



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: May 14, 2020
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
 David Marlor, Local Planning Services Director
 Jaime Dubyna, Planner 2
 Ian Cox, Planner 1
 Sarah Shugar, Recorder

Media and Others Present: Vanessa Craig, Regional District of Nanaimo Electoral Area Director for Area B - Gabriola Island, Mudge Island and DeCourcy Island
 There were approximately nine (9) 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.

Chair Rogers called the meeting to order at 10:32 am. He welcomed everyone to the first electronic meeting of the Gabriola Island Local Trust Committee. He acknowledged that the meeting was being held in territory of the Coast Salish First Nations. Chair Rogers welcomed the public and introduced Trustees, Staff and Recorder.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

Trustee Langereis presented the following report:

- Attended Sierra Club webinars on the following topics: Protection of Old Growth Forest Ecosystems and Resiliency in the Time of Climate Change;
- Attended meetings with the Gabriola Emergency Response and Recovery Committee;
- Attended meeting with Sustainable Gabriola;
- Attended Trust Council on March 10-12, 2020 on Salt Spring Island;
- Attended Trust Council electronic meeting on April 20, 2020;

- He encouraged members of the public to participate in the BC Centre for Disease Control COVID-19 survey.

Trustee Colbourne presented the following report:

- Working on removal of invasive species Daphne in the Gabriola Sands area;
- Acknowledged Electoral Area Director Vanessa Craig for her work on the Gabriola Emergency Response and Recovery Committee. He spoke to the coordination between local governments and Gabriola Island residents during the COVID pandemic;
- Gabriola Land and Trails Trust (GaLTT) is conducting broom removal and has requested broom to be removed from around the Gabriola Islands Trust office;
- The People for a Healthy Community on Gabriola Society (PHC) is requesting members of the public to consider donating to the society to support the community during the response and recovery phase of the COVID pandemic.

3.2 Chair's Report

Chair Rogers presented the following report:

- Attended Trust Council on March 10-12, 2020 on Salt Spring Island;
- Attended Trust Council electronic meeting on April 20, 2020;
- Acknowledged staff for work done to respond to the COVID pandemic and transition to electronic meetings;
- Executive Committee has been meeting weekly during the COVID pandemic and will continue to meet every two to three weeks;
- Executive Committee approved a subsidy to waive the application fees for the Gabriola Housing Society affordable housing project;
- Attended weekly meetings with Member of Legislative Assembly, Adam Olsen, Member of Parliament, Elizabeth May, Southern Gulf Islands Trust Trustees and Southern Gulf Islands Electoral Area Directors regarding the COVID pandemic;
- He spoke to initiatives regarding what a “new reality” will look like including eco-justice, justice and a more complete and inclusive society;
- He acknowledged the Gabriola Response and Recovery Committee work as a model of cooperation;
- The next Trust Council is scheduled on June 16-17, 2020 and will be an electronic meeting.

3.3 Electoral Area Director's Report

Electoral Area Director Craig presented a report dated May 14, 2020 and highlighted the following items:

- The Regional District of Nanaimo (RDN) has implemented a new parks bylaw that regulates smoking/vaping, homeless camping and other activities in RDN regional and community parks and established updated fees. The RDN Board has supported a temporary prohibition on homeless camping in the 707 Community Park until the park has been assessed for condition and fire risk;
- A seasonal metal access ramp has been installed at Spring Beach;
- Plans are underway to replace the RDN wooden walkway in the Joyce Lockwood Park;
- The Village Way pathway project is still planned to begin in 2020;

- RDN tennis courts, pickle ball courts and skate parks will be re-opened on May 14, 2020;
- The RDN Board has expressed support for evacuation route planning for Area B;
- Acknowledged the work of the Emergency Response and Recovery Committee for Gabriola, Mudge and DeCourcy Islands during the COVID pandemic. She expressed support for the Committee work to continue;
- The Association of Vancouver Island and Coastal Communities (AVICC) has expressed support to develop a Terms of Reference for a Committee for development of a Vancouver Island Transportation Master Plan;
- The next Parks and Open Spaces Advisory Committee meeting is scheduled on June 22, 2020.

3.4 First Nation Reports

Trustee Colbourne reported a meeting that was scheduled with Senior Intergovernmental Policy Advisor, Lisa Wilcox, and the Snuneymuxw Nation was postponed due to the COVID pandemic.

Chair Rogers reported Trust Council passed a resolution to support a Statement of Solidarity at the March 10, 2020 Trust Council meeting.

4. TOWN HALL

A member of the public reported the Gabriola Island Chamber of Commerce has issued a “please stay at home” message and is assisting local businesses to navigate the various COVID pandemic funding assistance programs.

Trustee Colbourne acknowledged Chamber of Commerce Executive Director, Julie Sperber, and noted the Rural Islands Economic Partnership program to support local businesses.

A member of the public expressed concerns regarding application GB-RZ-2020.1 (Gabriola Housing Society) including tree removal, unintended consequences related to future use of the property and expressed support for affordable home ownership models.

A member of the public expressed concerns regarding the Model Strategy for Antenna Systems protocol including the lack of public participation, potential health and ecological impacts, 5G technologies and the lack of restrictions regarding the siting of non-telecom antenna. The member of the public requested the LTC to rescind adoption of the Model Strategy for Antenna Systems protocol, readopt Standing Resolution GB-025-2010 and consider this a high priority item.

The meeting recessed at 11:30 a.m. to address technical difficulties. The meeting reconvened at 11:36 a.m.

A member of the public asked how public participation will be conducted regarding application GB-RZ-2020.1 (Gabriola Housing Society) to address questions and concerns.

Chair Rogers reported there will be a public participation process and the public notification protocol will be followed. Regional Planning Manager Kauer reported that public hearings and community information meetings can be held electronically.

Chair Rogers thanked attendees for the comments and welcomed members of the public to submit correspondence.

5. MINUTES

5.1 Local Trust Committee Minutes – none

5.2 Section 26 Resolutions-Without-Meeting Report dated May 6, 2020

The report was received.

5.3 Advisory Planning Commission Minutes dated February 20, 2020 - for receipt

The minutes were received.

In discussion the following comments were noted:

- Advisory Committees do not have authority to hold electronic meetings at this time.
- There was a question regarding clarification of availability of free potable water concerning application GB-RZ-2019. (BC Ferries Corporation).

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated May 6, 2020

The report was received.

7. APPLICATIONS AND REFERRALS

7.1 GB-TUP-2019.2 (Kraus & Cripps - 1410 Fisher Road) - Staff Report

Planner Cox presented a staff report dated April 27, 2020 regarding a Temporary Use Permit (TUP) for the operation of a commercial vacation rental within an existing single family dwelling.

Applicants Edith Kraus and Ken Cripps spoke to the application.

Discussion ensued and the following comments were noted:

- There was a question regarding whether the vacation rental is currently in operation. The applicant reported the vacation rental is not in operation at this time, while the TUP application is in progress.
- There was a question regarding whether any correspondence was received from property owners in the area of the subject property. Planner Cox reported one letter of support was received from a tenant of the property owner and no correspondence was received from property owners in the area of the subject property.
- There was a question regarding whether the short-term vacation rental service provider notified the applicant regarding permit requirements. The applicants reported Airbnb did not provide information regarding local government permit requirements although Airbnb sent notification regarding travel restrictions due to the COVID pandemic.

GB-2020-027**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee approve issuance of Temporary Use Permit GB-TUP-2019.2 for a period of three (3) years, subject to the conditions imposed by the permit.

CARRIED**7.2 GB-RZ-2019.1 (BC Ferries) - verbal update**

Planner Dubyna presented a verbal report as follows:

- BC Ferries and the Snuneymuxw First Nation have agreed to establish a joint technical working group. BC Ferries has committed to ongoing communication and consultation with the Snuneymuxw First Nation and will update Islands Trust staff.
- The Community Information Meeting (CIM) was cancelled due to the COVID pandemic and will be rescheduled. The proposed date for an electronic CIM is June 25, 2020.

In discussion, the following comments were noted:

- There was a question regarding whether the joint technical working group is specific to the Gabriola Island ferry terminal. Planner Dubyna advised the technical working group is involved in all current and future BC Ferries work within Snuneymuxw territory.
- There was a question regarding whether the joint technical working group input would be sufficient to meet consultation requirements. Regional Planning Manager Kauer reported that Senior Intergovernmental Policy Advisor, Lisa Wilcox, provides advice regarding First Nations consultation.
- There was a question regarding the timeline for the project. Planner Dubyna reported the next steps include a summary of referral responses and a CIM.
- There was a question regarding whether the CIM could be scheduled earlier than June 25, 2020. Regional Planning Manager Kauer advised the CIM could be held as a separate meeting although a special meeting notice would be needed.

7.3 GB-RZ-2020.1 (Gabriola Housing Society - GHS) - verbal update

Planner Dubyna presented a verbal report as follows:

- Staff sent a letter to notify both the RDN and the Snuneymuxw First Nation regarding the application. The RDN has responded with no comment or concerns. Snuneymuxw First Nation has not responded to the letter at this time.
- The applicant is working on the groundwater licence application.
- Executive Committee approved sponsorship of the application fee.
- Staff are working on draft bylaws and it is expected draft bylaws will be presented at the June 25, 2020 LTC meeting.

8. LOCAL TRUST COMMITTEE PROJECTS**8.1 Cannabis Regulation Project (Bylaw No. 303) - Staff Report**

Regional Planning Manager Kauer presented a staff report dated April 7, 2020 regarding

the Ministry of Agriculture review of the Salt Spring draft cannabis production bylaw and recommended minor amendments to Proposed Bylaw No. 303.

Discussion ensued and the following was noted:

- There was a question regarding whether Section B.1.2.1 Prohibited Uses - Item j. "cannabis production except as permitted on land within the Agricultural Land Reserve" could be amended to "cannabis production except as permitted on land within the Agricultural Land Reserve and Agriculture zone." as cannabis production is a permitted use within the agriculture zones.
- There was a question regarding the proposed 60-metre setback when the Ministry of Agriculture recommendation is for a 30-metre setback. Regional Planning Manager Kauer reported the 60-metre setback was the original recommendation and noted the setbacks are intended to reduce noise, smell and light impacts.
- There was a question regarding whether the Local Trust Committee (LTC) should restrict the base material of buildings such as concrete-based buildings.
- There was a suggestion to remove the reference to fencing.
- There was a question regarding next steps. Regional Planning Manager Kauer reported the LTC has referred the draft bylaw to the Advisory Planning Commission (APC).

GB-2020-028

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 303, cited as "Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2019", be amended as follows: Item 7. is deleted in its entirety and replaced with: 7. 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 iii last bullet is deleted in its entirety and replaced with: "the minimum setback for buildings and structures except fencing used for cannabis production is 30 metres (98.4 feet) from any lot line and 150 metres (492.13 feet) from any school property line or P3 zone.

CARRIED

GB-2020-029

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 303, cited as "Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2019", be amended as follows: Section B.1.2.1 Prohibited Uses - Item j. be amended to read "cannabis production except as permitted on land within the Agricultural Land Reserve and Agricultural zone".

CARRIED

GB-2020-030

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 303, cited as "Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2019 as amended be read a second time.

CARRIED

The meeting recessed at 12:58 p.m. and reconvened at 1:20 p.m.

8.2 Housing Options and Impacts Review Project - Staff Report

Regional Planning Manager Kauer presented a staff report dated May 5, 2020 regarding an analysis of the scope of the Gabriola Housing Options and Impacts Review Project.

Discussion ensued and the following comments were noted:

- Concern was expressed regarding reducing the scope of work without input from the Housing Advisory Planning Commission (HAPC). Regional Planning Manager Kauer reported the HAPC has provided a list of recommended methodologies for community engagement and suggested project deliverables. The project deliverables are more expansive than the project charter.
- Support was expressed to add environmental impacts to the project.
- There was a question regarding whether a planner has been assigned to the project. Concern was expressed regarding staff capacity to address the scope of work for the project. Regional Planning Manager Kauer reported she is the planner for the project at this time. Director Marlor reported work is underway to resolve staff issues.
- Safe and secure housing has emerged as a priority in the COVID pandemic.
- There was a suggestion that some of the data such as the Coastal Douglas Fir toolkit, and the build out mapping is not ready to be presented to the community at this time. Consideration regarding how to present the data will require staffing capacity.
- There is potential for the project to be a template for housing work within other Local Trust Areas.
- There was a question regarding administrative fairness. Director Marlor reported the LTC should consider how applications would be processed while the policy is being reviewed.
- Support was expressed for staff to suggest staging for the project in terms of how to do public engagement and prioritize pieces of work within the project.

GB-2020-031

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to amend the Housing Options and Impacts Review project charter timelines and budget to reflect the Trust Council approval of a Northern Trust Area Water Project and prepare a report to suggest staging for the project.

CARRIED

GB-2020-032

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request staff to send correspondence on behalf of the Local Trust Committee Chair to the Housing Advisory Planning Commission to thank them for their work and advise them of the status of the project.

CARRIED

9. DELEGATIONS - None

10. CORRESPONDENCE

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

There was a question regarding whether all correspondence is posted on the website. Regional Planning Manager Kauer will look into the correspondence protocol and report back.

11. NEW BUSINESS - None

12. REPORTS

12.1 Climate Change Action Update - none

12.2 First Nations Relationship Building - none

12.3 Trust Conservancy Report dated February 2020

Received.

12.4 Applications Report dated May 6, 2020

Received.

12.5 Trustee and Local Expense Report dated February 2020

Received.

12.6 Adopted Policies and Standing Resolutions

Received.

12.7 Local Trust Committee Webpage - none

13. WORK PROGRAM

13.1 Top Priorities Report dated May 6, 2020

Received.

13.2 Projects List Report dated May 6, 2020

Received.

14. UPCOMING MEETINGS

14.1 The Next Regular Business Meeting is scheduled for Thursday, June 25, 2020 at 10:30 a.m. The location is to be determined.

15. CLOSED MEETING

15.1 Motion to Close the Meeting

GB-2020-033

It was MOVED and SECONDED

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, section 90(1) (d) and (i) for the purpose of considering adoption of In-Camera Meeting Minutes dated February 3, 2020 and receipt of Legal Advice and that the recorder and staff attend the meeting.

CARRIED

Chair Rogers closed the meeting to the public at 2:48 p.m.

15.2 Recall to Order

By general consent the meeting was recalled to order at 3:27 p.m.

15.3 Rise and Report

The Gabriola Island Local Trust Committee received legal advice concerning the Regional District of Nanaimo Park Use Regulations Bylaw No. 1801, 2019 and the Local Trust Committee is satisfied that the Regional District of Nanaimo is within their rights to enact the bylaw.

16. ADJOURNMENT

The meeting adjourned at 3:27 p.m.

Dan Rogers, Chair

Certified Correct:

Sarah Shugar, Recorder