sentences acknowledging Snuneymuxw Nation’s history to reflect emerging archaeological evidence of the last few years.

This section could include a few paragraphs on the intense density of the Aboriginal populations in the island region, the advanced Aboriginal civilisation of at least five millennia, a frank and honest description of the last century of racial oppression and a description of the opportunities that current land ambiguities in an environment of true reconciliation affords us to work together respectfully.

Issues and Opportunities

Having a public educational outreach event or two is an opportunity raise awareness and respect amongst non-Indigenous residents and visitors during a time when most Canadians are just discovering the facts and implications of 140 years of the *Indian Act* and the residential schools. These events would present well-researched and relevant information for islanders that would, hopefully, inspire them to continue their own personal learning about local First Nations history and current issues. It would also contribute to an elevated sense of respect if and when First Nations engage with the island community.

The consideration of amending the “Community Context” sections of the OCPs show a sincere desire to shift attitudes in a significant and long-standing way and is directly related to the core activities of the LTC. It is hoped that an initiative like this will set the tone for further meaningful shifts toward an improved working relationship.

Consultation

Although the Gabriola Local Trust Area is acknowledged by most First Nations to be the core territory of the Snuneymuxw Nation, other First Nations have asserted interests in this area too. The intent is to ask Snuneymuxw leadership and band staff to advise the LTC on how to approach other local First Nations with asserted interests and invite their participation in projects of mutual interest.

Rationale for Recommendation

In the broader societal shift towards reconciliation between First Nations and non-Indigenous Canadians, education is key to influencing changing attitudes. The public educational outreach events on the history, lands and treaties of local First Nations are intended to do that.

Having a two-part C2C meeting where the first hour or two is a discussion between elected officials of both Islands Trust and Snuneymuxw Nation, followed by an educational event on issues specific to Snuneymexw will help the trustees to demonstrate a transparency to their island community as well as foster relationships directly between islanders and members of Snuneymuxw.

Drafting an initial OCP amendment to discuss with Snuneymuxw representatives shows considerable seriousness of intent to do meaningful and respectful shifts in the relationship, and may lead to First Nations input and involvement in other aspects of the tools the LTC use for land-use decisions.

ALTERNATIVES

1. Request further information

That the Gabriola Island Local Trust Committee request that staff come back with the draft wording of the proposed OCP amendments before making a decision to amend the OCP.

2. Receive for information

That the Gabriola Island Local Trust Committee not endorse the recommendations at this time until Snuneymexw Nation responds to the C2C invitation.

NEXT STEPS

In coordination with Snuneymuxw Nation staff and leadership, provide the LTC with a series of event plans and draft OCP amendment wording to consider at the next LTC meeting.

Submitted By:	Fiona XETXÁTTEN MacRaid, Senior Intergovernmental Policy Advisor, First Nations and Marine Issues	July 5, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager, Northern Team	July 5, 2017

ATTACHMENTS

1. First Nations Relationship Building Project Charter v1

First Nations Relationship Building- Charter v1

Gabriola Island Local Trust Committee

Purpose *To increase awareness and respect for the history, lands and treaties of local First Nations amongst the residents and visitors to the Gabriola Trust Area. To improve the working relationship of the LTC and local First Nations, with priority for the Snuneymuxw Nation.*

Background Building on the 2008 protocol agreement between the Gabriola Island Local Trust Committee and Snuneymuxw First Nation, the LTC has sought to strengthen its relationship with the Snuneymuxw. Gabriola community groups have also expressed a desire for a better relationship and understanding of local First Nations. Trust Council has endorsed principles of First Nations Engagement in 2016. It is hoped that this project will result in a meaningful contribution to raise awareness, understanding and respect in the island community for local First Nations.

Objectives

- *Education of non-Indigenous island community members of the history, lands and treaties of local First Nations*
- *Determine a project of mutual interest for LTC and Snuneymuxw Nation to collaboration*
- *Initiate a lasting and meaningful change in the OCP that reflects increased respect for First Nations*

In Scope

- *Educational public event, hosted by the LTC*
- *C2C Meeting with Snuneymuxw First Nation*
- *Communications (Islands Trust website, news advertising, posters)*
- *Potential amendments to Local Trust Committee OCPs (Gabriola, Mudge, DeCourcy)*

Out of Scope

Workplan Overview

Deliverable/Milestone	Date
<i>Project Approval and any changes requested by the LTC</i>	July 13, 2017
Public Educational Event "Understanding First Nations History, Lands and Treaties"	TBD
Draft OCP amendments to Gabriola, Mudge, and DeCourcy OCP "Community Context" section for LTC consideration	Next LTC meeting
C2C Meeting with Snuneymuxw: Part 1 (meeting between LTC and elected Snuneymuxw representatives) and Part 2 (A Snuneymuxw-specific public educational event)	TBD

Project Team

<i>Fiona XETXATTEN MacRaild, First Nations and Marine Issues</i>	Project Manager
Ann Kjerulf, Regional Planning Manager	Staff resources
Sonja Zupenec, Island Planner	Event support

RPM Approval:

Ann Kjerulf

Date: July 6, 2017

LTC Endorsement:

Resolution #:

Date:

Budget

Budget Source: First Nations Relations and Communications; Special Projects, UBCM

Fiscal	Item	Cost
2017-18	Pre-Event to C2C	600.00
2017-18	C2C Event (50/50 cost share with UBCM)	3600
2017-18	OCP amendments	1000
	Total	5,200 39



Top Priorities

Gabriola Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Housing Options Review Project	Review Gabriola OCP and LUB policy/regulations to allow option for secondary suite in lieu of accessory cottages on lots over 2ha and over existing buildings; review temporary dwelling regulations; draft new proof of water requirements for subdivision regulations.	07-May-2015	Sonja Zupanec	
1	First Nations Relationship Building				
2	Develop a new ecological protection zone for the LUB.	Research and develop a new ecological protection zone as part of the Parks (P) OCP designation.	11-May-2017		
3	Water taxi feasibility	Review feasibility for zoning provisions for a water taxi at or near Descanso Bay, Gabriola Island.	14-Jul-2016	Sonja Zupanec	

**Projects****Gabriola Island**

Description	Activity	R/Initiated
DeCourcy Island OCP and Bylaw Review	Review DeCourcy Island Official Community Plan and Regulatory bylaws; establish an Advisory Planning Commission. Topics include: park areas without park zoning, DAI Bylaw, subdivision policies and regulations (added March 2017).	21-Apr-2011
Hazardous areas/Steep Slopes DPA	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
Forage Fish Mapping Workshop	March, 2013 resolution	05-Sep-2013
Land Based Aquaculture	Review most recent provincial direction on land based aquaculture and develop appropriate policies and regulations.	16-Jan-2014
Biodiversity Protection	Identify measures to protect biodiversity	19-Jan-2012
Coastal areas protection	Review OCP and LUB to improve protection of coastal areas.	19-Jan-2012
Water Protection	Review OCP and LUB to protect water quality and quantity.	19-Jan-2012
First Nations cultural references	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
Eelgrass protection	Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).	14-May-2014
Snuneymuxw Protocol Agreement	Implementation of Snuneymuxw First Nation Protocol Agreement	22-Jan-2015

**Projects****Gabriola Island**

Description	Activity	R/Initiated
Gabriola Village Plan	Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core	02-Apr-2015
Snuneymuxw Relationship Building	Strengthen relationship with Snuneymuxw First Nation	02-Apr-2015
Food Trucks	Review land use bylaw regulations with respect to food trucks	02-Apr-2015
Eagle Nest Mapping	Incorporate eagle nest mapping into the OCP	02-Apr-2015
Green Energy	Consider policy and regulatory mechanisms to encourage green and renewable energy	02-Apr-2015
Vacation Rental Review	Review bylaws with respect to temporary use permits for short term vacation rentals	07-May-2015
CDF Conservation	Consider policies and other recommendations regarding land use planning tools that will effectively conserve Coastal Douglas-fir forest ecosystems.	14-Jan-2016
Gabriola Water Taxi	Review Official Community Plan and Land-Use Bylaw provisions to encourage water taxi service at or near Descanso Bay	15-Feb-2016
Mudge Island OCP Review	Targeted OCP review to include housekeeping amendments; review of maximum permitted lot coverage; rainwater collection cisterns being excluded from lot coverage calculations.	14-Jul-2016



Projects

Gabriola Island

Description	Activity	R/Initiated
LUB Amendments	- 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.	08-Sep-2016
Review and update the Gabriola Build Out Map		11-May-2017

**Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2016.3	Van Herwaarden, Lynn Planner: Linda Prowse	24-Aug-2016	PID: 003-422-852 539 Wildwood Crescent, Gabriola Island. DVP to bring property into compliance.
Planning Status			
Status Date: 07-Nov-2016 Further information requested.			
Status Date: 09-Sep-2016 Planner reviewing.			

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2016.1	Williamson & Associates	09-Feb-2016	PIDs:006-654-941, 005-030-480, 009-735-968, 003-010-431, 006-635-121, 027-939-804, 027-939-791\nSpruce to Church Streets, Mallett Creek Density Transfer
Planner: Sonja Zupanec			
Planning Status			
Status Date: 30-Mar-2017 Proposed Bylaws 289 (OCP) and 290 (LUB) given third reading. Request RDN Board confirm receipt of receiver park lands. Finalize restrictive covenant as per LTC resolution request. Provide clarity to LTC on process for 'right of first refusal' for remainder lot for parkland purposes.			

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: Teresa Rittemann			
Planning Status			

Applications

Status Date: 19-Jun-2017

No change in status.

Status Date: 23-Feb-2017

PLA extension request. Planner waiting for updated plan from applicant which reflects the lot boundary adjustment in GB-SUB-2016.4

Status Date: 08-Jan-2016

PLA extension

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2010.2	McCollum and Krul, Gary and Jane	13-Aug-2010	1520 McCollum Road\nCreate 7 parcels
Planner: Teresa Ritemann			

Planning Status

Status Date: 14-Jun-2017

MOTI sent PLA with conditions for the applicant to meet.

Status Date: 24-May-2017

No change in status.

Status Date: 28-Nov-2016

Revised referral report sent to MOTI to reflect updated proposed plan of subdivision received.

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

Planning Status

Status Date: 08-Jan-2016

No change

Status Date: 13-Jan-2015

Applicant working to satisfy conditions

Applications

Status Date: 14-Mar-2014
PLA received

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

Planner: Teresa Rittemann

Planning Status

Status Date: 19-Jun-2017
No change in status.

Status Date: 31-Mar-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

Planner: Teresa Rittemann

Planning Status

Status Date: 19-Jun-2017
No change in status.

Status Date: 01-Apr-2016
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: 29-Feb-2016
No change in status.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.1	Williamson & Associates	07-Jan-2016	To create two lots within the SRR zone contained in existing Lot 4 and the northerly portion of existing Lot 5. The southerly boundary of the two SRR lots will be along the current AG zone boundary and will leave the remainder of Lot 5 as a single AG zoned parcel of 15.38 hectares wholly within the ALR.

Applications

Planner: Teresa Ritemann

Planning Status

Status Date: 19-Jun-2017

No change in status.

Status Date: 01-Jun-2017

MOTI sent a revised proposed subdivision plan with a slight amendment to the proposed lot line between proposed Lots A and B. No additional comments or concerns, but Planner emailed a revised referral report to MOTI.

Status Date: 24-May-2017

No change in status.

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: Teresa Ritemann

Planning Status

Status Date: 19-Jun-2017

No change in status.

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

Applications

Planner: Linda Prowse

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.1	Williamson & Associates Professional Surveyors	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.

Planner: Linda Prowse

Planning Status

Status Date: 05-May-2017

PLA Received

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

Planner: Madeleine Koch

Planning Status

Status Date:

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.3	HENDRIKS, TREVOR	24-Apr-2017	PID: 004-032-721 - 2 lot subdivision split by a road. Civic address:1802 Stalker Road, Gabriola Island, BC.

Planner: Linda Prowse

Planning Status

Status Date: 05-May-2017

Subdivision Referral Report sent to MOTI

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
-------------	----------------	---------------	---------



Islands Trust

Print Date: July 5, 2017

Applications

GB-TUP-2016.1

MCAFEE, IAN

09-Oct-2015

PID: 003-135-276 1070 Chappel Place, Gabriola Island. STVR.

Planner: Teresa Rittemann

Planning Status

Status Date: 19-Jun-2017

No change in status.

Status Date: 26-Apr-2017

Planner reviewing application and waiting for additional information from applicant.

Islands Trust
LTC EXP SUMMARY REPORT F2018
Invoices posted to Month ending May 2017

620 Gabriola	Invoices posted to Month ending May 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	1,500.00	271.70	1,228.30
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	4,750.00	783.94	3,966.06
65210-620	LTC - Local Exp - APC Meeting Expenses	600.00	104.00	496.00
65220-620	LTC - Local Exp - Communications	1,250.00	0.00	1,250.00
65230-620	LTC - Local Exp - Special Projects	1,000.00	0.00	1,000.00
TOTAL LTC Local Expense		<u>7,600.00</u>	<u>887.94</u>	<u>6,712.06</u>
Projects				
73001-620-4063	Gabriola First Nations Relations	1,000.00	0.00	1,000.00
73001-620-4064	Gabriola Housing Options Review	2,500.00	1,271.48	1,228.52
73001-620-4080	Gabriola Housing Needs Assessment	5,000.00	0.00	5,000.00
TOTAL Project Expenses		<u>8,500.00</u>	<u>1,271.48</u>	<u>7,228.52</u>

Gabriola Island Local Trust Committee

POLICIES AND STANDING RESOLUTIONS

Updated: February 2, 2016

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	January 29, 2010	GB-025-2010	Communication Towers and Antennae	It was MOVED and SECONDED 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 both local newspapers. - 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.