



File No.: GB-RZ-2022.1 (Moen)

DATE OF MEETING: November 20, 2025

TO: Gabriola Island Local Trust Committee

FROM: Stephen Baugh, Island Planner
Northern Office

SUBJECT: GB-RZ-2022.1 (Moen)

Applicant: Kent Moen

Location: 750 Tin Can Alley, Gabriola Island
LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT
PLAN VIP60373 (PID 023-005-629)

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee Bylaw No. 318 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024” be read a Third time.
2. That the Gabriola Island Local Trust Committee Bylaw No. 319 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2024” be read a Third time.
3. That the Gabriola Island Local Trust Committee proposed Bylaw No. 318 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024” be forwarded to the Minister of Housing and Municipal Affairs for approval.
4. That the Gabriola Island Local Trust Committee proposed Bylaw No. 318 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024” and proposed Bylaw No. 319 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2024”, be forwarded to the Secretary of the Islands Trust for Executive Committee Approval.

REPORT SUMMARY

This is a post public hearing report supporting next steps for proposed Bylaw Nos. 318 (OCP amendment) and 319 (LUB amendment). These bylaws seek to redesignate and rezone 750 Tin Can Alley to allow a range of commercial uses in addition to the existing commercial uses on the property as well as two dwelling units, the bylaws will also result in the subject property being included in the Village Centre Development Permit Area to establish guidelines for the form and character of commercial development, to promote water conservation, and to promote the reduction of greenhouse gas emissions.

Staff are recommending the LTC give Third Reading to Bylaw Nos. 318 and 319, forward Bylaw No. 318 to the Minister of Housing and Municipal Affairs for approval, and forward the Bylaw No. 318 and 319 to Executive Committee for approval.

BACKGROUND

The LTC is considering a bylaw to amend the Gabriola Island Official Community Plan No. 166 and a bylaw to amend the Gabriola Island Land Use Bylaw No. 177 to redesignate and rezone 750 Tin Can Alley. The bylaws will permit a broader range of commercial uses, two dwellings, and include the property in the village centre DPA.

The LTC gave Bylaw Nos. 318 and 319 First and Second Reading on September 4, 2025. The bylaws were referred to First Nations, agencies and organizations in February 2025 with a 90-day referral period.

A Public Hearing is scheduled for November 20, 2025. A Public Hearing is a quasi-judicial process within and following which specific procedures must be followed.

Following the hearing, the LTC may choose to give further readings to a bylaw, defeat a bylaw, or alter a bylaw within certain parameters. The procedural steps following the close of the hearing are as follows:

1. Consideration of Third Reading (this may include amendments to alter the bylaws).
2. Send the OCP Bylaw to the Minister for approval.
3. Forwarding of the bylaws to Executive Committee for approval.
4. Final LTC consideration and adoption.

Following the close of the hearing, the LTC may not hear further submissions without holding a new hearing. The principle is that if new information is considered by the LTC, all other interested parties also need to have the opportunity to consider any new relevant material and to make further representations to the LTC. The courts have clarified that this does not open the door to endless public hearings: a local government body can legitimately decide that after a hearing it wishes to hear further from staff on issues raised at the hearing.

A bylaw may be altered after the hearing, based on information received or heard by the LTC at any point prior to the close of the hearing, provided that the amendments do not alter use or increase density, or decrease density without a landowner's consent.

If the Minister and Executive Committee approve the bylaws, the next step for the LTC would be to adopt the bylaw.

Rationale for Recommendation:

Staff are recommending the LTC give Third Reading, and that the Bylaw be forwarded to Executive Committee for approval. The recommendations are supported because:

- All statutory requirements have been completed including the required notification and holding of a Public Hearing consistent with the *Local Government Act*;
- Public, government agency or First Nation concerns raised with the proposed bylaws have been considered by the LTC; and
- All Islands Trust bylaw amendments require the approval of the Executive Committee of the Islands Trust prior to the consideration of adoption.

ALTERNATIVES

1. Amend the Bylaw(s)

The LTC may amend the bylaw provided the amendments would not alter use or increase density
That the Gabriola Island Local Trust Committee proposed Bylaw No. 318 cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024” be amended as follows:...

That the Gabriola Island Local Trust Committee proposed Bylaw No. 319 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2024” be amended as follows:....

2. Defer Third Reading to a future LTC Meeting

The LTC may choose to defer consideration of third reading to a future LTC meeting. If the LTC chooses this option, no resolution is needed and Bylaw Nos. 318 and 319 will be brought forward at a subsequent meeting.

3. Proceed no further

That the Gabriola Island Local Trust Committee proceed no further with Bylaw Nos. 318 and 319.

NEXT STEPS

If the recommendations are supported

- Bylaw No. 318 will be sent to the Ministry of Municipal affairs for approval;
- Bylaw No. 318 and Bylaw No. 319 will be sent to Executive Committee for approval; and
- Pending approval from the Minister and EC, Bylaw No. 318 and Bylaw No. 319 will be presented to the LTC for adoption.

Submitted By:	Stephen Baugh, Island Planner	November 3, 2025
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	November 6, 2025

ATTACHMENTS

1. Bylaw No. 318
2. Bylaw No. 319

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 318

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 Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2024”.

2. Gabriola Island Local Trust Committee Bylaw No. 166, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw No. 166, 1997”, is amended as per Schedule “1”, Schedule “2”, and Schedule “3” attached to and forming part of this bylaw

READ A FIRST TIME THIS 4TH DAY OF SEPTEMBER , 2025

READ A SECOND TIME THIS 4TH DAY OF SEPTEMBER , 2025

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 202x

READ A THIRD TIME THIS _____ DAY OF _____ , 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ , 202x

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS
_____ DAY OF _____ , 202x

ADOPTED THIS _____ DAY OF _____ , 202x

Chair

Secretary

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 318
Schedule "1"

1. **Schedule "A"** of Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997 is amended as follows:

- 1.1. **Section 2 – General Land Use and Residential Development**, Subsection **2.0 General Land Use**, Clause 2.0.k) is deleted and replaced with the following text:

“k) This Plan only supports the realization of additional residential density without subdivision when used for Affordable Housing for Special Needs residents, Seniors, multiple-dwelling affordable housing, and two dwellings (with no restrictions on their tenancy or affordability) on the following parcel: LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373.”

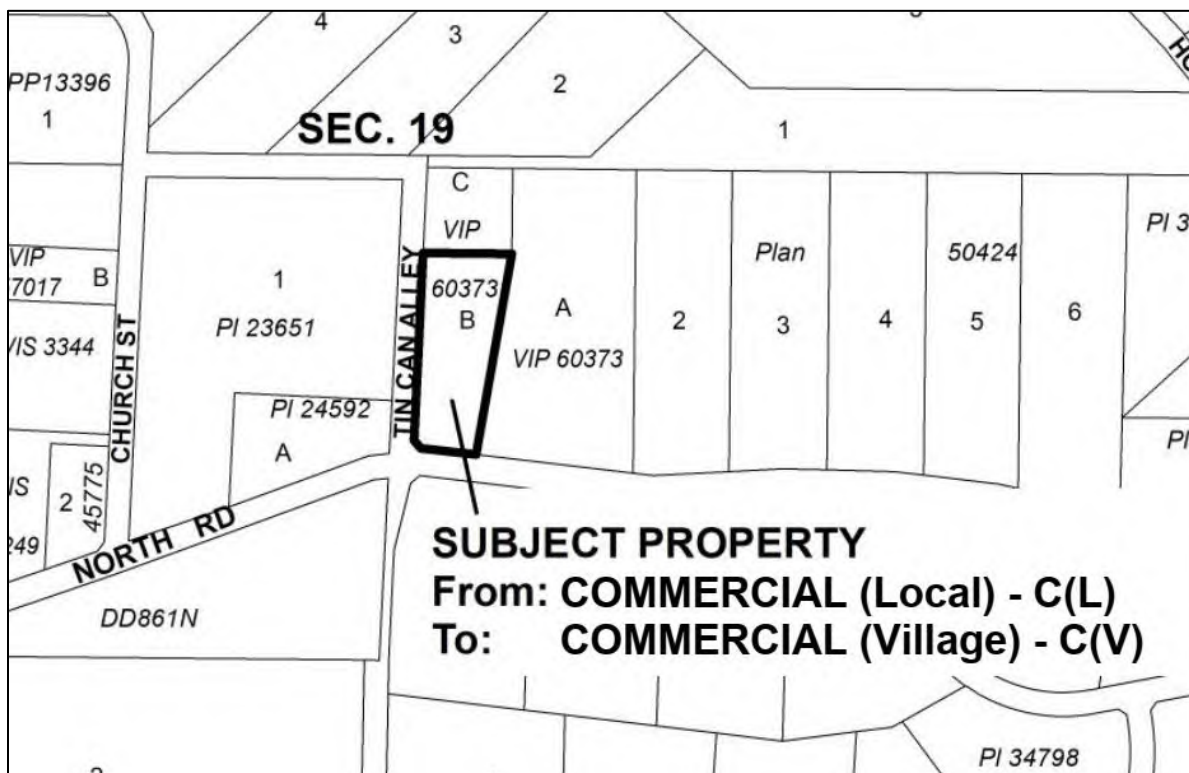
- 1.2. **Section 3 – Economic Activities**, Subsection **3.1 Commercial Activity, General Commercial Objectives** number 1 is amended by deleting the words “(Lockinvar Triangle area)”.
- 1.3. **Section 3 – Economic Activities**, Subsection **3.1 Commercial Activity, General Commercial Policies** is amended by adding a new clause after clause d) as follows: “e) Despite clause a) and d) a minimum and average parcel size of 1.0 hectare (2.47 acres) and up to 2 dwelling units per parcel may be permitted on the following parcel: LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373.”
- 1.4. **Section 3 – Economic Activities**, Subsection **3.2 Village Commercial**, Clause 3.2.a) is amended by deleting the words “(the Lockinvar Triangle area)”.
- 1.5. **Section 3 – Economic Activities**, Subsection **3.4 Local Commercial**, Clause 3.4.a), is amended by deleting Item 3.4.a)ii in its entirety and by making such consequential numbering alterations to effect this change.

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 318
Schedule "2"**

1. **Schedule "B"** of Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997 is amended as follows:

1.1. **Schedule "B" – Land Use Designations – North Sheet**, is amended by changing the land use designation on the lands described as LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373 (750 Tin Can Alley, Gabriola Island PID 023-005-629) from "Commercial (Local)" to "Village Commercial" as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" as are required to effect this change.

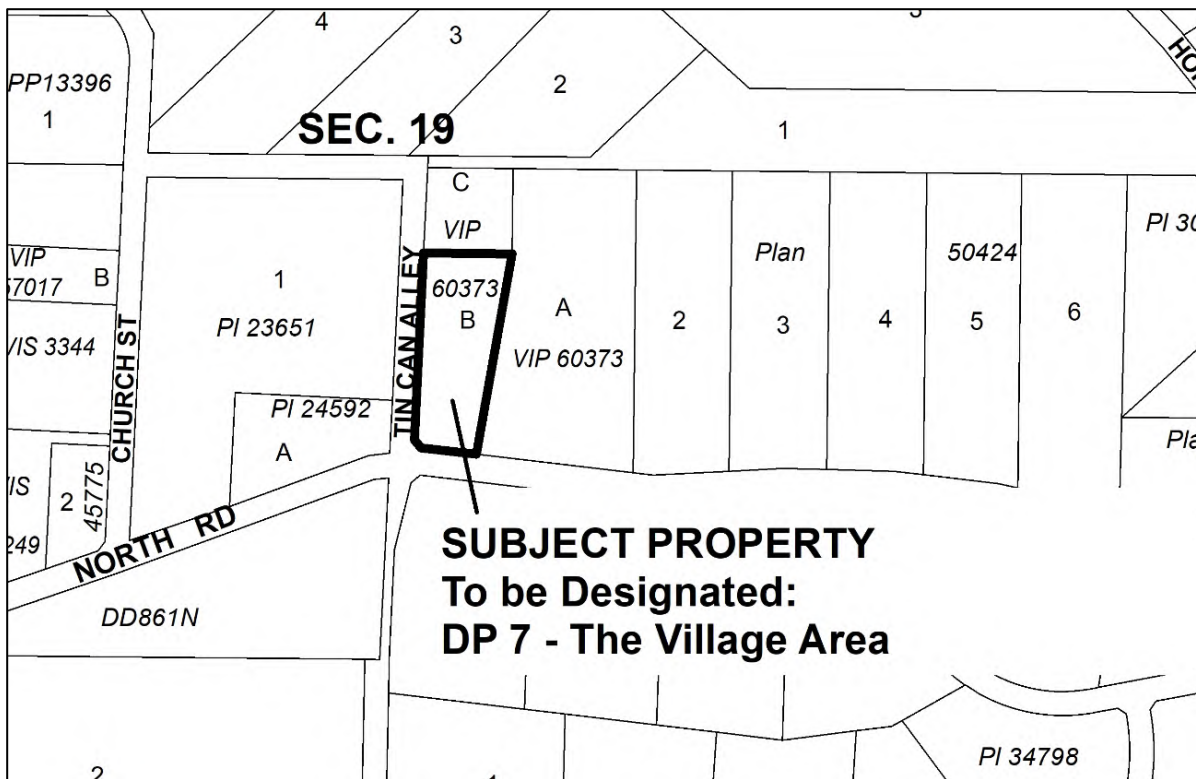
Plan No. 1



**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
 BYLAW NO. 318
 Schedule "3"**

1. **Schedule "D" – Development Permit Areas - OCP B North Sheet**, is amended by including the lands described as LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373 (750 Tin Can Alley, Gabriola Island PID 023-005-629) in the Schedule D map for DP 7 - The Village Centre as shown on Plan No. 2 attached to and forming part of this bylaw, and by making such alterations to Schedule "D" of Bylaw No. 166 as are required to effect this change.

Plan No. 2



PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 319

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, 2024”.

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

READ A FIRST TIME THIS 4TH DAY OF SEPTEMBER , 2025

READ A SECOND TIME THIS 4TH DAY OF SEPTEMBER , 2025

PUBLIC HEARING HELD THIS _____ DAY OF _____ , 202x

READ A THIRD TIME THIS _____ DAY OF _____ , 202x

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____ , 202x

ADOPTED THIS _____ DAY OF _____ , 202x

Chair

Secretary

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
 BYLAW NO. 319

Schedule “1”

1. **Schedule “A”** of Gabriola Island Land Use Bylaw, 1999 is amended as follows:

- 1.1 **Part B GENERAL REGULATIONS**, Section B.1 **USES, BUILDINGS AND STRUCTURES**, Subsection **B.1.1 Permitted in Any Zone**, Article **B.1.1.1 Uses**, Clause B.1.1.1.c. is amended by replacing “D.3.7. Ferry Parking, D.3.10” with “D.3.8. Ferry Parking, D.3.11”.
- 1.2 **Part B GENERAL REGULATIONS**, Section B.4 **SIGNS**, Subsection **B.4.1 Number and Total Sign Area**, Article **B.4.1.1**, Table 1 **Sign Regulations**, Column I is amended by adding “VC3,” after “VC2,”.
- 1.3 **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 a new row under the “Residential” heading as follows:

<i>dwelling unit</i> in the Village Commercial 3 zone	1 per <i>dwelling unit</i>	None required	None required
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- 1.4 **Part C ESTABLISHMENT OF ZONES**, Section C.1 **DIVISION INTO ZONES**, Subsection **C.1.1 Land Based Zones**, insert new zone “VC3 Village Commercial 3” after “Village Commercial 2 – Professional Centre” and before “DC1 District Commercial 1”.
- 1.5 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, insert new Subsection **D.3.3 Village Commercial 3 (VC3)** after Subsection **D.3.2 Village Commercial 2 – Professional Centre(VC2)** as shown in **Appendix 1** attached to and forming part of this bylaw; and renumber all subsequent subsections chronologically.
- 1.6 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.3 District Commercial 1(DC1)**, Article D.3.3.3 **Regulations**, Clause D.3.3.3.b. **Buildings and Structures Siting Requirements**, Item D.3.3.3.b.iii. is amended by replacing “D.3.3.3.ii” with “D.3.4.3.ii”.
- 1.7 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.6 Local Commercial 3 – Garden Centres(LC3)**, Article **D.3.6.1 Permitted Uses**, Clause **D.3.6.1.b. Permitted Accessory Uses**, Item **D.3.6.1.b.iii** is amended by deleting the words “except on lands shown on Schedule C, Map 12”.
- 1.8 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.6 Local Commercial 3 – Garden Centres(LC3)**, Article **D.3.6.1 Permitted Uses**, Clause **D.3.6.1.b. Permitted Accessory Uses**, Item **D.3.6.1.b.iv** is deleted in its entirety.

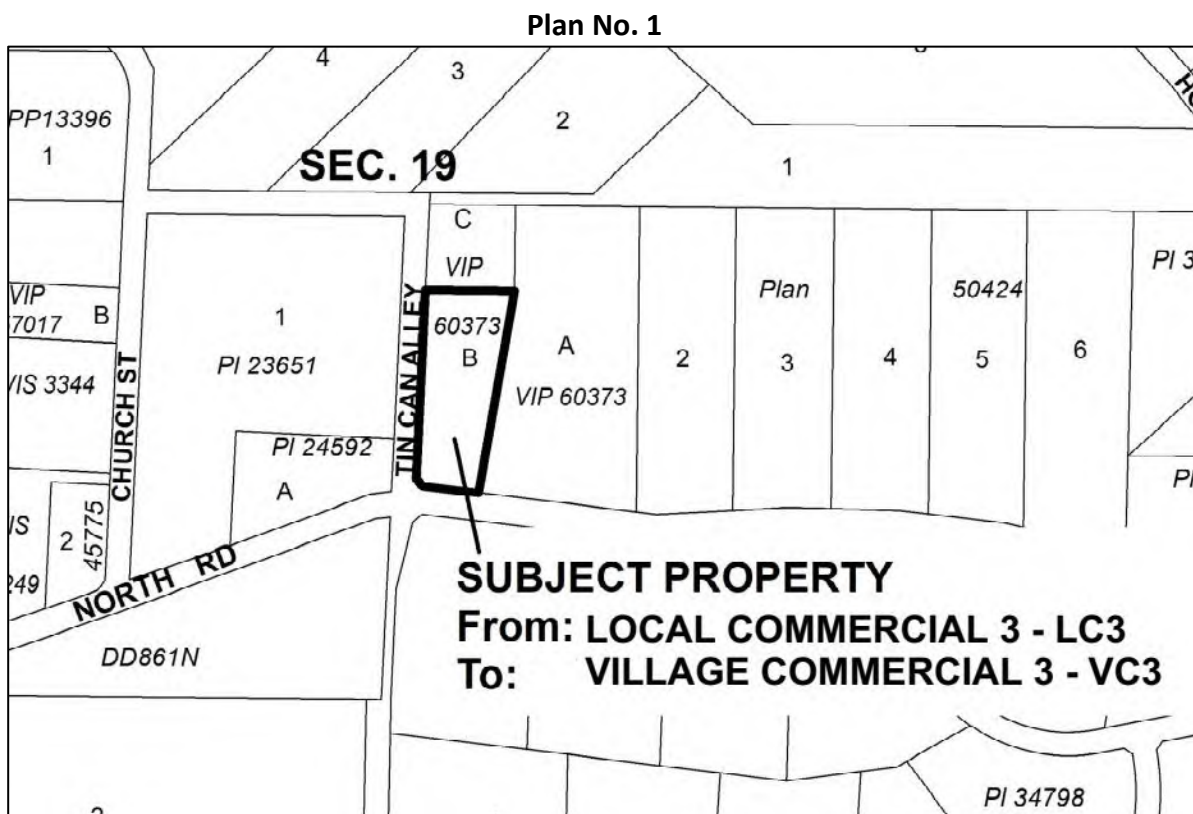
1.9 **Part D ZONES**, Section D.3 **COMMERCIAL AND INDUSTRIAL ZONES**, Subsection **D.3.6 Local Commercial 3 – Garden Centres(LC3)**, Article **D.3.6.2 Buildings and Structures**, Clause **D.3.6.2.a. Permitted Buildings and Structures**, Item **D.3.6.2.a.iv** is deleted in its entirety.

1.10 **Part G**, Section G.1 **DEFINITIONS**, is amended by deleting the following definition:

“farm supply centre a business for the retail sale of farm supplies, but excluding the sale of farm equipment;”

2. **Schedule “B”** of Gabriola Island Land Use Bylaw, 1999 is amended as follows:

2.1. Schedule “B” – North Sheet, is amended by changing the zoning classification of LOT B SECTION 19 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP60373 (750 Tin Can Alley, Gabriola Island PID 023-005-629) from “Local Commercial 3” to “Village Commercial 3” as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 177 as are required to effect this change.



3. **Schedule “C”** of Gabriola Island Land Use Bylaw, 1999 is amended as follows:

3.1. Schedule “C” – Map 10, is amended by replacing “Item d.3.8.1.a.vii” with “Item d.3.9.1.a.vii”.

3.2. Schedule “C” – Map 12, is deleted in its entirety.

- 3.3. Schedule “C” – Map 17, is amended by replacing “Items D.3.8.1.a.v and D.3.8.1.a.viii” with “Items D.3.9.1.a.v and D.3.9.1.a.viii”.

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 319**

Appendix 1

D.3.3 Village Commercial 3 (VC3)

D.3.3.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Village Commercial 3 (VC3) zone:

a. Permitted *Principal* Uses

- i *garden centre*
- ii retail sales and rentals
- iii *personal services*
- iv *restaurant*
- v bakeries
- vi offices
- vii *limited public market*, subject to Subsection B.6.2

b. Permitted *Accessory* Uses

- i *single family residential*
- ii *two family dwelling residential*
- iii mini-storage

D.3.3.2 Buildings and Structures

The *buildings* and *structures* permitted in Article B.1.1.2, plus the following *buildings* and *structures* and no others are permitted in the Village Commercial 3 (VC3) zone:

a. Permitted *Buildings* and *Structures*

- i *Buildings* and *structures* to accommodate *principal* uses set out in this zone which must be connected to a freshwater collection system with a minimum storage capacity of 22,500 litres (5,944 US gallons).
- ii Maximum of:
 - two *dwelling units* per lot; and
 - two *buildings* per lot that exclude a *pump/utility house* and woodshed, and that are *accessory* to a *dwelling unit*.
- iii The maximum permitted floor area of a *dwelling unit* is 90 square metres (968 square feet)
- iv Other *buildings* and *structures* to accommodate the permitted accessory uses set out in this zone.

D.3.3.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Village Commercial 3 (VC3) zone:

a. Buildings and Structures Height Limitations

- i The maximum *height* of *buildings* and *structures* is 9.0 metres (29.5 feet).

b. Buildings and Structures Siting Requirements

- i The minimum *setback* for *buildings* or *structures* except for a sign, *fence*, or *pump/utility house* is:
 - 6.0 metres (19.7 feet) from the *front lot line*;
 - 6.0 metres (9.8 feet) from any *interior lot line*, except where the *interior lot line* abuts a commercial or industrial *zone* in which case there is no *setback* requirement from the *interior lot line*; and
 - 3.0 metres (9.8 feet) from another *building* sited on the same *lot*.
- ii There is no *setback* requirement from any *exterior side lot line*, except for mini-storage units in which case the minimum *setback* is 4.5 metres.
- iii *Dwelling units* must be located within the building envelope of a commercial building.

c. Lot Coverage Limitations

- i The maximum combined *lot coverage* by *buildings* and *structures* is 40 percent of the *lot* area.

d. Lot Area Requirements for Subdivision

- i The minimum average *lot* area and the minimum *lot* area is 1.0 hectare (2.47 acres).

e. Mini-Storage Limitations

- i The maximum *floor area* is 9.3 square metres (100 square feet) per mini-storage unit.
- ii Mini-storage units must be separated from a highway or from land with zoning permitting a *principal* residential use by a landscape screen, subject to subsection B.2.7, not less than 2.0 metres (6.6 feet) in *height*.

f. Conditions of Use

- i The floor area of any commercial use on the lot shall not be expanded, and no building or structure greater than 100 square metres shall be constructed, or increased in floor area, unless:
 - one dwelling unit for residential use has been constructed on the lot; or
 - a dwelling unit is constructed as part of the construction or expansion of commercial use on the lot.
- ii The floor area of any commercial use on the lot shall not be expanded, and no building or structure greater than 200 square metres shall be constructed, or increased in floor area, unless:
 - two dwelling units for residential use have been constructed on the lot; or
 - two dwelling units are constructed as part of the construction or expansion of commercial use on the lot.