



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: January 23, 2020
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

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

Staff Present: Heather Kauer, Regional Planning Manager
 Sonja Zupanec, Island Planner
 Ian Cox, Planner 1
 Nadine Mourao, Recorder

Others Present: There were approximately seven (7) members of the public and one (1) member of the media in attendance

1. CALL TO ORDER

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

Chair Rogers called the meeting to order at 10:31 am. He 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/amendments to the agenda were presented for consideration:

- Add to 4.4 First Nations Report, update on Community Stewardship Awards presentation for Snuneymuxw Elder Geraldine Manson (C'tasi:a);
- Add 11.2 Regional District of Nanaimo (RDN) letter from Courtenay Simpson regarding Union of British Columbia Municipalities (UBCM) Poverty Reduction Grant; and
- Add 11.3 Request regarding Gabriola Automotive and Temporary Use Permit Project

By general consent the agenda was approved as amended.

3. TOWN HALL

A member of the public expressed support of Staff recommendations regarding GB-RZ-2019.1 BC Ferries Staff report and requested Trustees consider additional referrals to various environmental and wildlife groups on Gabriola.

Two (2) further members of the public supported Staff recommendations regarding GB-RZ-2019.1 BC Ferries Staff report.

A member of the public asked about procedure for requesting a future Local Trust Committee (LTC) meeting delegation.

- Staff asked member of the public to contact them and they would put on future agenda.

4. REPORTS

4.1 Trustee Reports

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

- Trust Council (TC);
- Trust Programs Committee (TPC);
- Working on Poverty Reduction Strategy;
- Community learning regarding airplane crash December 10, 2019;
- Gabriola Island Emergency Preparedness Open House January 25, 2020;
- Camp Miriam Vigil;
- Festival of Jewish and Gabriolish Art, Words and Music on February 7-9, 2020;
- Gabriola's Environmentally Responsible Trans-Island Express's (GERTIE) 100,000 passenger celebration on January 24, 2020;
- March 8, 2020 Gabriola Talks workshop on three topics of food, transportation, and waste and consumption;
- February 5, 2020 Food Forum, would like Vision 2050 booth; and
- Ocean Protection Plan meeting next week, discuss freighter anchorages.

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

- TC;
- Met with residents regarding water and the flow of water;
- Extinction Rebellion rally in Nanaimo;
- Climate strike march;
- Camp Miriam Vigil; and
- Met with resident regarding Easthom Road slope instability and embankment.

4.2 Chair's Report

Chair Rogers reported the following:

- Attended TC;
- Island's Trust (IT) online budget survey open until February 9, 2020;
- Budget adoption on agenda at TC meeting March 10-12, 2020 on Salt Spring;
- Attended Executive Committee (EC) meeting;
- Participating in consultation meetings with Provincial government around short-term rentals; and
- IT in discussion with Coast Guard regarding developing comprehensive oil spill response plan for Vancouver harbour, Juan de Fuca and Georgia Strait areas.

4.3 Electoral Area Director's Report

Received.

4.4 First Nation Reports

Trustee Colborne requested letter drafted by Lisa Wilcox, Senior Intergovernmental Policy Advisor regarding First Nations Relationship Building Standing Resolution and Snuneymuxw letter to be sent out by Staff at the same time.

Discussion ensued regarding the Community Stewardship Awards presentation for Snuneymuxw Elder Geraldine Manson (C'tasi:a) and the following was noted by Trustees:

- Three attempts have been made to have awards celebration but have been unable to schedule;
- Trustees suggested they may go to Snuneymuxw to give award and have a community event on Gabriola at a future date;
- Trustee Colbourne to meet with Snuneymuxw Elder Geraldine Manson (C'tasi:a) next week to discuss date for celebration; and
- Chair Rogers requested to be kept informed.

5. MINUTES

5.1 Local Trust Committee Minutes dated November 28, 2019 – for adoption

The following amendments to the minutes of November 28, 2019 were presented for consideration:

- Page 1, 3.1, Trustee Colborne reported section, third bullet, replace “children” with “individuals with diverse abilities”;
- Page 3, 5.1, third bullet, replace “are to be included” with “are permitted under” the *Cannabis Act*;
- Page 3, 5.1, third bullet, replace “does this height imply” with “does this height apply”;
- Page 4, 7.2, second bullet, add “such as 5G” to end of sentence about expanded communication towers;
- Page 4, 7.2, fifth bullet, replace “location identified at Firehall” to “location identified near to the Firehall”;

By general consent the minutes were adopted as amended.

5.2 Section 26 Resolutions-Without-Meeting - none

5.3 Advisory Planning Commission Minutes - none

5.4 Housing Advisory Planning Commission Minutes dated November 20, 2019 - for receipt

Received.

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated January 8, 2020

Received.

6.2 Consultation for Communication Towers - Staff Report

Planner Zupanec summarized the report which requested the LTC to re-consider rescinding the 2010 LTC standing resolution on communication towers, and adopt the model consultation process, outlined in the 2018 “Model Strategy for Antenna Systems” for the assessment of, and outlining the public consultation requirements for, any potential tower proposal in the Gabriola Trust Area.

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

- Concerned about co-location or future changes in technology, such as 5G, on communication towers without public consultation process;
- Confident in the 2018 Model Strategy, as current standing resolution is not as strong of a building block for consultation;
- Trustee Langereis preferred to take into consideration the issue of co-location and technology and did not support rescinding the current standing resolution and adopting the 2018 Model Strategy; and
- Trustee Langereis will provide Staff with proposed amendments to the Model Strategy to consider local considerations.

GB-2020-001

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee rescind standing resolution GB-025-2010:

GB-025-2010

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee adopt the following standing resolution:

- Proposals for any new or expanded communication towers and antennae require an application to the Gabriola Islands Local Trust Committee.
- The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting and one advertisement in the local newspaper.
- The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; however, as a minimum, the proponent shall give written notice to Islands Trust Northern Office staff and the Snunéymuxw First Nation, all owners and residents of properties within a 2 kilometre radius of the subject property where the facility is proposed. The required notice shall include the following information:
 - the proposed location of the tower on the subject site
 - a description of the predicted power density level of the antenna/tower
 - methods to mitigate any aesthetic or visual impact
 - description of the natural environment, any sensitive ecosystems or other important habitat areas within 120 metres of the subject property and mitigation of impacts to such areas
 - physical details and example illustrations of the tower including its height, colour, type and design
 - the time and location of a public meeting and advertising

- the name and contact information of the contact person employed by the proponent
- the name and all contact information of the Islands Trust planning staff available for public comments and questions regarding the proposal; and
- the proponent may be required to enter into a cost recovery agreement with the Islands Trust, in order to offset application processing costs incurred.

CARRIED**Trustee Langereis Opposed****GB-2020-002****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee adopt the “Model Strategy for Antenna Systems” prepared by the Local Planning Committee of the Islands Trust, as the Gabriola Local Trust Committee strategy to assess any future potential tower proposals in the Gabriola Local Trust Area.

CARRIED**Trustee Langereis Opposed****6.3 Processing Referrals - verbal update**

Planner Cox provided a verbal update regarding GB-2019-124 indicating when referrals such as subdivisions are provided to Trustees and when they can be made public and the following was noted:

- Third party information is not shareable with the public;
- Staff provide the LTC with Staff Referral report about subdivision applications; and
- The Provincial Approving Officer is responsible for subdivision referrals.

Trustees noted:

- Interested in a community involvement process in subdivisions; and
- Interested in a Gabriola Island Official Community Plan (OCP) review.

7. APPLICATIONS AND REFERRALS**7.1 GB-OTH-2019.1 (Gabriola Cannabis LTD.) - Staff Report**

Planner Cox provided an overview of the report which asked the LTC to consider a referral from the Provincial Liquor and Cannabis Regulation Branch (LCRB) for an application by Gabriola Cannabis Limited for a Cannabis Retail Store (CRS) licence to operate a non-medical cannabis retail store in Unit 11 at the ‘Gabriola Professional Centre’ located at 590 North Road, Gabriola and noted:

- LCRB wait for local government decision before making their own decision;

Discussion ensued and the following points were noted by Trustees:

- Requested Staff to clarify the LCRB letter on page 33 regarding withholding recommendation until the LCRB have made a final decision regarding the applicant’s suitability;
- Interested in Community Information and Input Session (CIIS) rather than technical Community Information Meeting (CIM) as part of the process; and

- In favour of this application be added to the next LTC meeting and deferring the discussion regarding cannabis production to later meeting.

The applicant noted the following:

- Legal name is Gabriola Cannabis Limited, rather than Ltd. as stated in the report; and
- Requested the LTC expedite application if possible.

GB-2020-003

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct Staff to hold a Community Information and Input Session to gather input on the Cannabis Retail Store licence application for Gabriola Cannabis Limited during the February 27, 2020 Regular Business Meeting of the Local Trust Committee.

CARRIED

GB-2020-004

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct Staff to provide public notice to property owners and residents within 500 metres of the proposed location for the Cannabis Retail Store licence application as described in the Gabriola Local Trust Committee Standing Resolution GB-2018-040.

CARRIED

GB-2020-005

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee direct Staff to add notice of the Community Information and Input Session to the notice of the Local Trust Committee meeting on February 27, 2020 in the Gabriola Sounder and online.

CARRIED

7.2 GB-RZ-2019.1 BC Ferries - Staff Report

Planner Zupanec summarized the report which introduced two draft bylaws, one to amend the Gabriola Island OCP Bylaw No. 166 and one to amend the Gabriola Island Land Use Bylaw No. 177 (LUB), consistent with draft bylaw language endorsed by the LTC in October 2019 for the redevelopment of the Descanso Bay ferry terminal under application GB-RZ-2019.1 (BC Ferries).

Trustees noted the following key points:

- Requested Staff to clarify whether the retaining wall will exceed the 9' limit in the Land Use Bylaw;
- Interested in accessory dwelling unit be included to assist with need for employee housing;
- In addition to a CIM, interested in an informational presentation, question and answer to understand the technical elements of the application, a mechanism for community members to provide input to any changes to the bylaw such as email, phone, online survey and/or office hours;
- Encouraged all groups with an interest in application to provide input; and
- Will send technical amendments to Staff.

Brian Green, Terminal Development Manager, BC Ferries noted:

- Indicated that the electronic signage is to inform customers about service cancellations and vessel location in real time, particularly at non-staffed terminals;
- Advised that Descanso Bay ferry terminal is a constrained site and due to prioritization of safe passenger pickup, GERTIE parking in parking area, and additional crew parking stalls for two Island Class vessels, the planned public parking stalls were reduced;
- Small vendor pad is common in many other small terminals; and
- No plan at this time to include employee housing as part of the application.

GB-2020-006

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 304 cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 2, 2019” be read a first time.

CARRIED

GB-2020-007

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 305 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2019” be read a first time.

CARRIED

GB-2020-008

It was MOVED and SECONDED

that Proposed Bylaw Nos. 304 and 305 be referred to the following First Nations, Local Governments and agencies for comment:

- a) First Nations:
 - Cowichan Tribes, Halalt First Nation, Lake Cowichan First Nation, Lyackson First Nation, Penelakut Tribe, Sechelt First Nation, Semiahmoo First Nation, Snaw'Naw'As Nation, Snuneymuxw First Nation, Stz'uminus First Nation, Te'Mexw Treaty Association.
- b) Local Governments and Agencies:
 - Gabriola Advisory Planning Commission, Gabriola Ferry Advisory Committee, City of Nanaimo, Regional District of Nanaimo, Ministry of Transportation and Infrastructure, School District 68, Islands Trust Freshwater Specialist.

CARRIED

GB-2020-009

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. 304 cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 2, 2019” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2020-010**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to schedule a special meeting for a Community Information Meeting on application GB-RZ-2018.1 (BC Ferries) and Proposed Bylaw Nos. 304 and 305 following the close of the bylaw referral period.

CARRIED

By general consent the meeting was recessed at 1:09 pm and reconvened at 1:16 pm.

8. LOCAL TRUST COMMITTEE PROJECTS**8.1 Gabriola Housing Options and Impacts Review Project - verbal update**

Planner Zupanec updated the LTC and noted the following key points:

- The Gabriola Housing Advisory Commission (HAPC) met on January 11, 2020 for an all-day working session to work through the engagement strategy and to define the HAPC role in the strategy;
- Aiming to provide revised engagement strategy and budget request for the next fiscal at the next LTC meeting; and
- Instead of commissioning a new website for engagement strategy as previously planned, interested in using the new IT website features when website is revamped.

8.2 Ecological Protection Zone - verbal update

Planner Cox updated the LTC and noted:

- Continue to work with the Trust Conservancy on draft bylaw language; and
- Have not heard back from the RDN to discuss Coats Marsh.

Trustees acknowledged that a protocol meeting with RDN may be opportunity to raise Coats Marsh Ecological Protection Zone ideas.

8.3 Cannabis Regulation Project (Bylaw No. 303) - Staff Report

Regional Planning Manager Kauer summarized the report which recommended minor amendments to the Proposed Bylaw No. 303 at second reading and recommended the bylaw be advanced to a CIM and public hearing and noted the following:

- Cannabis production may not be prohibited outright in the Agriculture Land Reserve (ALR) however, we may limit through setbacks.

Discussion ensued and the following was noted by Trustees:

- Questioned whether the number of ALR zoned properties that allow cannabis production due to setbacks compared to total ALR zoned properties is effectively prohibiting use? Interested in referring this issue to the Ministry of Agriculture; and
- Add new definition of the word "Cannabis" to include "any plant of the genus Cannabis".

9.1 Gabriola Housing Society

Trustee Langereis declared that he had a potential conflict of interest with the upcoming item, due to the fact that he was previously a member of the Gabriola Housing Society (GHS) and is awaiting advice regarding any future actions.

Trustee Langereis left the meeting at 1:17 pm.

Nancy Hetherington-Peirce, President and Sibyl Frei, Vice President of GHS provided an overview of their letter to the LTC dated January 7, 2020 and noted:

- An application for rental housing was submitted to IT on January 15, 2020; and
- Requested that its application be processed in a timely manner to allow GHS enough time to pursue funding to proceed with the project.

GB-2020-013

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to report to the Local Trust Committee when the Gabriola Housing Society Paisley Place Affordable Housing Project initial Staff Report is prepared, and potentially schedule a Special Meeting relating to that application, if that date is prior to the April 2, 2020 Local Trust Committee regular business meeting.

CARRIED

Trustee Langereis returned to the meeting at 1:35 pm.

By general consent the meeting was recessed at 1:35 pm and reconvened at 2:02 pm.

10. CORRESPONDENCE - none

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

11. NEW BUSINESS

11.1 Housing Advisory Planning Committee - none

11.2 Regional District of Nanaimo (RDN) letter from Courtenay Simpson regarding Union of British Columbia Municipalities (UBCM) Poverty Reduction Grant

The letter from RDN requested LTC support to ensuring that Gabriola, DeCourcy, and Mudge Island electoral area is included in this study and involved in the planning for deliverables, the following was noted:

- Staff will look at process, limited staff time commitment.

GB-2020-014

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee supports the Regional District of Nanaimo as primary applicant to the Union of British Columbia Municipalities Poverty Reduction Planning and Action Grant program for a social needs assessment and strategy, and supports the Regional District of Nanaimo to receive and manage the grant funding on its behalf.

CARRIED

11.3 Request regarding Gabriola Automotive and Temporary Use Permit Project

Trustee Colbourne provided an update regarding Gabriola Automotive and noted the following key points:

- Requested that Temporary Use Permit (TUP) be added to the Projects List as the language is restrictive and interested in additional flexibility;
- Staff noted that Gabriola Automotive would have to apply for rezoning to accommodate an automotive repair shop if the business were to move to a location that did not have the correct zoning; and
- A TUP project will not be completed in time to affect this email request.

GB-2020-015**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to add to the Projects List “Temporary Use Permit Project.”

CARRIED**12. REPORTS****12.1 Climate Change Action Update - none****12.2 First Nations Relationship Building - none****12.3 Trust Conservancy Report dated December 2019**

Received.

12.4 Applications Report dated January 8, 2020

Received.

12.5 Trustee and Local Expense Report dated November, 2019

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 January 8, 2020**

Received. When next vacancy Trustee Langereis proposes moving the Coastal Douglas Fir Toolkit to Top Priority.

13.2 Projects List Report dated January 8, 2020

Received.

14. CLOSED MEETING - none

15. UPCOMING MEETINGS

16.1 Next Regular Meeting Scheduled for Thursday, February 27, 2020 at The Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC

17. ADJOURNMENT

By general consent the meeting was adjourned at 3:38 pm.

Dan Rogers, Chair

Certified Correct:

Nadine Mourao, Recorder