



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 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