



# Gabriola Island Local Trust Committee

## Regular Meeting Revised Agenda

Date: September 10, 2020  
Time: 10:30 am  
Location: Electronic Meeting

Pages

**1. CALL TO ORDER** 10:30 AM - 10:35 AM

“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”

**2. APPROVAL OF AGENDA** 10:35 AM - 10:40 AM

2.1 Electronic Meetings Resolution

That in accordance with *Ministerial Order M192 - Local Government Meetings & Bylaw Process* and *Province of BC Bill 19 - 2020*, Gabriola Island Local Trust Committee cannot conduct public in-person meetings at this time because the meeting venues traditionally used have limited access or do not meet the legislated requirements for the protection of the community, trustees and staff; and

Therefore in order to meet the principles of openness, transparency and accessibility, meetings of the Gabriola Island Local Trust Committee will be held electronically over the period August 26 to October 31, 2020, will be live streamed and the public invited to participate in meetings by connecting to the link or the phone number provided in the meeting notice, in order to observe proceedings and speak when invited by the Chair.

2.2 *Rise and Report - Closed Meetings held May 14, 2020 & July 30, 2020*

**3. REPORTS** 10:40 AM - 11:00 AM

3.1 Trustee Reports

3.2 Chair's Report

3.3 *Electoral Area Director's Report*

4 - 5

3.4 First Nation Reports

**4. TOWN HALL** 11:00 AM - 11:10 AM

<b>5.</b>	<b>MINUTES</b>	11:10 AM - 11:15 AM	
5.1	Local Trust Committee Minutes dated July 30, 2020 – for adoption		6 - 13
5.2	Local Trust Committee Special Meeting Minutes dated August 26, 2020 - for adoption		14 - 17
5.3	Section 26 Resolutions-Without-Meeting - none		
5.4	Advisory Planning Commission Minutes - None		
<b>6.</b>	<b>BUSINESS ARISING FROM MINUTES</b>	11:15 AM - 11:30 AM	
6.1	Follow-up Action List dated September 2, 2020		18 - 21
6.2	Short Term Vacation Rental Temporary Use Permits - for Discussion		22 - 27
<b>7.</b>	<b>APPLICATIONS AND REFERRALS</b>	11:30 AM - 12:10 PM	
7.1	GB-RZ-2020.1 Gabriola Housing Society (GHS) - verbal update		
7.2	GB-DVP-2020.2 (Swift) - Staff Report		28 - 37
7.3	GB-SUB-2017.2 (Henning-Kuprowsky & 085317 BC Ltd.) - Staff Report		38 - 40
<b>8.</b>	<b>LOCAL TRUST COMMITTEE PROJECTS</b>	12:10 PM - 12:20 PM	
8.1	Cannabis Regulations - Bylaw No. 303 - verbal update		
8.2	Housing Advisory Planning Commission (HAPC) - verbal update		
<b>----- BREAK 12:20 PM - 12:40 PM -----</b>			
<b>9.</b>	<b>DELEGATIONS - None</b>		
<b>10.</b>	<b>CORRESPONDENCE - None</b>		
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>		
<b>11.</b>	<b>NEW BUSINESS</b>	12:40 PM - 1:10 PM	
11.1	Gabriola Build-Out Map and Minimum Subdivided Lot Size - for discussion		
11.2	Process for Requesting Review of Official Community Plans - for discussion		
11.3	Gabriola Island Groundwater Sustainability Strategy - verbal update		
11.4	<i>Renewal of Listing in the Gabriola Directory for 2021 - for discussion</i>		41 - 41
11.5	<i>Active Transportation Grant - for discussion</i>		

<b>12.</b>	<b>REPORTS</b>	<b>1:10 PM - 1:30 PM</b>	
12.1	Climate Change Action Update		
12.2	First Nations Relationship Building		
12.3	Trust Conservancy Report dated July 14, 2020		42 - 43
12.4	Applications Report dated September 2, 2020		44 - 47
12.5	Trustee and Local Expense Report dated July, 2020		48 - 48
12.6	Adopted Policies and Standing Resolutions		49 - 51
12.7	Local Trust Committee Webpage		
<b>13.</b>	<b>WORK PROGRAM</b>	<b>1:30 PM - 2:00 PM</b>	
13.1	Top Priorities Report dated September 2, 2020		52 - 52
13.2	Projects List Report dated September 2, 2020		53 - 56
<b>14.</b>	<b>CLOSED MEETING - None</b>		
<b>15.</b>	<b>UPCOMING MEETINGS</b>		
15.1	Next Regular Meeting Scheduled for Thursday, October 22, 2020 at 10:30 am at - Location to be determined		
<b>16.</b>	<b>ADJOURNMENT</b>	<b>2:00 PM - 2:00 PM</b>	

Date: September 10 2020

To: Gabriola Island Local Trust Committee

From: Vanessa Craig, RDN Director Area B

Subject: Electoral Area Director's Report

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Dear Chair Rogers and Trustees Langereis and Colbourne,

I am unable to attend this month's Islands Trust Local Trust Committee meeting due to an RDN strategic planning session scheduled for that day, but I am pleased to submit the following update. Please feel free to contact me if you have any questions or comments about the items below.

- The Village Way Path is still scheduled to begin construction this fall with projected completion before the end of the year!
- As I mentioned during my July update, the timing of Board, Committee of the Whole (CoW), and the Electoral Area Services Committee (EASC) will be changed to ensure the EASC and the CoW are on different days, and for meetings to start around 1 pm. For the next couple of months meeting times will shift around a bit to accommodate previously-scheduled meetings but should settle into the regular schedule by January.
- Thank you to Trustees Colbourne and Langereis for working with me and the RCMP and the Ministry of Transportation and Infrastructure to address the issue of parking at El Verano boat ramp and Green Wharf. We will be moving to the next phase of the project, where owners of uninsured vehicles are notified that their vehicle will be removed, in the next couple of weeks.
- The RDN was successful in receiving a grant of \$162,222 from the provincial CleanBC Communities Fund to install 10 public level 2 electric vehicle charging stations. One of the chargers will be located at Descanso Bay Regional Park. Because this is a new service for the RDN, residents will be asked whether they approve creating this new service through an alternate approval referendum.
- The RDN is moving to a new emergency alert system as of October 1<sup>st</sup>. Voyent Alert! allows residents, businesses or visitors to receive messages through an app, text message, voice call or email for critical events such as extreme weather or wildfires at a variety of locations (eg home, school, or work locations). Thank you for your efforts in spreading the word – the more Area B residents signed up the better! Learn more and register here: [rdn.bc.ca/voyent-alert](https://rdn.bc.ca/voyent-alert) For assistance registering call 250-390-4111 or 1-877-607-4111 or email [emergencyservices@rdn.bc.ca](mailto:emergencyservices@rdn.bc.ca)
- The new waste collection carts are being delivered and can be used starting October 1<sup>st</sup>. The system is designed to encourage residents to recycle and use the green waste containers as much as possible. The annual waste collection fee is tied to the size of the garbage container – the larger the container the more the annual fee, but you can use a larger recycling cart for no additional fee.
- At the Committee of the Whole meeting held Tuesday September 8 2020 we discussed the following which might be of interest (all approved Motions will go to the Board before being finalized):
  - The committee considered updating its flag policy to include reference to a new RDN flag policy (at the moment it's just the RDN's logo in flag form). The policy includes information on when the flag will be half-masted. As a half-mast policy in my opinion provides an opportunity for the Board to mark significant events in the region, I made a Motion that we should inquire whether First Nations on whose Territories the RDN conducts its work might want to be included to mark and honour the death of an Indigenous leader. In addition, given the significant services by the RDN in fire fighting, including fire fighters or volunteers acting for the RDN might be included in the policy. The policy was referred back to staff to revise the policy based on discussion.

- We received an interim report on the development of a corporate carbon neutral plan 2032. The RDN's Climate Change Technical Advisory Committee will receive a draft plan before coming back to the Board at the end of 2020.
- We approved a draft park amenity donation program policy, which would allow residents to make a donation to be able to place a plaque (memorial/celebratory etc) on a bench or other amenity (eg a new bench, tree, playground etc) placed in a regional or community park.
- We received a draft tree management policy for regional and community parks. The committee referred it to the Regional Parks and Trails committee for discussion prior to coming to the Electoral Area Services Committee.
- At the Electoral Area Services Committee (EASC) meeting held Wednesday September 9 2020 we discussed the following which might be of interest (Motions need to go to the Board before being finalized):
  - The committee gave first and second reading to a an OCP amendment for Area A and a revised Bylaw on land use and subdivision in Area A specific to the Nanaimo airport. The revised OCP section and Bylaw will now move to a public information session.
  - The committee endorsed that the RDN apply for FireSmart funding to develop updated community wildfire resiliency plans for each electoral area, and funding to do a fuel management prescription for a section of the 707 Community Park and the Nanaimo Arboretum.
  - I made a Motion about POSAC meetings that are being held electronically being open to the public and/or recorded and made available online. After discussion we will discuss with our respective POSAC committees over the next few weeks to determine their thoughts on the issue before discussing again at the next EASC meeting.

Upcoming:

- The next Board meeting is next week on September 15<sup>th</sup>. It is being held earlier in the month than normal to accommodate the UBCM meeting (which will be held virtually this year). The following meeting is on October 27<sup>th</sup>.
- The next EASC meeting will be held October 8<sup>th</sup>, and the next CoW meeting will be held October 13<sup>th</sup>.
- The next Parks and Open Spaces Advisory Committee meeting is scheduled for October 5<sup>th</sup>.

Respectfully submitted,

Vanessa Craig



## Gabriola Island Local Trust Committee Minutes of Regular Meeting

**Date:** July 30, 2020  
**Location:** Electronic Meeting

**Members Present:** Dan Rogers, Chair  
Kees Langereis, Local Trustee  
Scott Colbourne, Local Trustee

**Staff Present:** Heather Kauer, Regional Planning Manager  
Warren Dingman, Bylaw Enforcement and Compliance Manager  
Nadine Mourao, 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

*“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”*

Chair Rogers called the meeting to order at 10:31 am, welcomed the public and introduced Trustees, Staff and Recorder. Trustee Langereis acknowledged that the meeting was being held in the unceded territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

The following additions/amendments to the agenda were presented for consideration:

- Move 3.3 Electoral Area Director’s Report prior to 3.1 Trustee Reports
- Add 11.2 Short Term Vacation Rentals (STVR); and
- Add 11.3 Union of British Columbia Municipalities (UBCM) correspondence.

**By general consent** the agenda was approved as amended.

### 3. REPORTS

#### 3.1 Trustee Reports

Trustee Colbourne reported his attendance at the following meetings and events:

- Acknowledged he was situated on the unceded territory of the Hul’qumi’num First Nations;
- Trust Planning Commission (TPC) meeting focusing on policy statement review project, and encouraged review of the Islands 2050: The Future of the Trust Area document available on the IT website;
- Meeting with Lisa Wilcox, Senior Intergovernmental Policy Advisor regarding meeting acknowledgments;

- Regional transportation meeting with Ministry of Transportation and Infrastructure (MoTI), Trustee Langereis, and Electoral Area Director, Vanessa Craig;
- Conversation with Director of Active Transportation and Planning for MoTI; and
- Forest, Lands, Natural Resource Operations and Rural Development (FLNROR) correspondence.

Trustee Langereis reported his attendance at the following meetings and events:

- TPC meeting;
- Local Planning Committee (LPC) meeting:
- Meeting with Lisa Wilcox, Senior Intergovernmental Policy Advisor regarding meeting acknowledgments;
- Anti-racism subcommittee meeting of the Gabriola Health & Wellness Collaboration;
- Will be attending meeting with Nature Trust British Columbia and RDN meeting in August, regarding ecological zones.

### **3.2 Chair's Report**

Chair Rogers reported the following:

- Thanked Staff and Trustees for their hard work;
- Attended meeting with Islands Trust Conservancy;
- Attended Trust Council (TC) electronic meeting in June; and
- Will be attending TC meeting September 15-16, 2020.

### **3.3 Electoral Area Director's Report**

Vanessa Craig, Regional District of Nanaimo (RDN) Electoral Area B noted the following:

- Village Way Trail is scheduled to start construction in September 2020;
- RDN undergoing bylaw review process; and
- Electoral Area Director's report available on Islands Trust (IT) website.

### **3.4 First Nation Reports**

The following was noted:

- Trustees attended meeting with Lisa Wilcox, Senior Intergovernmental Policy Advisor regarding meeting acknowledgments and training;
- Trustee Colbourne received letter from Snuneymuxw First Nations regarding BC Ferries Terminal Development application, will send email response, and attend meeting with Snuneymuxw First Nations on August 18, 2020; and
- Trustee Colbourne to enquire with Snuneymuxw First Nations on their privacy policy and public sharing of communications.

## **4. TOWN HALL**

No comments.

## **5. MINUTES**

### **5.1 Local Trust Committee Minutes dated June 25, 2020 – for adoption**

The following amendments to the minutes of June 25, 2020 were presented for consideration:

- Page 2, Trustee Langereis report, 4<sup>th</sup> bullet, change “Cleaning of understory has to be done carefully” to “Clearing of the fuel load in the forest understory that has to be done carefully”;
- Page 8, last paragraph, delete wording after “Trustee Langereis”, and then replace with “wondered whether the Health Authority could override Section 3.1, Subsection 3 of the Sewage Regulation, which only prohibits setbacks if the report was done prior to construction”;
- Page 2, Chair’s Report, first bullet, delete wording after “Regarding the issue of fees for development applications,” and replace with “there was a sentiment that they need to be more in line with actual costs.”;
- Page 10, 12.3 Relief from Bylaw Enforcement Action, first paragraph, after “no bylaw enforcement action would be taken” add “on unlawful dwellings”;
- Page 11, second paragraph, change “Chair Rogers directed” to “Chair Rogers suggested”; and
- There was no Rise and Report in the June 30, 2020 in-camera meeting.

**By general consent** the minutes were adopted as amended.

**5.2 Section 26 Resolutions-Without-Meeting - none**

**5.3 Advisory Planning Commission Minutes – none**

Advisory Planning Commissions (APC) may commence in-person meetings if appropriate safety precautions are met.

**6. BUSINESS ARISING FROM MINUTES**

**6.1 Follow-up Action List dated July 22, 2020**

Received.

**6.2 Advisory Planning Commission (APC) Referrals for Cannabis Bylaw and Antennae Consultation Protocol - verbal update**

Trustees would like to move forward with the referrals to the APC if appropriate in-person meeting safety precautions are met. Requested separate meetings for each referral with first meeting priority to the Antennae Consultation Protocol.

**7. APPLICATIONS AND REFERRALS**

**7.1 GB-DP-2020.1 (Egan & Klus) - Staff Report**

The Gabriola Island Local Trust Committee (LTC) was asked to consider a Development Permit (DP) application for the construction of a single-family dwelling (modular home), pump house, driveway and associated land clearing, on the subject property located within Development Permit Area No. 3 (DP-3) – Riparian Areas.

Discussion ensued and the following key points were noted by Trustees:

- Enquired as to whether First Nations should be notified along with the Archeology Branch if archeological sites are encountered;

- Staff are in ongoing communications with First Nations regarding this;
- Interested to use of natural grass seed rather than turf seed recommended in Qualified Environmental Professional (QEP) report; and
- Interested in high standard of monitoring as per FLNROR report recommendation.

**GB-2020-046**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee approve issuance of Development Permit GB-DP-2020.1 (Williamson & Associates) for the SOUTH WEST ¼ OF SECTION 18 GABRIOLA ISLAND NANAIMO DISTRICT EXCEPT PARTS IN PLANS 17051, 20786, 21309, 21380, 21621, 38460, 41971, VIP51701, AND VIP53490 (PID 000-988-081).

**CARRIED**

**7.2 GB-RZ-2020.1 Gabriola Housing Society (GHS) - Staff Report**

Regional Planning Manager Kauer summarized the report which provided an update and next steps on the application GB-RZ-2020.1 (Gabriola Housing Society) and noted the following:

- A template for the housing agreement is available, if the applicant were to make substantial changes, there would need to be legal review and recommended a cost recovery fee to applicant; and
- Suggested having Community Information Meeting (CIM) towards the end of the referral period to allow Snuneymuxw response to referral.

The following was noted by Trustees:

- Interested in a fee cost recovery agreement, if necessary;
- Requested clarification on wording on Page 3, Pending Housing Agreement, h) i. ensure the maintenance and stability of affordability in perpetuity;
- Trustee Colbourne to engage in discussion with Snuneymuxw regarding housing project and referrals, and follow up in writing to clarify active referrals and deadlines. Noted that First Nations welcomed referrals at the end of the application process, rather than the beginning;
- Requested receipt of any technical reports prior to CIM;
- Interested in Executive Committee (EC) waiving fees for extraordinary costs for Societies in future; and
- Requested CIM be scheduled August 24 – 28, 2020 and advertisements needed to be submitted to the Gabriola Sounder by August 14, 2020.

Gabriola Housing Society sent letter dated July 24, 2020 to Snuneymuxw and will share a copy with IT.

**GB-2020-047**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to develop a draft housing agreement in consultation with the applicant/agent for application GB-RZ-2020.1 (Gabriola Housing Society) for Local Trust Committee consideration.

**CARRIED**

**GB-2020-048**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee enter into a cost recovery agreement, if necessary, with the applicant/agent allowing Islands Trust legal counsel to review a draft housing agreement for application GB-RZ-2020.1 (Gabriola Housing Society).

**CARRIED**

**GB-2020-049**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee, subject to the concurrence of Snuneymuxw First Nation, request Staff to schedule Community Information Meeting regarding GB-RZ-2020.1 Gabriola Housing Society (GHS) in the August 24 – 28, 2020 time period.

**CARRIED**

**By general** consent the meeting was recessed at 12:10 pm and reconvened at 12:40 pm.

**8. LOCAL TRUST COMMITTEE PROJECTS**

**8.1 Housing Options and Impacts Review Project - verbal update**

Regional Planning Manager Kauer provided an update on the Housing Advisory Planning Commission (HAPC) and noted:

- Two HAPC members have stepped down, the member from Gabriola Housing Society and Gabriola Auxiliary for Island Healthcare; and
- Gabriola Housing Society will fill vacant seat once housing project is complete.

Trustees noted the following points:

- Thanked Heather Cameron for her work on the HAPC; and
- Interested in further thought as to composition of organizations on HAPC and asked Staff to bring the terms of reference back to LTC for review.

**8.2 Coats Marsh Regional Park and Riparian Development Permit Area - for discussion**

Trustee Langereis requested further information on why DP-3 area does not incorporate all of Coats Marsh Regional Park.

Staff noted that Coats Marsh is jointly owned by Nature Trust and RDN under the Ecological Gift program and are bound by the conditions for no residential, commercial, or industrial areas within the area.

**GB-2020-050**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to research why Coats Marsh Regional Park is excluded from the Development Permit Area No. 3 (DP-3) – Riparian Areas.

**CARRIED**

**8.3 Model Strategy for Antenna Systems - for discussion**

Trustee Langereis asked the LTC to consider the current adopted Model Strategy for Antenna Systems and its lack of community consultation for changes/upgrades to cell tower and co-location of technology.

Discussion ensued and the following was noted by Trustees:

- Interested in the stand-alone APC meeting to discuss this referral with priority to this referral; and
- Areas of the Model Strategy have elements open to interpretation, such as community consultation piece, the Model Strategy should be clear to maximize public consultation and local interests.

**9. DELEGATIONS – none**

**10. CORRESPONDENCE**

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

**11. NEW BUSINESS**

**11.1 A Safe and Active Transportation Plan for People of all Ages and Abilities - for discussion**

Trustee Colbourne provided an update that there is a network planning grant available through the B.C Active Transportation Infrastructure Grants Program and noted:

- IT may be a catalyst for this type of funding in collaboration with RDN and MoTI, interested in Staff exploring possibilities of grant;
- Long-term vision of gas free island, how do we get there? and
- Supported Trustees advocating on behalf of grant planning for active transportation.

**GB-2020-051**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee supports efforts to pursue a network planning grant to create a safe and active transportation plan for all ages and abilities.

**CARRIED**

**11.2 Short Term Vacation Rentals (STVR)**

Trustee Colbourne and Fire Chief Will Sprogis asked the LTC to consider adding annual fire inspections by Gabriola Volunteer Fire Department to the Temporary Use Permit (TUP) for STVRs and noted:

- The number of illegal STVRs operating on Gabriola is significant;
- Interested in proactive enforcement of STVRs; and
- Interested in a map or list of Gabriola, showing where legal and illegal STVRs are located.

**GB-2020-052**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee direct Staff to investigate options to add a condition for Annual Fire Inspections to the Temporary Use Permit conditions for Short Term Vacation Rentals.

**CARRIED**

**GB-2020-053**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee adopt as a standing resolution to authorize proactive enforcement of unlawful Short Term Vacation Rentals.

**CARRIED**

**GB-2020-054**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to prepare a report on how many Short Term Vacation Rental operations there are currently on Gabriola.

**CARRIED**

**By general** consent the meeting was recessed at 2:07 pm and reconvened at 2:14 pm.

**11.3 Union of British Columbia Municipalities (UBCM) correspondence**

Chair Rogers noted that UBCM will be held electronically this year, he is attending and invited Trustees to attend at reduced fees.

**12. REPORTS**

**12.1 Climate Change Action Update - none**

**12.2 First Nations Relationship Building**

Trustees noted the following key points:

- Trustee Colbourne will send response to Snuneymuxw correspondence on BC Ferries Terminal Development application;
- Trustee Colbourne will share Snuneymuxw correspondence with Lisa Wilcox, Senior Intergovernmental Advisor and Regional Planning Manager Kauer asking for advice on how to proceed;
- Trustee Colbourne to add correspondence to agenda on August 18, 2020 meeting with Snuneymuxw; and
- Interested in First Nations as a partner in the Active Transportation Grant application.

**12.3 Trust Conservancy Report - none**

**12.4 Applications Report dated July 22, 2020**

Received.

**12.5 Trustee and Local Expense Report - none**

**12.6 Adopted Policies and Standing Resolutions**

Received.

**12.7 Local Trust Committee Webpage**

No updates requested.

**13. WORK PROGRAM**

**13.1 Top Priorities Report dated July 22, 2020**

Received.

**13.2 Projects List Report dated July 22, 2020**

Received.

**14. UPCOMING MEETINGS**

**14.1 Next Regular Meeting Scheduled for Thursday, September 10, 2020 at 10:30 am - Location to be determined**

**15. CLOSED MEETING**

**15.1 Motion to Close the Meeting**

**GB-2020-055**

**It was MOVED and SECONDED 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) (d) and (f) for the purpose of considering adoption of In-Camera Meeting Minutes dated June 30, 2020 and Bylaw Enforcement and that the recorder and staff attend the meeting.

**CARRIED**

**15.2 Recall to Order - none**

**15.3 Rise and Report - none**

**16. ADJOURNMENT**

**By general consent** the meeting was adjourned at 2:58 pm.

\_\_\_\_\_  
Dan Rogers, Chair

Certified Correct:

\_\_\_\_\_  
Nadine Mourao, Recorder



Islands Trust

## Gabriola Island Local Trust Committee Minutes of Special Meeting

**Date:** August 26, 2020  
**Location:** Electronic Meeting via ZOOM

**Members Present:** Dan Rogers, Chair  
 Kees Langereis, Local Trustee  
 Scott Colbourne, Local Trustee

**Staff Present:** Jaime Dubyna, Planner 2  
 Nadine Mourao, Recorder

**Others Present:** There were approximately fourteen (14) members of the public in attendance.

### 1. CALL TO ORDER

*“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”*

Chair Rogers called the meeting to order at 2:02 pm, welcomed the public and introduced Trustees, Staff and Recorder and he acknowledged that the meeting was being held in the unceded territory of the Coast Salish First Nations.

Chair Rogers advised that this Special Local Trust Committee Meeting (LTC) was being held to conduct a Community Information Meeting (CIM) for application GB-RZ-2020.1 (Gabriola Housing Society) and that it will include a presentation and facilitated Question and Answer (Q&A) sessions, where members of the public will hear information and may ask questions about the application and proposed Official Community Plan (OCP) and bylaw amendments.

Chair Rogers spoke to the holding of the CIM electronically, noting that the COVID-19 Health and Safety Guidelines preventing in-person meetings may continue for an extended period of time and this approach provides an option to inform the public, consider the application, and allows the LTC to continue due process and careful consideration of the proposal.

Trustees Langereis and Colbourne thanked everyone for attending and acknowledged that the meeting was being held in the unceded territory of the Coast Salish First Nations.

### 2. APPROVAL OF AGENDA

The following addition to the agenda were presented for consideration:

- Add 2. Approval of Agenda.

**By general consent** the agenda was approved as amended.

**3. COMMUNITY INFORMATION MEETING**

Presentation regarding GB-RZ-2020.1 (Gabriola Housing Society) - Bylaw Nos. 306 (OCP) and 307 (LUB).

Planner Dubyna provided an overview of the proposal, changes to OCP and bylaws necessary to enable the proposal, and next steps. She advised that all relevant information is posted on the Islands Trust Gabriola Island Applications webpage.

Key points from the presentation:

- Gabriola Housing Society (GHS) has submitted professional assessment reports which are available on the Islands Trust Gabriola Island Applications webpage;
- Hydrology Report addresses concerns regarding impacts to neighbouring residential wells, reporting that the main fracture has low connection to the wells on Lockinvar Lane;
- Wastewater Report (Revised) provides recommended treatment system;
- OCP amendment required due to the lots currently being designated Institutional;
- Land Use Bylaw amendment required to add 24 units of Multi-dwelling Affordable Housing (MAH) and for permitted uses, maximum dwelling units, maximum structure height, setbacks, tenure, signage, parking regulations, new definitions, and guidelines for new Development Permit 11 (DP-11) etc.;
- Environment Assessment (EA) Report states no environmental constraints to rezoning and proposed MAH development and recommended reducing development footprint where possible to minimize loss of mature forest and native vegetation;
- Proposed bylaws include a new Environment Protection Development Permit Area (DPA) incorporating recommendations from the EA Report;
- OCP requires a Housing Agreement (HA) providing affordable housing in perpetuity;
- GHS has submitted a draft HA with eligibility and residency requirements to ensure housing affordability;
- Gabriola Volunteer Fire Department (GVFD) responded to the referral and requested no parking on Paisley Place, the road be widened, or create a fire truck pull off; locate water tanks near the fire truck pull off; and reduce building height to 8.5 metres (28 feet); and
- Preliminary discussions with Ministry of Transportation and Infrastructure (MoTI) indicate no concerns with bylaws.

**4. QUESTION AND ANSWER SESSION**

Chair Rogers explained the format of the Q&A session and advised that he will address the questions to the appropriate person to answer: Planning Staff, Trustees, or Applicant.

Members of the public had the following questions:

- These bylaws are site specific, how can we make sure they are?
  - Planner Dubyna stated that the new MAH zone could be applied to any future MAH application, however, if a future MAH application is received, it will go through due process;
- Can the bylaws still be changed?
  - The proposed bylaws may still be amended due to referral and community input;
- Has the Water License application been approved?

- Applicant noted that an application for a Water License has been submitted and is awaiting response;
- Liked the development but noted many concerns with water;
  - Chair Rogers requested the member of the public to submit their concerns to Staff so they may be addressed;
- Will there be a public information meeting with a HA included?
  - Planner Dubyna noted that when the draft HA is ready, it will be submitted to the LTC for review and available to the public. Another CIM is scheduled to be held that will include the draft HA;
- Requested clarification on the water report where it stated that there was a small impact on Lockinvar wells but indicated on second page that there may be significant impact during late summer months?
  - 
  - Applicant noted that the supplemental Hydrology Report indicates that Lockinvar wells deplete in late summer and that Paisley Place has a much larger pool of water with poor connection between these aquifers;
- Will the LTC wait for 4<sup>th</sup> reading of the bylaws until the HA is registered on title?
  - As a condition of rezoning for affordable housing all covenants are to be registered on title prior to final reading (4<sup>th</sup> reading);
- If GHS wanted to develop remaining lot 3, would the lot be entitled to 24 housing units as it is more than one hectare?
  - No;
- Doubtful of the Hydrology Report as the school is on the same fracture. Will the development affect the school water use?
  - Applicant noted that the well has been well monitored on the adjacent Main Road site and during the pump testing process the impact was minimal on the school well;
- The well pump testing was done during fairly wet conditions, how viable is the well during the drier months? Is the Paisley project liable to support the school with water if the well is impacted by the development?
  - Chair Rogers noted that the water license and study will determine the viability of the well and not able to answer legal issues;
- Questioning validity of report due to local knowledge of area not matching well levels as in the Hydrology Report.
  - The LTC is happy to receive feedback and operates off the best information available and considerations of expert opinions as part of their due process;
- After the OCP and LUB are approved, would a guarantee of funding be a legal requirement prior to 4<sup>th</sup> reading?
  - From planning perspective this is not a planning requirement, however, the LTC may consider this a condition;
- Will LTC reduce allowable height of buildings in response to the GVFD recommendations?
  - Referral responses will be included in the Staff Report for LTC consideration;
- What is the status of the HA?
  - In draft form;
  - The draft HA will be presented at an upcoming LTC meeting;
- When would we expect to see the 3<sup>rd</sup> reading of bylaw?
  - Planner Dubyna indicated that Staff are currently working on this (still need to do 2<sup>nd</sup> reading);

- Is this application creating bylaws that are not fitting the application but tailored for future applications and developments?
  - These bylaws are for the application submitted by GHS;
- What is the status of the HA?
  - The GHS have provided amendments to the Islands Trust template, a draft of the HA will hopefully be submitted to the LTC review at their October meeting;
- The height of the buildings in application is different than in the proposed bylaws.
  - The proposed bylaws are subject to change and are different than in the application;
- Concerned about sewerage effluent affecting the Lockinvar Lane area;
  - Applicant noted that the Wastewater Report (Revised) indicated that the planned container-based sewage system and treated water will not leave the development area;
- Assumed lot consolidation are allowed, member of the public indicated concern about future applications;
  - Only these lots are affected by the MAH zoning. If a future applicant would like to rezone lots MAH, they would need to follow a similar process, which would need its own application and considerations; and
- Interested in adding a minimum lot size to the LUB;
  - Chair Rogers asked the member of the public to clarify their enquiry in written comments to Islands Trust.

Chair Rogers concluded the Q&A portion of the meeting. He recommended that the information on this application can be found on the Islands Trust Gabriola Island Applications webpage and offered options and contact information for providing input, asking questions regarding this proposal, or for follow-up on questions that time did not allow for at this CIM. Emails may be sent to [northinfo@islandstrust.bc.ca](mailto:northinfo@islandstrust.bc.ca).

Chair Rogers thanked everyone for their participation today and advised that the next LTC regular meeting is scheduled for September 10, 2020 and will be held electronically.

## 5. ADJOURNMENT

**By general consent** the meeting was adjourned at 3:33 pm.

---

Dan Rogers, Chair

Certified Correct:

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Nadine Mourao, Recorder



## Follow Up Action Report

### Gabriola Island

#### 16-May-2019

Activity	Responsibility	Dates	Status
1 GB-DVP-2019.1 (Huxley Park) - LTC waived requirement for BCLS survey; issued DVP subject to receipt of a planting plan to mitigate tree loss/reduction in area for tree removal and reduction in parking area (see resolution from minutes). Staff to follow up with RDN on submission requirements and issuance of DVP.	Becky McErlean Bronwyn Sawyer		In Progress

#### 11-Jul-2019

Activity	Responsibility	Dates	Status
1 Staff to prepare draft bylaws for the ecological protection zone with site specific provisions for Coats Marsh and B. Acres. (In progress - coordination with Trust Conservancy staff). No change in status while further meeting with RDN being scheduled for late July/early August 2020.	Ian Cox		In Progress

#### 28-Nov-2019

Activity	Responsibility	Dates	Status
1 LTC approved issuance of GB-DVP-2017.1 conditional upon registration of a restrictive covenant and registration of a S. 32 HCA notice on title. (Awaiting registration of covenant and HCA notice)	Becky McErlean Ian Cox		In Progress



# Follow Up Action Report

## Gabriola Island

### 28-Nov-2019

Activity	Responsibility	Dates	Status
2 LTC approved issuance of GB-DP-2017.2 following issuance of GB-DVP-2017.1 (Awaiting registration of covenant and HCA notice)	Becky McErlean Ian Cox		In Progress
3 For the Ecological Protection Zone Top Priority Project, the LTC direct staff to: <ul style="list-style-type: none"> <li>·amend the Project Charter to include rezoning of Elder Cedar Nature Reserve; (DONE)</li> <li>·prepare draft amendments to the Gabriola Island OCP; (In progress - coordination with Trust Conservancy staff)</li> <li>·prepare draft amendments to the Gabriola Island LUB; (In progress - coordination with Trust Conservancy staff)</li> <li>·consider options for Coats Marsh Regional Park, consult with RDN and TNT, and report back. (DONE)</li> </ul>	Ian Cox		In Progress

### 27-Feb-2020

Activity	Responsibility	Dates	Status
1 Refer the Feb 27 report from Trustee Langereis to the APC for comment on the process of public consultation. Add review of the model strategy for antenna to the project list	Becky McErlean Penny Hawley Sonja Zupanec		In Progress

### 14-May-2020

Activity	Responsibility	Dates	Status
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## Follow Up Action Report

### Gabriola Island

#### 14-May-2020

Activity	Responsibility	Dates	Status
1 staff to send correspondence on behalf of the Local Trust Committee Chair to the Housing Advisory Planning Commission to thank them for their work and advise them of the status of the project.	Heather Kauer Sonja Zupanec		Completed

#### 25-Jun-2020

Activity	Responsibility	Dates	Status
1 Refer the project charter and public engagement strategy of the Housing Options and Impacts Review Project to the HAPC as per LTC resolution June 2020.	Heather Kauer Penny Hawley Sonja Zupanec		Completed
2 GB-RZ-2020.1 - Bylaw Nos. 306 (OCP) and 307 (LUB) given first reading, proceed with Local Government referrals as per staff report with 45 day referral period; add Islands Trust Freshwater Specialist to referral list; proceed with referrals to First Nations. Schedule PH prior to or during the week of October 5 2020.	Becky McErlean Jaime Dubyna		In Progress
3 GB-DVP-2020.3 - issuance approved as per amended DVP.	Becky McErlean Ian Cox		Completed
4 GB-DVP-2020.1 - issuance of DVP approved, requirement for signed BCLS survey waived.	Becky McErlean Bronwyn Sawyer		Completed



## Follow Up Action Report

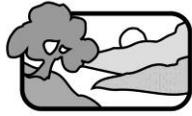
### Gabriola Island

30-Jul-2020

Activity	Responsibility	Dates	Status
1 Staff requested to research the possibility of adding a condition for annual fire department inspection to Temporary Use Permits for Short Term Vacation Rentals.	Heather Kauer		Completed
2 Staff to report back on those properties that currently have a valid TUP for STVR's on Gabriola.			Completed

**Gabriola Island Current Temporary Use Permits (TUPs)**

Temporary Use Permit (TUP)#	Name	Property Address	Term	Approval Date	Expiry Date
GB-TUP-2018.1	Garner	671 Balsam Avenue	3 years	Jan 24, 2019	Jan 30, 2022
GB-TUP-2018.2	Lenz	3158 Whalley Road	3 years	Sep 27, 2018	Oct 24, 2021
GB-TUP-2019.1	Dewarle	565 South Road	3 years	Jul 11, 2019 (renewal of GB-TUP-2016.2)	July 24, 2022
GB-TUP-2019.2	Kraus & Cripps	1410 Fisher Road	3 years	May 14, 2020	May 27, 2023



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DATE OF MEETING: September 10, 2020  
TO: Gabriola Island Local Trust Committee  
FROM: Heather Kauer, Regional Planning Manager  
Northern Team  
SUBJECT: Temporary Use Permits for short-term vacation rentals

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## PURPOSE

To provide the Gabriola Islands Local Trust Committee with a list of active Temporary Use Permits issued on Gabriola Island for short-term vacation rentals and to discuss the possibility of conditioning such permits on an annual fire inspection.

## List of Active Temporary Use Permits

The list of active Temporary Use Permits issued to short-term vacation rentals on Gabriola Island is attached to this memo. This list is authorized to be viewed publicly. Staff note that some islands within Islands Trust have elected to have similar lists published on their individual Islands Trust web pages including the following links:

Galiano Island list of issued Temporary Use Permits: <http://www.islandstrust.bc.ca/islands/local-trust-areas/galiano/current-applications/tups-for-cvrs-summary/>

Galiano Island map of issued Temporary Use Permits:  
[http://www.islandstrust.bc.ca/media/349286/gl\\_tup\\_apr\\_2020.pdf](http://www.islandstrust.bc.ca/media/349286/gl_tup_apr_2020.pdf)

## Fire Inspections

Currently the supplemental application form for Temporary Use Permits (attachment 2) related to short-term vacation rentals on Gabriola Island includes the following requirement:

6. Attach proof from a qualified professional that the building meets the fire code

Staff have historically accepted an email from the Gabriola Fire Chief indicating that he or she had inspected the property to check for fire code compliance to meet this requirement. Staff understand that pursuant to the B.C. Building Code this would include, at a minimum: smoke alarms, egress windows, and a firewall installed in units that are attached to the main residence. These items would also likely be inspected by RDN building inspectors if building permits are obtained for the unit.

Staff would not recommend adding a condition to Temporary Use Permits for annual Gabriola Fire Department inspection as putting a condition of this type on an Islands Trust permit would obligate Islands Trust staff to monitor whether fire inspections were conducted annually. As the Fire Department will be consulted prior to an

application being submitted, the Fire Department should have a record of these types of applications and be able to communicate directly with the property owner to arrange annual inspections if they choose to.

**NEXT STEPS**

If requested by the Local Trust Committee.

Submitted By:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	August 25, 2020
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**ATTACHMENTS**

1. List of Gabriola Island active TUPs issued for short-term vacation rentals.
2. Temporary Commercial and Industrial Use Supplemental Application Form

## Attachment 1

### Gabriola Island Issued & Active Temporary Use Permits

#### Short Term Vacation Rentals

September, 2020

Temporary Use Permit (TUP)#	Name	Property Address	Term	Approval Date	Expiry Date
GB-TUP-2018.1	Garner	671 Balsam Avenue	3 years	Jan 24, 2019	Jan 30, 2022
GB-TUP-2018.2	Lenz	3158 Whalley Road	3 years	Sep 27, 2018	Oct 24, 2021
GB-TUP-2019.1	Dewarle	565 South Road	3 years	Jul 11, 2019 (renewal of GB-TUP-2016.2)	July 24, 2022
GB-TUP-2019.2	Kraus & Cripps	1410 Fisher Road	3 years	May 14, 2020	May 27, 2023



**Islands Trust**

Preserving *Island* communities, culture and environment

**Victoria Office**

200 - 1627 Fort Street  
Victoria, BC V8R 1H8  
Telephone: **250.405.5151**  
Fax: 250.405.5155  
information@islandstrust.bc.ca  
North Pender, South Pender, Galiano,  
Mayne, Saturna, Executive

[www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

**Salt Spring Office**

1 - 500 Lower Ganges Road  
Salt Spring Island, BC V8K 2N8  
Telephone: **250.537.9144**  
Fax: 250.537.9116  
ssiinfo@islandstrust.bc.ca  
Salt Spring

**Northern Office**

700 North Road  
Gabriola Island, BC V0R 1X3  
Telephone: **250.247.2063**  
Fax: 250.247.7514  
northinfo@islandstrust.bc.ca  
Denman, Gabriola, Gambier,  
Hornby, Lasqueti, Thetis

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

## Temporary Commercial and Industrial Use Supplemental Application Form

### Vacation Rental Application to the Gabriola Island Local Trust Committee

Print Form

**Office Use Only**

File No: \_\_\_\_\_

**The following form must be completed in full before a Temporary Commercial and Industrial Use Permit for commercial vacation rentals is processed. The information in this form is additional to the information required in the standard Temporary Commercial and Industrial Use Permit application form. Please complete both.**

1. Is the property within the Agricultural Land Reserve (check your land title for a notation or check with the Agricultural Land Reserve Commission)?

Yes  No

(If **yes**, you will need to first make an application to the Agricultural Land Reserve Commission for non-farm use. Please contact planning staff if you require more information.)

2. Attach a completed written water supply plan, for example, describing that the water will be provided using water on site and not bulk water sales, and describing your conservation plan.
3. Provide a professional assessment of the current well flow rate, so that the rate for the duration of the permit is at least 227 litres (50 imperial gallons), per paying guest per day.
4. Attach written documentation from a qualified professional that the septic tank has been inspected to show that it is working properly (either meets current VIHA standards or standards at the time the residence was built) and is capable of supporting the proposed occupancy load.
5. Attach proof of an occupancy permit.
6. Attach proof from a qualified professional that the building meets the fire code.
7. Provide a copy of information to be posted for guests on noise bylaws, water conservation, fire safety, storage of garbage, septic field location, and control of pets (if pet are permitted).
8. Attach scaled site plan showing:
  - the location and dimensions of the principal dwelling unit, accessory buildings and other buildings and structures on the property;
  - the distances between the principal dwelling unit subject to the commercial vacation rental and lot lines; and
  - proof that the property is capable of accommodating a minimum of two vehicles.
9. Provide the name, address and phone number of the owner or operations manager who will reside on Gabriola Island and be available 24 hours per day, seven days per week to respond to neighbour or Local Trust Committee concerns regarding the commercial vacation rental.

Name \_\_\_\_\_ Street Address \_\_\_\_\_

City \_\_\_\_\_ Region \_\_\_\_\_ Postal/Zip Code \_\_\_\_\_

Telephone \_\_\_\_\_

10. Indicate the maximum number of people that will use the commercial vacation rental at any one time; the guidelines in the Official Community Plan suggest that the maximum number should be two (2) guests per bedroom and the number of bedrooms limited to:

- 3 on lots smaller than 2.0 hectares; and
- 4 for lots of 2.0 hectares or larger.

The maximum number of paying guests are: \_\_\_\_\_

#### **A COMPLETED APPLICATION**

##### **A complete application requires:**

1. all of the information requested in this form;
2. a signed and completed Temporary Commercial and Industrial Use Permit Application Form; and
3. the prescribed fee.

#### **COMPLETED APPLICATIONS SHOULD BE SUBMITTED TO:**

**Northern Office**  
700 North Road  
Gabriola Island, BC V0R 1X3  
Telephone: **250.247.2063**  
Fax: 250.247.7514  
[northinfo@islandstrust.bc.ca](mailto:northinfo@islandstrust.bc.ca)  
*Denman, Gabriola, Gambier,  
Hornby, Lasqueti, Thetis*

Print Form



DATE OF MEETING: September 10, 2020  
TO: Gabriola Island Local Trust Committee  
FROM: Sonja Zupanec, Island Planner  
Northern Team  
SUBJECT: Development Variance Permit application for a retaining wall and fence  
Applicant: Sue Swift  
Location: 1059 Pat Burns Road (PID 003-135-136)

## RECOMMENDATION

- 1. That the Gabriola Island Local Trust Committee approve issuance of GB-DVP-2020.2 (Swift).**

## REPORT SUMMARY

The purpose of this report is to summarize development variance permit application GB-DVP-2020.2 (Swift). The applicant is requesting the Local Trust Committee (LTC) to relax front and side lot line setbacks to accommodate an existing retaining wall and relax the maximum permitted height for an existing fence, both sited along the Harrison Way road frontage. The applicant has obtained an encroachment permit from the Ministry of Transportation and Infrastructure (MOTI) for siting of the retaining wall and fence, which extend beyond the property boundaries and into the MOTI undeveloped portion of the road allowance. The fence height does not affect the views of neighbouring properties and concerns about land use issues unrelated to this application were noted from adjacent property owners during the notification period.

## RATIONALE FOR VARIANCE

The applicant seeks to vary the Gabriola Island Land Use Bylaw (LUB) in order to retain an existing 23 year old rock wall and a fence constructed in 2012 in the present location fronting Harrison Way (Attachment 2). It has been stated by the applicant that the rocks were placed along the property line for decoration 23 years ago when the road access was developed and the land was logged. Upon receipt of the DVP application, it was discovered that the fence had been constructed beyond the property line and into the Ministry of Transportation and Infrastructure (MOTI) road right of way; as well as into the adjacent property owner's lands and constructed to a height that exceeds what is permitted in the LUB.

## BACKGROUND

The application is a result of Bylaw Enforcement file (BE-GB-2016.12) which was closed in 2019. The applicant has complied with enforcement on illegal use of the property and has paid ticketing fines. The submission of the DVP application seeks to rectify siting contraventions which are considered minor in nature. A single family dwelling is located on the portion of the lot that is accessed by Pat Burns Avenue. The rock wall and fencing relevant to this application front Harrison Way. All relevant background materials are attached to this staff report (Attachment 1).

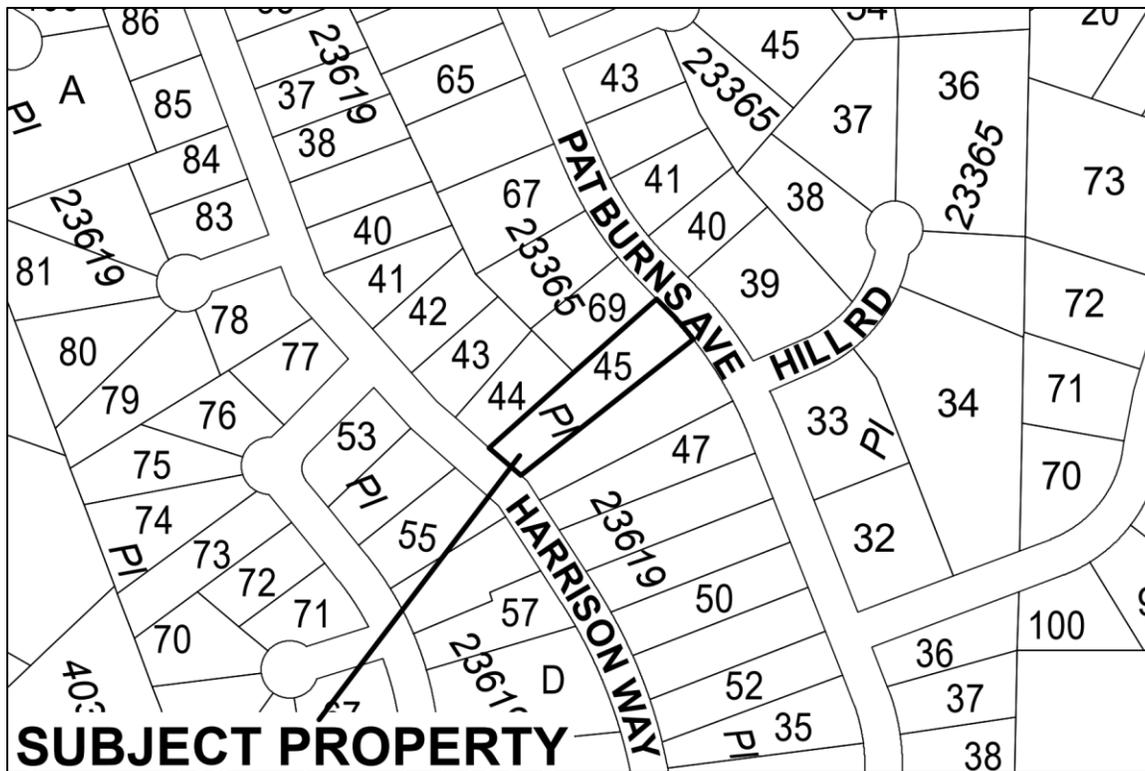


Figure 2. Aerial Photo (2018)

ANALYSIS

Policy/Regulatory

Attachment 1 addresses the subject site context.

#### Official Community Plan:

The property is designated as SRR – Small Rural Residential in the Gabriola Island Official Community Plan Bylaw No. 166, 1997 (OCP). Although Schedule C of the OCP shows located within Development Permit Area 6 (DPA 6), a determination has been made by senior staff that the subject development (retaining wall and fence) are located outside of the DPA 6 based on a review of the BC Soil Survey and the High Risk Steep Slope in the MapIT mapping.

#### Land Use Bylaw:

The property is in the Small Rural Residential Zone of the LUB. The applicant seeks to vary the Gabriola Island Land Use Bylaw (LUB) as follows:

to reduce the setback from a front lot line from 6.0 metres to 0.0 metres (existing retaining wall);

to reduce the setback from an interior side lot line from 1.5 metres to 1.1 metres (existing retaining wall); and

to increase the maximum height of a fence within 2.0 metres of a lot line from 2.0 metres to 2.5 metres.

#### Specifically:

Clause B.2.4.1 to be varied to state the height of fences may not exceed 2.5 metres

Clause D.1.1.3.a.1 to be varied to reduce the required setback from 6.0 metres to 0.0 metres

Clause D.1.1.3.a.1 to be varied to reduce the required setback from 1.5 metres to 1.1 metres

#### Analysis:

##### Issues and Opportunities

Despite historic bylaw enforcement infractions deriving from complaints by neighbours, this application addresses the outstanding siting and height provisions in the LUB and the variances being sought are considered minor in nature. The applicant has confirmed that the fence panels are less than 2 m in height but the posts and style of fence installation has increased the overall height to 2.5 m. An encroachment permit has been approved by MOTI for the rock wall and fence portions that extend into the MOTI road allowance.

##### Impact on Neighbouring Properties

The applicant has noted that an adjacent neighbour has no concerns with the existing rock wall and fence line and is not requesting any changes to be made to the road frontage. Notification to adjacent property owners was conducted and letters objecting to the application have been posted to the application [website](#). The objections are predominantly related to historic bylaw infractions related to illegal use of the subject property and do not address the location of the rock wall or height of the fence specifically.

##### Intent of regulations being varied

The intent of LUB Section B.2.4.1 “Within 2.0 metres (6.6 feet) of any lot line, the height of fences may not exceed 2.0 metres (6.6 feet) and, elsewhere, the height of fences may not exceed 3.5 metres (11.5 feet)” is to limit the visual impact of fencing for adjacent property owners, within 2m of a property line.

### Potential impacts of granting to variance

The granting of this variance would address the outstanding issues pertaining to the bylaw enforcement file.

### Circulation

A copy of the notice and permit was sent to adjacent property owners within 100 metres of the subject property on August 10, 2020 as per Development Procedures Bylaw No. 114. At the time of report writing there were two public submissions and any additional comments received will be forwarded to the LTC.

### Rationale for Recommendation

The siting of both the rock wall and fence have been approved by MOTI and are considered minor variances by bylaw enforcement and planning staff. Staff recommend the LTC approve issuance of the DVP as per the recommendation on Page 1 of the report.

### Alternatives

The LTC may consider the following alternative to the staff recommendation:

#### Deny the application

The LTC may deny the application. Staff advise that the implications of this alternative are that the DVP application file will be closed and transferred to bylaw enforcement. Bylaw Enforcement will work with the applicant to ensure reduction in height of the fencing and removal of the rock wall is completed in a timely manner. If this alternative is selected, the LTC should state the reasons for denial.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	August 21, 2020
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	August 27, 2020

### ATTACHMENTS

1. Site Context
2. Site Plan
3. Notice
4. Draft Development Variance Permit

## ATTACHMENT 1 – SITE CONTEXT GB-DVP-2020.2 (SWIFT)

### LOCATION

Legal Description	LOT 45, SECTION 12, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 23619
PID	003-135-136
Civic Address	1059 Pat Burns Avenue

### LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential (based on zoning)

### HISTORICAL ACTIVITY

File No.	Purpose
GB-BE-2016.12	Bylaw enforcement file associated with this application

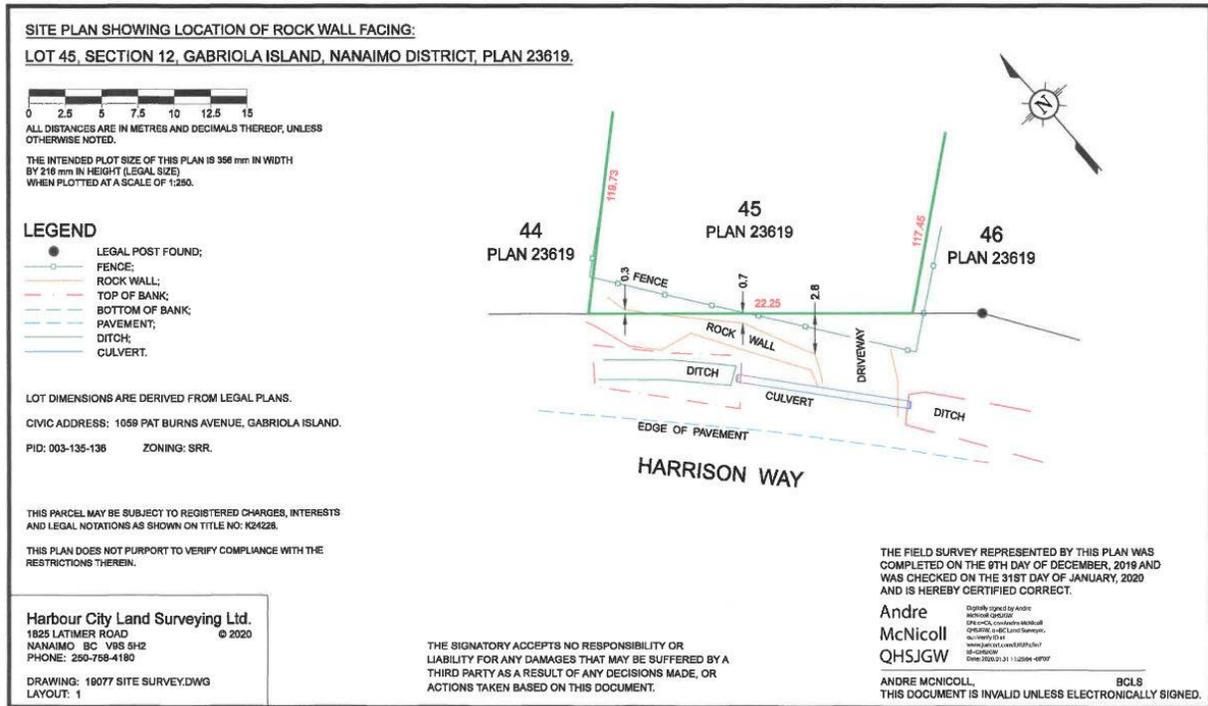
### POLICY/REGULATORY

Official Community Plan Designations	SRR Property determined to be outside development permit areas
Land Use Bylaw	SRR
Other Regulations	MOTI setback permit approved
Covenants	N/A
Bylaw Enforcement	File CLOSED in 2019.

### SITE INFLUENCES

Islands Trust Fund	N/A
Regional Conservation Strategy	N/A
Species at Risk	N/A
Sensitive Ecosystems	N/A
Hazard Areas	N/A
Archaeological Sites	No archeological resources on RADD.
Climate Change Adaptation and Mitigation	N/A
Shoreline Classification	Not Applicable
Shoreline Data in TAPIS	N/A

# ATTACHMENT #2 SITE PLAN GB-DVP-2020.2 (SWIFT)





**NOTICE**  
**GB-DVP-2020.2**  
**GABRIOLA ISLAND LOCAL TRUST COMMITTEE**  
**(SWIFT)**

**NOTICE** is hereby given that the Gabriola Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 498 of the *Local Government Act*, varying subsections of the Gabriola Island Land Use Bylaw No. 177, 1999, as follows:

PART B GENERAL REGULATION, Section B.2 GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.4 Fences, Article B.2.4.1 “Within 2.0 metres (6.6 feet) of any lot line, the height of fences may not exceed 2.0 metres (6.6 feet) and, elsewhere, the height of fences may not exceed 3.5 metres (11.5 feet)”; is varied:

- To increase the height of the fence within 2.0 metres (6.6 feet) of front lot line from 2.0 metres (6.6 feet) to 2.5 metres (8.2 feet).

PART D ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item i. “On lots less than 1.0 hectares (2.47 acres), except for a sign, fence, or pump/utility house, the minimum setback of buildings or structures is: 6.0 metres (19.7 feet) from the front lot line”; is varied:

- To reduce the front lot line setback from 6.0 metres to 0.0 metres to permit an existing retaining wall.

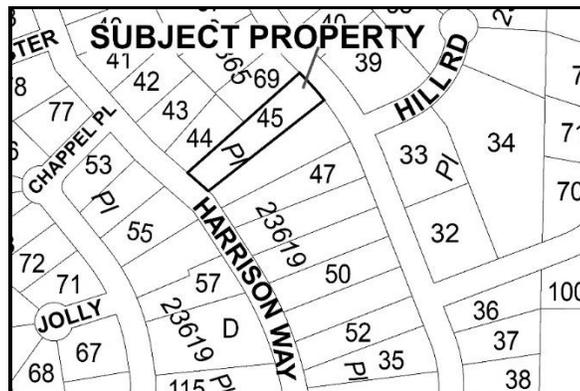
PART D ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item i. “On lots less than 1.0 hectares (2.47 acres), except for a sign, fence, or pump/utility house, the minimum setback of buildings or structures is: 1.5 metres (4.9 feet) from any interior lot line”; is varied:

- To reduce the required setback from 1.5 metres to 1.1 metres to permit an existing retaining wall.

The subject property is legally described as:

PID 003-135-136  
Lot 45, Section 12, Gabriola Island, Nanaimo District, Plan 23619

The general location of the subject area is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office Bulletin Board, 700 North Road, Gabriola Island, BC, V0R 1X3, and the Islands Trust website <http://www.islandstrust.bc.ca/islands/local-trust-areas/gabriola/current-applications/> commencing **August 17, 2020** and continuing up to and including **August 27, 2020**. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed Permit, please contact Bronwyn Sawyer, Planner 2, at 250-247-2207; for Toll Free Access request a transfer via Enquiry BC, in Vancouver 604-660-2421 and elsewhere in BC at 1-800-663-7867.

**Written submissions should be sent to:**

**Mail:** Islands Trust,  
700 North Road  
Gabriola, BC V0R 1X3  
**Fax:** 250-247-7514  
**Email:** [northinfo@islandstrust.bc.ca](mailto:northinfo@islandstrust.bc.ca)

Following the end of the notice period, the Gabriola Island Local Trust Committee may consider issuance of the proposed Permit at its **Electronic Business Meeting** to be held at **10:30 am, Thursday, September 10, 2020**.

**To listen and/or view the meeting or participate in the Town Hall portion of the Gabriola Island Local Trust Committee meeting, on September 10, 2020 starting at 10:30 a.m., the public may join the meeting by:**

- **Calling: 855.703.8985 (Toll Free)**
- **Logging into: <https://islandstrust.zoom.us/j/63486359381>**

The **Webinar ID number is: 63486359381**

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Becky McErlean  
Deputy Secretary

# PROPOSED

 <p>Islands Trust</p>	<p style="text-align: center;"><b>GABRIOLA ISLAND LOCAL TRUST COMMITTEE</b> <b>DEVELOPMENT VARIANCE PERMIT NO. GB-DVP-2020.2</b></p>
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**TO:** Susan Swift

1. This Development Variance Permit applies to the land described below:  
PID: 003-135-136  
Lot 45, Section 12, Gabriola Island, Nanaimo District, Plan 23619
2. Pursuant to Section 498 of the *Local Government Act*, the *Gabriola Island Land Use bylaw No. 177, 1999* is varied as follows:
  1. PART B GENERAL REGULATION, Section B.2 GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.4 Fences, Article B.2.4.1 “Within 2.0 metres (6.6 feet) of any lot line, the height of fences may not exceed 2.0 metres (6.6 feet) and, elsewhere, the height of fences may not exceed 3.5 metres (11.5 feet)”, **is varied:**
    - To increase the height of the fence within 2.0 metres (6.6 feet) of front lot line from 2.0 metres (6.6 feet) to 2.5 metres (8.2 feet).
  2. PART D ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item i. “On lots less than 1.0 hectares (2.47 acres), except for a sign, fence, or pump/utility house, the minimum setback of buildings or structures is: 6.0 metres (19.7 feet) from the front lot line”; **is varied:**
    - To reduce the required setback from **6.0 metres (19.7 feet) to 0.0 metres (0.0 feet)** to permit the lawful siting of a retaining wall.
  3. PART D ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item i. “On lots less than 1.0 hectares (2.47 acres), except for a sign, fence, or pump/utility house, the minimum setback of buildings or structures is: 1.5 metres (4.9 feet) from any interior lot line”; **is varied:**
    - To reduce the required setback from **1.5 metres (4.9 feet) to 1.1 metres (3.6 feet)** to permit the lawful siting of a retaining wall.
3. The proposed development shall be consistent with **Schedule “A” – Site Plan Survey** - attached to and forming part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Gabriola Island Land Use Bylaw No. 177, 1999 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development

**AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS \_\_\_\_\_ day of \_\_\_\_\_, 2020.**

\_\_\_\_\_  
**Deputy Secretary, Islands Trust**

\_\_\_\_\_  
**Date of Issuance**

**IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2022, THIS PERMIT AUTOMATICALLY LAPSES.**





File No.: GB-SUB-2017.1 (Henning  
(Kuprowsky))  
(Cross Ref. No. GB-SUB-  
2011.1)

DATE OF MEETING: September 10, 2020

TO: Gabriola Island Local Trust Committee

FROM: Marnie Eggen, Island Planner  
Northern Team

COPY: Heather Kauer, Regional Planning Manager

SUBJECT: Cost Recovery Agreement  
Applicant: Brian Henning  
Land Owner: George Kuprowsky and 0858317 BC Ltd.  
Location: 831 Chelwood Rd and 835 Chelwood Rd, Gabriola Island

## RECOMMENDATION

1. That the Gabriola Island Local Trust Committee enter into a cost recovery agreement allowing Islands Trust legal counsel to draft and/or review a covenant for the purposes of prohibiting increased density on the subject lots (PID: 009-739-602; PID:000-105-287) than what is currently permitted by the Gabriola Land Use Bylaw No. 17, in respect of subdivision application GB-SUB-2017.2.

## REPORT SUMMARY

As a condition of the above mentioned subdivision for a lot line adjustment between two lots, which would result in two split zoned lots, the applicant is required to register a covenant to each of the subject properties to prohibit an increase in density on the lots to ensure that the subdivision does not result in allowing a greater density than what is currently permitted by the Gabriola Land Use Bylaw No. 177.

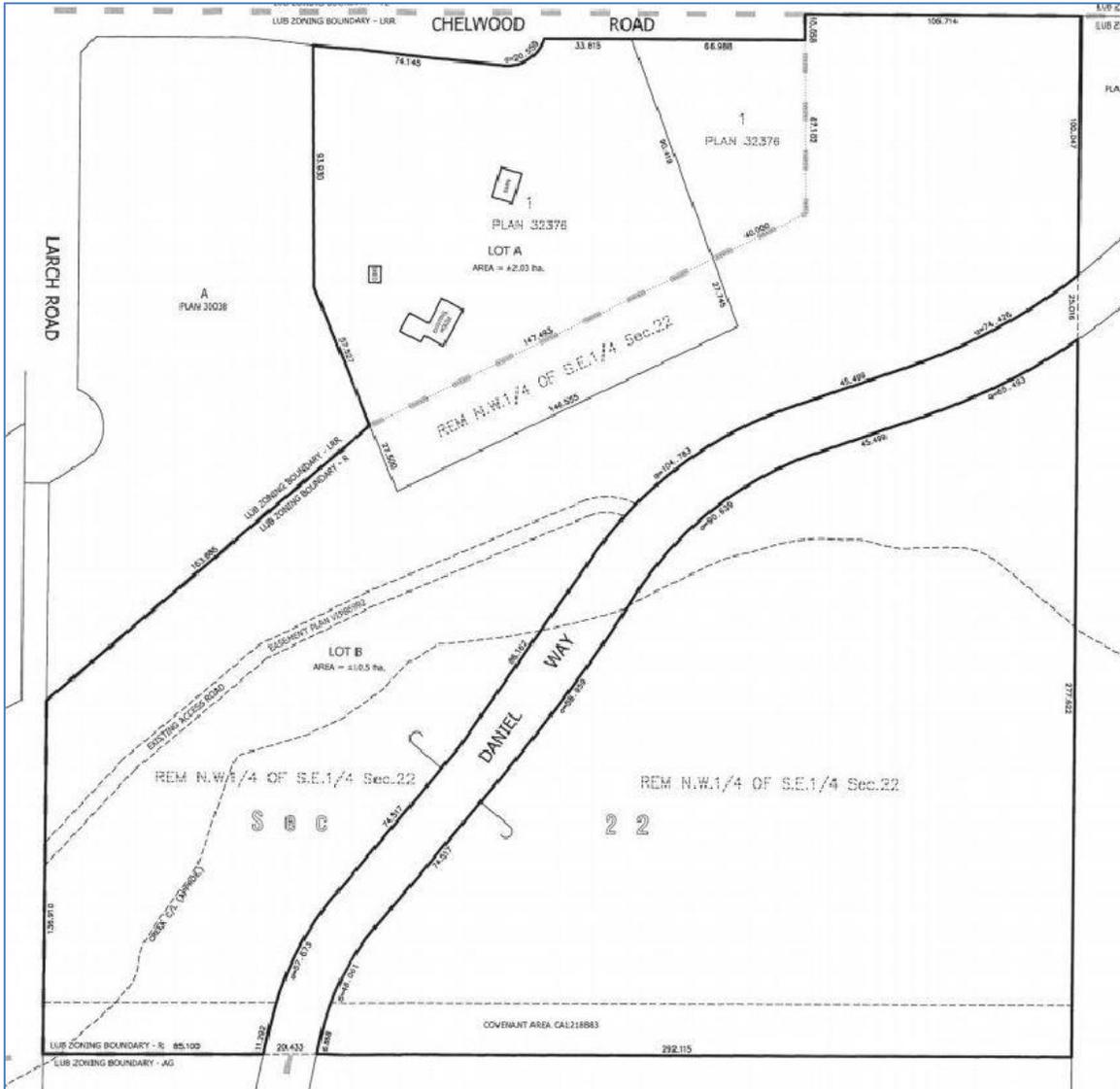
The subdivision is contingent on registration of the covenant. In order for Islands Trust legal counsel to draft and/or review the covenant, a cost recovery agreement is required to be struck between the applicant and the Islands Trust. Staff recommends that Gabriola Local Trust Committee (LTC) agree to enter into the cost recovery agreement on behalf of the Islands Trust so that the preparation of the covenant can commence and to advance the subdivision application.

## BACKGROUND

The proposed lot line adjustment intends to adjust the boundary between the two lots on Chelwood Road by adding 0.4 hectares of area from each lot to the other, resulting in an altered lot configuration, but no net change in the lot area of either parcel. The proposal would result in each lot becoming split zoned Large Rural Residential (LRR) and Resource (R). See the figure below for the plan of proposed lot line adjustment.

The purpose of the lot line adjustment is to resolve a civil dispute that arose when trees were removed from 835 Chelwood without the owner's permission and to provide 835 Chelwood Road with a desirable house site.

Figure 1: Proposed Lot Line Adjustment at 831 and 835 Chelwood Road, Gabriola



**ANALYSIS**

**Policy/Regulatory**

**Official Community Plan and Land Use Bylaw:**

Section C.3.1.2.(a) of the Gabriola Land Use Bylaw No. 177 (LUB) states “when determining the dwelling units density...for lots with an area in more than one zone, each separately zoned area of the lot is to be considered as being a separate lot”. Based on this provision, the proposal would result in an increase in density potential, which is in conflict with Policy 2.0 (k) of the Gabriola Official Community Plan No. 166 (OCP) which does not support an additional residential density being created, unless the increased density is for the purpose of Affordable Housing for Special Needs residents and Seniors, and this is not part of the proposal.

To resolve this, the applicant is requested to apply to register a covenant against the title of the properties which would prevent the addition of residential density beyond what is currently permitted by the Gabriola Land Use Bylaw.

**Rationale for Recommendation**

In order for Islands Trust legal counsel to draft and/or review the covenant, a cost recovery agreement is required to be struck between the applicant and the Islands Trust. Staff recommends that Gabriola Local Trust Committee (LTC) agree to enter into the cost recovery agreement on behalf of the Islands Trust so that the preparation of the covenant can commence and to advance the subdivision application. The staff recommendation is included on Page 1 of the report.

**NEXT STEPS**

Should the LTC concur with staff’s recommendation, staff will prepare the cost recovery agreement and coordinate with legal counsel to prepare the covenant.

Submitted By:	Marnie Eggen, RPP, MCIP Island Planner	August 31, 2020
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	September 1, 2020

**ATTACHMENTS** - none

**Gabriola Directory**

685 Crestwood Road  
Gabriola Island BC V0R 1X4  
250-247-8799  
gabrioladirectory@shaw.ca  
www.gabrioladirectory.com  
GST Registration No.: 861458891RT0001

# INVOICE

**BILL TO**

Becky  
Islands Trust Northern  
Planning Office  
700 North Road  
Gabriola Island BC V0R 1X3

**INVOICE #** 897

**DATE** 08/09/2020

**DUE DATE** 08/10/2020

**TERMS** Net 30

DATE	ACTIVITY	DESCRIPTION	TAX	QTY	RATE	AMOUNT
	<b>Full Page</b>	Full Page Ad	G	1	599.00	599.00
	<b>Discount Given</b>		G	1	-	-230.00
					230.00	
	<b>Inside Full Page</b>		.	1	0.00	0.00

This invoice reflects your previous setup using 2021 Directory advertising costs which have relatively remained the same with the exception of colour.

FULL COLOUR IS NOW AVAVAILABLE

Direct all inquiries to to [gabrioladirectory@shaw.ca](mailto:gabrioladirectory@shaw.ca)

SUBTOTAL	369.00
GST @ 5%	18.45
TOTAL	387.45
BALANCE DUE	<b>\$387.45</b>

**TAX SUMMARY**

	RATE	TAX	NET
GST @ 5%		18.45	369.00

Payment Options:

1. Drop off a cheque at Colleen's Store in the Village Plaza. Make cheque payable to Gabriola Directory and please include your business name on the memo line.
2. Mail your cheque to Gabriola Directory, 685 Crestwood Road, Gabriola Island V0R 1X4
3. Make an online banking Etransfer to [gabrioladirectory@shaw.ca](mailto:gabrioladirectory@shaw.ca)

Late fees may apply to payments made after midnight October 31st.



## Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality July 14, 2020

### Islands Trust Conservancy Board News

The Islands Trust Conservancy Board endorsed proposed adjustments to the 2020 annual monitoring program for nature reserves and conservation covenants due to the COVID-19 pandemic.

The Board and the Executive Committee shared a liaison meeting, July 14, 2020 and discussed:

- Working with the Province, including potential changes to Natural Area Protection Tax Exemption Program (NAPTEP) legislation and a Provincial funding request
- Working with Trust Council, including work associated with the Climate Change Emergency Declaration, ITC Budgets and ITC work towards a strategic charitable giving program
- Other items as per the agenda at <http://www.islandstrustconservancy.ca/about-us/meetings/>

The liaison meeting occurs annually as per Islands Trust policy.

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### Regional Conservation Plan Updates

The science-based and community-informed Regional Conservation Plan guides the work of ITC. The ITC continues to work towards 4 long-term goals and 25 objectives that further conservation in the entire Trust Area. For more information, visit [www.islandstrustconservancy.ca/media/84821/itc\\_2018-11\\_rcp-2018-2027-web\\_final.pdf](http://www.islandstrustconservancy.ca/media/84821/itc_2018-11_rcp-2018-2027-web_final.pdf).

#### **Goal 1 – Science-based Conservation Planning**

Islands Trust Acting Senior Policy Advisor presented a brief overview of the Climate Action Plan (CAP) currently in development by the Climate Policy Working Group (CPWG). The CPWG supports joint collaboration and communication between Trust Area Services, Local Planning Services and ITC for incorporating climate change into policy guidance. Resources will be used from both Trust Area Services and Islands Trust Conservancy.

#### **Goal 2 – Strong relationships with First Nations**

The ITC Board considered ways to advance engagement with First Nations through considerations in all of its land management and acquisition decisions.

#### **Goal 3 – Protection of core conservation areas**

##### **Property Management**

Staff are conducting a reduced monitoring season to accommodate travel restrictions due to COVID-19.

The ITC Board approved conservation covenant management plans for Winter Wren Wood on Denman Island (see island updates below).

### **Land Acquisition and Covenants**

The ITC Board approved the transfer of 3.4 ha of land on Keats Island which will become the Sandy Beach Nature Reserve. This will be the ITC's 30<sup>th</sup> Nature Reserve and was a requirement of rezoning as directed by the Gambier Island Local Trust Committee.

The ITC approved a small covenant on Salt Spring Island which will provide a buffer area for the Lower Mount Erskine Nature Reserve which is managed by the ITC.

### **Goal 4 – A strong voice for nature conservation**

The Board directed staff to prepare a histogram showing the size distribution of Island Trust Conservancy nature reserves and covenants.

## **Activities by Local Trust Area/Island Municipality**

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**Denman** – The Board approved the Denman Conservancy Association's update of the Management Plan for Winter Wren Wood dated April 18, 2020 with the recommendation that the Denman Conservancy seek assistance from ITC staff or First Nations such that the property management becomes inclusive of climate change and reconciliation.

**Gambier** – The Board directed the Chair to sign the Transfer Agreement, between the Convention of Baptist Churches of British Columbia and the Islands Trust Conservancy, for the transfer of Sandy Beach. The Board directed staff to bring recommendations to the Board regarding the use of the required \$12,000 contribution from the Convention of Baptist Churches.

**Salt Spring** – The Board authorized the Chair to sign a conservation covenant over a small area adjacent to the Lower Mount Erskine Nature Reserve which is managed by ITC.

*Please feel free to contact the Islands Trust Conservancy for more details.*

*Kate-Louise Stamford, Chair [kstamford@islandstrust.bc.ca](mailto:kstamford@islandstrust.bc.ca)*

*Islands Trust Conservancy [itcmail@islandstrust.bc.ca](mailto:itcmail@islandstrust.bc.ca)*



**Development Permit**

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

**Planner:** Ian Cox

**Planning Status**

**Status Date:** 22-Jul-2020

No change in status.

**Status Date:** 04-May-2020

Waiting on applicant and agency information. Heritage Branch notice on title.

**Status Date:** 07-Feb-2020

Environmental covenant registered. Applicant awaiting direction from Arch Branch for HCA Notice.

**Development Variance Permit**

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2016.3	Van Herwaarden, Lynn	24-Aug-2016	PID: 003-422-852 539 Wildwood Crescent, Gabriola Island. DVP to bring property into compliance.

**Planner:** Ian Cox

**Planning Status**

**Status Date:** 22-Jul-2020

No change in status. Awaiting management approval/COVID-19 protocol to conduct site visit.

**Status Date:** 15-Jun-2020

No change in status. Awaiting management approval/COVID-19 protocol to conduct site visit.

**Status Date:** 12-May-2020

No change in status.



Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2017.1	Fenton, Rob	03-Aug-2017	PID: 009-796-045 To bring property into bylaw compliance. Civic address: Acorn Island

Planner: Ian Cox

Planning Status

**Status Date:** 22-Jul-2020

No change in status.

**Status Date:** 04-May-2020

Waiting for information from applicant and agency. Heritage Branch notice on title must be registered before DVP issuance.

**Status Date:** 17-Mar-2020

Environmental covenant as part of DP registered to property title. Applicant awaiting direction from Arch Branch for HCA Notice as condition of DVP.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2020.2	Swift, Susan	06-Feb-2020	PID: 003-135-136 Retaining wall in setback. Civic address: 1059 Pat Burns Avenue, Gabriola Island, BC.

Planner: Sonja Zupanec

Planning Status

**Status Date:** 16-Jul-2020

Expected to be on September LTC Agenda

**Status Date:** 04-May-2020

Under review by planner

**Status Date:** 10-Feb-2020

Under review by planner



Rezoning

File Number	Applicant Name	Date Received	Purpose
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GB-RZ-2019.1	BC Transportation Financing Authority/BC Ferry Services Inc.	05-Apr-2019	PIDs: 025-798-090 and 025-798-103 Rezoning for improved ferry terminal - future marine and upland improvements. Civic address: Descanso Bay, Gabriola
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Planner: Sonja Zupanec

Planning Status

**Status Date:** 14-May-2020  
Verbal update to LTC. Staff to schedule CIM.

**Status Date:** 16-Apr-2020  
Staff memo to LTC.

**Status Date:** 23-Jan-2020  
Draft amendment bylaws 304 & 305 given 1st reading, referrals sent out. Staff to schedule a CIM following referral period.

File Number	Applicant Name	Date Received	Purpose
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GB-RZ-2020.1	Gabriola Housing Society (Nancy Hetherington Peirce)	15-Jan-2020	PIDs: 028-580-095 and 028-580-109 Affordable housing project. Civic address: Lots 1 & 2 Paisley Place, Gabriola Island, BC.
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Planner: Jaime Dubyna

Planning Status

**Status Date:** 26-Aug-2020  
CIM conducted online via Zoom.

**Status Date:** 12-Aug-2020  
Supplemental professional engineer report, by Elanco Enterprises, dated Aug. 6, 2020, submitted.

**Status Date:** 30-Jul-2020  
LTC directed staff to: develop a draft housing agreement with applicant; enter into a cost recovery agreement, if necessary, for legal counsel review of draft housing agreement; and schedule a CIM in the week of Aug 24-28, with concurrence from Snuneymuxw First Nation.



Subdivision

File Number	Applicant Name	Date Received	Purpose
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GB-SUB-2020.2 Centre Stage Holdings Ltd. c/o J.E. Anderson  
 31-Jul-2020 PID: 027-086-500 3 lot subdivision. Civic address: Lot 20 Section 8  
 Planner: Sonja Zupanec

Planning Status

Status Date: 31-Jul-2020  
 File opened and assigned

File Number	Applicant Name	Date Received	Purpose
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GB-SUB-2020.3 Centre Stage Holdings Ltd. c/o J.E. Anderson  
 31-Jul-2020 PID: 003-134-806 17 lot subdivision Civic address: North East 1/4 of Section 3  
 Planner: Sonja Zupanec

Planning Status

Status Date: 31-Jul-2020  
 File opened and assigned

**Islands Trust**  
 LTC EXP SUMMARY REPORT F2021  
 Invoices posted to Month ending July 2020

620 Gabriola	Invoices posted to Month ending July 2020	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	1,031.00	0.00	1,031.00
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	3,003.00	1,325.25	1,677.75
65210-620	LTC - Local Exp - APC Meeting Expenses	172.00	30.00	142.00
65220-620	LTC - Local Exp - Communications	1,000.00	0.00	1,000.00
65230-620	LTC - Local Exp - Special Projects	588.00	0.00	588.00
TOTAL LTC Local Expense		<u>4,763.00</u>	<u>1,355.25</u>	<u>3,407.75</u>
Projects				
73001-620-4097	Gabriola Housing Options & Impacts	4,000.00	0.00	4,000.00
73001-620-4104	Gabriola Cannabis Regulations	1,500.00	240.00	1,260.00
TOTAL Project Expenses		<u>5,500.00</u>	<u>240.00</u>	<u>5,260.00</u>

## Gabriola Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	June 14, 2018	GB-2018-040	Processing non-medical cannabis retail license applications	<p><b>It was MOVED and SECONDED</b> that the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications:</p> <ul style="list-style-type: none"> <li>• Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee;</li> <li>• The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical;</li> <li>• The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; and</li> <li>• However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: <ul style="list-style-type: none"> <li>• Name of the applicant and a description of the proposal in general terms;</li> <li>• The location of the proposed establishment and the subject site;</li> <li>• The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered;</li> <li>• The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and</li> <li>• How public comments may be submitted to the Local Trust Committee.</li> </ul> </li> </ul>
2.	November 22, 2018	GB-2018-122	Applications for Federal Cannabis License	<p><b>It was MOVED and SECONDED</b> that the Gabriola Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.</p>
3.	February 28, 2019	GB-2019-031	First Nations - Community Reconciliation	<p><b>It was MOVED and SECONDED</b> that the Gabriola Island Local Trust Committee adopt the following standing resolution:</p> <p>Whereas the Local Trust Committee seeks to engage in Reconciliation with local</p>

				<p>First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to:</p> <ul style="list-style-type: none"> <li>a) Annually, write a letter to First Nations, (re)introducing Trustees and Staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as provide an update of current projects and advocacy activities;</li> <li>b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory;</li> <li>c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history;</li> <li>d) Work with First Nation governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; and</li> <li>e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.</li> </ul>
4.	April 11, 2019	GB-2019-038	Limited Public Markets Enforcement	<p><b>It was MOVED and SECONDED</b> that the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to limited public markets:</p> <ul style="list-style-type: none"> <li>a) Islands Trust Bylaw Enforcement Staff are directed to not enforce Section B.6.2 of Gabriola Island Land Use Bylaw No. 177, 1999 when limited public markets are operated indoors, but rather to inform the operators of the applicable land use regulations;</li> <li>b) This enforcement policy does not permit violation of the Land Use Bylaw and the Gabriola Island Local Trust Committee may at any time, by resolution, modify or rescind this policy or give direction to expand enforcement activities.</li> </ul>
5.	April 11, 2019	GB-2019-040	S219 Covenant	<b>It was MOVED and SECONDED</b>

			Signatories	<p>that the Gabriola Island Local Trust Committee adopt the following standing resolution:</p> <p>that the Gabriola Island Local Trust Committee is authorized to enter into section 219 covenants, in the form of the 'Model Covenant for Secondary Suites' attached and in satisfaction of subsection B.6.6.8 of the Gabriola Island Land Use Bylaw No. 177, provided that such covenants must be executed on behalf of the Local Trust Committee by two members of the Local Trust Committee.</p>
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# Top Priorities Report

## Gabriola Island

1. <i>Housing Options and Impacts Review Project</i>	Responsible	Dates
<p>Develop an Engagement and Communication Strategy;</p> <p>Strengthen relationships with Snuneymuxw First Nation and incorporate First Nation perspectives into policy/regulatory options;</p> <p>Explore opportunities to foster affordable, rental, special needs and seniors housing and associated services;</p> <p>Develop a strategy to address all housing continuum gaps;</p> <p>Ensure policy/regulatory changes are consistent with the Object of the Islands Trust, the ITPS, with focus on water protection/conservation and ecological footprints.</p>	Sonja Zupanec	Rec'd: 22-Nov-2018
2. <i>Cannabis Production and Retail Sales</i>	Responsible	Dates
<p>Proposed Bylaw 303 introduced to amend the Gabriola Land Use Bylaw provisions pertaining to cannabis regulations, definitions, lot setbacks and building size.</p>	Heather Kauer	Rec'd: 22-Nov-2018
3. <i>Develop an Ecological Protection Zone</i>	Responsible	Dates
<p>Research and develop a new ecological protection zone as part of the Parks (P) OCP designation. Update zoning of Coats Marsh and Burren's Acres Nature Reserve properties.</p>	Ian Cox	Rec'd: 22-Nov-2018



## Gabriola Island

### 1. DeCourcy Island OCP and Bylaw Review

Responsible

Date Received

Review DeCourcy Island Official Community Plan and Regulatory bylaws; establish an Advisory Planning Commission. Topics include: park areas without park zoning, DAI Bylaw, subdivision polices and regulations (added March 2017).

21-Apr-2011

### 2. Hazardous areas/Steep Slopes DPA

Responsible

Date Received

Consider hazardous areas and steep slopes development permit area designation; consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain

21-Feb-2013

### 3. Coastal areas protection

Responsible

Date Received

Review OCP and LUB to improve protection of coastal areas; development of a comprehensive DPA for shorelines in the Gabriola Island Local Trust Area

19-Jan-2012

### 4. First Nations cultural references

Responsible

Date Received

Consider First Nations cultural references in land use planning; Work with Snuneymuxw First Nation (SFN) to seek funding for archaeological mapping.

27-Jan-2011

### 5. Eelgrass protection

Responsible

Date Received

Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).

14-May-2014



# Projects Report

## Gabriola Island

6. <i>Snuneymuxw Protocol Agreement</i>	Responsible	Date Received
Implementation of Snuneymuxw First Nation Protocol Agreement		22-Jan-2015
7. <i>Gabriola Village Plan</i>	Responsible	Date Received
Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core		02-Apr-2015
8. <i>Snuneymuxw Relationship Building</i>	Responsible	Date Received
Strengthen relationship with Snuneymuxw First Nation		02-Apr-2015
9. <i>Green Energy</i>	Responsible	Date Received
Consider policy and regulatory mechanisms to encourage green and renewable energy		02-Apr-2015
10. <i>Commercial Vacation Rental Review</i>	Responsible	Date Received
Review bylaws with respect to temporary use permits for commercial vacation rentals		07-May-2015
11. <i>LUB Amendments</i>	Responsible	Date Received

## Projects Report

### Gabriola Island

- Review of temporary sawmill regulations
- Definition of personal use of animals for SRR zoned lots
- Review of how cisterns, solar panels and parking are regulated as structures subject to lot coverage calculations
- Review of section B.2.1.1 for variances within DP3
- Review minimum average parcel size calculations in LUB and OCP to ensure consistent and supportive of more than 5% dedication of parkland
- IN1 zoning to ensure consistent with existing Arts Council use.
- definition and regulations for limited public market, and INI zone uses pertaining to market sales
- correction to WC3 mapped location to coincide with Green Wharf

08-Sep-2016

12. <i>Water Resource Planning</i>	Responsible	Date Received
Review of water requirements at the time of subdivision		14-Jun-2018
13. <i>Water Taxi Feasibility</i>	Responsible	Date Received
Follow up items emerging out of water taxi feasibility (completed fall 2018)		22-Nov-2018
14. <i>Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)</i>	Responsible	Date Received
Implementation of the report recommendations into OCP policy and LUB regulations.		24-Jan-2019



## Projects Report

### Gabriola Island

#### 15. *GB LUB Accessory Buildings*

Responsible

Date Received

Review of regulations pertaining to the order of construction of accessory buildings on lots.

12-Sep-2019

#### 16. *Draft an application for a UBCM grant to develop a poverty reduction strategy*

Responsible

Date Received

24-Oct-2019

#### 17. *Review of model antenna strategy*

Responsible

Date Received

27-Feb-2020