

Regular Meeting Revised Agenda

Date: January 21, 2021
 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

2.1. Resolution to Continue to Hold Electronic Meetings

That in order to meet the principles of openness, transparency, and accessibility, meetings of the Gabriola Island Local Trust Committee will be held electronically until Ministerial Orders under the *Emergency Program Act* and requirements or recommendations under the *Public Health Act* change regarding public attendance at trust body meetings; and that such meetings 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.

3. REPORTS 10:35 AM - 11:00 AM

3.1. Trustee Reports

3.2. Chair's Report

3.3. *Electoral Area Director's Report*

3.4. First Nation Reports

4 - 4

4. TOWN HALL

5. MINUTES 11:00 AM - 11:05 AM

5.1. Local Trust Committee Minutes dated October 22, 2020 – for adoption

5 - 14

5.2. Local Trust Committee Special Meeting Minutes dated December 10, 2020 - for adoption

15 - 20

5.3. *Local Trust Committee Minutes dated November 26, 2020 - for adoption*

21 - 28

5.4.	<i>Local Trust Committee Public Hearing Record dated January 7, 2021 - for adopted</i>	29 - 35
5.5.	<i>Local Trust Committee Special Meeting Minutes dated January 7, 2021 - for adoption</i>	36 - 40
5.6.	Section 26 Resolutions-Without-Meeting Report dated January 12, 2021	41 - 41
5.7.	Housing Advisory Planning Commission Minutes dated December 17, 2020 - for receipt	42 - 45
6.	BUSINESS ARISING FROM MINUTES	11:05 AM - 11:25 AM
6.1.	Follow-up Action List dated January 12, 2021	46 - 49
6.2.	Public Participation Guidelines	
6.2.1.	<i>Guidelines presented at November 26, 2020 Meeting</i>	50 - 50
6.2.2.	<i>Guidelines with Suggested Changes - Trustee Langereis - for discussion</i>	51 - 53
7.	APPLICATIONS, REFERRALS AND BYLAWS	11:25 AM - 11:45 AM
7.1.	<i>GB-SUB-2017.2 (Henning/Kuprowsky) - Staff Report</i>	54 - 64
7.2.	<i>GB-RZ-2019.1 (BC Ferries) - Memorandum</i>	65 - 67
7.2.1.	Letter dated December 1, 2020 from BC Ferry Services Inc.	68 - 74
7.2.2.	Letter dated December 15, 2020 from Stantec Consulting Ltd.	75 - 75
7.3.	GB-RZ-2020.1 (Gabriola Housing Society)	
7.3.1.	Bylaw No. 306 and 307 - verbal update	
7.3.2.	Bylaw No. 308 - for update and discussion	
8.	LOCAL TRUST COMMITTEE PROJECTS	11:45 AM - 12:30 PM
8.1.	Project Management Presentation	
8.2.	Ecological Protection Zone - Staff Report	79 - 82
8.3.	Housing Options and Impacts Review Project - verbal update on Gabriola Housing Working Group Activities	
9.	DELEGATIONS	
10.	CORRESPONDENCE	12:30 PM - 12:35 PM
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
10.1.	Letter dated November 20, 2020 from Gabriola Agricultural Co-op regarding Proposed Bylaw No. 303 and Issues on Land Use for Cannabis Production	83 - 83

11.	NEW BUSINESS	12:35 PM - 1:00 PM	
11.1.	Housing Advisory Planning Commission Terms of Appointment - for decision		84 - 89
11.2.	Draft Gabriola Build Out Map 2021 - verbal update and demonstration		
11.3.	Procedures for Discussing and Recording Motions in Minutes - for discussion		
	----- BREAK 1:00 PM TO 1:30 PM -----		
12.	REPORTS	1:30 PM - 1:50 PM	
12.1.	Climate Change Action Update		
12.2.	First Nations Relationship Building		
12.3.	Trust Conservancy Report dated November 24, 2020		90 - 92
12.4.	Applications Report dated January 12, 2021		93 - 98
12.5.	Trustee and Local Expense Report dated October, 2020		99 - 99
12.6.	Adopted Policies and Standing Resolutions		100 - 102
12.7.	Local Trust Committee Webpage		
13.	WORK PROGRAM	1:50 PM - 2:15 PM	
13.1.	Top Priorities Report dated January 12, 2021		103 - 103
13.2.	Projects List Report dated January 12, 2021		104 - 107
14.	CLOSED MEETING - none		
15.	UPCOMING MEETINGS		
15.1.	Next Regular Meeting Scheduled for Thursday, March 4, 2020 at 10:30 am at - Location to be determined		
16.	ADJOURNMENT	2:15 PM - 2:15 PM	

Date: January 21 2021

To: Gabriola Island Local Trust Committee

From: Vanessa Craig, RDN Director Area B

Subject: Electoral Area Director's Report

Dear Chair Rogers and Trustees Langereis and Colbourne,

Thank you for inviting me to participate in the Islands Trust meeting. Unfortunately I am unable to attend this month because I have an RDN committee meeting at the same time. I have the following update to share:

- At the most recent Committee of the Whole meeting the committee supported applying for COVID relief grant funds to replace the portable at Rollo McClay field. The portable has been closed due to its unsafe condition and is scheduled to be removed this year. The grant will cover 100% of the costs of a new portable if we are successful. The recommendation is coming to the Board later this month and I hope the project will be supported to go forward as a grant application.
- The RDN is currently going through an Alternate Approval Process (AAP) to determine if residents are in favour of the RDN creating a new service associated with placing new electric vehicle charging stations at ten locations across the RDN. The RDN received a large provincial grant to support installing the chargers. This is an opportunity for the RDN to make progress towards showing leadership in addressing climate change by supporting the development of an electric charging network across Vancouver Island and the surrounding area. The initial estimated annual cost for Area B residents to support the charger maintenance etc. is \$0.23 per \$100,000 of assessed value (so a household whose home is assessed at \$500,000 would pay \$1.15 per year). An AAP process can be used in specific situations and must occur in a manner as outlined by the provincial government. Residents who are in favour of the RDN creating a new service need take no action; residents who are opposed to the new service must register their opposition in writing on a specific form, to be received at the RDN office in Nanaimo no later than February 15, 2021. Residents can receive a form by downloading it from <https://www.rdn.bc.ca/sites/default/files/inline-files/EV%20Charging%20Station%20-%20Elector%20Response%20Form.pdf>, by picking up a copy from the RDN office in Nanaimo, or by calling 250-390-4111 or 1-877-607-4111 to request a mailed copy of the form.

If the AAP is successful, Gabriola will receive one of the chargers. The original selection of locations occurred prior to us hearing that we'd received the Huxley Park grant, so Descanso Bay Regional Park was selected as a potential location (dependent on a feasibility study). At the upcoming Board meeting I am making a Motion to change the location to Huxley Park (pending a feasibility study). This will require changes to the redesigned parking area planned as part of the Huxley Park Phase 2 development.

- Windley Contracting has demobilized for the winter and expect to return to working on the Village Way project in March when the asphalt plant starts back up. Currently we have temporary fencing in place for safety. The railings are in production and installation of the railings is expected to continue through the winter.

Upcoming

- The next Board meetings are on January 26th and February 23rd starting at 1 pm. The next EASC meeting will be held February 4th (1 pm start), and the next CoW meeting will be held February 9th (1 pm start). All meetings are held online and links to watch the meetings are on the RDN website.
- The next Regional Parks and Trails Select Committee is on February 2nd, 10 am start.
- The next Parks and Open Spaces Committee meeting will be held February 22nd, 10 am start.

Respectfully submitted, Vanessa Craig



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: October 22, 2020
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
Sonja Zupanec, Island Planner
Jaime Dubyna, Planner 2
Nadine Mourao, Recorder

Others Present: There were approximately twenty (20) 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 10:32 am, welcomed the public and introduced Trustees, Staff and Recorder. Chair Rogers, Trustee Colbourne, and Trustee Langereis acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

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

- Add 5.3 Gabriola Island Advisory Planning Commission (APC) Protocol for Siting of New Antenna Systems; and
- Add 11.2 Regional District Nanaimo and Natures Trust meeting.

By general consent the agenda was approved as amended.

By general consent the meeting was recessed at 10:50 am and reconvened at 10:57 am.

3. REPORTS

3.1 Trustee Reports

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

- Trust Programs Committee (TPC);
- Meeting with Harold Joe, recommended 'Dust 'n Bones' documentary;
- Snuneymuxw First Nations meeting;
- Land-based Intergenerational Simon Fraser University (SFU) Project webinar;
- Union of BC Municipalities (UBCM) webinars;

- Gabriola Agriculture Co-op Annual General Meeting;
- Gabriola joined Trees 4 Tomorrow program to restore the Coastal Douglas Fir ecosystems; and
- Ferry Advisory Committee (FAC) meeting.

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

- Trust Council (TC);
- Regional Planning Committee (RPC);
- Rainwater Harvesting webinar from Climate Action Speaker Series:
 - Ecosystem-Based Adaptation, October 27, 2020;
 - Eelgrass: A Climate Hero, November 24, 2020;
 - All are welcome to attend and can register at the Islands Trust Website (<http://www.islandstrust.bc.ca/trust-council/projects/stewardship-education-program/>);
- Regional District of Nanaimo (RDN) and Nature Trust meeting; and
- TPC.

3.2 Chair's Report

Chair Rogers reported the following:

- Executive Committee (EC) electronic meeting;
- The journey we are on in reconciliation with indigenous people has taken many forms and new training starting soon regarding calls for justice of murdered and missing indigenous women;
- Islands Trust Conservancy received Federal funding for species at risk; and
- 2021/22 Budget draft at TC in December.

3.3 Electoral Area Director's Report

Written report in the updated agenda on the website.

Trustees requested a report on subdivision process at a future meeting.

GB-2020-079

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to provide a report on the subdivision process as it pertains to Local Trust Committee in early 2021.

CARRIED

3.4 First Nation Reports

Trustee Colbourne provided a verbal update on meeting with Snuneymuxw First Nations regarding First Nations – Community Reconciliation protocol updates and comments. He has forwarded to Lisa Wilcox, Senior Intergovernmental Policy Advisory.

Chair Rogers noted that Lisa Wilcox, Senior Intergovernmental Policy Advisor stated that there is a move to set up a more formal and coordinated relationship between First Nations and the BC Archaeology Branch.

4. TOWN HALL

A member of the public asked for clarification on 'non-market' affordable housing and why ownership of units is included in the proposed definition of affordable housing in GB-RZ-2020.1 Gabriola Housing Society (GHS).

A member of the public noted issues around communication service protocols that rely on public consultation each time there are technology changes to antennae towers and the barriers this may create for enhanced cellular coverage. Also noted concerns with Islands Trust (IT) jurisdiction and requested dissemination of science based health information.

5. MINUTES

5.1 Local Trust Committee Minutes dated September 10, 2020 – for adoption

By general consent the Local Trust Committee meeting minutes of September 10, 2020 were adopted.

5.2 Local Trust Committee Special Meeting Minutes dated October 2, 2020 - for adoption

The following amendments to the minutes were presented for consideration:

- Page 2, 3rd bullet, delete comments after "Trustee Langereis to re-look at definition of affordable housing".

By general consent the minutes of October 2, 2020 were adopted as amended.

5.3 Advisory Planning Commission Draft Minutes dated September 23, 2020 - for receipt

Gabriola Island Advisory Planning Commission (APC) Protocol for Siting of New Antenna Systems

The following was noted by Trustees:

- Unsure of formal mechanism to address emergency services consultation; and
- Trustee Langereis to bring forward to RPC, who did the consultation, collaboration and protocol for the current Model Strategy and Protocol for Antennae Systems, for further clarification on his comments.

5.4 Advisory Planning Commission Draft Minutes dated October 6, 2020 - for receipt

Received.

5.5 Housing Advisory Planning Commission Draft Minutes dated September 3, 2020 - for receipt

Received.

5.6 Section 26 Resolutions-Without-Meeting - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated October 14, 2020

Received.

7. APPLICATIONS AND REFERRALS

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

Planner Dubyna provided an overview of the report which recommended amendments to the proposed Bylaw Nos. 306 (OCP) and 307 (LUB) and noted the following:

- Definition on non-market housing covers broad housing spectrum, capturing this application and existing affordable housing definition; and
- The Housing Agreement (HA) specifies rental and/or owned housing allowances.

Discussion ensued and the following was noted by Trustees:

- Requested expedited legal review of HA to allow for more public consultation time;
- Requested further information from applicant as to submitted letter that states 12 units for initial funding application and then further 12 units for subsequent funding application;
- Requested clarification on water usage of 7,500 litres per day for irrigation;
- Supported expanded affordable housing definition to include home ownership and the HA as a restrictive covenant defines what type of affordable housing is developed on site;
- Suggested a definition of affordable housing as a test of affordability;
- Requested the words “non-market” be removed from the definition of residential dwelling that may be rented or owned under the terms of a housing agreement;
- For the record, Chair Rogers stated that he appreciated Trustee Langereis’ points of view on defining affordable housing and heard his reservation of putting ownership into definition. Chair Rogers is in favour of keeping home ownership in affordable housing definition, the HA defining the type of affordable housing, and HA being registered on title;
- Supported HA setting out the qualified applicant definition without listing users, so as to not miss any group of users;
- Supported more detailed listing of users in definition of “multiple-dwelling affordable housing” for clarity;
- Suggested that there was no need to link PID numbers to MAH1 zone as future affordable housing applications would need to go through due process and meet specifics of zone;
- Interested in the total floor area for home occupation use not exceeding 30% of the total floor area of the dwelling unit in which the home occupation occurs;
- Support for dwelling units not being turned into a business place, however, percentage limitations of dwelling unit square footage used for home occupations may be hard to regulate;
- In order to facilitate the GHS grant deadline in January 2020, requested Special Meeting, Community Information Meeting (CIM), and/or Public Hearing (PH) in December. Requested an afternoon/evening as to include as many members of the public as possible; and
- Concerned that the water license will not be available for information before Special Meeting/CIM/PH.

Applicant, Ian Scott noted the following points:

- Development will be rain water harvesting ready (type of roof, slope, ability to harvest rainwater, etc.);
- Grey water reuse system budget too high and unable to incorporate in plan;
- BC Housing recommended a phased approach to applications with 12 units for phase 1 and 12 units for phase 2;

- 7,500 litres per day for irrigation for the landscaping establishment period for all 24 units, once plantings are established, water usage for irrigation will be greatly reduced; and
- Waiting for processing of water license.

By general consent the meeting was recessed at 12:46 pm and reconvened at 1:18 pm.

GB-2020-080

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to ask for a legal opinion on Housing Agreement for GB-RZ-2020.1 be provided as expeditiously as possible.

CARRIED

GB-2020-081

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, as amended and as follows:

- a. Section 2 – General Land Use and Residential Development, Subsection 2.4 Multi-dwelling Affordable Housing, Multi-dwelling Affordable Housing Policies, clause “a)” is amended by removing “9.3” and replacing it with “9.4”;
- b. Appendix, Appendix 1 – Definitions, is amended by adding a new definition of “affordable housing”:
“residential dwelling units that may be rented or owned under the terms of a housing agreement registered on title in favour of the Local Trust Committee”;
- c. Appendix, Appendix 1 – Definitions, is amended by adding the words “(or multi-dwelling affordable housing)” after “housing” in the term “multiple-dwelling affordable housing”.

CARRIED

Trustee Langereis Opposed

GB-2020-082

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amended Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020” be read a second time as amended.

CARRIED

Trustee Langereis opposed

GB-2020-083

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend the categorization for the Multi-dwelling Affordable Housing (MAH) zone will be renamed Multi-dwelling Affordable Housing 1 (MAH1) throughout Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”.

CARRIED

GB-2020-084

It was MOVED and SECONDED

that the Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020, Schedule 1 be amended as follows:

Add new instruction 1.12 as follows:

- 1.12 that the Gabriola Island Land Use Bylaw 1999... Part B General Regulations, Section B.1 Uses, Buildings and Structures is amended by inserting a new Subsection “B.1.4 Site-Specific Zones” after Subsection “B.1.3 Use of Undersized Lots”, as follows:
 - “B.1.4.1 The Multi-dwelling Affordable Housing 1 (MAH1) zone is only applicable to the following lots:
 - a. LOT 1 Section 19 Gabriola Island Nanaimo District Plan EPP11544 (PID 028-580-095); and
 - b. LOT 2 Section 19 Gabriola Island Nanaimo District Plan EPP11544 (PID 028-580-109).

CARRIED

Trustee Colbourne Opposed

GB-2020-085

It was MOVED and SECONDED

that the Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020, Schedule 1 be amended as follows:

Part B – GENERAL REGULATIONS, Section B.3 Home Occupations, Subsection B.3.3, General Provisions, Article B.3.3.1 is amended by inserting new clause “m” as follows:

- “m. In the Multi-dwelling Affordable Housing 1 zone, the total floor area for home occupation use must not exceed 30% of the total floor area of the dwelling unit in which the home occupation occurs.”

CARRIED

Trustee Colbourne Opposed

GB-2020-086

It was MOVED and SECONDED

that the Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020, Appendix 2, Section F.11 DP-11 Environmental Protection, Subsection F.11.2 Exemptions, Article F.11.2.1 is amended by deleting item “i” text and replacing it with the following text:

“Pruning or topping that is conducted in accordance with the standards and recommendations of the International Society of Arboriculture, and that does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown, or the pruning or removal of a structural root within the critical root zone.”

CARRIED

GB-2020-087

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”, as amended as follows:

- a. Part B – GENERAL REGULATIONS, Section B.5 PARKING, Subsection B.5.1 Minimum Number of Parking Spaces for Automobiles and Bicycles, Article B.5.1.1, Table 2: Parking Requirements is amended by adding “two family dwelling” under “RESIDENTIAL” with the required parking spaces of 1.25 per unit, greater of 1 or 1 per 10 units for accessible parking spaces, and 1 per unit without a garage for bicycle parking;
- b. Subsection D.1.4 Multi-dwelling Affordable Housing (MAH), Article D.1.4.1 Permitted Uses, Clause a. Permitted Principal Uses, Item ii two family affordable housing, is amended by removing the term “affordable housing” and replacing it with the term “residential”;

- c. Subsection D.1.4 Multi-dwelling Affordable Housing (MAH), Article D.1.4.3 Regulations, Clause Subdivision Requirements, Item i, is amended by deleting in its entirety and by making such consequential numbering alterations to affect this change;
- d. PART G – DEFINITIONS, Section G.1 – Definitions, is amended by removing “affordable housing” in its entirety;
- e. PART G – DEFINITIONS, Section G.1 – Definitions, “dwelling – multiple family” is amended by adding the word “principal” after “more” and before “dwelling units”;
- f. PART G – DEFINITIONS, Section G.1 – Definitions, “dwelling, two-family” is amended by adding the word “principal” after “two” and before “dwelling units”;
- g. Schedule “B”, 2.3 Schedule “B” – North Sheet, is amended by deleting in its entirety;
- h. Section F.11 DP – 11 Environmental Protection, Subsection F.11.2 Exemptions, Article F.11.2.1, Clause “c.” is amended by adding the words “in accordance with best management practices” after the word “species”.

CARRIED

GB-2020-088

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”, be read a second time as amended.

CARRIED

GB-2020-089

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2020-090

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2020-091

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to tentatively arrange a Special Local Trust Committee/Community Information Meeting/Public Hearing related to Affordable Housing Bylaws on December 10, 2020.¹

CARRIED

7.1.1 Letter dated October 19, 2020 from Gabriola Housing Society (GHS)

¹ Rescinded at November 26, 2020 meeting by resolution no. GB-2020-099.

Received.

7.2 Thetis Island Local Trust Committee Referral Response Request for Bylaws 108 and 109

Bylaw Response Survey: **Interests Unaffected by Bylaw**

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Cannabis Regulation Project (Bylaw No. 303) - verbal update

Deferred until next regular meeting.

8.2 Housing Options Impacts Review Project - Staff Report

Received.

9. DELEGATIONS

9.1 Gabriola Island Housing Advisory Planning Commission (HAPC) – Presentation

Steve Earle from the HAPC provided a verbal update and noted the following key points:

- Proposed that some members of the HAPC form a community working group, under the guidance of Staff to further the public engagement piece of the Housing Options Impacts Review Project;
- Concerned about HAPC not being able to meet project timelines for public engagement; and
- The working group would provide a holistic engagement with the community outside or regular HAPC process and come back to Staff with engagement results.

The following points were noted by Trustees:

- Supported the hybrid approach for engagement work; and
- Interested in review and update of the Gabriola Island Build Out Map.

GB-2020-092

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to amend the “Housing Options and Impacts Review Project Charter – Version 5” dated October 2020 Work Plan Overview, Project Charter, third box, change to read ‘assist in the community consultation on the engagement on review topics and review and update the Gabriola Island Build Out Map.’

CARRIED

GB-2020-093

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee endorse the amended “Housing Options and Impacts Review Project Charter - Version 5” dated October 2020 as amended.

CARRIED

10. CORRESPONDENCE

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

10.1 Email dated July 28, 2020 from B. McKecknie regarding Cell Towers and Antennae

Received.

11. NEW BUSINESS

11.1 Review of Draft Union of BC Municipalities (UBCM) Grant Application - for discussion

Regarding a Safe Transportation Plan from the Gabriola Ferry Terminal to the Village for People of all Ages and Abilities

Trustee Colbourne provided a verbal update and noted:

- Deadline for grant application is end of October;
- Other community groups and RDN will be involved as partners with IT; and
- IT would need to manage oversight of the Active Transportation Plan for Gabriola project.

GB-2020-094

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to move Cannabis Regulation project from Top Priorities List and onto Projects List, for a period of no more than six months, and that the Active Transportation Grant be placed on the Top Priorities List.

CARRIED

GB-2020-095

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee support the Ferry to Village Project scoping and application to Union of BC Municipalities for an Active Transportation Grant for all ages and abilities.

CARRIED

11.2 Regional District Nanaimo and Natures Trust Meeting

Deferred to next regular meeting.

12. REPORTS

12.1 Climate Change Action Update

Received.

12.2 First Nations Relationship Building

Received.

12.3 Trust Conservancy Report – none

Received.

12.4 Applications Report dated October 14, 2020

Received.

12.5 Trustee and Local Expense Report dated August, 2020

Received.

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 October 14, 2020

Received.

13.2 Projects List Report dated October 14, 2020

Received.

14. CLOSED MEETING - none

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Thursday, November 26, 2020 at 10:30 am via Zoom Electronic Meeting

16. ADJOURNMENT

By general consent the meeting was adjourned at 4:38 pm.

Dan Rogers, Chair

Certified Correct:

Nadine Mourao, Recorder



Gabriola Island Local Trust Committee Minutes of Special Meeting

Date: December 10, 2020

Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
Sonja Zupanec, Island Planner
Jaime Dubyna, Planner 2
Nadine Mourao, Recorder
William Schulba, Senior Freshwater Specialist

Others Present: There were approximately forty-five (45) members of the public and one 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 6:07 pm, welcomed the public and introduced Trustees, Staff and Recorder. He acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

Chair Rogers advised that this Special Local Trust Meeting (LTC) was being held for application GB-RZ-2020.1 (Gabriola Housing Society).

Chair Rogers spoke to the holding of the Special LTC 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.

2. CONSIDERATION OF BYLAW AMENDMENT MOTIONS

2.1 Gabriola Housing Society (GHS) Letter dated December 4, 2020 and Track Changes Version of Housing Agreement regarding Amendments

Chair Rogers noted that correspondence is available on the Islands Trust (IT) Gabriola Applicants website.

The following additions to the agenda were presented for consideration:

- Add 2.2 Motion Regarding Submission from Trustee Langereis.

By general consent the agenda was approved as amended.

Trustees noted the following:

- In the Housing Agreement b. Agreement over the Lands, iv. Add the word 'of' between 'configuration' and 'the'; and
- Requested that the updated Housing Agreement be sent off to legal review for comment.

2.2 Motion Regarding Submission from Trustee Langereis

GB-2020-106

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request that staff forward the submission from Trustee Langereis concerning possible amendments and queries regarding the Draft Housing Agreement appended to Bylaw No. 308 to legal counsel for review and comment.

CARRIED

2.3 Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) letter dated November 30, 2020 to Sarah Hardy, Water Authorizations Specialist

Received.

3. COMMUNITY INFORMATION MEETING

3.1 GB-RZ-2020.1 (Gabriola Housing Society (GHS))

Presentation of Bylaw Nos. 306, 307 and 308

3.1.1 Bylaw No. 306 (Official Community Plan - OCP)

3.1.2 Bylaw No. 307 (Land Use Bylaw - LUB)

3.1.3 Bylaw No. 308 (Housing Agreement)

Planner Dubyna provided a presentation on the proposed bylaws and noted the following key points:

- Public Hearing is scheduled for January 7, 2021 and all relevant information is posted on the applications webpage or the Public Hearing binder is available;
- Applicants are seeking to develop 24 units with a mix of studio, 1, 2 and 3 bedroom units;
- Recommended every effort to limit loss of natural ecology and habitat, noted cluster of buildings and 55% of forest retained in proposed development;
- Water License is pending;
- Buildings will be rainwater collection ready;
- Bylaw Nos. 306 and 307 currently at second reading;
- Staff recommend the new Development Permit Area (DPA) DP-11 to protect the environment;
- Current zoning has no environmental protection;

- Bylaw No. 306 requires a Housing Agreement for affordable housing rezoning applications; the Housing Agreement is registered on title to ensure housing affordability in perpetuity;
- Bylaw No. 308 is at first reading and sets out requirements for rental rates, housing income limits, permanent, principal residence, at least one qualified occupant etc.;
- Next steps include PH, 3rd reading of bylaws, Community Information Meeting (CIM), final reading and adoption of bylaws (registration of covenant), referral of Official Community Plan (OCP) to Ministry, referral to Executive Committee (EC); and
- Send correspondence to northinfo@islandstrust.bc.ca or speak to a Trustee directly and request that the correspondence be taken into consideration with the whole Local Trust Committee (LTC).

Ian Scott, representative of the applicant, provided a presentation titled the 'Vision for Paisley Place' and noted the following:

- Affordable, comfortable, secure rental housing for Gabriolans of all ages who have low to modest incomes;
- Respected the natural settings and minimized forest impact;
- Principle impediment to providing affordable housing is ensuring sufficient funding;
- Centrally located close to transit, shops, schools and employment centres;
- Updated site plan showed modified clusters pulled further East, reconfigured parking, central commons building (funding dependant), fire department pull in with water storage, standpipe to feed dry hydrants;
- Type 3 sewerage system to the South of development with ultraviolet treatment of waste water;
- Greywater treatment;
- Review of well data and hydrogeology monitoring analysis shows aquifer is sufficient and development extraction rate 0.18 L/s / 2.85 GPM (15,522 Litres per day) will have negligible impact on neighbouring properties, including the school;
- Water management plan included a plan for operational component of managing water resources: well water, rainwater, and wastewater;
- Water licence technical review indicates proposed water extraction from well is sustainable;
- Landscaping will require additional water during establishment period in the first 2 to 3 years, minimal irrigation required following establishment;
- Definition of affordable housing included housing that cost 30% of household gross income;
- Gabriola Housing Assessment noted 150 people per week use the Gabriola Food Bank, many renters paying more than 30% of household gross income on rent and/or live in inadequate housing, strong need for affordable housing;
- Gabriola Housing Society (GHS), a non-profit, was donated the Paisley Place lots, determined that it is a feasible location for affordable housing development, in process of rezoning property, and applying to secure funding;
- Principle target funding includes BC Housing Community Housing Fund, unit requirements include deep subsidy on 5 units for persons on fixed incomes, social assistance, disability etc., 12 Rent-geared income units based on 30% of gross income; 7 Affordable Market units;

- Housing Agreement defines priority to residents of Gabriola and Snuneymuxw First Nations; and
- May need public funding to reduce development costs in order to have the 30% gross income rent goal.

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, Applicants Ian Scott and Nancy Hetherington Pierce, Hydrogeologist Allan Dakin, Sarah Hardy and Ben Robinson from the Province, Malcolm McNaughton from BC Housing or William Schulba, Senior Freshwater Specialist.

Members of the public had the following questions:

- What happens if the rezoning does not go through and if BC Housing application for funding is denied?
 - If the lots are not rezoned, there is no project for BC Housing funding application. If we rezone successfully and do not get funding, we would re-apply for funding or solicit private donations for a much slower process;
- What are the main factors BC Housing considers for funding?
 - The application process is competitive, one aspect of evaluation for funding is risk of the project, being well into the rezoning process shows government support, design process, operating capacity, water license process etc. are all evaluation criteria;
 - BC Housing has a 10 year funding program, if GHS is not selected in this intake there are several more planned in the next few years, certainty in water and zoning make for a better score for funding;
- Have all the referrals had responses?
 - Have not received responses from all agencies and First Nations, all received referrals are on the applications webpage;
- Has the legal council's concerns with the Housing Agreement been addressed regarding risk of all units becoming affordable market units?
 - The amendments that are in the agenda include clause of 30% market units with flexibility if the funder requires a different number, will need to go through legal review;
- Is it possible the amended Housing Agreement will not have been legally reviewed before the scheduled Public Hearing in January?
 - Hopefully it will be available for the PH;
- If the project is convinced there is sufficient water, would IT put a bond in case any wells of neighbours were impacted by the development's use of water? Who is responsible?
 - Posting a bond related to ground water is unattainable for the project. Hydrogeologist reports conditions look favourable and based on their assessment, Lockinvar area wells are unlikely to be affected. 30 year review tool it is possible to open up water license and amend rights based on that provision, collect data and quality information would be useful;
- Why is the project being rushed?
 - We are eleven months into this application process and this is our second Community Information Meeting (CIM), we have attempted to stream line the process to allow the applicant to be in the best position for funding;

- Is the Sewage system on the South of property located in an impermeable swamp area?
 - The sewage system is not to be located in the low lying area and soil depth and analysis has been done by a qualified professional, a type 3 system does not put risky bacteria into the ground;
- Would like more details on the type 3 sewage system and raised bed fields.
 - Please see wastewater report online on the IT Gabriola applications page for more details;
- How often are the income assessments for affordability completed for tenants? Are personal capital and assets taken into consideration?
 - Under the BC Housing Community Housing Fund Program, the deep subsidy and rent geared housing, there is income testing before moving in and then again each year. Personal capital and assets are taken into consideration;
- Is the DP-11 zoning site specific or for any future multi-dwelling affordable housing developments?
 - DP-11 zone is for this application, however, it is broad enough to be used or designated for lots in the future where sensitive eco-systems exist;
- What is the plan for the remaining undeveloped lot on Paisley Place?
 - The GHS Board have not discussed the future of Lot 4 and are open to broad thinking about what might be done;
- How would DP-11 be applied to other areas of Gabriola?
 - The DP-11 is specific to this application but broad enough to be applied to another future application if it fits and offers more environmental protection to protect sensitive ecosystems, which do not qualify for conservation covenant due to size of the lot;
- How did GHS get started on this project? Why is GHS proposing this development? What are the implications of lack of affordable housing for Gabriolans? What are the housing needs?
 - The Affordable Housing Needs Assessment in 2009 demonstrated need for affordable housing. People for a Healthy Community housing needs strategy suggested to form GHS to work on affordable housing. In 2013 GHS was formed with mandate to develop, support, and operate housing for people with low to moderate income. In 2018 the IT commissioned affordable housing needs assessment demonstrating low to moderate income people not finding affordable rental housing. GHS began intentionally looking at properties in the village core, and obtained a donation of land from Emcon Services;
- What are the implications of not having enough supply of local affordable housing?
 - Data indicates lack of affordable housing heightens stress, kids go to school hungry, food bank usage increases, long term health implications, and overall impact on wellbeing and mental health. People leave the community and their support networks;
- Is the Housing Agreement for this application only or could it apply to another future affordable housing application?
 - The Housing Agreement is for this application only. IT have a template available but each affordable housing project requires its own Housing Agreement;
- Why is this process being rushed and the proponents pushing the schedule?
 - Encouraged to find efficiencies, the need in the community is great and it is more cost effective to build the development all at once rather than a phased approach;

- Light pollution due to the additional lighting of the development is a concern, are measures being taken to reduce light pollution?
 - Landscape lighting is at the bollard level, no overhead lights are being used in the development, Bylaw No. 306 addresses this;
- Is there a traffic noise buffer between the development and Lockinvar properties?
 - There is a buffer of trees, Bylaw No. 306 addresses this;
- Lockinvar Road is quite narrow with no sidewalks, is there a plan to ensure safe movement of pedestrians?
 - Development of this scale will not increase traffic count very much and there is a plan to build a walking trail to the school and North Road from the development;
- What measures are going to be taken to reduce construction noise?
 - Hoping to get to funding stage then deal with construction stage, looking at construction work on weekdays and not weekends, consideration of neighbours is key part of the process;
- Are there any other organizations working on affordable housing issues on Gabriola?
 - Not aware of any other organizations working on affordable housing development, Housing Advisory Planning Commission working on Housing Impacts and Review Project looking at broad range of options of all types. There are no other applications for affordable housing developments at this time;
- What does a phased BC Housing funding application process look like?
 - Develop 12 units and then reapply for funding for another 12 units in 2 or 3 years;
- Water license technical review refers to 3 lots for license, is it not 2 lots?
 - It is 2 lots, that is a typographical error;
- What is timeline and final process for water license?
 - Send referrals to local agencies, First Nations consultations, technical review and impacts and licencing decision; and
- Is the Sitka Spruce development behind lot 1 considered in the water license?
 - No applications for water license have been received from the Sitka Spruce development to date.

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 at this Special Meeting. Emails may be sent to northinfo@islandstrust.bc.ca.

5. ADJOURNMENT

By general consent the meeting was adjourned at 8:42 pm.

Dan Rogers, Chair

Certified Correct:

Nadine Mourao, Recorder



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: November 26, 2020
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
Sonja Zupanec, Island Planner
Jaime Dubyna, Planner 2
Nadine Mourao, Recorder

Others Present: There were approximately twenty (20) 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 10:33 am, welcomed the public and introduced Trustees, Staff and Recorder. Chair Rogers, Trustee Colbourne and Trustee Langereis acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

2.1 Resolution to Continue Holding Electronic Meetings

GB-2020-096

It was MOVED and SECONDED

that in order to meet the principles of openness, transparency, and accessibility, meetings of the Gabriola Island Local Trust Committee will be held electronically until Ministerial Orders under the *Emergency Program Act* and requirements or recommendations under the *Public Health Act* change regarding public attendance at trust body meetings; and that such meetings 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.

CARRIED

3. REPORTS

3.1 Trustee Reports

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

- Trust Programs Committee (TPC);
- Vancouver Island Climate Caucus, Active Transportation Working Group; and
- Trust Council (TC) December 2-3, 2020.

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

- TPC;
- Regional Planning Committee (RPC);
- Ecosystem-Based Adaption webinar from Climate Action Speaker Series:
 - Eelgrass: A Climate Hero, November 24, 2020;
 - All are welcome to attend and can register at the Islands Trust Website (<http://www.islandstrust.bc.ca/trust-council/projects/stewardship-education-program/>); and
- Nominations are open for the British Columbia Reconciliation Award, deadline January 15, 2021 <https://www.bcachievement.com/award/british-columbia-reconciliation-award-2021/>

3.2 Chair's Report

Chair Rogers reported the following:

- TPC;
- Executive Committee (EC);
- TC December 1-3, 2020;
- Financial Planning Committee (FPC); and
- The BC Parks Foundation secured an agreement to purchase West Ballenas Island.

3.3 Electoral Area Director's Report

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

- Social Needs Assessment and Strategy now underway;
- RDN Board supports the Gabriola Active Transportation Study with \$5,000 in funds;
- Village Trail construction ongoing;
- RDN looking at Development Cost Charges to cover costs of developing existing RDN parks;
- Huxley Community Park construction to commence Spring 2021;
- In process of selection of civic owned property on Gabriola for electric vehicle charging services, possible candidates are Descanso Bay Regional Park and/or Huxley Community Park; and
- Re-elected as Vice-Chairperson of RDN Board.

Trustee Colbourne requested Staff to put annual RDN Protocol meeting on next LTC business meeting agenda.

3.4 First Nation Reports

Trustee Langereis to connect with Snuneymuxw First Nations regarding the Islands Trust Community Stewardship Award, in celebration of the work of Snuneymuxw Elder Geraldine Manson (C'tasi:a).

Chair Rogers noted possible opportunities to build relationships with First Nations in co-management of nature conservancy properties ensuring First Nations interests are considered and protected.

4. TOWN HALL

Tobi Elliot, Housing Advisory Planning Commission (HAPC) representative noted that this winter there will be public engagement regarding affordable housing on Gabriola on how to balance housing needs with the Islands Trust (IT) mandate to preserve and protect the environment. Everyone's voice in the community will be heard.

A member of the public noted concern that there was not sufficient time between the Community Information Meeting (CIM) and the Public Hearing (PH) on December 10, 2020 to fully contemplate the information provided at the CIM and form an informed opinion for the PH. Also, they recommended the housing agreement in the GHS application include an approximate or percentage of affordable market units in the development.

A member of the public asked Trustees to find some way forward for Bylaws 306 and 307 to reach 3rd reading before the GHS funding application due date in January, 2021.

A member of the public noted that the housing agreement is an integral part of Bylaw 306 and should be available prior to the CIM and PH.

A member of the public, a resident in the neighbouring Lockinvar area, noted concerns with the water report included in the GHS affordable housing application, does not feel that the neighbours have been meaningfully consulted, and that the due process has been rushed.

Trustees noted that all correspondence be sent to northinfo@islandstrust.bc.ca or speak to a Trustee directly and request that the correspondence be taken into consideration with the whole Local Trust Committee (LTC).

5. MINUTES

5.1 Local Trust Committee Minutes dated October 22, 2020 – for adoption

GB-2020-097

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee defer adoption of the Minutes dated October 22, 2020 to the next regular business meeting.

CARRIED

5.2 Section 26 Resolutions-Without-Meetings - none

5.3 Advisory Planning Commission Minutes dated October 27, 2020 - for receipt

Received.

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated November 19, 2020

Received.

6.2 Public Participation Guidelines - Memorandum

Chair Rogers provided an overview of the memorandum, which gave guidance on what is a delegation versus public participation in town hall.

Trustee Langereis to review and send requested changes to Staff.

Trustees requested this item be put on the next LTC business meeting agenda.

6.3 Information on Subdivision Application Process - Staff Presentation

Planner Zupanec provided a presentation on the general process of subdivision applications in the Gabriola Local Trust Area and noted the following:

- Subdivision approval is given by the Provincial Approving Officer (PAO) from the British Columbia Government;
- Trust Staff review and provide referrals on subdivision applications for Official Community Plan (OCP) and Land Use Bylaw (LUB) compliance;
- Applications log has comprehensive list of subdivisions; public has opportunity to direct questions/comments to Planner;
- General process for subdivision application begins with speaking to a Planner and they will provide information; typical process takes 6 months to a year depending on complexity; and
- Presentation will be posted to IT website.

Trustees noted that fees are not capturing the amount of time it takes for application versus financial benefit of subdivision.

By general consent the meeting was recessed at 12:51 pm and reconvened at 1:25 pm.

7. APPLICATIONS AND REFERRALS

7.1 GB-RZ-2020.1 - Gabriola Housing Society - Staff Report

Planner Dubyna provided an overview of the report which asked the LTC to consider the draft Bylaw 308 (housing agreement, revised draft water management plan, water requirement report, and revised site plans for application GB-RZ-2020.1 and noted the following:

- Received correspondence back from Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLINRO) verifying long term well capacity is correct and noted ground water fluoride content exceeds normal level and may indicate salt water intrusion or mature groundwater, recommended monitoring conditions and noted no adverse impacts for neighbouring ground water users;
- Suggested that LTC consider referring water report to the Freshwater Specialist to analyse and address neighbours' concerns;
- Revised site plans have not increased density; and
- Suggested a percentage range of affordable market units in the housing agreement.

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

- Suggested a percentage rule for each subsidy and market rent, such as must have 30% market rent for application approval;
- Asked for clarification regarding allowable uses for current Institutional 3 zone;

- An application for construction of a public assembly, museum, library, government office, personal care facility building etc. would be allowable in the current zoning of Institutional 3 and has limited protection for the environment;
- Interested in going forward with the CIM December 10, 2020 and postponing the PH to January 7, 2021 to allow more time to digest information and obtain community feedback;
- Would like a Special Meeting a few hours after the PH on January 7, 2021;
- Interested in deep subsidy units;
- Intended to consider community need, what is clearly identified as affordable, and ensuring views of neighbours, community, and the environment are considered;
- Trustee Langereis to send a motion to Staff, regarding number of market units that will be affordable; and
- Requested receipt of water license before final adoption of bylaws, requested Staff to bring this motion to the Special Meeting on January 7, 2021.

Applicant representatives Ian Scott and Nancy Hetherington Peirce noted the following points:

- Potential funders require affordable housing units as a condition of funding and determine the split required, putting a percentage of affordable market units in the housing agreement may limit various funding opportunities;
- To be in the best position possible for a successful funding application, it would be favourable to be as far along as possible in the re-zoning process when the application is submitted;
- Competition province wide is significant for affordable housing funding; and
- The Ministry Technical Water Review will be shared publically and available before the Public Hearing on January 7, 2021.

GB-2020-098

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 308, cited as “Gabriola Island Housing Agreement Bylaw No. 308, 2020”, be read a first time.

CARRIED

GB-2020-099

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee rescind Resolution GB-2020-091 and postpone the Public Hearing scheduled for December 10, 2020 until January 7, 2021 and that the Gabriola Island Local Trust Committee request that the Community Information Meeting related to Bylaw Nos. 306, 307, and 308 scheduled on December 10, 2020 proceed.

CARRIED

GB-2020-100

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee hold a Public Hearing on Bylaw Nos. 306, 307, and 308 on Thursday January 7, 2021 commencing 10:00 a.m., with a Special Meeting to take place in the afternoon, no sooner than three hours after the completion of the Public Hearing.

CARRIED

GB-2020-101

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request that the water reports submitted by the applicant of GB-RZ-2020.1 on November 9, 2020, and the letter from A. Hodson and A. Deggan dated November 12, 2020, be reviewed by the Islands Trust Freshwater Specialist and that the Gabriola Island Local Trust Committee request that the Islands Trust Freshwater Specialist provide a report with analysis and a recommendation regarding water provision for the site.

CARRIED

GB-2020-102

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request the applicant provide Planning Staff a copy of the approved provincial water license for the water supply intended to support the proposed development prior to consideration of final reading of proposed Bylaw Nos. 306 and 307.

CARRIED

Trustee Langereis Abstained

7.1.1. Letter dated November 23, 2020 from Gabriola Housing Society (GHS)

Received.

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Project Management Presentation

Deferred until next regular LTC business meeting.

9. DELEGATIONS - none

10. CORRESPONDENCE

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

10.1 Email dated October 20, 2020 from K. and D. Yardley regarding Cell Coverage on DeCourcy

Received.

10.2 Email dated October 21, 2020 from Decourcy Island Community Association regarding Cell Coverage for Decourcy Island

Received.

11. NEW BUSINESS

11.1 2021 Local Trust Committee Meeting Schedule – Memorandum

GB-2020-103

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee schedule its regular business meetings on the following dates in 2021: January 21, March 4, April 15, May 13, June 17, July 29, September 9, October 21, and November 25.

CARRIED

GB-2020-104

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to provide advance notice of 2021 regular business meetings on the Gabriola Sounder Community Calendar.

CARRIED

- 11.2 Endorsement of the 2020 Gabriola Health Report from the Health & Wellness Collaborative and Process for providing Environmental, Ecosystem and Land Use Content to the Data-Collection Process for Future Island Health Reports**

GB-2020-105

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request that Islands Trust Staff and Trust Conservancy Staff provide data to the Gabriola Health and Wellness Collaborative for their Gabriola Health Report.

CARRIED

- 11.3 2020 Forest Conservation Outreach Campaign Completion – Briefing for Information**
Received.

12. REPORTS

- 12.1 Climate Change Action Update**

Received.

- 12.2 First Nations Relationship Building - none**

- 12.3 Trust Conservancy Report – none**

- 12.4 Applications Report dated November 19, 2020**

Received.

- 12.5 Trustee and Local Expense Report dated September, 2020**

Received.

- 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 November 19, 2020

Received.

13.2 Projects List Report dated November 19, 2020

Received.

14. UPCOMING MEETINGS

14.1 Community Information Meeting at 6:00 pm on December 10, 2020 via Zoom (electronic meeting)

14.2 Next Regular Meeting Scheduled for January 21, 2021

15. ADJOURNMENT

By general consent the meeting was adjourned at 4:03 pm.

Dan Rogers, Chair

Certified Correct:

Nadine Mourao, Recorder

**Public Hearing Record
Received for Information
By Local Trust Committee**



**Gabriola Island
Local Trust Committee
Public Hearing Record**

**REGARDING GB-RZ-2020.1 (GABRIOLA HOUSING SOCIETY) PROPOSED BYLAW NOS. 306
(OFFICIAL COMMUNITY PLAN), 307 (LAND USE BYLAW) AND 308 (HOUSING AGREEMENT)**

Date OF Public Hearing: January 7, 2021
Time: 10:00 am
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
Jaime Dubyna, Planner 2
Nadine Mourao, Recorder

Others Present: There were approximately forty-two (42) members of the public and one member of the media in attendance.

1. CALL TO ORDER

Chair Rogers called the meeting to order at 10:03 am, welcomed the public and introduced Trustees, Staff and Recorder. He acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

Chair Rogers advised that this Public Hearing was being held for application GB-RZ-2020.1 (Gabriola Housing Society).

Chair Rogers spoke of the Public Hearing being held 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 Local Trust Committee to continue due process and careful consideration of the proposal.

Planner Dubyna read the Notice of Public Hearing.

2. PROPOSED BYLAW NOS. 306, 307 AND 308

Public Hearing Record

Received for Information

By Local Trust Committee

Ian Scott, a representative of the applicant, provided a presentation titled the 'Vision for Paisley Place' and noted the following:

- Affordable, comfortable, secure rental housing for Gabriolans of all ages who have low to modest incomes;
- Respected the natural settings and minimized forest impact;
- Principle impediment to providing affordable housing is ensuring sufficient funding;
- Centrally located close to transit, shops, schools and employment centres;
- Updated site plan showed modified clusters pulled further East, reconfigured parking, central commons building (funding dependant), fire department pull in with water storage standpipe to feed dry hydrants;
- Type 3 sewerage system to the South of development with ultraviolet treatment of waste water;
- Greywater treatment;
- Review of well data and hydrogeology monitoring analysis shows aquifer is sufficient and development extraction rate 0.18 L/s / 2.85 GPM (15,522 Litres per day) will have negligible impact on neighbouring properties, including the school;
- Water management plan included a plan for operational component of managing water resources: well water, rainwater and wastewater;
- Water licence technical review indicates proposed water extraction from well is sustainable;
- Landscaping will require additional water during establishment period in the first 2 to 3 years, minimal irrigation required following establishment;
- Definition of affordable housing included housing that costs 30% of household gross income;
- Gabriola Housing Assessment noted 150 people per week use the Gabriola Food Bank, many renters paying more than 30% of household gross income on rent and/or live in inadequate housing, strong need for affordable housing;
- Gabriola Housing Society (GHS), a non-profit, was donated the Paisley Place lots, determined that it is a feasible location for affordable housing development, in process of rezoning property, and applying to secure funding;
- Principle target funding includes BC Housing Community Housing Fund, unit requirements include deep subsidy on 5 units for persons on fixed incomes, social assistance, disability etc.; 12 Rent-geared-to-Income units based on 30% of gross income; 7 Affordable Market units;
- Housing Agreement defines priority to residents of Gabriola and Snuneymuxw First Nations; and
- May need public funding to reduce development costs in order to have the 30% gross income rent goal.

Planner Dubyna summarized the agency referrals and responses and noted:

- Application may be found in the Public Hearing Binder on the Islands Trust Gabriola website;

Public Hearing Record

Received for Information

By Local Trust Committee

- Bylaw No. 306 will amend the Official Community Plan (OCP) with new policy language to recognize the new 'Multi-dwelling Affordable Housing' (MAH1) designation to be applied to the subject properties;
- A new Environmental Protection Development Permit Area (DPA) is proposed, with justification and objectives in the OCP and guidelines in the Land Use Bylaw. The subject properties will also be included in the existing Multi-dwelling Affordable Housing Development Permit Area 8;
- The proposed bylaw would also amend the land use designation map in Schedule B of the OCP and delineate the area for the new DPA map in Schedule D-North;
- Bylaw No. 307 will amend the Land Use Bylaw (LUB) and introduce new zoning regulations to be applied to the new 'Multi-dwelling Affordable Housing 1' (MAH1) zone to encompass the proposed development of 24 affordable housing units;
- Clerical error in Bylaw No. 307 Section 1.15 of Schedule A, definition for "two family dwelling units" was amended and has been corrected online, should read "two principal dwelling units";
- A comprehensive series of DPA guidelines have been drafted and would be applicable for new construction or redevelopment of the subject properties;
- Bylaw No. 308 will enter the Local Trust Committee into a housing agreement with the owner of the subject land, that includes terms and conditions regarding the occupancy, tenure and availability to specified classes of persons of dwelling units located on those lands pursuant to Section 29 of the *Islands Trust Act* and Section 483 of the *Local Government Act*;
 - Legally described as:
 - PID 028-580-095, Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan EPP11544;
 - PID-028-580-109, Lot 2, Section 19, Gabriola Island, Nanaimo District, Plan EPP11544;
 - and
- Bylaw Nos. 306 and 307 Referrals were sent to three provincial agencies, three regional agencies, two non-agencies, and seven First Nations;
- Referral responses have been received from the Gabriola Volunteer Fire Department (three options to ensure fire department access and reduce development height), Vancouver Island Health Authority (required permits, onsite sewerage disposal and regulations), Ministry of Transportation (interests were unaffected by bylaws), Cowichan Tribes (no comment), William Shulba, Islands Trust Senior Freshwater Specialist (consider consultant recommendations, best water management practices, backup water storage);
- Bylaw No. 308 does not require referrals; and
- 60 public submissions received at that time.

3. PUBLIC COMMENTS

Chair Rogers asked if there were any submissions.

Kristina Baerg noted her support for the affordable housing development. As a community member living on disability, CPP and a modest employee pension, she has struggled to find stable, safe, and affordable housing on Gabriola.

Public Hearing Record
Received for Information
By Local Trust Committee

Carol Hemrich, a resident of Gabriola for ten years, supported the application by Gabriola Housing Society (GHS.) She noted that the Paisley Place properties are currently zoned institutional and lack the environmental protection of the Environment Protection DPA. When the properties were for sale by Emcon Services, she indicated that was the opportunity for the community to purchase the land for preservation, which it did not. She noted the great community need for affordable rental housing.

Phyllis Reeve, a resident of Gabriola since 1987 indicated her support for the housing project and proposed bylaw amendments. Affordable housing is central to the common good of Gabriola.

Angela Pounds, Social Worker and Mental Health Clinician supported the application, as it is a simple way to support community members. She noted that there is currently no purpose built affordable housing on Gabriola and there is an established need for safe, affordable housing. Hoped that proposal moves forward, there is need in the community.

Helen Shilladay, a resident of Gabriola, noted her support for examining bylaw changes on a non-emotional level and was concerned about bylaw changes allowing for future ownership of the units. Interested in affordable rental housing only in perpetuity and additional highly subsidized units. Bylaw changes reference the funder being involved in decision making, is uneasy with leaving future decisions to funders outside of our community, which may have their own agendas.

Bob Andrew, a resident of Gabriola, in general supported the bylaws as written and noted a need for a walking trail to the village core from the development, for rain water collection/cisterns, grey water and/or black water treatment and reuse. He stated concern with the funding driven project timeline as it constrains community input. Interested in using local community builders and architects that design liveable buildings. Concerned with apparent location of septic field, as it seems to be in a low lying swampy area.

Carey Marshall spoke of her concerns around adequate supports and infrastructures on Gabriola for those who need affordable housing and may have extraordinary needs. Her personal experience has been that community programs are overwhelmed or do not have capacity to support these extra needs.

Patrick Colvin, a current renter, shared his story of numerous insecure rentals on Gabriola and supported the need for stable, long term affordable rental housing. He noted the preference for local development funders, forest retention, power outage planning and use of renewable resources.

Don Furnell, a long term neighbouring resident, recommended due diligence and careful foresight and stated that expert's best guesses are not always right about hydrogeology. He noted that there is insufficient water data and unsure what neighbours would do if their well supply levels diminished. Suggested that Trustees approve the development in two phases with enough time between phases to evaluate the development and the local groundwater supply.

John Peirce disclosed that he is the spouse of the President of the GHS but did not speak as a representative. He noted there is inadequate housing for workers on Gabriola and over the

Public Hearing Record
Received for Information
By Local Trust Committee

years, the Chamber of Commerce has worked diligently to improve availability of decent rental housing. He supported the development, it balances housing needs of the community and environmental constraints. If not approved, the social fabric will be forever torn and less diverse as Gabriolans are forced to move off the island. There is a possible walking trail from the development to the new Village Trail and Gabriola Land and Trails Trust (GaLTT) may get the trail license, this would keep foot traffic off of Lockinvar. He stated that the grey water system cuts water usage by 30% and cistern storage will cut the strain on the well in the summer.

By general consent the meeting was recessed at 11:30 am and reconvened at 11:36 am.

Jacinthe Eastick asked the Trustees to consider adding parameters for affordability, such as 30% of income into Bylaw No. 306. Noted the last review of the OCP included parameters for what is considered affordable.

Henry Reeve has lived on Gabriola off and on for 30 years, currently owns a rental property and noted that there are many qualified and responsible persons looking for rentals. Many minimum wage workers have had issues finding rental housing on island. He supported the project and bylaw changes to pave the way for secure rental housing now and into the future. Given that the current zoning is Industrial, Gabriolans are being given an opportunity to say what happens with a development on private land.

Amy Block and Paul Gellman, long term residents and involved with People for a Healthy Community on Gabriola Society (PHC) support the effort of GHS to ensure there is safe and affordable housing on Gabriola. They noted the desperate need for housing for persons at risk. This has been years in the making, credit to GHS, Trustees and Staff for being open to change, let's do it!

Deborah Ferens requested that Trustees consider the income criteria be set in the OCP and LUB, not in the Housing Agreement (HA) and MAH1 zone should only apply to the current application, Bylaw No. 306. She does not support replacing "low income families" with "low to moderate income families", removing maximum family income eligibility criteria, removal of "rent costs must not exceed 30% of family income". Bylaw No. 307 ensures that the multiple family residential uses are clearly intended for duplexes and triplexes and do not allow for other configurations, ensuring that home occupations are intended for this application only, DP-11 updated from "should" to "shall/must" or similar to reinforce obligation rather than recommend, and for the HA to consider legal council's recommendation for Clause "e)" that affordable market units leaves open to all units being affordable market units. Troubling that off island funder may determine key aspects of the development and delay 2nd and 3rd reading of Bylaw No. 308 until legal review and public comment.

Lynn Bowerman has rented for 10 years. An affordable housing development would be huge and take stress off her shoulders. Many single parents have nowhere to go when separating and splitting finances. She supported the application and is grateful that GHS is helping to secure affordable housing.

Graham Bradley, President of the Chamber of Commerce supported the application and noted that local business owners have a chronic issue finding employees who have stable, secure housing on Gabriola. Council has voted overwhelmingly to support this application.

Public Hearing Record
Received for Information
By Local Trust Committee

Yolanda King supported the application for rezoning of Paisley Place to address serious need for secure housing with exception to the amendment of the OCP Bylaw No. 306, which changes to include moderate income families, this will limit the assistance in housing for those in greatest peril. Recommended other options to secure funding in order to provide multiple family housing for seniors, special needs, and low income families only. Consider an eco-village / tiny homes for higher density micro density housing with ecofriendly technology such as solar power, rain water collection and pump and haul services.

Nancy Hetherington-Peirce spoke as a member of the community and noted that the advantages of the Paisley Place development outweigh the disadvantages. Recommended that Trustees pass 3rd reading of Bylaw Nos. 306 and 307, so GHS may submit a strong application for government funding to build affordable housing in the next few years.

Andrew Deggan noted that as an island, Gabriola has limitations in ecology, population density, and capacity to sustain it. If we remove 50% of the forest on the Paisley Place lots, the lots are no longer an ecological system. The area where septic is to be located is swampy with poor drainage and he has contamination concerns. Recommended consideration of private land deforestation as a priority and change the residential bylaws. More wells in the area mean drop of well levels for neighbours. Did not support further development.

Helen Shilladay noted concerns that bylaw changes not related to this development only but also for future developments, as well as, a development that may turn into ownership is not rentals in perpetuity. Would like housing for low income, not moderate income families and additional deeper subsidy units.

Jacinthe Eastick noted the many illegal dwellings on Gabriola and there is a need for more than 24 affordable housing units. Felt that the Paisley Place property is the wrong place at the wrong time and noted lowering of water table in the summer months and drying up of neighbouring wells. Consider mandatory rainwater collection system not just when development needs/wants it.

Deborah Ferens is interested in creative solutions for affordable housing and concerned about disappearing Coastal Douglas-fir ecosystems. Recommended conservation of Lot 4 on Paisley Place to mitigate the loss of forest on the other development lots.

Neil McCreedy noted that the developments in the area have impacted the way of life of neighbours.

Sibyl Frei supported the project and noted that affordable housing is preserving island communities and including low income, moderate income and market housing to afford the development. Septic System will be built according to sewerage regulations, refined as project proceeds, and is a Type 3 Sewerage System that includes disinfection of water before it goes into septic field to ensure water quality for neighbours.

Yolanda King supported eligibility of renters be 18 years and older and long term residents of Gabriola.

Patrick Colvin did not support off island financial interests unless it is government funding.

**Public Hearing Record
Received for Information
By Local Trust Committee**

Alix Hodson supported maintaining the status quo and supported strengthening language in the bylaws to protect groundwater, forests and ecosystems. Recommended returning to 1974 standards of environmental protection, cease all development and preserve the island into the future.

Ian Scott noted that septic system will not be in high water table area, income cut off depends on family size and many larger families will be considered low income due to family size.

Jacinthe Eastick suggested a phased development to assess development effect on groundwater systems and keep island growth sustainable.

Chair Rogers noted that Trustees received emails during the course of the meeting and Trustees took a moment to read submissions.

Paul and Janet Kuzic supported enabling GHS to move forward with the project; as farmers there is a shortage of housing for farm workers. Local farms need local workers and local workers need local housing.

Patrick Olmstead asked whether anyone has assessed the group of old growth cedars and if First Nations have assessed the site?

Jacinthe Eastick requested limiting applicants to MAH1 zone to non-profit societies only.

4. ADJOURNMENT

Chair Rogers asked three times if there were any further submissions.

Hearing none, Chair Rogers closed the Public Hearing.

By general consent the meeting was adjourned at 1:20 pm.

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

Nadine Mourao, Recorder



Gabriola Island Local Trust Committee Minutes of Special Meeting

Date: January 7, 2021
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
Jaime Dubyna, Planner 2
Nadine Mourao, Recorder

Others Present: There were approximately twenty-three (23) members of the public and one member of the media.

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 4:31 pm, welcomed the public and introduced Trustees, Staff and Recorder. He acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

Chair Rogers advised that this Special Local Trust Committee Meeting (LTC) was being held for application GB-RZ-2020.1 (Gabriola Housing Society).

Chair Rogers spoke of the Special LTC meeting being held 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.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. PUBLIC HEARING

Regarding GB-RZ-2020.1 Gabriola Housing Society, proposed Bylaw Nos. 306 (Official Community Plan), 307 (Land Use Bylaw) and 308 (Housing Agreement).

4. Consideration of Further Readings of Bylaw Nos. 306, 307 and 308

Legal review for Bylaw No. 308 had not been received, Trustees decided not to proceed with consideration of Bylaw No. 308 until the legal review is received.

Planning Manager Kauer provided an overview of bylaw amendment procedures.

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

- Thanked everyone for their submissions, comments and considerations and Staff for their hard work;
- Would not adopt bylaws without water license or Housing Agreement (HA), these are still outstanding conditions;
- Supported firmer, definitive language in bylaws and change “should” to “shall” in DP-11 to reinforce obligation;
- Interested in environmentally sensitive management of the development;
- Supported efforts for construction and maintenance to source goods, supplies and services on-island (local) to reduce transportation greenhouse gases;
- Concerned with Official Community Plan (OCP) amendments specific to this application, interested in taking out and moving to the HA;
- Preferred gradual development of our island;
- Interested in co-operative housing;
- Preferred rainwater collection and that cisterns were required for water capture and use;
- The upcoming Housing Options and Impacts Review Project will look at a broad range of policy and regulatory amendment options with all community voices heard to discuss other ways to address affordability;
- The HA is in perpetuity but can be changed with due process;
- Demonstrated need for affordable rental housing on Gabriola;
- Recognized that there needs to be an official OCP review;
- After many years of discussion, would love to consider eco-village or micro-home development, however, this is not what is being proposed;
- Housing is not created by bylaw amendments, they are created by funding, the Province of British Columbia is providing unprecedented funding for affordable housing and has conditions of that funding;
- Water is a complicated issue, the Province has regulatory approval on water and issues water licenses with their own conditions, the bylaw will not be adopted without receipt of the water license;
- Would not support a well that would affect the neighbours and all expert water reports indicate that neighbouring wells will not be affected;
- Satisfied with the septic system that the experts have provided and the regulatory approval is not with Islands Trust (IT), rely on the best scientific evidence available;
- Proposal should not increase population as it is for secure rental housing for Gabriolans;
- Privately owned land clearing has the most impact to deforestation on Gabriola, the new Multi-dwelling Affordable Housing 1 (MAH1) zone and new DP-11 will give more environmental protection than the current Institutional zone to protect the forest;
- Balancing need for safe, affordable housing with protecting the ecosystem;
- Affordability definition in the HA provides the most flexibility; and
- Any land not appropriately zoned for multi-dwelling affordable housing would require rezoning and its own HA with due public process.

GB-2021-001

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, Instruction 1.1 be amended to read “9 and 11” instead of “and 9”.

CARRIED

GB-2021-002

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, Instruction 1.6 be amended by deleting Instruction 1.6 in its entirety and replacing it with:

1.6 Section 2 – General Land Use and Residential Development, Subsection 2.4 Multi-dwelling Affordable Housing, Background, is amended by removing the words “Currently there are two Seniors’ housing developments on Gabriola (designated as Seniors and Special Needs in Schedule B of this Plan), and no other types of Multi-dwelling Affordable Housing developments. Future applications to designate a site for Multi-dwelling Affordable Housing shall be evaluated in terms of their compliance with the objectives and policies of this section and will require a new land use designation and zone at that time.” and replacing it with:

"Currently there are two Seniors' housing developments (designated as Seniors and Special Needs in Schedule B of this Plan). To accommodate the provision of multi-family affordable housing, the Plan supports the creation of a new designation Multi-dwelling Affordable Housing and zone that is compliant with the objectives and policies of this section."

CARRIED

GB-2021-003

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, Instruction 1.15 be amended by deleting the words “that may be” in the definition of the term “affordable housing”.

CARRIED

GB-2021-004

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, Instruction 1.16 Appendix, Appendix 1 Definitions by replacing the term “multiple-dwelling affordable housing” with “multi-dwelling affordable housing”.

CARRIED

GB-2021-005

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, amend objectives of 1.14 by adding objective “f) to manage development in an environmentally sensitive manner”.

CARRIED

GB-2021-006

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020, amend the Environmental Protection Development Permit Area 11 guidelines by adding “F11.3.10 Efforts shall be made in construction and maintenance activities to source goods, supplies and services on-island to reduce greenhouse-gas emissions related to transportation”.

CARRIED

GB-2021-007

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”, Appendix 2, Section F.11 DP-11 Environmental Protection, subsection F.11.3 Guidelines, be amended as follows:

- a. Article F11.3.3 is amended by removing “should” and replacing it with “shall”;
- b. Article F11.3.4 is amended by removing “should” and replacing it with “shall”; and
- c. Article F11.3.5 is amended by removing “should” and replacing it with “shall”.

CARRIED

GB-2021-008

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, be read a third time, as amended.

CARRIED

Trustee Langereis Opposed

GB-2021-009

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, as amended, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

Trustee Langereis Opposed

GB-2021-010

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee forward Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, as amended, to the Minister of Municipal Affairs and Housing for approval.

CARRIED

Trustee Langereis Opposed

GB-2021-011

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”, be read a third time, as amended.

CARRIED

Trustee Langereis Opposed

GB-2021-012

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”, as amended, be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

Trustee Langereis Opposed

5. ADJOURNMENT

By general consent the meeting was adjourned at 6:08 pm.

Dan Rogers, Chair

Certified Correct:

Nadine Mourao, Recorder



Resolutions Without Meetings Log

Gabriola Island

Resolution Number	Action	Date
2020-014	Carried	21-Dec-2020
"That the Gabriola Island Local Trust Committee: a. Endorse the "December 2020 Housing Gabriola: Options and Impacts Public Engagement Plan" as recommended by the Housing Advisory Planning Commission; and b. Request staff release up to a maximum of: i. \$3,891.10 from the 'Housing Options and Impacts Review Project' budget; and ii. \$108.90 from the 'Communications' budget to cover the costs of monthly advertising space in the Sounder community paper and print surveys from January through to March 2021, for public outreach and engagement conducted by the Gabriola Housing Working Group."		

Minutes of the Gabriola Island Housing Advisory Planning Commission

Date of Meeting: December 17, 2020

Location: Electronic Meeting

HAPC Members Present: Steven Earle
Tobi Elliot, Chair & Secretary
Dyan Dunsmoor-Farley
Angela Pounds
Kenda Chang-Swanson
John Woods

Regrets: Janice Power

Staff Present: Sonja Zupanec
Nadine Mourao, Recorder

Others Present: There were five (5) members of the public in attendance

1. CALL TO ORDER AND WELCOME

Chair Elliot called the meeting to order at 2:31 pm. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, welcomed the public and introduced Commission Members, Staff and Recorder.

2. APPROVAL OF AGENDA

By general consent the agenda was approved.

3. MINUTES - Gabriola Island Housing Advisory Planning Commission Draft Minutes dated September 3, 2020 – for Adoption

By general consent, the Housing Advisory Planning Commission meeting minutes of September 3, 2020 were adopted.

4. REVIEW GABRIOLA HOUSING WORKING GROUP ENGAGEMENT PLAN

4.1 Work plan and Research Questions

Chair Elliot provided an overview of the Housing Gabriola: Options and Impacts Public Engagement Plan and noted the following:

- Asked members to: make recommendations about the plan, if they supported the work plan, and if they would like to send it to the Gabriola Local Trust Committee (LTC);

- Scheduled launch date January 13, 2021;
- Due to pandemic disruptions, not able to continue with original engagement plan;
- Provided plan on how questions are posed, so that they produce meaningful and useful information, to create and modify policy;
- Create way to provide series of topics that flow into broad understanding of what affordability needs are;
- Data needed to address housing affordability and the unique needs of Gabriola's community, while protecting sensitive ecosystems, addressing climate emergency and focusing on Islands Trust mandate to preserve and protect;
- Using ad or article in the Gabriola Sounder, paper surveys, and dedicated webpage with links to policy and background documents to create education piece for community members on background information. When they are asked how they feel they are coming from a place of knowledge;
- Data collection from: <https://www.discourse.org/> (where healthy participation is rewarded), a dedicated website, online surveys and paper survey. Analysis of data and findings reported to Housing Advisory Planning Commission (HAPC); and
- The final report will be sent to the LTC to translate consultation work into policy and regulatory options when they are ready.

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

- Need to address community questions on "why have engagement now when affordable housing application before the LTC?" Challenging to separate regulatory and policy making and current application for affordable housing;
- Kenda, Janice, Angela and Tobi to work on reaching vulnerable community members and those hard to house for feedback, interested in hard copies of surveys;
- Interested in partnering with the library to use computers and give assistance to those that have no computer access;
- In order to get to discussion forum <https://www.discourse.org/> people go through the education platform, discourse moderator may guide persons back to the information and data if needed;
- Interested in small focus group to gather data from those who are harder to reach;
- Interested in short background video summarizing data presented on website; and
- Chair Elliot will forward a revised Housing Gabriola: Options and Impacts Public Engagement Plan to Staff.

4.2 HAPC members vote whether to support in principle the approach put together by the GHWG

Members voted in support of the approach put together by the Gabriola Housing Working Group (GHWG).

4.3 Provide Recommendations to the Gabriola Local Trust Committee regarding adoption of the community-led public engagement to inform the Housing Options and Impacts Review Project (HOIRP)

In consideration of timeline for scheduled launch date in January, members interested in LTC consideration of accepting the proposal by Resolution Without Meeting.

GB-HAPC-2020-001

It was MOVED and SECONDED

that the Gabriola Housing Advisory Planning Commission recommend that the Gabriola Island Local Trust Committee accept the proposal for the community led Public Engagement Strategy to inform the Housing Options and Impacts Review Project and that the Gabriola Island Local Trust Committee consider accepting the proposal by Resolution Without Meeting.

CARRIED

5. BUDGET RESOLUTION

5.1 HAPC to consider forwarding [insert budget resolution] to the LTC with regard to releasing expenditures from the HOIRP budget.

Members considered budget requirements for the Housing Gabriola: Options and Impacts Public Engagement Plan and noted:

- Requesting funds for advertising and survey costs to support the engagement plan; and
- Would like LTC authorization and support before commencing the public engagement plan.

GB-HAPC-2020-002

It was MOVED and SECONDED

that the Gabriola Housing Advisory Planning Commission recommend that the Gabriola Island Local Trust Committee authorize the release of up to four thousand dollars (\$4,000.00) from the Housing Options and Impacts Review Project budget for 2020-2021. The funds would be used to cover the costs of advertising space in the Gabriola Sounder community newspaper for public outreach, printing of hard copies of surveys, and engagement conducted by the Gabriola Housing Working Group, consistent with the public engagement strategy endorsed by the Gabriola Housing Advisory Planning Commission and in cooperation with Islands Trust Planning Staff and the Gabriola Island Local Trust Committee consider this budget request by Resolution Without Meeting.

CARRIED

6. QUESTION & ANSWER PERIOD OPEN TO THE PUBLIC

A member of the public noted that the words 'engagement' and 'inform' sounded a bit like jargon and asked members to consider using different words such as 'consultation'

and 'help to create/build knowledge'. Also noted the importance of accessible language.

A member of the public recommended that there is clarity in the process for community members that the results will be collected by the GHWG, given to the HAPC, and forwarded to the LTC for consideration to help them develop policies and regulatory options. Noted that plain language needed for those the engagement is intended to reach.

7. CHAIR ROTATION SELECTION

Chair Elliot will continue as Chair for the next meeting.

8. ADJOURNMENT

By general consent, the meeting was adjourned at 4:03 pm.

Tobi Elliot, Chair

Certified Correct:

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: ·amend the Project Charter to include rezoning of Elder Cedar Nature Reserve; (DONE) ·prepare draft amendments to the Gabriola Island OCP; (In progress - coordination with Trust Conservancy staff) ·prepare draft amendments to the Gabriola Island LUB; (In progress - coordination with Trust Conservancy staff) ·consider options for Coats Marsh Regional Park, consult with RDN and TNT, and report back. (DONE)	Ian Cox		In Progress

10-Sep-2020

Activity	Responsibility	Dates	Status
1 Gabriola Temporary Use Permit template for short term vacation rentals, Condition #6 be amended to require proof from the Gabriola Fire Department that the building being used for the vacation rental meets the fire code. Staff to update the TUP checklist accordingly.	Heather Kauer		In Progress



Follow Up Action Report

Gabriola Island

10-Sep-2020

Activity	Responsibility	Dates	Status
2 GB LTC resolution to purchase a subscription to the Welcome Wagon up to \$100. <i>'Welcome Wagon' replaced by new business 'Welcome Home'. No cost to businesses to participate. TAS advised updated Islands Trust brochures coming in Spring 2021 and asked we hold off distribution of information to GB newcomers until new printed material is available.</i>	Wil Cottingham		In Progress

26-Nov-2020

Activity	Responsibility	Dates	Status
1 GB-RZ-2020.1 (GHS) Proposed Bylaw No. 308 (Housing Agreement) given First Reading. - done Postpone PH to January 7, 2021 to start at 10am with a special meeting 3hrs after the close of the hearing and notify public. CIM on December 10 at 6pm and to be for BL 306, 307 and 308. Notify public. - done Staff report recommendations 3 and 4 passed by LTC. - done. LTC request applicant submit approved water licence prior to final reading of BL 306 and 307	Becky McErlean Jaime Dubyna		In Progress
2 Defer agenda item 8.1 (from Nov meeting) to January 2021 LTC Meeting.	Becky McErlean		Completed

Follow Up Action Report

Gabriola Island

26-Nov-2020

Activity	Responsibility	Dates	Status
3 LTC meeting schedule: staff to advertise advance notice of meeting dates on the community calendar. 2021 schedule accepted as presented.	Wil Cottingham		Completed
4 LTC requests IT and ITC staff provide any necessary data to the Gabriola Health and Wellness Initiative by request.	Clare Frater Heather Kauer		Completed
5 Staff to prepare a draft letter from the LTC regarding annual updates to First Nations. For review by LTC in January.	Sonja Zupanec Wil Cottingham		In Progress
6 Defer GB LTC meeting minutes of October 2020 for consideration of adoption at January 2021 LTC meeting.	Becky McErlean Penny Hawley		Completed

GUIDELINES FOR PUBLIC PARTICIPATION DURING LOCAL TRUST COMMITTEE MEETINGS

How to Share Your Ideas with the Gambier Island Local Trust Committee

Town Hall

This is an opportunity for public comments typically offered during each LTC meeting. The Town Hall is a chance for members of the public to inform trustees about topics relevant to the local trust area. While no advance notice is required to speak at a town hall session, the time available will vary, depending on the number of citizens who wish to speak during the 10 minute session. The LTC will make every effort to hear all members of the public during the Town Hall but reserves the right to limit Town Hall submissions.

Organizations and individuals who have submitted an application to the Islands Trust should not speak during Town Hall. They are welcome to speak when their applications are presented to the LTC for a decision; see below.

Delegations

At least two (2) weeks prior to the local trust committee (LTC) meeting, send a request to northinfo@islandstrust.bc.ca including the name and address of the presenter(s), the subject of the delegation and any materials or documents to be presented. It is important to note that the purpose of a delegation is to present new ideas or information that is not otherwise being considered by the LTC (in a project or application). The LTC does not typically make decisions on delegation requests at the same meeting, although they may choose to request staff to report back with further information.

Delegations have up to 10 minutes to speak to the LTC unless additional time is permitted by LTC resolution. To ensure necessary business is completed, the LTC reserves the right to limit the number of delegations it receives at any one meeting.

Organizations and individuals who have submitted an application to the Islands Trust do not appear as a delegation. They are welcome to speak when their applications are presented to the LTC for a decision; see below.

Correspondence

Correspondence may be submitted to the LTC at any time by email to northinfo@islandstrust.bc.ca.

If a member of the public or an organization wishes to have their correspondence included in an LTC agenda package, this request must be received at least two (2) weeks prior to the LTC meeting (either in person, by mail or by email to northinfo@islandstrust.bc.ca).

Correspondence included in an LTC agenda package should pertain to issues which are not otherwise being considered in LTC projects or applications. Organizations and individuals who have submitted an application to the Islands Trust should direct correspondence to the staff assigned to their application.

Correspondence regarding LTC projects or complex applications is typically posted to the LTC website.

Anonymous correspondence will not be accepted.

Applicants

Applicants should communicate with Islands Trust staff regarding application requirements and the application process. Contact staff via northinfo@islandstrust.bc.ca or visit <http://www.islandstrust.bc.ca/islands/land-use-planning/application-guides-forms/> for further information.

When an application comes before the LTC for a decision, staff will present a report and recommendations to the LTC. The applicant may then speak, for up to 5 minutes, in order to indicate their concurrence with the report and recommendations or to advise the LTC of any errors or omissions. After the LTC makes a decision, the applicant may ask questions for clarification of the LTC's decision or direction to staff.

Applicants are permitted to participate electronically in meetings.

Applicants should communicate with Islands Trust staff in advance of the LTC meeting if they are concerned with staff recommendations or if they are aware of any errors or omissions in the staff report.

Please note, the LTC is under no obligation to accept delegations, town hall comments, correspondence, or other submissions that are deemed defamatory or offensive in nature.

MEMO

Date: January 12, 2021

To: Gabriola Local Trust Committee

From: Kees Langereis, trustee

RE: GUIDELINES FOR PUBLIC PARTICIPATION DURING LOCAL TRUST COMMITTEE MEETINGS

Please find attached a revised version of the above cited document. The original version was discussed at a previous LTC meeting at which time I said I would review and come back with any suggested changes.

My objective is to provide a bit more detail that may be helpful for the public. The proposed changes are based on my understanding of current procedures and how correspondence is managed.

The revised version is provided for your consideration and input.

Kees Langereis

Attachments:

DRAFT JANUARY 2021

GUIDELINES FOR PUBLIC PARTICIPATION DURING LOCAL TRUST COMMITTEE MEETINGS

How to Share Your Ideas with the Gabriola Island Local Trust Committee

Town Hall

This is an opportunity for public comments typically offered during each Local Trust Committee (LTC) meeting. The Town Hall is a chance for members of the public to inform trustees about an LTC agenda item or any other topic relevant to the local trust area.

No advance notice is required to speak at a town hall session and the LTC will make every effort to hear all members of the public during the Town Hall. However, the LTC may limit the number of speakers and/or time allocated per speaker to ensure the business on the meeting's agenda can be completed within a reasonable time frame.

Organizations and individuals who have submitted an application to the Islands Trust should not speak about their application during Town Hall. They are welcome to speak when their applications are presented to the LTC for a decision; see "Applicants" section below.

Delegations

This is an opportunity for the public to make a more formal presentation to the LTC, including submission of written materials. To get on the agenda, send a request to northinfo@islandstrust.bc.ca at least two (2) weeks prior to the LTC meeting. The request should include the name and address of the presenter(s), the subject of the delegation and any materials or documents to be presented. It is important to note that the purpose of a delegation is to present information that is:

- not related to an item on the LTC's agenda but relevant to the local trust area, or
- related to an agenda item and the information is additional to what the LTC is already considering.

The LTC does not typically make decisions on delegation requests at the same meeting, although they may request staff to report back with further information.

Each delegation has up to 10 minutes to speak to the LTC unless additional time is permitted by LTC resolution. To ensure necessary business is completed, the LTC reserves the right to limit the number of delegations at a meeting.

Organizations and individuals who have submitted an application to the Islands Trust do not appear as a delegation. They are welcome to speak when their applications are presented to the LTC for a decision; see "Applicants" section below.

Correspondence

Correspondence may be submitted to the LTC at any time by email to northinfo@islandstrust.bc.ca

A. Correspondence regarding an issue or topic NOT on the LTC agenda:

If a member of the public or an organization wishes to have their correspondence included in an LTC agenda package, the correspondence must be received at least two (2) weeks prior to the LTC meeting. It can be submitted:

- in person or mailed to Northern Office 700 North Road, Gabriola Island, BC V0R 1X3, or
- by email to northinfo@islandstrust.bc.ca.

If submitted late, the correspondence will be included in the next LTC agenda.

B. Correspondence regarding active LTC projects or applications:

These are posted to the LTC website in the “correspondence” section of the project or application folder.

C. Correspondence from applicants:

Applicants should direct correspondence to the staff assigned to their application.

D. Anonymous correspondence:

These will not be accepted.

Applicants

Applicants should communicate with Islands Trust staff regarding application requirements and the application process. Contact staff via northinfo@islandstrust.bc.ca or visit <http://www.islandstrust.bc.ca/islands/land-use-planning/application-guides-forms/> for further information.

When an application comes before the LTC for a decision, staff will present a report and recommendations to the LTC. The applicant may then speak, for up to 5 minutes, in order to indicate their concurrence with the report and recommendations or to advise the LTC of any errors or omissions. Trustees may also have questions for the applicant. After the LTC makes a decision, the applicant may ask questions for clarification of the LTC’s decision or direction to staff.

Applicants are permitted to participate by phone.

Please note, the LTC is under no obligation to accept delegations, town hall comments, correspondence, or other submissions that are deemed defamatory or offensive in nature.

STAFF REPORT

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

DATE OF MEETING: January 21, 2021

TO: Gabriola Island Local Trust Committee

FROM: Marnie Eggen, Island Planner
Northern Team

COPY: Heather Kauer, Regional Planning Manager

SUBJECT: Acceptance of Covenant to Prohibit Increased Density
Applicant: Brian Henning
Land Owner: George Kuprowsky and 0858317 BC Ltd.
Location: 831 Chelwood Rd and 835 Chelwood Rd, Gabriola Island

RECOMMENDATION

That the Gabriola Island Local Trust Committee accept a covenant, under Section 219 of the Land Title Act for the purposes of prohibiting increased residential density on the subject lots (PID: 009-739-602; PID 000-105-287) and authorize the Chair and one other member of the Local Trust Committee as signatories to the covenant, in respect of subdivision application GB-SUB-2017.2.

REPORT SUMMARY

The Gabriola Local Trust Committee (LTC) is requested to consider acceptance of a covenant and designate the Chair and one Trustee to sign the covenant (see Attachment 1). The covenant is required as a condition of the above mentioned subdivision for a lot line adjustment between two lots on Chelwood Road. The lot line adjustment proposes two split zoned lots, and in order to ensure that the subdivision does not result in allowing a greater residential density than what is currently permitted by the Gabriola Land Use Bylaw No. 177, the applicant is required to register a covenant on each of the newly created lots to prohibit such an increase. The subdivision is contingent on registration of the covenant.

BACKGROUND

At their September 10, 2020 business meeting, the LTC agreed to enter into a cost recovery agreement with the applicant in order to have the covenant drafted and reviewed by legal counsel:

GB-2020-060

It was MOVED and SECONDED

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. 177, in respect of subdivision application GB-SUB-2017.2.

CARRIED

The covenant is now in draft form and has received preliminary acceptance by the applicant. At the time of report preparation, minor changes to the covenant were being finalized. The covenant is expected be finalized and distributed in time for the January 21st LTC meeting.

For background information on the subdivision application, please refer to the staff report for subdivision application GB-SUB-2017.2 that was presented at the September 10, 2020 business meeting.

ANALYSIS

Policy/Regulatory

Official Community Plan and Land Use Bylaw:

The covenant resolves an unintended potential increase in residential density that would otherwise result with the proposed split zoned lots. Subsection C.3.1.2.(a) of the Gabriola Island Land Use Bylaw No. 177 (LUB), states that “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.

Additionally, the covenant is consistent with the subsection A.2.5.1 Gabriola Island LUB:

A.2.5 Covenants

A.2.5.1 Where under this Bylaw an owner of land is required or authorised to grant any covenant or statutory right of way, the covenant or statutory right of way must be granted to the Gabriola Island Local Trust Committee in priority to all financial charges and delivered in registerable form satisfactory to the Gabriola Island Local Trust Committee prior to the granting of any approval or authorisation in respect of which the covenant or statutory right of way is required. The covenant must indemnify the Gabriola Island Local Trust Committee in respect of any fees or expenses it may incur as a result of a breach of the covenant by the covenantor.

Rationale for Recommendation

Staff recommend accepting the covenant as it prevents a potential unintended increase in residential density that would have otherwise resulted from the proposed lot line adjustment, creating two split zoned lots.

NEXT STEPS

Should the LTC accept and sign the covenant, staff will forward the signed covenant to the applicant for registration with the Land Title and Survey Authority of British Columbia (LTSA), and request a copy of the registered covenant upon its registration.

Following completion of all conditions outlined in the referral response to MOTI, staff will provide written confirmation that the Islands Trust’s conditions are met and that the proposed subdivision meets Gabriola Island LTC Bylaws.

Submitted By:	Marnie Eggen, RPP, MCIP Island Planner	January 11, 2021
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	January 12, 2021

ATTACHMENTS

1. Covenant – attached.

TERMS OF INSTRUMENT – PART 2

SECTION 219 COVENANT

THIS AGREEMENT dated for reference _____, is

BETWEEN:

GABRIOLA ISLAND LOCAL TRUST COMMITTEE, 700 North Road
RR#3 Gabriola Island, B.C. V0R 1X3

(the “**Local Trust Committee**”)

AND:

0858317 B.C. LTD., Inc. No. BC0858317
c/o 30 Front Street, Box 190, Nanaimo, B.C. V9R 5K9

(the “**Lot B Owner**”)

And

GEORGE STEPHEN KUPROWSKY, Naturopathic Physician
831 Chelwood Road, Gabriola Island, B.C. V0R 1X0

(the “**Lot A Owner**”)/

(the Lot A Owner and the Lot B Owner together, the “**Owners**”)

GIVEN THAT:

A. The Lot B Owner is the registered owner of the land legally described as:

NO PID
Lot B, Section 22, Gabriola Island, Nanaimo District, Plan
EPP101027

(“**Lot B**”).

B. The Lot A Owner is the registered owner of the land legally described as:

NO PID
Lot A, Section 22, Gabriola Island, Nanaimo District, Plan EPP101027

(“**Lot A**”).

- C. In connection with the subdivision application GB-SUB-2017.2 (the “**Subdivision Application**”) to create Lot A and Lot B by deposit of Plan EPP101027, a reduced copy of which is attached hereto as Schedule “A”, the Owners each agreed to grant to the Local Trust Committee a covenant under section 219 of the *Land Title Act* (British Columbia) in respect of Lot A and Lot B, respectively, to limit the dwelling units of each of those parcels in accordance with this Agreement.

THIS AGREEMENT is evidence that in consideration of the payment of \$10.00 from the Local Trust Committee to the Owners and other good and valuable consideration (the receipt and sufficiency of which the Owners acknowledge), the Owners covenant and agree with the Local Trust Committee under section 219 of the *Land Title Act* as follows:

1. **Lot A Covenant** – Pursuant to section 219 of the *Land Title Act*, the Lot A Owner covenants and agrees with the Local Trust Committee as follows:
 - (a) No more than one dwelling unit shall be constructed, placed or otherwise located on Lot A.
 - (b) No more than one secondary suite shall be constructed, placed or otherwise located on Lot A.
2. **Lot A Owner Indemnity** – As an integral part of the covenant granted under section 1, pursuant to section 219(6)(a) of the *Land Title Act*, the Lot A Owner hereby indemnifies the Local Trust Committee:
 - (a) from and against any and all liability, actions, causes of action, claims, suits, proceedings, judgements, damages, expenses, legal fees, demands and losses at any time suffered or incurred by, or brought against, the Local Trust Committee, or any of its elected or appointed officials, officers, employees or agents, arising from or in connection with the granting or existence of this Agreement, the performance of any of the Lot A Owner’s obligations under this Agreement and any breach of any provision under this Agreement; and
 - (b) for all costs, fees and expenses, including legal fees, incurred by the Local Trust Committee in the enforcement of this Agreement as a result of any breach of any provision of this Agreement by the Lot A Owner.
3. **Lot A Covenant and Indemnity Run with Lands** – The covenant and indemnity under sections 1 and 2 shall burden and run with, and bind the successors in title to, Lot A and each and every part into which the Lot A may be subdivided by any means (including by deposit of a strata plan of any kind under the Strata Property Act (British Columbia)).
4. **Lot B Covenant** – Pursuant to section 219 of the *Land Title Act*, the Lot B Owner covenants and agrees with the Local Trust committee as follows:
 - (a) No more than one dwelling unit shall be constructed, placed or otherwise located on Lot B.

- (b) No more than one secondary suite shall be constructed, placed or otherwise located on Lot B.
- 5. **Lot B Owner Indemnity** – As an integral part of the covenant granted under section 4, pursuant to section 219(6)(a) of the *Land Title Act*, the Lot B Owner hereby indemnifies the Local Trust Committee:
 - (a) from and against any and all liability, actions, causes of action, claims, suits, proceedings, judgements, damages, expenses, legal fees, demands and losses at any time suffered or incurred by, or brought against, the Local Trust Committee, or any of its elected or appointed officials, officers, employees or agents, arising from or in connection with the granting or existence of this Agreement, the performance of any of the Lot B Owner’s obligations under this Agreement and any breach of any provision under this Agreement; and
 - (b) for all costs, fees and expenses, including legal fees, incurred by the Local Trust Committee in the enforcement of this Agreement as a result of any breach of any provision of this Agreement by the Lot B Owner.
- 6. **Lot B Covenant and Indemnity Run with Lands** – The covenant and indemnity under sections 4 and 5 shall burden and run with, and bind the successors in title to, Lot B and each and every part into which the Lot B may be subdivided by any means (including by deposit of a strata plan of any kind under the Strata Property Act (British Columbia)).
- 7. **Definitions** – In this Agreement:
 - (a) “dwelling unit” means one or more rooms in a building, designed, occupied or intended for human habitation containing one set of cooking facilities and/or the infrastructure designed, used or intended to be used for the preparation and cooking food, and used as a residence by a single family;
 - (b) “single family” means one or more persons living as a single household;
 - (c) “parcel” means a parcel fee simple title to which has been raised in the land title office by deposit of a subdivision plan in accordance with the *Land Title Act*;
 - (d) “principal” means in relation to use, building, or structure means the main or primary use, building or structure;
 - (e) “secondary suite” means a self-contained dwelling unit consisting of one or more habitable rooms and a cooking facility for residential occupancy that is ancillary, accessory and exclusively devoted to a principal dwelling unit located on the same lot; and
 - (f) the terms “Building”, “Lot Coverage”, and “Structure” shall have the same meaning as under Gabriola Land Use Bylaw No. 177 as of the date of registration of this Agreement in the land title office.

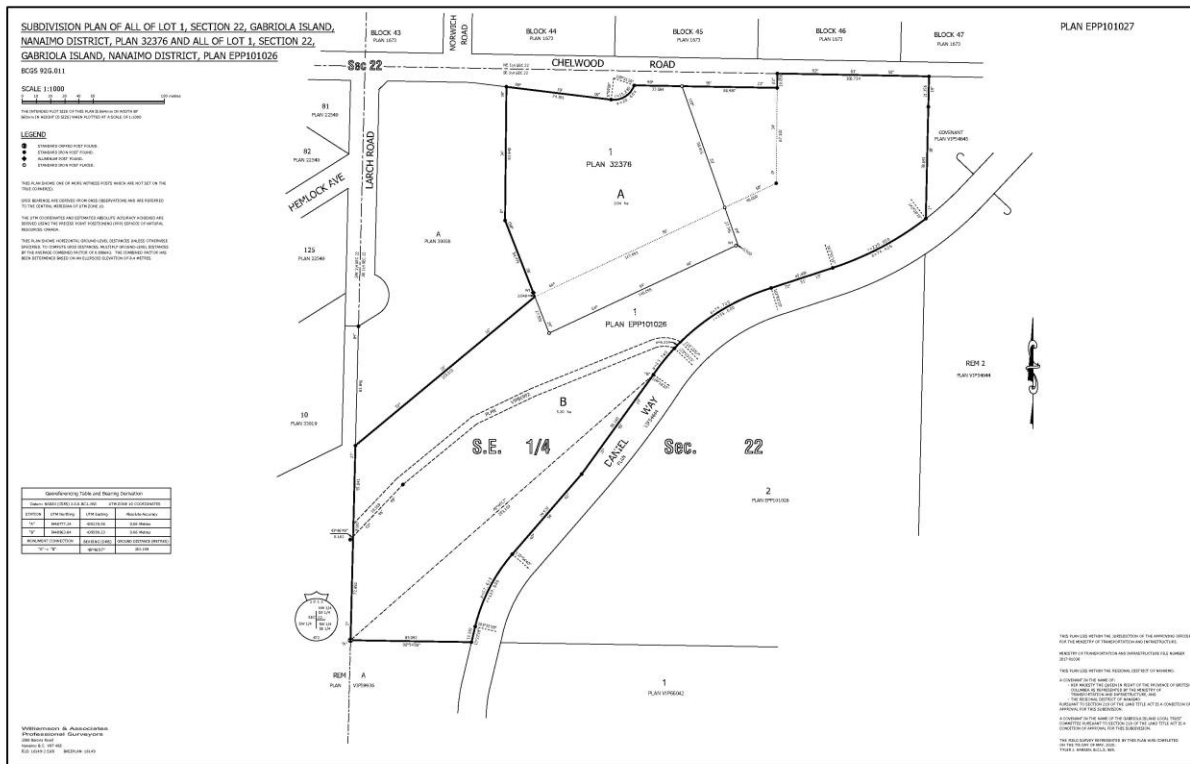
8. **Specific Relief** – The Owners each agree that the public interest in ensuring that all of the provisions of this Agreement are complied with strongly favours the award of a prohibitory or mandatory injunction, or an order for specific performance or other specific relief, by the Supreme Court of British Columbia at the instance of the Local Trust Committee, in the event of an actual or threatened breach of this Agreement.
9. **No Effect on Powers** – Nothing in this Agreement shall:
 - (a) affect or limit the discretion, rights or powers of the Local Trust Committee under any enactment or at common law, including in relation to the use, development or subdivision of the Lands;
 - (b) affect or limit any enactment relating to the use, development or subdivision of the Lands; or
 - (c) relieve the Owners from complying with any enactment, including in relation to the use, development or subdivision of the Lands.
10. **Local Trust Committee Discretion** – Where the Local Trust Committee or a representative of the Local Trust Committee is required or permitted under this Agreement to form an opinion, exercise a discretion, express satisfaction, make a determination or give its consent:
 - (a) the relevant provision shall not be considered fulfilled unless the approval, opinion, determination, consent or expression of satisfaction is in writing signed by the Local Trust Committee or the representative, as the case may be;
 - (b) the approval, opinion, determination, consent or satisfaction is in the sole discretion of the Local Trust Committee or the representative, as the case may be; and
 - (c) the Local Trust Committee or the representative, as the case may be, is under no public law duty of fairness or natural justice in that regard and the Local Trust Committee or the representative may do any of those things in the same manner as if it were a private person and not a public body or employee or officer thereof.
11. **No Obligation to Enforce** – The rights given to the Local Trust Committee under this Agreement are permissive only and nothing in this Agreement shall give rise to any legal duty of any kind on the Local Trust Committee to anyone or obligate the Local Trust Committee to enforce this Agreement or to perform any act or incur any expense.
12. **Waiver** – No waiver by the Local Trust Committee of any requirement or breach of this Agreement shall be effective unless it is an express waiver in writing that specifically references the requirement or breach and no such waiver shall operate as a waiver of any other requirement or breach or any continuing breach of this Agreement.

13. **Remedies** - No reference to or exercise of any specific right or remedy by the Local Trust Committee shall prejudice or preclude the Local Trust Committee from exercising any other right or remedy, whether allowed at law or in equity or expressly provided for in this Agreement, and no such right or remedy is exclusive or dependent upon any other such remedy and the Local Trust Committee may from time to time exercise any one or more of such remedies independently or in combination.
14. **Priority** – Each Owner shall cause this Agreement to be registered in the applicable land title office against title to their parcel of land as identified in this Agreement with priority over all financial liens, charges and encumbrances, and any leases and options to purchase, registered or pending registration at the time of application for registration of this Agreement, including by causing the holder of each such lien, charge, encumbrance, lease or option to purchase to execute an instrument in a form required by the Local Trust Committee under which such holder postpones all of the holder’s rights to those of the Local Trust Committee under this Agreement in the same manner and to the same extent as if such lien, charge, encumbrance, lease or option to purchase had been registered immediately after the registration of this Agreement.
15. **Modification** – This Agreement may not be modified except by an agreement or instrument in writing signed by the Owners or their successors in title and the Local Trust Committee or a successor or assignee.
16. **Further Assurances** – The Owners shall do and cause to be done all things, including by executing further documents, as may be necessary to give effect to the intent of this Agreement.
17. **Owners’ Expense** – The Owners shall perform their obligations under this Agreement at their own expense and without compensation from the Local Trust Committee.
18. **Severance** – If any part of this Agreement is for any reason held to be invalid by a decision of a court with the jurisdiction to do so, the invalid portion is to be considered severed from the rest of this Agreement and the decision that it is invalid shall not affect the validity or enforceability of the remainder of this Agreement.
19. **Interpretation** - In this Agreement:
 - (a) reference to the singular includes a reference to the plural, and vice versa, unless the context requires otherwise;
 - (b) article and section headings have been inserted for ease of reference only and are not to be used in interpreting this agreement;
 - (c) the term “enactment” has the meaning given to it under the *Interpretation Act* (British Columbia) on the reference date of this Agreement;
 - (d) reference to any enactment includes any regulations, orders or directives made under the authority of that enactment;

- (e) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced from time to time, unless otherwise expressly provided;
 - (f) reference to a particular numbered section, or to a particular lettered schedule, is, unless otherwise expressly provided, a reference to the correspondingly numbered section or lettered schedule of this Agreement;
 - (g) all Schedules to this Agreement form an integral part of this Agreement;
 - (h) time is of the essence; and
 - (i) where the word "including" is followed by a list, the contents of the list are not intended to limit or otherwise affect the generality of the expression preceding the word "including".
20. **Governing Law** – This Agreement shall be governed by and construed in accordance with the laws of the Province of British Columbia, which shall be deemed to be the proper law hereof.
21. **Enurement** – This Agreement hereof shall enure to the benefit of the parties and their respective successors and assigns, as the case may be.
22. **Entire Agreement** – This Agreement is the entire agreement between the parties regarding its subject.
23. **Execution in Counterparts & Electronic Delivery** - This Agreement may be executed in any number of counterparts and delivered by e-mail, each of which shall be deemed to be an original and all of which taken together shall be deemed to constitute one and the same instrument, provided that any party delivering this Agreement by e-mail shall also deliver to the other party an originally executed copy of this Agreement.

As evidence of their agreement to be bound by this Agreement, the parties have executed the General Instrument – Part 1 (*Land Title Act* Form C) attached to and forming part of this Agreement.

Schedule “A”



PRIORITY AGREEMENT

This Priority Agreement is between The Toronto-Dominion Bank (the “**Prior Chargeholder**”), being the registered owner and holder of Mortgage No. FB95985 (the “**Prior Charges**”), and the Gabriola Island Local Trust Committee (the “**Local Trust Committee**”), being the registered owner and holder of the covenant under section 219 of the *Land Title Act* (British Columbia) to which this Priority Agreement is attached (the “**Subsequent Charge**”).

In consideration of the sum of ten dollars (\$10.00) now paid to the Prior Chargeholder and other good and valuable consideration, the receipt and sufficiency of which the Prior Chargeholder acknowledges, the Prior Chargeholder hereby approves of, joins in and consents to the granting of the Subsequent Charge and hereby postpones all of the Prior Chargeholder’s rights under the Prior Charges to the rights of the Local Trust Committee under the Subsequent Charge in the same manner and to the same extent as if the Prior Charges had been registered immediately after the Subsequent Charge.

As evidence of its agreement to be bound by this Priority Agreement, the Prior Chargeholder has executed the General Instrument – Part 1 (*Land Title Act* - Form C) attached to and forming part of this Priority Agreement.

END OF DOCUMENT

DATE OF MEETING: January 21, 2021

TO: Gabriola Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Team

COPY: John Steil, Applicant

SUBJECT: Status Update on Application GB-RZ-2019.1 (BC Ferries)

PURPOSE

The purpose of this memorandum is to update the Local Trust Committee (LTC) on the status of the above noted bylaw amendment application and possible next steps to be considered by the LTC.

APPLICATION GB-RZ-2019.1 (BC FERRIES) TIMELINE

April 2019 – Application received and Islands Trust planning staff initiated review.

July 2019 – Preliminary staff report considered by LTC.

- LTC resolution directing staff to notify First Nations and request feedback on their preferred involvement in the bylaw amendment process;
- LTC resolution directing staff to prepare necessary OCP and LUB amendments to enable the requested changes in designation and zoning, and establish a new Development Permit Area; and
- LTC resolution advising the applicant submit additional information to support their application: environmental impact assessment; water source approval for terminal; permit for water lines in the MOTI highway; wastewater report; flood construction level report.

October 2019 – Draft bylaw language presented to the LTC.

- LTC resolution directing staff to prepare draft bylaws for first reading.
- LTC resolution requesting the applicant provide an Archaeological Impact Assessment prior to a public hearing being scheduled.

January 2020 – Proposed Bylaws 304 (OCP) and 305 (LUB) given First Reading

- Bylaws referred to First Nations, agencies and local governments.
- Bylaws sent to Advisory Planning Commission and Ferry Advisory Committee for comment.
- LTC requesting staff conduct a community information meeting at the close of the 60 day bylaw referral period (closed March 30, 2020).

March 3, 2020 – I.T. staff meet with Snuneymuxw First Nation to discuss the Nation's concerns regarding the proposed terminal redevelopment plans

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March 18, 2020 – Trust wide notice that all future in-person Islands Trust meetings were cancelled due to the COVID-19 pandemic restrictions around public gatherings.

March 30, 2020 – referral period for Proposed Bylaws 304 and 305 technically ended. Staff report prepared summarizing all key deliverables from the application regarding LTC requested professional reports. Ferry Advisory Committee and Advisory Planning Commission submitted comments on potential amendments to proposed bylaws.

June 2020 – Community Information Meeting scheduled for June 25, notices published in local paper.

June 24 2020 – Trustee Colborne received correspondence from Snuneymuxw regarding concerns and requesting a meeting prior to further consideration of the bylaws.

June 25 2020 – LTC cancelled the Community Information Meeting for Proposed Bylaws 304 and 305 and any further consideration of next steps and passed the following resolution:

GB-2020-034 It was MOVED and SECONDED

*by the Gabriola Island Local Trust Committee that items 7.2 and 8.1 regarding GB-RZ-2019.1 (BC Ferry Services Inc.) be removed from the agenda and postponed until trustees have an opportunity to connect with the Snuneymuxw First Nation. **CARRIED***

July 8 2020 – LTC and staff scheduled to meet with Snuneymuxw. Meeting cancelled by request of the Nation.

July 29, 2020 – LTC received correspondence from Snuneymuxw Chief Mike Wyse regarding concerns about the proposed redevelopment.

October 15, 2020 – Teleconference with Islands Trust planning staff and BC Ferries applicants to discuss next steps. IT planning staff requested BC Ferries summarize how they have addressed the concerns of the nations pertaining to the redevelopment plans and proposed bylaws, in a written submission to the LTC for consideration of next steps.

December 1, 2020 – correspondence from BC Ferries David Hendry to the LTC received outlining application deliverables to date and First Nations engagement.

December 10, 2020 – correspondence from LTC Chair Dan Rogers to BC Ferries.

December 12, 2020 – correspondence from BC Ferries applicant John Steil to the LTC.

January 12, 2020 – Islands Trust Senior Intergovernmental Policy Advisor advised management and elected officials that several First Nations communities, including Snuneymuxw, are currently in lockdown. Residents and staff are dealing with a surge in illnesses and the possible loss of loved ones and Elders. Requested LTC's consider how to carefully progress with LTC business during this sensitive time.

January 21, 2021 – Staff memo to LTC summarizing applicant timeline and options for next steps.

SUMMARY AND NEXT STEPS

In order for proposed Bylaw Nos. 304 (OCP) and 305 (LUB) to advance to a community information meeting (CIM), the LTC should be satisfied that all relevant technical reports pertaining to the proposed redevelopment of the ferry terminal have been reviewed and received. The LTC should also be satisfied that any issues identified from agency and First Nation referral responses have been considered and addressed. The applicant has submitted all requested technical information in order to support advancement to a CIM. However, the referral response from Snuneymuxw First Nation (July 2020) indicates that they have significant concerns with the proposed redevelopment of the ferry terminal.

The LTC is committed to working with the Nation to identify how the proposed bylaws may be improved to address the Nations' concerns so that this information can inform improved proposed bylaw language prior to a CIM or public hearing being scheduled.

The LTC is asked to consider possible next steps and advise staff how it wishes to proceed. Suggested next steps may include:

- Postpone further consideration of Proposed Bylaw Nos. 304 (OCP) and 305 (LUB) until the First Nation community shut down order is lifted and Chief and Council/nation staff are in a better position to electronically meet with Islands Trust elected officials/staff representatives to discuss the Nation's specific concerns.
- Proceed with tentative scheduling of an electronic community information meeting during the March 4 regular business meeting agenda while working to ensure further opportunities for consultation with the Nation are possible, prior to the CIM date.

Submitted By:	Sonja Zupanec, RPP, MCIP, Island Planner	January 18, 2021
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	January 18, 2021

December 1, 2020

Mr. Dan Rogers
Chair, Gabriola Island Local Trust Committee
Islands Trust
700 North Road
Gabriola Island, BC, V0R 1X3
Via Email: drogers@islandstrust.bc.ca

Dear Mr. Rogers,

Re: BC Ferries' Proposed Gabriola Terminal Development Project

We are writing to follow up on our conference call with representatives of the Islands Trust on October 15, 2020 relating to our development plans for the Gabriola Island Ferry Terminal.

As you know, BC Ferries is planning to make significant improvements over the next several years to the Gabriola Island ferry service in order to improve safety, reliability and efficiency.

The proposed improvements will increase sailing frequency and capacity, reduce vehicle line-ups on local roads, enhance the customer travel experience, and provide a more climate friendly ferry service using battery-hybrid vessels.

In order to proceed with the terminal improvements, BC Ferries requires development approvals from the Islands Trust, Transport Canada, the Department of Fisheries and Oceans, and the Ministry of Forests, Lands, Natural Resource Operations and Rural Development.

We submitted our application to the Islands Trust on April 2, 2019.

During our October 15th conference call we learned for the first time that in June of 2020 the Islands Trust suspended its review of our application at the request of Chief Mike Wyse of the Snuneymuxw First Nation (SFN).

We understand that Chief Wyse asked that our application be placed on hold until SFN has confirmed that BC Ferries has 'established a relationship' with SFN.

We have not been provided with a copy of the Chief's letter.

The Island Trust's decision to suspend consideration of our application is causing significant delays to our planning and development process.

As a potential way of avoiding further delays, the Islands Trust recommended during our conference call in October that BC Ferries provide a summary of its efforts to establish a working relationship with SFN.

We have responded to that suggestion in a confidential companion letter.

We hope that our companion letter will result in the Islands Trust resuming its review of our project and related application.

We can say in this letter that we have been engaging with the SFN on a confidential basis. Whatever the state of the relationship between BC Ferries and SFN, we believe it should not restrict Islands Trust in consideration of our application. In our view, a suspension of work on our application goes well beyond what is necessary to protect the constitutional right of the SFN to be consulted with respect to any Crown decision that could adversely affect its treaty and Aboriginal rights. All of the Crown authorities considering our project will need to be satisfied that SFN has been duly consulted and accommodated, and we are certain that each of them will take that responsibility very seriously.

We are pleased to provide the following information about the proposed project.

General Information: Our project is intended to address aging infrastructure, safety and congestion concerns. It responds to concerns and recommendations expressed by Gabriola Island and Nanaimo communities through many years of community engagement.

In 2022, we are planning to introduce two new, highly efficient, battery-hybrid, Island Class ferries to the Gabriola Island - Nanaimo route. This represents a significant investment to the community. We are also planning to make significant investments to both Gabriola and Nanaimo Harbour terminals.

The vessel operating on this route (*MV Quinsam*) will be replaced in 2022 with two smaller Island Class vessels. The two new Island Class vessels will enable more frequent service, increase capacity per hour, reduce vehicle line-ups, improve safety, and reduce congestion on local roads. The Island Class vessels are battery-powered with a number of key features that support BC Ferries' goal to be efficient and environmentally responsible throughout its system.

The Gabriola berth and passenger waiting/washroom areas are reaching the end of their service life and we intend to develop a proper holding compound to address traffic safety concerns and improve loading efficiency.

The terminal and vessel investments for the Gabriola Island - Nanaimo route will ensure BC Ferries provides a safe, reliable, and climate friendly ferry service, in the public interest.

We attach a Background Document with further detail, together with an overhead photograph of the Terminal showing the existing and proposed terminal areas.

Development Permit Application Status:

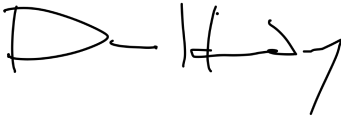
Due to the delays in the development permit process we will need to undertake a life extension project next year to keep the berth serviceable while we work on terminal redevelopment and expansion plans.

Thank you for your attention to this important matter. We kindly request a response by December 11, 2020.

We would be pleased to respond to any questions you may have about the foregoing.

Please feel free to circulate and refer to this letter as you think appropriate.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Hendry', with a stylized flourish at the end.

David Hendry
Director, Strategic Planning & Community Engagement

cc: Steve Mayall, Senior Project Manager, Terminal Construction, BC Ferries
Loriena Melnick, Manager Indigenous Relations, BC Ferries
John Steil, Stantec

Enclosures: Background Document
Overhead photograph of Terminal

BACKGROUND DOCUMENT

Background

BC Ferries' terminal at Descanso Bay on Gabriola Island was constructed in the early 1970s. This terminal connects customers travelling between Gabriola Island and Nanaimo Harbour. The route is currently served by the *MV Quinsam*. BC Ferries is planning to make significant investments to this route over the next several years to improve the safety, reliability, efficiency and the customer travel experience.

Ferry Service Improvements

In 2022, BC Ferries will introduce two new efficient, battery-hybrid Island Class ferries to the Gabriola Island - Nanaimo route replacing the *MV Quinsam*. These new Island Class ferries will enable more frequent service, increase capacity per hour, reduce vehicle line-ups, improve safety and reduced congestion on local roads. The Island Class are battery-powered with a number of key features that support BC Ferries' goal to be efficient and environmentally responsible throughout its system.

Additionally, the company is planning to make substantial investments in the terminal infrastructure at both Gabriola Island and Nanaimo Harbour terminals. The Gabriola berth and passenger waiting/washroom areas are reaching the end of their service life and there is a need to develop a proper holding compound to address traffic safety and congestion concerns and improve loading efficiency.

Gabriola Terminal Development Plan and Planned Improvements

In March 2019, BC Ferries published a Terminal Development Plan (TDP) for Gabriola terminal following consultation with the local community and relevant stakeholders. The TDP sets out the long term 25-year vision for the terminal and outlines the projects required to achieve this vision.

The Gabriola berth and terminal waiting/washroom areas are reaching the end of their service life. There is also a need to develop a proper holding compound to address traffic safety concerns and improve loading efficiency. The planned terminal improvements include the following main components (refer to Figure 1 for an aerial overview of the planned improvements):

- Replacement of the existing berthing structures;
- Expansion of the vehicle holding compound;
- Reconfigured pick up and drop off areas;
- Reconfiguration of the parking area; and
- Waiting room / washroom replacement.

Regulatory Approval and Permit Status

In order to make the necessary and planned terminal improvements, various regulatory approvals and permits are required to prepare for construction. A summary of each of these requirements is further explained below.

To date, BC Ferries has been unsuccessful in attempts to move the development application through Islands Trust Development Permit approval process. BC Ferries' application is on hold due to objections received from the Snuneymuxw First Nation; no other agency at this time has indicated delays due to First Nations. While BC Ferries had intended to commence berth replacement works and terminal expansion sooner, due to the delays with Islands Trust, BC Ferries will instead be undertaking a life extension project in 2021 to keep the berth serviceable and deferring terminal redevelopment and expansion plans.

Islands Trust

In order to improve the existing terminal, a Development Permit is required from Islands Trust. To get this permit, the construction area needs to be zoned appropriately and align with the Official Community Plan (OCP). The existing water lot is zoned correctly, however, the water lot expansions need to be zoned for marine activities. The OCP contains the bylaws that must be adhered to such that a Development Permit can be issued. There are currently no bylaws for the terminal, therefore, these are being established for incorporation into the OCP. The process for rezoning and OCP amendment is as follows:

- BCF submits an application for amendments following an open house for the public to view the changes
- Islands Trust holds a public meeting to discuss the application.
- First draft of the bylaw amendments published
- First reading of the bylaw changes
- 60-day referral period (including First Nations)
- Islands Trust Community meeting (stage we are currently at)
- Second reading
- Third reading and public hearing
- Islands Trust executive meeting
- If the bylaws are approved, they are referred to the Minister of Municipal Affairs and Housing for approval (3-8 months)
- Submit for Development Permit

Water Lot Expansion

In order to accommodate a deeper berth and wider holding compound, expansions of the existing water lots are required. The Ministry of Forests, Lands, Natural Resource Operations and Rural Development are responsible for granting water lot expansions.

Department of Fisheries & Oceans (DFO)

The DFO assesses construction projects in the marine environment for any destruction of fish habitat. The DFO issues a permit, which enables the project to be constructed.

Transport Canada (TC)

TC is responsible for ensuring any projects in the marine environment do not interfere with navigation. TC will assess the project and issue a permit.

Figure 1: Aerial Overview of the Planned Improvements for Gabriola Terminal





Stantec Consulting Ltd.
1100-111 Dunsmuir Street, Vancouver BC V6B 6A3

December 15, 2020
File: 1161-107845

Attention: Mr. Daniel Rogers, Chair (Via email: drogers@islandstrust.bc.ca)
Gabriola Island Local Trust Committee
700 North Road, Gabriola Island, BC V0R 1X3

Dear Mr. Rogers,

**Reference: Application to amend the OCP and LUB
Redevelopment of the Descanso Bay BC Ferries Terminal**

As the applicant of record for this application, I am responding to your December 10, 2020 letter to Mr. David Hendry of BC Ferries. Thank you for that letter. I plan on attending, virtually I assume, the January 21, 2020 LTC meeting along with David Hendry, Stephen Mayall, and Loriena Melnick from BC Ferries.

In response to your letter asking for specific requests or suggestions, we would like to address the following at the meeting. First, we look forward to staff's detailed update of progress since tabling of our application at the June 25, 2020 Local Trust Committee meeting. Second, this update should describe Island Trust discussions with Snuneymuxw First Nation about any specific concerns with the project that they have expressed to the Islands Trust so we have a complete understanding. Third, since we had already received first reading and staff had recommended proceeding with the public hearing, we would seek confirmation that there are no outstanding technical issues with the application. Fourth, we would like some clarity about the path forward, including commitment about a timeline for the process.

As you are well aware, BC Ferries has made a large financial commitment to improving service on the Nanaimo to Gabriola route. This investment will provide long-term benefits to the communities the route serves but requires the terminal development to proceed in order to reap the full benefits from this investment. To move this project ahead expeditiously, BC Ferries requires the cooperation of the Local Trust Committee to make this project possible. We hope that we can accomplish this objective at the upcoming meeting.

Regards,

Stantec Consulting Ltd.

John Steil RPP FCIP
Principal
Phone: 604 696 8209
john.steil@stantec.com

Copies: BC Ferries (D. Hendry, S. Mayall, L. Melnick)

File No.: Ecological Protection Zone
X-ref. 5690-20 (RDN Parks)

DATE OF MEETING: January 21, 2021
TO: Gabriola Island Local Trust Committee
FROM: Ian Cox, Planner 1
Northern Team
SUBJECT: Ecological Protection Zone Project next steps

RECOMMENDATIONS

1. That the Gabriola Island Local Trust Committee amend the Ecological Protection Zone Project Charter V.3 to remove Coats Marsh Regional Park from the in-scope properties at this time.
2. That the Gabriola Island Local Trust Committee request staff to prepare draft amendments to the Gabriola Island Official Community Plan that will:
 - a) Establish a new Ecological Protection (EP) Land Use Designation for the purposes of protection of the natural environment, its ecosystems and biological diversity;
 - b) Designate the Burren's Acres Nature Reserve parcel as Ecological Protection (EP);
 - c) Designate the Elder Cedar Nature Reserve parcel as Ecological Protection (EP);
3. That the Gabriola Island Local Trust Committee request staff to draft amendments to the Gabriola Island Land Use Bylaw that will:
 - a) Create a new zoning designation entitled Ecological Protection (EP) which will regulate permitted uses, buildings and structures; height; siting requirements including setbacks and lot coverage, parking, and subdivision;
 - b) Rezone LOT 3, SECTION 12, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26561 (PID:002-803-925) to Ecological Protection (EP);
 - c) Rezone BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID:026-664-453) to Ecological Protection (EP).

REPORT SUMMARY

This report provides the Gabriola Island Trust Committee (LTC) with updated information and options concerning their Ecological Protection Zone Project in accordance with the Project Charter V.3 as amended November 28, 2019. See **Attachment 1**.

PROJECT BACKGROUND

For detailed information on the background of each property and past LTC resolutions relating to the project, please refer to the staff report dated November 28, 2019 available on the [LTC project website page](#). Discussion

on the subsequent verbal update given by staff that did not contain any recommendations for resolutions may be found in the meeting minutes for [January 23, 2020](#).

ISSUES AND OPPORTUNITIES

In light of information gained through a second Islands Trust and RDN staff-to-staff meeting on October 6, 2020, it is the opinion of staff that for the sake of expediency and progress of the project in the latter part of the current LTC's term, the rezoning of Coats Marsh Regional Park should be considered in the future and with due consideration for the concerns of both the RDN and TNT. Rezoning of the park could be accomplished through a separate LTC project, while a good and important piece of protection work can be expedited now through the creation of an Ecological Protection Zone and the rezoning of Burren's Acres and Elder Cedar Nature Reserve (S'ul-hween X'pey) via appropriate amendments to the Gabriola Official Community Plan (OCP) and Land Use Bylaw (LUB). The creation of such a zone and the rezoning of the two properties would lay the groundwork for future protection of other lands, including Coats Marsh. Staff is recommending that the LTC direct staff accordingly through the draft resolutions provided in this report.

Options for next steps include:

- Amend the Project Charter per staff recommendation and draft bylaws to create an Ecological Protection Zone and then rezone Burren's Acres and Elder Cedar Nature Reserve using such a designation;
- Direct staff to draft bylaws for LTC, RDN and TNT consideration that include the Coats Marsh property per the current Project Charter V.3 (**Attachment 1**), with the understanding that completion of the Top Priority Project may not be possible within the current LTC term;
- Proceed no further with the project at this time.

Draft resolutions for alternatives to the staff recommendations are presented below.

RATIONALE FOR RECOMMENDATIONS

Staff have identified steps to prepare draft OCP and LUB amending bylaws to enable the creation of an Ecological Protection Zone and the subsequent rezoning of the Burren's Acres Nature Reserve and Elder Cedar. The recommendation to amend the Project Charter V.3 is based on discussions with the RDN and TNT regarding their concerns that may require considerable additional time to accommodate within bylaw regulations considering LTC objectives in developing ecological protection type zoning. Further, the Top Priority Project would remain static while more discussion was carried out and would continue to occupy a valuable priority position that could be allocated to other LTC work. Staff recommendations are found on page one of this report.

ALTERNATIVES

1. Proceed with Project Charter V.3 - no amendments

The LTC may choose to continue with the current Project Charter V.3 that includes Coats Marsh and direct staff accordingly. This would involve issuing recommended resolutions 2 and 3 with an amendment to each that includes the marsh property. Draft bylaws would be then referred to the RDN and TNT for review and comment. Recommended wording as follows:

That the Gabriola Island Local Trust Committee request staff to prepare draft amendments to the Gabriola Island Official Community Plan that will:

- a) *Establish a new Ecological Protection (EP) Land Use Designation for the purposes of protection of the natural environment, its ecosystems and biological diversity;*
- b) *Designate the Burren's Acres Nature Reserve parcel as Ecological Protection (EP);*
- c) *Designate the Elder Cedar Nature Reserve parcel as Ecological Protection (EP);*
- d) *Designate Coats Marsh Regional Park parcel as Ecological Protection (EP).*

That the Gabriola Island Local Trust Committee request staff to draft amendments to the Gabriola Island Land Use Bylaw that will:

- a) *Create a new zoning designation entitled Ecological Protection (EP) which will regulate permitted uses, buildings and structures; height; siting requirements including setbacks and lot coverage, parking, and subdivision;*
- b) *Rezone LOT 3, SECTION 12, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26561 (PID:002-803-925) to Ecological Protection (EP);*
- c) *Rezone BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID:026-664-453) to Ecological Protection (EP).*
- d) *Rezone THE NORTH WEST 1/4 OF SECTION 10, GABRIOLA ISLAND, NANAIMO DISTRICT, EXCEPT THOSE PARTS IN PLANS 29152, 30043 AND 30051(PID: 009-735-828) to Ecological Protection (EP).*

2. Proceed no further

The LTC may choose not to proceed with the project at this time. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request staff to remove "Development of an Ecological Protection Zone" from the Top Priorities List and place it on the LTC Projects List.

NEXT STEPS

Should the LTC elect to proceed with bylaw amendments as it sees fit, staff will work to prepare drafts for LTC and other agencies' consideration. Early referrals may be considered at the time draft bylaws are brought forward.

Submitted By:	Ian Cox, Planner 1 Northern Team	January 11, 2021
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	January 11, 2021

ATTACHMENTS

1. Ecological Protection Zone Project Charter V. 3

File No.: Ecological Protection Zone
X-ref. 5690-20 (RDN Parks)

DATE OF MEETING: January 21, 2021
TO: Gabriola Island Local Trust Committee
FROM: Ian Cox, Planner 1
Northern Team
SUBJECT: Ecological Protection Zone Project next steps

RECOMMENDATIONS

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REPORT SUMMARY

This report provides the Gabriola Island Trust Committee (LTC) with updated information and options concerning their Ecological Protection Zone Project in accordance with the Project Charter V.3 as amended November 28, 2019. See **Attachment 1**.

PROJECT BACKGROUND

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In light of information gained through a second Islands Trust and RDN staff-to-staff meeting on October 6, 2020, it is the opinion of staff that for the sake of expediency and progress of the project in the latter part of the current LTC's term, the rezoning of Coats Marsh Regional Park should be considered in the future and with due consideration for the concerns of both the RDN and TNT. Rezoning of the park could be accomplished through a separate LTC project, while a good and important piece of protection work can be expedited now through the creation of an Ecological Protection Zone and the rezoning of Burren's Acres and Elder Cedar Nature Reserve (S'ul-hween X'pey) via appropriate amendments to the Gabriola Official Community Plan (OCP) and Land Use Bylaw (LUB). The creation of such a zone and the rezoning of the two properties would lay the groundwork for future protection of other lands, including Coats Marsh. Staff is recommending that the LTC direct staff accordingly through the draft resolutions provided in this report.

Options for next steps include:

- Amend the Project Charter per staff recommendation and draft bylaws to create an Ecological Protection Zone and then rezone Burren's Acres and Elder Cedar Nature Reserve using such a designation;
- Direct staff to draft bylaws for LTC, RDN and TNT consideration that include the Coats Marsh property per the current Project Charter V.3 (**Attachment 1**), with the understanding that completion of the Top Priority Project may not be possible within the current LTC term;
- Proceed no further with the project at this time.

Draft resolutions for alternatives to the staff recommendations are presented below.

RATIONALE FOR RECOMMENDATIONS

Staff have identified steps to prepare draft OCP and LUB amending bylaws to enable the creation of an Ecological Protection Zone and the subsequent rezoning of the Burren's Acres Nature Reserve and Elder Cedar. The recommendation to amend the Project Charter V.3 is based on discussions with the RDN and TNT regarding their concerns that may require considerable additional time to accommodate within bylaw regulations considering LTC objectives in developing ecological protection type zoning. Further, the Top Priority Project would remain static while more discussion was carried out and would continue to occupy a valuable priority position that could be allocated to other LTC work. Staff recommendations are found on page one of this report.

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That the Gabriola Island Local Trust Committee request staff to remove "Development of an Ecological Protection Zone" from the Top Priorities List and place it on the LTC Projects List.

NEXT STEPS

Should the LTC elect to proceed with bylaw amendments as it sees fit, staff will work to prepare drafts for LTC and other agencies' consideration. Early referrals may be considered at the time draft bylaws are brought forward.

Submitted By:	Ian Cox, Planner 1 Northern Team	January 11, 2021
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	January 11, 2021

ATTACHMENTS

1. Ecological Protection Zone Project Charter V. 3

Purpose To develop a new ecological protection zone for the Gabriola Island Land Use Bylaw No. 177, including the rezoning of Coats Marsh Regional Park, Burns Acres Nature Reserve, and Elder Cedar Nature Reserve to a park or conservation/protection type zone. Further, to explore the possibility of including the rezoning of 707 Community Park donor lands added via Potlatch rezoning process.

Background This project is the result of the Gabriola Island LTC resolution dated July 13, 2017 to amend its Top Priorities List to include the development of a new ecological protection zone for the Land Use Bylaw , including the rezoning of Coats Marsh Regional Park and Burren’s Acres Nature Reserve. The Charter was amended twice, with a third on November 28, 2019 to include Elder Cedar Nature Reserve in the project scope.

- Objectives**
- Develop an ecological protection or similar park or conservation type zone for the Gabriola Island Land Use Bylaw to be used in the rezoning of Coats Marsh Regional Park, Burren’s Acres Nature Reserve, and Elder Cedar nature Reserve
 - Strengthen relations with Snuneymuxw and other local First Nations with asserted interest on Gabriola Island.
 - Incorporate First Nation perspectives into policy/regulatory options.
 - Ensure proposed policy/regulatory changes are consistent with the Object of the Islands Trust and Islands Trust Policy Statement, the protection of the Coastal Douglas-fir and Associated Ecosystems Toolkit and with focus on ecological protection, conservation, and enhancement.

- In Scope**
- First Nations Relations and Perspectives**
- Establish opportunities to incorporate First Nations perspectives on shared conservation interests in land-use and inter-governmental collaboration for effective regulatory decision making.
- Regional Conservation Plan (RCP)**
- Further the Goals and Objectives of the protection and enhancement of biodiversity and opportunities for conservation in the Islands Trust Area.
- Rezone Coats Marsh Regional Park, Burren’s Acres Nature Reserve, and Elder Cedar Nature Reserve**
- Develop a regulatory scheme for permitted/prohibited uses and structures, minimum and minimum average lot sizes for subdivision, etc., commensurate with the Goals and Objectives of the RCP and of the intent of the Environment Canada Ecological Gifts Program.
- Rezoning Potlatch 707 Donor Lands**
- Staff to explore possibility of rezoning donor lands added to the Gabriola 707 Community Park via Potlatch rezoning process for the purposes of protecting Coats Marsh wet-land ecosystems that extends across parcel boundaries.

- Out of Scope**
- OCP review and amendments
 - Review of OCP Parks land use designation.
 - The rezoning of other parcels save Coats Marsh Regional Park and Burren’s Acres Nature Reserve.
 - Review of LUB definitions
 - Review of Development Permit Areas.
 - Development of restrictive covenant s or similar tools for the protection of the subject properties in alternate capacity.

Workplan Overview

Deliverable/Milestone	Date
LTC endorses/approves project charter and directs staff to develop a work plan based on the In Scope objectives of this charter.	Winter 2019 (Jan/Feb)
Draft bylaw(s) presented to LTC for review.	Early Spring 2019
Early referral of draft bylaws to First Nations.	Mid Spring 2019
Further consultation and referral of draft bylaw(s) to other agencies.	Late Spring 2019
Legal review of draft bylaws.	Summer 2019 (June)
Legislative process for draft bylaw(s).	July 2019
Adoption of draft bylaw(s) and communications materials.	Late Summer 2019

Project Team		Budget		
Island Planner	Project Manager/ Planner	Budget Source: Gabriola LTC <i>Ecological Protection Zone</i> Project		
Regional Planning Manager	Project Sponsor	Fiscal	Item	Cost
Legislative Clerk	Legislative Process/ Bylaw Review	2019	Staff to research islands Trust and other jurisdictional precedent policy, draft bylaws	\$1,500
Planner 1	Communications / Planning Support		Legal Services Review of proposed bylaws	\$3,000 (pending budget approval)
			Legislative Process (community information meetings; public hearing (if applicable); advertising)	\$2,500 (pending budget approval)
RPM Approval: Date:			LTC Endorsement: Resolution #	
			Total	\$7,000



Homegrown, Handmade on Gabriola & Mudge Islands
P.O. Box 152, Gabriola, B.C. V0R 1X2 | www.gabriolaagriculturalcoop.com

November 20, 2020

To Whom it May concern.

I am writing on behalf of the board of the Gabriola Agricultural Co-op regarding the proposed Land Use Bylaw Amendment concerning Cannabis Production: No. 303.

We refer to the Island's Trust amended 2015 bylaws that our organization supports: these amendments include the "increase of local food security and farmland production, which encompasses the reduction of greenhouse gas emissions and preparing for the impacts of climate change". We feel that cannabis is not arguably considered food and therefore does not meet the requirements put forward by this amendment. Further, we are concerned with other issues involved in cannabis production, particularly on ALR land. Specifically these include but are not limited to issues outlined in Agricultural Policy: the industrial nature of the process and the need for it to be in a highly regulated zone; the potential of introducing genetically engineered seeds, and potential use of chemical fertilizers and pesticides.

In addition, a number of questions arise as to the suitability to such a venture on Gabriola, including but not limited to such things as: water usage, chemicals, power requirements particularly in light of power outages (requiring generator running), security needed for operation, light pollution etc. Many of these issues would affect neighbours and our community.

In summary, it is our contention that ALR land on Gabriola should fit the stated needs of food security, which does not/should not include the production of cannabis.

Thank you for the opportunity to add our feedback to this ongoing conversation.

Sincerely,

Talyn Martin – board member

On behalf of Gabriola Agricultural Co-op

File No.: 3050-20 (HAPC)

DATE OF MEETING: January 21, 2021

TO: Gabriola Island Local Trust Committee

FROM: Sonja Zupanec, Island Planner
Northern Team

SUBJECT: Gabriola Housing Advisory Planning Commission Appointments

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee request staff to:
 - a. send letters to members of the Gabriola Housing Advisory Planning Commission, whose terms will expire on April 11, 2021, thanking them for their participation and inviting their expressions of interest for reappointment for another 2 year term; and
 - b. Advertise for public expressions of interest for new members to the Gabriola Housing Advisory Planning Commission.

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider reappointments for its Gabriola Island Housing Advisory Planning Commission (HAPC) as members' terms will expire on April 11, 2021. The continuation of the HAPC for another term is recommended, as the LTC's Housing Options and Impacts Review Project is a top priority project that is expected to be resourced in the 2021-2022 fiscal budget. Currently a community group, made up of several HAPC members, is undertaking public engagement and consultation on topics aligned with the LTC top priority project. A report of recommendations from this group is anticipated to be reviewed by the LTC in May 2021.

ANALYSIS

Pursuant to section 461 of the *Local Government Act*, the LTC has adopted Bylaw No. 296 cited as "Gabriola Island Local Trust Committee Advisory Planning Commission Bylaw, 2017" (Attachment 1), which identifies the planning commission, member composition, terms and roles, and rules for arranging, advertising and conducting commission meetings. Pursuant to Bylaw No. 296, the LTC must, by resolution, appoint the members to two year terms prior to April 11 of the year during which the term of appointment commences. The HAPC has been operating under a Terms of Reference (Attachment 2) which can be re-visited at the time the LTC considers new or re-appointments to the HAPC.

As of the date of this staff report, the Housing Advisory Planning Commission (HAPC) currently has seven members. The maximum number of HAPC members is eight. The eighth member resigned as he declared a conflict of interest due to the Gabriola Housing Society's current rezoning application.

Islands Trust Policy Statement:

A guiding principle of the Islands Trust Policy Statement is that “open, consultative public participation is vital to effective decision making for the Trust Area.” Moreover, Commitments of Trust Council include:

- 5.8.1 Trust Council holds that public participation should be part of the decision-making processes of all levels of government.
- 5.8.2 It is the position of Trust Council that local trust committees and island municipalities should, in establishing their official community plans and regulatory bylaws, provide opportunities for public input.
- 5.8.3 Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust.

LTCs have a responsibility to ensure that members of the public can participate in planning processes, yet they have the freedom to determine the framework best suited to a particular Local Trust Area.

LTC Bylaw No. 296

The authority to establish advisory planning commissions is granted to LTCs through the *Islands Trust Act* and section 461(2) of the *Local Government Act*.

Advisory planning commission

461 (2) A board may, by bylaw, establish an advisory planning commission for one or more electoral areas or portions of an electoral area to advise the board, or a regional district director representing the electoral area, on all matters referred to the commission by the board or by that director respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit that may be enacted or issued under this Part.

Notably, such advisory planning commissions are intended to advise LTCs specifically on land use matters including Official Community Plans, and proposed bylaws or permits that may be issued under Part 14 (e.g. zoning bylaw or development permit). Formal citizen representation on advisory planning commissions adds value and transparency to planning processes. It is important that the HAPC remains in place as the Housing Options and Impacts Review Project continues to be a LTC top priority project.

NEXT STEPS

Should the LTC pass the recommended resolution (page 1), staff will proceed with sending letters to members of the HAPC inviting their expressions of interest for reappointment.

Submitted By:	Sonja Zupanec, RPP, MCIP Island Planner	January 4, 2021
Concurrence:	Heather Kauer, AICP Regional Planning Manager	January 5, 2021

ATTACHMENTS

1. Bylaw No. 296 (APC)
2. HAPC Terms of Reference - 2019

GABRIOLA ISLAND TRUST COMMITTEE

BYLAW NO. 296

A BYLAW TO ESTABLISH ADVISORY PLANNING COMMISSIONS FOR THE GABRIOLA ISLAND LOCAL TRUST AREA PURSUANT TO THE LOCAL GOVERNMENT ACT AND THE ISLANDS TRUST ACT

The Gabriola Island Trust Committee, being the Local Trust Committee having jurisdiction on and in respect of the Gabriola Island Local Trust Area in the Province of British Columbia, pursuant to the *Islands Trust Act*, enacts as follows:

1. Establishment

- a) The Gabriola Island Local Trust Committee may appoint one or more Advisory Planning Commissions to advise the Local Trust Committee on all matters referred by the Local Trust Committee respecting land use, the preparation and adoption of an official community plan or a proposed bylaw or permit that may be enacted or issued under Part 14 of the *Local Government Act*.

2. Appointment of Members

- a) The Local Trust Committee may, by resolution, appoint up to nine members to an Advisory Planning Commission (APC) to serve concurrent two year terms.
- b) At least two thirds of APC members must be residents of the Local Trust Area.
- c) The Local Trust Committee may, by resolution, remove a member of an APC at any time.
- d) If a member is removed or resigns from an APC, the Local Trust Committee may, by resolution, appoint a new member to serve the balance of the term of the appointment.

3. Roles

- a) The APC members must, from among the members, elect a Chairperson, a Deputy Chairperson, and a Secretary, during the first meeting after their appointment.
- b) The Chairperson will:
 - i) Receive referrals from the Local Trust Committee and, in response, determine when and where meetings will be held;
 - ii) Ensure that meetings are conducted in accordance with the requirements of this Bylaw and the *Local Government Act*;
 - iii) Sign meeting minutes to certify that they are true and correct following approval by the APC.
 - iv) Record a member's declaration of conflict of interest or potential conflict of interest, once a member has declared it;
 - v) In the absence of the Secretary, act in the role of Secretary or appoint another member of the APC to act in the role of Secretary.
- c) The Deputy Chairperson will:
 - i) Undertake the duties listed in 3b) above, in the Chairperson's absence.
- d) The Secretary will:
 - i) Assist the Chairperson, as needed, to arrange meetings;
 - ii) Ensure that public notice is posted or public advertisements are placed in advance of APC meetings;
 - iii) Except where the Islands Trust has retained a professional minute taker to support the APC, record and maintain legible minutes of all APC meetings; forward copies of draft minutes to the

Islands Trust office; ensure minutes are approved by the APC at a subsequent meeting; and provide copies of adopted minutes to the public upon request;

- iv) Inform the Local Trust Committee of the resignation of any APC member, within thirty (30) days of the resignation.

4. Referrals

- a) An APC will receive referrals on matters respecting land use, community planning or proposed bylaws and permits under Part 14 of the *Local Government Act*, which are referred directly to the Commission by the Local Trust Committee.
- b) A meeting on any particular referral must be held not more than (40) days after the date of receipt of that referral unless the Local Trust Committee has requested a response by an earlier specified date.

5. Notice of Meeting

- a) An employee of the Islands Trust must provide documentation associated with any referral from the Local Trust Committee to all members of the APC.
- b) The Secretary must send a notice of meeting including a description of all referrals to be discussed to each member at least five (5) calendar days prior to the meeting.
- c) The Secretary must ensure an applicant is notified of the date, time and place of the meeting at which his or her application or proposal will be discussed at least five (5) calendar days prior to the meeting.
- d) The Secretary must ensure the Local Trustees and the employee of the Islands Trust noted in 5a) are notified of each meeting at least five (5) calendar days prior to the day of the meeting.
- e) The Secretary must post a notice of the date, time, and place of any regular APC meeting at least five (5) calendar days prior to the meeting on a bulletin board on Gabriola Island that is accessible to the public; such bulletin board to be the same as is used by the Local Trust Committee for the posting of any scheduled Local Trust Committee meeting.

6. Conduct of Meeting

- a) All deliberations of the APC must take place in a meeting, and all meetings must be held in a public facility and must be open to the public.
- b) A quorum is the lessor of three members or 50 % of those appointed.
- c) The Chairperson is to convene the meeting and may adjourn the meeting from time to time.
- d) If the APC is considering an amendment to an Official Community Plan or a bylaw, or the issue of a permit, the applicant for the amendment or permit is entitled to attend the meeting and to be heard.
- e) If an applicant or agent fails to appear, despite being duly notified, deliberations and recommendations may be made in the applicant's absence.
- f) At the request of any APC member, the Chairperson must invite an elected official, Islands Trust staff, or member of the public present at the meeting to comment on the matters before the Commission.
- g) The APC must not receive development proposals or other applications directly from applicants.
- h) The APC must not consult directly with other government agencies or organizations.
- i) If the Chairperson considers that another person at the meeting is acting improperly and in a manner that is disrupting the deliberations of the APC, the Chairperson may order that person expelled from the meeting.

7. Notice of Recommendation

- a) If the Local Trustees did not attend an APC meeting, they may request a verbal report from the Chairperson at a subsequent meeting of the Local Trust Committee.
- b) All APC recommendations shall be recorded as part of the meeting minutes, and may be recorded as resolutions, provided that, where requested by any member, all dissenting opinions are also recorded.

- c) All APC recommendations and meeting minutes must be forwarded by the Secretary to the Local Trust Committee and to the Islands Trust Office, within seven (7) days of an APC meeting.
- d) Although the recommendations must be received by the Local Trust Committee, the Local Trust Committee is not bound by the recommendations.

- a) "Gabriola Island Local Trust Committee Advisory Planning Commission Bylaw, 2002", is repealed.
- b) "Gabriola Island Local Trust Committee DeCourcy Island Advisory Planning Commission Bylaw, 1996", is repealed.
- c) "Gabriola Island Local Trust Committee Mudge Island Advisory Planning Commission Bylaw, 1996", is repealed.

- a) This Bylaw may be cited as "Gabriola Island Local Trust Committee Advisory Planning Commission Bylaw, 2017".

SECRETARY

The Gabriola Island Local Trust Committee [Advisory Planning Commission Bylaw No. 296](#) permits the appointment of an Advisory Planning Commission to advise on matters of land use, community planning, or proposed bylaws and permits, pursuant to the *Local Government Act*, that are referred to it by the Local Trust Committee (LTC).

This Terms of Reference guides the purpose and roles of a Gabriola Housing Advisory Planning Commission (HAPC) to advise the LTC on matters related to the 'Gabriola Housing Options and Impacts Review Project'. The roles, responsibilities and procedures of the HAPC are also pursuant to Bylaw No. 296 and should be referred to separately.

1. Purpose

The HAPC is a select committee to the Gabriola Island Local Trust Committee (LTC) with final decisions in all matters brought before the HAPC resting with the LTC.

The HAPC will:

- a) assist the LTC with the implementation of the Engagement and Communications Strategy and informing the topic priorities and schedule of consultation, consistent with the Housing Options and Impacts Review Project Charter;
- b) Participate in LTC sponsored community consultation events on emerging housing issues;
- c) Bring an informed voice to the development of policy and regulatory amendments;
- d) Review summary of findings from community engagement sessions; draft policies and regulations pertaining to the Housing Options and Impacts Review Project; and
- e) Provide advice and recommendations on policy and regulations to address housing needs across the housing continuum, including emergency shelters to market home ownership and indigenous housing needs.

2. Work Plan Overview

- a) **WINTER/SPRING 2019 Inaugural meeting of the HAPC** – Member introductions and background presentation/orientation by Islands Trust staff. Develop understanding of tasks, terms of reference for the work and best practices in the literature for achieving goals. Establish a meeting schedule to achieve work plan goals.
- b) **Commission Meeting #2-5** – Subsequent Commission Meetings – to be determined (minimum 4 per year) as referred by the Gabriola Island Local Trust Committee.

3. Duties and Responsibilities

- a) The HAPC may request technical information from other agencies or individuals, through the Islands Trust staff.
- b) All deliberations of the HAPC must take place at a meeting of the HAPC and such meetings must be open to the public.
- c) Pursue any other matters referred to the HAPC by the LTC and report back to the LTC expeditiously, as required.

END OF DOCUMENT



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality November 24, 2020

Islands Trust Conservancy Board News

Due to the COVID-19 pandemic, the Islands Trust Conservancy (ITC) Board resolved to hold meetings electronically due to Ministerial Orders under the Emergency Program Act and requirements or recommendations under the Public Health Act. Meetings will be live streamed, and the public can participate by connecting to the link or the phone number provided in the meeting notice. The Board also directed staff to investigate the use of electronic meetings as a primary meeting format. Electronic meetings have resulted in cost savings to ITC as well as reductions in travel time and greenhouse gas emissions for Board members.

A Board meeting schedule for 2021 was approved and will be posted to www.islandstrustconservancy.ca/about-us/meetings/.

ITC reviewed options for sustainable investing as guided by policies and guidelines in its 5-year plan. ITC staff will work with administrative staff to move investments into funds that are in alignment with the [United Nations Sustainable Development Goals](#).

The 2021/22 budget was reduced by \$3,600 to reflect anticipated cost savings in areas of Board training, staff training, and associated training travel. ITC travel budgets were not greatly reduced as they are required for property management and are not meeting related.

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.

Goal 1 – Science-based Conservation Planning

ITC has signed a Contribution Agreement with Environment and Climate Change Canada for a new, three-year Species at Risk Program. Staff are working to launch the program and plan to develop a project charter for Board consideration.

Goal 2 – Strong relationships with First Nations

In October, ITC Board directed staff to create an ITC Reconciliation Action Plan that reflects prior directions in Goal 2 of the Regional Conservation Plan. Staff continue to work towards this plan and are also currently incorporating information from indigenous knowledge holders into land securement (acquisitions and covenants) and land management.

Goal 3 – Protection of core conservation areas

Two Natural Area Protection Tax Exemption Program (NAPTEP) proposals on Salt Spring Island were approved (See details below).

The ITC Board concluded its 2020 property monitoring program and reviewed and approved the 2020 Nature Reserve Monitoring Report and the 2020 NAPTEP Covenant Monitoring Report. Staff were directed to undertake actions identified in the reports.

The Covenant Management and Outreach Specialist outlined plans for outreach with NAPTEP landowners in 2021.

Goal 4 – A strong voice for nature conservation

The [Opportunity Fund](#), which is a funding program for island-based land conservation, has been very popular this year and is down to \$10,000. Through small grants (~\$5,000), the Fund supports hard to fundraise costs for island-based land conservation. ITC has done an appeal for fund donations through the Heron Newsletter mail-out, and via E-news. A Holiday Appeal letter from Chair Stamford will follow in December. Donations are tax receiptable and are greatly appreciated.

Visit www.islandstrustconservancy.ca/donate/ to donate.

The Board reviewed annual training opportunities and indicated a preference for training on the following topics:

- Fund Development and Speaking with Donors
- Cultural Sites and Property Management
- Species at Risk in the ITC Area

The Board received a briefing on completion of the 2020 forest outreach campaign, where over 400 letters and NAPTEP brochures were mailed to landowners to encourage conservation. Staff are following up with several landowners who have expressed an interest in formal land conservation. Conservation proposals have been received from landowners included in the outreach.

The recently released [Fall Heron Newsletter](#) reflects changes for greater readability and a more donor-centric approach.

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

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca

Activities by Local Trust Area/Island Municipality

Bowen – Staff are working with the Bowen Island Conservancy on an invasive species management strategy for a conservation covenant, and monitoring of three ITC nature reserves and to complete the Opportunity Fund grant for the Bowen Island Conservancy.

Gabriola – Invasive species management and ecological restoration work has been completed for the year in one conservation covenant, and in Elder Cedar Nature Reserve. Staff are working on new signage for the Elder Cedar Nature Reserve.

Galiano – Forest restoration activities with Habitat Acquisition Trust at Trincomali Nature Sanctuary including removing invasive species and monitoring areas of past plantings, including maintaining fencing. Cormorant nest monitoring and reporting also took place.

Gambier/Keats – The transfer of the Sandy Beach Nature Reserve, Keats Island, is pending.

Lasqueti – Staff reported that Visual Quality Objectives (VQO) for Lasqueti Island were being revised by the Ministry of Forests, Lands, Natural Resource Operations and Rural Development, and the area adjacent to the ITC Mount Trematon Nature Reserve was proposed for removal from the VQO. Staff responded requesting that the area remain as part of the VQO.

Restoration activities were conducted at the pond in Salish View Nature Reserve to improve habitat for Species at Risk. With funding from Environment and Climate Change Canada, restoration activities included fence installation and planting of 841 native species. Work was completed with assistance of volunteers on Lasqueti and conservation covenant partners Lasqueti Island Nature Conservancy and Nanaimo & Area Land Trust. Provincial CoViD-19 safety guidelines were followed.

North Pender/Sidney Island – Staff are participating in the Steering Committee and working groups of a Parks Canada-led initiative to restore forest ecosystems on Sidney Island, where ITC holds eight conservation covenants. Staff have encouraged covenant landholders on North and South Pender to participate in The Pender Islands Big Tree Registry initiative.

Salt Spring – The ITC Board approved negotiation of two NAPTEP covenants: 45 ha near Burgoyne Bay Provincial Park and 5 ha of forest, bluff and wetland near Stowel Lake.

Invasive species management and ecological restoration has been completed for the year in two nature reserves and is under way in two NAPTEP covenants.

Planning has begun for species-at-risk habitat conservation and enhancement projects across a network of conservation covenants and nature reserves.

Staff participated in the annual meeting of the Special Management Area Resource Team for Mount Tuam Special Management Area, which includes an ITC conservation covenant and nature reserve.

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

Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca

Islands Trust Conservancy itcmail@islandstrust.bc.ca



Applications

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: 16-Nov-2020

No change in 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.

File Number	Applicant Name	Date Received	Purpose
GB-DP-2020.2	Silva Bay Resort & Marina - 1167433 BC Ltd. (Hemmer Envirochem Inc.)	01-Sep-2020	PIDs: 003-081-621 and 030-792-606 Application for proposed works at the marina. Civic address: 3383 South Road, Gabriola Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 17-Nov-2020

Waiting for further information from applicant

Status Date: 12-Oct-2020

Planner review

Status Date: 15-Sep-2020

Remainder of file material received; file opened & assigned



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: 16-Nov-2020

Staff awaiting response from FLNRORD/MOE regarding possible need for WSA Section 11. This would affect the DVP process.

Status Date: 27-Aug-2020

Staff contacted applicant to schedule site visit.

Status Date: 22-Jul-2020

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

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: 16-Nov-2020

No change in 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.



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2020.4	Hoy, Dennis	17-Nov-2020	PID: 000-937-282 DVP required for studio. Civic address: 3395 South Road, Gabriola Island, BC.

Planner: Bronwyn Sawyer

Planning Status

Status Date: 10-Dec-2020

Waiting for additional information from applicant

Status Date: 25-Nov-2020

File opened & assigned.

Liquor Control Branch

File Number	Applicant Name	Date Received	Purpose
GB-LCB-2021.1	Li'l Market Store at Page's Resort & Marina - Referral from Liquor Distribution Branch	23-Dec-2020	Rural Agency Store Application at Li'l Market Store at Page's Resort & Marina. Civic address: 3350 Coast Road, Gabriola Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 06-Jan-2021

File opened & assigned.

Status Date: 05-Jan-2021

Referral response sent via email to LCRB and LTC.

**Applications****Rezoning**

File Number	Applicant Name	Date Received	Purpose
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

Planner: Sonja Zupanec**Planning Status****Status Date:** 25-Jun-2020

CIM cancelled and further consideration of application on hold. LTC to meet with Snuneymuxw First Nation to discuss concerns.

Status Date: 14-May-2020

Verbal update to LTC. Staff to schedule CIM.

Status Date: 16-Apr-2020

Staff memo to LTC.

File Number	Applicant Name	Date Received	Purpose
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.

Planner: Jaime Dubyna**Planning Status****Status Date:** 26-Nov-2020

BL 308 (Housing Agreement) given first reading. Public Hearing postponed until Jan. 7, 2021; proceed with CIM on Dec. 10, 2020 for proposed Bylaws 306, 307 and 308. Staff to forward water reports to IT Freshwater Specialist, and request an analysis to be submitted to the LTC.

Status Date: 22-Oct-2020

Amendments made to Bylaws 306 (OCP) and 307 (LUB). Given 2nd reading, as amended. Direction from LTC to schedule a CIM and Public Hearing on Dec. 10.

Status Date: 02-Oct-2020

LTC Special Meeting conducted online via Zoom. Amendments made to Bylaws 306 (OCP) and 307 (LUB).

**Applications****Subdivision**

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.2	Williamson & Associates	19-Jan-2017	PIDs: 009-739-602 and 000-105-287. Lot line adjustment. Civic 831 Chelwood Road, Gabriola Island, BC

Planner: Marnie Eggen**Planning Status****Status Date:** 20-Oct-2020

Applicant signs cost recovery agreement. Legal counsel, planner and applicant reviewing covenant.

Status Date: 10-Sep-2020

LTC approves cost recovery agreement for legal review of covenant.

Status Date: 19-Dec-2019

MOTI PLA extension request. No further comments from planning staff.

File Number	Applicant Name	Date Received	Purpose
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:** 06-Oct-2020

Referral response completed and sent to MOTI and copied to applicant and LTC

Status Date: 31-Jul-2020

File opened and assigned

File Number	Applicant Name	Date Received	Purpose
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



Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2020.1	West, Paul & Karen	13-Nov-2020	PID: 003-666-131 STVR Civic address: 2900 Rowan Way, Gabriola Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 05-Jan-2021

Awaiting additional information from applicant.

Status Date: 26-Nov-2020

Under review. 2021 LTC meeting agenda item to be scheduled.

Status Date: 18-Nov-2020

File opened & assigned.

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2020.2	MacKay, Ike	25-Nov-2020	PID: 000-334-715 TUP for STVR. Civic address: 1018 Berry Point Road, Gabriola Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 05-Jan-2021

Awaiting additional information from applicant.

Status Date: 25-Nov-2020

File opened & assigned.

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2020.3	Nassichuk & Griesdale, Erika & Robert	22-Dec-2020	PID: 004-320-841 STVR. Civic address: 1510 Barrett Road, Gabriola Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 22-Dec-2020

File opened & assigned. Waiting for ETransfer.

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

620 Gabriola	Invoices posted to Month ending October 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	2,447.10	555.90
65210-620	LTC - Local Exp - APC Meeting Expenses	172.00	108.65	63.35
65220-620	LTC - Local Exp - Communications	1,000.00	369.00	631.00
65230-620	LTC - Local Exp - Special Projects	588.00	0.00	588.00
TOTAL LTC Local Expense		<u>4,763.00</u>	<u>2,924.75</u>	<u>1,838.25</u>
Projects				
73001-620-4097	Gabriola Housing Options & Impacts	4,000.00	108.90	3,891.10
73001-620-4104	Gabriola Cannabis Regulations	1,500.00	318.65	1,181.35
TOTAL Project Expenses		<u>5,500.00</u>	<u>427.55</u>	<u>5,072.45</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	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: - Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee; - 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; - The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; and - 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: - Name of the applicant and a description of the proposal in general terms; - The location of the proposed establishment and the subject site; - The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered; - The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and - How public comments may be submitted to the Local Trust Committee.
2.	November 22, 2018	GB-2018-122	Applications for Federal Cannabis License	It was MOVED and SECONDED 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.
3.	February 28, 2019	GB-2019-031	First Nations - Community Reconciliation	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution: Whereas the Local Trust Committee seeks to engage in Reconciliation with local

				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: 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; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; 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; 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 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.
4.	April 11, 2019	GB-2019-038	Limited Public Markets Enforcement	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to limited public markets: 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; 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.
5.	April 11, 2019	GB-2019-040	S219 Covenant	It was MOVED and SECONDED

			Signatories	that the Gabriola Island Local Trust Committee adopt the following standing resolution: 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.
6.	July 30, 2020	GB-2020-053	Proactive unlawful STVR enforcement	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.



Top Priorities Report

Gabriola Island

1. *Housing Options and Impacts Review Project*

Responsible

Dates

Develop an Engagement and Communication Strategy;
Strengthen relationships with Snuneymuxw First Nation and incorporate First Nation perspectives into policy/regulatory options;
Explore opportunities to foster affordable, rental, special needs and seniors housing and associated services;
Develop a strategy to address all housing continuum gaps;
Ensure policy/regulatory changes are consistent with the Object of the Islands Trust, the ITPS, with focus on water protection/conservation and ecological footprints.

Sonja Zupanec

Rec'd: 22-Nov-2018

2. *Develop an Ecological Protection Zone*

Responsible

Dates

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.

Ian Cox

Rec'd: 22-Nov-2018

3. *UBCM Active Transportation Grant Application*

Responsible

Dates

Grant application completed and submitted (October 29, 2020). Next steps pending confirmation of grant.

Mike Richards

Sonja Zupanec



Projects Report

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.

Lisa Wilcox

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. *Snuneymuxw Protocol Agreement*

Responsible

Date Received

Implementation of Snuneymuxw First Nation Protocol Agreement

22-Jan-2015

7. *Gabriola Village Plan*

Responsible

Date Received

Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core

02-Apr-2015

8. *Snuneymuxw Relationship Building*

Responsible

Date Received

Strengthen relationship with Snuneymuxw First Nation

02-Apr-2015

9. *Green Energy*

Responsible

Date Received

Consider policy and regulatory mechanisms to encourage green and renewable energy

02-Apr-2015

10. *Commercial Vacation Rental Review*

Responsible

Date Received

Review bylaws with respect to temporary use permits for commercial vacation rentals

07-May-2015

11. *LUB Amendments*

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. *Water Resource Planning*

Responsible

Date Received

Review of water requirements at the time of subdivision

14-Jun-2018

13. *Water Taxi Feasibility*

Responsible

Date Received

Follow up items emerging out of water taxi feasibility (completed fall 2018)

22-Nov-2018

14. *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)*

Responsible

Date Received

Implementation of the report recommendations into OCP policy and LUB regulations.

24-Jan-2019

Projects Report

Gabriola Island

15. <i>GB LUB Accessory Buildings</i>	Responsible	Date Received
Review of regulations pertaining to the order of construction of accessory buildings on lots.		12-Sep-2019
16. <i>Review of model antenna strategy</i>	Responsible	Date Received
		27-Feb-2020