

Gabriola Island Local Trust Committee

Special Meeting Agenda

Date: July 21, 2016
Time: 10:15 am
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

			Pages
1.	CALL TO ORDER	10:15 AM - 10:20 AM	
2.	APPROVAL OF AGENDA		
3.	APPLICATIONS AND REFERRALS	10:20 AM - 11:20 AM	
	3.1 GB-RZ-2016.2 (OTG Developments - James, Dempsey Road)		
	3.1.1 Staff Report dated May 26, 2016		3 - 13
4.	CLOSED MEETING	11:20 AM - 12:10 PM	
	4.1 Motion to Close the Meeting		
	<i>That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a) consideration of appointments to Board of Variance, (d) adoption of Closed Meeting Minutes dated February 11, 2016 and (i) receipt of advice that is subject to solicitor-client privilege and that the recorder and staff attend the meeting.</i>		
	4.2 Recall to Order		
	4.3 Rise and Report		
5.	BREAK	12:10 PM - 12:30 PM	
6.	APPLICATIONS AND REFERRALS CONTINUED	12:30 PM - 1:00 PM	
	6.1 GB-RZ-2016.1 (Potlatch Properties and Pilot Bay Holdings)		
	6.1.1 Staff Report dated July 11, 2016		14 - 34
7.	LOCAL TRUST COMMITTEE PROJECTS	1:00 PM - 3:00 PM	
	7.1 Gabriola Housing Options Review Project		
	7.1.1 Supplemental Staff Report dated July 5, 2016		35 - 38

8. NEW BUSINESS 3:00 PM - 3:30 PM

8.1 Local Trust Committee Budget Request for 2017-2018

8.1.1 Staff Report dated July 12, 2016

39 - 42

9. UPCOMING MEETINGS

9.1 Next Regular Business Meeting Scheduled for Thursday, September 8, 2016 at 10:15 am at Gabriola Arts & Heritage Centre, 476 South Road, Gabriola Island, BC

10. ADJOURNMENT 3:30 PM - 3:30 PM

STAFF REPORT

File No.: GB-RZ-2016.2

To: Gabriola Island Local Trust Committee for May 26, 2016 meeting

From: Sonja Zupanec, Island Planner

Copy: Ann Kjerulf, Regional Planning Manager

**Re: Preliminary Staff Report for proposed rezoning of LOT 2 SECTION 27
GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP75280 PID 028-
674-170**

Owners: MALCOLM A JAMES, GLORIA E BESHARA, RUTH E NICHOLSON
Applicant: OTG Developments
Location: Dempsey Road, Gabriola Island

THE PROPOSAL:

The applicant is proposing to rezone the subject property from 'Resource' (R) to 'Resource Residential' in order to facilitate the subdivision of a 10.7 hectare lot into two lots.

SITE CONTEXT:

The subject property is a 10.7 ha undeveloped waterfront lot on Dempsey Road, Gabriola Island that was part of a four lot subdivision approved in 2003. No further subdivision of the four lots is possible under the existing (R) zone 8 ha minimum lot size subdivision regulation D.2.4.b)i) in the [Gabriola Island Land Use Bylaw \(LUB\)](#).

An undeveloped portion of the Dempsey Road right of way bisects the subject property for access to the lot to the east (Figure 1) which contains an AM/FM radio tower. Roughly three of the ten hectares along the southern (waterfront) portion of the subject property are part of a no-build covenant that is registered on the subject property as well as on the two adjacent lots. The covenant is to protect development from hazardous conditions, in this case steep cliff topography and unstable bedrock.

The subject property is surrounded by other 'Resource' zoned lots; and log storage operations along the foreshore in the 'Water Industrial 2 – Log Storage' (WI2) zone. The foreshore is inaccessible from the subject property due to steep cliff terrain. Should the rezoning be approved, the applicant is proposing two subdivision options for consideration: A) two 5 ha lots hooked over Dempsey Road (Figure 2.); OR B) one ~4.3 ha lot north of Dempsey Road and the remainder lot south of Dempsey Road (Figure 3.)



Figure 1. Subject Property, Dempsey Road Gabriola

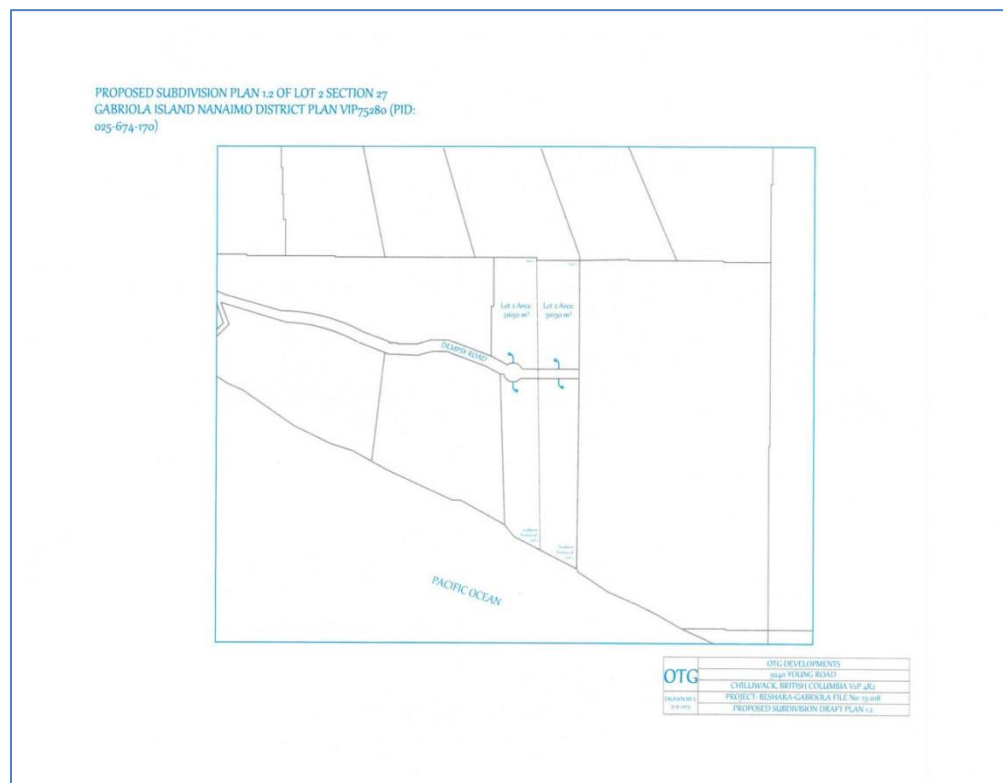


Figure 2. Proposed Two Lot Subdivision Layout - Option A

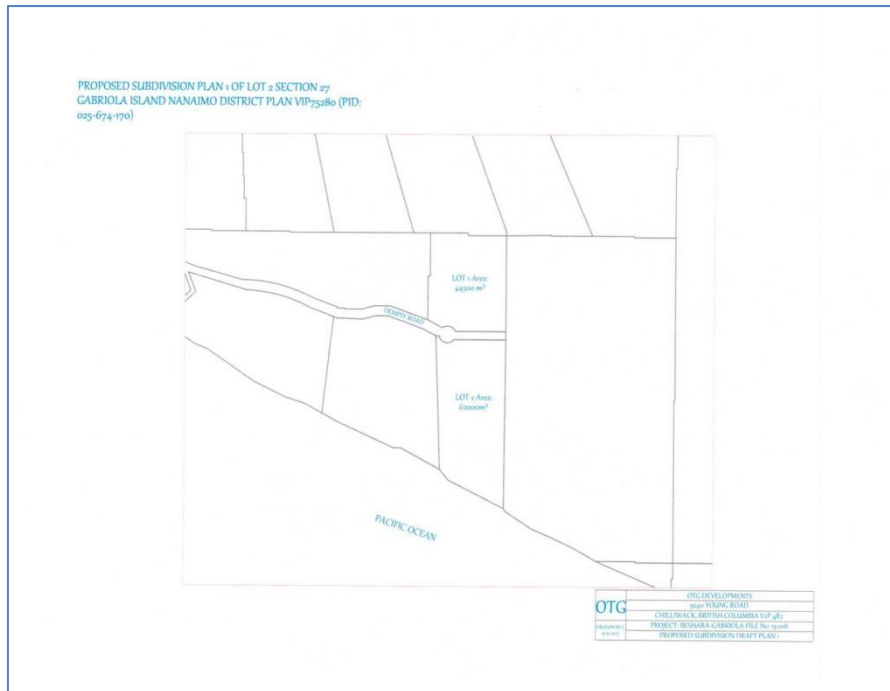


Figure 3. Proposed Two Lot Subdivision Layout - Option B

CURRENT PLANNING STATUS OF SUBJECT LANDS:

Islands Trust Policy Statement:

The proposal, in general terms appears to be inconsistent with several directive policies in the Islands Trust Policy Statement (ITPS) checklist (Attachment 1.), such as policies for ecosystem preservation and protection; stewardship of resources and sustainable communities; Should the LTC direct staff to proceed with drafting an amending bylaw for this application, staff will complete the checklist and prepare a detailed analysis of how the proposed bylaw provisions address the ITPS.

Official Community Plan

The subject property is designated 'Resource' in section 5.1 of the [Gabriola Island Official Community Plan](#) (OCP). The objectives of this land designation are:

1. To preserve large parcels of land in a largely unsubdivided state;
2. To maintain representative areas of rural landscape on Gabriola; and
3. To provide transitional areas between the residential and forestry and agricultural parts of the community.

The proposal to rezone the lot with the intent to subdivide into two smaller residential lots is considered by planning staff to be inconsistent with all three objectives of section 5.1 of the OCP.

The policies in section 5.1 relevant to this land designation are:

a) The average parcel size in the Resource zone shall be 8.0 hectares (19.76 acres) and the minimum parcel size shall be 2.0 hectare (4.94 acres). In the case of a parcel serviced by community water and a community sewer the minimum parcel size shall be 1.0 hectares (2.47 acres).

b) In the Resource zone the following uses shall be permitted: one single-dwelling residential unit, horticulture, agriculture, silviculture, forestry and home occupations and the existing AM/FM tower and shooting range.

c) The retention of lands in the Resource zone in large land holdings so as to protect significant environmental features (including marshlands), archeological sites and forested areas and maintain the area's rural character is supported.

The proposal to subdivide is considered by staff to be inconsistent with policies a) and c).

Land Use Bylaw

The subject property is zoned 'Resource' (R) in the LUB (Attachment 2.). Under the existing zoning the principal permitted uses include single family residential, forestry, agriculture and agritourism.

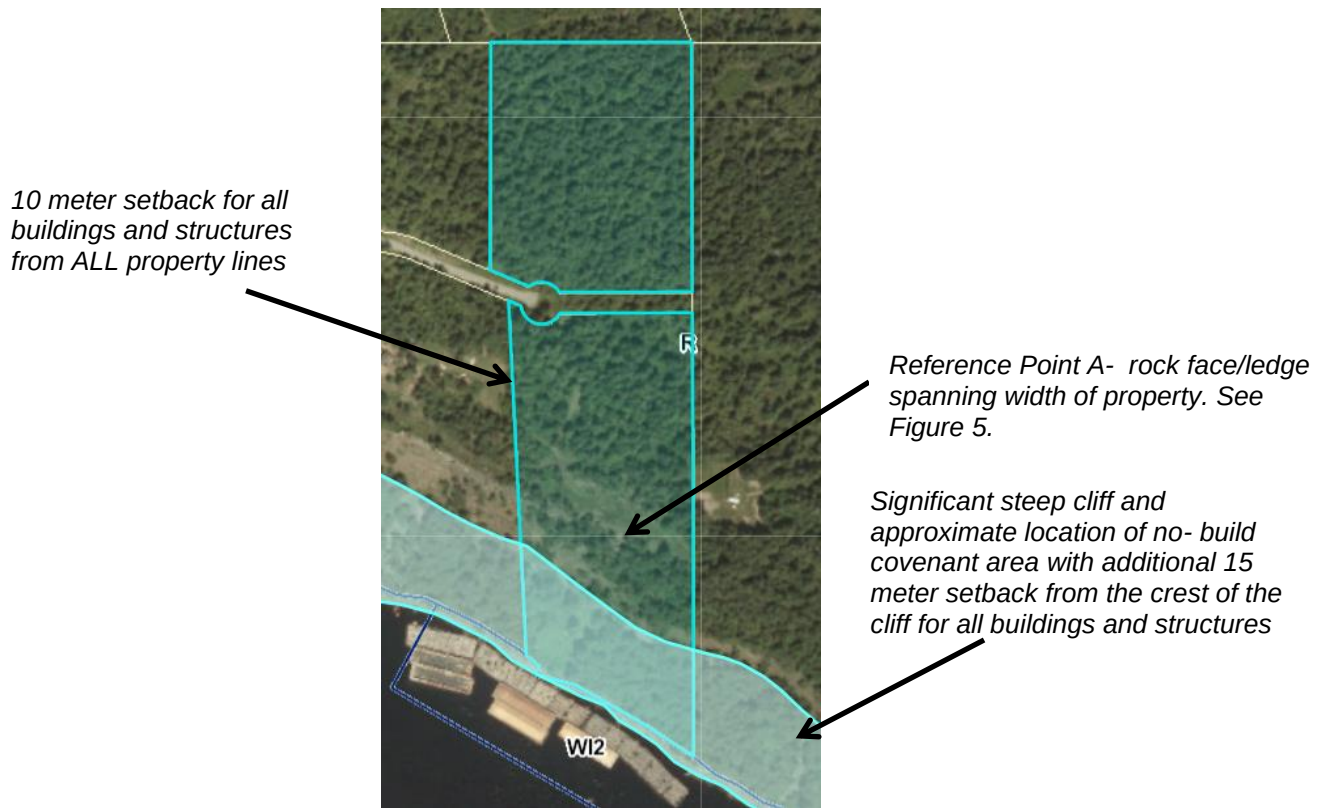


Figure 4. Aerial Photo of Subject Property



Figure 5. Reference Point 'A' looking north

Regional Conservation Plan:

The Islands Trust Fund Regional Conservation Plan (RCP) identifies 'ecosystem fragmentation' (road infrastructure and development) as one of the top threats to biodiversity in the Islands Trust area. The proposal to rezone and subdivide for the purposes of residential development in a fee simple lot configuration can contribute to further ecosystem fragmentation in this location. The RCP and OCP objectives and policies address the need to limit where possible, potential impacts on further ecosystem fragmentation on the last remaining large land holdings on Gabriola Island.

Sensitive Ecosystems and Hazard Areas:

The subject property is primarily classified as 'Young Forest' sensitive ecosystem with the waterfront portion classified as 'Cliff Coastal' and a small pocket of 'Wetland Swamp' along the south-eastern property line. Staff noted during a site visit in April 2016 the presence of a wide variety of tree species (Garry oak; arbutus; big leaf maple; western red cedar; Douglas-fir); shrubs (oceanspray, wipplevine) and wildflowers (death camas, Indian painbrush, sedums) along the cliff face and associated uplands. Some of these plants are protected under the federal *Species at Risk Act*.

A geotechnical report was completed in 2003 as part of the original four lot subdivision and the report outlined a series of recommendations for future development due to hazard conditions including setbacks, restrictions on the removal of vegetation and the need for further geotechnical analysis for any site specific building or construction. A restrictive covenant is registered on the subject property with the Province of BC and the Regional District of Nanaimo to protect development from hazardous conditions.

Archaeological Sites:

Our records indicate the subject property has archaeological potential across the entire width of the cliff face. Should the LTC proceed with consideration of the application, any draft bylaws will be referred to the applicable First Nations for early referral and comment.

Covenants:

EK098913- Statutory Right of Way to secure log booms to the foreshore.

EV60277 – Amendment to EK098913 regarding payment of annual consent fees based on total waterfront lineal footage in the event of subdivision.

EV60278 – Restrictive Covenant with the Province and Regional District of Nanaimo outlining no-build zone, geotechnical recommendations for buildings, setbacks and requirement for further geotechnical analysis.

Shoreline

The shoreline type for the subject property is 'sea cliff' and the entire foreshore is utilized for industrial log storage. A statutory right of way is registered along the base of the bluff for anchoring points for log storage activities.

COMMUNITY CONSULTATION:

Prior to applying, the applicant held a community information meeting in October 2015 regarding the proposal. Four neighbours attended the public meeting. There has been no public correspondence to date on the proposed rezoning/subdivision. Should the application proceed to draft bylaw stage, a community information meeting would be scheduled and adjacent property owners would be notified of their opportunities to comment.

Staff anticipates general support for this proposal from adjacent property owners. As real estate values continue to increase in the region, interest in further subdivision of large land holdings may also increase. Adjacent property owners may look favorably on this proposal in anticipating that they may seek to subdivide their own land in a similar manner in the future.

STAFF COMMENTS:

Comparison of Residential Build-Out:

The following chart compares the existing residential build out to a proposed build out if a rezoning and subdivision were to be approved.

Residential Build out of subject property under existing regulations (R zoning)

- 8 ha minimum lot size
- one residential dwelling
- one accessory cottage (max 699 square feet)
- maximum three accessory buildings

Residential Build out of subject property under Proposed new Residential Zone

- 2 or 3 ha minimum lot size
- two residential dwellings
- potential for two accessory cottages (max 699 square feet)
- potential maximum of six accessory buildings (three per dwelling)

In order to address possible adverse impacts of subdivision on the subject property a site specific zone could be drafted to limit residential build out (for example) to only one residence per lot, with a maximum footprint of x# square feet and x# accessory buildings with no provisions for accessory cottages. The applicant may support such a condition of rezoning in order to achieve the result of two fee simple lots.

Intent of the Resource Residential 1 (RR1) Zone:

The applicant is requesting a rezoning to the RR1 zone which specifies a smaller minimum lot size under the subdivision regulations. The intent of this particular zone is to receive density transfers from other 'Resource' zoned properties on Gabriola Island. As the proposed application is not part of a density transfer application, a rezoning to the 'Resource Residential 1' zone is not considered appropriate; staff would suggest that if the LTC chooses to proceed with this application, that a site specific residential zone be considered.

Retention of Remaining Resource (R) Land Parcels on Gabriola Island:

Out of the approximately 2,700 lots on Gabriola Island permitted single family residential use as a principle use, 58 properties are zoned 'Resource' with 52 of those lots being over 2 hectares in size. There are 27 properties on Gabriola Island zoned "Resource Residential 1' with only 7 of those properties over 2 hectares in size. The distribution of these (R) zones on the island, and in proximity to adjacent subdivision patterns is illustrated in Figure 4.

The Gabriola Island OCP provides clear policy direction on the preservation and retention of remaining large 'Resource' parcels of land . The subject property was created as part of a 2003 subdivision of a large 'Resource' parcel, and the four resulting lots just met the minimum average lot size of the (R) zone. Further subdivision of (R) lands through rezoning to meet a smaller minimum parcel size is not supported in the OCP objectives and policies identified in this report.

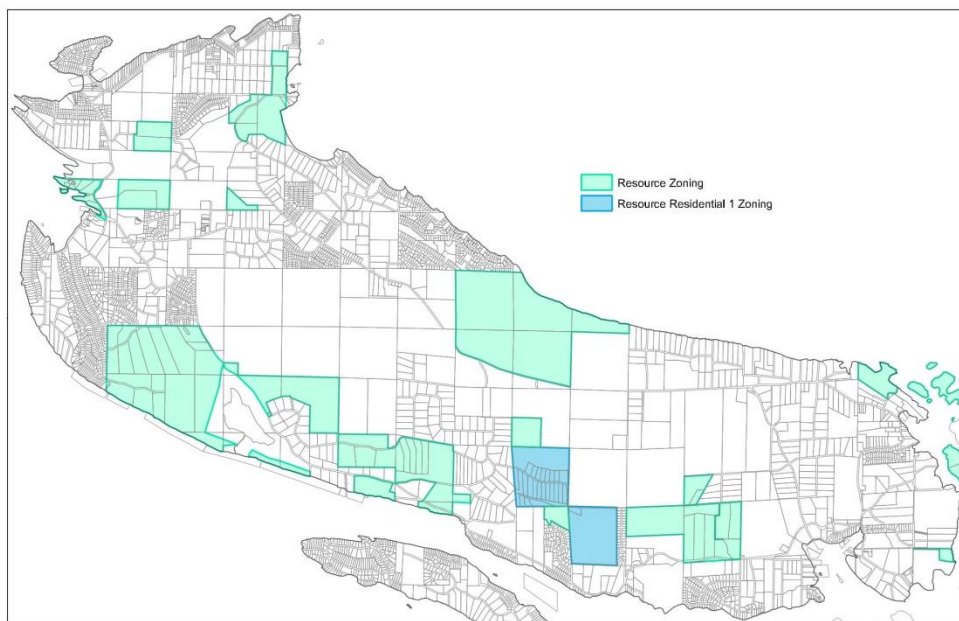


Figure 4. Distribution of Resource Zones on Gabriola Island.

The rationale to support the retention of a minimum lot size of 8 hectares includes:

- Protection of ecological features and functions; archeological sites and forested areas and reduced fragmentation due to lot subdivision;
- Viability of potential agriculture or forestry based operations within remaining large land holdings;
- Provision of large lot (8 ha minimum) 'buffers' between higher density residential uses and potential agriculture and forestry uses;
- Retention of the small percentage of remaining large lots on Gabriola as representative of the island's diverse rural character; and
- Uphold the OCP policies and objectives designed to guide the LTC, community and planners in land use planning considerations.

OCP policies are not meant to fetter the discretion of a LTC in future land use planning considerations. However, if the LTC chooses to proceed with this application without an amendment to the OCP to justify consideration of a smaller lot size in the (R) designated lands, any draft bylaws may be considered inconsistent with the OCP when referred to the Executive Committee for approval.

Since smaller parcel sizes may limit the range of agricultural and forestry uses, it is generally recommended that local governments establish the largest possible lot size for these uses. This provides for a wider range of land use opportunities (beyond simply residential use) and discourages expectations for subdivision in the future. The only tool currently available to the LTC to secure resource land use options is by retaining the minimum lot size of the 'Resource' designated lots.

Staff does not support further consideration of application GB-RZ-2016.2.

ALTERNATIVES:

- A. Proceed no further with the application and issue a refund to the applicant for the public hearing portion of the application fee.
- B. Request staff to: 1) draft an amending bylaw to rezone the subject property to a residential zone that permits a two lot subdivision and restricts residential development to a maximum residential build out defined by the LTC; 2) prepare draft resolution wording for the LTC to justify to the Executive Committee any inconsistencies with the draft bylaw and the ITPS.
- C. Request staff to bring back additional information to support a rationale to amend the Gabriola Official Community Plan Section 5.1 to support a reduction of the minimum average lot sizes of 'Resource' designated lands from 8 hectares, under specific conditions.
- D. Advise the applicant that the application has been put on hold until the Gabriola Housing Options Review Project is completed and the LTC has completed a review of minimum lot sizes, density and other housing related land use planning matters.

RECOMMENDATIONS

- 1. **THAT** the Gabriola Island Local Trust Committee proceed no further with application GB-RZ-2016.2.
- 2. **THAT** the applicant for GB-RZ-2016.2 be issued a refund in the amount of \$1300 as per Gabriola Fees Bylaw No. 245.
- 3. **THAT** the Gabriola Island Local Trust Committee request staff to advise OTG Developments that they may reapply only after one year from this date;

Prepared and Submitted by:

Sonja Zupanec

May 2, 2016

Date

Concurred in by:

Ann Kjerulf

May 9, 2016

Date

Attachments:

- 1. 'Resource' (R) zone excerpt from Gabriola Island Land Use Bylaw

D.2.4 Resource (R)

A.1.1.1 Permitted Uses

The uses permitted in Article **Error! Reference source not found.**, plus the following uses and no others are permitted in the Resource (R) zone:

a. Permitted *Principal* Uses

- i *agriculture*, including the sale of agricultural products grown or raised on the *lot* but excluding animal husbandry on *lots* less than 2.0 hectares (4.94 acres)
- ii *forestry*
- iii *single family* residential
- iv shooting range, on lands as shown on Schedule C, Map 4
- v agri-tourism

b. Permitted *Accessory* Uses

- i *home occupations accessory* to a residential use, subject to Section **Error! Reference source not found.**
- ii *cottage* residential, on *lots* 2.0 hectares (4.94 acres) or larger, subject to Section **Error! Reference source not found.**
- iii boarding and breeding kennels, *accessory* to a residential use, on *lots* 2.0 hectares (4.94 acres) or larger
- iv boarding and riding stables, on *lots* greater than 2.0 hectares (4.94 acres)

A.1.1.2 Buildings and Structures

The *buildings* and *structures* permitted in Article **Error! Reference source not found.**, plus the following *buildings* and *structures* and no others are permitted in the Resource (R) zone:

a. Permitted *Buildings* and *Structures*

- i Maximum of:
 - one *single family dwelling* per *lot*;
 - one *accessory cottage* dwelling per *lot*, not exceeding 65.0 square metres (699.7 square feet) on *lots* 2.0 hectares (4.94 acres) or larger;
 - three *buildings* per *lot* that exclude a *cottage*, *pump/utility house* and *woodshed*, and that are *accessory* to all dwellings; and
 - one *produce stand* per *lot*, not exceeding 20.0 square metres (215.3 square feet) in *floor area*, *accessory* to an agricultural use.
- ii Other non-residential *buildings* and *structures* to accommodate:
 - *agriculture*, *forestry*, boarding and breeding kennels, and boarding and riding stables; and

For Information purposes only - Farm status under the BC Assessment Act is not required for the construction of *buildings* or *structures* for an agricultural use.

A.1.1.3 Regulations

The general regulations in **Error! Reference source not found.**, plus the following regulations apply in the Resource (R) zone:

a. *Buildings* and *Structures* Siting Requirements

- i On *lots* less than 1.0 hectare (2.47 acres), except for a sign, *fence*, or *pump/utility house*, the minimum *setback* for *buildings* or *structures* is:

ATTACHMENT 1. EXCERPT FROM GABRIOLA LAND USE BYLAW

- 6.0 metres (19.7 feet) from the *front lot line*;
- 4.5 metres (14.8 feet) from any *exterior side lot lines*; and
- 1.5 metres (4.9 feet) from any *interior lot lines*.

ii On lots 1.0 hectare (2.47 acres) or larger, except for a sign, fence, or pump/utility house, the minimum setback for buildings or structures is:

- 10.0 metres (32.8 feet) from any lot line, except the minimum setback for greenhouses is 7.5 metres (24.6 feet) from any lot line.

iii Despite items A.1.1.3a.i and A.1.1.3a.ii:

- the minimum setback of boarding and breeding kennels is 30.0 metres (98.0 feet) from any lot line or well head;
- the minimum setback for agricultural waste storage is 30.0 metres (98.4 feet) from any lot line or well head; and
- the minimum setback for an agricultural produce stand in the Resource (R) zone is 4.5 metres (14.7 feet) from the front lot line.
- *Lot Coverage Limitations*
- The maximum combined lot coverage by buildings and structures is 10 percent of the lot area.

b. Lot Area Requirements for Subdivision

- i The minimum average lot area is 8.0 hectares (19.77 acres).
- ii The minimum lot area is 2.0 hectare (4.94 acres), excepting that the minimum lot area is 1.0 hectare (2.47 acres) where serviced by a community water system and a community sewer system.

Date: July 11, 2016

File Nos.: GB-RZ-2016.1

To: Gabriola Island Local Trust Committee
For the meeting of July 21, 2016

From: Rob Milne, Island Planner

CC: Ann Kjerulf, Regional Planning Manager

Re: **Application to Redesignate and Rezone Lands to Facilitate Density Transfer and Parkland Donation**

Donor Lands

Owners: Potlatch Properties Ltd & Pilot Bay Holdings Ltd.

Applicant: Williamson and Associates

Location: (1) The South East $\frac{1}{4}$ of Section 13, Gabriola Island, Nanaimo District Except The South West $\frac{1}{4}$ of the South West $\frac{1}{4}$ of The Said South East $\frac{1}{4}$;
(2) The South West $\frac{1}{4}$ of Section 14, Gabriola Island, Nanaimo District ; and
(3) The West $\frac{1}{2}$ of the North East $\frac{1}{4}$ of Section 10, Gabriola Island, Nanaimo District

Receiving Lands

Owners: Potlatch Properties Ltd

Applicant: Williamson and Associates

Location: (1) The South $\frac{1}{2}$ of the North West $\frac{1}{4}$ of Section 19, Gabriola Island, Nanaimo District Except Part in Plan EPP13396
(2) Lot 7, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742; and
(3) Lot 6, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742

Owners: Timothy and Viginia Wright

Applicant: Williamson and Associates

Location: Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 24354

PURPOSE:

The purpose and intent of this report is to review the proceedings of the June 23, 2016 Special Meeting held to consider application GB-RZ-20156.1 and address some of the issues and concerns which were expressed at that meeting.

BACKGROUND:

At the May 26, 2016 regular meeting of the Gabriola Local Trust Committee (LTC) consideration was given to a staff report dated May 2, 2016 which introduced the subject application and presented draft Bylaw Nos. 289 and 290 for the review of the LTC. Subject to those considerations the two bylaws were given first reading and the following additional motions were adopted:

GB-2016-051

that the Gabriola Island Local Trust Committee hold a Special Meeting as a Community Information Meeting in regard to proposed Bylaw Nos. 289 and 290.

GB-2016-052

that the Gabriola Island Local Trust Committee forward Bylaw No. 289 and Bylaw No. 290, as amended, for early referral to include the following First Nations: Penelakut Tribe, Snuneymuxw First Nations, Cowichan Tribes, Halalt First Nation, Hul'qumi'num Treaty Group, Stz'uminus First Nation, Lake Cowichan First Nation, Lyackson First Nation and Semiahmoo First Nation as well as the Regional District of Nanaimo and the Advisory Planning Commission.

Pursuant to the direction of the LTC a Community Information Meeting (CIM) was advertised and held on June 23, 2016 in the Agricultural Hall and was attended by approximately 75 members of the public. The minutes of that meeting are attached to the agenda for this meeting and the requested early referrals have also been distributed.

As may be seen from the minutes there is a need to provide clarity on the application and the bylaw process as well as the specifics of some of the questions and concerns.

STAFF COMMENTS:

The most significant questions regarding this application appear to relate to the bylaw adoption process and the derivation of the density calculations. Other concerns are also addressed below for clarity.

Bylaw adoption process

There seemed to exist on the part of some attendees a preference, which appears to be based upon a historical use of the policy, on how to best implement OCP policy 5.2(1) (see below) in the context of the current application.

For every 8 hectares (19.76 acres) of land in the Forestry zone which an owner dedicates for wilderness recreation, the owner shall be entitled to transfer one residential density to land in the Resource zone which would be rezoned to Resource Residential.

This preference appears to have arisen, in large part, due to misperceptions on how to most properly (legally) interpret and implement the OCP policy, and most notably, on whether or not it is necessary to first rezone the Forestry parcel in the receiving area to Resource and then, subsequently under another application, rezone to Resource Residential.

Staff is fully confident that, pursuant to the powers provided by the *Local Government Act* (LGA), the LTC has the statutory authority to give consideration to the bylaws necessary to rezone the receiving properties directly to the proposed Residential Resource 2 zone without

the intermediate step of first rezoning the Forestry parcel to Resource, provided those lands are first designated as Resource through an OCP amendment.

As noted in the staff presentation the suggested approach of requiring two applications and public consultation processes would add time and costs to the process without the benefit of adding new information, and therefore value, to the rezoning and community consultation processes.

Density Calculations

Similarly, concerns were heard regarding the method of calculating the latent density of the receiving areas. The May 2nd staff report based that calculation upon the density that would be represented by the assumed zoning of the “Forestry” zoned parcel in the receiving area to the “Resource” zone as suggested in Policy 5.2(i) above. This results in a total of three potential densities rather than the one allowed by the Forestry zone. As noted in the table below, which was presented at the CIM, the total combined areas of the receiving area with a Resource zoning would provide for a latent density of 8 pursuant to OCP policy 5.2(i). The calculations are shown in the following table.

Property	Area zoned “Resource” (Min parcel size 8 ha)
Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 24354	6.5 ha
Lot 6, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742	14.9 ha
Lot 7, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742	15.9 ha
The South ½ of the North West ¼ of Section 19, Gabriola Island, Nanaimo District Except Part in Plan EPP1339	30.5 ha Based upon Policy 5.2(i)
Total Area	67.3 ha
Density yield of receiving area-	67.3 ha/8 = 8.4 densities

This density calculation as presented was, and is, intended to make clear that the density of the receiving area, in combination with the density transferred from the donor parcels, is calculated in strict alignment with the intent of the OCP policy. It is the view of staff that this density calculation, considered in context with the LTC’s statutory authority to directly rezone the receiving area lands to the proposed Resource Residential zone, fully respects the collective intent of the Gabriola Island OCP.

No Further Subdivision Covenant

In correspondence that has been received at the Gabriola office of the Islands Trust and through comments expressed at the June 23rd CIM it was suggested that a “No Further Subdivision Covenant” was required to be registered upon the titles of Lots 6 and 7 of Plan VIP86742 as part of their creation. As may be seen from the March 18, 2009 Subdivision Referral Form (Attachment 1) for File GB-SUB-2006. 1, which was provided to the Ministry of Highways and Infrastructure under the signature of Chris Jackson, the Acting Regional Planning Manager at the time, there was no such requirement identified.

The subdivision referral form provides the following comments for the review item: “Covenant Required”:

“No

E.1.3.1 When a subdivision is proposed that yields the maximum number of lots permitted by the applicable average lot areas specified by this Bylaw and one or more of the lots being created has an area equal to or greater than twice the applicable average lot area, the applicant must grant a covenant complying with Subsection A.2.5 of this Bylaw and in a form complying with Appendix E, in respect of every such lot prohibiting further subdivision of the lot.

This proposal yields the maximum number of lots. Further, no lot created (or combined area of a zone in a lot) is equal to or greater than twice the applicable average lot area.

NOTE: In accordance with the Land Use Bylaw, no further subdivision of any of the proposed lots is permitted. And no covenant is required to be registered.” [Emphasis is contained in the original document]

It should be noted that the reference directly above to “no further subdivision of any of the proposed lots is permitted” is made in the context of the zoning at the time of that referral and subsequent approval. Any property owner is free to make an application to change the zoning of their property to allow for a change of use or subdivision.

Rainwater Harvesting

The matter of rainwater harvesting was raised at the CIM. Discussion included questions as to whether such water could be used for potable (drinking) water.

It was suggested at the CIM that the local Health Inspectors did not support, or would not approve using rainwater for that purpose for the application under review.

It should be noted that the Regional District of Nanaimo (RDN) has produced a publication called, “Rainwater Harvesting, Best Practices Guide” which provides greater clarity on this issue. The publication can be found on the RDN website at the following address:

<http://rdn.bc.ca/events/attachments/evID6235evattID1344.pdf>.

Page 61 of that publication provides the following information which is helpful in understanding the use of harvested rainwater:

“The Vancouver Island Health Authority (VIHA) does not set requirements for private, residential potable water systems that supply water to a single family dwelling. In such cases, the responsibility to ensure safe water quality rests with the system owner, and (to a lesser extent) with those who assist in the selection, installation, and maintenance of the system. By contrast, any system that supplies potable water to the public, or to more than one single connection or household, is considered by VIHA to be a Water Supply System and is subject to the provisions of the Drinking Water Protection Act and Drinking Water Protection Regulation. Some residential buildings such as duplexes, secondary suites single family homes occupied by tenants or Bed & Breakfast accommodations may fall into this category”

Given this information it would seem that making the installation of cisterns for each residential use a condition of approval for this proposal could address concerns that have been expressed regarding the potential impacts this proposal might have on adjacent wells and the water table in general.

Loss of Forestry Lands

It was noted by some of those present at the CIM that the Forestry zone was not an environmental protection zone as has been suggested but, rather, was a zone intended to allow for timber harvesting. As such, the rezoning of the donor lands from Forestry to Forestry/Wilderness Recreation would represent an increase in protection for the donor lands. Staff support this conclusion.

Affordable Housing

It was noted that the proposal does not seem to address the community's concerns about affordable housing. Affordable housing is typically considered to be an amenity in the context of this type of development proposal. It should also be noted that park dedications such as the larger than required park dedication proposed for the receiving area could similarly be considered to represent an amenity in this same context.

The Gabriola Island OCP defines "affordable housing" as follows:

Housing that costs no more than 30% of a household's gross income applied to those households with incomes at or below 60% of the median household income for Gabriola Island (using Canada Census information);

It should also be noted that the OCP provides the following policy 2.6(a):

Single-dwelling Affordable Housing Policies

- a) *Provision for an accessory cottage on a parcel of 2.0 hectares or larger (as per policy 2.1g), shall be recognized as the Gabriola means of providing for single-dwelling affordable housing in a rural low density context.*

Policy 2.1(g) referred to above reads as follows:

- g) *On parcels 2.0 hectares (4.94 acres) or larger one cottage not exceeding 65 sq. metres (700 sq. ft.) shall be permitted accessory to a single-dwelling residential unit.*

A review of the proposed subdivision plan provided as part of the applications shows there to be a possible seven lots which meet or exceed the 2.0 ha size threshold and are, therefore, potentially capable of supporting an accessory cottage which could be considered for affordable housing purposes.

Riparian Protection

It was observed by an attendee that although a *Riparian Areas Regulation* Assessment Report had been completed on Mallett Creek and the retention pond it has not been "mapped" by the Island Trust. This is understood to mean that the area in question had not been added to the designated OCP development permit areas and is, therefore, not protected. Although it is accurate that the area has not been designated as a development permit area, it is not correct to assume that the area is not and cannot be protected. The area is afforded protection through the provincial *Riparian Areas Regulation* (RAR) and the conditions of the RAR report can be made directly applicable to future subdivision and development through a reference in the restrictive covenant for any future approval of the application.

Trails and Parks

Several questions were asked regarding the parks dedication portion of the application process. For clarity, the Islands Trust does not provide parks planning services. Specific issues related to trail locations, connections and access agreements will be addresses subsequent to the receiving body/organization having been determined. As was noted by staff, the Regional District of Nanaimo (RDN) which provides the parks function for Gabriola Island has expressed an interest in engaging in discussion regarding the proposed community park land dedications. They have also noted, as staff similarly noted at the CIM, that they have a review and assessment process to complete prior to any consideration by the Regional Board of the proposed park land dedications. Those considerations will undoubtedly include the future of the existing retention pond and dam.

Summary

Staff has responded to the concerns and comments received regarding significant aspects of the application, including, most notably, the statutory adoption process and the density calculation. Staff is firmly of the view that the LTC has the statutory authority to proceed with consideration of the proposed bylaws and process that has been outlined by staff. Staff is also confident that the density calculations provided to the LTC and to the public are both valid and defensible.

It should be reiterated that early referrals have only been sent to neighbouring First Nations and the RDN at this point in time. It should be recognized that at such time as a full referral has been sent, and comments received, there may well be other concerns and issues that need to be reviewed or addressed to satisfy the various referral bodies and organizations.

It is also the view of staff that the process of considering the bylaws related to the proposed application should be considered with the utmost care to all parties. Both the applicant and Gabriola Island community are entitled to a fair and transparent process that allows for all aspects and impacts of the application to be thoughtfully and respectfully considered in a timely manner. It is further noted that it is important for the LTC to ensure that the Gabriola Island community understands and can capably evaluate the application based on the best and most accurate information available.

Next Steps

At this stage of the process, the LTC may wish to consider the input received to date and whether or not the LTC would like to see changes to the proposed bylaws prior to a full referral to all applicable agencies. Staff is of the opinion that referral to agencies at this stage would be beneficial in order to identify questions or concerns with the proposed bylaws relative to the respective authority and mandate of each of those agencies.

RECOMMENDATIONS:

1. That the Gabriola Island Local Trust Committee refer proposed Bylaw Nos. 289 and 290 to referral agencies including, without limitation, the following:

Federal Agencies

Environment Canada
RCMP

Regional Agencies

Gabriola Fire Department

Provincial Agencies

Ministry of Transportation and Infrastructure
Vancouver Island Health Authority
Ministry of Forestry Lands and Natural
Resource Operations
Ministry of Agriculture
Agricultural Land Commission
BC Assessment Authority

Adjacent Local Trust Committees and Municipalities

*Regional District of Nanaimo – Planning Department,
Parks*
(Previously referred)
Regional District of Nanaimo – Building Department
(Previously referred)

Non-Agency Referrals

*Gabriola Island Advisory Planning
Commission* (previously referred)
Gabriola Ambulance Society
Gabriola Land and Trails Trust
Gabriola Land Conservancy
RDN Parks and Open Spaces Committee
Gabriola Groundwater Management Society
Gabriola Rescue of Wildlife Society
School District No. 68

First Nations (Previously referred)

Penelakut Tribe
Snuneymuxw First Nation
Cowichan Tribes
Halalt First Nation
Hul'qumi'num Treaty Group
Stz'uminus First Nation
Lake Cowichan First Nation
Lyackson First Nation

Prepared and Submitted by:



July 13, 2016

Date

Concurred in by:

Ann Kjerulf

Regional Planning Manager

July 13, 2016

Date

Attachment: 1.Subdivision Referral Report



700 North Road, Gabriola Island, BC V1X3
Telephone (250) 247-2063 Fax (250) 247-7514

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC 1.800.663.7867

Email northinfo@islandstrust.bc.ca

Web www.islandstrust.bc.ca

March 18, 2009

File Number: GB-SUB-2006.5
(Potlatch/Henning)
Your File: 01-002-26821

Angie Allwood
District Development Technician
Ministry of Transportation
3rd Floor – 2100 Labieux road
Nanaimo, BC V9T 6E9

Dear Ms. Allwood:

Re: Proposed Subdivisions from Potlatch Holdings, of Lot 1, Plan 42874, Lot 2, Plan 41042, and Lot 3, Plan 32840, all of Section 20, Gabriola Island, Nanaimo District

The attached modified proposed plan of subdivision was reviewed and found to be compliant with Gabriola Island community bylaws.

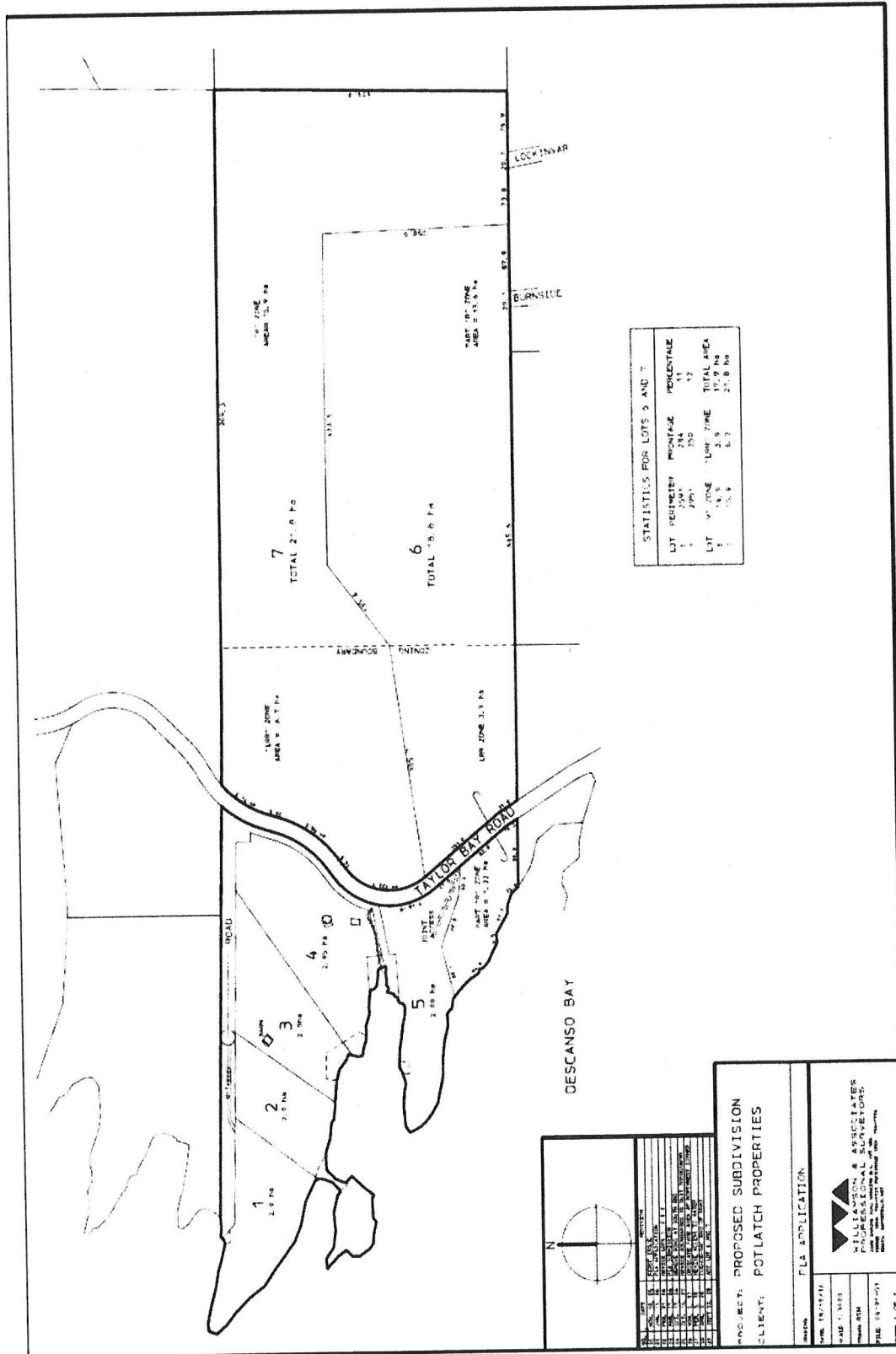
The extent of First Nation discussions into this application is unknown. While Islands Trust staff had informal discussions with the Snuneymuxw First Nation staff regarding this proposal, the Islands Trust is not the approval authority for subdivisions. As such, the Ministry of Transportation approving officer is advised to take measures to ensure that First Nations have opportunity to provide input into this subdivision proposal.

I can be reached at cjackson@islandstrust.bc.ca or 247-2207 if you would like to discuss further.

Sincerely,

Chris Jackson, Acting Regional Planning Manager

pc: Gabriola Island Local Trust Committee





SUBDIVISION REFERRAL REPORT

700 North Rd.
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E-mail: northinfo@islandstrust.bc.ca
WWW: <http://www.islandstrust.bc.ca>

Date: March 18, 2009

To: Angie Allwood, District Development Officer

MOT File #: 01-002-26821

MOT District Office: Nanaimo

From: Chris Jackson, Acting Regional Planning Manager

IT File #: GB-SUB-2006.5
(Potlatch/Henning)

NOTE: The following review was completed subsequent to clarification from the applicant regarding their intent. Previously, this property was subject to two concurrent subdivision proposals. However, the boundary adjustment subdivision is not being pursued at this time. This application is stand alone and was reviewed as such.

Subdivision Application Report Summary:

The modified proposed plan of subdivision complies with Gabriola Island community bylaws.

The extent of First Nation discussions into this application is unknown. While Islands Trust staff had informal discussions with the Snuneymuxw First Nation staff regarding this proposal, the Islands Trust is not the approval authority for subdivisions. As such, the Ministry of Transportation approving officer is advised to take measures to ensure that First Nations have opportunity to provide input into this subdivision proposal.

Attachments:

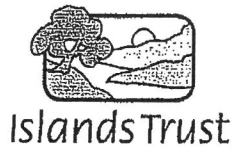
Attachment 1: Existing Subject Properties

Attachment 2: Proposed Plan of Subdivision

1. General Information:

Applicant:	Brian Henning of Williamson and Associates
Land Owner:	Potlatch Properties Ltd., Inc. No. 696634; and Potlatch Properties Ltd., Inc. No. 699634

If land owner is not applicant, has the owner authorized the applicant to act on their behalf, by signature?



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Legal Description:	Yes Lot 1, Section 20, Gabriola Island, Nanaimo District, Plan 42874; and Lot 2, Section 20, Gabriola Island, Nanaimo District, Plan 41042
Area:	<u>Applicant Information:</u> • Total Combined Lot Area: 53.8 ha (133 ac) <u>BC Assessment Data:</u> • Lot 1: 20.22 ha (49.96 ac) • Lot 2: 33.64 ha (83.12 ac) • Total Combined Area: 53.86 ha (133.08 ac)
Details of Proposal:	Lot 1 and 2 subdivided into seven parcels.

2. Property Title Information: Covenant/Easement/Right-of-Way/Permits

Legal Notations: | None applicable to this application for subdivision.

3. Gabriola Island Official Community Plan (Gabriola Island) Bylaw No. 166, 1997 (OCP) Information:

OCP Designation:	Resource (R) and Large Rural Residential (RR)
Development Permit Area:	No
Comments:	Split Designated Property

4. Access to Water: Section 75 and 76 of the *Land Title Act*

Does the land border on a body of water? ☒ Yes ☐ No

Comments: LTA:

- Section 75: In rural areas, 20 m wide highway accesses to the body of water must be given for every 400 m.
- Section 76: An approving officer may grant relief from compliance with all or part of the above provision.

OCP:

- 4.2 k) At the time of subdivision of waterfront properties, public road access to the foreshore shall be required in

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compliance with Section 75(1)(b) of the LTA. Priority shall be placed on sites which provide good waterfront access and consolidation of road dedications may be considered where it would create a more useable means of public access or is contiguous to an existing or proposed public park dedication.

The approving officer retains authority in determining any access to water requirement. The approving officer does consider community and LTC input.

Using the previous plan of subdivision, the LTC provided opportunity for public input and heard recommendations from the Advisory Planning Commission. Concerns and objections were brought forward based on the former plan. The modified plan of subdivision, the subject of this report, appears to address many of the concerns raised.

There is no requirement for park dedication, and the access to water requirements is addressed to the satisfaction of the Approving Officer. The access to water illustrated on the attached plan will be Ministry of Transportation land and not Regional District parkland. However, in the future the RDN could request trail licensing and use of portions of the right of way.

5. Gabriola Island Land Use Bylaw, 1999; Zoning Information:

Zone Classification:	Resource (R): approximately 43.3 ha Large Rural Residential (LRR): approximately 10.53 ha
Minimum average lot area:	LRR: 4.0 ha (9.88 acres) R: 8.0 ha (19.77 ac)
Minimum lot area:	LRR: 2.0 ha (4.94 acres) R: 2.0 ha (4.94 ac)
Comments:	Split Zoned Property

6. Lot Sizes and Density:

Proposed lot sizes:	Proposed Lot 1: 2.0 ha Proposed Lot 2: 2.0 ha Proposed Lot 3: 2.0 ha Proposed Lot 4: 2.95 ha
---------------------	---

SUBDIVISION REFERRAL REPORT

	Proposed Lot 5: 2.0 ha
	Proposed Lot 6: LRR zoned portion is 3.9 ha R zoned portion is 14.93 ha
	Proposed Lot 7: LRR zoned portion is 6.7 ha R zoned portion is 15.9 ha
Compliance with lot size:	Yes
Compliance with lot density:	Yes
	The subject property lies within two zones. Three separate areas of the property lie within two different zone classifications as follows:
	<u>Resource Zoned Area:</u> 13.5 ha plus 29.5 ha = 43 ha; 43 (zone area) / 8 (ave. lot area) = yields a potential of 5 lots.
	<u>LRR Zoned Area:</u> 10.5 ha 10.5 (zone area) / 4 (ave. lot area) = yields a potential of 2 lots. The applicant proposes a scenario which could yield a combined density of 7 lots.
	<u>Note:</u> the two Resource zoned areas can be combined prior to calculating density. The rationale is that the LRR area could be subdivided from the subject properties; this would leave two non-contiguous Resource areas which would be technically considered one lot. This complies with E.1.6.2 of the LUB (<i>additional non-contiguous lots capable of further subdivision...may not be created</i>). That is, the two resource areas are non-contiguous prior to subdivision and this fact would not change.
Covenant required:	No
	<i>E.1.3.1 When a subdivision is proposed that yields the maximum number of lots permitted by the applicable average lot areas specified by this Bylaw and one or more of the lots being created has an area equal to or greater than twice the applicable average lot area, the applicant must grant a covenant complying with Subsection A.2.5 of this Bylaw and in a form complying with Appendix E, in respect of every such lot prohibiting further subdivision of the lot.</i>



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This proposal yields the maximum number of lots. Further, no lot created (or combined area of a zone in a lot) is equal to or greater than twice the applicable average lot area.

NOTE: In accordance with the Land Use Bylaw, no further subdivision of any of the proposed lots is permitted. And no covenant is required to be registered.

7. Depth/Width Ratio:

Depth/width ratios of
new lots: Compliant

Comments: *E.1.6.2. No lot may be created with a maximum depth exceeding five times the average width.*

Note: Proposed Lot 6 and 7 comply with the above.

8. Park Dedication:

Park dedication required: Not Required, all proposed lots are greater than 2 ha in size.

9. Panhandle Lots Only:

Complies with regulations: Compliant. There are no panhandle lots proposed

10. Ten Percent Waiver:

Lots Requiring
Exemption: All lots exceed the 10% road frontage requirement.

Comments: Section 944 of the LGA states that an exemption is required if a proposed parcel fronts a highway, but does not include at least 10% of its perimeter along a highway.

11. Agricultural Land Reserve:

Proposed Lots within
ALR: No

12. Servicing Requirements:

Proof of Potable Water: Not Required

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Sewage Disposal:	In accordance with Gabriola Land Use Bylaw, E.1.7, • For each lot proposed to be created by subdivision, the applicant must demonstrate an area of land having sufficient area and appropriate characteristics to satisfy the "Heath Act - Sewage Disposal Regulations", for conventional septic tank or package treatment plant sewage disposal systems in respect of permitted buildings, structures and uses. • No sewage may be disposed of by means of discharge to a watercourse or the sea. • If it is proposed that sewage disposal will be located on a lot other than that on which it was generated, the applicant of the proposal must register against title on which the sewage disposal is to be allocated: ○ an easement in favour of each lot to which sewage is generated and disposed; and ○ a statutory right-of-way in accordance with Subsection A.2.5 in favour of the Gabriola Island Local Trust Committee on lots in which sewage is to be disposed.
Drainage Requirements:	In accordance with Gabriola Land Use Bylaw, E.1.9, • Every subdivision must be designed and constructed to maximise the amount of natural drainage that is percolated into the ground and to minimise direct overland runoff. • Every surface drainage system must at minimum, be connected to and conform with the design capacity of <i>existing</i> systems located on adjacent land in order to provide for the continued capacity of the system serving the drainage basin in which the <i>lot</i> to be subdivided is located. • Every surface system must be connected to an arterial drainage system that must be located in statutory rights-of-way granted to the Crown or in dedicated highways. • Every surface drainage system developed on the <i>lot</i> to be subdivided must be designed so that the inlet flow line elevations and the capacity of the system are such that it will be capable or will be capable of conveying the 100 year storm peak rate of runoff for the entire fully developed drainage basin in which the <i>lot</i> to be subdivided is located. • The surface drainage system must be designed and constructed so as to minimise scouring and the erosion of ditch banks. • In the case where storm water is discharged from a surface drainage system to the sea or a <i>watercourse</i> on or adjacent to the <i>lot</i> to be subdivided, the system must be constructed and designed such that storm water is retained in storage basins for the period of time necessary to allow for the setting out of silt and other suspended solids. • No <i>watercourse</i> or water body may be diverted, altered or used for the purpose of conveying storm water from the <i>lot</i> to be subdivided except in accordance with applicable provincial statutes.



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13. Road Standards: As per letter of Agreement between Ministry of Transportation and Islands Trust *Road Standards, Classification and MOT/IT Consultative Process in the Islands Trust Area* dated October 29, 1992 and the Amending Agreement to the Letter of Agreement dated July 18, 1996.

14. Buildings and Structures:

Are there existing buildings and structures:

Yes, the applicant indicates the following:

Lot 3: Existing building

Lot 4: Existing house and mobile home

Does subdivision create non-conformity with Bylaws:

Lot 3: the building siting is not illustrated. It must be ensured that the building siting is not within setbacks from the proposed interior lot line.

Lot 4: two dwellings are illustrated. The floor area of these buildings is not indicated.

The applicant has indicated that the mobile home has been removed.

15. Air Photos:

Reviewed Air Photos: Yes

16. Environmental Features, Islands Trust Ecosystem Mapping:

Islands Trust Ecosystem Mapping: riparian, young and mature forest, agriculture, rural. herbaceous, lacustrine and littoral

Raptor/Heron Nests identified: On adjacent property, north.

17. Intrinsic Groundwater Susceptibility Mapping:

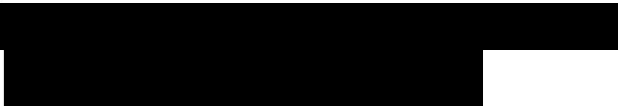
Susceptibility: Moderate to High

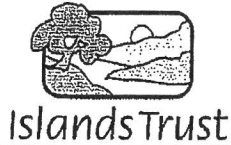
18. Cultural Features:

First Nation Territory:

- Snuneymuxw First Nation
- Hul'qumi'num Treaty Group

First Nations Sites Identified:





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Comments: It is noted that there are areas shown on the plan of subdivision where there are known First Nation archaeological sites. The intent of delineating these areas and the protection that may be inferred is unknown.

First Nations should be consulted as part of this subdivision application. While Islands Trust staff has had informal discussions with Snuneymuxw First Nation staff regarding all applications and referrals, the Ministry of Transportation approving officer is advised to take measures to ensure that First Nations have opportunity to provide input into this subdivision proposal.

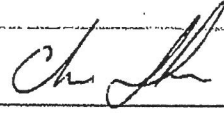
19. Boundary Adjustments Only:

Complies with regulations: N/A

20. Split (Hooked) Lots Only:

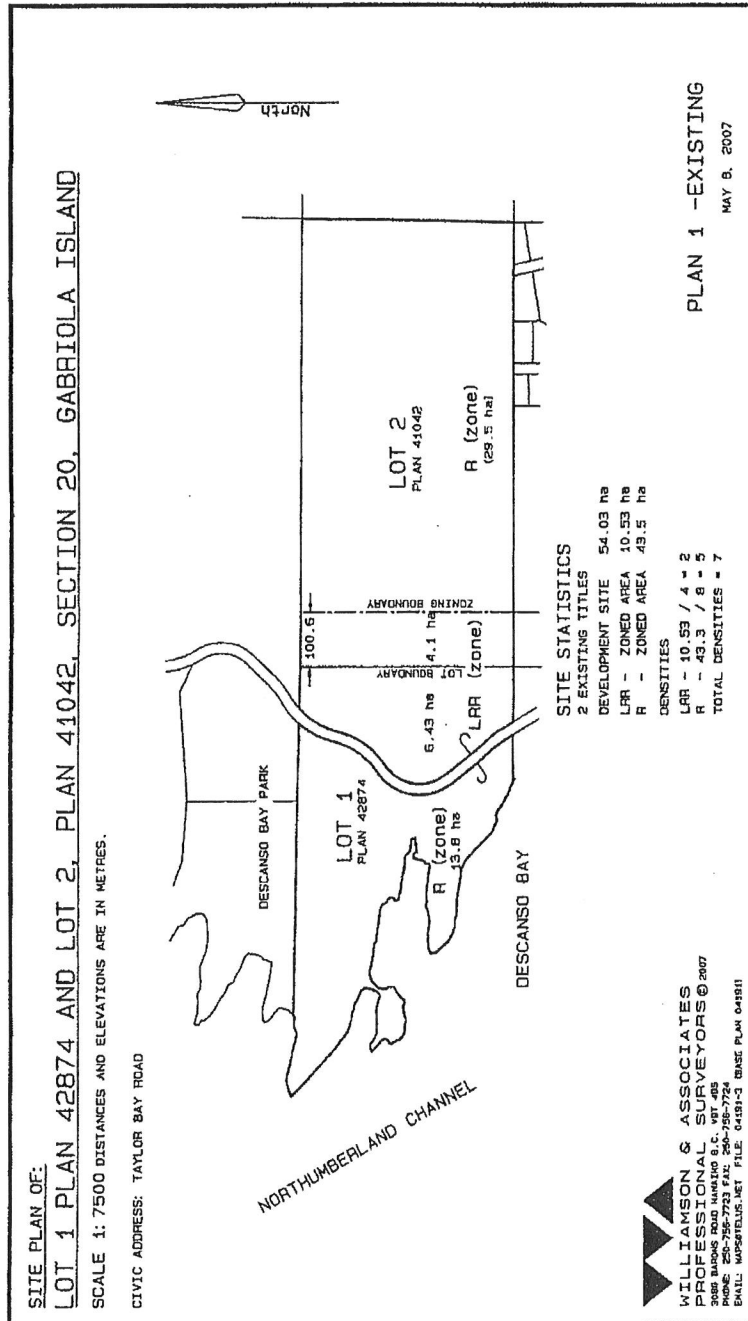
Complies with regulations: N/A

Name: Chris Jackson
Acting Regional Planning
Title: Manager

Signature: 
Date March 18, 2009

cc: Gabriola Island Local Trust Committee
Brian Henning, Applicant

ATTACHMENT 1: EXISTING SUBJECT PROPERTIES

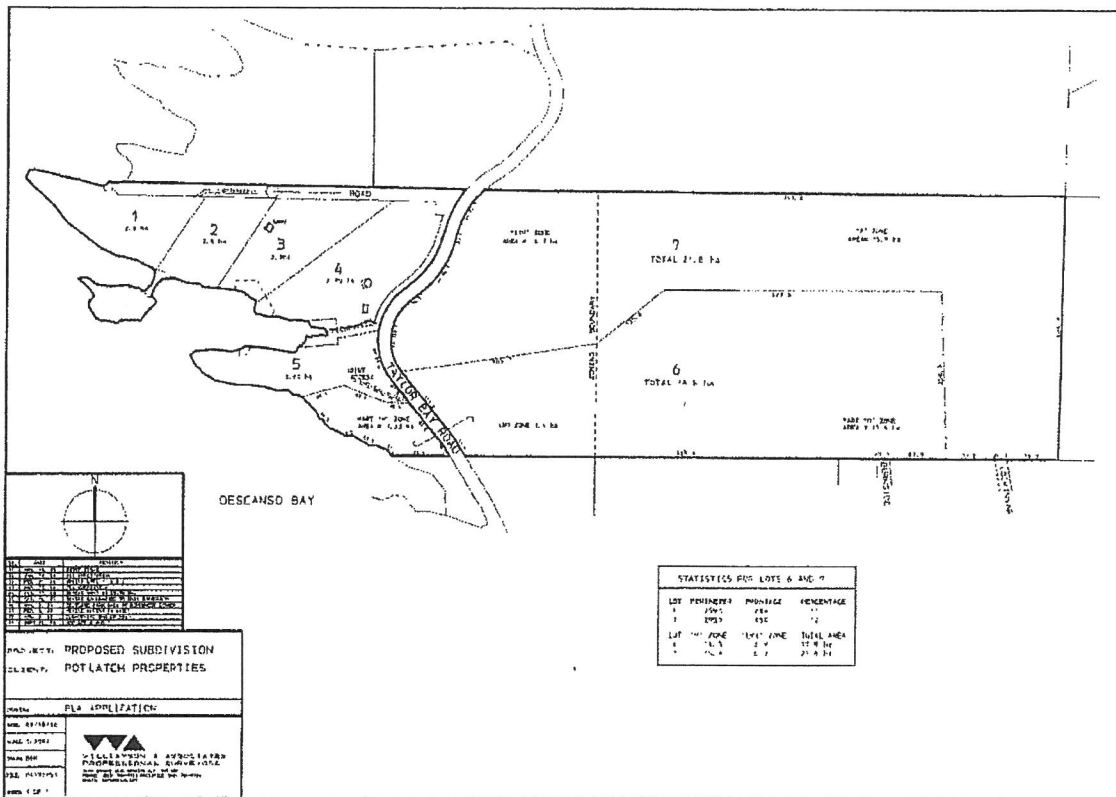


ATTACHMENT 2: PROPOSED PLAN OF SUBDIVISION



SUBDIVISION REFERRAL REPORT

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Date: July 5, 2016

File No.: GB-6500-20

To: Gabriola Island Local Trust Committee
For the meeting of July 21, 2016

From: Sonja Zupanec, Island Planner

Copy: Ann Kjerulf, Regional Planning Manager

Re: Gabriola Housing Options Review Project – Phase 1

Supplemental Report

The purpose of this report is to identify the objectives and scope for the first phase of a Local Trust Committee (LTC) housing review project to commence July 2016.

Project Background

At the regular business meeting on May 26, 2016 the Gabriola Island Local Trust Committee reviewed a detailed [preliminary staff report for the Housing Options Review Project](#) as well as a draft project charter. The LTC requested staff bring back a revised list of scoping options to the July LTC meeting, based on trustee feedback and follow up from the Islands Trust Housing Forum held in Cowichan Bay in June.

Proposed Project Objectives

Staff suggests the following objectives remain in the draft project charter (Attachment 1):

- Explore mechanisms to strengthen and build effective working relationships with existing community groups, agencies and the Regional District of Nanaimo to support housing options for Gabriola Island.
- Review targeted OCP policies and LUB regulations to increase housing options on Gabriola.
- Develop a communication plan on existing and proposed housing regulations for residents, realtors and developers.

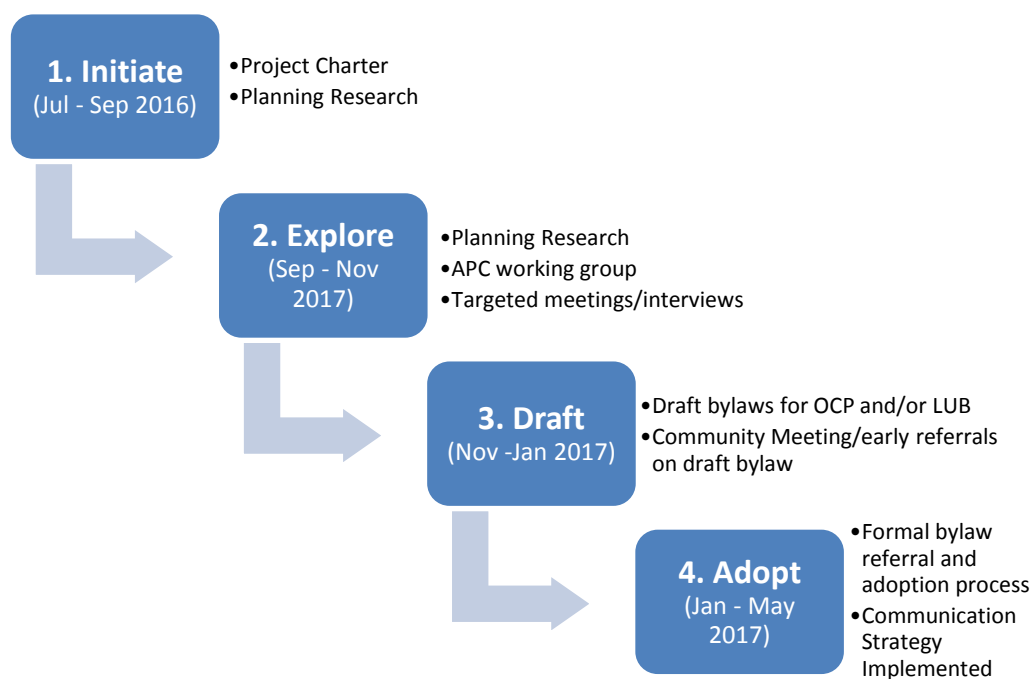
Proposed Project Scope

The following revised scope options are presented for LTC consideration

Phase 1 (2016/17 Fiscal Year)	Phase 2 (2017/18 Fiscal Year – Proposed)
- Review single family affordable (AH) policies and regulations to permit secondary suites OR accessory cottages on lots larger than 2.0 ha. - Review AG zone regulations for ALR land to permit suites above existing buildings OR secondary suites in existing dwellings as per new ALC regulations. - Review temporary dwelling regulations to allow permanent use of recreational vehicles; 'tiny homes' on a chasis as dwellings where single family dwelling use is permitted. - Review of role of the LTC and planners in supporting community initiatives, such as Gabriola Affordable Housing Society. - Review opportunities to foster affordable housing initiatives with RDN. - Develop a housing options communication strategy (as per the OCP and LUB)	- Conduct a thorough review and update of the 2009 Gabriola Housing Needs Assessment (HNA) based on 2016 census data results and community engagement. - Use the HNA results to identify gaps in the housing stock on Gabriola and develop a targeted review of relevant OCP policies and LUB regulations to promote the desired housing profile for Gabriola Island.

Proposed Project Timeline

The proposed 'Housing Options Review Project' can be generalized into four parts:



Resources and Roles

For 2016/17, Trust Council approved a budget of \$3,500 for the Gabriola 'Attainable Housing' project, with \$500 for communications and \$3,000 for community information meetings. The proposed project timeline aligns with the current budget with the first phase of the project to be completed by spring 2017. The LTC may request funds for Phase II in the 2017/2018 budget.

Planning staff would lead the Phase I project and consult with the APC; relevant agencies; organizations and community members to develop draft bylaws for LTC consideration.

Project Charter

The LTC is asked to endorse the project charter (Attachment 1).

Communications

Staff recommends the following community consultation and engagement for Phase 1:

- APC working group to develop parameters for draft regulatory changes.
- Meeting with Gabriola Affordable Housing Society and RDN to explore opportunities for staff and LTC to support community initiatives and develop recommendations for LTC.
- Community Information Meeting for draft bylaw(s) being considered by LTC.
- Referral of proposed bylaw(s) to APC and relevant agencies and First Nations.
- Community Information Meeting and public hearing on proposed bylaw(s).
- Adoption of amending bylaws;
- Develop a housing options communications strategy (as per the OCP and LUB).

Next Steps

The LTC is asked to consider the draft project charter and provide direction to staff on the defined objectives and scope for this first phase of the project.

RECOMMENDATION:

1. THAT the Gabriola Island Local Trust Committee endorse the Gabriola Housing Options Review Project Charter (as revised).

Prepared and Submitted by:

Sonja Zupanec

July 5, 2016

Island Planner

Date

Concurred in by:

Ann Kjerulf

July 8, 2016

Regional Planning Manager

Date

Attachments:

1. Draft Project Charter

Housing Options Review Project - PHASE 1 Draft Charter v 1.0

Gabriola Island Local Trust Committee

Date: July 2016

Purpose To increase opportunities for a wider range of housing options on Gabriola Island by reviewing relevant Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations.

Background The Local Trust Committee (LTC) began a discussion on affordable/attainable housing options with planning staff and the Advisory Planning Commission in 2015. The LTC identified a housing options review project on Gabriola Island as a top priority for the remainder of the 2014-2018 term.

Objectives

- Explore mechanisms to strengthen and build effective working relationships with existing community groups, agencies and the Regional District of Nanaimo to support housing options for Gabriola Island.
- Review targeted OCP policies and LUB regulations to increase housing options on Gabriola.
- Develop a communication plan on existing and proposed housing regulations for residents, realtors and developers.

In Scope

- Review of secondary suites for residential lots in lieu of acc. cottages
- Review AG zone to permit suites over existing buildings in lieu of secondary suites.
- Review of temporary dwelling regulations.
- Review of role of staff and LTC in supporting community led housing initiatives.
- Review opportunities with RDN to foster AH initiatives.
- Develop communication strategy on housing options and opportunities.

Out of Scope

- Update and enhance the Gabriola Housing Needs Assessment based on 2016 census data and community consultation.
- Develop new DP area for water conservation.
- Review amenity zoning and housing agreements; density bank policies.
- Review of multi-family AH policies; regulations and DP guidelines.

Workplan Overview

Deliverable/Milestone	Date
LTC endorses project scope and objectives	July 2016
Planning research, outreach to identified agencies, groups	July—Sept 2016
Planning research; community engagement and consultation	Fall, Winter 2016
Draft bylaws presented to LTC for review	Winter 2016
Community consultation and early referrals of draft bylaws	Winter 2016
Legislative process for proposed bylaw(s)	Winter/Spring 2017
Adoption of proposed bylaw(s) and communications materials	Spring/Summer 2017

Project Team

Sonja Zupanec	Project Manager/ Planner
Ann Kjerulf	Project Sponsor
Becky McErlean	Legislative Clerk

RPM Approval:

Date:

LTC Endorsement:

Resolution #:

Date:

Budget

Budget Source:		
Fiscal	Item	Cost
2016-2017	Community engagement and consultation	\$3,000
2017-2018	Communication and outreach materials	\$1000 (pending budget approval)
2017-2018	Legislative Process (community information meetings; public hearing; advertising)	\$1,300 (pending budget approval)
	Total	\$5,300

38



DATE OF MEETING: July 12, 2016

TO: Denman Island Local Trust Committee
Gabriola Island Local Trust Committee
Gambier Island Local Trust Committee
Hornby Island Local Trust Committee
Lasqueti Island Local Trust Committee
Thetis Island Local Trust Committee
Executive Committee Acting as a Local Trust Committee (**Ballenas-Winchelsea Islands**)

FROM: Ann Kjerulf, Regional Planning Manager

SUBJECT: 2017-18 Local Trust Committee Budgets

RECOMMENDATION

1. That the (*insert name of local trust committee*) approve and forward the draft 2017-18 budget submission to Financial Planning Committee as presented (*or as revised, noting requested changes*).

REPORT SUMMARY

Each Local Trust Committee (LTC) is asked to consider its anticipated workplan and corresponding project budget requirements for the 2017-18 fiscal year, and to forward budget requests, via LTC resolution, to Financial Planning Committee (FPC). Proposed LTC expense budgets have been prepared by Administrative Services based on historical spending and Local Trust Area (LTA) assessed values (Attachment 1). Staff have prepared proposed project budgets for consideration of LTCs based on current and anticipated workplan priorities (Attachment 2).

BACKGROUND

Islands Trust fiscal budget preparation generally begins early in the current fiscal year. Local Planning Services (LPS) staff have been asked to forward budget request for LTCs to be considered initially by FPC in October 2016, and eventually for adoption by Islands Trust Council in March 2017.

Proposed LTC budgets are broken into two key categories: LTC expenses and LTC projects. LTC expense budgets include anticipated expenses related to meeting administration, communications, and special projects. LTC expense budgets, prepared by Corporate Administration, reflect historical (actual) spending by LTCs and are intended to be proportionate to assessed values for LTAs. Project budgets support LTC work plan priorities through the fiscal year.

Key criteria for LTC project budget consideration include the following:

- Supports work that is a provincial requirement;
- Supports an activity identified in the Islands Trust Council Strategic Plan;
- Supports work that is a continuation of a current OCP/LUB program; and
- Supports recently adopted OCP policies.

Budget Process Timeline:

The timeline for the budget process is as follows:

June 2016	LPS (Northern, Southern and Salt Spring) units develop budget estimates for LTCs;
July – Sept. 2016	LTCs review and approve project budget requests at LTC meetings;
Aug. 24, 2016	FPC reviews draft budget principles;
Oct. 7, 2016	Senior management staff finalize budget recommendations to FPC;
Oct. 19, 2016	FPC reviews draft budget and considers changes;
Nov. 16, 2016	FPC approves draft budget and budget principles to be submitted to Trust Council;
Dec. 6, 2016	Trust Council reviews and endorses draft budget; approves public consultation process;
Jan. 2017	Public consultation on draft budget; LTCs consider special tax requisition to fund additional operations;
Feb. 2017	LTCs proposing special tax requisition hold public consultation meetings; Executive Committee and FPC review proposed budget;
Mar. 2017	Trust Council considers and approves budget, and budget bylaws; Budget bylaws forwarded to the Minister;

ANALYSIS

LTC budget requests should support anticipated 2017-18 workplan priorities. Preliminary project requests have been drafted based on all Top Priority work program items which are currently anticipated to commence in or carry over to the next fiscal year. Items from the Projects List which staff anticipate commencing in the coming year and requiring dedicated funding are also included. These requests are preliminary recommendations and may subsequently be revised by LTCs. However, attention should be paid to the noted budget process timeline.

When reviewing the draft project budget requests, LTCs may wish to consider the following:

- Projects planned for the current (2016-17) fiscal year which are not completed should be considered as new projects for the 2017-18 fiscal year with resources allocated to support that work;
- For projects that would begin in 2017-18, LTCs should consider the necessary resources; for instance, a new project may involve in-house staff only or could necessitate external consultant expertise;
- LTCs should review their Projects List to identify projects that may be prioritized in 2017-18;
- LTCs may wish to review their long-term 2014-18 goals in determining priorities for completion in 2017-18, the last full fiscal year prior to the next election.
- LTCs whose bylaws are not yet compliant with the Provincial *Riparian Areas Regulation* (RAR) or those wishing to make RAR-related amendments should consider RAR budget requests for 2017-18;
- LTCs which anticipate receiving grant funding from the Union of BC Municipalities to hold Community to Community (C2C) Forums with First Nations should note that grant funding is matched dollar for dollar by the local government and, as a result, should include a First Nations project budget line item.
- LTCs are generally encouraged to include a budget line item for First Nations Relationship Building.

Staff have prepared project budget requests for Northern LTCs taking these factors into consideration.

Submitted By:	Ann Kjerulf, Regional Planning Manager	July 12, 2016
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ATTACHMENTS

1. Proposed LTC Expense Budgets for 2017-18
2. Proposed LTC Project Budgets for 2017-18

ATTACHMENT 1: PROPOSED LTC EXPENSE BUDGETS FOR 2017-18

Total 2017-18

	615-Denman	620-Gabriola	625-Galiano	630-Gambie	635-Hornby	640-Lasqueti	645-Mayne	650-N.Pende	655-Salt Sprin	660-Saturna	665-S.Pender	670-Thetis	EC as LTC	
population	1095	4050	1258	313	1074	359	1112	1996	9780	359	236	372		22004
	5%	18%	6%	1%	5%	2%	5%	9%	44%	2%	1%	2%		
LTC EXPENSES **														
LTC Meeting Expenses	4,500	4,750	5,500	4,750	2,750	1,250	1,500	4,000	7,000	2,500	2,000	1,000		41,500
APC Meeting Expenses	600	600	500	500	500	500	500	600	1,500	500	500	500		7,300
Communications	500	1,250	500	1,000	1,000	1,000	1,000	500	1,250	300	300	1,000		9,600
Special Projects	500	1,000	500	500	500	500	500	500	1,000	500	500	500	500	7,500
SUB-TOTAL EXPENSES	6,100	7,600	7,000	6,750	4,750	3,250	3,500	5,600	10,750	3,800	3,300	3,000	500	65,900
Program	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL	6,100	7,600	7,000	6,750	4,750	3,250	3,500	5,600	10,750	3,800	3,300	3,000	500	65,900
	9%	12%	11%	10%	7%	5%	5%	8%	16%	6%	5%	5%		

ATTACHMENT 2: PROPOSED LTC PROJECT BUDGETS FOR 2017-18 (DRAFT JULY 12, 2016)

LTC	Project	Cost	Notes	Provincial Requirement	Supports Strategic Plan	Continues OCP/LUB work	Supports OCP policies
Denman	First Nation Relationship building	\$1,000	Potential protocol agreement with K'omoks		x		
	Denman Farm Plan Implementation	\$3,500					
	Targeted OCP/LUB Amendments	\$1,500	Potential for RAR or housing-related amendments		x		
Gabriola	Housing Options Review	\$2,500	For discussion July 21		x		x
	Housing Needs Assessment	\$15,000	For discussion July 21		x		x
	First Nations Relationship Building	\$1,000	Potential protocol agreement with Snuneymux'w		x		
Gambier	Gambier Island OCP Targeted Review	\$5,000			x		
	DAI Bylaws	\$1,500			x		
	Keats Island Foreshore Protection	\$8,000			x		
	First Nations Relationship Building	\$500	Continuation of St'pas working group				
Hornby	First Nation Relationship building	\$500	Potential C2C with K'omoks		x		
	Ford Family Orchard heritage protection	\$500					x
	Develop a TOR for APC review of vacation home rentals	\$1,000					x
Lasqueti	Targeted OCP/LUB Review	\$5,000			x		
	First Nations Relationship Building	\$1,000	Potential protocol agreement with Qualicum		x		
Thetis	RAR Implementation	\$1,500		x	x		
	Targeted OCP/LUB Review and Maintenance	\$3,000			x	x	
	First Nations Relationship Building	\$500			x		
Ballenas-Winchelsea	First Nations Relationship Building	\$500	Potential C2C with Nanoose		x		
	Crown Islet Advocacy	\$500			x		x