



Islands Trust

**GABRIOLA ISLAND
BYLAW ENFORCEMENT NOTIFICATION
BYLAW No. 263**

As amended by the
Gabriola Island Local Trust Committee

Consolidated Version: February 23, 2026

This Bylaw is consolidated for convenience only and is not to be construed as a legal document.

For reference to original bylaw and amendments,
please contact:
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Preserving Island communities, culture and environment

CONSOLIDATED BYLAW AMENDMENTS

This copy is consolidated for convenience only and includes the following **text amendments only**:

Bylaw Number
Bylaw No. 298
Bylaw No. 320

Amendment Number
Amendment No. 1, 2018
Amendment No. 1, 2024

Adoption Date
September 27, 2018
October 9, 2025

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 263**

**A BYLAW TO RESPECT THE ENFORCEMENT OF BYLAW NOTICES WITHIN THE GABRIOLA
ISLAND LOCAL TRUST AREA**

WHEREAS the Gabriola Island Local Trust Committee is the Local Trust Committee having jurisdiction on and in respect of the Gabriola Island Local Trust Area, pursuant to the *Islands Trust Act*; and

WHEREAS the Gabriola Island Local Trust Committee wishes to regulate the Enforcement of Bylaw Notices in the Gabriola Island Local Trust Area;

NOW THEREFORE the Gabriola Island Local Trust Committee enacts, in open meeting assembled, as follows:

Citation

1. This Bylaw may be cited as “Gabriola Island Local Trust Committee Bylaw Enforcement Notification Bylaw, No. 263, 2011”.

1.0 INTERPRETATION

In this Bylaw:

- 1.1 “Act” means the *Local Government Bylaw Notice Enforcement Act*, SBC 2003, c 60.
- 1.2 “Registry” means the Islands Trust established pursuant to section 6 of this bylaw.
- 1.3 “LTC” means the Gabriola Island Local Trust Committee.

2.0 DEFINITIONS

The terms in this bylaw have the same meaning as the terms defined in the *Act*.

3.0 BYLAW CONTRAVENTIONS

The bylaws and bylaw contraventions designated in Schedules “A”, “B” and “C” attached to this bylaw may be dealt with by Bylaw Violation Notice.

4.0 PENALTY

The penalty for a contravention referred to in Section 3 is as follows:

- (1) subject to paragraphs (2) to (4), is the Penalty amount set out in column A1 of Schedules “A”, “B” and “C” as attached to this bylaw;
- (2) if received by the Islands Trust within 14 days of the person receiving or being presumed to have received the bylaw violation notice, is the Early Payment Penalty set out in column A2 of Schedules “A”, “B” and “C” as attached to this bylaw applies;
- (3) if more than 28 days after the person has received or is presumed to have received the bylaw violation notice, is subject to a late payment surcharge in addition to the penalty under paragraph (1) , and is the Late Payment Surcharge set out in column A3 of Schedules “A”, “B” and “C” as attached to this bylaw or
- (4) if paid under a compliance agreement, may be reduced as provided under column A5 of Schedules “A”, “B” and “C” as attached to this bylaw.

5.0 PERIOD FOR PAYING OR DISPUTING NOTICE

5.1 A person who receives a bylaw violation notice must, within 14 days of the date on which the person received or is presumed to have received the bylaw violation notice,

- (1) pay the penalty, or
- (2) request dispute adjudication

by filling in the appropriate portion of the bylaw violation notice indicating either a payment or a dispute and delivering it, either in person during regular office hours, or by mail, to the Islands Trust as directed on the bylaw violation notice.

5.2 A person may pay the indicated penalty after 14 days of receiving the notice subject to the applicable surcharge for late payment in accordance with Section 4(3) of this bylaw, but no person may dispute the bylaw violation notice after 14 days of receiving it.

5.3 Where a person was not served personally with a bylaw violation notice and advises the Islands Trust that they did not receive a copy of the original notice, the time limits for responding to a bylaw violation notice under Sections 5, 6 and 7 of this bylaw do not begin to run until a copy of the bylaw violation notice is re-delivered to them in accordance with the *Act*.

6.0 BYLAW NOTICE DISPUTE ADJUDICATION SYSTEM

6.1 The Registry is established as a bylaw violation notice dispute adjudication system in accordance with the *Act* to resolve disputes in relation to bylaw violation notices.

6.2 The civic address of the Registry is Suite 200 – 1627 Fort Street, Victoria, BC V8R 1H8.

6.3 Every person who is unsuccessful in dispute adjudication in relation to a bylaw violation notice, or a compliance agreement under the dispute adjudication system established under this Section, must pay the Islands Trust an additional fee of \$25.00 for the purpose of the Islands Trust recovering the costs of the adjudication system.

7.0 SCREENING OFFICERS

7.1 The position of screening officer is established.

7.2 The following are designated classes of person that may be appointed as screening officers:

- (1) Regional Planning Manager;
- (2) Bylaw Enforcement Manager;
- (3) Bylaw Enforcement Officer;
- (4) Bylaw Enforcement Assistant;

and the LTC may appoint screening officers from these classes of persons by name of office or otherwise.

7.3 The powers, duties and functions of screening officers are as set out in the *Act*, and include the following powers:

- (1) Where requested by the person against whom a contravention is alleged, to communicate information respecting the nature of the contravention, the provision of the bylaw contravened, the facts on which the contravention allegation is based, the penalty for a contravention, the opportunity to enter into a compliance agreement, the opportunity to proceed to the bylaw violation notice dispute adjudication system and the fee or fees payable in relation to the bylaw violation notice enforcement process;
- (2) To communicate with any or all of the following for the purposes of performing their functions under this bylaw or the *Act*:
 - (a) the person against whom a contravention is alleged or their representative;
 - (b) the officer issuing the bylaw violation notice;

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- (c) the complainant or their representative;
- (d) the Islands Trust staff and record regarding the disputant's history of bylaw compliance.

- (3) To prepare and enter into compliance agreements under the *Act* with persons who dispute bylaw violation notices, including to establish terms and conditions for compliance that the screening officer considers necessary or advisable, including time periods for payment of penalties and compliance with the bylaw;
- (4) To provide for payment of a reduced penalty if a compliance agreement is entered into as provided in column A5 of Schedules "A", "B" and "C" as attached to this bylaw; and
- (5) To cancel bylaw violation notices in accordance with the *Act* or LTC policies and guidelines.

7.4 The bylaw contraventions in relation to which a screening officer may enter into a compliance agreement are indicated in column A4 of Schedules "A", "B" and "C" as attached to this bylaw.

7.5 The maximum duration of a compliance agreement is one year.

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8.0 BYLAW ENFORCEMENT OFFICERS

Persons acting as any of the following are designated as bylaw enforcement officers for the purposes of this bylaw and the *Act*:

- (a) Bylaw Enforcement Manager;
- (b) Bylaw Enforcement Officer.

9.0 FORM OF BYLAW VIOLATION NOTICE

The LTC may, from time to time, stipulate the form or forms of the bylaw violation notice provided the bylaw violation notice complies with Section 4 of the *Act*.

10.0 SCHEDULES

The following schedules are attached to and form part of this bylaw:

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- (a) Schedule A – Gabriola Island Land Use Bylaw No. 177, 1999 Contraventions and Penalties
- (b) Schedule B – Mudge Island Land Use Bylaw No. 228, 2007 Contraventions and Penalties
- (c) Schedule C – DeCourcy Island Zoning Bylaw No. 44, 1987 Contraventions and Penalties

READ A FIRST TIME THIS	20th	DAY OF	October	,2011
READ A SECOND TIME THIS	14th	DAY OF	February	,2012
READ A THIRD TIME THIS	14th	DAY OF	February	,2012
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	21st	DAY OF	February	,2012
ADOPTED THIS	19th	DAY OF	April	,2012

SECRETARY

CHAIR

Schedule A
GABRIOLA ISLAND LAND USE BYLAW NO. 177, 1999
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (\$300 surcharge after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
A.3.2.1	Fail to Permit Inspection	\$500	\$400	\$800	Yes	100%
B.1.2.1 – B.1.2.3	Prohibited Use, Building or Structure	\$500	\$400	\$800	Yes	100%
B.2.1	Fail to Comply with Special Setback and Elevation Provisions	\$500	\$400	\$800	Yes	100%
B.2.3	Fail to Comply with Height Regulations	\$500	\$400	\$800	Yes	100%
B.2.4	Fail to Comply with Fence Regulations	\$350	\$250	\$650	Yes	100%
B.2.7	Inadequate Landscape Screen	\$300	\$200	\$600	Yes	100%
B.2.9	Over Height Structure	\$350	\$250	\$650	Yes	100%
B.2.10	Fail to Provide Landscape Screen	\$350	\$250	\$650	Yes	100%
B.3.1	No Permanent Resident for Home Occupation	\$350	\$250	\$650	Yes	100%
B.3.2	Prohibited Home Occupation	\$500	\$400	\$800	Yes	100%
B.3.3	Fail to Comply with Home Occupation Provisions	\$350	\$250	\$650	Yes	100%
B.3.4	Fail to Comply with Home Industry Provisions	\$500	\$400	\$800	Yes	100%
B.3.5	Exceed Maximum Number of Employees	\$350	\$250	\$650	Yes	100%
B.3.6	Fail to Comply with Bed & Breakfast Regulations	\$350	\$250	\$650	Yes	100%
B.4.1 – B.4.8	Fail to Comply with Sign Regulations	\$350	\$250	\$650	Yes	100%

Schedule A
GABRIOLA ISLAND LAND USE BYLAW NO. 177, 1999
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (\$300 surcharge after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
B.4.8.1	Prohibited Illuminated Sign	\$500	\$400	\$800	Yes	100%
B.5	Fail to Comply with Parking Regulations	\$300	\$200	\$600	Yes	100%
B.6.1	Exceed Maximum number of Boarders	\$300	\$200	\$600	Yes	100%
B.6.2	Fail to Comply with Limited Public Market Regulations	\$300	\$200	\$600	Yes	100%
B.6.3	Prohibited Commercial Vacation Rental	\$500	\$400	\$800	Yes	100%
B.6.4.1	Fail to Comply with Regulations for Travel Trailers, Recreational Vehicles & Accessory Buildings	\$350	\$250	\$650	Yes	100%
B.6.5	Prohibited Storage of Unlicensed Vehicle	\$400	\$300	\$700	Yes	100%
B.6.6	Fail to Comply with Secondary Suite Regulations	\$350	\$250	\$650	Yes	100%
D.1 – D.5	Non-Permitted Use in Any Zone	\$500	\$400	\$800	Yes	100%
D.1 – D.5	Non-Permitted Building, Density, or Structure in Any Zone	\$500	\$400	\$800	Yes	100%
D.1 – D.5	Non-Permitted Siting, Height, or Lot Coverage in Any Zone	\$350	\$250	\$650	Yes	100%
F.1 – F.11	Fail to Obtain Development Permit in Any Development Permit Area	\$500	\$400	\$800	Yes	100%

Schedule B
MUDGE ISLAND LAND USE BYLAW NO. 228, 2007
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (\$300 surcharge after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
3.2.	Prohibited Use	\$500	\$400	\$800	Yes	100%
3.3	Fail to Comply with Siting and Setback Regulations	\$350	\$250	\$650	Yes	100%
3.4	Fail to Comply with Height Regulations	\$300	\$200	\$600	Yes	100%
3.5.(1)	Use of Accessory Building or Structure for Overnight Accommodation	\$300	\$200	\$600	Yes	100%
3.5.(3)	Non-Permitted Residential Use of a Vessel, Building, or Structure on the Water	\$500	\$400	\$800	Yes	100%
3.6	Fail to Comply with Home Occupation Regulations	\$350	\$250	\$650	Yes	100%
3.7	Inadequate Landscape Screen	\$300	\$200	\$600	Yes	100%
3.8	Non-Permitted Use of Recreational Vehicle, Tent, or Camper	\$350	\$250	\$650	Yes	100%
3.9. (1)	Wrecking/Storage of Vehicles/Vessels or Use of Parcel as Junkyard	\$500	\$400	\$800	Yes	100%
3.9. (2)	Inadequate Screening of Unlicensed Vehicles/Vessels Undergoing Repair or Exceed Maximum Number Vehicles/Vessels	\$300	\$200	\$600	Yes	100%
5.1 – 5.4	Non-Permitted Use in Any Zone	\$500	\$400	\$800	Yes	100%
5.1 – 5.4	Non-Permitted Building/Structure in Any Zone	\$400	\$300	\$700	Yes	100%
5.1 – 5.4	Non-Permitted Lot Coverage, Floor Area, Siting or Size in Any Zone	\$300	\$200	\$600	Yes	100%
5.4	Fail to Comply with Water Marina Zoning Regulations	\$350	\$250	\$650	Yes	100%
6.1.1	Fail to Comply with Sign Regulations	\$300	\$200	\$600	Yes	100%
7.1.1	Fail to Comply with Parking Regulations	\$250	\$150	\$550	Yes	100%

Schedule C
DECOURCY ISLAND ZONING BYLAW NO. 44, 1987
CONTRAVENTIONS AND PENALTIES

Bylaw Section	Description The following fines apply to the contraventions below:	A1 Penalty Amount	A2 Discounted Penalty (within 14 days)	A3 Late Payment (\$300 surcharge after 28 days)	A4 Compliance Agreement Available	A5 Compliance Agreement Discount
2.1	Non-Permitted Use or Structure	\$500	\$400	\$800	Yes	100%
2.6	Guest Cottage Exceeds Floor Area Restriction	\$300	\$200	\$600	Yes	100%
3.1 – 3.6	Non-Permitted Use in Any Zone	\$500	\$400	\$800	Yes	100%
3.1 – 3.6	Non-Permitted Building/Structure in Any Zone	\$400	\$300	\$700	Yes	100%
3.1 – 3.6	Exceed Site Density in Any Zone	\$500	\$400	\$800	Yes	100%
3.1 – 3.6	Non-Permitted Height in Any Zone	\$350	\$250	\$650	Yes	100%
3.1 – 3.6	Non-Permitted Siting in Any Zone	\$300	\$200	\$600	Yes	100%
3.1 – 3.6	Exceed Maximum Lot Coverage in Any Zone	\$300	\$200	\$600	Yes	100%
3.5(c)(i)	Prohibited Residential Use of Vessel or Prohibited Float Home	\$500	\$400	\$800	Yes	100%