



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: May 11, 2017
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

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

Staff Present Ann Kjerulf, Regional Planning Manager
 Sonja Zupanec, Island Planner
 Linda Prowse, Planner 1
 Lisa Millard, Recorder

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

1. CALL TO ORDER

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

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. TOWN HALL AND QUESTIONS

A member of the public made the following comments:

- The Official Community Plan (OCP) addresses special needs housing but not affordable housing. If suites are being considered the OCP will need to be amended to delete the clause regarding not increasing densities as a concentration of densities will occur due to allowing suites. Allowing suites could result in several residential units on a small lot.
- It was asked if any consideration was being made to specify independent cistern and water systems for suites.
- If bathrooms and kitchens are allowed in accessory buildings then individuals might use them illegally as living quarters and therefore policies need to be developed to regulate the use of these buildings.

A Trustee clarified that secondary suites are only being considered on lots that already allow cottages and these lots are over 2 hectares in size, that densities are not being increased by allowing suites as an option to a cottage, and if accessory buildings are being used as a dwelling it would be considered a bylaw enforcement issue.

4. COMMUNITY INFORMATION MEETING - none**5. PUBLIC HEARING - none****6. MINUTES****6.1 Local Trust Committee Minutes dated March 9, 2017 – for adoption**

The following amendments to the minutes were presented for consideration:

- Page 1 Item 2 - Approval of Agenda, under Item 9.1 Late Delegation, correct the spelling of Potlatch.
- Page 5 Item 9.1 correct the spelling of Potlatch.
- Page 8 top of the page change the sentence beginning with “The applicant noted that based on the RDN...” to read “A Trustee proposed 5000 imperial gallon cisterns be considered based on the requirements established by the Yellow Point development permit area.”
- Page 8 middle of the page remove the fourth bullet point beginning with “Trustees would like to include a mandatory...”
- Page 8 delete the first version of the motion GB-2017-042 and delete the sentence beginning with “When asked by the Chair...”, and leave just the second version of the motion GB-2017-042.
- Page 9 top of the page first bullet point add the words “and would result in a new public hearing” at the end of the sentence.
- Page 11 Item 12.7 second bullet point change “The Trustee Committee” to “The Trust Programs Committee”.
- Page 12 top of the page combine bullet points two and three to read “She watched the museum’s annual general meeting and the presentation by Fiona MacRaid, Islands Trust First Nations Senior Intergovernmental Policy Advisor, regarding the Douglas Treaty.
- Page 13 Item 13.2 change “This item was deferred.” to “Received for Information”.
- Page 14 last bullet point correct the spelling of Potlatch.

By general consent the minutes were adopted as amended.

6.2 Local Trust Committee Public Hearing Record dated March 9, 2017 - for receipt

Received for information.

6.3 Local Trust Committee Special Meeting Minutes dated March 20, 2017 – for adoption

The following amendments to the minutes were presented for consideration:

- Page 2 last bullet point on the page under Trustee O’Sullivan’s response change “While it would have to be a new one...”to “While it would be nice to have a new one...”
- Page 3 first bullet point under Trustee Mamoser’s response change “The RDN is over parkland on the Island...” to “The RDN is responsible for parkland on the Island...”

- Page 3 last bullet point under Chair Busheikin’s response should read “The OCP supports the need for affordable housing but not via a density transfer and this option was not seen as fitting with this complex application”.
- Page 4 first bullet point under Trustee Mamoser’s response it should read “Trustee Mamoser. Stated yes she would consider creating a new park zone for ecological protection.”

By general consent the minutes were adopted as amended.

6.4 Local Trust Committee Public Hearing Record dated March 29, 2017 - for receipt

Received for information.

6.5 Local Trust Committee Special Meeting Minutes dated March 30, 2017 – for adoption

The following amendments to the minutes were presented for consideration:

- Page 3 middle of page following GB-2017-056 in the paragraph beginning “During discussion on the motion...” it should read “During discussion on the motion a Trustee asked if the LTC could stipulate proof of water in the covenant and was advised that that requirement could not be stipulated.” Insert the balance of the paragraph at this point beginning with “It was noted that the current focus of the Housing Options Review Project...”
- Page 5 a statement for the record made by Trustee O’Sullivan begins with “The decision before us it to give...” and opening quotes to the statement are shown. The statement ends on Page 9 near the bottom of the page. Add ending quotation marks following the word discussion in the sentence that states “That perspective seems to be lacking from the discussion”.
- Page 10 third bullet point at top should read “Although the OCP does not encourage transfer from Forestry to Forestry in this case it makes sense to transfer it to Forestry for the benefits it will bring.” Note that the word Resource has been changed to Forestry within this sentence.
- Page 11 first sentence correct the spelling of Potlatch twice within this sentence and capitalize the second use of the word Potlatch.

By general consent the minutes were adopted as amended.

6.6 Section 26 Resolutions-Without-Meeting Report dated May 3, 2017

Received for information.

6.7 Advisory Planning Commission Draft Minutes dated March 22, 2017 - for receipt

Received for information.

6.8 Mudge Island Advisory Planning Commission Minutes - none

6.9 Agricultural Advisory Commission Minutes - none

6.10 Transportation Advisory Planning Commission Minutes - none

7. BUSINESS ARISING FROM MINUTES

7.1 Follow-up Action List dated May 3, 2017

Received for information.

7.2 APC Bylaw Review and Update - Staff Report

GB-2017-067

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee has reviewed the Directives Only Checklist and confirmed by resolution that Bylaw No. 296, cited as “Gabriola Island Local Trust Committee Advisory Planning Commission Bylaw, 2017”, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2017-068

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 296, cited as “Gabriola Island Local Trust Committee Advisory Planning Commission Bylaw, 2017”, be read a first time.

CARRIED

GB-2017-069

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 296, cited as “Gabriola Island Local Trust Committee Advisory Planning Commission Bylaw, 2017”, be read a second time.

CARRIED

GB-2017-070

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 296, cited as “Gabriola Island Local Trust Committee Advisory Planning Commission Bylaw, 2017”, be read a third time.

CARRIED

GB-2017-071

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 296, cited as “Gabriola Island Local Trust Committee Advisory Planning Commission Bylaw, 2017”, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

- 8. DELEGATIONS - none
- 9. CORRESPONDENCE - none
- 10. APPLICATIONS AND REFERRALS

10.1 GB-DP-2017.1 (Fraser) - Staff Report

Planner Prowse summarized the staff report and noted that the applicant is obligated to abide by the Qualified Environmental Professional's (QEP) report.

Discussion ensued regarding the follow up QEP report noted within the staff report and when, or if, this report is received by Islands Trust. Staff indicated that the follow up report is typically done between the applicant and the QEP.

GB-2017-072

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff look into a process for receiving post construction reports by Qualified Environmental Professionals for development permits in Development Permit Area No. 3.

CARRIED

GB-2017-073

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee approve issuance of Development Permit GB-DP-2017.1.

CARRIED

Planner Prowse left the meeting at 11:08 am.

10.2 Bylaw No. 291

GB-2017-074

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 291, cited as "Gabriola Island Land Use Bylaw, 1999, Amendment No. 2, 2016", be adopted.

CARRIED

Trustee Mamoser made the following statement for the record:

"The LTC initiated a roadside signage project to update our bylaws to better balance our community goals of preserving the rural character and atmosphere for Gabriola with our desire to support small, locally owned and home-based businesses. We were being responsive in addressing issues with our sign bylaws that first came to the LTC's attention in 2010.

Three issues were identified in the first staff report in August 2015:

1. Signs in the right-of-way are not permitted in the bylaws or by the Ministry of Transportation and Infrastructure (MoTI). This results in a lack of clarity and security for islanders that need to direct people to their businesses and the use of sandwich boards to alert the community of upcoming events.
2. Signs on the island often exceed the size limit of 0.3m² (such as a typical sandwich board); and
3. There are a lot of obsolete signs on the island and we have no regulations prohibiting them.

We reached out to the public through two community information meetings (January 2016 and April 2016) and a survey in March 2016 with 486 responses.

What we heard:

- Strong feedback that obsolete and derelict signs should be removed.
- Most important concern is safety and visibility.
- Roadside signage should be permitted for special events and that the existing sandwich board signs are acceptable.
- Strong support for the concept of group-multi-party signs for providing directions to businesses.
- Least important purpose of signage is advertising.

As result we:

- Added a definition of derelict and obsolete signs to enable their removal.
- We increased the size of signs to match that of the common sandwich board.
- Allowed signs in “zones” instead of just “lots” to permit them in the right of way subject to MoTI permission.
- We distinguished between different types of signs to regulate them differently: temporary (for special events and directional to home-based businesses), and multi-party directional signs (consolidate signs to limit number while recognizing need for these signs).
- No changes to the advertising signs except allowing them on a temporary basis to advertise public community events.
- Included minor changes to provide more clarity to bylaw enforcement (not applicable to no maximum).

I want to thank the community for providing input on these changes. The response on the survey was amazing and I appreciate those that came to the community information meetings to discuss the options in more detail before and after the survey. I believe we have achieved the balance we were looking for.”

Discussion ensued regarding the enforcement of the new bylaws.

GB-2017-075

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Bylaw Enforcement to attend an upcoming meeting with a general report on bylaw enforcement and focus on signage.

CARRIED

11. LOCAL TRUST COMMITTEE PROJECTS

11.1 Housing Options Review Project - Bylaws 292 and 293 - Staff Report

Island Planner Zupanec summarized the staff report and provided a power point presentation which highlighted changes to proposed Bylaw No. 293 as outlined in attachment 3 of the staff report.

Discussion ensued and the following points were made:

- Island Planner Zupanec clarified that the recently revised Agriculture Land Commission policy stipulates a manufactured home in the Agricultural Land Reserve (ALR) can only be used for immediate family while the Land Use Bylaw stipulates that the manufactured home can be used for immediate family and/or farm workers on a temporary basis if the farm has farm status while still allowing the property to have a secondary suite within the principal dwelling. . The LTC can regulate farmworker housing to be limited to a manufactured home despite the ALC policy wording, to ensure that the housing is temporary and can be removed when the use is discontinued.
- The agency referral response from Vancouver Island Health flagged the duty of the landlord to provide potable water to tenants for domestic purposes as well as a separate water system. It was clarified that if two dwellings, regardless of type of dwelling such as a cottage or a suite, were connected to one water line it becomes a water system and falls under the Regional District of Nanaimo (RDN) regulations which specifically require that the water provided be potable.
- the Housing Options Review project is based on the premise that lots over 2 ha in size are allowed to have an accessory cottage or secondary suite. It needs to be clarified if RR1 zoned lots 2ha or larger in size, remain excluded.
- A loophole in the *Land Title Act* has been identified in which a property with two dwellings undergoes a strata conversion thereby creating separate lots regardless of local government regulations. The restrictive covenant will address this loophole and trigger the Land Titles office to not approve deposits on land titles. Items B.6.3.6 and B.6.3.7 refer to entrance access to secondary suites being separate from and external to the principal dwelling unit and relate to building code regulations. It was determined if is not necessary to replicate other governing body regulations within local bylaws.
- Feedback from the Gabriola Housing Society suggested that within the definitions in the Land Use Bylaw (LUB), the term single family should be amended by deleting the word “single” to correspond with the definition in the OCP. It was noted that the definition of “family” within the OCP does not necessarily reflect the varied make up of families, that the term “family” is not defined in the LUB and that the definition of “single family” in the LUB is simple. Staff noted it was within the scope of this project to look at the definition of “family” within the OCP and LUB.

GB-2017-076

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 to remove B.6.3.6 and B.6.3.7 as referenced in Attachment 3 of the staff report dated May 11, 2017 and that the bylaw be renumbered accordingly.

CARRIED

GB-2017-077

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff review the uses of the term “family” in the Official Community Plan and the Land Use Bylaw.

CARRIED

GB-2017-078

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 specified in Attachment 3 of the staff report dated May 11, 2107.

CARRIED

GB-2017-079

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 read a first time as amended.

CARRIED

GB-2017-080

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and confirmed that Bylaw No. 293 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2017” is not contrary with the Islands Trust Policy Statement.

CARRIED

Discussion ensued regarding Bylaw No. 292 and the following points were made:

- In response to a suggestion received by the Gabriola Housing Society to amend the definition of affordable housing so it matches the definition used by the Canadian Mortgage and Housing Corporation (CMHC) it was determined a review of definitions could be done in Phase II of the Housing Options Review project.
- Clarity is required regarding the use of the terms single-dwelling, single-family and multi dwelling within Section 2 of the proposed bylaw.

GB-2017-081

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to propose a new heading for Section 2.6 of the Official Community Plan.

CARRIED

GB-2017-082

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to schedule a Special Meeting for the purpose of a Community Information Meeting and further consideration of Proposed Bylaw Nos. 292 and 293.

CARRIED

Discussion ensued regarding the timing of referring Bylaws No. 292 and 293 to the APC as the term for the previous commission members has expired and a new APC has not yet been appointed. Trustees considered whether to defer the referral or proceed and forward it to the APC once it has convened.

GB-2017-083

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw Nos. 292 and 293 be referred to the Advisory Planning Commission for comment.

CARRIED

Staff stated that recommendation 6 in the staff report dated May 11, 2017 should be removed as the housing needs assessment is a regional assessment of which Gabriola will be a part of. Staff indicated they will report back to the LTC regarding Gabriola's role in the project at an upcoming meeting. It was noted that there is an upcoming Local Planning Committee (LPC) meeting during which the project will be discussed and Trustees stated a desire that Gabriola's housing needs assessment be prioritized due to the corresponding timing of the Housing Options Review project being on the top priorities list.

GB-2017-084

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request the Local Planning Committee to advance the work on the Gabriola housing needs assessment as soon as possible.

CARRIED

John Peirce, on behalf of the Gabriola Island Chamber of Commerce, stated they are encouraged by the concept of Phase II of the Housing Options Review Project.

12. BREAK

By general consent the meeting was recessed for a break at 12:42 pm and reconvened at 1:00 pm

13. REPORTS

13.1 Work Program Reports

13.1.1 Top Priorities Report dated May 3, 2017

It was noted that with the upcoming completion of the Roadside Signage Project there was an opportunity to move an item from the projects list to the top priorities list. Discussion ensued and the following points were made:

- Trustees have heard from the public and the APC that there is interest in creating ecological zoning for parkland.
- Creation of ecological zoning could be beneficial as a framework of reference for the RDN to consider when they review parkland dedication and undergo regional park planning processes.
- Both the DeCourcy Island and Mudge Island Official Community Plans have previously been identified as needing review and updating, however, there is likely not sufficient time within the current LTC term to complete said review.

GB-2017-085

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee add creation of a new ecological protection zone P4 to the top priorities list.

CARRIED

13.1.2 Projects List Report dated May 3, 2017

Trustees discussed items that might be added to the projects lists.

GB-2017-086

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee add to the projects list:

1. Update the build out map for Gabriola Island; and
2. Under the description Land Use Bylaw amendments amend bullet five to read review minimum average parcel size calculations in Land Use Bylaw and Official Community Plan to ensure consistency and to support the dedication of more than 5% (five percent) parkland.

CARRIED

13.2 Applications Report dated May 3, 2017

Staff provided an update on the time lines regarding GB-RZ-2016.1 Williamson & Associates including Executive Committee review of Bylaw Nos. 289 and 290 followed by Ministry review and RDN Board review. Trustees discussed time lines around the completion of the covenant associated with this application and staff indicated they would provide clarity about the donor parcel and right of first refusal related to this parcel at an upcoming meeting.

13.3 Trustee and Local Expense Report dated February, 2017

Received for information.

13.4 Adopted Policies and Standing Resolutions

Received for information.

13.5 Local Trust Committee Webpage

No changes or updates at this time.

13.6 Chair's Report

Chair Busheikin reported on the following:

- She is preparing for the upcoming Trust Council meeting in which topics for discussion include Islands Trust responsibilities around protection of species at risk, a continuation of the discussion regarding the role of Trustees, and conservation planning of the Islands Trust Fund.
- It has been determined that the Victoria office will remain at the existing location and undergo renovations versus moving to a new location.
- The hiring of a fresh water specialist is underway.
- The Executive Committee recently attended a management retreat and discussions included how planning is delivered, challenges related to staffing issues due to not having as many planners as needed and if more region wide work can be done, and the possibility of asking the Ministry to look at revisions to the *Islands Trust Act*.
- Stewardship nominations have been received.

13.7 Trustee Reports

Trustee Mamoser reported on the following:

- She noted there are many community members from Gabriola and Mudge Island nominated for stewardship awards.
- She did a water conservation plan handout for the Islands Trust to be shared with other islands within the Trust area.
- She will be attending an upcoming Local Planning Committee meeting during which the housing needs assessment on Gabriola will be discussed.

Trustee O'Sullivan reported on the following:

- She attended the First Nations Reconciliation event and the One Book One Community event which were both very well attended and well received.
- She attended an anchorage round table in Victoria in which several representatives from Islands Trust, regional districts and industry also attended and the meeting provided valuable information which she will provide a summary of at a later date.
- She attended a Ferry Advisory Committee meeting.

13.8 Electoral Area Director's Report - none

13.9 Trust Fund Board Report dated April, 2017

Received for information.

14. NEW BUSINESS

14.1 2016/17 Islands Trust Annual Report – Memorandum

Trustees reviewed the draft Annual Report text for inclusion in the report and approved it with one amendment in the second sentence which should read “The LTC also commenced a ‘Housing Options Review Project” (Strategic Plan 5.2) which included consideration of implementation of regulations...”.

GB-2017-087

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee endorse the annual report submission as amended.

CARRIED

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Thursday, June 8, 2017 at The Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC

16. TOWN HALL - none

17. CLOSED MEETING

17.1 Motion to Close the Meeting

GB-2017-088

It was MOVED and SECONDED

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a) Advisory Planning Commission Appointments and (d) Adoption of In Camera Minutes dated October 13, 2016 and that the recorder and staff attend the meeting.

CARRIED

Chair Busheikin recessed the regular meeting at 2:32 pm.

17.2 Recall to Order

Chair Busheikin reconvened the regular meeting at 2:46 pm.

17.3 Rise and Report

Chair Busheikin reported that the In Camera Minutes dated October 13, 2016 were adopted and that the LTC considered Advisory Planning Commission (APC) appointments and will finalize them at the next LTC meeting. The Chair also noted the LTC's intent to amend the APC Bylaw to increase the number of APC members from seven to nine.

18. ADJOURNMENT

By general consent the meeting was adjourned at 2:47 pm.

Laura Busheikin, Chair

Certified Correct:

Lisa Millard, Recorder