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**Gabriola Island  
Local Trust Committee  
Minutes of a Regular Meeting**

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**Date of Meeting:** Wednesday, May 14, 2014  
**Location:** Women's Institute  
476 South Road, Gabriola Island, BC

**Members Present:** David Graham, Chair  
Sheila Malcolmson, Local Trustee  
Gisele Rudischer, Local Trustee

**Staff Present:** Courtney Simpson, Regional Planning Manager  
Sonja Zupanec, Planner  
Jessie Sherk, Recorder

**Media and Others Present:** Two (2) local media representatives were in attendance

**1. CALL TO ORDER**

Chair Graham called the meeting to order at 10:15 am. Staff and trustees were introduced. He acknowledged that the meeting was being held in the traditional territory of the Coast Salish First Nations.

**2. APPROVAL OF AGENDA**

The following additions to the agenda were presented for consideration:

**7.3 2013/14 Annual Report Submission for Gabriola Local Trust Committee**

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

**3. MINUTES**

**3.1 Local Trust Committee Special Meeting Minutes of April 3, 2014**

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

**3.2 Local Trust Committee Meeting Minutes of April 17, 2014**

The following change to the minutes was presented for consideration:

- Chair's Report, third sentence be changed to read, "He stated they do not have policy direction from the Islands Trust Policy Statement to support an all-out ban..."

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

**3.3 Section 26 Resolutions Without Meeting - None**

**3.4 Gabriola Advisory Planning Commission Meeting Minutes of May 5, 2014**

Received

**3.5 Mudge Island Advisory Planning Commission Meeting Minutes – None**

**3.6 Gabriola Island Agricultural Advisory Commission Meeting Minutes of April 17, 2014**

Received.

**4. BUSINESS ARISING FROM MINUTES**

**4.1 Follow-up Action List dated May 6, 2014**

Planning Manager Simpson had no updates. It was noted that the April 17 task assigned to Chair Graham regarding a response to correspondence should be marked as complete.

**4.2 Eelgrass Mapping – Memorandum dated February 19, 2014**

**GB-2014-084**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee add consideration of implementing eelgrass protection regulations to the Trust Committee's long list with reference to the February 19, 2014 staff report.

**CARRIED**

**5. CORRESPONDENCE - None**

**6. REPORTS**

**6.1 Work Program Reports**

**6.1.1 Top Priorities Report and Projects List dated May 6, 2014**

Planning Manager Simpson gave an update on what is next for the Riparian Areas Regulation stating that a fees bylaw amendment will be drafted.

6.1.2 Mudge and DeCourcy Greenhouse Gas Emissions Inventories – Memorandum

Planning Manager Simpson explained the memorandum. She noted that staff advice is that this can be removed from the Projects List. Discussion ensued.

**GB-2014-085**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee remove item number 2 “Mudge and Decourcy Island Greenhouse Gas Emission Inventories” from the Project List on the basis that an inventory is not necessary.

**CARRIED**

6.1.3 Top Priorities List Memorandum date January 17, 2014

The Top Priorities List was reviewed and discussed. An error was noted on page 29, second paragraph, second sentence; it should read, “Although there are only supposed to be **three** top priorities....”

**6.2 Applications Log**

6.2.1 Report dated May 6, 2014

The Applications Log was reviewed and discussed.

**6.3 Trustee and Local Expenses**

6.3.1 Expenses posted to year-end – March 2014

Reviewed for information.

**7. NEW BUSINESS**

**7.3 2013/14 Annual Report Submissions for Gabriola Local Trust Committee**

The following change to the submission was presented for consideration:

- In paragraph three, after the words “...required, and” insert the words “for Gabriola, ...”

**GB-2014-086**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee adopt the 2013/14 Annual Report Submission dated May 9, as amended.

**CARRIED**

**8. TRUTEE'S REPORT**

Trustee Malcolmson reported on the work that the Union of British Columbia Municipalities Select Committee has been doing with regard to an economic impact analysis of ferry fare hikes and service reductions, noting that it was approved at the Association of Vancouver Island Coastal Communities Convention, and that there have been meetings over the last couple of weeks to approve the terms of reference for the next phase of work. She stated that it is hoped that the work will be delivered in July and that the hired consultants will likely choose two ferry dependent communities that they would use as examples for the impacts. This information will be presented to the Union of British Columbia Municipalities Convention in September. Trustee Malcolmson stated that they continue to express Local Government's disappointment that the Province did not do this work itself, as it is its responsibility. She also noted that she is glad that the Union of British Columbia Municipalities is recognizing that this is a province-wide impact and not just a regional issue.

Trustee Rudischer did not present a report.

**9. CHAIR'S REPORT**

Chair Graham reported that work continues in preparation of Trust Council Meeting in September.

**7.1 New Federal Marihuana for Medical Purposes Regulation  
Staff Report dated May 6, 2014**

Planner Eggen introduced the report. She stated that it is difficult to predict how many producers will be licensed in the local trust areas and that it appears unlikely on islands where services are limited.

The summary of options for the Local Trust Committee to consider was reviewed and discussed. . The possibility of asking the Advisory Commissions on Mudge and DeCoursey for advice was discussed.

**GB-2014-087**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee specifically allow medical marihuana licensed under the Marihuana for Medical Purposes Regulation in the Agricultural Land Reserve and industrial zones and ask that staff advise on appropriate setbacks and parcel sizes.

**CARRIED**

Staff commented that they would be able to confer during the break and report back with advice so that amendments could be considered for the Agriculture Policies bylaws being considered later on the agenda.

**GB-2014-088**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee request that staff forward the Staff Report dated April 28 – New Federal Marihuana for Medical Purposes Regulation, to the Mudge Advisory Planning Commission and the DeCoursey Rate Payers group asking whether they recommend any bylaw changes to control medical marijuana licensed under the Marihuana for Medical Purposes Regulation.

**CARRIED**

**7.2 Referral from Thetis Island Local Trust Committee for Bylaw Nos. 93 and 94**

Discussion ensued. It was noted that the Trustees have not yet reviewed the bylaws.

**GB-2014-089**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee defer 7.2 until the bylaw language is available.

**CARRIED**

**10. REGIONAL DIRECTOR'S REPORT - None**

**11. DELEGATIONS - None**

**12. TOWN HALL SESSION - None**

**13. APPLICATIONS AND PERMITS**

**13.1 Dormant Applications Update - Staff Report dated April 28, 2014**

Planning Manager Simpson introduced the staff report noting that this has been a request of the Local Trust Committee for some time, so it was decided to give a formal update on these applications and receive some further direction from the Committee. The process she recommended was not to move too quickly and to give a lot of opportunity for the applicants to provide more information. Discussion ensued.

**GB-2014-090**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee direct staff to give applicants of dormant applications GB-RZ-2007.1 (Powell) and GB-RZ-2009.1 (Williamson & Associates) two months notice to advance their files, after which if the application remains dormant, the Local Trust Committee will consider closing them and direct staff to report back on subdivision referral file GB-SUB-2010.2 for consideration of closing it, after contacting the applicant to determine whether or not it is dormant.

**CARRIED**

**By general consent** the meeting was recessed at 11:06 am and reconvened at 11:15 am.

**16. CLOSED MEETING**

**GB-2014-091**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee close the next part of the May 14, 2014 business meeting to discuss matters pursuant to Section 90 (1) (d) of the *Community Charter* to consider adoption of closed meeting minutes and that Staff be invited to attend this meeting.

**CARRIED**

Committee closed the meeting at 11:15am.

**17. RECALL TO ORDER**

**By general consent** the Committee reconvened in open meeting at 11:17 am.

**18. ISLANDS TRUST WEBSITE - None**

**By general consent** the meeting was recessed at 11:20 am and reconvened at 11:30 am.

**14. LOCAL TRUST COMMITTEE PROJECTS**

**14.1 Official Community Plan/Land Use Bylaw Review**

**14.1.1 Parks Rezoning – verbal update**

Planner Zupanec gave a verbal update. She stated that a Public Hearing is anticipated for July and that the Islands Trust Fund was the only agency who had responded to the referral so far. Discussion ensued.

14.1.2 Agriculture Policies  
Staff Report Dated April 25, 2014

Planner Zupanec explained the purpose of the report. Staff and Trustees then reviewed and discussed each suggested draft bylaw amendment in the report. Trustees agreed with all the suggested wording changes.

Next steps, staff recommendations, and public hearing scenarios were then discussed.

**GB-2014-092**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee request that staff develop print advertising for the upcoming public hearings in advance of the statutory notice.

**CARRIED**

Discussion resumed regarding the Planner's recommendations concerning medical marihuana licensed operations. Staff had time to consider the direction in resolution GB-2014-087 from earlier in the meeting, which asked for advice on setbacks and parcel size for the use of medical marihuana production in the Agriculture and Industrial zones. Staff recommended to allow the use in the Agriculture zone only and not include the single lot that is zoned industrial at this time.

**GB-2014-093**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee permit medical marijuana licensed under Marihuana for Medical Purposes Regulation in the Agricultural Land Reserve on lots 4 hectares or larger and any buildings or structures used for medical marihuana production under Marihuana for Medical Purposes Regulation be sited 30 meters from any property line.

**CARRIED**

It was noted that despite resolution GB-2014-087, the Trust Committee is not proposing this as an allowed use in the industrial zone.

Discussion ensued regarding possible errors in Bylaw No. 275 at the top of page 2 (page 131 of the agenda.)

**GB-2014-094**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee revise Draft Bylaw Nos. 274 and 275 as described in the April 25 staff report.

**CARRIED**

**GB-2014-095**

It was **MOVED** and **SECONDED**,  
that the Gabriola Island Local Trust Committee advise the Executive  
Committee that it has reviewed the Directives Only Policies Checklist and  
determined that Draft Bylaw Nos. 274 and 275 are not contrary to or at  
variance with the Islands Trust Policy Statement.

**CARRIED**

**GB-2014-096**

It was **MOVED** and **SECONDED**,  
that the Gabriola Island Local Trust Committee give first reading to  
Proposed Bylaw No. 274 cited as “Gabriola Island Official Community  
Plan Bylaw 166, 1997, Amendment No. 1, 2014”.

**CARRIED**

**GB-2014-97**

It was **MOVED** and **SECONDED**,  
that the Gabriola Island Local Trust Committee give first reading to  
Proposed Bylaw No. 275 cited as “Gabriola Island land Use Bylaw 177,  
1999, Amendment No. 1, 2014”.

**CARRIED**

**GB-2014-98**

It was **MOVED** and **SECONDED**,  
that the Gabriola Island Local Trust Committee direct staff to refer  
Proposed Bylaw Nos. 274 and 275 to the following agencies and First  
Nations:

- Regional District of Nanaimo
- Agricultural Land Commission
- Ministry of Agriculture
- BC Assessment Authority
- Thetis Island LTC
- Penelakut Tribe
- Snaw’Naw’as Nation
- Snuneymuxw First Nation
- Cowichan Tribes
- Halalt First Nation
- H’ul’qumi’num Treaty Group
- Stz’uminus First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Te’Mexw Treaty Association
- Semiahmoo First Nation

**CARRIED**

**GB-2014-99**

It was **MOVED** and **SECONDED**,  
that the Gabriola Island Local Trust Committee request that staff schedule  
a Public Hearing and associated Community Information Meeting for  
Proposed Bylaw Nos. 274 and 275.

**CARRIED**



14.1.3 Climate Change Policy Implementation  
Staff Report dated May 1, 2014

Planner Zupanec summarized the staff report. She explained the staff comments on floor area exclusions and the definition for sustainable energy system. Discussion ensued.

**GB-2014-100**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee amend Proposed Bylaw No. 273 in section F.3.7.8 to read "On-site integrated storm water management plans prepared by a qualified professional shall be required and implemented to reduce impervious cover, promote infiltration and capture and treat storm water runoff from 90% of the average annual rainfall using acceptable best management practices."

**CARRIED**

**GB-2014-101**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee amend Proposed Bylaw No. 273 in section F.3.7.10 to read "landscaping design and maintenance shall facilitate water retention, minimize the need for irrigation, and discourage the use of lawns unless for a gathering or play area."

**CARRIED**

Trustee Malcolmson exited the meeting at 12:21 pm.

**GB-2014-102**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee amend Development Permit Guideline No. 6 to read "the pedestrian requirements include accessible, safe and landscaped walkways connecting the street to the businesses".

**CARRIED**

Discussion about the intent to change the minimum parking requirements for the village core ensued. Concern about parking on the roadway being dangerous was noted. Trustee Rudischer expressed that she is not in favor of the changes proposed.

**GB-2014-103**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee request staff to bring back to the June meeting suggestions for including in Development Permit Area 7, a requirement for green-space.

**CARRIED**

14.1.4 Climate Change Policy Implementation  
Email from M. Walker, May 6, 2014

Planner Zupanec summarized the email. The comments in the email were reviewed and discussed.

**GB-2014-104**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee amend Section B.5.3.3 in Draft Bylaw No. 273 to change the minimum from 3.7 meters in width to 3.9 meters in width.

**CARRIED**

Discussion regarding bio-swales ensued.

**GB-2014-105**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee advise the Executive Committee that it has reviewed the Directives Only Policies Checklist and determined that Draft Bylaw No. 273 is not contrary to or at variance with the Islands Trust Policy Statement.

**CARRIED**

**GB-2014-106**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee give first reading to Proposed Bylaw No. 273 cited as "Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 2, 2013".

**CARRIED**

**GB-2014-107**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee direct staff to refer Proposed Bylaw No. 273 to the following agencies and First Nations:

- Regional District of Nanaimo Building and Sustainability
- Thetis Island LTC
- Penelakut Tribe
- Snuneymuxw First Nation
- Cowichan Tribes
- Halalt First Nation
- H'ul'qumi'num Treat Group
- Stz'uminus First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Te'Mexw Treaty Association

**CARRIED**

**GB-2014-108**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee direct staff to schedule a Community Information Meeting and Public Hearing for Proposed Bylaw No. 273.

**CARRIED**

Possible dates for the Community Information meetings and Public Hearings were discussed. It was noted that the Committee would make a decision on the Community Information Meeting date by Resolution Without Meeting.

**14.2 Development Approval Information Bylaw Memorandum dated April 24, 2014**

Planner Zupanec summarized the memorandum. She had no comments or changes to recommend.

Planning Manager Simpson stated that the purpose of the bylaw is to make it fairer, more transparent and to benefit the applicant and the community. She noted that although it is item four on the Top Priorities list, it is necessary to spend some staff time on this now to take it to Trust Council for approval.

**GB-2014-109**

It was **MOVED** and **SECONDED**, that the Gabriola Island Local Trust Committee endorse Draft Bylaw No. 150 and refer it to Trust Council.

**CARRIED**

**15. BYLAWS**

**15.1 Proposed Bylaw No. 273 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 2, 2013” – for consideration of first reading**

**15.2 Proposed Bylaw 274 cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2014” – for consideration of first reading**

**15.3 Proposed Bylaw 275 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2014” – for consideration of first reading**

**19. NEXT MEETING**

The next meeting will take place on Thursday, June 26, 2014 at 10:15 am at the Women’s Institute, 476 South Road, Gabriola Island, BC.

**20. TOWN HALL SESSION – None**

**21. ADJOURNMENT**

**By general consent** the meeting adjourned at 1:15 pm.

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David Graham, Chair

CERTIFIED CORRECT:

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Jessie Sherk, Recorder