



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: October 22, 2020
Location: Electronic Meeting

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

Staff Present: Heather Kauer, Regional Planning Manager
Sonja Zupanec, Island Planner
Jaime Dubyna, Planner 2
Nadine Mourao, Recorder

Others Present: There were approximately twenty (20) 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 10:32 am, welcomed the public and introduced Trustees, Staff and Recorder. Chair Rogers, Trustee Colbourne, and Trustee Langereis acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions/amendments to the agenda were presented for consideration:

- Add 5.3 Gabriola Island Advisory Planning Commission (APC) Protocol for Siting of New Antenna Systems; and
- Add 11.2 Regional District Nanaimo and Natures Trust meeting.

By general consent the agenda was approved as amended.

By general consent the meeting was recessed at 10:50 am and reconvened at 10:57 am.

3. REPORTS

3.1 Trustee Reports

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

- Trust Programs Committee (TPC);
- Meeting with Harold Joe, recommended 'Dust 'n Bones' documentary;
- Snuneymuxw First Nations meeting;
- Land-based Intergenerational Simon Fraser University (SFU) Project webinar;
- Union of BC Municipalities (UBCM) webinars;

- Gabriola Agriculture Co-op Annual General Meeting;
- Gabriola joined Trees 4 Tomorrow program to restore the Coastal Douglas Fir ecosystems; and
- Ferry Advisory Committee (FAC) meeting.

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

- Trust Council (TC);
- Regional Planning Committee (RPC);
- Rainwater Harvesting webinar from Climate Action Speaker Series:
 - Ecosystem-Based Adaptation, October 27, 2020;
 - Eelgrass: A Climate Hero, November 24, 2020;
 - All are welcome to attend and can register at the Islands Trust Website (<http://www.islandstrust.bc.ca/trust-council/projects/stewardship-education-program/>);
- Regional District of Nanaimo (RDN) and Nature Trust meeting; and
- TPC.

3.2 Chair's Report

Chair Rogers reported the following:

- Executive Committee (EC) electronic meeting;
- The journey we are on in reconciliation with indigenous people has taken many forms and new training starting soon regarding calls for justice of murdered and missing indigenous women;
- Islands Trust Conservancy received Federal funding for species at risk; and
- 2021/22 Budget draft at TC in December.

3.3 Electoral Area Director's Report

Written report in the updated agenda on the website.

Trustees requested a report on subdivision process at a future meeting.

GB-2020-079

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to provide a report on the subdivision process as it pertains to Local Trust Committee in early 2021.

CARRIED

3.4 First Nation Reports

Trustee Colbourne provided a verbal update on meeting with Snuneymuxw First Nations regarding First Nations – Community Reconciliation protocol updates and comments. He has forwarded to Lisa Wilcox, Senior Intergovernmental Policy Advisory.

Chair Rogers noted that Lisa Wilcox, Senior Intergovernmental Policy Advisor stated that there is a move to set up a more formal and coordinated relationship between First Nations and the BC Archaeology Branch.

4. TOWN HALL

A member of the public asked for clarification on 'non-market' affordable housing and why ownership of units is included in the proposed definition of affordable housing in GB-RZ-2020.1 Gabriola Housing Society (GHS).

A member of the public noted issues around communication service protocols that rely on public consultation each time there are technology changes to antennae towers and the barriers this may create for enhanced cellular coverage. Also noted concerns with Islands Trust (IT) jurisdiction and requested dissemination of science based health information.

5. MINUTES

5.1 Local Trust Committee Minutes dated September 10, 2020 – for adoption

By general consent the Local Trust Committee meeting minutes of September 10, 2020 were adopted.

5.2 Local Trust Committee Special Meeting Minutes dated October 2, 2020 - for adoption

The following amendments to the minutes were presented for consideration:

- Page 2, 3rd bullet, delete comments after "Trustee Langereis to re-look at definition of affordable housing".

By general consent the minutes of October 2, 2020 were adopted as amended.

5.3 Advisory Planning Commission Draft Minutes dated September 23, 2020 - for receipt

Gabriola Island Advisory Planning Commission (APC) Protocol for Siting of New Antenna Systems

The following was noted by Trustees:

- Unsure of formal mechanism to address emergency services consultation; and
- Trustee Langereis to bring forward to RPC, who did the consultation, collaboration and protocol for the current Model Strategy and Protocol for Antennae Systems, for further clarification on his comments.

5.4 Advisory Planning Commission Draft Minutes dated October 6, 2020 - for receipt

Received.

5.5 Housing Advisory Planning Commission Draft Minutes dated September 3, 2020 - for receipt

Received.

5.6 Section 26 Resolutions-Without-Meeting - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated October 14, 2020

Received.

7. APPLICATIONS AND REFERRALS

7.1 GB-RZ-2020.1 (Gabriola Housing Society (GHS)) - Staff Report

Planner Dubyna provided an overview of the report which recommended amendments to the proposed Bylaw Nos. 306 (OCP) and 307 (LUB) and noted the following:

- Definition on non-market housing covers broad housing spectrum, capturing this application and existing affordable housing definition; and
- The Housing Agreement (HA) specifies rental and/or owned housing allowances.

Discussion ensued and the following was noted by Trustees:

- Requested expedited legal review of HA to allow for more public consultation time;
- Requested further information from applicant as to submitted letter that states 12 units for initial funding application and then further 12 units for subsequent funding application;
- Requested clarification on water usage of 7,500 litres per day for irrigation;
- Supported expanded affordable housing definition to include home ownership and the HA as a restrictive covenant defines what type of affordable housing is developed on site;
- Suggested a definition of affordable housing as a test of affordability;
- Requested the words “non-market” be removed from the definition of residential dwelling that may be rented or owned under the terms of a housing agreement;
- For the record, Chair Rogers stated that he appreciated Trustee Langereis’ points of view on defining affordable housing and heard his reservation of putting ownership into definition. Chair Rogers is in favour of keeping home ownership in affordable housing definition, the HA defining the type of affordable housing, and HA being registered on title;
- Supported HA setting out the qualified applicant definition without listing users, so as to not miss any group of users;
- Supported more detailed listing of users in definition of “multiple-dwelling affordable housing” for clarity;
- Suggested that there was no need to link PID numbers to MAH1 zone as future affordable housing applications would need to go through due process and meet specifics of zone;
- Interested in the total floor area for home occupation use not exceeding 30% of the total floor area of the dwelling unit in which the home occupation occurs;
- Support for dwelling units not being turned into a business place, however, percentage limitations of dwelling unit square footage used for home occupations may be hard to regulate;
- In order to facilitate the GHS grant deadline in January 2020, requested Special Meeting, Community Information Meeting (CIM), and/or Public Hearing (PH) in December. Requested an afternoon/evening as to include as many members of the public as possible; and
- Concerned that the water license will not be available for information before Special Meeting/CIM/PH.

Applicant, Ian Scott noted the following points:

- Development will be rain water harvesting ready (type of roof, slope, ability to harvest rainwater, etc.);

- BC Housing recommended a phased approach to applications with 12 units for phase 1 and 12 units for phase 2;
- 7,500 litres per day for irrigation for the landscaping establishment period for all 24 units, once plantings are established, water usage for irrigation will be greatly reduced; and
- Waiting for processing of water license.
- There was discussion on the proposal to replace the proposed definition of “affordable housing” in the Official Community Plan with a revised version of the current OCP definition that maintains the definition as a test of affordability with an increase to the family income threshold, which was not seconded;
- There was discussion on the proposal to amend the proposed definition of “multiple family affordable housing” in the Official Community Plan by adding the intended occupants for the housing which was not seconded. Staff noted that definitions do not usually include users;
- There was discussion on the proposal to add a new provision in the Multi-Dwelling Affordable Housing zone in the Gabriola Land Use Bylaw which limited development to 50% of the lot size but allowed specific sewage disposal lines in the protected area under certain conditions, which was not seconded; and
- There was discussion on the proposal to add two provisions in the Multi-Dwelling Affordable Housing zone in the Gabriola Land Use Bylaw requiring (a) a water management plan and (b) a rainwater catchment system with sufficient storage capacity for outdoor use, which was not seconded.

By general consent the meeting was recessed at 12:46 pm and reconvened at 1:18 pm.

GB-2020-080

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to ask for a legal opinion on Housing Agreement for GB-RZ-2020.1 be provided as expeditiously as possible.

CARRIED

GB-2020-081

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, as amended and as follows:

- a. Section 2 – General Land Use and Residential Development, Subsection 2.4 Multi-dwelling Affordable Housing, Multi-dwelling Affordable Housing Policies, clause “a)” is amended by removing “9.3” and replacing it with “9.4”;
- b. Appendix, Appendix 1 – Definitions, is amended by adding a new definition of “affordable housing”:
“residential dwelling units that may be rented or owned under the terms of a housing agreement registered on title in favour of the Local Trust Committee”;
- c. Appendix, Appendix 1 – Definitions, is amended by adding the words “(or multi-dwelling affordable housing)” after “housing” in the term “multiple-dwelling affordable housing”.

CARRIED

Trustee Langereis Opposed

GB-2020-082

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amended Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020” be read a second time as amended.

CARRIED

Trustee Langereis opposed

GB-2020-083

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend the categorization for the Multi-dwelling Affordable Housing (MAH) zone will be renamed Multi-dwelling Affordable Housing 1 (MAH1) throughout Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”.

CARRIED

GB-2020-084

It was MOVED and SECONDED

that the Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020, Schedule 1 be amended as follows:

Add new instruction 1.12 as follows:

- 1.12 that the Gabriola Island Land Use Bylaw 1999... Part B General Regulations, Section B.1 Uses, Buildings and Structures is amended by inserting a new Subsection “B.1.4 Site-Specific Zones” after Subsection “B.1.3 Use of Undersized Lots”, as follows:
 - “B.1.4.1 The Multi-dwelling Affordable Housing 1 (MAH1) zone is only applicable to the following lots:
 - a. LOT 1 Section 19 Gabriola Island Nanaimo District Plan EPP11544 (PID 028-580-095); and
 - b. LOT 2 Section 19 Gabriola Island Nanaimo District Plan EPP11544 (PID 028-580-109).

CARRIED

Trustee Colbourne Opposed

GB-2020-085

It was MOVED and SECONDED

that the Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020, Schedule 1 be amended as follows:

Part B – GENERAL REGULATIONS, Section B.3 Home Occupations, Subsection B.3.3, General Provisions, Article B.3.3.1 is amended by inserting new clause “m” as follows:

“m. In the Multi-dwelling Affordable Housing 1 zone, the total floor area for home occupation use must not exceed 30% of the total floor area of the dwelling unit in which the home occupation occurs.”

CARRIED

Trustee Colbourne Opposed

GB-2020-086

It was MOVED and SECONDED

that the Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020, Appendix 2, Section F.11 DP-11 Environmental Protection, Subsection F.11.2 Exemptions, Article F.11.2.1 is amended by deleting item “i” text and replacing it with the following text:

“Pruning or topping that is conducted in accordance with the standards and recommendations of the International Society of Arboriculture, and that does not involve: the lift pruning of lower limbs to the extent that the live crown ratio is less than 50%, the removal of more than 25% of the crown, or the pruning or removal of a structural root within the critical root zone.”

CARRIED

GB-2020-087

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”, as amended as follows:

- a. 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 adding “two family dwelling” under “RESIDENTIAL” with the required parking spaces of 1.25 per unit, greater of 1 or 1 per 10 units for accessible parking spaces, and 1 per unit without a garage for bicycle parking;
- b. Subsection D.1.4 Multi-dwelling Affordable Housing (MAH), Article D.1.4.1 Permitted Uses, Clause a. Permitted Principal Uses, Item ii two family affordable housing, is amended by removing the term “affordable housing” and replacing it with the term “residential”;
- c. Subsection D.1.4 Multi-dwelling Affordable Housing (MAH), Article D.1.4.3 Regulations, Clause Subdivision Requirements, Item i, is amended by deleting in its entirety and by making such consequential numbering alterations to affect this change;
- d. PART G – DEFINITIONS, Section G.1 – Definitions, is amended by removing “affordable housing” in its entirety;
- e. PART G – DEFINITIONS, Section G.1 – Definitions, “dwelling – multiple family” is amended by adding the word “principal” after “more” and before “dwelling units”;
- f. PART G – DEFINITIONS, Section G.1 – Definitions, “dwelling, two-family” is amended by adding the word “principal” after “two” and before “dwelling units”;
- g. Schedule “B”, 2.3 Schedule “B” – North Sheet, is amended by deleting in its entirety;
- h. Section F.11 DP – 11 Environmental Protection, Subsection F.11.2 Exemptions, Article F.11.2.1, Clause “c.” is amended by adding the words “in accordance with best management practices” after the word “species”.

CARRIED

GB-2020-088

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”, be read a second time as amended.

CARRIED

GB-2020-089

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. No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2020-090

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. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020” is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2020-091

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to tentatively arrange a Special Local Trust Committee/Community Information Meeting/Public Hearing related to Affordable Housing Bylaws on December 10, 2020.¹

CARRIED

7.1.1 Letter dated October 19, 2020 from Gabriola Housing Society (GHS)

Received.

7.2 Thetis Island Local Trust Committee Referral Response Request for Bylaws 108 and 109

Bylaw Response Survey: **Interests Unaffected by Bylaw**

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Cannabis Regulation Project (Bylaw No. 303) - verbal update

Deferred until next regular meeting.

8.2 Housing Options Impacts Review Project - Staff Report

Received.

9. DELEGATIONS

9.1 Gabriola Island Housing Advisory Planning Commission (HAPC) – Presentation

Steve Earle from the HAPC provided a verbal update and noted the following key points:

- Proposed that some members of the HAPC form a community working group, under the guidance of Staff to further the public engagement piece of the Housing Options Impacts Review Project;
- Concerned about HAPC not being able to meet project timelines for public engagement; and

¹ Rescinded at November 26, 2020 meeting by resolution no. GB-2020-099.

- The working group would provide a holistic engagement with the community outside or regular HAPC process and come back to Staff with engagement results.

The following points were noted by Trustees:

- Supported the hybrid approach for engagement work; and
- Interested in review and update of the Gabriola Island Build Out Map.

GB-2020-092

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to amend the “Housing Options and Impacts Review Project Charter – Version 5” dated October 2020 Work Plan Overview, Project Charter, third box, change to read ‘assist in the community consultation on the engagement on review topics and review and update the Gabriola Island Build Out Map.’

CARRIED

GB-2020-093

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee endorse the amended “Housing Options and Impacts Review Project Charter - Version 5” dated October 2020 as amended.

CARRIED

10. CORRESPONDENCE

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

10.1 Email dated July 28, 2020 from B. McKecknie regarding Cell Towers and Antennae

Received.

11. NEW BUSINESS

11.1 Review of Draft Union of BC Municipalities (UBCM) Grant Application - for discussion

Regarding a Safe Transportation Plan from the Gabriola Ferry Terminal to the Village for People of all Ages and Abilities

Trustee Colbourne provided a verbal update and noted:

- Deadline for grant application is end of October;
- Other community groups and RDN will be involved as partners with IT; and
- IT would need to manage oversight of the Active Transportation Plan for Gabriola project.

GB-2020-094

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to move Cannabis Regulation project from Top Priorities List and onto Projects List, for a period of no more than six months, and that the Active Transportation Grant be placed on the Top Priorities List.

CARRIED

GB-2020-095

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee support the Ferry to Village Project scoping and application to Union of BC Municipalities for an Active Transportation Grant for all ages and abilities.

CARRIED

11.2 Regional District Nanaimo and Natures Trust Meeting

Deferred to next regular meeting.

12. REPORTS

12.1 Climate Change Action Update

Received.

12.2 First Nations Relationship Building

Received.

12.3 Trust Conservancy Report – none

Received.

12.4 Applications Report dated October 14, 2020

Received.

12.5 Trustee and Local Expense Report dated August, 2020

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 October 14, 2020

Received.

13.2 Projects List Report dated October 14, 2020

Received.

14. CLOSED MEETING - none

15. UPCOMING MEETINGS

15.1 Next Regular Meeting Scheduled for Thursday, November 26, 2020 at 10:30 am via Zoom Electronic Meeting

16. ADJOURNMENT

By general consent the meeting was adjourned at 4:38 pm.

Dan Rogers, Chair

Certified Correct:

Nadine Mourao, Recorder