



Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: December 14, 2017
Time: 10:15 am
Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola 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 - 10:25 AM
Reminder: Bylaw Nos. 292 and 293, Housing Options Review Project - NO WRITTEN OR ORAL REPRESENTATIONS WILL BE RECEIVED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE, OR ITS INDIVIDUAL MEMBERS AS THE PUBLIC HEARING HAS CONCLUDED.
4. **COMMUNITY INFORMATION MEETING - none**
5. **PUBLIC HEARING - none**
6. **MINUTES** 10:25 AM - 10:30 AM
 - 6.1 Local Trust Committee Minutes dated October 12, 2017 – for adoption 4 - 13
 - 6.2 Local Trust Committee Special Meeting Minutes dated November 8, 2017 – for adoption 14 - 16
 - 6.3 Local Trust Committee Special Meeting Minutes dated November 16, 2017 – for adoption 17 - 20
 - 6.4 Local Trust Committee Public Hearing Record dated November 16, 2017 - for Receipt 21 - 23
 - 6.5 Section 26 Resolutions-Without-Meeting Report dated December 5, 2017 24 - 25
 - 6.6 Advisory Planning Commission Minutes - none
7. **BUSINESS ARISING FROM MINUTES** 10:30 AM - 11:00 AM
 - 7.1 Follow-up Action List dated December 7, 2017 26 - 28
 - 7.2 Commercial Vacation Rentals - Memorandum 29 - 31
8. **DELEGATIONS**

9.	CORRESPONDENCE	11:00 AM - 11:05 AM	
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>		
9.1	Email dated November 08, 2017 from S Haniszewski regarding Gas Sign at Co-op		32 - 32
10.	APPLICATIONS AND REFERRALS	11:05 AM - 11:30 AM	
10.1	Islands Trust Fund Regional Conservation Plan - Briefing		33 - 34
10.2	Islands Trust Fund Five Year Plan - Briefing		35 - 36
11.	LOCAL TRUST COMMITTEE PROJECTS	11:30 AM - 12:30 PM	
11.1	Housing Options Review Project - Staff Report		37 - 40
11.2	Mudge Island Official Community Plan (OCP) Targeted Review - Staff Report		41 - 47
	---BREAK--- 12:30 PM TO 12:40 PM		
12.	REPORTS	12:40 PM - 1:15 PM	
12.1	Work Program Reports		
12.1.1	Top Priorities Report dated December 5, 2017		48 - 48
12.1.2	Projects List Report dated December 5, 2017		49 - 51
12.2	Applications Report dated December 5, 2017		52 - 58
12.3	Trustee and Local Expense Report dated October, 2017		59 - 59
12.4	Adopted Policies and Standing Resolutions		60 - 60
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 dated November, 2017		61 - 62
13.	NEW BUSINESS	1:15 PM - 1:30 PM	
13.1	Housing Agreement Administration - Briefing		63 - 65
14.	UPCOMING MEETINGS	1:30 PM - 1:35 PM	
14.1	Next Regular Meeting Scheduled for Thursday, January 18, 2018 at The Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC		
15.	TOWN HALL	1:35 PM - 1:45 PM	
16.	CLOSED MEETING - none		

17. ADJOURNMENT

1:45 PM - 1:45 PM



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date:	October 12, 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	Sonja Zupanec, Island Planner Ann Kjerulf, Regional Planning Manager Teresa Rittemann, Planner 2 Madeleine Koch, Planner 2 Lisa Millard, Recorder
Others Present	There were approximately 7 (seven) members of the public and 1 (one) member of the media present.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

A representative of the Village Vision Committee stated that it was difficult to find the Village Vision report on the Local Trust Committee (LTC) website and noted that the Trustees have an opportunity to work with other levels of government and advocate regarding recommendations included in the report. He also stated that the Projects List should be included on the website for public information. Trustees noted they would discuss this later in the meeting.

A representative on behalf of the Gabriola Affordable Housing Society noted that she feels it is more helpful to have a separate community information meeting and public hearing for the Housing Options Review as this allows individuals time to consider what was discussed at the community information meeting and offer considered responses at the public hearing. Trustees noted they would discuss this later in the meeting.

She also stated that in the Housing Options Review Staff Report it was noted that staff are not recommending that the Official Community Plan (OCP) be amended to include language regarding the discharge of a restrictive covenant, however, it is her opinion, that it is important

to include such a statement in the OCP to allow citizens a better opportunity to understand the document.

A member of the public questioned if a covenant must be part of a bylaw or if it could be included as an information note. Staff indicated that information notes are used very cautiously as they are not part of the bylaw and the preference is for the bylaw to be clear and regulations to stand alone in order to limit ambiguity.

4. COMMUNITY INFORMATION MEETING - None

5. PUBLIC HEARING - None

6. MINUTES

6.1 Local Trust Committee Minutes dated September 7, 2017 – for adoption

By general consent the Local Trust Committee meeting minutes dated September 7, 2017 were adopted.

6.2 Section 26 Resolutions-Without-Meeting - None

6.3 Advisory Planning Commission DRAFT Minutes dated August 17 - for receipt

Received for information.

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated October 4, 2017

Received for information.

7.2 Letter of Support dated September 26, 2017 from Trustee Mamoser regarding Mudge Island Citizens Society Capital Project Grant Application

Received for information.

7.3 Advancing the Local Trust Committee Work Program – discussion

Regional Planning Manager Kjerulf made the following points in response to the Trustee's previous request that staff look at the possibility of hiring contractors to complete some of the work related to items on the top priorities list:

- The Housing Options Review and First Nations Relationship Building projects are well underway.
- Staff intend to present a draft project charter for the Mudge Island OCP, lot coverage regulation review at the December LTC meeting. This would be a difficult project to contract out due to numerous uncertainties with respect to the actual scope or duration of this project.
- Staff intend to present a draft project charter for a water taxi zoning study to the LTC in early 2018. Staff note that this project has a discrete land use planning

component, which is in the LTC's zoning authority, and another economic development component which would need to involve coordination with the regional district and other agencies.

8. DELEGATIONS – None

9. CORRESPONDENCE - None

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

10. APPLICATIONS AND REFERRALS

10.1 GB-DVP-2017.2 (Usher) - Staff Report

Planner Koch arrived at the meeting at 10:30 am and summarized the staff report and supplemental memorandum.

Discussion ensued and Trustees made the following comments:

- Letters of support submitted by neighbors had been received.
- The lot coverage increase is to be used for the installation of cisterns which are a method of water conservation that is supported within the OCP.
- Existing vegetative screening and a fence act as a buffer between the cisterns and neighboring properties.

GB-2017-126

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend the wording of the proposed variance permit to add subject to the condition that a continuous vegetative screen be maintained between the garage and public roadway and a fence be maintained between the cisterns and neighboring property.

CARRIED

GB2017-127

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee defer consideration of application GB-DVP-2017.2 as amended to allow for statutory notification of proposed variances to sections D.1.1.3(a)(i) and D.1.1.3(b)(i) of the Gabriola Island Land Use Bylaw No. 177, 1999.

CARRIED

GB-2017-128

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request that staff forward any public comments received in response to the statutory notification of application GB-DVP-2017.2 as amended to the Local Trust Committee.

CARRIED

GB-2017-129**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee consider a decision on application GB-DVP-2017.2 via Resolution Without Meeting following statutory notification and receipt of public comments.

CARRIED

Planner Koch left the meeting at 11:00 pm.

10.2 GB-LCB-2017.1 (Surf Lodge (1019155 BC Ltd.)) - Staff Report

Planner Zupanec summarized the staff report. It was noted that the Liquor Control and Licensing Branch (LCLB) is required to consult patrons, residents, and the community on changes to existing licences or new licences.

The Applicant stated that following several years of operation and multiple inspections by the LCLB it was discovered that the existing deck was not licensed.

Discussion ensued and the following points were made:

- The deck has been used in this manner for several years, therefore from the perspective of the community a change in use is not being sought.
- The means in which the LCLB gathers community input is by posting a large sign on the property in which the establishment operates may be sufficient to gather input.

GB-2017-130**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff to inform the Liquor Control and Licensing Branch (LCLB) that it recommends approval of application GB-LCB-2017.1 (The Surf) for a 'Liquor Primary Structural Change Application' to increase the occupancy for 50 patrons to 75 in order to reflect the existing floor area of the exterior front patio (5 tables / 25 seats) and provides the following comments:

- a. The addition of the existing exterior patio, tables and seating (which have been in use by the establishment under the existing food primary/liquor primary licensing) to the existing liquor license is consistent with the Tourist Commercial (TC1) Zone of the Gabriola Island Land Use Bylaw No. 177, 1999;
- b. The LCLB regulatory criteria have been considered, including the potential for noise and impacts on the community, and adverse impacts on neighbouring properties or the community are not anticipated as a result of a change to the existing license; and
- c. The views of the residents were not gathered because adverse impacts on neighbouring properties or the community are not anticipated as a result of the correction to the existing license to include the existing exterior patio (5 tables/25 seats).

CARRIED

11. COMMUNITY STEWARDSHIP AWARDS PRESENTATION

By general consent the meeting was recessed for a break and awards presentation at 11:59 am and was reconvened at 12:43 pm.

12. LOCAL TRUST COMMITTEE PROJECTS

12.1 Housing Options Review Project - Staff Report

Planner Zupanec summarized the staff report. Discussion ensued and the following points were made:

- Some building permit applications had been put on hold awaiting bylaw changes related to secondary suites.
- There have been two community information meetings and four advisory planning commission meetings regarding the project to date.
- Policy direction in the Official Community Plan specifying a reason why a covenant can be discharged is problematic as there are potentially a number of reasons for requesting a discharge and specifying one could be seen as indicating that is the only circumstance in which a discharge could be considered.

Discussion ensued regarding the allowance of a third dwelling on land located with the Agricultural Land Reserve (ALR) and the following points were made:

- Current regulations allow for up to three densities on land located within the ALR and the new regulation does not change this.
- New densities are not being created because these properties are already allowed to have additional units and farm status for the secondary suites options is not required by the Agricultural Land Commission.
- Relying on farm status as the determining factor to allow the third dwelling is problematic as farm status is not static and can change from year to year.
- It is not practical to disallow the use of a suite because farm status has not been achieved year to year.
- There is a lesser impact on the land with a secondary suite versus a manufactured home.
- The goal of the project is to increase housing options and the presence of a secondary suite may also increase farming activity on land in the ALR.

GB-LTC-131

It was **MOVED** and **SECONDED**

that the Gabriola Island Local Trust Committee request staff to provide a response to the Advisory Planning Commission's resolution GB-APC-2017-004 detailing the rationale for allowing an additional suite on properties located within the Agricultural Land Reserve that are operating without farm status.

CARRIED

The following changes were made to the Frequently Asked Questions (FAQ) Housing Options Review Project:

- On page 1 in the answer to the first question, in the third sentence beginning “The LTC committed planning staff time...” end the sentence following the word “scope” and delete the remainder of the sentence.
- On page 3 in the answer to question 4, regarding the restrictive covenant, add a sentence clarifying that the LTC has an existing authority to require or to discharge a covenant.

GB-LTC-132

It was MOVED and SECONDED

that the 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 follows:

a) “1. Citation

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

is deleted in its entirety and replaced with:

“1. Citation

This bylaw may be cited for all purposes as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017.”;

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

is deleted in its entirety and replaced with:

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

CARRIED

GB-LTC-133

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 292, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017” be read a second time as amended.

CARRIED

GB-LTC-134

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 293, cited as "Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2017", be amended as follows:

a) "1. Citation

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

is deleted in its entirety and replaced with:

"1. Citation

This bylaw may be cited for all purposes as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017."

CARRIED

GB-LTC-135

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 293, cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017, be read a second time as amended.

CARRIED

GB-LTC-136

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to schedule a Community Information Meeting and a separate Public Hearing for Gabriola Island Local Trust Committee Bylaw No. 292, cited as "Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017".

CARRIED

GB-LTC-137

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to schedule a Community Information Meeting and a separate Public Hearing for Gabriola Island Local Trust Committee Bylaw No. 293, cited as "Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017".

CARRIED

GB-LTC-138

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee endorse the 'Housing Options Review Project October 2017 Frequently Asked Questions' document as amended, for posting to the Local Trust Committee 'Projects' webpage and community distribution.

CARRIED

13. REPORTS

13.1 Work Program Reports

13.1.1 Top Priorities Report dated October 4, 2017

Received.

13.1.2 Projects List Report dated October 4, 2017

Received.

13.2 Applications Report dated October 4, 2017

Staff noted that the Regional District of Nanaimo (RDN) had confirmed receipt of the receiver park lands related to the Potlach proposal GB-RZ-2016.1.

13.3 Trustee and Local Expense Report dated August, 2017

Received.

13.4 Adopted Policies and Standing Resolutions

Received.

13.5 Local Trust Committee Webpage

Discussion ensued and the following was noted:

- The projects list will be made available on the website along with a preamble explaining that the list flags projects that the LTC would like to work on as resources become available. A link to the top priorities list will also be included.
- A news item stating that the Village Vision report and the Commercial Demand Forecast have been posted to the website for the purpose of highlighting these items.
- The roadside signage project is still posted and should be removed.
- The top priorities list needs to be updated.

13.6 Chair's Report

Chair Busheikin reported the following:

- The Executive Committee attended the Union of BC Municipalities meeting and had the opportunity to lobby ministers regarding their municipal priorities.
- The Executive Committee met with the Minister of Transportation and Infrastructure and the Minister of Environment and put forward a resolution to ask the federal government to bring in regulations around proper and safe use of foam plastics in the marine environment.

- She attended a workshop in which different municipalities discussed the ways in which they have dealt with the issue of short term vacation rentals. A power point presentation will be available for Trustee's information in the future.
- At a recent Executive Committee meeting it was decided that they would move ahead with a limited policy statement review.
- The Executive Committee will begin a consultation process with First Nations.

13.7 Trustee Reports

Trustee Mamoser reported the following:

- She attended the recent Truth and Reconciliation speaker series and thanked Trustee O'Sullivan for her work on this program.
- She went to a town hall meeting held by MLA Doug Routley in which the Saltspring Island incorporation vote results were discussed.

Trustee O'Sullivan reported the following:

- She attended the recent Truth and Reconciliation talk by Dr. Tyaki.
- As head of the steering committee for the Truth and Reconciliation speaker series she met with individuals involved in the Vancouver Island University Indigenous Studies program including two elders involved in making community to community connections.
- She emceed the Terry Fox run.
- She attended Trust Council in which the Saltspring incorporation vote was discussed.
- She noted her desire to explore the possibility of an Islands Trust regional district.

13.8 Electoral Area Director's Report - None

13.9 Trust Fund Board Report

Received for information.

14. NEW BUSINESS - None

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Thursday, December 14, 2017 at The Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC

16. TOWN HALL

A member of the public noted that he supports the idea of an Islands Trust regional district allowing the islands to have their own decision making ability. Chair Busheikin noted that the Chief Administrative Officer of Islands Trust has experience creating a regional district and this has been studied in depth however it was determined that logistically there are many challenges.

17. CLOSED MEETING - None

18. ADJOURNMENT

By general consent the meeting was adjourned at 2:11 pm.

Laura Busheikin, Chair

Certified Correct:

Lisa Millard, Recorder



Gabriola Island Local Trust Committee Minutes of Special Meeting

Date: November 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 Sonja Zupanec, Island Planner
Lisa Millard, Recorder

Others Present There were approximately eleven members of the public and one 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 territory of the Coast Salish First Nations.

2. WELCOME AND INTRODUCTIONS

By general consent the agenda was approved as presented.

3. COMMUNITY INFORMATION MEETING

3.1 Housing Options Review Project Presentation

Planner Zupanec gave a power point presentation and highlighted the following:

- The objective and scope of the project and the consultation process to date.
- This is an attainable housing project and not an affordable housing project, which will be looked at as a separate issue.
- Many lots are currently permitted to have a home occupation operating from the property; however, the accessory buildings used for this purpose are not allowed to have kitchen or bathroom facilities.
- A summary of Bylaw No. 292 which will entail amendments to the Official Community Plan (OCP), and Bylaw No. 293 which will entail amendments to the Land Use Bylaw (LUB).

- The various configurations of secondary suites on properties outside of the Agricultural Land Reserve (ALR) that would be permitted should the bylaws be amended.
- One secondary suite per lot, with a maximum size of 968 square feet, or 40% of the floor area of the primary dwelling (which ever is less) will be permitted.
- Suites located on properties within the ALR may only be located within an existing primary dwelling or existing accessory building as per Agricultural Land Commission (ALC) regulations.
- There will be no restriction on who can occupy suites on properties within the ALR.
- Secondary suites can not be use for less than a one month period.
- A covenant restricting a secondary suite from being registered at the land title office as a building strata subdivision will be required to be registered by the property owner and said covenant can be discharged by the consent of the Local Trust Committee (LTC).

3.2 Public Questions and Answers

The following comments were made, and questions asked:

- Currently a manufactured home is considered a temporary dwelling. If they become an option for a secondary suite this results in a potential increase to the number of dwellings allowed on a property within the ALR.
- The Q and A document indicates that farm status is not required for a secondary suite which conflicts with ALC statements as posted on the ALC website.
 - Planner Zupanec indicated that they have requested clarity from the ALC on this but will double check that the information she has is accurate.
- There will now be an allowance for bathrooms and kitchens in accessory buildings and property owners are allowed to have up to three accessory buildings. This results in the potential for three additional bathrooms and kitchens per property.
- There is potential to create illegal substandard housing if bathrooms and kitchens are allowed in accessory buildings which do not have the same building standards as residential buildings.
- Why would one need a regular kitchen, rather than a commercial kitchen, in an accessory building if it is being used for a home based business?
 - Trustees noted that if an individual is going to create illegal substandard housing then it is unlikely they would allow the legality of a kitchen or bathroom to affect their decision to do so and that Bylaw Enforcement Officers can enforce incorrect use. It was also noted there would be multiple instances in which a bathroom is necessary for customers and not all food products produced for sale are required to be made in a commercial kitchen.
- There should be one standard for proof of water and septic disposal regardless of whether the building is used for accessory purposes or a suite.
 - Trustees clarified that flexibility on septic regulations is not being considered.
- Are Trustees considering a land trust, or tiny home area?
 - Trustees stated that this is not under consideration.
- Will third reading of the bylaws occur after the November 16, 2017 Public Hearing closes?

- Trustees noted that the Public Hearing is a meeting so they could consider third reading at that time; however, it is typically their preference to first consider what has been said at the hearing.
- When will affordable housing and short term rentals be discussed?
 - Trustees indicated that affordable housing will be discussed in phase two of the project while short term vacation rentals are not on the projects list.
- If the LTC wishes to address housing attainability and affordability then density must also be addressed.
 - Trustees noted that they are not dealing with density as part of this project but are attempting to create new options for secondary housing within the constraints of the OCP.
- Covenants are not extinguishable and the only way they can be removed is by court action. The covenant being put in place does not affect density and only affects an individual purchasing bare land. If a primary and secondary residence are built on the land this is still two dwellings if subdivided by the *Strata Act*.
 - Planner Zupanec stated that under the building *Strata Act* a property owner can file plans with the Land Title Office and sell the house and the suite as separate properties. The covenant will prevent real estate development through subdivision. She noted that a covenant can be discharged through the local government and does not require court action.
- Is a water operators license required if a property only has one well and a secondary suite is built?
 - Planner Zupanec indicated that a water system is two or more connections and once that criteria is met there are regulations that become applicable.

3.3 Proposed Bylaws

3.3.1 Proposed Bylaw No. 292

The changes to this bylaw were referenced in the opening presentation.

3.3.2 Proposed Bylaw No. 293

The changes to this bylaw were referenced in the opening presentation.

4. ADJOURNMENT

By general consent the meeting was adjourned at 7:50 pm.

Laura Busheikin, Chair

Certified Correct:

Lisa Millard, Recorder



Gabriola Island Local Trust Committee Minutes of Special Meeting

Date:	November 16, 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	Sonja Zupanec, Island Planner Lisa Millard, Recorder
Others Present	There were approximately twenty-three members of the public and one member of the media present.

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. COMMUNITY INFORMATION MEETING

3.1 Presentation on Proposed Bylaw Nos. 292 and 293

Planner Zupanec provided a power point presentation and highlighted the following:

- A summary of Bylaw No. 292 which will entail amendments to the Official Community Plan (OCP), and Bylaw No. 293 which will entail amendments to the Land Use Bylaw (LUB).
- The various configurations of secondary suites that would be permitted on properties outside of the Agricultural Land Reserve (ALR).
- One secondary suite per lot, with a maximum size of 968 square feet, or 40% of the floor area of the primary dwelling (which ever is less) will be permitted.
- Secondary suites will be designated for residential use only and not available for rental periods of less than one month.
- A restrictive covenant prohibiting the registration of a strata plan, resulting in a suite becoming a second lot, will be required.
- The bylaw that requires a home occupation to be attributed to the principal dwelling will be amended to also allow for a tenant to operate a home-based business.

- Kitchens and bathrooms will be allowed within accessory buildings that are used for home occupation purposes.
- Properties located within the ALR will be allowed to have one principal dwelling and a secondary suite.
- Lots located within the ALR that are over two hectares in size, and that have farm status will be allowed one manufactured home or a third suite above an existing building with no requirement for farm status.
- In order for a property owner to add a secondary suite to an existing building, the lot on which the structure is located must be operated as a farm and have farm status.

3.2 Public Questions and Answers

Members of the public asked the following questions and staff answered as follows:

- What is the allowed density for agri-tourism on lots located within the ALR?
 - Agri-tourism accommodation allows for un-serviced tenting sites only.
- Is there a limit on the maximum square footage allowed for home occupations if residents of both the primary and secondary dwellings operate a home-based business?
 - There is a total maximum square footage allowed per lot and individuals may determine how best to divide up that allowance.
- Are the options for secondary suites only above or below the primary suite or are other configurations allowed?
 - Other options are allowed as long as the secondary suite is located entirely within the footprint of the primary dwelling.
- What is the rationale behind the restriction of allowing two residences versus two lots?
 - The covenant language was drafted using language that best supports enforcements against illegal dwellings and the primary purpose of the covenant is to prevent sub-division of a lot.
- Current zoning allows for only one secondary suite on a split lot. Will this change?
 - It will remain as one secondary suite per lot regardless of split zone status.
- Does an existing building on a lot located within the ALR, in which a suite will be built above, have to be an existing building now or built prior to a specific date?
 - It appears that the Agricultural Land Commission's (ALC) intent is to clarify the definition of existing within this context.
- Will there be any changes to sewage disposal requirements?
 - All approvals for septic disposal and water systems will remain provincially regulated.
- There is a definition for the use of trailers and it was my understanding that trailers are not allowed to be used as a dwelling.
 - Currently the land use bylaw (LUB) permits the use of a travel trailer as a dwelling for a period of up to two years when a principal dwelling is being constructed.
- If the Local Trust Committee (LTC) gives third reading to the bylaws following the public hearing, does that mean members of the community can not comment on

any changes that might be made based on comments provided at the public hearing?

- The LTC can make changes based on what they have heard at the public hearing, but any changes made can not be used to change density. The LTC can also determine that the changes are substantive enough to warrant the need to revert to second reading and seek new agency referrals.
- Will the kitchens and bathrooms located in non-residential use accessory buildings be required to meet existing regulations?
 - Any plumbing fixtures must meet building code requirements and a sewage disposal system must be approved by health authorities.
- Will existing illegal dwellings that have not been built to code be required to modify?
 - If the building inspector is made aware of infractions due to inadequate sewage disposal then they have the ability to enforce regulations.
- What is considered to be a water system?
 - Two connections become a water system.

By general consent the meeting was recessed at 7:26 pm.

4. PUBLIC HEARING - to begin 7:00 pm

Public Hearing regarding Proposed Bylaws 292 (OCP) and 293 (LUB) - **Housing Options Review Project.**

5. Local Trust Committee Option for consideration of Next Steps

By general consent the meeting was reconvened at 8:11 pm.

Discussion ensued, and the following points were made:

- Further information of the ALC's intent regarding secondary suites and farm status requirements is needed.
- Consideration should be given regarding the covenant which restricts the number of dwellings to two when the main intent of it was to prevent the subdivision of the land for the purpose of creating two properties.
- A definition of affordable housing, and amendments to the project charter, should be considered.

GB-2017-139

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to draft language to amend proposed Bylaw No. 293 to limit the number of accessory buildings that are allowed to have bathrooms and kitchens to one per lot.

CARRIED

GB-2017-140

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff draft language to remove Section B.6.3.7.b from Bylaw No. 293.

CARRIED

GB-2017-141

It was MOVED and SECONDED

to amend the Housing Options Review Project phase one charter version two objectives to include a housing first policy and review of affordable housing definition.

CARRIED

GB-2017-142

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to bring back amendments to proposed Bylaw No. 293 as captured in the minutes of the Community Information Meeting on November 16, 2017.

CARRIED

6. ADJOURNMENT

By general consent the meeting was adjourned at 8:56 pm.

Laura Busheikin, Chair

Certified Correct:

Lisa Millard, Recorder



Gabriola Island Local Trust Committee Public Hearing Record

REGARDING
PROPOSED BYLAW NO. 292 CITED AS
“GABRIOLA OFFICIAL COMMUNITY PLAN (GABRIOLA) BYLAW NO. 166, 1997, AMENDMENT NO. 1, 2017”.
AND
PROPOSED BYLAW NO. 293 CITED AS
“GABRIOLA ISLAND LAND USE BYLAW NO. 177, 1999, AMENDMENT NO. 1, 2017”.

Date of Meeting: Thursday, November 16, 2017
Location: Gabriola Arts and Heritage Centre
465 South Road, Gabriola Island, BC

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

Staff Present: Sonja Zupanec, Island Planner
Lisa Millard, Recorder

Media and Others: One member of the local media and twenty-three members of the public were in attendance.

1. CALL TO ORDER

Chair Busheikin called the meeting to order at 7:30 pm.

2. INTRODUCTIONS AND OPENING STATEMENT FROM THE CHAIR

Chair Busheikin read a formal statement explaining the public hearing regarding the Proposed Bylaw Nos. 292 and 293. She stated that all persons who believe their interest is affected by the bylaws would be given the opportunity to express their concerns and that further submissions cannot be received by the Local Trust Committee after the close of the public hearing.

3. REVIEW OF PUBLIC HEARING NOTICE

Island Planner Zupanec reviewed the Public Hearing Notice. She stated that the purpose of Bylaw No. 292 was to amend the current Gabriola Island Official Community Plan Bylaw No. 166 to permit secondary suites, in lieu of accessory cottages, on lots 2.0 hectares or larger in several zones with a principal residential use.

Bylaw No. 293 was to amend the current Gabriola Island Land Use Bylaw No. 177 to regulate secondary suites, permit bathrooms in accessory buildings, increase flexibility in home occupation regulations and amend select definitions in the Land Use Bylaw.

4. **PROPOSED BYLAW NO. 292 -COMMENTS AND QUESTIONS FROM THE PUBLIC and**
5. **PROPOSED BYLAW NO. 293 -COMMENTS AND QUESTIONS FROM THE PUBLIC**

Kees Langereis read a statement written by Gail Lund who indicated that she is opposed to allowing the new option of an additional secondary suite on a property located within the Agricultural Land Reserve (ALR) as this has the potential to increase densities and she requests that the Local Trust Committee (LTC) conform to existing density transfer methods. She further stated that kitchens and bathrooms should not be allowed in accessory buildings.

Giselle Rudischer stated that she opposes the parts of the bylaw changes that are not consistent with the Agricultural Land Commission (ALC) policy which only allow secondary suites above an existing building. She disagrees with allowing more density on land that does not have farm status. She opposes allowing kitchens and bathrooms in accessory buildings as this can lead to the creation of illegal dwellings and further allows for the potential of three additional kitchens and bathrooms on lots of less than five acres in size. She would like to see a compromise which would only allow bathrooms and kitchens in only one accessory building. She indicated that referral agencies did not receive accurate information and that to date no written response from the ALC has been received.

Jacinthe Eastick stated that it is a mistake to make changes to definitions in the Official Community Plan (OCP), that the OCP is a policy statement and removing definitions from it while leaving it to the Land Use Bylaw (LUB) to determine the definitions is counter intuitive. She requests that definitions remain in the OCP as it is the master document and leads to interpretation of the LUB.

Bob Andrew is in favour of both bylaws. He stated he recognizes the concerns raised about illegal dwelling potential but does not believe it is a significant concern

Louise Rebelle stated she is concerned with simply amending the OCP because it was written in 1997 and therefore the LTC is operating from a document that is very dated. She noted that anything that will increase density that does not have affordable housing aspect is not addressing the problems and allows land owners to benefit financially without looking at the bigger picture.

Sybil Frei, speaking on behalf of the Gabriola Housing Society, stated she does not support changes on ALR land and does not want to see changes to ALR land included in these bylaws.

Nancy Hetherington Peirce, speaking as chair of the Gabriola Housing Society Board, made a written submission and requested that the definition of affordable housing in proposed Bylaw No. 292 be amended by removing the words "60% of" in relation to median household income. She noted that amending the definition now would enable planners to know the eligibility criteria for an affordable housing project.

Public Hearing Record
Received for Information
By Local Trust Committee

Laurie Jackson congratulated the LTC for attempting to make changes to the bylaws and believes they are a positive step in providing more housing. She would prefer an option that would allow kitchens and bathrooms to be allowed in one accessory building only.

Erik Johnson stated he would like the density allowance on ALR land to remain unchanged. He does not see that the proposed bylaw changes addresses housing affordability problems. He noted that the island has limited water resources and sewage disposal capabilities and would like to see it stay as rural as possible. He stated that if food is going to be prepared for other people's consumption then a commercial kitchen is necessary and he would like this issue separated from the housing project.

Mel Mathies stated that he agrees with the statement that definitions in the OCP should supersede the LUB and that the definitions should remain in the OCP. He does not want densities within the ALR to be increased and he would like the language within the bylaws to be consistent with what the ALC currently states.

Jacinte Eastick noted that verbal responses from the ALC are not the same as written responses and it appears that the ALC staff is not able to interpret this policy clearly; therefore it is necessary to hold off on third reading until that information is clarified.

Sibyl Frei stated that she would like the affordable housing definition added to this set of bylaws because it takes a long time to make changes to the OCP and she is concerned that if the definition is not changed now, there will be difficulty in the ability of the LTC to address affordable housing by lack of a better definition.

Gisele Rudischer noted that the bylaws being discussed are not about affordable housing and does not believe that affordable housing should be addressed at this public hearing.

Jacinte Eastick noted that she lived on a five acre property outside of the ALR and she does not believe that three additional residences on one property will have sufficient water without putting neighboring wells at risk. She asked that five acre lots to be increased to ten acre lots before three residential units are allowed.

Chair Busheikin asked the public for any other comments or submissions. The Chair asked again for any further comments or submissions. The Chair asked a third and final time for submissions. Hearing none, Chair Busheikin closed the meeting.

17. ADJOURNMENT

By general consent, the meeting adjourned at 8:10 pm.

I CERTIFY THAT THIS IS A FAIR AND ACCURATE SUMMARY OF THE NATURE OF REPRESENTATIONS RESPECTING THE MEETING HELD.

Lisa Millard, Recorder



Islands Trust

Print Date: December 5, 2017

Resolutions Without Meeting

Gabriola Island

Resolution #	Action	Resolution Description	Resolution Date
2017-08	In Favour	"THAT the Gabriola Island Local Trust Committee schedule its regular business meetings on the following dates in 2018: January 18, March 1, April 12, May 3, June 14, July 12, August 16, September 27, and November 22".	25-Oct-2017
2017-09	In Favour	"THAT Gabriola Island Local Trust Committee Bylaw No. 294 cited as "Gabriola Island Official Community Plan (Gabriola), 1997, Amendment No. 2, 2017", be adopted."	02-Nov-2017
2017-10	In Favour	"THAT Gabriola Island Local Trust Committee authorize the expenditure of Local Trust Committee Communications funds for the purpose of advertising the 2018 Local Trust Committee Meeting Dates in the Gabriola Sounder and Sounder Wall Calendar".	03-Nov-2017



Resolutions Without Meeting

03-Nov-2017

"THAT the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit No. GB-DVP-2017.2 with the following variances to the Gabriola Island Land Use Bylaw No. 177, 1999:

- a) A variance to Section D.1.1.3(a)(i) to reduce the permitted front lot line setback from 6.0 metres to 3.0 metres to permit the construction of a single car garage as shown on the proposed site plan and elevation drawings;
- b) A variance to Section D.1.1.3(a)(i) to reduce the permitted interior lot line setback from 1.5 metres to 0.5 metres to legalize the location of three existing water cisterns, 2.1 metres in height, as shown on the proposed site plan ; and
- c) A variance to Section D.1.1.3(b)(i) to increase the permitted lot coverage from 20% to 25.4%, to permit the construction of a single car garage as shown on the proposed site plan.

Subject to the following conditions:

- a) That, prior to issuance, the property owner shall be required to obtain a permit from the Ministry of Transportation and Infrastructure pursuant to Sections 62 and 90 of the Transportation Act.
 - b) That a continuous vegetative screen be maintained between the garage and public roadway and a fence be maintained between the cisterns and neighbouring property."
-

Follow Up Action Report

Gabriola Island

07-May-2015

Activity	Responsibility	Target Date	Status
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.	Fiona MacRaild	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.		11-Feb-2016	Done

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 Staff are waiting for a response from the RDN regarding a possible meeting date in 2018.	David Marlor Ann Kjerulf		On Going

30-Mar-2017

Activity	Responsibility	Target Date	Status
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**Follow Up Action Report**

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

Becky McErlean
Sonja Zupanec

11-May-2017

On Going

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.

08-Jun-2017

Activity	Responsibility	Target Date	Status
Request staff to work with GALLT to organize a gathering with the Snuneymuxw First Nation (Fiona MacRaid).	Fiona MacRaid Wil Cottingham	29-Jun-2017	On Going

13-Jul-2017

Activity	Responsibility	Target Date	Status
First Nations Relationship with Snuneymuxw Nation: LTC resolution to endorse the project charter and commit to hosting one or two public events on Gabriola and/or Mudge. Request staff draft an amendment to the introduction of the OCPs as per staff recommendation. Event #1: Mudge Island (August 8th) Dec. 2017/Delayed due to Snuneymuxw elections process	Ann Kjerulf Fiona MacRaid	31-Jul-2017	On Going

07-Sep-2017

Activity	Responsibility	Target Date	Status
Request staff to prepare a FAQ document on the use of STVRs on Gabriola for posting to the web and potential press release on the legal use of STVRs.	Ian Cox	29-Sep-2017	Done



Follow Up Action Report

GB-DVP-2017.1 - LTC resolution to defer consideration of the applications until First Nation and Arch Branch input are received. Enter into cost recovery agreement with the applicant for preparation of restrictive covenant. See minutes of Sept 8 for LTC requested changes to covenant restrictions.

Teresa Rittemann

29-Sep-2017

On Going

16-Nov-2017

Activity	Responsibility	Target Date	Status
Proposed Bylaw 293 - LTC resolutions requesting amendments be prepared to limit the number of accessory buildings to have a bathroom and/or kitchen to 1; remove B.6.3.7 covenant condition of 2 dwellings max.; address administrative corrections and compliance with ALC regs as presented at CIM. Amend project charter objective to include a review of the 'housing first' policy and definition of 'affordable housing' in the OCP.	Sonja Zupanec	18-Jan-2018	On Going

MEMORANDUM

File No.: GB-6500-20
(Commercial Vacation Rentals)

DATE OF MEETING: December 14, 2017
TO: Gabriola Island Local Trust Committee
FROM: Ian Cox, Planner 1
Northern Team
COPY: Miles Drew, Bylaw Enforcement Manager
SUBJECT: Commercial Vacation Rentals

The Gabriola Island Local Trust Committee (LTC) passed the following resolution at the September 7, 2017 regular business meeting:

GB-2017-117

It was MOVED and SECONDED

That the Gabriola Island Local Trust Committee request planning staff to provide a question and answer and a press release regarding the requirements of the legal operation of short-term vacations rentals on Gabriola Island.

Staff have, in consultation with the Bylaw Enforcement Manager, prepared an information handout (see attachment) in response to the LTC's request. The handout provides basic information about Commercial Vacation Rentals (commonly referred to as "Short-Term Vacation Rentals"), the process of applying for a Temporary Use Permit to permit a Commercial Vacation Rental, and how to obtain further information.

Subject to any changes requested by the LTC, the handout may be posted on the Gabriola LTC website and provided in hard copy at the Islands Trust Northern Office. The LTC may also wish to distribute this handout through the Gabriola Sounder. The cost for distribution would be:

- \$620.80 for distribution to Gabriola households (1900 copies); or
- \$737.60 for distribution to Gabriola households and newsstands (2,800 copies).

A resolution would be required for this expenditure as there is currently no budget for a Commercial Vacation Rentals project. Such a resolution may be worded as follows:

That the Gabriola Island Local Trust Committee authorize the expenditure of \$[insert dollar amount] from the 2017/18 Local Trust Committee communications budget for the purpose of distributing the Commercial Vacation Rentals handout through the Gabriola Sounder.

Submitted By:	Ian Cox, Planner 1	December 6, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	December 6, 2017

ATTACHMENT

1. Commercial Vacation Rentals handout

Commercial Vacation Rentals

Gabriola Island



What?

is a lawful Commercial Vacation Rental?

A **Commercial Vacation Rental (CVR)** is the rental of a *dwelling unit** for a period of less than a month at a time. CVRs are **NOT Bed and Breakfasts (B&Bs)** because:

- ★ B&Bs are an *accessory home occupation** use and are only permitted within a principal dwelling unit, where a room is rented and breakfast is the only meal served.

NOTE: B&Bs are permitted in the SRR and LRR zones on Gabriola Island.

When?

is a Commercial Vacation Rental lawful on Gabriola?

- A When a Commercial Vacation Rental is located within a zone that permits commercial accommodation for periods of less than 30 days

OR

- B When a Temporary Use Permit (TUP) has been issued by the Gabriola Island Local Trust Committee, the local government land use authority;

What?

is a Temporary Use Permit?

A **Temporary Use Permit (TUP)** is a permit that allows a land use that is otherwise not allowed under local government bylaws. A TUP may be issued for a maximum of three years and may be renewed once for an additional three years. There may also be conditions of approval attached to the TUP.

See reverse to learn more ...



Temporary Use Permits for Commercial Vacation Rentals

Temporary Use Permit Process

PRE-APPLICATION

- Talk to the Islands Trust and neighbours
- Review TUP guidelines

APPLICATION SUBMISSION

- Submit a complete application and fee
- Incomplete applications will not be processed

APPLICATION REVIEW

- Islands Trust planner reviews the application
- Supplemental information may be requested

PUBLIC NOTICE

- A draft Notice of Permit is delivered to properties within 200 metres and posted at the Islands Trust office

REPORT PREPARATION

- Planner prepares report and recommendations for the Local Trust Committee

LOCAL TRUST COMMITTEE CONSIDERATION

- The LTC will consider the application at a public meeting;
- The LTC can:
 - (1) Refer the application to the Advisory Planning Commission (APC) or request further information prior to making a decision;
 - (2) Approve the TUP as presented;
 - (3) Approve the TUP with changes; OR
 - (4) Refuse to issue the TUP.



Types of conditions are attached to Commercial Vacation Rental TUPs?

A Temporary Use Permit WILL require:

- The Commercial Vacation Rental to be screened for privacy
- An on-island contact available 24 hours per day, 7 days per week
- Information to be provided to neighbours including on-island contact numbers and copies of the permit
- Information to be provided to renters regarding: neighbourliness, noise bylaws, water conservation, fire safety, waste management, septic care and pet control
- A limit on the number of bedrooms and guests
- A maximum one non-illuminated wooden sign (max. 0.3 m²)

A Temporary Use Permit MAY require:

- Water metering
- Information to be provided to renters about sensitivity to First Nation sites and artifacts

A Temporary Use Permit WILL prohibit:

- Renting or provision of motorized personal watercrafts
- Camping or RV use

Contact the Islands Trust:



- visit** ● Islands Trust Northern Office
700 North Road, Gabriola Island
- phone** ● 250-247-2063
- email** ● northinfo@islandstrust.bc.ca

For more information about Gabriola Island Local Trust Committee bylaws and to view the bylaws online, visit: www.islandstrust.bc.ca

On Nov 8, 2017, at 8:10 AM, Sheila Haniszewska [REDACTED] wrote:

hi Heather, hi Melanie,

Thank you for your responses regarding the gas price sign.

It is good to know that it will be unlit at night but LED or not , it is brighter than the previous sign because it immediately catches one's eye, whereas the old sign was less boastful, as it were. It is even a distraction as we are not used to this market advertising, billboard type style here.

I am still unconvinced that it is necessary. It should be reconsidered.

It is totally out of place in our island setting and with its blaring advertising of the latest gas prices seems

odd here for a community that is trying to promote sustainability, less driving , more use of Gertie, etc.

The fossil fuel addiction loudly proclaimed.

When did we become afraid of the dark here? Honestly~! One of the things I love about this island is that some of us still I have a sense of the value of the dark night skies.

There are organizations world wide that promote less bright signage that diminishes our appreciation of the night.

Instead of going against this preservation of the dark movement, why don't we , as a community, join forces with other communities worldwide who are attempting to save the night skies.

This might be a lovely thing for this island to do.

Yours sincerely,

Sheila Haniszewska



BRIEFING

To: All local trust committees/
Bowen Island Municipality

For the Meeting of: December 14, 2017

From: Kate Emmings, Ecosystem Protection
Specialist

Date prepared: October 11, 2017

SUBJECT: REFERRAL OF DRAFT ISLANDS TRUST FUND REGIONAL CONSERVATION PLAN
2018-2027

PURPOSE:

The Islands Trust Fund has completed a draft of its Regional Conservation Plan 2018-2027 and is providing it for information to all local trust committees and to the Bowen Island Municipality. The draft Regional Conservation Plan is also being shared with all First Nations with interests in the Islands Trust Area as well as conservation partners.

BACKGROUND:

Why a Regional Conservation Plan?

The rich diversity of life in the Islands Trust Area makes the region ecologically significant, not only locally, but globally. Most of the region is within the Coastal Douglas-fir zone, one of the rarest of British Columbia's 16 biogeoclimatic zones. The Douglas-fir ecosystems of this zone, including Garry oak and associated ecosystems, are globally rare – in the entire world they occur only on the east coast of southern Vancouver Island, the islands of the Georgia Basin, and a small area of the mainland. The Islands Trust Area is also home to several other sensitive ecosystems and hundreds of rare terrestrial and marine plants and animals.

Despite its ecological significance, biodiversity in the Islands Trust Area is exposed to significant threats. With over 68% of the Islands Trust Area in private land ownership and over 3.3 million people living in the surrounding areas, the pressures to develop and change the natural landscape in the islands are substantial.

Because of the significance of the ecosystems found in the Islands Trust Area and the threats they are under, conservation planning is an important tool to ensure that the natural beauty that draws so many to the region is not lost. Since 2005, the work of the Trust Fund Board and, in some cases, the Islands Trust's local planning work, has been guided by Regional Conservation Plans.

What's in the Regional Conservation Plan?

The Regional Conservation Plan provides background on the ecosystems in the Islands Trust Area, evaluates their current status, identifies priorities and threats, and sets goals and objectives for the next ten years. The goals identified in the draft 2018-2027 Regional Conservation Plan are:

1. Identify, investigate and communicate about important natural areas to generate action on conservation priorities
2. Strengthen relationships with First Nations to identify and collaborate on shared conservation goals

3. Continue to secure and manage Trust Fund Board lands and conservation covenants to maximize ecological integrity
4. Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area

Local trust committees and the Bowen Island Municipality will find island profiles in Appendix II with information specific to their area of interest.

When will the Regional Conservation Plan Begin?

The draft Regional Conservation Plan will cover a ten-year period and will begin with approval of the Trust Fund Board. Review and approval of the final draft will happen in early 2018. The final Regional Conservation Plan will be provided to the Trust Council in March 2018 with a request for endorsement.

Who will the Regional Conservation Plan affect?

The Regional Conservation Plan directs the work of the Trust Fund Board and its staff. It is not binding on the work of the local trust committees, Bowen Island Municipality or Trust Council, although each of these corporate bodies may choose to incorporate elements of the plan into their work.

How will the Regional Conservation Plan be implemented?

The Trust Fund Board will implement the Regional Conservation Plan through three-year work plans, which will be approved by the Trust Fund Board and will be implemented by staff. At the end of each three-year period, staff will evaluate progress and set the next three-year work plan with the Trust Fund Board.

ATTACHMENT(S): [Draft Regional Conservation Plan 2018-2027](#)

FOLLOW-UP:

If the local trust committee or Bowen Island Municipality chooses to provide comment, they should pass a resolution citing comments and direct staff to relay the comments to Islands Trust Fund staff. Feedback will be considered by the Trust Fund Board when it finalizes its Regional Conservation Plan at its first meeting in 2018.

Prepared By: Kate Emmings, Ecosystem Protection Specialist

Reviewed By/Date: Jennifer Eliason, Islands Trust Fund Manager/October 6, 2017



REQUEST FOR DECISION

TO: All local trust committees/
Bowen Island Municipality

For the meeting of: December 14, 2017
Date: October 12, 2017

FROM: Islands Trust Fund

SUBJECT: REFERRAL OF ISLANDS TRUST FUND FIVE YEAR PLAN

RECOMMENDATION:

That the Gabriola Island Local Trust Committee receive the draft Islands Trust Fund Five Year Plan for information.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None

FINANCIAL: None

POLICY: Consistent with policy.

IMPLEMENTATION/COMMUNICATIONS: The Islands Trust Fund Plan has been referred to all local trust committees and Bowen Island Municipality, as well as First Nations with interests in the Trust Area and Trust Council. Comments received will be considered and addressed. The Trust Fund Board intend to submit a final plan to the Minister of Municipal Affairs and Housing in December 2017 with a request for approval.

BACKGROUND

The *Islands Trust Act* requires that the Trust Fund Board prepare and submit to the Minister, at least once every five years, a plan for the Islands Trust Fund respecting policies on acquisition, management, and disposal of property, investment of money, goals for major acquisitions, and other matters as required.

Islands Trust Policy 3.3.ii Islands Trust Fund and Local Planning Services Coordination (TFB Policy 3.1) requires the plan to be referred to every LTC and Island Municipality for comment. The Trust Fund Board will also be submitting the plan to Trust Council for comment at its December 2017 meeting.

The Islands Trust Fund Plan is administrative in nature, and explains current Trust Fund Board policies on land acquisition, management and disposition of land, and investment of funds. It also summarizes the goals of the draft Regional Conservation Plan.

It is important to distinguish between the Islands Trust Fund Five Year Plan which requires Ministerial approval under the *Islands Trust Act*, and the Regional Conservation Plan, which provides science-based operational direction to the Trust Fund Board and its staff. The documents are complementary, but serve different functions.

REPORT/DOCUMENT: [Draft Islands Trust Fund Five Year Plan](#)

RELEVANT POLICY: Islands Trust Policy 3.3.ii Islands Trust Fund and Local Planning Services Coordination (TFB Policy 3.1)

DESIRED OUTCOME: Local Trust Committee/Islands Municipality review of the Islands Trust Fund Five Year Plan and approval of plan from the Minister of Municipal Affairs and Housing.

RESPONSE OPTIONS

Recommended: That the Gabriola Island Local Trust Committee receive the draft Islands Trust Fund Plan for information.

Alternatives: That the Gabriola Island Local Trust Committee provide the following comments on the Islands Trust Fund Five Year Plan:

PREPARED BY: _____
Jennifer Eliason
Islands Trust Fund Manager

REVIEWED BY: _____
Clare Frater
Director of Trust Area Services



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

DATE OF MEETING: December 14, 2017
TO: Gabriola Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
SUBJECT: Housing Options Review Project – Proposed Bylaw No. 292 (OCP)

RECOMMENDATIONS

1. That Gabriola Island Local Trust Committee Bylaw No. 292, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017”, be read a third time.
2. That Gabriola Island Local Trust Committee Bylaw No. 292, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

REPORT SUMMARY

The purpose of this report is to recommend that Proposed Bylaw No. 292 be given third reading and forwarded to the Executive Committee for consideration.

BACKGROUND

A Community Information Meeting (CIM) and public hearing were held for Proposed Bylaw Nos. 292 and 293 on November 16, 2017. A copy of the draft CIM minutes and public hearing record are included in the December 14, 2017 Local Trust Committee (LTC) meeting agenda package. No changes to Proposed Bylaw No. 292 are recommended and the bylaw can be considered for third reading and forwarding to the Executive Committee.

Following the close of the public hearing, the LTC requested staff to prepare amendments to proposed Bylaw No. 293 pertaining to the Land Use Bylaw (LUB) based on the information provided at the CIM and public hearing. The requested changes include the following:

- Limiting a bathroom and/or kitchen area to only one accessory building;
- Removing the covenant language limiting the total number of dwellings on a lot to two;
- Amending the AG zone language for those parcels within the Agricultural Land Reserve (ALR) to be consistent with the Agriculture Land Commission (ALC) regulation/policy; and
- Administrative clarity in section B.6.

These changes will be presented at the next regularly scheduled business meeting in 2018.

No changes were requested by the LTC for Proposed Bylaw No. 292 following the close of the public hearing.

Rationale for Recommendation

Staff recommends that Proposed Bylaw No. 292 (OCP) be given third reading and forwarded to the Executive Committee for approval given the following:

- No further changes are anticipated for Proposed Bylaw No. 292;
- Proposed Bylaw No. 292 may advance independently of Proposed Bylaw No. 293; and
- The statutory process for OCP amendment bylaws requires time for consideration by the Minister of Municipal Affairs and Housing.

Alternatives

1. Postpone consideration of third reading of Proposed Bylaw No. 292 until amendments to Proposed Bylaw No. 293 (LUB) have been reviewed.

The LTC can defer consideration of the OCP bylaw until changes to the LUB bylaw have been reviewed. Staff advise that this would delay completion of Phase 1 of the Housing Options Review Project.

2. Make additional changes to the bylaw.

The LTC can consider amendments to Proposed Bylaw No. 292 that would not result in a change in use or density, amend the bylaw and give third reading as amended. Should amendments result in a change in use or density, a second public hearing would need to be advertised and held in accordance with the *Local Government Act*. Staff advise that advertising and holding a second public hearing would require amendments to LTC project budget allocations.

NEXT STEPS

If the LTC concurs with the staff recommendation and Proposed Bylaw No. 292 is subsequently approved by the Executive Committee, it would be sent to the Minister of Municipal Affairs and Housing for approval. Provided ministerial approval is given, the bylaw may then be considered for final reading (adoption).

Submitted By:	Sonja Zupanec, RPP Island Planner	November 20, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	November 23, 2017

ATTACHMENTS

1. Proposed Bylaw No. 292

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 Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017”.

2. Gabriola Island Local Trust Committee Bylaw No. 166, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 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”
“family”	“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 13TH DAY OF JULY , 2017

READ A SECOND TIME THIS 12TH DAY OF OCTOBER , 2017

PUBLIC HEARING HELD 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



DATE OF MEETING: December 14, 2017
TO: Gabriola Island Local Trust Committee
FROM: Teresa Rittemann, Planner 2
Northern Team
SUBJECT: Mudge Island Targeted OCP/LUB Review Project for Lot Coverage

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee endorse the Mudge Island Targeted OCP/LUB Review Project Charter, v.1 [as amended].
2. That the Gabriola Island Local Trust Committee allocate \$300 from the 2017/2018 Local Trust Committee Special Projects budget for the Mudge Island Targeted OCP/LUB Review Project.
3. That the Gabriola Island Local Trust Committee request staff to schedule a meeting for the Mudge Island Advisory Planning Commission to discuss and provide recommendations to the Local Trust Committee on potential amendments to the Mudge Island Official Community Plan and Land Use Bylaw in relation to Lot Coverage, including:
 - a) Modifying the definition of lot coverage to exempt cisterns or other structures to support water conservation;
 - b) Modifying the maximum lot coverage in the rural residential zone;
 - c) Regulating the size of dwellings and accessory buildings and structures;
 - d) Regulating impermeable surface coverage;
 - e) Incorporating Mudge Island as a "Special Area" under the Gabriola Official Community Plan and Land Use Bylaw.

REPORT SUMMARY

The purpose of this report is to provide the Gabriola Island Local Trust Committee (LTC) with preliminary guidance on the project recently added to the LTC's Top Priority list: a targeted review of Mudge Island Official Community Plan (OCP) and Land Use Bylaw (LUB), specifically as it relates to permitted residential lot coverage. Staff is recommending that if the LTC wishes to proceed, that the Mudge Island Advisory Planning Commission (APC) be consulted on a number of items. The project may be further developed in the future depending on input from the APC and LTC consideration of this input.

BACKGROUND

At the September 7, 2017 Gabriola Island Local Trust Committee (LTC) meeting, the LTC passed the following resolution to move this Project to the Top Priorities List:

GB-2017-123

It was **MOVED** and **SECONDED**

that the Gabriola Island Local Trust Committee remove Developing a New Ecological Protection Zone for the Land Use Bylaw from the Top Priorities List and place it on the Projects List and replace it with Review of Mudge Island Lot Coverage Regulations. **CARRIED**

This project responds to community concerns regarding the number of Development Variance Permit (DVP) applications to increase the maximum lot coverage on small lots on Mudge Island. Community concerns also exist around the need for water cisterns, which are “structures” under the current definition in the Mudge Island Land Use Bylaw, and therefore are currently included in the lot coverage calculation.

ANALYSIS

Policy/Regulatory

Mudge Island Official Community Plan (OCP), No. 227:

The Mudge Island OCP is intended to guide the decisions of government agencies, current residents, special interest groups, organizations, new or prospective landowners, the LTC, and staff. It is a statement of objectives and policies to guide decisions on planning and land use management. It states the values of the community, and as the values of the community changes, so too can their OCP.

The unique amenities of Mudge Island include its rainwater supply and extensive tree cover (among others), and that almost the entire zoning of the island is residential (i.e. no schools, no commercial facilities, and businesses are limited to home occupations), save for a park and two areas zoned for marina/parking use. Mudge Island has no public dock nor does it have urban type amenities such as streetlights, sidewalks, paved roads, garbage and recycling collection, community water or sewer services, or firefighting services (volunteer only). Residents follow a “maintain your own property” philosophy.

Policies in the OCP (and regulations in the LUB) have been developed to take into account individual and collective impacts and ecological footprints. Enjoyment of rural island character and residential privacy are fundamental elements of island life. Keeping these in mind, island based, flexible, moderate and uncomplicated regulatory understanding is sought.

Residential lands are designated in the OCP as “LB – Land Based”; applicable objectives and policies include:

Objectives

- 1. To support a diverse population and community of lifestyles through residential uses that are compatible with the environmental carrying capacity and rural character.*
- 2. To support residential development and activities, stewardship practices, and initiatives that minimize impact on rural character and resources.*
- 3. To support creative proposals that provide community benefit, enhance rural island character, and preserve and protect the environment.*

Policies

- 1. The principal use in this designation shall be residential, with one single family dwelling per lot.*
- 2. Uses and structures typically associated with residential uses shall be permitted.*
- 3. **Lot coverage should be limited, unless measures are taken that prove an increase in site development will not reasonably increase environmental or social impacts.***

Mudge Island Land Use Bylaw (LUB), No. 228:

In the Mudge Island LUB, the only residential zone is RR – Rural Residential. By contrast, Gabriola has two main residential zones (SRR and LRR). Some existing LUB regulations between the two islands are compared in Table 1 below:

Table 1: Comparison of Regulations between Mudge Island's and Gabriola Island's Residential Zones

	Maximum Lot Coverage	Maximum Number of Single Family Dwellings Per Lot	Maximum Number of Cottages Per Lot	Minimum Lot Area for Subdivision	Minimum Average Lot Area for Subdivision
Mudge Rural Residential (RR) zone	10%	1	1 (on lots 1.9 ha or larger)	4 hectares	8 hectares
Gabriola Small Rural Residential (SRR) zone	20%	1	1 (on lots 2.0 ha or larger)	0.5 hectares	2 hectares
Gabriola Large Rural Residential (LRR) zone	10%	1	1 (on lots 2.0 ha or larger)	2 hectares	4 hectares

Since the LUB was adopted in September 2008, there have been only two approved variances to increase the 10% maximum lot coverage on the island:

- GB-DVP-2015.1 (Da Fonseca); Feb. 2016. Increased maximum lot coverage to 11.6% for that lot; and
- GB-DVP-2016.2 (German); Oct. 2016. Increased maximum lot coverage to 14.0% for that lot.

Issues and Opportunities

Existing Lot Coverage

Planning Staff consulted Islands Trust GIS/Mapping Staff to estimate Mudge Island's current lot coverage and produce a map (see Map 1 below).

Map 1: Map of Mudge Island's Current Lot Coverage (Estimated)



Note that the above map is *only an estimate* of existing lot coverage on Mudge Island, and Staff involved with data collection and analysis made the following assumptions:

- Other than the one single park on the southern tip of Mudge Island, the rest of the island is within the Rural Residential (RR) zone, and currently there are approximately 358 RR-zoned lots.
- The GIS data used was from BC Assessment, which notes which properties are “vacant” (white lots) and which are “non-vacant” with development of some kind (orange and salmon-coloured lots).
- Islands Trust also has a GIS data layer to show areas covered by buildings and structures. Some restrictions to this data layer include the fact that the dense tree cover on Mudge Island makes aerial identification of built construction difficult. Thus, some lots which are non-vacant according to BC Assessment, also appear to have no “buildings” on them on the map above.
- Since there is no community water system on Mudge, our GIS team made the assumption that each non-vacant lot has at least one water cistern structure which contributes to lot coverage. Thus, Mapping Staff added 10m² of coverage to every non-vacant lot to account for cisterns that are likely not recorded on this building layer.

GIS Results:

According to the data, when considering the entire island, the average lot coverage of Mudge Island is 1.42%, which does not include any additional coverage from cisterns or other structures (e.g. fences) etc.

Assuming that every non-vacant lot has a cistern or other water-collection structure (i.e. assuming/not counting water wells) with an estimated footprint of 10m², the average lot coverage only rises to 2.52%. Notably, there are some large parcels on the island which lower the average.

Finally, when Mapping Staff further **narrowed the data down to only those RR-zoned, non-vacant lots that are less than 1 acre in size (and still included the addition of 10m² to assume a water cistern), the average lot coverage rose to 5.17%**. This version of the average lot coverage calculation included the dark grey buildings on the orange-coloured lots (not the light grey buildings on the salmon-coloured lots), plus the assumed 10m² water cistern addition on each orange lot.

Subdivision Potential

Staff note that there is very little subdivision potential (to increase density) on Mudge Island (approximately seven or eight more lots could be created given the current regulations). Thus, if not permitting more lots, increasing the maximum lot coverage is another way to permit how densely the island can be covered by buildings and structures. Such an amendment would be contrary to the existing policies of the OCP.

Harmonization of Bylaws

Mudge Island community members have expressed an interest in having greater consistency with the Gabriola Island Land Use Bylaw regulations pertaining to the SRR zone. Despite whether or not SRR zoning is appropriate for Mudge Island, the LTC and community members may wish to consider combining the Mudge Island OCP and LUB with the Gabriola OCP and LUB. Under this scenario, Mudge Island could have its own Local Area Plan and regulations and also benefit from more timely policy and regulatory amendments (given that these would occur at the same time as for Gabriola Island). If the LTC selects this option, it is recommended that the Mudge APC be asked to consider this option.

Status Quo

In the interim, it may make the most sense to continue considering Development Variance Permit applications on a case-by-case basis. As is currently the policy of the Regional District of Nanaimo, Building Permits (BPs) are

required for construction on Mudge Island, even though the RDN does not currently conduct inspections on Mudge Island (or DeCourcy or the Flat Top Islands). RDN Staff emphasize that the BC Building Code applies province-wide and all lot owners, including those on Mudge Island, must still apply for and obtain BPs. Exceeding the 10% maximum lot coverage may be more likely in cases where lot owners aren't aware of Mudge Island's maximum lot coverage regulation because they have not previously applied for or obtained Building Permits from the RDN.

Consultation

The Mudge Island APC received an orientation on Wednesday, November 29 and expressed enthusiasm for a community process to review Mudge Island's lot coverage regulations. Staff are recommending that the APC be referred a number of items for their discussion and consideration at an APC meeting, including the following:

- Potentially modifying the definition of lot coverage to exempt cisterns or other structures that support and encourage water conservation.
- Potentially increasing the maximum rural residential lot coverage on Mudge Island from 10% to mimic the maximum 20% lot coverage of Gabriola's Small Rural Residential zone;
- Potentially limiting the maximum sizes of dwellings and/or accessory buildings and structures on Mudge Island;
- Potentially regulating maximum area covered by impermeable surfaces; and
- Potentially incorporating the Mudge Island Planning Area as a "Special Area" (with separate and relevant/appropriate regulations) of the Gabriola Island Official Community Plan and Land Use Bylaw.

Upon receipt of Mudge Island APC feedback, the LTC may decide whether or not to pursue or amend the Mudge Island Targeted OCP and LUB project charter, and may wish to hold a Community Information Meeting (CIM) in the future to solicit input from the wider Mudge community.

Rationale for Recommendation

Given the existing policies and objectives of the Mudge Island OCP and LUB, and that the existing average lot coverage is around 5% for non-vacant RR lots less than 1 acre, Staff does not recommend increasing the permitted maximum lot coverage from 10%. However, Staff does recommend that the Mudge Island Advisory Planning Commission (APC) meet to consider and discuss other potential options and implications, such as limiting dwelling or accessory building sizes, excepting cisterns/rainwater water catchments from the lot coverage definition, or requiring landscaping/native vegetation to minimize freshwater use, etc.

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 that Staff provide the following information [insert requested information] related to the Mudge Island Targeted OCP/LUB Review Project for Lot Coverage.

2. Proceed no further with the project

The LTC may also proceed no further with the project. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee proceed no further with the Mudge Island Targeted OCP/LUB Review Project for Lot Coverage.

NEXT STEPS

Should the LTC pass the recommended resolutions, Staff would coordinate with the APC to schedule a meeting and then would report back to the LTC with a Staff Report and recommendations at a subsequent LTC meeting. Based on APC input, the LTC could then determine whether or not to proceed with the project (or to amend the Project Charter at that time).

Submitted By:	Teresa Rittemann, MCIP, RPP Planner 2	November 17, 2017
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	December 6, 2017

ATTACHMENTS:

1. Mudge Island Targeted OCP and LUB Review Project - DRAFT Project Charter, v.1.

Mudge Island Targeted OCP/LUB Review Project—

DRAFT Project Charter, v1

Gabriola Island Local Trust Committee

Date: December 14, 2017

Purpose: To review the Mudge Island Official Community Plan (OCP) and Land Use Bylaw (LUB) in relation to lot coverage.

Background: At their September 7, 2017 meeting, the Gabriola Island Local Trust Committee (LTC) moved the “Mudge Island Targeted OCP/LUB Review Project” from their Projects List to their Top Priorities list.

Objectives

To consider potential amendments to the Mudge Island OCP and LUB relating to lot coverage, including:

- Modifying the definition of lot coverage to exempt cisterns or other structures to support water conservation;
- Modifying the maximum lot coverage in the rural residential zone;
- Regulating the size of dwellings and accessory buildings and structures;
- Regulating impermeable surface coverage; and
- Incorporating Mudge Island as a “Special Area” under the Gabriola Official Community Plan and Land Use Bylaw.

In Scope

- Referral to the Mudge Island Advisory Planning Commission.
- Staff analysis and subsequent Staff Report(s) with recommendations to the LTC.

Out of Scope

- Review of the Mudge Island OCP and LUB that is unrelated to the objectives identified in this Project Charter.

Workplan Overview

Deliverable/Milestone	Date
Refer to the Advisory Planning Commission. Staff to help arrange an APC meeting.	Winter 2018
Subsequent Staff Report(s) to the Gabriola Local Trust Committee with recommendations (following the APC meeting).	January 2018 or March 2018 LTC Meeting

Project Team

Teresa Ritemann, Planner 2	Project Manager
Ann Kjerulf, Regional Planning Manager	Planning Support
Bylaw Enforcement Department	Bylaw Support
Islands Trust GIS Technician	Mapping Support

RPM Approval:

Ann Kjerulf, MCIP RPP

Date:

LTC Endorsement:

Resolution #:

Date:

Budget

Budget Source: GB LTC Meeting Expenses

Fiscal	Item	Cost
2017-18	APC Referral (APC Meeting)	\$300
	Total	\$300



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 definition of "affordable housing" in the OCP; draft new proof of water requirements for subdivision regulations.	07-May-2015	Sonja Zupanec	
1	First Nations Relationship Building			Fiona MacRaild	
2	Mudge Island targeted review of OCP/LUB	Review 10% lot coverage provisions and cisterns being calculated as lot coverage on small lots.	07-Sep-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
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

Projects

Gabriola Island

Description	Activity	R/Initiated
Develop a new Ecological Protection Zone.	Research and develop a new ecological protection zone as part of the Parks (P) OCP designation. Update zoning of Coates Marsh and Burns Acres Nature Reserve properties.	01-Mar-2017



Development Permit

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

Planner: Teresa Rittemann

Planning Status

Status Date: 27-Nov-2017

No change in status.

Status Date: 21-Nov-2017

Applicant has entered into Cost Recovery Agreement - CR087 - and lawyers have been requested to begin work to draft the restrictive covenant.

Status Date: 02-Oct-2017

IT working with applicant on Cost Recovery agreement, then can work on restrictive covenant.

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: Madeleine Koch

Planning Status

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.

Status Date: 15-Jun-2017

Applicant said that he would ask the owner to contact staff to arrange a meeting to discuss the application

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

GB-DVP-2017.1 Zane, Michael 03-Aug-2017 PID: 009-796-045 To bring property into bylaw compliance. Civic address:
Acorn Island

Planner: Teresa Ritemann

Planning Status

Status Date: 27-Nov-2017

No change in status.

Status Date: 21-Nov-2017

Applicant has entered into Cost Recovery Agreement - CR087 - and lawyers have been requested to begin work to draft the restrictive covenant.

Status Date: 02-Oct-2017

IT working with applicant on Cost Recovery agreement, then can work on restrictive covenant.

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 518031) OF THE NORTH 1/2 OF THE NORTH EAST 1/4 OF SECTION 9, GABRIOLA ISLAND, NANAIMO DISTRICT)

Planner: Teresa Ritemann

Planning Status

Applications

Status Date: 27-Nov-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 Create 7 parcels
Planner: Teresa Rittemann			

Planning Status

Status Date: 27-Nov-2017

No change in 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.

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: 03-Nov-2017

No change

Status Date: 08-Jan-2016

No change

Applications

Status Date: 13-Jan-2015

Applicant working to satisfy conditions

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 Rittermann

Planning Status

Status Date: 27-Nov-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 Rittermann

Planning Status

Status Date: 27-Nov-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-2016.2	MACKAY, IKE	23-Feb-2016	PIDs: 004-857-119 and 004-614-771 Lot Boundary Adjustment

Planner: Teresa Rittermann

Planning Status

Applications

Status Date: 27-Nov-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 Planner: Sonja Zupanec	20-May-2016	PIDs: 001-271-806 and 009-735-755 Boundary adjustment. Civic address: 1610 Hess Road, Gabriola Island.
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 Planner: Teresa Ritemann	08-Sep-2016	PID: 000-305-120 215 Easthom Road, Gabriola Island. 3 lot subdivision.
Planning Status			

Status Date: 27-Nov-2017

No change in status.

Status Date: 07-Nov-2017

Applicant seeking extension to PLA. Planner confirmed with MOTI and applicant via email that our office has no concerns with extending the PLA.

Status Date: 02-Oct-2017

No change in status.

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.

Applications

Planner: Teresa Ritemann

Planning Status

Status Date: 27-Nov-2017

No change in status.

Status Date: 05-May-2017

PLA Received. MOTI will send final plan when 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: Teresa Ritemann

Planning Status

Status Date: 27-Nov-2017

No change in status.

Status Date: 24-Jul-2017

Received VIHA letter approving sewage. Still need final plan of subdivision, then can send letter or approval if final plan is OK

Status Date: 30-Jun-2017

Awaiting documents to satisfy sewage disposal condition. Then final subdivision plan before giving final approval letter.

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2016.1	MCAFEE, IAN	09-Oct-2015	PID: 003-135-276 1070 Chappel Place, Gabriola Island. STVR.
Planner: Teresa Ritemann			

Applications

Planning Status

Status Date: 27-Nov-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 October 2017

620 Gabriola	Invoices posted to Month ending October 2017	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	1,500.00	792.19	707.81
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	4,750.00	2,257.39	2,492.61
65210-620	LTC - Local Exp - APC Meeting Expenses	600.00	477.70	122.30
65220-620	LTC - Local Exp - Communications	1,250.00	369.00	881.00
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>3,104.09</u>	<u>4,495.91</u>
Projects				
73001-620-4063	Gabriola First Nations Relations	1,000.00	13.54	986.46
73001-620-4064	Gabriola Housing Options Review	2,500.00	2,410.48	89.52
73001-620-4080	Gabriola Housing Needs Assessment	5,000.00	0.00	5,000.00
TOTAL Project Expenses		<u>8,500.00</u>	<u>2,424.02</u>	<u>6,075.98</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.



Trust Fund Board Report to Local Trust Committees and Bowen Island Municipality November 2017



TFB 2018 Meeting Dates

The Trust Fund Board finalized the 2018 TFB meeting dates. The dates are: January 30, April 3, May 29, July 17 (Annual meeting with the Executive Committee), September 25, and November 27.

Regional Conservation Plan (RCP)

The Trust Fund Board (TFB) reviewed a three-year work plan that builds on the approved draft Regional Conservation Plan (RCP) for 2018-2027. The RCP will be used by the TFB to evaluate conservation proposals, to direct communications and fundraising efforts and to guide property management work. The three-year work plans will be used by staff and board members to guide their work and measure progress towards achieving the larger goals of the ten-year RCP. The Board has referred the RCP to local trust committees and Bowen Island Municipality for review. (It has also been referred to partner agencies and First Nations and will be posted on the Islands Trust Fund (ITF) website with a mechanism to enable public feedback). The Board is expecting to consider final approval of the Regional Conservation Plan in January 2018.

Land Trust Alliance of BC National Land Summit

Trust Fund Board members and staff shared key lessons learned from their participation and attendance at the Land Trust Alliance of BC National Land Summit (Nov. 15-17). Staff presented at the conference on Conservation Planning.

Board Retreat

The Trust Fund Board discussed possible follow-up actions emerging from the October 2, 2017 retreat. Staff provided the board with summaries of key information about ITF for members to use in developing personalized messages for outreach and fundraising, as discussed at the retreat.

Property Monitoring

The Board has received detailed reports on the results of this year's monitoring of our 27 nature reserves, the 24 NAPTEP covenanted areas and the 51 other covenants we hold. A number of management issues have been identified which are now being addressed (see below for highlights by island). All follow-up correspondence related to 2017 monitoring has been provided to land holders and co-covenant holders. This year, covenant outreach communications were included with the monitoring letters.

Summary of Current Island-by-Island Activities

Denman

Invasive species removal, restoration, planting and monitoring continues on all three TFB nature reserves (Inner Islands Nature Reserve, Lindsay Dickson Nature Reserve, and Morrison Marsh Nature Reserve). Management plan revisions and species at risk surveys are being completed for Morrison March Nature Reserve. In addition, public consultation planning - including a questionnaire and open

house, are in progress for a revised management plan for Morrison Marsh Nature Reserve to be completed by April 2018.

Gabriola

The Trust Fund Board approved a request from a NAPTEP landholder to remove limbs from several trees to maintain a viewscape with the conditions that the work is carried out by a professional arborist, the work is done outside of nesting season for birds and the woody debris is left on site to decompose naturally.

The Elder Cedar Nature Reserve continues to suffer from the impacts of unpermitted mountain bikes and horses. ITF is working with GaLTT to address these and other issues. Construction is set to begin on a boardwalk around the large western red cedar tree in late November. A boardwalk is also being built over a wet area on one section of the existing trail.

Galiano

The TFB accepted an updated conservation proposal from the Crystal Mountain Society, agreeing to accept the transfer of approximately 18.3 hectares of land on Galiano Island, provided specified conditions are met. The proposed nature reserve will be further protected by a conservation covenant held by the Land Conservancy of BC. Invasive species removal and trail clearing is in progress on the Laughlin Lake and Vanilla Leaf Nature Reserves.

Lasqueti

Riparian restoration and nesting box maintenance is in progress at the John Osland Nature Reserve.

North Pender

Public consultation planning - including a questionnaire and open house, are in progress for a revised management plan for the Medicine Beach Nature Sanctuary to be completed by April 2018.

Please feel free to contact members of the Trust Fund Board or Islands Trust Fund staff for more details.

Tony Law, Chair tlaw@islandstrust.bc.ca
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BRIEFING

To: Gabriola Island Local Trust Committee **For the Meeting of:** January 18, 2018
From: David Marlor, DLPS **Date Prepared:** December 4, 2017
SUBJECT: Housing Agreement Administration

PURPOSE:

This briefing is intended to inform the local trust committees of existing housing agreements in the Trust Area and the progress of work on a new program to hold and administer housing agreements.

BACKGROUND

At the September 2016 Trust Council meeting the following resolution was passed:

TC-2016-083 that the Islands Trust Council allocate \$15,000 in the 2017-2018 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.

A Housing Agreement is a tool for local trust committees to encourage and enforce affordable housing developments. Housing agreements are covenants that are adopted by local trust committee bylaw; they may set the rates at which a housing unit can be rented or sold, and may stipulate the income threshold and types of the occupant(s). A housing agreement may be required for the owner to receive certain grants and funding.

1. Provisions to hold Housing Agreements

Section 483 of the *Local Government Act* authorizes local trust committees to enter into a housing agreement, which defines “terms and conditions agreed to by the local government and the owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions respecting one or more of the following:

- (a) the form of tenure of the housing units;
- (b) the availability of the housing units to classes of persons identified in the agreement or the bylaw under subsection (1) for the agreement;
- (c) the administration and management of the housing units, including the manner in which the housing units will be made available to persons within a class referred to in paragraph (b);
- (d) rents and lease, sale or share prices that may be charged, and the rates at which these may be

increased over time, as specified in the agreement or as determined in accordance with a formula specified in the agreement.”

2. Current Housing Agreements

There are currently six housing agreements in the Islands Trust Area that are considered active (units are built and rented, or the housing agreement was recently finalized). These are located on Salt Spring Island (4), Denman Island (1) and Galiano Island (1).

All housing agreements have a clause whereby the Islands Trust can monitor the property to ensure compliance, through the completion of schedules submitted annually or upon request. Staff completed monitoring for 2017 in October.

3. Managing and Administering Housing Agreements

In creating a Trust-wide program to hold and administer housing agreements the following points were considered,

- a. Housing agreements to date have been handled on an individual basis by the planner assigned to the island/application;
- b. Extensive revision and legal review is required for each housing agreement;
- c. Active monitoring was not undertaken on any agreements until October 2017, with the exception of the property on Denman Island;
- d. Planning and administrative staff with already full workloads need a system that does not add a lot of extra work;
- e. Enforcement issues have not been thoroughly planned for or addressed;
- f. Applicants for Housing Agreements are usually not-for-profit societies with limited budgets.

Based on these factors, the following changes to the way housing agreements are administered have been proposed:

a. Templates

Templates have been drafted for the various different types of housing agreements, in an effort to decrease planner time and the need for multiple legal reviews. These templates combine legal advice and formats from recently established housing agreements to create a base draft. These templates are standard agreements, and owners/developers will be expected to keep changes and edits to a minimum.

b. New Staff Procedures

New procedures are currently under review for staff to use when developing housing agreements to streamline the process and avoid errors and omissions. In particular, these procedures will ensure that housing agreements are monitored, and that files and communications are kept up to date. Procedures are also prepared regarding the monitoring and management of adopted housing agreements.

c. Information Brochure for Owners/Societies/Developers

Staff will create an information brochure to outline the steps involved in creating a housing agreement, as well as specifying the limited edits that can be made to a template. This information, designed for those interested in entering into a housing agreement, will also be provided to Trustees for information.

Prepared By: Emily Kozak, Housing Agreement Project Coordinator

Reviewed By/Date: David Marlor, DLPS/December 4, 2017