



## Gabriola Island Local Trust Committee Minutes of Regular Meeting

**Date:** June 14, 2018  
**Location:** Gabriola Arts & Heritage Centre  
 476 South Road, Gabriola Island, BC

**Members Present:** Laura Busheikin, Chair  
 Melanie Mamoser, Local Trustee  
 Heather O'Sullivan, Local Trustee

**Staff Present:** Ann Kjerulf, Regional Planning Manager  
 Sonja Zupanec, Island Planner  
 Nadine Mourao, Recorder

**Others Present:** There were approximately 16 (sixteen) 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 Busheikin called the meeting to order at 10:17 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, welcomed the public and introduced Trustees, staff and recorder.

### 2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Move discussion of 12.1 Work Program Reports to after 13. New Business.

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

### 3. TOWN HALL AND QUESTIONS

Jim Ramsay spoke on behalf of the members of the Village Vision Planning Committee and noted the following:

- They have made a submission to the Executive Committee concerning the 1992 agreement with the Ministry of Transportation and Infrastructure (MoTI) regarding road standards within the Islands Trust being made more welcoming to pedestrians, cyclists and motorists and to create a mechanism within the Islands Trust, Local Trust Committee (LTC) and Regional District of Nanaimo (RDN), in consultation with citizen lead groups, to formulate infrastructure that will enhance safety for everyone in their communities.

Chair Busheikin responded with the following:

- The submission from the Village Vision Planning Committee was well received at the Executive Committee Meeting; and
- This is a large Trust wide project that needs to be added to the next strategic plan with the Executive Committee.

The Chair of the Gabriola Housing Society Board spoke and requested that the Trustees not remove the Housing Options Review Project from the Top Priorities List.

**4. COMMUNITY INFORMATION MEETING - none**

**5. PUBLIC HEARING - none**

**6. MINUTES**

**6.1 Local Trust Committee Minutes dated May 3, 2018 – for Adoption**

The following amendments to the minutes were presented for consideration:

- Page 3, first bullet, change spelling of Comox to K'ómoks First Nation
- Page 3, first bullet, remove the words "shared In-Camera with the LTC the details of the treaty, land selection and priorities and then"

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

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

**6.3 Advisory Planning Commission Minutes - none**

**7. BUSINESS ARISING FROM MINUTES**

**7.1 Follow-up Action List dated June 7, 2018**

Received for information.

**8. DELEGATIONS - None**

**9. CORRESPONDENCE**

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

**9.1 Letter dated April 29, 2018 from Gabriola Agricultural Co-Op Association regarding request for amendment to Bylaw No. 186**

Received for information.

**9.2 Letter from Gabriola Arts Council regarding request for amendment to Land Use Bylaw No. 186**

Received for information.

**10. APPLICATIONS AND REFERRALS**

**10.1 GB-RZ-2016.1 Potlatch Properties and Pilot Bay Holdings - Staff Report**

Planner Zupanec reviewed the following:

- Finalized terms of instrument – Part 2 including Schedule ‘A’, ‘B’ and ‘H’ – in the Section 219 covenant to be registered on the subject property as a condition of rezoning;
- A copy of the draft covenant was available prior to the public hearing on Bylaw Nos. 289 and 290;
- The covenant has since been updated to reflect the change in ownership of lands, including a covenant area map and improved readability of several clauses; and
- Overview of enforcement of covenants and definition of first subdivision.

Discussions ensued and Chair and Trustees thanked Staff for all their hard work on this topic.

**GB-2018-031**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee accept the final draft covenant under Section 219 of the *Land Title Act* from the registered owners of the South 1/2 of the North West 1/4 of Section 19, Gabriola Island, Nanaimo District Except Part in Plan EPP13396 (PID: 006-635-121); Lot 7, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742 (PID: 027-939-804); Lot 6, Section 20, Gabriola Island, Nanaimo District, Plan VIP86742 (PID: 027-939-791); and Lot 1, Section 19, Gabriola Island, Nanaimo District, Plan 24354 (PID: 003-010-431), and designate the Chairperson and one other member of the Local Trust Committee to sign the executable version of the covenant GB-RZ-2016.1 (Potlatch Properties and Pilot Bay Holdings).

**CARRIED**

**11. LOCAL TRUST COMMITTEE PROJECTS**

**11.1 Housing Options Review Project Bylaws 292 & 293 - Staff Report**

Planner Zupanec summarized the recommendation that Proposed Bylaw No. 292 be adopted and Proposed Bylaw No. 293 be amended prior to adoption.

Chair and Trustees thanked the public and Staff for their hard work on this Project.

**GB-2018-032**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee Bylaw No. 292 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2017”, be adopted.

**CARRIED**

**GB-2018-033**

**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee Bylaw No. 293, cited as “Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017”, be amended as follows:

- a) Item 2.7 - by inserting the words “where permitted in Part D of this Bylaw” before the words “are subject to the following requirements:”; and
- b) Item 2.7 – B.6.6.1 – by deleting the words “in the Small Rural Residential (SRR), Large Rural Residential (LRR), Forestry (F), Resource (R), Resource Residential (RR1) and Agriculture (AG) zones on lots”.

**CARRIED**

**GB-2018-034****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee Bylaw No. 293, cited as “Gabriola Island Land Use Bylaw No. 177, 1999, Amendment No. 1, 2017”, be adopted as amended.

**CARRIED**

Trustees requested the following amendments to the ‘Secondary Suites on Gabriola Island – Frequently Asked Questions’ document:

- Under the ‘Where are secondary suites allowed on Gabriola?’ add imperial acreage conversion in brackets after 2 hectares; and
- Under the ‘Why is a Restrictive Covenant required?’ remove “and be used for market rental housing.”

**GB-2018-035****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff to post the June 2018 ‘Secondary Suites on Gabriola Island - Frequently Asked Questions’ document to the ‘Latest News’ webpage as amended.

**CARRIED****11.2 Housing Options Review Project - Follow-up Staff Report**

Planner Zupanec provided an overview of the report regarding the completion of Phase 1 of the Housing Options Review Project and noted the following:

- Summarized the completion of Phase 1 and shifting deliverables to Phase 2 or other separate project;
- Requested that the LTC confirmed the activities for a subsequent Phase 2 Housing Options Review Project;
- Trustees consider amending the fees bylaw to include reduced development for application fees for affordable, rental or special needs housing projects; and
- Proposed removing the Housing Options Review Project from the Top Priorities list so as to not exceed the recommended number of items, once Phase 2 commenced, add item back onto Top Priorities List.

Discussion ensued and Trustees and noted the following key points:

- Requested that attainable housing be added to the Official Community Plan (OCP) policies and definitions;
- Adding community groups into 2. c);
- Addition of Land Use Bylaw (LUB) after OCP;
- Including seniors in no. 4 along with affordable, rental or special needs;
- Removing ‘in the Village’ core from g) and h) to keep options as open as possible; and
- Requested moving into Phase 2 rather than removing the project from the Top Priorities List.

**GB-2018-036****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee confirm the following activities for Phase 2 of the Housing Options (Official Community Plan/Land Use Bylaw) Review Project on the Projects List:

- a) Review Official Community Plan policies respecting affordable and attainable housing, rental housing, seniors housing and special needs housing, and policies relating to social needs, social well-being and social development;
- b) Consider the definitions of 'affordable housing' and 'attainable housing' in the Official Community Plan;
- c) Explore opportunities to foster affordable, rental, seniors and special needs housing and associated services on Gabriola Island in collaboration with the Regional District of Nanaimo, health and housing service providers and community groups;
- d) Review provisions for secondary suites above existing farm buildings in the Agricultural Land Reserve;
- e) Consider opportunities for secondary suites on lots smaller than 2 hectares;
- f) Consider an Official Community Plan designation for multi-dwelling housing;
- g) Consider Official Community Plan density provisions for multi-dwelling housing;
- h) Consider opportunities for mixed use buildings.

**CARRIED****GB-2018-037****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee add to the Projects List, "Water Resource Planning", with the Activity, "Official Community Plan and Land Use Bylaws amendments to address water resource protection including subdivision proof of water requirements."

**CARRIED****GB-2018-038****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request staff to draft an amendment to the Fees Bylaw to reduce the fee for applications involving Official Community Plan or Land Use Bylaw amendments to \$1,000 where the application is for affordable, rental, seniors and special needs housing and the applicant is a registered charity or a non-profit society.

**CARRIED****12. REPORTS****12.1 Work Program Reports****12.1.1 Top Priorities Report dated June 7, 2018**

Regional Planning Manager Kjerulf provided a status update on the Mudge Island targeted review of OCP/LUB item on the Top Priorities Report and the following points were noted:

- A draft bylaw is under development and is currently with the Islands Trust solicitor for review as per project charter processes;

- Presentation of the draft bylaw to the LTC and consideration of the first reading, Community Information Meeting (CIM) and referrals to occur during the summer; and
- Targeted date for the report and community consultation is at the next LTC meeting.

Doug MacDonald and Susanne Jakobsen from the Mudge Island Advisory Planning Commission (APC) spoke and suggested the following:

- Schedule the CIM on this topic early in the agenda at the next regular LTC meeting;
- If there is a delay in reviewing the draft bylaws at the next LTC, please advise the Mudge Island APC as soon as this information is available;
- Encouraged the first reading of the draft bylaw at the next LTC meeting if the draft bylaws are available for review.

Discussion ensued and Trustees responded with the following:

- Enquired whether Staff could schedule a CIM on this topic at the next LTC meeting, understanding that there may be a second CIM if the draft bylaw is delayed for review;

#### **GB-2018-043**

##### **It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to schedule a Community Information Meeting on the Mudge Island Targeted Review of Official Community Plan/Land Use Bylaw for the July 12<sup>th</sup>, 2018 Gabriola Island Local Trust Committee meeting.

**CARRIED**

Chair Busheikin noted that there are currently four items on the Top Priorities Report, regular practice is to keep the report to three items in order to focus resources and have achievable items:

- Suggested moving the First Nations Relationship Building from the Top Priorities Report to the Projects List to seek opportunities to consult and build relationships with the Snuneymuxw First Nations, as this a constant priority for the LTC.

Trustees requested:

- Staff consider enquiring with Fiona MacRaid, Senior Intergovernmental Policy Advisor for input on this topic.

#### **GB-2018-044**

##### **It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to draft a standing resolution with respect to First Nation Relationship Building.

**CARRIED**

**GB-2018-045****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee replace Housing Options Review Project with Housing Options Review Project Phase 2 and update the activity accordingly.

**CARRIED**12.1.2 Projects List Report dated June 7, 2018

Received for information.

**12.2 Applications Report dated June 7, 2018**

Received for information.

**12.3 Trustee and Local Expense Report - none****12.4 Adopted Policies and Standing Resolutions**

Received for information.

**12.5 Local Trust Committee Webpage**

No changes requested.

Regional Planning Manager Kjerulf joined the meeting at 11:38 am.

**12.6 Chair's Report**

Chair Busheikin reported the following:

- Attended the Executive Committee and noted the following:
  - Received a submission from Village Vision Planning Committee;
  - Large Trust Council package including Tsleil-Waututh First Nations, new Chair of the Agricultural Land Commission and CAO attending;
  - Looking at Committee changes and deeper level, do-able Act amendments;
  - Several requests on decisions from Trustees;
  - Will meet regarding targeted advocacy brought forward by Trustee George Grams supporting the B.C. government's approach on the Trans Mountain pipeline, re-iterating the Committee's opposition to the pipeline and their opposition to tanker traffic with putting ads in national and provincial newspapers;
  - Trust Fund Report name change and celebration at council;
- Attended the Baynes Sound Forum, an Islands Trust World Wildlife Fund cooperative event attended by representatives from Denman and Hornby Local Trust Committees, Provincial and Federal Ministries, three different First Nations, Shellfish Aquaculture and Herring Fisheries and community groups to discuss the topic of building trust and learning from each other for protection of bodies of water;
- Intergovernmental meeting with K'ómoks First Nation; and
- On Hornby Island the LTC have added to their top priorities list a comprehensive water planning project.

## 12.7 Trustee Reports

Trustee O’Sullivan reported the following:

- Attended Trust Programs Committee (TPC) meeting in Nanaimo on the topic of service integration and noted the following:
  - Steve Earle from Village Vision spoke regarding the MoTI road standards agreement;
  - TPC looking at service integration between various branches of government in wake of Salt Spring Incorporation vote;
  - Reviewing protocol agreements with various agencies and in the process of picking a few agreements to work on;
  - Starting outreach to other agencies to enhance partnerships across the federation;
  - Passed a motion regarding Trustees providing feedback to the TPC about engagement successes and issues;
- Ferry Advisory Committee (FAC) and terminal development meeting with presentations from Transportation Network members about making the terminal area safer and BC Ferries considering options regarding development;
  - Would like to thank John Hodgkins, the FAC Chair who is moving off Gabriola, for all his hard work and many hours on the FAC; and
- Munu Canoe Family Fundraiser and Cultural Demonstration at Gabriola Sands Provincial Park.

Trustee Mamoser reported the following:

- Attended the Local Planning Committee meeting where the Northern Housing Needs Assessment, a technical document for creating a housing strategy, has been completed and is being sent to Trust Council for approval next week.

**By general consent** the meeting was recessed at 12:01 pm and reconvened at 12:14 pm.

### **GB-2018-039**

#### **It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee send a letter of appreciation to John Hodgkins for his work on the Gabriola Ferry Advisory Council.

**CARRIED**

## 12.8 Electoral Area Director's Report - none

## 12.9 Trust Fund Board Report dated May, 2018

Received for information.

## 13. NEW BUSINESS

### 13.1 Regulation of Cannabis Production and Retail Sales and Non-Medical Cannabis Retail License Application Fees - Staff Report

Regional Planning Manager Kjerulf summarized the report regarding the proposed *Cannabis Act* and described options for the regulation of non-medical cannabis retail sales and asked the LTC to consider the following:

- Adopting a standing resolution to process Liquor Control and Licensing Branch (LCLB) non-medical cannabis retail applications;
- Amending the LTC fees bylaw to include a specific fee for the processing of LCLB non-medical cannabis retail applications; and
- As an option, reviewing its land use regulations applicable to cannabis production and retail sales

Discussion ensued and the Trustees noted the following:

- Expanded notification area from 200 metres to 500 metre radius from the subject property;
- Requested Staff provide further analysis on fees bylaw recommendations;
- Asked that cannabis productions and retail sales be added to the Projects List; and
- Requested Staff to research and report to the LTC regarding Land Use Regulations on the Agricultural Land Reserve (ALR)

#### **GB-2018-040**

##### **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.

**CARRIED**

#### **GB-2018-041**

##### **It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request that staff prepare a draft bylaw to amend the fees bylaw for Liquor Control and Licensing Branch applications, and provide specific further analysis in terms of the appropriate fee to be charged.

**CARRIED**

**GB-2018-042****It was MOVED and SECONDED**

that Gabriola Island Local Trust committee add to the project list cannabis production and retail sales and request staff to provide a report on options regarding Land Use regulations on this topic.

**CARRIED****14. UPCOMING MEETINGS****14.1 Next Regular Meeting Scheduled for Thursday, July 12, 2018 at 10:15 am (Location to be announced.)**

Trustees confirmed the next regular meeting date and location.

**15. TOWN HALL**

A member of the public spoke regarding the following:

- The UN Declaration of the Rights of Indigenous Peoples is the minimum standard to ensure the survival, dignity and well-being of Indigenous people around the world. The Truth and Reconciliation Commission of Canada (TRC) called to action #43 asking municipal, provincial and federal governments to adopt and implement the UN Declaration;
- Health and Transportation will be having a meeting with the Minister for Transportation regarding the road safety issues surrounding the BC Ferry terminal and they hope to have the Trustees support on this important topic; and
- The Health and Transportation Committee is now part of the Health and Wellness Collaborative and asked the question whether the parks, trails and road in the Potlach development are being developed preceding subdivision

Chair Busheikin noted the following points:

- Asked the member of the public to telephone Staff regarding the Potlach development as the topic has not been finally adopted for post public hearing; and
- Encouraged writing an email to Trust Council to take seriously the road designation and the review of the Memorandum of Understanding with MoTI.

Derek from the Sounder asked for the following:

- A status report and clarification moving the definition of limited public market to the Projects List and enforcement of the Bylaw 186 Limited Public Market, subsection v6.2; and
- Procedure for a letter of support from the LTC regarding the skate park in Huxley Park.

**16. CLOSED MEETING - None****17. ADJOURNMENT**

**By general consent** the meeting was adjourned at 1:27pm.

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Laura Busheikin, Chair

Certified Correct:

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Nadine Mourao, Recorder