



Gabriola Island Local Trust Committee Special Meeting Agenda

Date: June 14, 2017
Time: 6:30 pm
Location: The Haven - Heron Room
240 Davis Road, Gabriola Island, BC

	Pages
1. CALL TO ORDER	6:30 PM - 6:35 PM
2. APPROVAL OF AGENDA	
3. COMMUNITY INFORMATION MEETING	6:35 PM - 8:25 PM
Housing Options Review Project	
3.1 Planner Presentation	
3.2 Public Questions and Answers	
3.3 Local Trust Committee Consideration	
3.3.1 Proposed Bylaw 292	2 - 3
3.3.2 Proposed Bylaw 293	4 - 10
3.3.3 Bylaw Referral Response - Ministry of Agriculture	11 - 11
4. ADJOURNMENT	8:25 PM - 8:30 PM

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 292

A BYLAW TO AMEND GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN, 1997

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Official Community Plan (Gabriola), 1997, Amendment No. 1, 2017”.

2. Gabriola Island Local Trust Committee Bylaw No. 166, cited as “Gabriola Island Official Community Plan (Gabriola), 1997” Schedule “A” is amended as follows:

2.1 Section 2. – General Land Use and Residential Development, Section 2.0 General Land Use, General Land Use Policies, Clause j) is amended by deleting the word “permit” and replacing it with the word “support”.

2.2 Section 2. – General Land Use and Residential Development, Section 2.1 – Residential Land Use, General Residential Policies, Clause g) is deleted in its entirety and replaced with:

“g) On parcels 2.0 hectares (4.94 acres) or larger, one secondary suite shall be permitted per parcel, accessory to a principal single family dwelling.”

2.3 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Background is deleted in its entirety and replaced with:

“Background: A community plan is intended to contain a statement concerning the provision of affordable housing in the community. Currently on Gabriola, the allowance of secondary suites on parcels 2.0 hectares or larger, is considered a means of addressing the islands’ need for diversity in housing options and affordability.”

2.4 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Single-dwelling Affordable Housing Objectives is amended by deleting the words “Single-dwelling”.

2.5 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Single-dwelling Affordable Housing Policies is amended by deleting the words “Single-dwelling”.

2.6 Section 2. – General Land Use and Residential Development, Section 2.6 Single-family Affordable Housing, Single-dwelling Affordable Housing Policies’, Clause a) is deleted in its entirety and replaced with:

“a) Provision for a secondary suite on a parcel 2.0 hectares or larger (as per policy 2.1 g) shall be recognized as a means of providing for affordable housing in a rural, low density context.”

2.7 Section 2. – General Land Use and Residential Development, Section 2.7 Home Occupational Use, Home Occupational Policies, Clause b, Item i, is deleted in its entirety and replaced with:

“i the use is accessory to a dwelling unit on a parcel;”

2.8 Appendix 1 - Definitions is amended by deleting the following terms and the associated definitions:

“accessory”	“Accessory cottage”	
“bed and breakfast accommodation”	“boarder”	“building”
“dwelling unit”	“home occupation”	“horticulture”
“industry”	“principal”	“public park”
“public utility”	“residence”	“school”
“single-dwelling”	“structure”	“tourist accommodation”
“tourist accommodation unit”		

2.9 Appendix 1 – Definitions is amended by deleting the word “means” from the beginning of each definition.

READ A FIRST TIME THIS 9TH DAY OF FEBRUARY ,2017
 PUBLIC HEARING HELD THIS _____ DAY OF _____ 201X
 READ A SECOND TIME THIS _____ DAY OF _____ 201X
 READ A THIRD TIME THIS _____ DAY OF _____ 201X
 APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____ 201X
 ADOPTED THIS _____ DAY OF _____ 201X

Chair

Secretary

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 293

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation:

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2017”.

2. Gabriola Island Local Trust Committee Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw, 1999, ” is amended as shown on Schedule 1, attached to and forming part of this bylaw:

READ A FIRST TIME THIS 11TH DAY OF MAY ,2017

PUBLIC HEARING HELD THIS _____ DAY OF _____ ,201X

READ A SECOND TIME THIS _____ DAY OF _____ ,201x

READ A THIRD TIME THIS _____ DAY OF _____ ,201X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ ,201X

ADOPTED THIS _____ DAY OF _____ ,201X

Chair

Secretary

Gabriola Island Local Trust Committee

Bylaw No. 293

Schedule 1

Schedule “A” of Gabriola Island Land Use Bylaw No. 177 cited as “Gabriola Island Land Use Bylaw, 1999 is amended as follows:

- 2.1 Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.1 Prohibited Uses, Clause a. is amended by deleting the words “an accessory cottage” and replacing it with the words “a secondary suite”.
- 2.2 Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.3 Additional Dwellings, Clause a. text is deleted in its entirety and replaced with:

“The construction, placement, or use of more than one dwelling unit on a lot is prohibited, unless specifically permitted in the zone.”
- 2.3 Part B – GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.2 Prohibited Uses and Buildings, Article B.1.2.3 Additional Dwellings, Clause b. is deleted in its entirety.
- 2.4 Part B – GENERAL REGULATIONS, Section B.3 Home Occupations, Subsection B.3.3 General Provisions, Article B.3.3.1, Clause a. is amended by deleting the word “principal”.
- 2.5 Part B – GENERAL REGULATIONS, Section B.3 Home Occupations, Subsection B.3.3 General Provisions, Article B.3.3.1, Clause b. is deleted in its entirety and replaced with:

“Home occupations must be entirely enclosed within a dwelling and/or an accessory building, providing the combined total floor area for home occupation uses on a lot do not exceed 95 square metres (1,023 square feet), except on lots greater than 2.0 hectares (4.95 acres), where the total combined floor area of home occupation uses may not exceed 150 square metres (1,615 square feet).”
- 2.6 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 replacing the word “cottage” with “secondary suite”.
- 2.7 Part B – GENERAL REGULATIONS, Section B.6 MISCELLANEOUS, Subsection B.6.3 Commercial Vacation Rentals is deleted in its entirety and replaced with the following:

“B.6.3 Secondary Suite Regulations

Secondary Suites are subject to the following requirements:

- B.6.3.1 Secondary suites are a permitted accessory use in the SRR, LRR, F, R, RR1, AG zones on lots 2.0 hectares (4.94 acres) or larger;
- B.6.3.2 On land outside the Agriculture Land Reserve a maximum of one (1) secondary suite is permitted per lot in a configuration consistent with Figure 1;
- B.6.3.3 The maximum permitted floor area for a secondary suite located wholly within or attached to a single family dwelling is 90 square metres (968 square feet) or 40% of the floor area of the dwelling, whichever is less;
OR
- B.6.3.4 The maximum permitted floor area for a secondary suite detached from a single family dwelling; or within an accessory building is 90 square metres (968 square feet);
- B.6.3.5 Secondary suites are for residential use and any use for overnight accommodation on less than a monthly basis for monetary gain is prohibited unless authorized by a temporary use permit;
- B.6.3.6 A secondary suite must not be located within a manufactured home or multiple family dwelling;
- B.6.3.7 For lands outside of the ALR, a secondary suite shall not be permitted on a lot unless the owner of the lot, has registered a restrictive covenant under Section 219 of the *Land Title Act* in favour of the Gabriola Island Local Trust Committee:
 - a. prohibiting the registration of a strata plan under the *Strata Property Act* or *Land Title Act* which would result in the secondary suite being a separate lot; and
 - b. limiting the number of dwellings permitted on the lot to two, including the principal dwelling.

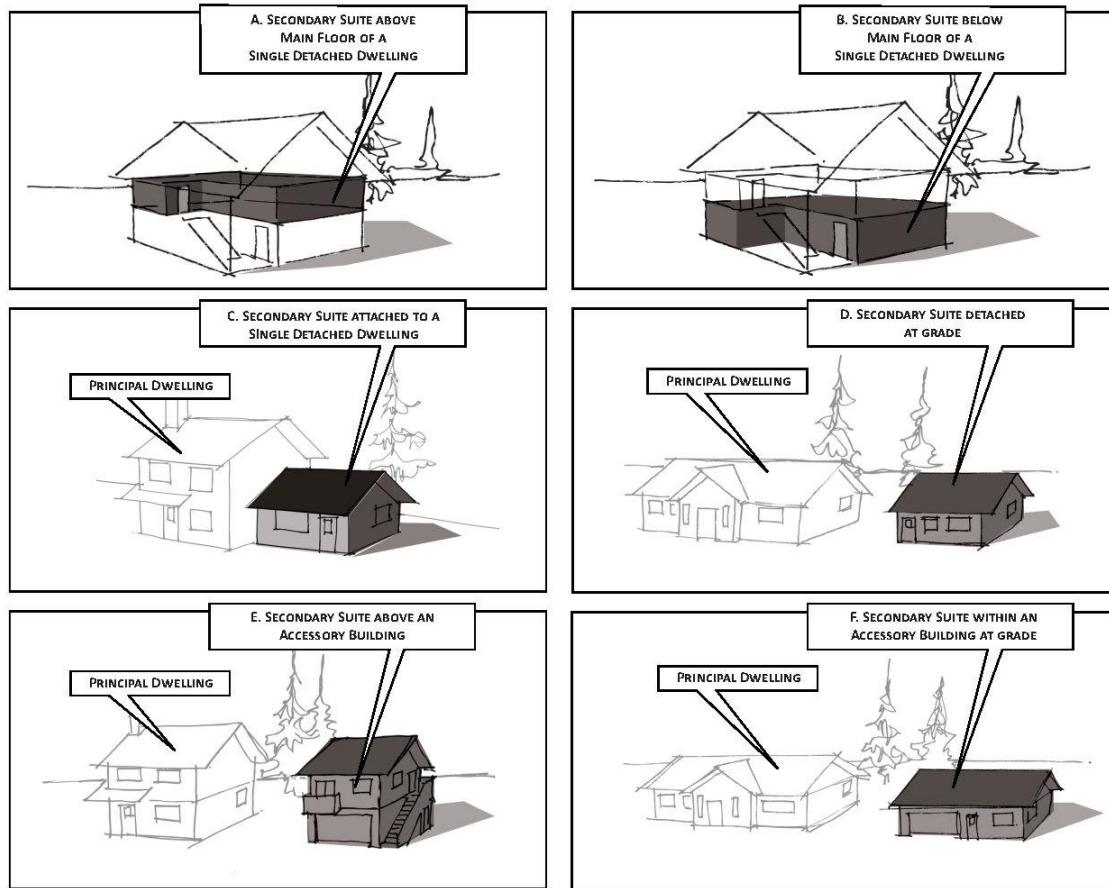


Figure 1. Permitted configurations for a secondary suite.”

2.8 Part B – GENERAL REGULATIONS, Section B.6 MISCELLANEOUS, Subsection B.6.4 Use of Travel Trailers, Recreational Vehicles and Accessory Buildings, Article B.6.4.1, Clause c. to be deleted in its entirety and replaced with the following:

“c. the travel trailer, recreational vehicle or accessory building is connected to an approved sewage disposal system.”

2.9 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word “cottage” with “secondary suite”.

2.10 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.1 Small Rural Residential (SRR), Article D.1.1.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i, second and third bullets are deleted and replaced with:

“-one secondary suite per lot;
-three buildings per lot excluding a secondary suite; pump/utility house and woodshed and that are accessory to all dwellings; and”

2.11 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.2 Large Rural Residential (LRR), Article D.1.2.1 Permitted Uses, Clause b. Permitted

Accessory Uses, Item ii is amended by replacing the word “cottage” with “secondary suite”.

- 2.12 Part D – ZONES, Section D.1 RESIDENTIAL ZONES, Subsection D.1.2 Large Rural Residential (LRR), Article D.1.2.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third bullets are deleted and replaced with:

“-one secondary suite per lot;
-three buildings per lot excluding a secondary suite; pump/utility house and woodshed and that are accessory to all dwellings; and”

- 2.13 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by deleting the words “or cottage”.

- 2.14 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third and fourth bullets are deleted and replaced with:

“-one secondary suite per lot;
-for lots in the Agricultural Land Reserve, one secondary suite dwelling located wholly within a building that is a single lot which otherwise contains a single family dwelling AND one secondary suite located above an accessory building OR one manufactured home for immediate family or farmworker housing;
-three buildings per lot excluding a secondary suite; pump/utility house and woodshed and that are accessory to all dwellings; and”

- 2.15 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item ii text prefacing the bullets is deleted and replaced with:

“On lands in the Agriculture Land Reserve where a manufactured home is permitted on a lot 2.0 hectares (4.94 acres) or larger for immediate family or farm worker housing, the following conditions apply:”

- 2.16 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item i, first bullet is amended by replacing the word “cottage” with “secondary suite”.

- 2.17 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.1 Agriculture (AG), Article D.2.1.3 Regulations, Clause a. Buildings and Structures Siting Requirements, Item ii, first bullet is amended by replacing the word “cottage” with “secondary suite”.

- 2.18 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.2 Forestry (F), Article D.2.2.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word “cottage” with “secondary suite”.

- 2.19 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.2 Forestry (F), Article D.2.2.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third bullets are deleted and replaced with:
- “- one secondary suite per lot;
 - three buildings per lot excluding a secondary suite; pump/utility house and woodshed and that are accessory to all dwellings; and”
- 2.20 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.4 Resource (R), Article D.2.4.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii is amended by replacing the word “cottage” with “secondary suite”.
- 2.21 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.4 Resource (R), Article D.2.4.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i second and third bullets are deleted and replaced with:
- “- one secondary suite per lot;
 - three buildings per lot excluding a secondary suite; pump/utility house and woodshed and that are accessory to all dwellings; and”
- 2.22 Part D – , ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii text is deleted in its entirety and replaced with:
- “secondary suite residential .”
- 2.23 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.1 Permitted Uses, Clause b. Permitted Accessory Uses, Item ii, second bullet is amended by replacing the words “cottage residential on lands shown on Schedule C, Map 14” with “secondary suite”.
- 2.24 Part D – ZONES, Section D.2 RESOURCE ZONES, Subsection D.2.6 Resource Residential 1 (RR 1), Article D.2.6.2 Buildings and Structures, Clause a. Permitted Buildings and Structures, Item i, second and fourth bullet text are deleted and replaced with
- “- three buildings per lot excluding a secondary suite; pump/utility house and woodshed and that are accessory to all dwellings;
 - one secondary suite per lot.”
- 2.25 Part E – SUBDIVISION, Section E.1 GENERAL, Subsection E.1.3 Covenant Against Further Subdivision and Development, Article E.1.3.3 is amended by deleting the words “ or cottage” in each instance it appears and replacing the words “and in a form complying with Appendix E” with “under s.219 of the Land Title Act in favour of the Gabriola Island Local Trust Committee,”.
- 2.26 Part G – DEFINITIONS, Section G.1 DEFINITIONS is amended by deleting the term “cottage” and definition.
- 2.27 Part G – DEFINITIONS, Section G.1 DEFINITIONS, “*dwelling – multiple family*” is amended by replacing the word “two” with “three”.

- 2.28 Part G – DEFINITIONS, Section G.1 DEFINITIONS, “secondary suite” is amended by replacing the definition with the following text:
- “a self-contained dwelling unit consisting of one or more habitable rooms and a cooking facility for residential occupancy accessory to a principal dwelling unit located on the same lot.”
- 2.29 Part G – DEFINITIONS, Section G.1 DEFINITIONS, is amended by deleting the word “means” from the beginning of each definition in the section.
- 2.30 Schedule C – Map 14 is deleted and subsequent Schedule C map 15 and 16 are renumbered accordingly.

BYLAW REFERRAL FORM RESPONSE SUMMARY

- Approval Recommended for Reason(s) Outlined Below
- Approval Recommended Subject to Condition(s) Outlined Below
- Interests Unaffected by Bylaw
- Approval Not Recommended Due to Reason(s) Outlined Below

The statement:

"-one secondary suite per lot; -for lots in the Agricultural Land Reserve, one secondary suite dwelling located wholly within a building that is a single lot which otherwise contains a single family dwelling AND one secondary suite located above an accessory building OR one manufactured home for immediate family or farmworker housing"

Is consistent with ALC policy L-08 3 - Agricultural Land Reserve Use, Subdivision and Procedures Regulation, (BC Regulation 171/2002) Sections 3(1)(b) and 1(1) 3(1) (i) (ii) (A) (B)

http://www.alc.gov.bc.ca/assets/alc/assets/legislation-and-regulation/policies/alc_-_policy_l-08_-_residential_uses_zone_1.pdf

Additionally, Gabriola Island Land Use Bylaw No. 177 - Schedule A Resource Zones D.2 RESOURCE ZONES D.2.1 Agriculture (AG) has the following statement that indicates approval by the Agricultural Land Commission may be required.

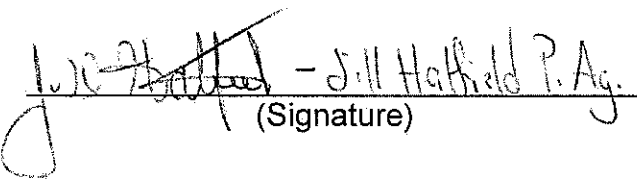
* For information purposes only – on land situated within the Agricultural Land Reserve these *buildings and structures* may be subject to approval of the Agricultural Land Commission under the "Agricultural Land Commission Act"

Gabriola Island Local Trust Area –
Gabriola Island

(Island)

Bylaw Nos.: 292 (OCP Amendment) and
293 (LUB Amendment)

(Bylaw Number)

 - Jill Hatfield P. Ag.
(Signature)

Regional Agrologist
(Title)

May 23, 2017
(Date)

BC Ministry of Agriculture
(Agency)