



Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: January 24, 2019
Time: 10:30 am
Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

	Pages
1. CALL TO ORDER 10:30 AM - 10:30 AM	
“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”	
2. APPROVAL OF AGENDA	
3. MINUTES 10:30 AM - 10:35 AM	
3.1 Local Trust Committee Special Meeting Minutes dated November 2, 2018 - for adoption	4 - 6
3.2 Local Trust Committee Minutes dated November 22, 2018 – for adoption	7 - 14
3.3 Section 26 Resolutions-Without-Meeting Report dated January 15, 2019	15 - 15
3.4 Advisory Planning Commission Minutes - none	
4. BUSINESS ARISING FROM MINUTES 10:35 AM - 10:50 AM	
4.1 Follow-up Action List dated January 15, 2019	16 - 19
4.2 Development of Community Heritage Register - Staff Report	20 - 64
5. TOWN HALL 10:50 AM - 11:00 AM	
6. APPLICATIONS AND REFERRALS 11:00 AM - 12:00 PM	
6.1 GB-DVP-2018.3 (Horseshoe Road- Bye) - Staff Report	65 - 75
6.2 GB-DP-2018.2 (Horseshoe Road - Bye) - Staff Report	76 - 109
6.3 GB-TUP-2018.1 (671 Balsam, Gabriola - Garner) - Staff Report	110 - 136
7. LOCAL TRUST COMMITTEE PROJECTS 12:00 PM - 1:00 PM	
7.1 Gabriola Island Cycle Route Plan – Staff Report	137 - 145

7.2	Gabriola Housing Options and Impacts Review Project - Staff Report	146 - 152
7.3	Development of an Ecological Protection Zone - Staff Report	153 - 172

--- BREAK --- 1:00 PM to 1:15 PM

8. DELEGATIONS

9. CORRESPONDENCE

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

9.1	Letter dated December 1, 2018 from H Reid regarding Anchorages	173 - 174
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10. NEW BUSINESS 1:15 PM - 1:30 PM

10.1	Coastal Douglas-fir & Associated Ecosystems Toolkit - Staff Report http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf	175 - 177
10.2	Updated Islands Trust Climate Change Webpages - Briefing	178 - 179
10.3	Mudge Island Special Local Trust Committee Meeting - for discussion	

11. REPORTS 1:30 PM - 1:45 PM

11.1	Trustee Reports	
11.2	Chair's Report	
11.3	Trust Conservancy Report dated November, 2018	180 - 182
11.4	Electoral Area Director's Report	
11.5	Applications Report dated January 15, 2019	183 - 192
11.6	Trustee and Local Expense Report dated November, 2018	193 - 193
11.7	Adopted Policies and Standing Resolutions	194 - 196
11.8	Local Trust Committee Webpage	

12. Work Program Reports 1:45 PM - 1:50 PM

12.1	Top Priorities Report dated January 15, 2019	197 - 197
12.2	Projects List Report dated January 15, 2019	198 - 200

13. UPCOMING MEETINGS

- 13.1 Next Regular Meeting Scheduled for Thursday, February 28, 2019 at The Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island, BC

14. ADJOURNMENT

1:50 PM - 1:50 PM



Gabriola Island Local Trust Committee Minutes of Special Meeting

Date: November 2, 2018
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

Members Present: Laura Busheikin, Chair, via telephone
 Melanie Mamoser, Local Trustee, Acting Chair
 Heather O'Sullivan, Local Trustee

Staff Present: Ann Kjerulf, Regional Planning Manager
 Teresa Rittemann, Planner 2
 Nadine Mourao, Recorder

Others Present: There were approximately five (5) members of the public 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 Busheikin called the meeting to order at 10:17 am. She acknowledged that the meeting was being held in territory of the Coast Salish First Nations, welcomed the public and introduced Trustees, Staff and Recorder.

Melanie Mamoser, Local Trustee, was appointed as Acting Chair.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. MINUTES

3.1 Local Trust Committee Special Meeting Minutes dated October 12, 2018 - for Adoption

By general consent the Special Meeting Minutes dated October 12, 2018 were adopted.

3.2 Local Trust Committee Regular Meeting Minutes dated September 27, 2018 – for Adoption

By general consent the Local Trust Committee Meeting Minutes of September 27, 2018 were adopted.

4. LOCAL TRUST COMMITTEE PROJECTS

4.1 Mudge Island Lot Coverage Review Project - Staff Report

Bylaw No. 299 for consideration of third reading

Planner Rittemann summarized the Staff Report which asked the Local Trust Committee (LTC) to consider third reading of proposed Bylaw No. 299, confirm compliance with the Islands Trust Policy Statement and forward the bylaw to the Executive Committee. The following points were noted:

- Bylaw Enforcement provided the following comments to Staff:
 - Part 1, Section 1.1 Definitions, change the word perimeter to perimeters;
 - Part 5, Subsection 5.1(4.1)(a) proposed amendment to add the exception of swimming pools or hot tubs;
 - Take out Part 5, Subsection 5.1(4.1)(c) and add to Part 5, Subsection 5.1(4.1)(a);
- Staff did not recommend proceeding with the suggested bylaw amendments due to the change to perimeter is a minor change and the changes to Part 5, Subsection 5.1 would potentially change the use and increase the process, as the second hearing would need to be rescinded and then the LTC would need to either hold a public hearing or, again, waive the holding of a public hearing prior to consideration of third reading; and
- Staff recommended flagging Bylaw Enforcement comments for housekeeping in the future.

Discussion ensued and the following was noted by Trustees:

- Trustees thanked Staff for following up with Snuneymuxw First Nations via telephone and appreciated Snuneymuxw's comments over how meaningful engagement can occur; and
- Noted in Part 5, Subsection 5.1(4.1)(l) regarding woodshed, perhaps the wording should read similar to the exemption in (n) regarding a maximum 15 square metres of floor area and would like Staff to flag this as housekeeping.

GB-2018-103

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Checklist and determined that Bylaw No. 299 cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018" is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2018-104

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018," be read a third time.

CARRIED

GB-2018-105

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 299, cited as "Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018" be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

CARRIED

5. CLOSED MEETING

5.1 Motion to Close the Meeting

GB-2018-106

It was MOVED and SECONDED

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(d) for the purpose of considering adoption of In-Camera Minutes dated September 27, 2018 and October 12, 2018 and that the recorder and Staff attend the meeting.

CARRIED

Trustee Mamoser closed the meeting to the public at 10:32 am.

5.2 Recall to Order

By general consent the meeting was recalled to order at 10:35 am.

5.3 Rise and Report

Adopted the in-camera minutes of September 27, 2018 and October 12, 2018.

Trustees thanked Staff for all their hard work and thanked community members for their support.

A representative of the Mudge Island community, thanked Trustees and Staff for their work.

6. ADJOURNMENT

By general consent the meeting was adjourned at 10:39 am.

Melanie Mamoser, Acting Chair

Certified Correct:

Nadine Mourao, Recorder



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: November 22, 2018
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

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

Staff Present: Ann Kjerulf, Regional Planning Manager
 David Marlor, Director, Local Planning Services
 Sonja Zupanec, Island Planner
 Jamie Dubyna, Planner 1
 Miles Drew, Bylaw Enforcement Officer
 Warren Dingman, Bylaw Enforcement Officer
 Nadine Mourao, Recorder

Others Present: There were approximately (8) 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 10:16 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 to the agenda were presented for consideration:

- Move 10.8 Electoral Area Report following 3. Town Hall; and
- Move 13. Closed Meeting following 9.1 Mudge Island Lot Coverage Review Project – Bylaw No. 299 – Staff Report.

By general consent the agenda was approved as amended.

3. TOWN HALL AND QUESTIONS

A member of the Board of the Gabriola Housing Society, requested Local Trust Committee (LTC) consideration of an update to the description of the Activity in Item 3 on 10.1.1 Top Priorities Report dated November 15, 2018 to be more consistent with the Objectives on the Housing Options Review Project – Phase 2 Charter v 1.0 and asked if the Charter could be amended.

- Chair Rogers responded that procedurally, the LTC approves Project Charters and could amend, if desired.

Members of the public provided a copy of email correspondence, dated November 22, 2018 that requested LTC consideration in creating a new P4, new FW2 (drop the recreation) or Resource Conservation zone, in which there is no human activity or recreation.

A member of the Gabriola Housing Society requested that Trustees give priority to the affordable housing project.

4. MINUTES

4.1 Local Trust Committee Minutes for Adoption - none

4.2 Section 26 Resolutions-Without-Meeting Report dated November 15, 2018

Received for information.

4.3 Advisory Planning Commission Minutes dated November 15, 2018 - for receipt

Received for information.

5. BUSINESS ARISING FROM MINUTES

5.1 Follow-Up Action List dated November 15, 2018

Staff provided an overview of activities on the Follow-Up Action List.

Discussion ensued and the following was noted by Trustees:

- As there is a Standing Resolution regarding First Nation Relationship Building, suggested some of the earlier activities on the list may come off, as they are now incorporated in the Standing Resolution; and
- Requested Staff to advise GALTT that Activity 08-June-2017 was being removed.

GB-2018-107

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to remove Item dated 07-May-2015, Item dated 08-Jun-2017 and Item dated 13-Jul-2017 from the Follow-Up Action Report, as these will now be part of the Standing Resolution regarding First Nations Relationship Building.

CARRIED

6. DELEGATIONS - none

7. CORRESPONDENCE

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

8. APPLICATIONS AND REFERRALS

8.1 GB-DVP-2018.5 (Goszczyński) - Staff Report

Planner Zupanec summarized the report which asked the LTC to consider Development Variance Permit (DVP) application GB-DVP-2015.5 to vary the maximum height for a dwelling specified by the Gabriola Island Land Use Bylaw No. 177 (LUB) from 9 metres (29.5 feet) to 9.34 metres (30.64 feet).

Trustees requested information on whether the view of the upland lot would be affected by the variance of the maximum dwelling height.

The applicant noted the following point:

- Stated the view would not negatively impact neighbouring properties due to the topography of the lot sloping downwards.

GB-2018-108

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit GB-DVP-2018.5 with the following variance to Gabriola Island Land Use Bylaw No. 177, 1999:

- To increase the maximum height of a dwelling from 9 metres (29.5 feet) to 9.34 metres (30.64 feet) for the proposed single-family dwelling.

CARRIED

8.2 GB-DVP-2018.6 (Durrance) - Staff Report

Planner Zupanec summarized the report which asked the LTC to consider application GB-DVP-2018.6 for a DVP to authorize the siting of a sewage disposal system, rock wall and stair case which contravene Gabriola Island LUB No. 177, 1999 (LUB) setback regulations.

Discussion ensued and the following point was noted by Trustees:

- As watercourses have impact on a wider range than 100 metres from the property boundaries, requested by Staff for possible consideration of changing notification parameters.

GB-2018-109

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee defer consideration of application GB-DVP-2018.6 until receiving an assessment report from an Authorized Person under the *Sewerage System Regulation* indicating whether or not the design and siting of the existing septic tank and field are consistent with the *Sewerage System Regulation* and Sewerage System Standard Practice Manual, and what, if any, modifications are needed to the septic tank and field in order to meet industry standards and regulatory requirements and that such report be received by January 31, 2019 as amended.

CARRIED

GB-2018-110

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request that the Association of British Columbia Land Surveyors signed plan be provided to indicate exact distances of all buildings and structures within 30 and 15 metres from the natural boundary of Goodhue Creek and that such report be received by January 31, 2019.

CARRIED

By general consent the meeting was recessed at 12:15 pm and reconvened at 12:31 pm.

9. LOCAL TRUST COMMITTEE PROJECTS

9.1 Mudge Island Lot Coverage Review Project - Bylaw No. 299 - Staff Report

GB-2018-111

It was **MOVED** and **SECONDED**

that Gabriola Island Local Trust Committee Bylaw No. 299, cited as “Mudge Island Land Use Bylaw, 2007, Amendment No. 1, 2018”, be adopted.

CARRIED

GB-2018-112

It was **MOVED** and **SECONDED**

that the Gabriola Island Local Trust Committee remove “Mudge Island Targeted Review of Official Community Plan/Land Use Bylaw” from the Top Priorities List.

CARRIED

10. REPORTS

10.1 Work Program Reports

10.1.1 Top Priorities Report dated November 15, 2018

Staff provided an overview of the items on the report.

Trustees noted the following key points:

- Housing Options OCP/LUB Review to remain as a top priority and requested the name be updated to Housing Options & Impacts Review Project;
- Description of the Activity in the Housing Options & Impacts Review Project could be more consistent with the Objectives on the Housing Options Review Project – Phase 2 Charter v 1.0 and update to “all housing” in order to include emergency housing;
- The Water Taxi Feasibility study should be moved to the Projects List, as zoning provisions are completed and correspondence was sent to various agencies;
- Requested that the Activity for the Water Taxi Feasibility study be updated to the follow-up items, including any agencies responses to correspondence; and
- Requested New Ecological Protection Zone be listed as a top priority.
- Requested that Cannabis Production and Retail Sales be moved to the Top Priorities Report.

GB-2018-113

It was **MOVED** and **SECONDED**

that the Gabriola Island Local Trust Committee remove the Water Taxi Feasibility study from the Top Priorities List and move it to the Projects List.

CARRIED

GB-2018-114

It was **MOVED** and **SECONDED**

that the “Housing Options Official Community Plan/Land Use Bylaw Review Project Phase 2” be renamed to the “Housing Options & Impacts Review Project” and be moved to the top priority on the Top Priorities List.

CARRIED

GB-2018-115**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to update the Activity for the Top Priority number one (1) Housing Options & Impacts Review Project be the same as the Objectives in the Housing Options Review Phase 2 Charter, except that bullet four (4) be amended to read “all housing” and bullet five (5) be amended by adding the words “ecological footprints” at the end.

CARRIED**GB-2018-116****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to move the Review and Update the Gabriola Build Out Map on the Projects List to the In-Scope section of the Gabriola Housing Options & Review Official Community Plan/Land Use Bylaw Project Charter.

CARRIED**GB-2018-117****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to move the Cannabis Production Retail Sales Project to the Top Priorities List and Develop a New Ecological Protection Zone to the Top Priorities List.

CARRIED**10.1.2 Projects List Report dated November 15, 2018**

Staff summarized the activities on the Projects List.

Trustees requested that the Review and update the Gabriola Build Out Map on the third page of the report project be moved to the In-Scope section of the Gabriola Housing Options & Review Project Charter.

10.2 Applications Report dated November 15, 2018

Received for information.

10.3 Trustee and Local Expense Report dated September, 2018

Received for information.

10.4 Adopted Policies and Standing Resolutions

Staff provided a synopsis of the report.

Discussion ensued and the following key point was noted by Trustees:

- Interested in sharing a meal with local First Nations as initial invitation of relationship building.

GB-2018-118**It was MOVED and SECONDED**

that Trustee Colbourne will initiate the first steps of the Standing Resolution GB 2018-100 on First Nations Relationship Building and share a draft for review with Staff and the Gabriola Island Local Trust Committee.

CARRIED

10.5 Local Trust Committee Webpage

Staff will update the webpage with changes to Top Priorities Report.

10.6 Chair's Report

Chair Rogers reported the following:

- Attended two Executive Committee (EC) meetings and one Financial Planning Committee (FPC) meeting since Trust Council (TC);
- Draft EC budget coming soon with proposals such as making the Fresh Water Specialist and First Nations Relationship Building positions permanent;
- Currently in orientation phase of his term; and
- On the Trust Programs Committee (TPC).

10.7 Trustee Reports

Trustee Colbourne reported the following:

- Looking forward to playing an active role in the TC Anchorages project; and
- On the TPC.

Trustee Langereis reported the following:

- Attended orientation in November;
- Anticipating the January orientation meeting;
- Eager to be working with Staff, Chair, Trustee and RDN Director; and
- On the Local Planning Committee (LPC).

10.8 Electoral Area Director's Report

Vanessa Craig, Regional District of Nanaimo (RDN) Director, Electoral Area B, looked forward to working closely with Trustees this term.

10.9 Trust Conservancy Report dated September, 2018

Received for information.

11. NEW BUSINESS**11.1 Local Trust Committee (LTC) Meeting Schedule - 2019 – Memorandum**

Trustees proposed increasing accessibility for Gabriolans to attend LTC meetings, such as evening and/or weekends and provide childcare.

GB-2018-119**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee schedule its regular business meetings on the following dates in 2019: January 24, February 28, April 11, May 16, June 27, July 11, September 12, October 24, and November 28.

CARRIED

GB-2018-120**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee authorize the release of up to \$400 from the communications budget for the purpose of publishing Local Trust Committee regular meeting dates in the Gabriola Sounder.

CARRIED**GB-2018-121****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee hold its regular business meeting on October 24th in the late afternoon and provide childcare.

CARRIED**11.2 Notification of Federal Cannabis Licence Applications - Staff Report**

Regional Planning Manager Kjerulf summarized the report which asked the LTC to consider adopting a Standing Resolution with respect to Notices of Intention to Apply for a Cannabis License under the Federal *Cannabis Act and Cannabis Regulations* in order to ensure the LTC are informed of proposed licensed cannabis activities within the Local Trust Area.

GB-2018-122**It was MOVED and SECONDED**

That the Gabriola Island Local Trust Committee adopt the following standing resolution: that the Gabriola Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.

CARRIED**GB-2018-123****It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to draft a bylaw to amend the Gabriola Island Land Use Bylaw to include definitions related to cannabis and federally licensed cannabis production and to specify the applicable zones, minimum lot sizes, maximum building dimensions, minimum setbacks and other land use regulations applicable to federally licensed cannabis production, which are consistent with federal and provincial regulations and can serve as an interim regulatory framework until such time as the Minister's Bylaw Standards have been updated.

CARRIED**12. UPCOMING MEETINGS****12.1 Next Regular Meeting - TO BE DETERMINED****13. CLOSED MEETING****13.1 Motion to Close the Meeting****GB-2018-124****It was MOVED and SECONDED**

that the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a)(c)(d)(f) and (i) for the purpose of considering: Advisory Planning Commission, Staff Relations, Adoption of In-Camera Minutes dated November 2, 2018, Bylaw Enforcement and Receipt of Legal Advice and that the Recorder and Staff attend the meeting.

CARRIED

Chair Rogers closed the meeting to the public at 12:32 pm.

13.2 Recall to Order

By general consent the meeting was recalled to order 1:17 pm.

13.3 Rise and Report

Received a resignation from the Advisory Planning Commission and Chair Rogers requested that the individual be thanked in writing for their service.

14. ADJOURNMENT

By general consent the meeting was adjourned at 2:47 pm.

Dan Rogers, Chair

Certified Correct:

Nadine Mourao, Recorder



Islands Trust

Gabriola Island

Print Date: January 15, 2019

Resolutions Without Meeting

Resolution #	Action	Resolution Description	Resolution Date
2018-08	In Favour	"THAT the Gabriola Island Local Trust Committee authorize the expenditure of \$315 plus GST for publication of Local Trust Committee meeting dates in the Gabriola Sounder calendar."	26-Nov-2018

Follow Up Action Report

Gabriola Island

08-Sep-2016

Activity	Responsibility	Target Date	Status
RDN annual protocol meeting topics: 1. Enforcement of RDN Noise Bylaw; 2. Mudge Island Public Dock; 3. Regulations for temporary dwellings being connected to a sewage disposal system 4. Village North Road street improvements (2a+2b of Village Vision submission to the LTC Jan. 3, 2018); RDN and Islands Trust staff will coordinate on the scheduling of a protocol meeting following the 2018 BC Local Government Election.			On Going

03-May-2018

Activity	Responsibility	Target Date	Status
Add consideration of definition of limited public market to the Projects List and request staff to bring back information on creating a standing resolution regarding enforcement before the next Gabriola Island Local Trust Committee meeting.	Miles Drew Sonja Zupanec Penny Hawley	11-Oct-2018	On Going

14-Jun-2018

Activity	Responsibility	Target Date	Status
Staff to provide LTC with standard resolution language around enforcement of "limited public market" provisions in the LUB.	Sonja Zupanec		On Going

Follow Up Action Report

16-Aug-2018

Activity	Responsibility	Target Date	Status
Staff to clarify the mechanism for implementing transfer of densities to the Gabriola Island Density Bank.	Sonja Zupanec	27-Sep-2018	On Going
Staff to advise LTC on how to integrate conservation data and mapping resources when considering projects and applications.	Sonja Zupanec	27-Sep-2018	On Going

27-Sep-2018

Activity	Responsibility	Target Date	Status
LTC request staff to send a response to letter writer H. Reid regarding anchorages, thanking for input and including letter from Islands Trust Chair to federal government to work towards elimination of anchorages in the trust area.	Sonja Zupanec		On Going
Staff to prepare package for submission for BC Heritage registry of the Gabriola Community Hall.	Ian Cox		On Going
GB-TUP-2018.1 staff to work with applicant on details to address neighbours concerns.	Jaime Dubyna		Done

22-Nov-2018

Activity	Responsibility	Target Date	Status
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Follow Up Action Report

Trustee Colbourne to initiate first steps for Standing Resolution GB-2018-100 with respect to First Nations Relationship Building, and share an initial draft of a letter with staff and trustees.	Ann Kjerulf	On Going
Staff to update the Gabriola Island LTC website to reflect changes to Top Priorities and Projects.	Ann Kjerulf Wil Cottingham	Done
That the LTC schedule its business meetings on the following dates: Jan. 24, Feb. 28, Apr. 11, May 16, Jun 27, Jul 11, Sept. 12, Oct. 24 and Nov. 28 (with Oct 24 to be held later in the day). That the Oct 24 meeting be held late afternoon (i.e. 3pm -5pm) and that childcare be provided for afternoon/evening meetings. LTC authorizes \$400 from communications budget for publishing dates in the Sounder.	Wil Cottingham	Done
LTC adopts a new standing resolution regarding cannabis (as per staff report) and request staff to draft a bylaw to amend the LUB re: cannabis production.		On Going
Housing Options and Impacts Review Project - update the project charter and post to web to reflect new project name change; expanded scope to review and update the Gabriola build out map and adding text amendments as per resolution.	Sonja Zupanec	Done
GB BL 299 (Mudge LUB) adopted. Update and post to web. Remove from Current projects webpage and to completed projects.	Becky McErlean Wil Cottingham	Done
GB-DVP-2018.5 - LTC approved issuance of DVP as presented.	Becky McErlean Jaime Dubyna	Done
GB-DVP-2018.6 (Durrance) - LTC resolution to defer consideration until receipt of a BCLS signed plan showing all setbacks to structures within 15 and 30 m of the natural boundary of Goodhue Creek; professional report addressing siting and operation of sewage disposal system as per staff recommendations. To be received no later than January 31, 2019 for LTC consideration.	Sonja Zupanec	On Going



Follow Up Action Report

File No.: 6800 (20)
Community Heritage Register

DATE OF MEETING: January 24, 2019
TO: Gabriola Island Local Trust Committee
FROM: Ian Cox , Planner 1
Northern Team
SUBJECT: Creation of Gabriola Community Heritage Register

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee establish a Community Heritage Register applicable to lands within the Gabriola Local Trust Area.
2. That Gabriola Island Local Trust Committee add the Gabriola Community Hall at 2200 South Road to the Community Heritage Register based on the Statement of Significance attached to the staff report dated January 24, 2019.
3. That the Gabriola Island Local Trust Committee request that notice be given, in accordance with Section 595 of the *Local Government Act*, to the Minister responsible for the *Heritage Conservation Act* and to the property owner, that a Community Heritage Register has been established and that it includes the Gabriola Community Hall.
4. That the Gabriola Island Local Trust Committee add "Community Heritage Register Development" to its Projects List with the associated activities to include "Identification of heritage resources and development of statements of significance for inclusion in the Community Heritage Register".

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider establishing a Community Heritage Register (CHR) and inclusion of the Gabriola Community Hall in the CHR. This report outlines the policy and regulatory context for heritage conservation in the Local Trust Area, and provides analysis and rationale to support the establishment of a CHR.

BACKGROUND

This initiative follows a request to the LTC by the Gabriola Island Community Hall Association (GICHA) to formally recognize the Gabriola Community Hall as a heritage resource, in order to secure grant monies through the BC provincial Legacy Fund. At the September 27, 2018 LTC meeting, the following resolution was passed.

GB-2018-083

It was MOVED and SECONDED

That the Gabriola Island Local Trust Committee request Staff to add BC Heritage Registry - Gabriola Community Hall to the Follow-up Action List.

CARRIED

The Gabriola Community Hall is located at 2200 South Road, as shown in Figure 1.



Figure 1 - Gabriola Community Hall location, 2200 South Road

Staff has endeavoured to assist the association to this end by working with Dewhirt Lessard Consulting, the heritage consultant that prepared the Statement of Significance (SOS) for the site. See **Attachment 1 – Gabriola Community Hall Statement of Significance (SOS)**.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

Two Islands Trust Policy Statement (ITPS) policies are directly relevant to heritage conservation:

5.6.2 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.

5.6.3 Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains

Gabriola Official Community Plan:

The Gabriola Official Community Plan (OCP) contains statements supporting heritage conservation in the Local Trust Area. Section 6 – Environmental, Marine and Heritage Resources includes:

Equally important is the need to identify and preserve those precious features which recall the past. As a result, heritage sites which provide a valuable record of past human activity and settlement significant to the preservation of the area's local history need to be protected.

The OCP also includes the following Heritage and Archaeological Resource objectives and policies:

Heritage and Archaeological Resources Objectives

1. *To identify, preserve, protect and enhance local heritage and archaeological resources;*

Heritage and Archaeological Resources Policies

- b) *A community heritage register should be established to identify and inventory real property that is considered to be of heritage significance.*
- c) *The identification and preservation of heritage property shall be encouraged, through the use of voluntary covenants, heritage revitalization agreements and other means intended to encourage the owners of a heritage property to support its heritage designation and preservation.*

Heritage and Archaeological Resources Advocacy Policies

- k) *Public education and awareness of heritage sites, including the creation of brochures, web content and signage, shall be encouraged.*

Local Government Act

LTC authority to introduce regulation(s) related to heritage conservation derives from the *Local Government Act* (LGA). Under the LGA, there are four actions an LTC can take concerning heritage conservation. In order of strength these are:

1) Community Heritage Register (LGA Section 598)

Established by local government resolution, a Community Heritage Register (CHR) is an official list of historic places, specific to a community, which have been identified by the local government as having heritage value or heritage character. A CHR provides formal recognition for historic places and may be used as a planning tool by communities interested in integrating heritage conservation activities into local government land use planning processes. Potential benefits of a CHR include:

- Enhancing public appreciation of community character and identity;
- Facilitating public access to heritage information;
- Informing property owners and prospective buyers of a property's heritage value.
- Integrating heritage conservation into community planning;
- Enhancing community sustainability.
- Facilitating eligibility for heritage programs and incentives;
- Enabling special provisions within the BC Building Code for heritage properties.
- Enabling local governments to consider and take protective actions to protect historic places.

A CHR enables a local government to understand and identify the significance of a community's historic places, to monitor heritage properties for proposed changes, and to integrate heritage conservation activities into other local government land use planning processes.

A Community Heritage Register does not:

- put a limit on the changes a heritage property owner may make to his or her historic place.
- require agreement from a heritage property owner to include a historic place as a register listing.
- constitute designation or any other type of formal protection of an historic place.
- create financial liability for the local government.

2) Heritage Recognition (LGA Section 599)

The local government may formally recognize the heritage value of a property through installation of a plaque or other marker on the property. This can only be done with the permission of the property owners.

3) Heritage Conservation Area (LGA Section 614)

The local government may designate a particular area and the built or landscape features within it to be a Heritage Conservation Area in its Official Community Plan. A Heritage Conservation Area (HCA) functions in a similar manner to a Development Permit Area, in that undertaking particular types of alterations to a building or landscape feature identified in the HCA would require a Heritage Alteration Permit (HAP) from the local government. The OCP would be amended to introduce a number of guidelines that a property owner would be required to meet if their proposed development plans triggered the requirement for a HAP. Introduction of a HCA does not require the consent of effected property owners.

4) Heritage Designation Protection Bylaw (LGA Section 611)

The local government may adopt a heritage protection bylaw for a particular property. Such a bylaw prohibits certain activities from being undertaken without a Heritage Alteration Permit from the local government, such as alteration to the exterior of a building or other structure protected under this section.

Adoption of a Heritage Designation Protection Bylaw would require land owner consent. Under the *LGA*, local governments must compensate land owners for loss of property value as a result of heritage designation. Since the *Islands Trust Act* does not authorize LTCs to pay compensation, property owners would have to agree to waive their right to compensation. Both Heritage Conservation Area Bylaws and Heritage Designation Protection Bylaws may establish minimum standards to which heritage designated properties must be maintained.

Issues and Opportunities

Community Heritage Register Establishment

While the LTC has broad authority under the Local Government Act with respect to heritage conservation, the CHR offers a logical starting point for Heritage Conservation planning. A CHR may be established by resolution and, with the exception of routine maintenance and updates, does not require significant staff resources. It also does not place a financial burden or liability on an LTC (to compensate property owners for potential loss of property value as a result of heritage designation).

The addition of historic places to a CHR may only occur via resolution following consideration of associated Statements of Significance. A Statement of Significance (SoS):

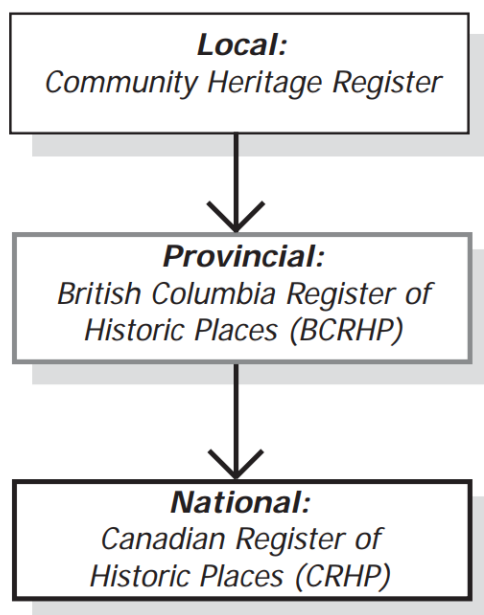
- Summarizes the description, heritage value and character-defining elements of each historic place;
- Reflects modern values concerning history and historic places;
- Identifies what part of history a historic place represents, and how and why that is of value and importance today.

Statements of significance should follow guidelines established by the Province.¹

¹ Province of BC Heritage Branch. Guidelines for Writing Effective Statements of Significance.
https://www2.gov.bc.ca/assets/gov/british-columbians-our-governments/our-history/historic-places/documents/heritage/guidelines_writing_statements_significance.pdf (Accessed January 10, 2019).

British Columbia Register of Historic Places/Canadian Register of Historic Places

Contact with Heritage Branch staff regarding ministerial notification of the newly established heritage register suggests CHR listings may also be included in the British Columbia Register of Historic Places (BCRHP) the official provincial listing of historic places that have been formally recognized for their heritage value by the Province or local governments. BCRHP listings may also be included on the Canadian Register of Historic Places (CRHP).



Source: Government of British Columbia

Statements of Significance may require amendment to meet the provincial and federal standards, and other data gathering and submission could be required. Community groups seeking to add sites to the BCRHP or CRHP would be encouraged to employ the services of a consultant.

Community Heritage Register Development

The current or future Gabriola LTCs may wish to engage in a more rigorous community planning process to identify buildings, sites and landscapes for inclusion in the CHR including the creation of a Heritage Advisory Planning Commission or other committee and/or hold a Community Information Meeting.

Staff time would be required to administer a database where each entry is kept as they are added to the register. Posting the CHR to the LTC website would ensure community and public access to the register.

Consultation

Community Consultation

The LTC may wish to consider forming an advisory committee or referring considerations to the existing Advisory Planning Commission (APC) on heritage matters. While this is certainly recommended for future site and inclusions, it is the opinion of staff that the LTC may adopt the register with the Community Hall as the first site without further consultation. Nonetheless, the LTC may wish to engage the community in a broader conversation about the Island's heritage (natural, constructed, and of First Nations significance) to discuss any and all other areas of the Island that the LTC may wish to consider for recognition or formal protection.

Such an engagement exercise could be part of an LTC project to further develop its CHR or implement other heritage conservation measures authorized under the *Local Government Act (LGA)*.

Statutory Requirements

Section 598 of the *LGA* obliges local governments to notify the property owner and provincial minister responsible for the Heritage Conservation Act when a CHR is created. If a Gabriola Community Heritage Register is officially established, staff will contact the *Heritage Branch*.

First Nations

Community Heritage Registers may contain archaeological sites and/or sites of First Nations cultural significance. If a future LTC is contemplating inclusion of such sites in a Gabriola CHR, extensive and meaningful consultation should be undertaken with local First Nations to ensure that the inclusion of such sites is done - at the very least - with permission and in a culturally respectful manner, if not via direct partnership. Similarly, if a settler site is to be included where there is known archaeological or cultural interest, similar actions would be highly recommended. These activities would be directly related to ongoing recognition and reconciliation efforts.

Archaeological Site Potential

Currently, there are no registered archaeological site records within the boundaries of the Gabriola Community Hall property. However, there is a probability that the lot may contain previously unrecorded archaeological material as identified and mapped on the provincial Remote Access to Archaeological Data (RAAD) system. Archaeological material is protected under the *Heritage Conservation Act*. Should such material be encountered during future development, all work should cease and the provincial Archaeology Branch should be contacted immediately as a *Heritage Conservation Act* permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.

Rationale for Recommendation

The creation of a CHR and the inclusion of the Gabriola Community Hall would substantially comply with Islands Trust (ITPS and OCP) policies. Since a CHR may be established by resolution and may be maintained in a relatively routine way, significant staff resources should not be needed. Further, the creation of the register could have a positive community impact through the protection of more recent settler history and the protection of areas of significance to, for example, the Snuneymuxw First Nation and other Indigenous communities with interests on Gabriola Island. In the opinion of staff, creation of the register could initiate an ongoing and significant community project.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendations found at the beginning of this report:

1. Do not adopt/establish a Community Heritage Register

Staff advise that the implication of this alternative is the likelihood that GICHA may be unsuccessful in securing Legacy Fund monies, since local government heritage recognition is a requirement for the funding. If selecting this alternative, the LTC would simply not pass a resolution to create and adopt a register. However, it is recommended that an explanation be provided to GICHA if this is the case.

2. Receive for information

The LTC may receive this report for information.

NEXT STEPS

If the LTC resolves to create the CHR, the Gabriola Community Hall will be the register's inaugural site and staff will work with GICHA to submit completed records to the provincial *Heritage Branch* Minister. Gabriola Island will then possess a CHR with the possibility of future site designations identified and deemed culturally and historically significant by the community.

Submitted By:	Ian Cox Planner 1	January 11, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	January 11, 2019

ATTACHMENTS

1. Gabriola Community Hall Statement of Significance (SoS)

G A B R I O L A
C O M M U N I T Y H A L L
A U G U S T 2 0 1 8

Statement of Significance



dewhirst lessard consulting

2095 Thompson Road, Gabriola BC V0R 1X7
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Statement of Significance

1. Description of the Historic Place

The Gabriola Community Hall is located in the rural community at the South End of Gabriola Island, in the Nanaimo District of Vancouver Island, British Columbia. The existing hall was built in 1982-84, but its property has been used for a community centre for nearly a century. The adjoining South School property is now part of the grounds of the Community Hall and complementary to its activities.

2. Heritage Value

The Gabriola Community Hall is significant because of the use of its property over time, its association with the “Maples”, the traditional Snunéymuxw territory and first island settlers, as well as two pioneering families.

The existing Community Hall is located on the site where the first hall was built in 1917. The original building was destroyed by fire in 1979. The previous Community Hall and the new have continuously served the Gabriola community in providing an assembly space, performance and sport facility, while a venue for numerous other activities. The adjoining property was the location of the first school on Gabriola, built in 1872. A teacher’s residence was also built on the site in 1876, as well as a larger one room school in 1890, accommodating then eighteen pupils. The South School was vacated in 1954 and was then temporarily used by the island Anglican congregation, as the church of St Martin of Tours. It was demolished in 1988. Since the current hall was built, the former school site has been used to accommodate community outdoor activities such as the salmon barbecue, an annual event started in 1955.

The “Maples” is a bygone landing east of the False Narrows, distinctive for a growth of Bigleaf Maples along its shore. A wharf at the “Maples” was popular with the community from the late 1890’s until its removal in the 1950’s. The location of the South School and the Community Hall is often referred to as the “Maples” since the site is adjacent to the historic landing. Several Bigleaf Maples still enhance the existing Community Hall’s grounds.

Gabriola is part of the traditional Snunéymuxw territory. The seasonal village at False Narrows was located in the low land below and west of the Community Hall. Some estimate the population of the Snunéymuxw village to nearly 5,000 people. One of the main reasons the Snunéymuxw people visited the area was to fish the rich waters around False Narrows and Gabriola Passage for salmon and cod. The South End of the island is also the first occupied by European settlers under the pre-emption policy during the mid-nineteenth century. Its shore was easily accessible within a short distance of Nanaimo, south facing and protected from the bad weather by the neighbouring islands.

Alexander Shaw donated part of his land on which the first school on Gabriola was built. Shaw, born in Ayrshire, Scotland in 1833, arrived on Gabriola Island with his family in 1879. Shaw was engaged as a teacher at the South School in 1881, the only school on Gabriola at the time. He left the island in 1888. William Nairn Shaw donated two adjacent portions of his land for the purpose of building the first Community Hall, in 1913 and 1914 respectively. Shaw, born in 1862 in Fife Scotland, came to Canada in 1883 and his wife Euphemia, in 1892, shortly after their marriage. Shaw died in 1950 and was buried in the Gabriola cemetery. Although these are probably distant relatives, there is no record indicating that the two above Shaw families were related.

3. Character Defining Elements

- Address and relationship of Community Hall to South Road
- Continuous use of the property as a Community Hall, including in-place legal safeguards insuring the property stays in the hands of the community and be used for a community centre in perpetuity
- Mature Bigleaf maple trees on the property
- Institutional character of the current building including a distinct exterior mural: compact massing on the original property, saw-tooth exposure to South Road, multi slope metal roof and horizontal wood siding

Index:

STATEMENT OF SIGNIFICANCE (Page 3)

- .1 Description of Heritage Site
- .2 Heritage Value
- .3 Character-defining elements

BACKGROUND RESEARCH:

1.0 Preface

- 1.1 Background
- 1.2 Content and Methodology
- 1.3 Consultants & Heritage Professional
- 1.4 Source and Documentation

2.0 Heritage Character

2.1 Building Description

- Exterior and Interiors
- Planning and Zoning

2.2 Site Archaeology; Historical context and area development

- Gabriola geography and natural resources
- The Snunéymuxw village at False Narrows
- The first European pioneers
- The Gabriola Island wharves and roads
- The South School
- The first Community Hall
- The First Shaw Family: Alexander, wife and children
- The second Shaw Family; William, Euphemia, and children

2.3 Building history and chronology:

- The current Community Hall
- Occupancy and use
- Building transformation

3.0 Building Heritage Analysis

3.1 Building character

APPENDIX:

- 1: 1984, Title transfer between School Board and Community Hall
- 2: 1924, purchase of William Nairn Shaw's land by the Community Hall Trustees for \$1.00
- 3: 1982 Elevations Design Drawing

1.0 Preface

1.1 Background



Figure 1: Partial map of Nanaimo District including Gabriola; area of significance shaded in red and Community Hall as a red dot (Google)

Gabriola Island, located offshore from Nanaimo on Vancouver Island in British Columbia is one of the best places to live in Canada, because of its access to the ocean, temperate climate, mild winters, and natural environment. While part of the Regional District of Nanaimo, Gabriola benefits from the custody of the Gulf Islands Trust. Gabriola has a strong community spirit and an intense cultural life. It is home to a great number of artists from a diverse range of disciplines. The area of significance, the subject of this statement, includes from west to east, the False Narrows, the Brickyard Beach, the Community Cemetery, the Community Hall site, the “Maples”, the Fire Hall, the Christ Church, Degnen Bay and the Gabriola Passage.

The South End of Gabriola, or the “Lower Island” as it was called in the late 1800’s, was the first area to develop on the island. It once harboured the largest indigenous community on the island, some evidence dating back 1,500 years. This is also where the first Europeans settled, where the first Gabriola wharf was established, the first school, and a prolific brick manufacturer. Its proximity to Nanaimo, the easy access to the shore, the southern exposure and the protection against bad weather due to surrounding islands, appealed greatly to Gabriola’s pioneers.

The population of Gabriola has maintained a Community Hall in the South End since 1917. The Community Hall is located in the middle of the area of significance, perched on the gentle slope above a low land oceanfront of the False Narrows. The first Hall was built adjacent to the South School at the “Maples”. Since then, the two properties have been joined into the grounds of the Community Hall. The current building was opened in 1984 after a fire completely destroyed the first Community Hall, in 1979. The South School building which had been used as a church since 1954 was demolished in the 1980’s.

NB: GICHA stands for Gabriola Island Community Hall Association

I.2 Content and Methodology

The Statement of Significance (S.O.S.) is a synopsis of the heritage values of the historic structure. The Conservation Plan, which complements the S.O.S., highlights conservation issues and interventions required to ensure the preservation, rehabilitation, restoration and maintenance of the heritage structure. Research and documentation supporting the S.O.S. is included in the background associated with the statement. This document is not an exhaustive assessment of the historic structure, neither is it definitive statement about the heritage building. The S.O.S. is a work in progress which will evolve as more information is gathered by the stakeholders and the community at large. This report aspires to be a framework to compile information and to establish the relationship between history and the conservation strategy for the Heritage Place. The rules used to assess the Heritage value are the *Standards and Guidelines for the Conservation of Historic Places in Canada; Parks Canada 2003 (revised 2010)*. This S.O.S. was prepared according to the Heritage Branch's "Preparing and submitting Records for the BC Register for Historic Places".

I.3 Consultant and Heritage Professional

The firm Dewhirst Lessard is a consulting firm specializing in Building Conservation; Barbara Dewhirst and André Lessard have extensive experience as former practicing architects; they have been involved in numerous heritage projects in BC, Alberta and Ontario. André is the writer for the project; he is a heritage professional with experience in planning, design and construction, specializing in building conservation. Formerly an AIBC member, he is currently a member of the Canadian Association of Heritage Professionals, past-president and secretary of the BC Chapter and former member of the CAHP National Board of directors. He is also a former member of the Vancouver Heritage Commission. André is a LEED accredited professional, including Field Certification experience (BD+C) in 2012. He was lecturing for twelve years in building science for architectural conservation at University of Toronto and Ryerson University.

I.4 Source and Documentation:

1. *The People of Gabriola* by June Lewis-Harrison, 1982 D.W. Friesen & Sons Ltd
2. *The South Gabriola public hall; 1913–79*, by E. Joyce White, Shale No 22 January 2010
3. *Gabriola's Wharves* by Jenni Gehlbach, Shale No. 27 December 2013
4. *The four schools of Gabriola* by June Harrison, Shale No 11 May 2005
5. *The Snunéymuxw village at False Narrows* by Loraine Littlefield, Shale No 1 November 2000
6. *Gabriola's industrial past- the brickyard* by Jenni Gehlbach, Shale No 15 May 2007
7. *The Gabriola School District 1872–79* by Barrie Humphrey with Lynda Poulton, Shale 28, June 2014.
8. *Island sanctuaries—Early mixed-race settlement on Gabriola and nearby coastal Islands* by Jean Barman, Shale 2, March 2001
9. *Zoning Information:* <http://www.islandstrust.bc.ca/islands/local-trust-areas/gabriola/bylaws/>
10. *Community Hall Exhibit at the 2017 Salmon BBQ*; provided by Richard Strachan
11. *Canadian Cataloguing in Publication Data*, by Thomas K. Ovanin 1987
12. *Gabriola Island Place Names* by Aula Bell & Neil Aitken, Reflections books Gabriola, BC 1996
13. *Island Time Gabriola 1874-1879* by Neil Aitken, Reflections Gabriola 1993
14. *Ancestry for W.N. Shaw and A. Shaw at the Gabriola Vancouver Island Public Library*
15. *Community Hall documents* provided by Joyce Babula, Gordon & Laurie McDonald, Ute Ewert and Elizabeth Iachelli
16. *Gabriola Museum Archives: photos, legal transfers and Kemp family info*, Janet Stobbs, curator
17. *Typewritten student thesis at Gabriola Archives: History of Gabriola by Bell* (no other details available)
18. *Traveling through time, 2017 Gabriola Historical and Museum Society*, Ivan Bulic editor
19. *Topographics Landscape Architecture; Gabriola map online*
20. *Nanaimo Archives; for John Shaw and pre-emp information*
21. *Gabriola's trees—a brief history*, by N.A. Doe, P. Smith, Shale No 2, March 2001.
22. *A glimpse through time*, by Joyce White in *Gabriola Times*, 1986-1993, *Gabriola Historical and Museum Society* 2018
23. *Gabriola Souder online*, various articles
24. *History of Gabriola Community Hall, Early History (Draft) paper* prepared by Owen Friesen, 2016
25. *John Shaw obituary*, in *Nanaimo Free Press*, in <http://www.ashlar3.com/john-shaw-1864-1937/>

NB: Please note that selected excerpts from sources above have been copied literally or edited without necessarily further credits; numerical references in the text correspond to the number above.

2.0 Heritage Character

2.1 Property Description

For the purpose of this report, the “ground floor” of the Community Hall building is referring to the lowest floor and the first floor will be referred as the “main floor”. The “property” is referring to the two adjoining grounds of the Community Hall and the South School. Site photos by dewhirstlessard unless otherwise specified.



Figure 2: Community Hall property looking west from South Road, with Bigleaf Maple tree in the center of the property



Figure 3: Community Hall property looking east from South Road

The Community Hall property is approximately 1.24 acres including the former South School lot, which is now included in the hall's grounds, currently serving as open green space and a parking lot. Two roads, South Road and Garland Avenue, border the three sided property. There are two site entrances straddling a large Maple tree into the parking lot from South Road. A wood frame sign located at the road side in front of the maple tree advertises the current Community Hall events. The building fits neatly its original triangular site with generous setbacks to the adjacent roads. A large circular mural enhances the south façade. A playground occupies a narrow tail of the property on the west side of the building. The playground and co-operative pre-school access are secured with a low chain link fence. A number of coniferous and deciduous trees are located along the edges of the property.

The building has a foot print of approximately 4,000 SF. and a height of two storeys. The building holds a large assembly room with a stage; the room is also used as a gymnasium for a variety of activities. A kitchen and staff washroom is located on the main floor. There are two entrances on the main floor facing the parking, two entrances on the ground floor facing Garland Ave and another access door to the playground facing South Road. A co-operative pre-school with kitchen, administration space and public washrooms are located on the ground floor.

The roof is a combination of a large flat surface and sloping metal roofs. There are large south facing corner windows from the assembly room on the main floor and the administration area on the ground floor. The building shape consists of a box with a saw-tooth edge facing South Road, thus accommodating the triangular lot. The cladding is horizontal wood siding painted a green/ beige color (Similar to historical Vancouver true colour: VC-16 Comox Sage). The metal roofs are salmon-red.

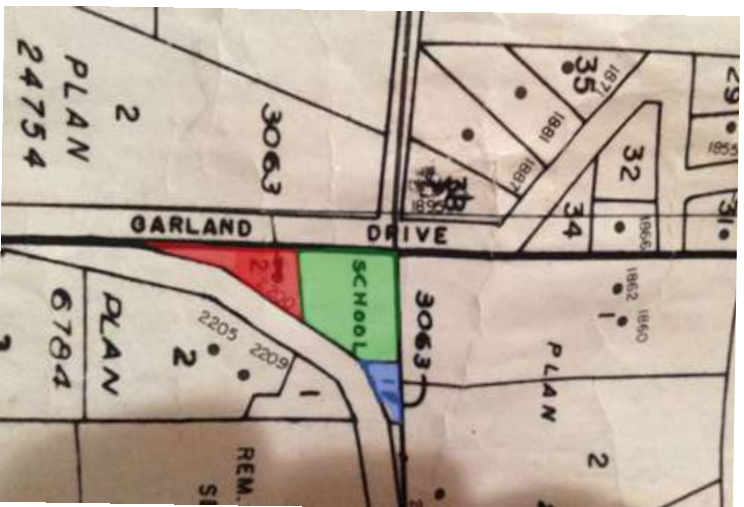


Figure 4: On the left original Community Hall property (in red), former School property (in green) and residential parcel (in blue) previously part of the school's sold to the owners of the adjacent property, Alan Darling and Joan Baird. Note Garland is named Oakland Dr.

On the right: Site Plan; the current Community Hall property showing existing building in red and approximate location of trees in green. Based on 2016 proposed addition drawings



Figure 5: Tlał'twx, Rich Place Wall mural by Hayden Harvey

The Board of the Gabriola Island Community Hall Association (GICHA) unveiled a new mural on the outside of the hall this past Wednesday, May 31, 2017 created by Gabriola artist Hayden Harvey. Hayden has been active in the Gabriola art scene since she was a child

Joyce Babula, GICHA director, said, "It was heartening to see so many community members yesterday as they came to support Hayden's work and the community hall itself. The institution is celebrating 100 years of providing space for Gabriolans to celebrate, exercise and meet. "We will continue to celebrate the hall and Canada's 150 birthday at the Annual Salmon Barbeque"

The mural is entitled Tlał'twx, which translates as "Rich Place." Harvey's assignment from the Board was to represent Gabriola's history, including both the pioneer and First Nations components of Gabriola's past. The building depicted in the mural is the old school house which stood where the Community Hall property is today. The fish accompanying the mural were made by the participants in this year's Adventure Day Camp through Silva Bay Kayak Adventures. (Gabriola Sounder)



Figure 6: Event Sign at South Road



Figure 7: View of building from South Road

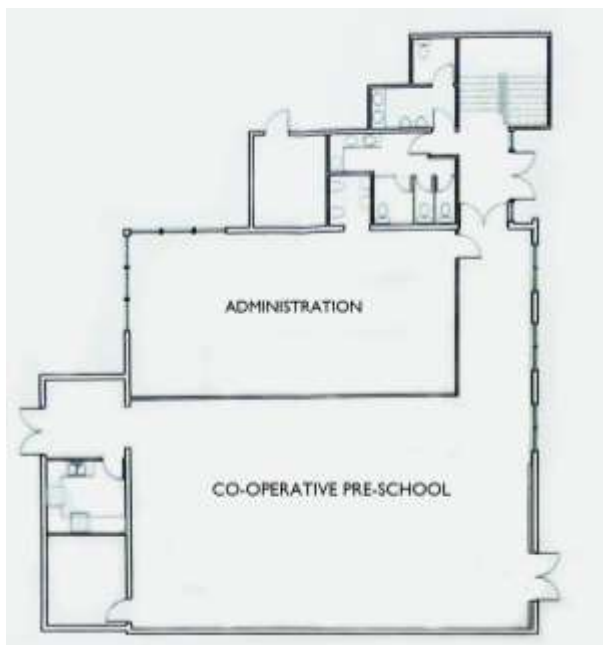


Figure 8: Existing Ground Floor Plan (2016 design dwgs)



Figure 9: Existing Main Floor Plan (2016 design dwgs)



Figure 10: Assembly and gymnasium looking north



Figure 11: Assembly and gymnasium looking north with stage



Figure 1.2: East Elevation from parking lot



Figure 1.3: Preschool playground with Community Hall from Garland Rd.



Figure 1.4: South side of Community Hall looking toward Garland



Figure 1.5: Community Hall from Garland Road



Figure 1.6: Entrance facing East with ramp



Figure 1.7: Main and ground floor South corner



Figure 1.8: South Rd with maple trees



Figure 19: Intersection of Garland and South Road looking north



Figure 20: Community Hall elevation looking South on Garland Ave



Figure 21: Peripheral Maple trees



Figure 22: Parking lot east of Community Hall with large Maple tree



Figure 23: 2195 South Road gate across Hall with Maple leaf



Figure 24: Original Maples landing with Maple leaf gate

A neighbouring private property across South Road has three metal entrance gates with a large maple leaf representation, thus indicating that this oceanfront property was historically part of the landing referred to as “The Maples”. The wharf at the “Maples” was located in front of the current 2195 South Road.

Planning and Zoning

The Gabriola community is made up of people of diverse ages, incomes, educational background and national origin. Many creative people have made their home here, and arts and artists are an important part of life on Gabriola. The natural resources of the area support a rural lifestyle and livelihood. A landscape of forests and fields, sheltered bays and remarkable shorelines shapes the beauty and appeal of the Gabriola Planning Area. The area provides habitat for an exceptional variety of species – migratory and resident birds, diverse marine and intertidal life, terrestrial wildlife and vegetation. The distinctive natural setting of the area has drawn generations of people to its shores, providing shelter and sustenance, and its unique appeal will endure long into the future. (9)

This Plan (Gabriola Island Official Community Plan) has been prepared within the following context:

- Almost ten percent of the Gabriola Planning Area is in Public Park and protected area.
- Gabriola has a fragile island and ecosystem which needs to be protected; as such, it is necessary to limit further development.
- The Village Centre is the social business core of the Gabriola community.
- Art and artists are an important part of life on Gabriola.
- Coastal areas are particularly vulnerable to the effects of climate change.

The zoning district for the area on the south shore east of the False Narrows (9):

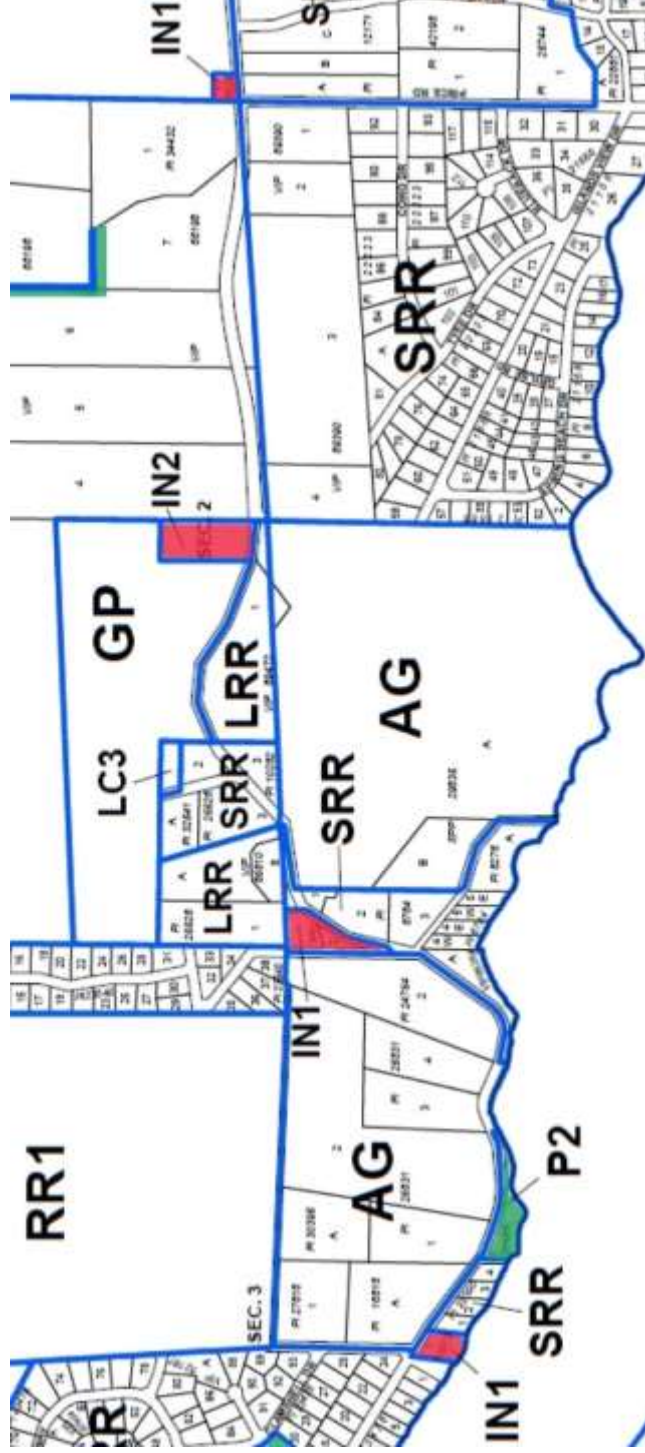


Figure 2.5: Institutional in red, Public Park in green, AG Agricultural, SRR Small Rural Residential, LRR Large Rural Residential, RR1 Resource
From left to right: Gabriola Cemetery in red, South Road Park in Green, Community Hall and South School behind in red, Fire Hall in red,
Petroglyph trail in green and Christ Church (United and Anglican congregation) in red.



Figure 26: Property in red with South Rd on the diagonal, Shaw Rd bottom right and Garland Rd top left (Official Community Plan)



Figure 27: Recent aerial of Community Hall in red in relation to South Rd and the Ocean front referred as "The Maples" Google Map

Social Goals (9)

(excerpt from the Gabriola Island Official Community Plan)
Consolidated July 9, 2018 prepared by the Island Trust

1. To preserve the rural character and atmosphere of the Gabriola Planning Area and ensure that the community remains a viable, healthful places in which to live, providing for a variety of lifestyles in harmony with the natural environment.
2. To ensure that access and opportunity, now and in the future, are provided for the public to enjoy and appreciate the Gabriola Planning Area in harmony with the natural environment and existing communities.
3. To ensure that options for future generations to make land use decisions are not jeopardized.
4. To encourage gradual and appropriate, rather than rapid, change and growth.
5. To co-operate and communicate with other government agencies, other agencies and First Nations, and to involve the public in the decision-making process to fulfill these goals.
6. To encourage local food systems and community food security.
7. To recognize that small, locally owned and home-based businesses contribute significantly to the character and sustainability of island life.

Institutional Use

(excerpt from the Gabriola Island Official Community Plan)
Consolidated July 9, 2018 prepared by the Island Trust

Institutional uses play an important role in the community and in many cases serve as a focal point for community life. For purposes of this plan, Institutional Uses includes facilities, services and uses which are operated by government or a non-profit society and include medical clinics open for community use.

The following facilities are recognized as institutional uses on Gabriola: Agricultural Hall, Women's Institute Hall, Gabriola Community Hall, Seniors' Rollo Centre, Gabriola Recycling Depot, Highway Works Yard, the museum, churches and the cemetery. The following are public institutions on Gabriola which are operated by government: the post office, RCMP station, the Gabriola Elementary School, the north and south fire halls and the ambulance station. The Gabriola Medical and Urgent Care Clinic and the helicopter landing pad are also recognized as institutional uses in the planning area.

Institutional Use Objectives

1. To provide for institutional uses which meet the needs of the local community;
and
2. To encourage the creation of recreational facilities for young people.

2.2 Site Archaeology

Gabriola geography and natural resources



Figure 28: Topography and Watercourse map of Gabriola - Community Hall indicated by a red dot (by Topographics)

One of the determining features of the Community Hall site was described by the settlers in choosing the location of the first schools on the island. A meeting was held on October 3, 1872, and reported as following: "...recognizing the distances between settler families, they had decided they preferred that there be two schoolhouses, one for the north end, and one for the south end. The South-End school would be "at the foot of the Ridge (South side)". The North-end school would be "on the Ridge between the houses of H. Heath and Le Buff [Boeuf]". The "Ridge" was the high ground running slightly south of east from the top of the bluffs at False Narrows toward Thompson Point, so "the foot of the Ridge (south side)" was somewhere near the "Maples"; there is a year-round free-running spring there... But, should only one schoolhouse be built, the majority agreed that it should be erected in "the neighbourhood of Rock Creek" (i.e. Stoney Creek)." (7)

False Narrows was the site of an important seasonal village visited by Snunéymuxw families after their winter stay at Departure Bay and Nanaimo Harbour. One of the principal reasons they visited the area was to fish the rich waters around False Narrows and Gabriola Passage for salmon and cod. The camas bulbs collected during the spring months at False Narrows were an important food for the Snunéymuxw. Common camas, *Camassia quamash*, is a member of the lily family which grows on grassy slopes in meadows at low to middle elevation. Shellfish was another important reason to visit False Narrows. The clam bar there, is one of the largest in the area. The indigenous clams - littleneck, butter clam, horse clam, and cockles, mussels, crabs, moon snails, native oysters, whelks, and sea urchins were plentiful. Ducks and deer were also plentiful in the area. Deer, the most important land animal to the Snunéymuxw, were plentiful on the bluffs behind False Narrows. (5)

Gabriola is rich in natural resources which have prompted several industries to develop in the last 150 years. A sandstone quarry near Descanso Bay supplied dimension stone for major buildings in Victoria and Vancouver. Later in the 20th century, the old sandstone quarry was used to produce millstones for use in pulp mills. There was also a substantial ship-building industry in Silva Bay. Islanders also found employment logging, fishing, and after the ferry service was started in 1931, the tourist industry. Farming and market gardening continued and continues to be a significant part of the island's economy.

The Gabriola Island Shale Product Company located at the east end of False Narrows, manufactured and exported bricks, between the mid 1890's and the early 1950's. A report of the Minister of Mines in 1918 stated that the Gabriola shale deposit being worked at that time belonged to the "bottom part of the Northumberland Formation of the Nanaimo Series". The report notes that shales on Gabriola have been described as "grey, sandy" but that "the shales on the property of the Gabriola Island Company are bluish and brownish in colour and in actual commercial practice show good plasticity..." Besides having suitable clay, it was essential to have a good supply of water. Fortunately, there is a seasonal creek that runs into the sea at Brickyard Beach, and the shale underlying the low-lying surrounding area makes good groundwater aquifers. (6)

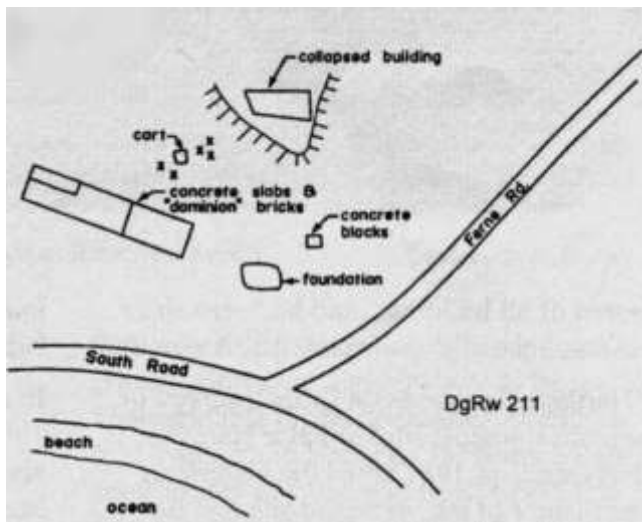


Figure 29: Brickyard site in 1987, Shale 15



Figure 30: Brickyard at Brickyard Beach, Courtesy of Sheila Bradley

The Snunéymuxw village at False Narrows

Gabriola is part of the traditional territory of the Snunéymuxw First Nation. These Coast Salish people have lived on Gabriola for over 3,000 years and have left more than 100 archaeological sites including shell middens, petroglyphs and burial sites.

There are sites of several villages on the islands, but the site on Gabriola at False Narrows (now El Verano Drive) and on Mudge Island opposite is the site of an especially large and important village.

In historic times, the Snunéymuxw used this village as a seasonal resource site during the early summer months, but archaeological evidence reveals that before contact with Europeans, it was also a more permanent winter village and a burial ground.



Figure 31: 1850's Snunéymuxw people

The place is called Tle:ltxw (rich or special place). The longhouses were right along the beach where the houses are now. Graves were also along the beach. Archaeologists can attest to the significance of this site as a burial site. More than a hundred individuals have been recovered from the area and it is estimated that at least five hundred more people remain buried there. This may be the largest prehistoric burial site in British Columbia. Snunéymuxw Elders remember that in their lifetime burials were visible on one side of False Narrows near Brickyard Beach. Elders also recall the village at False Narrows; when they visited the island during the summer, they stayed in small wooden shacks built amongst the maple trees, or they camped in tents along the beach.

It is difficult to know how many people may have lived in the False Narrows village. Pre-contact population numbers point to 5000 Snunéymuxw people in 1775 as being a reasonable estimate. An early census by the Hudson's Bay Company indicates that the population declined to approximately 1000 people by 1839. In 1876, the Indian Reserve Commission enumerated the Snunéymuxw population at 223. Today the Snuneymuxw First Nation has two reserves on Degnen Bay. Through the signed Protocol Agreement, Snuneymuxw and the Islands Trust have established a relationship of mutual respect and cooperation with respect to planning, land use management and heritage conservation. (5)

The first European pioneers

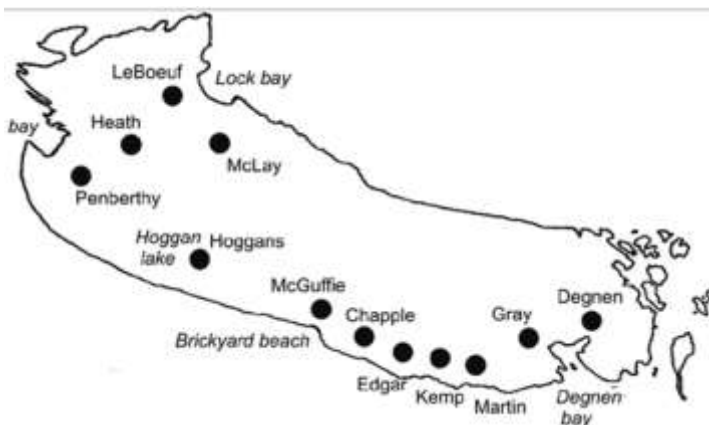


Figure 32: Approximate location of settlers in the 1870's (Shale 28)

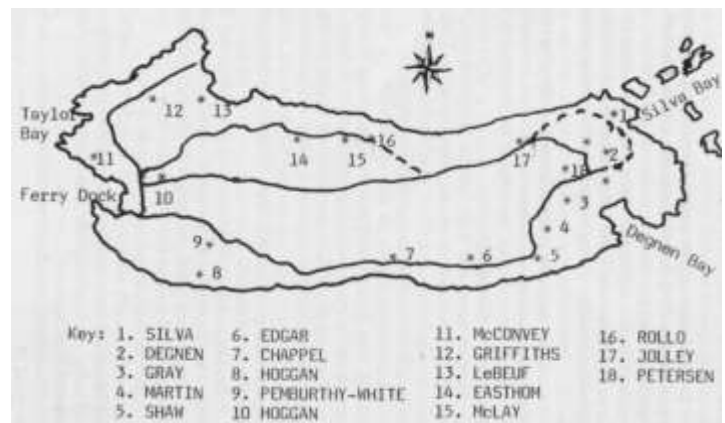


Figure 33: Approximate location of settlers before 1900 (Harrison)



Figure 34: South-east Gabriola settlers' map of 1883 with Community Hall indicated with a red dot (Community Hall exhibit)

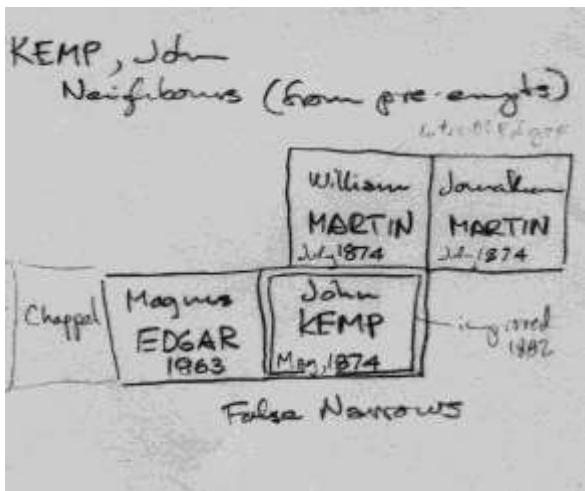


Figure 35: 1874 John Kemp's pre-emption lot (Gabriola Archives)

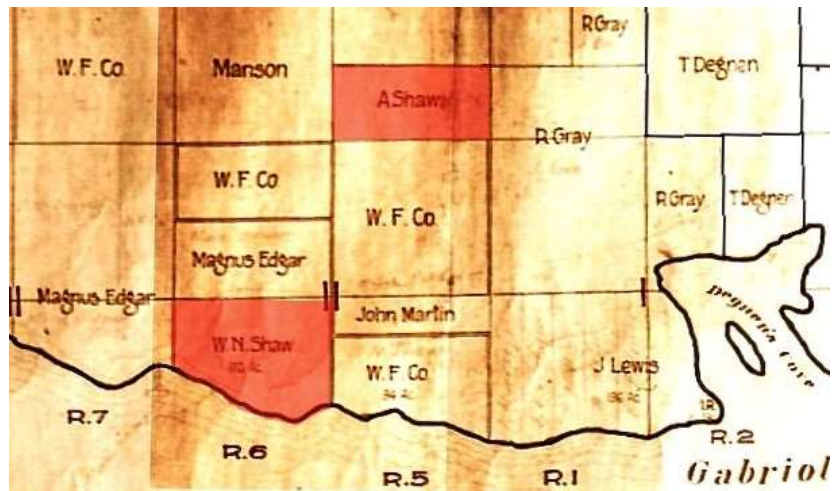


Figure 36: Partial 1880's Settler's pre-emption map showing Alexander Shaw's and William Nairn Shaw's properties (Gabriola Archives)

NB: Please note that John Kemp does not appear on fig. 33 and 34, only on Fig. 32. Neither Alexander nor William Nairn Shaw appear on fig. 32, Alexander appears on fig 34 and one of the Shaw appears on fig. 33. Both William Nairn and Alexander Shaw appear on figure 36 but not Kemp. Alexander Shaw arrived on Gabriola in 1879 and left in 1888.

Alexander Shaw donated the land for the South School but we are not sure when; he arrived on Gabriola in 1879. Forty years later William Nairn gave land for the construction of the Community Hall, part of the same land as that previously owned by Alexander Shaw. The two Community Hall lots are adjacent to each other. The two "Shaw" families were associated with the same piece of land. It appears from Figure 36 that W.N. Shaw owned the land of Alexander Shaw from figure 34, unless it is a recording mistake. The Gabriola Archive's caption of 1880's is probably wrong since W.N. Shaw arrived after 1901; the original copy of this map does not have a date. It is possible that Alexander Shaw on figure 36 was the son of the Shaw senior.

Harrison credits John Kemp as the donor of the school property; according to Jean Barman, Kemp arrived on Gabriola around 1868. Figure 35 indicates that his pre-emp registration was two years after the school was built. It appears that Kemp donated part of his pre-emp option which he may have later owned. John Kemp was born in 1835 in Kent, England and died in 1889; his wife Lucille from Cowichan was born in 1850 and died at the age of 35, in 1882.

Members of the Spanish Navy were the first Europeans to visit Gabriola. In 1791, an expedition led by the young naval officer José Narváez visited the island. The east end of the island was subsequently named "Punta de Gaviola" and this name eventually was applied to the whole island, the "r" being inserted by mistake by a Royal Naval cartographer. The name "Gaviola" is likely in honour of Simón Gaviola y Zabala who was a high-ranking naval administrator and member of the nobility from the Basque country in Spain. The locals of Nanaimo referred to the island as "The Big Island" until the first European arrived here.

Vancouver Island Governor James Douglas introduced the pre-emption process that divided Gabriola into privately owned land holdings. Douglas subsequently introduced a Land Registry Act in 1860 that allowed individuals to pre-empt up to 160 acres of Crown land on Vancouver Island simply by making improvements such as clearing fields or building a cabin. First Nations people, including the Snuneymuxw, were prohibited from applying for pre-emptions. Within a few decades, except for two tiny Snuneymuxw reserves, Gabriola was carved into approximately 100 privately-owned pre-emptions. (16)

The first pioneers settled on Gabriola Island during the 1860s. According to June Harrison's account, Robert Gray and Thomas Degnen had moved to the island from Nanaimo around 1863. They were Irish immigrants determined to leave behind the harsh conditions of coal mining to become farmers. They both settled on the South shore of Gabriola, referred as Lower Island then, on the two sides of Degnen Bay. At about the same time, Richard Chapple came over to pre-empt land. Magnus Edgar and Thomas McGuffie had arrived the previous year, also leaving the mines. Jean Barman estimates that Henry Heath was on the island by 1866, and John Kemp by 1868. All these men married Aboriginal women. (1)

The Nanaimo Free Press of May 9, 1874: “many who see these grey beetling cliffs facing Nanaimo might think it inhospitable, barren island with nothing but gloomy pine trees on its surface. But this is not so, and though not above seven miles on its longest line, two or two and a half on its broadest, there are many patches of rich swamp and alder bottom. It contains no less than nineteen settlers: Messrs. Degnen, Dick, Gray, Martin, Martin, Kemp, Edgar, Chapple, McGuffie, Eastthom, Hoggan, Hoggan, McLay, Hall, LeBoeuf, Goss, Caulfield, White, and Heath...” (Edited from Aitken)

A sure indication of the importance of the “Lower Island” as a community magnet is the location of its cemetery. The Gabriola Cemetery includes the grave of the earliest settlers, such as the Degnen family, the Gray family and many other of the same era. The land for the Cemetery was given by Magnus Edgar. Edgar was born in Tingwall, Shetland, Scotland, in 1837. In 1874, he became a farmer on Gabriola, “acquiring a splendid piece of property” now known as “The Maples”. (16)



Figure 37: Gabriola Cemetery with W.N. Shaw's graves in C5&6



Figure 38: Gabriola Cemetery with oceanfront on False Narrows

For those living in isolated communities, the arrival of the mail was often heralded with excitement. The mail was the living proof that all was well in the outside world. The story has it that Thomas Degnen, one of the early pioneers to settle on the southern shores of Gabriola, brought mail in his canoe from Nanaimo. There were few letters and some newspapers, all welcome news for the settlers. Robert Gray, a stalwart pioneer helped to bring the mail from Nanaimo. He too, with his boat, would carry letters and packages to the neighbours. In 1884, Alexander Shaw Sr. signed a contract with the Government for the mail service to “Gabriola Island and Wharf”. Shaw would also row to Nanaimo to

pick up the mail. The northern end of Gabriola looked after its own mail. Shaw remained post master until 1886. When he resigned, the contract was passed on to his son Alexander Jr. from 1887 to 1890. James Gray, son of Robert was post master of Gabriola from 1890 until 1895 and from 1907 until 1930.

From 1895 to 1906 James Degnen was duly registered with Canada Post. James Gray would pick up the mail at the Government Wharf from the popular ship, “the Iroquois” and bring it to his house. The Gray’s house was located at what was then the end of the mail route; the intersection of South and Martin Rd is still referred to as the Gossip Corner, for informal gatherings of settlers while waiting for the mail. Mail boxes here served everyone from Degnen bay to Silva Bay. (1)



Figure 39: 1914 Post office at the Gray Home (Courtesy of E. Gray)



Figure 40: Waiting for mail at Gossip Corner, South & Martin Rd

During the 1920s, small lot subdivision activity for cottage sites began on Gabriola. Uncontrolled land subdivision continued until 1969 when the Provincial Government imposed a “10 acre minimum parcel size” on any island in the Strait of Georgia. In 1974, the Islands Trust Act was enacted and in 1977 gave control over land use decisions to locally-elected Island Trustees with the mandate to “preserve and protect” the Trust area.

The Gabriola Island wharves and roads

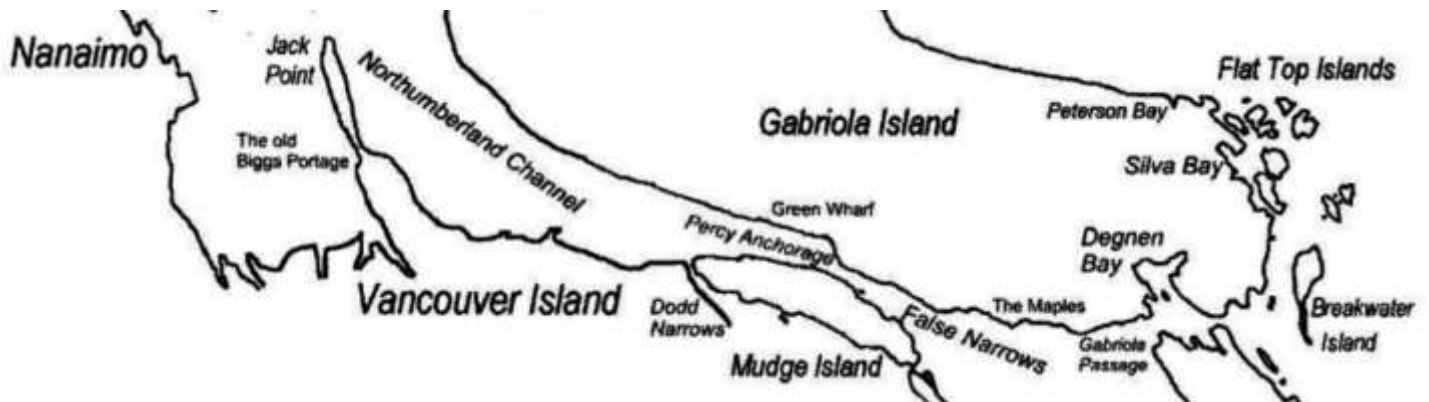


Figure 41: The South end wharves: the Green Wharf, the Maples dock and the Degnen Bay Government Wharf (Shale 21)

Islanders rely on public wharves to travel and move their goods to market. The first public wharf on Gabriola was built on the south side of the island at the Percy Anchorage in the Northumberland Channel, which is at the western entrance to False Narrows. It was known officially as the Gabriola Wharf, but islanders knew it as the Big Wharf, the Government Wharf, or simply The Wharf. Names like Centre Wharf and Green Wharf came later.

Prior to government involvement, the roads connecting the south (east) and north (west) ends of Gabriola and the various private wharves were rough trails. In the 1870s, the scattered residents were seeking government money to improve them.

In 1878 the Land and Works Department invited tenders “up to June 3rd for the construction of a wharf on Gabriola Island at the upper end of False Narrows, abreast of Dodd Narrows”. The location of the wharf had no doubt been an attempt to reconcile the conflicting needs of those at the south and north ends of the island, and the need to provide a convenient landing place for mail steamers travelling between Nanaimo and Victoria. The road down to the new wharf was steep and treacherous. Worse, already in 1879, we read in the Nanaimo Free Press that, “the wharf...is reported to be in a very dilapidated condition”.



Figure 42: Green Wharf at False Narrows and view of Mudge Island



Figure 43: Looking west at Coates Wharf and Log Booms

Serious complaints continued about the wharf's state of repair and location for a couple more years, and on September 5, 1883, the Nanaimo Free Press reported: “Mr. Raybould, M.P.P., Mr. Bray (Asst. Commissioner of Lands and Works) and Mr. S. Price (Road Superintendent) visited Gabriola Wharf on Saturday in the steamer Nellie Taylor. They chose as the site for the proposed new wharf, a spot about 200 yards nearer this city than the present location. By this change a better wharf can be constructed and an approach easily made.”

The wharf was quickly built in its new location—well before the specified completion date of November 15, 1883. It is interesting to read the other specifications of the building contract—for one thing, it was to be “300 yards west of the present one”, not 200 yards as reported in the newspaper. It actually ended up being 260 yards [0.24 km] west, with the terrain calling the shots. The relocated wharf quickly developed its own troubles because marine worms rapidly attacked its piles.

Within living memory, Gabriolans and Mudge Islanders have always called the landing in the Northumberland Channel, “Green Wharf” or “Green's landing”. The most likely explanation for the wharf's name is that it took the name of the man who was the province's Chief Commissioner of Lands and Works just after the turn of the century: Robert (Bob) Francis Green (1861–1946).

Since 1978, the Coats family has a significant private wharf a kilometre or so west of Green Wharf, opposite Dodd Narrows, nestled amongst the log booms at the foot of the sandstone cliffs below Hoggan Lake. When the ferry was unavailable for emergency medical transportation to Nanaimo, the Gabriola ambulance often had to use the long rough road down to Coats Wharf before the official emergency dock was built in Descanso Bay. (3)



Figure 44: 1975 map of Lot #1 pre-emption by Thomas Degnen, now Belvedere Farm



Figure 45: 1932 a) Government Wharf, b) Degnen, c) Taylor (Martin), d) Gray e) Lewis

Thomas Degnen was about 30 years old when he came to Gabriola. He and Robert Gray were both Irish immigrants who had rejected the life of coalminers in Nanaimo, and both acquired good farming land with access to the waters of Degnen Bay. Thomas Degnen wasted no time in finding a solid dugout canoe, purchased the worthy craft and brought it to Gabriola. This craft proved to be a boon to the farmers, and Degnen would call along the shore to pick up neighbours and their goods. Much of the shoreline of Degnen Bay is gently sloped and would have allowed easy canoe launch and landing—no need for an elaborate wharf at first. The journey from Nanaimo apparently took 4 or 5 hours.

By 1871, Thomas Degnen had acquired a more substantial boat—the Patsy I. At this time, there were 18 settlers on Gabriola, many with large families, no doubt very grateful for a less precarious mode of transport than canoes and scows; there is evidence that Degnen had a wharf at Degnen Bay. Thomas Degnen's great grandson Gordon McDonald told me that his family's original wharf was tucked into the protected northeast corner of the bay, below their house. He says that the ramp sloped down near the petroglyph carved into the sandstone.

The stories about old mail services indicate that boats were coming into Degnen Bay throughout the 1870s and 80s. It is not clear when public money was first used to build or maintain wharves at Degnen Bay, but there must have been a pretty substantial public wharf there in the mid-1890. There certainly was a fairly substantial wharf at the Degnen farm end of "Dingman Cove" in the 1930. Steamers sometimes came into Degnen Bay in the 1890s. In 1929, the federal government installed a wharf at the north-easterly end of Degnen Bay, and the road leading to the wharf was upgraded.



Figure 46: Steamers at the Government Wharf, Gab Museum



Figure 47: 1930 waiting for the ferry at Degnen Bay, Gab Museum

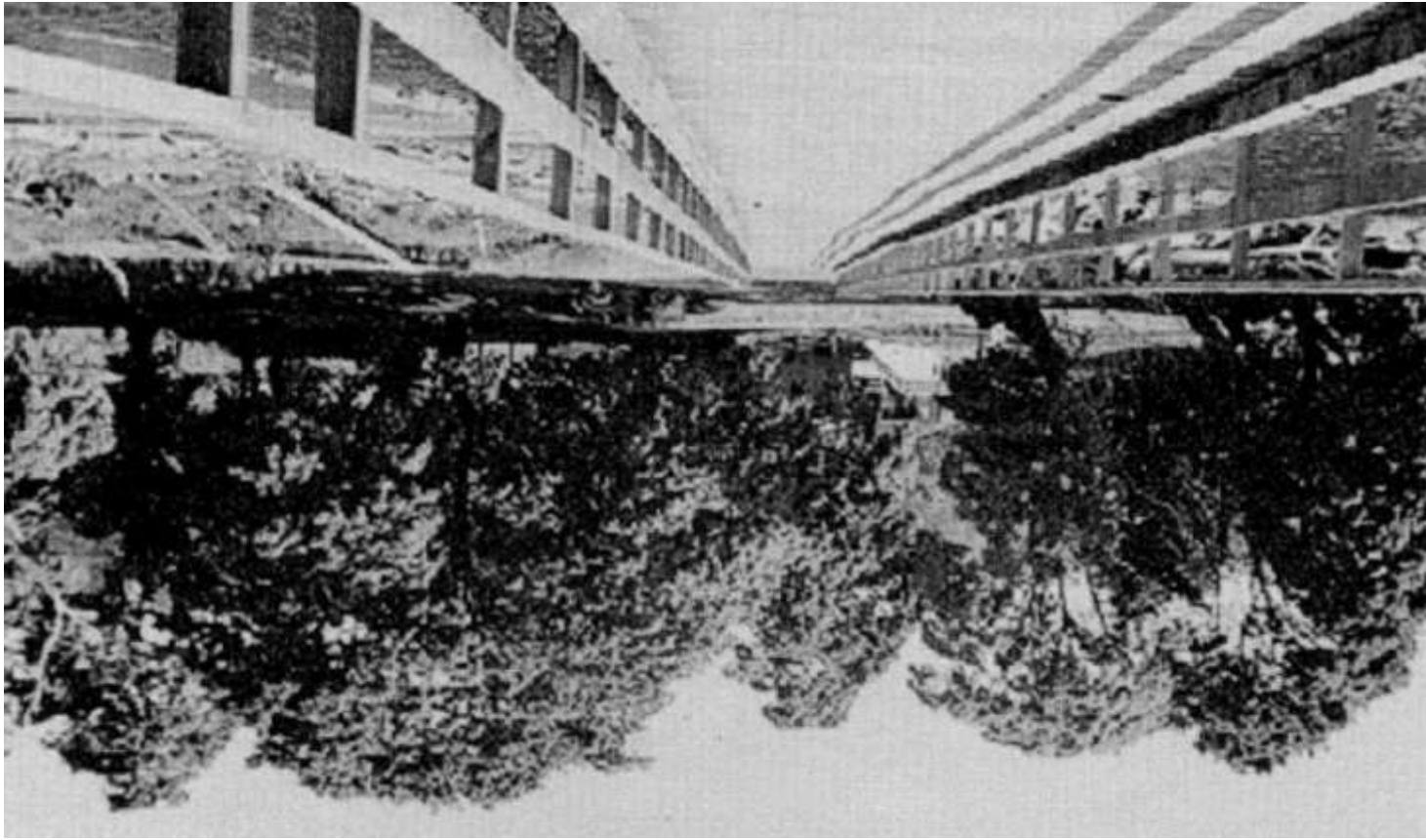


Figure 48: Dock at the Maples with Peggy Lewis Imredy's house circa 1930, Community Hall and South School beyond (3)

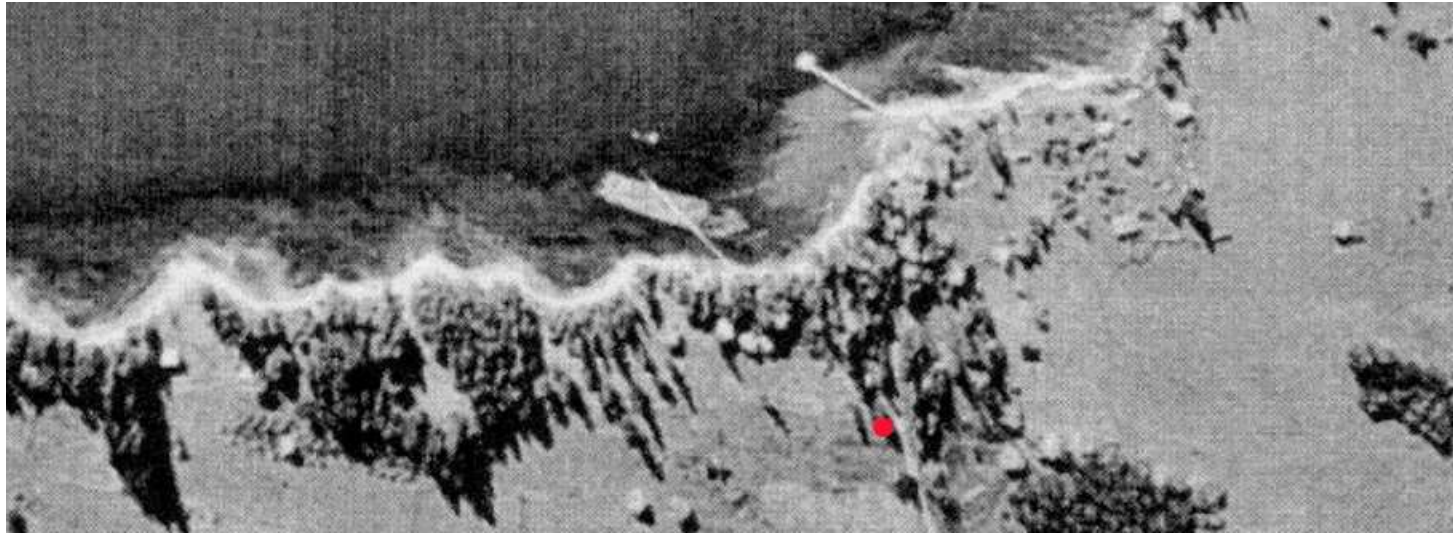


Figure 49: The Maples public dock in 1951, old Community Hall indicated with a red dot (3)



Figure 50: The "Maples" landing today



Figure 51: The "Maple" landing today

At the southeast end of False Narrows, at the foot of the hill near the Community Hall is a shallow bay locally known as the Maples where a well-used wharf was once located. We don't know when it was first built, but June Harrison writes: "The wharf at the Maples had been discussed as far back as 1894 as a suitable landing and docking area for a larger boat and the ranchers at the south end were anxious that something better be done for their needs."

The area was named for several large maples on the point. Some of the trees now standing may have been growing when the first settlers came. The growth of large maple trees have extended to the Community Hall property and still stand today. The shore there is suitable for wharf construction, so it seems likely that the early landowner would have constructed one; however, the pre-emptor of the land in that area was Magnus Edgar. (3)

In 1891 the Nanaimo Free Press reported: "Picnic on Gabriola at the invitation of the Lower End Settlers, all the settlers of Gabriola Island have been invited to a grand picnic to be given at "The Maples," (Mr. Magnus Edgar) a beautiful spot on the banks of the False Narrows. A gala time is expected, as all are entering into the reunion with earnestness and in a jovial spirit."

Bigleaf maple, *Acer macrophyllum*

The largest maple in Canada, reaching heights of 36 metres. When it grows in the forest, it develops a narrow crown that is supported by a stem free of branches for half its length. Those growing in the open have a broad crown which is supported by a few large, spreading limbs. Leaves are deeply five-lobed and are the largest of any maple in Canada, measuring 15 to 30 centimetres across. They are shiny, dark green on top and paler underneath; and turn yellow in the fall.

It is restricted to the southwest corner of British Columbia at low to mid elevations. It commonly occurs in mixed groups of trees with red alder, black cottonwood, Douglas-fir, western red cedar, and western hemlock. Some old trees such as the big-leaf maple (*Acer macrophyllum*) that now grow in isolation, or in small stands, were also once members of the forests of Gabriola.

Coastal peoples used Bigleaf maple wood to make dishes, pipes and hooks for clothing. Many groups who made paddles out of the wood called it the paddle tree. They used the inner bark to make baskets, rope and whisks for whipping soopolalie berries.



Some of the roads surrounding the Community Hall (12):

- South Road: There is no record of the naming of South Road. It is the road that skirts the southern side of the island and was the first route on the island, presumably linking the properties of the first settlers at first and then developed as narrow dirt road to eventually becoming the road we know now. .
- Shaw Road: The road was named after Alexander Shaw, early settler and education pioneer. Its intersection with South Road is located south of the Community Hall and runs along the back of the private properties located on the “Maples” landing.
- Degnen Road: This road crosses the island from North Road to South Road near the Community Hall. It is no longer in use. In the early 1900’s children used it to get to the South School and as access to logging roads. As the North and South Roads became more organized, and since no one was living in the inner part of the island, it fell into disuse.
- Garland Road (Avenue): Doug and Paloma Garland, of Victoria, bought the last of the Poyner property and subdivided it. This, the main road in the subdivision, is named for them. Garland Ave runs north along the west side of the Community Hall.

The South School

It was around 1870 that the families on Gabriola first saw the need for a school. On July 1, 1872, the Superintendent of Education visited the island from Victoria and noted that the population of school-age children was fifteen. Shortly after, the Provincial Secretary declared Gabriola and Mudge to be members of a newly-created Gabriola School District. However, because settlements on Gabriola were located at opposite ends of the island, it was difficult to select a site for a school that was convenient for all the children to attend. After much discussion, it was decided to build near the Maples, on the site of the present-day Community Hall, on the south side of Gabriola.

Following the School Act, the Gabriola electors assembled and elected temporary officers. These were Magnus Edgar as Chair and Richard Norris as Secretary. The electors then went on to vote for three trustees. Elected were Thomas Degnen, Thomas McGuffie, and Henry Heath. Of the three, two were from the south end of Gabriola, and the third, Heath, was from the north end.



Figure 52: The enlarged South School built in 1890 as it was shortly before being demolished almost a century later. In the 1970's the building was used as St Martin's Anglican Church (photo Judy Preston)



Figure 53: Children attending the South School in 1908 on the steps of the School with the teacher's residence in the background (Shale 11) Corrected caption

John Kemp donated part of his pre-emption land, which he did not yet own, to build the school. The government then funded the building of the first schoolhouse on Gabriola. It measured 16 by 18 feet, and was made of wood. A teacher could not be found immediately, but on October 1, 1873, an American, John E.L. Seneker, was appointed to the job at a salary of \$50 per month. In the summer of 1876, a teacher's residence was built beside the school and other improvements were made to the school itself; there were seventeen children attending. It is only once the first legal owner of the Kemp parcel that the donation of the school lot was carried through, probably as a condition of Shaw's pre-emption option, sometime after 1879. Alexander Shaw's name appears on legal transfer as the original owner of the School property.

At the start of the new academic year in August 1879, the school failed to open. The South School, and at that time Gabriola's only school, was re-opened in 1881 with Alexander Shaw Sr. engaged as teacher. This extraordinary man owned a farm across the road from the school. One can presume that Mr. Shaw was greatly saddened and disappointed to see the little schoolhouse, which lay in plain view from his farmhouse, sit empty for two years running, while the local children went uneducated. And with nine children of his own, he no doubt had an interest in seeing to their education. Mr. Shaw continued to teach at the school until 1888, occasionally aided by his son, Alexander Jr.

In 1889, the year of the closure of the North School, the South School had an enrolment of eighteen students. The following year, a larger school was erected at the south end. The new school measured 24 by 36 feet, three times as large as the original building! The old school according to a document found in the Gabriola Archives, was turned into a stable for a while but was eventually demolished.

Amalgamation came to the Gabriola schools in 1936. It was decided by the Department of Education that the island would be better off with the higher and lower grades taught at two different schools. The primary grades were taught at the North School and the subsequent grades at the South. In 1954, a new site was chosen for the school. The South School was closed permanently, and 11.2 acres was awarded from the Crown to build a new one-room school at the present site of the Gabriola Elementary School. The South School became St. Martin's Anglican Church. (4)

Records show that as far back as 1900, a Presbyterian minister came from Ladysmith to hold small family services at the school at the south end of the island. In 1912, Mr. James Gray gave a piece of land upon which to build the United Church, where the building still stands today at the South and Thompson Road intersection. As for the Anglican congregation, the South School building which it occupied had no electricity and was costly to heat; it became a difficult building to maintain and was used less and less. By the late 1940's the services of the Anglican Church were held by agreement with the United Church, so that the last Sunday of each month saw Anglican worship at the little United Church at the south end. By 1951 Anglican services were held at the Community Hall and the Agriculture Hall, and then at the Surf Lodge. In 2005, after many years of worshipping in the same building, St. Martin of Tours Anglican and Gabriola United Church became a shared ministry, with a new name, the Christ Church. The South School was demolished in 1988. (1)



Figure 54: Four windows of the old South School (Gab Museum)



Figure 55: 1909 Election; voters on the steps of the South School with the teacher's residence at the back (Shale 28)

The first Community Hall 1913-1979

When a group of Gabriola's earliest citizens met at the South School on May 31, 1913, a Gabriola tradition began that is still active to the present day; namely, providing a Community Hall for the island. At the time, the stated purpose of the meeting was to organize a Social Club for "mutual purposes". The representatives elected were J.W. Jolley president, J. Gray vice president, and C.B. Hobson secretary/treasurer. Also elected was a Board of Trustees for a building lot, to be donated by Mr. W.N. Shaw. These were J.W. Jolley, W.N. Shaw, and M. Edgar.

At the meeting of February 10, 1914, there was a proposal to build a hall, 30 x 60 x 16 feet, on land donated by Mr. William Nairn Shaw. This is where the present Community Hall stands today and it adjoins the school property. A building committee was appointed and an estimate was to be presented the following week. Mr. Degnen and Mr. Silva volunteered to bring the required lumber in on the brickyard scow. Mr. Shaw was asked if he was giving land with sufficient room for the building, and, as the remaining three-cornered piece of land was of no use to him, he said he would donate that along with the original parcel. This is where the playground is now located.

When World War I was declared in August 1914, some Gabriola men went overseas to serve. The original Hall was completed approximately in 1917. On November 8, 1919, a committee was appointed to draft a Constitution for the government of the Hall. A Basket Social and Dance was planned for November 1 of that year. This was the first of many dances held over the years. There were also New Year's Eve Dances, Fund Raising Dances, Valentine's Day Dances, Thanksgiving Day Dances, a Masquerade Ball, and a Hayseed Dance, with donations of fruit and vegetables to be sold at auction. In June 1920, permission was sought and granted for use of the Hall for a Schoolchildren's Dance. It was also decided that a social function of one kind or another would be held twice monthly at the now named South Gabriola Public Hall, and that a piano be bought.

Permission was given October 20, 1920, for the Hall to be fixed up for games. It was also suggested that an Athletic Club be formed and, on October 26, a request was granted to the Zig-Zag Sports Club for the use of the Hall, two evenings per week at five dollars per evening. During these years, there were many requests for the rental of the Hall. The Deputy Returning Officer for Gabriola South was granted its use for the December 1, 1920, election, at a cost of five dollars.

In November 1921, a letter was sent to Gabriola Shale Products asking for a donation of bricks for two chimney flues. In his reply, Mr. W.D. Campbell of Gabriola Shale Products stated that the company could not see its way clear to donate sufficient bricks for the erection of two flues until clear deeds were obtained to the parcel of land. Once these were obtained, the Company would be pleased to give the bricks required for the heating system. This was done right away. One dollar was paid to W.N. Shaw for the legal conveyance, and six dollars to the Land Registry Office. Safeguards were built into the deeded land to ensure that it stayed in the hands of the community and be used for a community centre.

In December 1921, the Board discussed "building room for kitchen" and noted, "School Trustees to be asked for use of lumber of the old house (presumably the teacher's residence) on school property". There was a request in December 1925 for use of the hall for the school's Christmas tree and this was granted. During the mid-1930s, the Athletic Club seems to have been the most active group, and the officers of the Athletic Club were adopted as the Executive of the Hall. This continued throughout the rest of the thirties with the Athletic Club holding their badminton nights twice weekly, on Mondays and Thursdays.

In February 1941, a meeting was held to discuss the re-roofing of the Hall. A house-to-house canvass of South Gabriola was made to raise funds so that the roof could be installed in the summer of 1941. At the November 24, 1944, Annual General Meeting, it was moved that a chimney be built on both sides of the Hall. The building was insured Canadian Home Assurance then for \$2000 and the contents for \$300 at a cost of \$41.40 for three years. The insurance was increased in 1952, to \$5000 at a cost of \$90 for three years. In 1946, the hall was used during noon hours by the children to play badminton, on condition that children were supervised, running shoes were worn, and children refrained from touching lamps.

In 1946, it was decided that the Hall Committee purchase an electric light plant. This made it possible to show movies, and these became a regular Thursday night event. In 1952, there was a further advance with the rental of movies in Technicolour. In 1954, there was a discussion about giving the membership and ownership of the South Gabriola Public Hall to all Gabriola residents. A special meeting was to be called to change the constitution. (2)

The role of the Hall within the community was also influenced by a wave of Hippies moving to Gabriola in the 1970's. The South End was a prime destination for the free spirited crowd, because of modest cost of land and its availability particularly in the Coho Drive neighbourhood. The Hippies involved themselves in the Community Hall activities at an early stage and continued to do so with the building of the new Hall. (24)

Although the Hall took some preventive measures, it was completely destroyed by fire in June 1979. The investigation into the cause of the fire was inconclusive.



Figure 56: Badminton at old Community Hall Shale 22



Figure 57: 1979 The old Community Hall on South Road (Gab Archives)
Notice how close to the road the building sits



Figure 58: The South Gabriola School on the left with the old Community Hall on the right., photo taken from teacher's house, Shale 22

The first Shaw Family: Alexander, wife and children



Figure 59: Alexander Shaw, 1880's

Alexander Shaw was born in Ayrshire, Scotland in 1833, and was an only child in the Shaw family. He left school when he was fourteen years of age and found a job at one of the warehouses in Manchester City. While very young, he married Ann Royan and within two years had two sons. His interest in education for his children, and for better working opportunities for himself made him restless, and he prepared to leave England. He managed to obtain a passage on a sailing ship bound for Canada in 1870 and eventually arrived in Ontario. He worked on the building of the railroad and followed the rail west. Since arriving, he learned telegraphy and was made operator for the Canadian Pacific Railway in Yale.

Shaw moved with his family and arrived on Gabriola Island in 1879. His family had grown to eight children by then, and another was soon to be born. He set to work in the same dauntless way which was so characteristic of him. The Shaw land, not far from the Edgars and Martins, was cleared and a home built for the family. The farm prospered with beef cattle and pigs being raised and sold to bring in much-needed income for the large family.

Alexander Shaw Sr. donated a part of his land on which the South School of Gabriola was built. He was engaged as teacher at the South School in 1881. He owned a farm across the road from the school. He was farming a 12-hour day when he decided to become a teacher. In 1888, when many of the pioneers on the island were just beginning, Alexander Shaw decided to leave. He moved to Nanaimo and, although reaching toward his middle years, he was looking ahead to new ventures. (1&14)



Figure 60: John Shaw in 1914, Nanaimo Community Archives

July 1937 obituary in the Nanaimo Free Press:

John Shaw, one of the best known pioneer educationists of British Columbia and former Mayor and alderman of Nanaimo, passed away... The late Mr. Shaw was born in Manchester, England of Scottish parents and would have been 74 years of age on Sunday next. As a young boy Mr. Shaw came to Canada with his parents, the late Mr. and Mrs. Alexander Shaw, where they settled in Ontario for six years, and where Mr. Shaw received his early education. The Shaw family eventually came to settle at Langley Prairie, B.C. in 1878, following a short residence at Yale, B.C.

In 1879 the family moved over to Gabriola Island. At this place there were no school facilities for the large family of children and so Mr. Alexander Shaw Sr. educated himself, and in turn passed on his newly acquired knowledge to the children. In 1882 the elder Shaw built a small rowboat and in company with his sons John and Alexander and Mr. James Gray, still residing on Gabriola Island, rowed to Victoria where they all passed their teachers' examinations. In the same year John Shaw started his long career of educational work, at the age of 19 ...

The John Shaw High School was named in honor of the late educationist. John Shaw was elected to the aldermanic board of Nanaimo four different terms. In 1912 and 1913 Mr. Shaw was elected Mayor of Nanaimo for two of the most turbulent years in the history of Nanaimo... In Masonic circles the late Mr. Shaw was one of the best known members of the craft. In 1917 and 1918 the highest honor in provincial Masonry was bestowed upon Mr. Shaw when he was elected Grand Master of the B.C. Grand Lodge, A.F. & A.M. (25)

The second Shaw Family; William Nairn, Euphemia Temple, and children

William Nairn Shaw donated the land to build the Community Hall in 1913 and additionally, he gave the pointed tail of the property, in 1914 for the playground. Shaw was born on May 15, 1862 in Fife Scotland. His father was Joseph Shaw, born in 1831 in Derry, Ireland, and his mother Cecilia Nairn. Shaw arrived in Canada in 1883, and returned to Europe temporarily to marry Euphemia Temple Hunter on March 21, 1892 in Perth, Scotland. He died in Nanaimo in 1950, and was buried on Gabriola. Euphemia was born on January 1859 in Clackmannanshire, Scotland, immigrated to Canada in 1892, shortly after her marriage; she died in Victoria December 9, 1956. They raised three children on the island Cecilia Valence Nairn Shaw (1884-1990), Jean Hunter Leaper Shaw (1896-1960) and Joanna (or Anna) E. Shaw (1899-). Their second child was born in 1893 and died the same year.

His name and those of his wife and three children appear in the 1901 Census as living in Nanaimo. Shaw and his family eventually settled in the south end of Gabriola. He served on the School Board on Gabriola keeping the school in good order. Shaw also donated the land to build a Community Hall and to this day, the land is referred to as “the old Shaw Estate”. The children went to school here and were regarded as excellent students. (1&14)

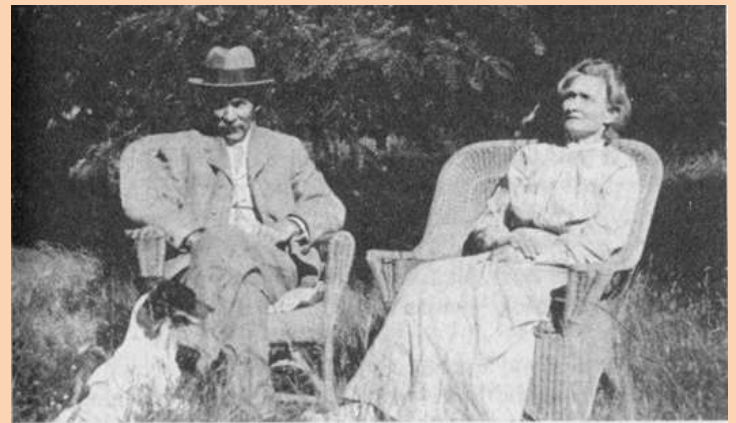
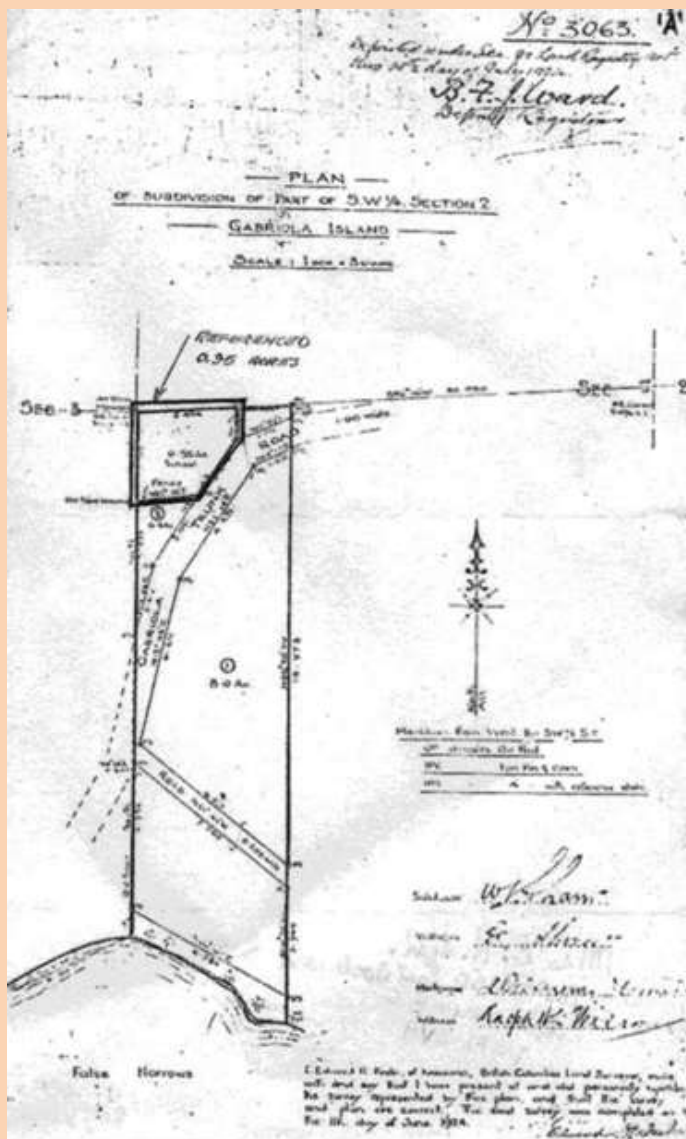


Figure 61: William Nairn and Euphemia Shaw (from June Harrison's)

“As late as 1930, people at the south end were apparently still dependent on the Gray or Deggen families for transportation to and from Nanaimo. In a letter petitioning the authorities for improved boat or ferry service, on February 16, 1930, Mrs. Euphemia Shaw wrote about their difficulties, saying, “we have only one boat a week from this end and that is through the kindness of Mr. James Gray”.

From Jenni Gehlbach's in Shale No 27 (3)

Figure 63: Survey of parcel in favour of William Nairn Shaw from 1924. The land was apparently previously occupied by John Kemp, and owned by Alexander Shaw and/or by Alexander Shaw Jr. as well. The school property is clearly identified in the upper left corner of the parcel (thus not included), after William Nairn donated the triangular parcel to the Community Hall in 1913; and before the upper right corner bit of land was zoned residential. South Road is identified as “Gabriola Trunk Road” and Shaw road is not named. Survey map from 2016 Owen Friesen's paper

2.3 Building history and chronology:

The current Community Hall

Immediately after the fire, in July 1979, the Board of Directors convened to discuss rebuilding the Hall. Fundraising to build a new hall began that very summer at the Annual Salmon Barbeque. Public meetings were held to get a feel from the community just what was needed in rebuilding the Hall. Then in 1981, a designer was hired and, using the small amount of money from the insurance claim and money donated by the community, a design that the community could afford was decided upon. Under Bylaw 39, a building permit was granted in March 1981, but there were further obstacles along the way. In the meantime, directors started negotiations with the School Board in February 1980 regarding leasing the adjoining 0.9-acre site. This was ratified in October and the land is now the hall's parking lot and landscaped grounds, leased then at one dollar a year. This area continues to be the site of the annual Salmon Barbecue.

There are two separate titles forming the Community Hall's grounds

- *The parcel that the Community Hall is built on was transferred legally to GICHA in 2006 by Paddy Griffith's law office.*
- *The parcel previously owned by the School Board was transferred to GICHA in 1985 by John Ewert's law office with two encumbrances on title, pertaining to the School Board's right of first refusal and the obligation to maintain community use.*

In order to amalgamate the two parcels, the School Board will have to discharge the two encumbrances so that the property line can be removed. Both parcels are registered in the Victoria Land Title Office and both parcels are registered in GICHA's name. GICHA is the rightful owner of both parcels and GICHA is the registered owner of same at the Victoria Land Title Office.

1985 Title Search Print for the school property, requested by David Brown Attorney marked "current information only - no cancelled information shown" under charges, liens, and interests, Alexander Shaw's name appears as the registered owner of the undersurface rights. See Appendix I



Figure 62: Early 1980's contributions to the construction of the new Community Hall



Figure 63: Construction photos of the current Hall

Final permission to build was not received until September 1982. By October of the same year, pioneer resident Jim Rollo turned the sod to begin rebuilding the Hall for the community. Volunteer workers, funds from a generous estate endowment, money from a Community Recovery grant, and a NEED grant, brought the building to lock-up. From then on the work was done by volunteers and what a heady time that was! Plumbing and electrical work was donated by generous patrons of the hall. The community of Gabriola Island can be proud of the money raised in a door-to-door campaign by Board members to bring the hall to a finishing point.

The opening ceremony took place on August 1984 with Jacqueline Sears cutting the ribbon. She was one of the last members of the Shaw Estate who owned the site and her father had donated the land to be used as a community hall in perpetuity. The usual wonderful Salmon Barbeque followed the opening concert, and a dance ended the evening, christening the beautiful fir floor. (2)

In 1984 a handicapped ramp was added to the front entrance and a kitchen was added on the ground floor of the Community Hall. Also in progress was the completion of the drop-off and parking lot on the newly acquired adjoining school property. Recently a washroom facility for physically challenged patrons was added on the main floor.



Figure 64: 1980's new Hall under construction with adjacent school building, used by the Anglican Church



Figure 65: Summer 1982, Sod turning by resident Jim Rollo

Occupancy and use



Figure 66: Ronnie Hawkins



Figure 67: Roy Forbes

Artists such as Ronnie Hawkins in 1968, and Roy Forbes, in 2000 & 2002, have given concert at the Community Hall; in the old and the new respectively.

Personalities like former premier David Barrett in 2005 have made presentations at the Community Hall.

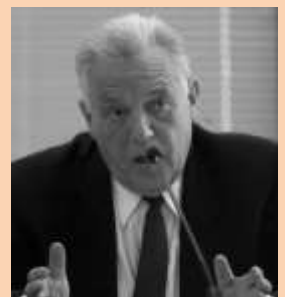


Figure 68: Dave Barrett

The Gabriola Island Community Hall provides a venue for all kinds of community events and activities: a gathering place for the whole island. Community events include sports and games, dances, concerts, movies, plays, book fairs and assemblies, political or social. In addition, the Community Hall building includes a co-operative pre-school with its associated playground. The Hall has been home to the Gabriola Parent Participation Pre-School since its opening to the present time. The 2,500 square foot main hall has been used for badminton and recreation activities, large meetings, small meetings, Gabriola Choir, theatre and many other community events. Every Gabriolan over 16 years of age is a member of the Community Hall.



Figure 69: Film festival



Figure 70: General Meeting



Figure 71: Family Gathering 2009



Figure 72: Family night out

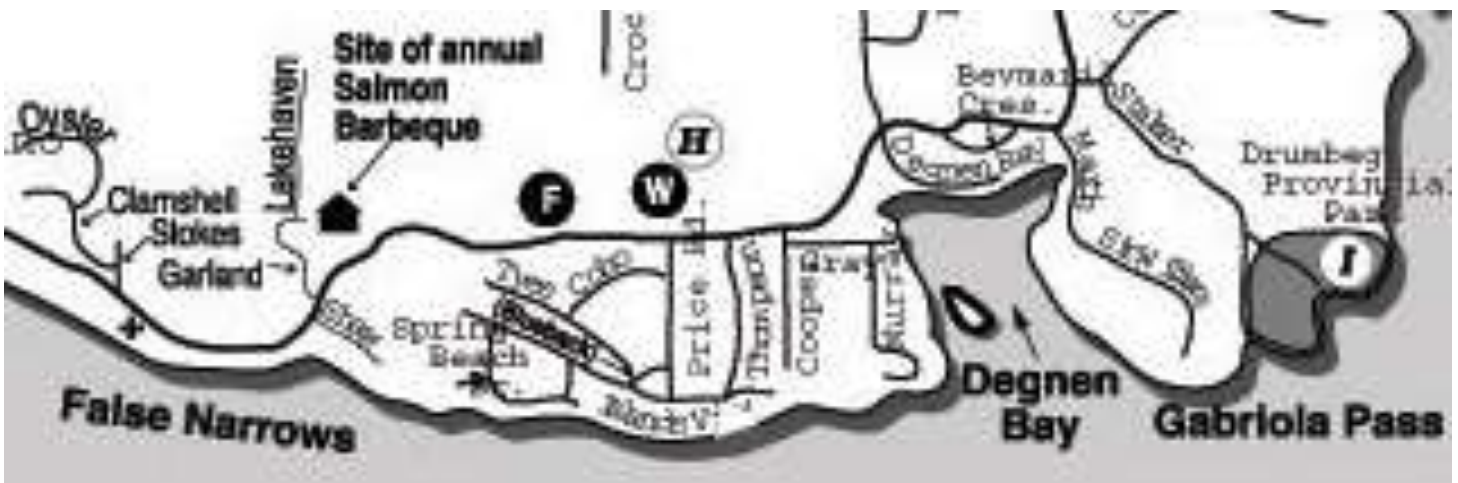


Figure 73: Community Hall indicated as the Site of the annual Salmon Barbeque on the current map in the Gabriola directory

The salmon barbeque is hosted annually by the Community Hall; it has been held every year, since 1955. In 1979, the salmon barbeque was established as the event for fundraising for the reconstruction and maintenance of the Community Hall. Every August, the hall holds its annual salmon barbeque which is its only fund-raiser. The money raised at the barbeque pays the insurance premium for the hall. The board is proud to say that although it isn't rolling in money, the hall is unencumbered as it has been maintained with no support from taxes.



Figure 74: 1965 Salmon Barbeque at Withey's, Silva Bay

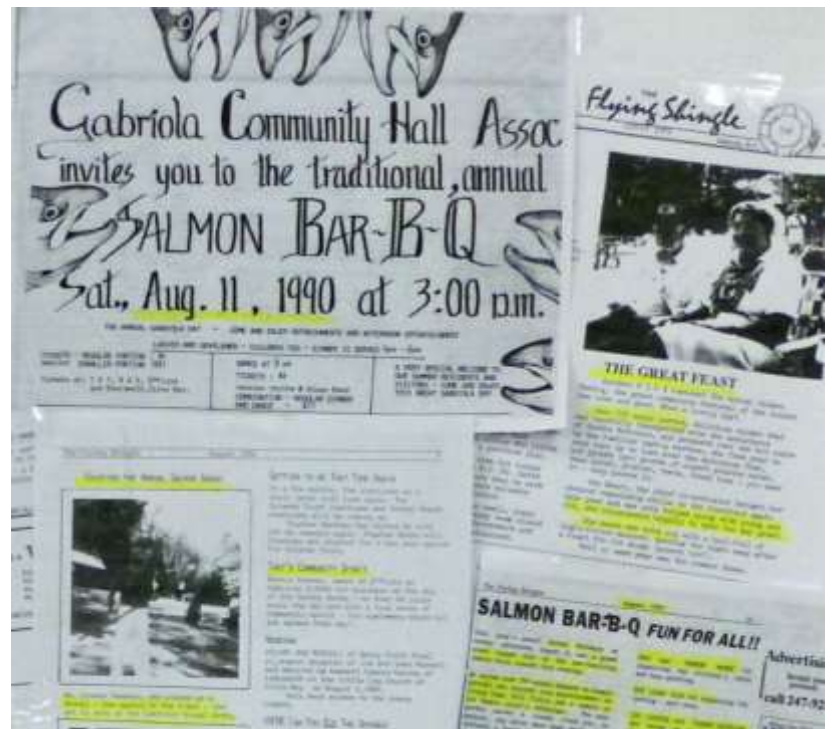


Figure 75: Various Salmon BBQ newspaper articles (CH exhibit)



Figure 76: 2014 Salmon BBQ stage and entertainment



Figure 77: 2014 Cooking the salmon



Figure 78: Salmon BBQ 50th annual and 60th annual T-shirts (Hall exhibit)



Figure 79: Advertising for the 2018 Gabriola Salmon Barbeque, the 63rd Anniversary

The barbeque was originally held at Page's in an apple orchard. The annual barbeque was then held at Withey's at Silva Bay; the idea was to attract boaters, but eventually, Gabriolans participated in greater numbers and the venue was then moved to the grounds of the school next to the Community Hall, in the early 1970's. During the two years of construction in the early 1980's, the salmon barbeque took place at Twin Beach, in the north end of the island. It has been held at the Community Hall annually ever since the building was completed. In the 1980's a hired band and a popular dance was taking place in the evening following the Salmon Barbeque; logistics put an end to dances in 1989.

Tsiporah Grignon took over managing entertainment at the Barbeque in 2002 for the following thirteen years, seeking to bring more local talent to the event. The Salmon Barbeque music program became a sort of mini music festival, over four hours. Grignon also added a "youth set" bringing family and children performers to the forefront, broadening the base of support for the event. (24)

The Community Hall buys the filleted fish from Hub City Fisheries in Nanaimo. They are "pinks" which are not on the endangered species list. Gordon McDonald picks up the fish on Friday, the day before the barbecue, in big iced containers, and brines it. This still happens at Somerset Farms as it has for decades; then it arrives at the Hall grounds the next afternoon.

Village Foods is a huge contributor to the Barbeque and pretty much supplies all the pickles, potatoes, eggs, veggies and whatever else we need. The new owners of Village Foods have continued with this generous donation. Then the volunteers get together and make potato salad, green salad. Jared Hooper and Simon Brown have been cutting and flipping the fish respectively for at least 20 years and 38 years.



Figure 80: Joyce Babula

The BC Community Achievement Awards celebrate British Columbians who go above and beyond in their dedication and service to others, and who devote time and energy to making their communities more caring, dynamic, beautiful, healthy and unique. The awards are given annually to people from across the province who inspire by their example.

This year, for the 2018 award, one hundred and fifty nominations were received by the committee, and Gabriola's Joyce Babula was one of twenty-five people chosen to be given this award by the newly appointed Lieutenant Governor, Janet Austin, at Government House on Wednesday.

Babula's contribution has been her support and work with the Gabriola Community Hall Association for over thirty years. The community hall is not funded through the tax base and is run entirely by volunteers. Babula was one of the volunteers who rebuilt the hall in 1984 (following a fire) and since that time has worked tirelessly as the secretary, president and fundraiser.

To cover the annual operational costs there is an annual salmon barbecue in August. This event has been taking place for the last 61 years, and for the past 32 of these, Babula has headed a committee to successfully execute the annual Salmon Barbeque of over 600 people; she was assisted by Ute Ewert for nearly twenty years. Each summer Babula has willingly volunteered her time and energy to make sure that every detail of this event runs smoothly. Gabriola Sounder, Tuesday, May 1 2018.

3.0 Building Heritage Analysis

3.1 Building Style

The existing building was designed by Andy Croft & Associates, Urban Design and Facility Planning, of Vancouver. The style of the building is modern vernacular. A multiple sloped metal roof and horizontal wood siding is characteristic of Vancouver Island and BC in general. The building is modern in the sense that the design does not correspond to any particular traditional style. It is a utilitarian design that responds to its specific program and the constraints of its site.

For instance, the saw-tooth façade of the South Road elevation is a result of the triangular shape property, thus maximising the usable surface of the building in a tight site. The building has very few windows since the main interior space is a large column free space used as an assembly room and gymnasium. The ground floor holds a co-operative preschool and provides easy access to the outdoor and playground.

The style of the building is compatible, but not similar to other structures on the island. Its presence, siting and massing gives the building the appearance of a civic institution, which is appropriate for a public building.

Andy Croft & Associates,

Address at the time of construction: The Lincoln Apartment Building, 1606 Nelson Street #11, Vancouver V6G 1M5

End of Statement of Significance's Background

Appendix I: 1984: Land transfer between Community Hall and School Board

Substitute - Forms 17 PARTICULARS APPLICANT: John D. Ewert Address: 87 Wharf Street, Nanaimo, B.C. V9R 2X3 Phone No.: 753-6444 Solicitor for Transferee Herewith Fees of \$ 53.00 Declared Value \$18,000.00 Nature of Document/Charge Transfer of an Estate in Fee-Simple _____ Signature of Applicant/Agent	P 93252 P 93253 Substitute - Forms 17 PARTICULARS APPLICANT: John D. Ewert Address: 87 Wharf Street, Nanaimo, B.C. v9R 2X3 Phone No.: 753-6444 Solicitor for Transferee Declared Value: Nature of Charge/Document: Option to Purchase _____ Signature of Applicant/Agent
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THIS INDENTURE made the 10th day of May, 1984.

BETWEEN:

THE BOARD OF SCHOOL TRUSTEES OF SCHOOL DISTRICT No. 68 (Nanaimo), with its place of business located at 395 Wakesiah Avenue, Nanaimo, British Columbia, V9R 3K6

(hereinafter called the "Transferor") OF THE FIRST PART

AND:

GABRIOLA ISLAND COMMUNITY HALL ASSOCIATION, of Box 205, Gabriola Island, British Columbia, VOR 1X0, incorporated under the Society Act on July 17, 1975 under number 11741;

(hereinafter called the "Transferee") OF THE SECOND PART

WITNESSETH THAT, in consideration of the sum of ONE DOLLAR (\$1.00) of lawful money of Canada, now paid by the Transferee to the Transferor (the receipt of which is hereby acknowledged) the Transferor doth grant unto the Transferee, its heirs and assigns forever, ALL AND SINGULAR that certain portion of that certain parcel or tract of land, lying and being in the Nanaimo Assessment District and Gabriola Fire Protection and Improvement District, in the Province of British Columbia, more particularly known and described as:

That part of the South West Quarter (1/4) of Section Two (2) Gabriola Island, Nanaimo District containing ninety-five hundredths (0.95) acres more or less, as shown on Plan 3063 and Marked "School" thereon,

Subject to: R 78502G in favour of Alexander Shaw

Appendix 2: 1924, purchase of William Nairn Shaw's land by the Community Hall Trustees for \$1.00

THIS INDENTURE made the 19th. day of July
in the year of our Lord one thousand nine hundred and twenty-four:
IN PURSUANCE of the "REAL PROPERTY CONVEYANCE ACT",

BETWEEN:

WILLIAM NAIRN SHAW of Gabriola Island in the
Province of British Columbia, hereinafter called
"the Grantor" of the one part,

-and-

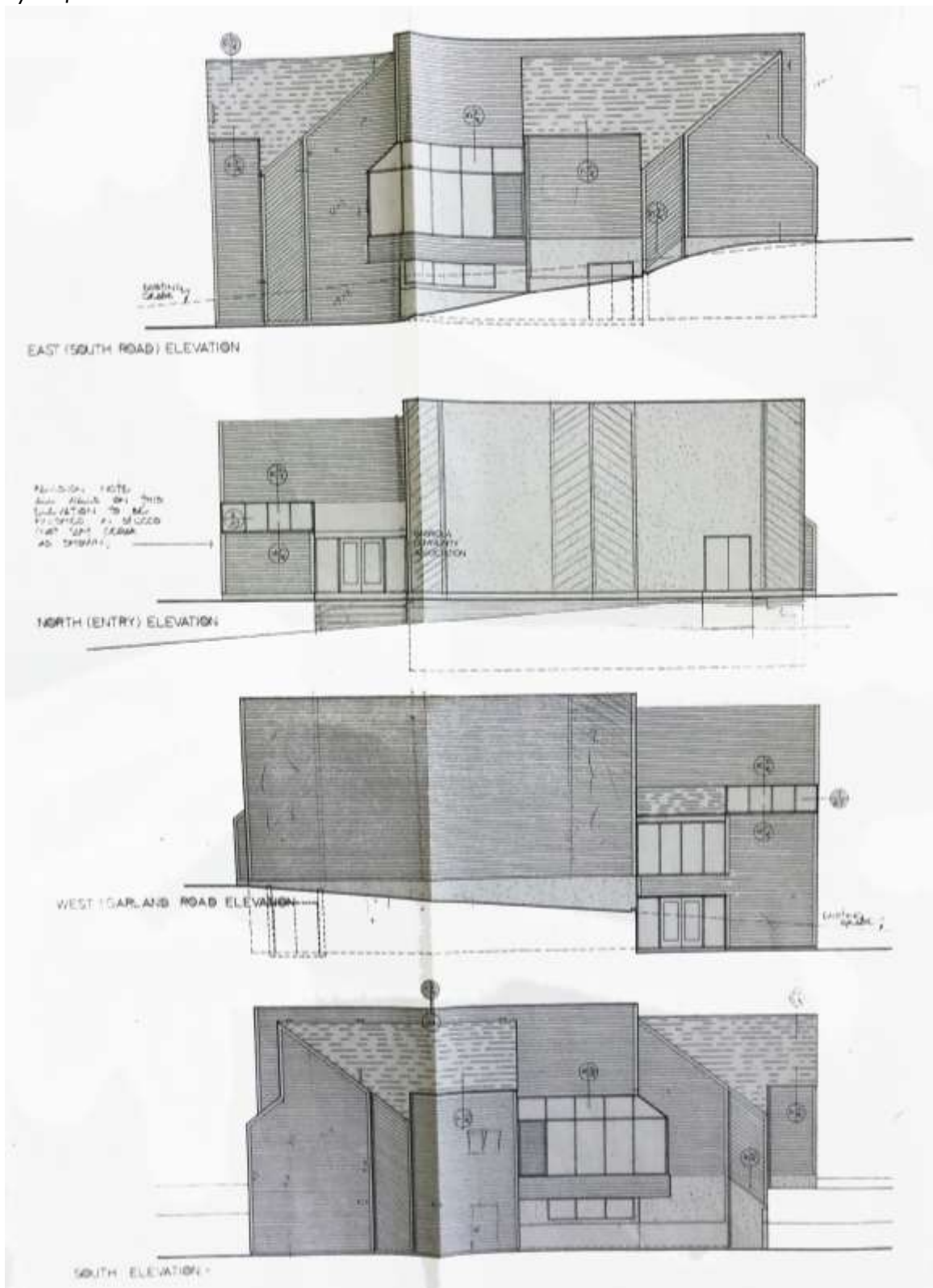
MARK EDGAR, FRANK H. HOLLAND and WILLIAM NAIRN
SHAW, all of Gabriola Island aforesaid,
hereinafter called "the Grantees" of the other part:

WITNESSETH that in consideration of the sum of One Dollar
of lawful money of Canada now paid by the said Grantees to the
said Grantor (the receipt whereof is hereby by him acknowledged)
the said Grantor BOTH GRANT unto the said Grantees,

ALL and SINGULAR that certain parcel or tract of land and
premises situate, lying and being in the Province of British
Columbia, and being more particularly known and described as
Block Two (2) of subdivision of the fractional southwest quarter
of Section Two (2), Gabriola Island, according to a map or plan
prepared by E. R. Foster, P.L.S., dated 1924, now deposited in the
Land Registry Office in the City of Victoria; ~~SAVING AND RESERVING~~
and reserving thereout and therefrom all coal, oil and fire clay
lying thereunder;

UPON TRUST to hold the said lands hereinbefore described
and the buildings thereon or hereafter to be erected and constructed
thereon in substitution or replacement thereof, for the purpose
of a public community hall for the benefit of actual residents of
the district of Gabriola Island for the purpose of public assem-

Appendix 3: Elevations Design Drawings circa 1982
Design by Andy Croft & Associates



NB: Stucco siding on North side, changed to horizontal Wood Siding

File No.: GB-DVP-2018.3 (Bye)
(GB-DP-2018.2)

DATE OF MEETING: January 24, 2019

TO: Gabriola Island Local Trust Committee

FROM: Jaime Dubyna, Planner 1
Northern Team

SUBJECT: **GB-DVP-2018.3: Requested variances to reduce the setback from a watercourse and increase the floor area of a pump/utility house within a setback area**
Applicant: Birgit Bye
Location: LOT 6, SECTION 19, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26155
PID 002-348-021

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee approve issuance of Development Variance Permit GB-DVP-2018.3 (Bye) with the following variances to Gabriola Island Land Use Bylaw No. 177, 1999:
 - a. To reduce the setback from a watercourse from 15 metres (49.2 feet) to a minimum of 10.47 metres (34.35 feet) for the existing pump/utility house;
 - b. To increase the floor area of a pump/utility house from 10.0 square metres (107.6 square feet) to a maximum of 10.26 square metres (110.44 square feet) for the existing pump/utility house.

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider Development Variance Permit (DVP) application GB-DVP-2018.3, which proposes to reduce the setback from a watercourse specified by the Gabriola Island Land Use Bylaw No. 177 (LUB) from 15 metres (49.2 feet) to 10.47 metres (34.35 feet) for the existing pump/utility house, and to increase the floor area of the pump/utility house from 10.0 m² (107.6 sq.ft.) to 10.26 m² (110.44 sq.ft.).

Staff recommend issuance of the permit, finding that the proposed variances would not be contrary to the guiding policies and would likely not result in adverse impacts to neighbouring properties or the environment.

BACKGROUND

The subject property is located on Horseshoe Road, and is approximately 2.32 hectares (5.74 acre) in area (Figure 1). The watercourse that is the focus of this application, McClay Creek, flows through the southwest portion of the property in a northwest direction. Concurrent to this DVP application, the applicant has submitted Development Permit application GB-DP-2018.2.

The applicant proposes to vary Clause B.2.1.1.a of the LUB, which requires a 15 metre setback from any watercourse; and Clause B.2.5.1.a, which requires a maximum floor area of 10 square metres for a pump/utility house within a setback area. The 10.26 m² (110.44 sq.ft.) pump/utility house is sited 10.47 metres from the natural boundary of a watercourse; therefore the applicant proposes to reduce the setback from a watercourse from 15 metres to a minimum of 10.47 metres, and to increase the maximum floor area of the pump/utility house by 0.26 m².

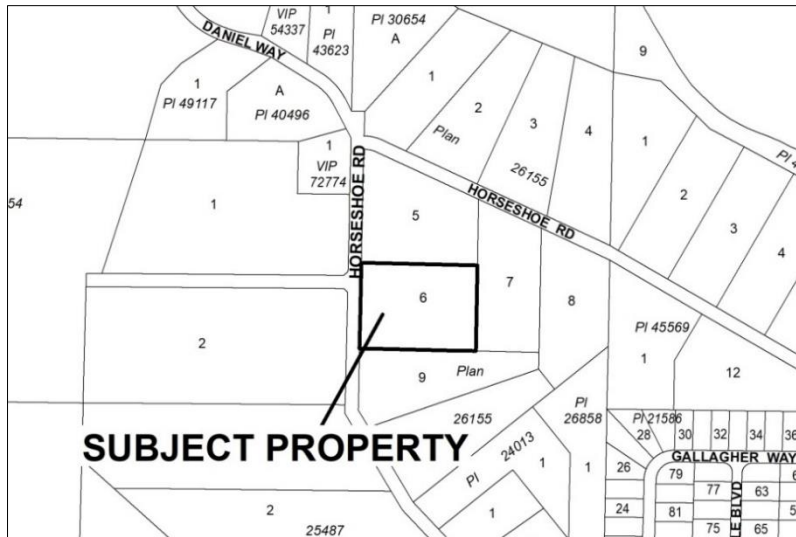


Figure 1. Subject property map

Details about the subject property are found in Attachment 1. The draft DVP is found in Attachment 2.

Staff have not received letters of support or opposition at this time.

ANALYSIS

Policy/Regulatory

Official Community Plan:

The subject property is designated Agriculture (AG) by Gabriola Official Community Plan (OCP) Bylaw No. 166, and located within Development Permit Area No. 3 (DP-3) – Riparian Areas.

The proposal does not conflict with the OCP objectives and policies for agricultural land use.

Land Use Bylaw:

The existing pump/utility house requires variances from the following provisions in the LUB:

B.2.1.1.a Despite all other siting references in this Bylaw excepting B.2.1.4c, third party signs, fences, pump/utility houses, retaining walls, ground level decks, structures and buildings, excepting boathouses, must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea and **a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of any lake, stream or wetland.** Where the frontage on the sea is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer, buildings and structures must be sited a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea.

B.2.5.1 Within setback areas:

a. The **maximum floor area of a pump/utility house is 10.0 square metres (107.6 square feet);**

Staff note the following definitions provided in the LUB:

“pump/utility house” an accessory building or accessory structure that is used only for the purposes of housing a well head and water pumping devices and/or electrical power or communication connection and service devices, or a combination thereof;

“watercourse” any natural or man-made depression with well defined banks and a bed 0.6 metres (2.0 feet) or more below the surrounding land serving to give direction to a current of water at least six months of the year or having a drainage area of two square kilometres or more as required by a designated official of the Ministry of Environment of British Columbia;

Other Regulations:

The subject property is within the Agricultural Land Reserve (ALR). Agriculture is the priority land use within the ALR. However, Agricultural Land Commission Policy L-08 provides, “Subject to applicable local government bylaws, one single family residential dwelling is allowed on land in the Agricultural Land Reserve.”

Issues and Opportunities

The purpose of this variance application is two-fold:

- To reduce the required 15 metre setback from any watercourse for the existing pump/utility house; and
- To increase the floor area of the existing pump/utility house from 10.0 m² to 10.26 m².

The applicant has submitted a *Riparian Areas Regulation* (RAR) report prepared by Madrone Environmental Services Ltd., dated July 4, 2018, that establishes a 10-metre Streamside Protection and Enhancement Area (SPEA) from the high water mark of McClay Creek, the watercourse that is the focus of this DVP application. The SPEA has been identified as a “no-go zone” in which development activities, including construction of temporary or permanent structures, are prohibited. A copy of the RAR report is attached to and forms part of the draft development permit for application GB-DP-2018.2.

The site plan (Attachment 3) indicates that the existing pump/utility house is sited outside of the SPEA, and therefore staff support issuance of the setback variance. Staff also consider the proposed increase in floor area of 0.26 m² for the pump/utility house to be minor in nature.

The front lot line setback required by Item D.2.1.3.a.ii of the LUB is not applicable to the pump/utility house, as it provides: “On lots 1.0 hectare (2.47 acres) or larger, except for a sign, fence, or pump/utility house ...”

Staff note that the two buildings, identified as a greenhouse and produce stand, located along the front lot line of the subject property within the 10 metre setback area, are not subject to the setback requirement in Item D.2.1.3.a.ii of the LUB, as Item D.2.1.3.a.iii provides:

- *the minimum setback for greenhouses on land in the AG zone is 7.5 metres from any lot line;*
- *the minimum setback for an agricultural produce stand in the Agriculture (AG) zone is 4.5 metres (14.7 feet) from the front lot line.*

Consultation

Statutory Requirements

In accordance with Section 499 of the *Local Government Act* (LGA) and Section 8 of Gabriola Island Development Procedures Bylaw No. 114, statutory notice of the proposed variance was distributed to neighbouring property owners and tenants within 100 metres of the subject property’s boundaries on January 9, 2019.

Written correspondence in support or opposition to the requested variances had not been received at the time of report preparation. Any correspondence received will be presented at the LTC meeting on January 24, 2019.

Rationale for Recommendation

Staff consider this variance request to be minor in nature, unlikely to have a negative impact on neighbouring property owners or the environment, and not contrary to the OCP. Therefore, staff are recommending that the development variance permit be issued.

See staff recommendation on page 1 of this report.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should state the information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request further information prior to making a decision on application GB-DVP-2018.3, including [LTC to provide information required].

2. Deny the application

The LTC may deny the application. If selecting this alternative, the LTC should state the reasons for denial. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee deny application GB-DVP-2018.3 for the following reasons [LTC to provide specific reasons].

NEXT STEPS

If the LTC agrees with staff's recommendation, the Development Variance Permit in Attachment 2 will be issued.

Submitted By:	Jaime Dubyna, MSc.Pl. Planner 1	January 9, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	January 11, 2019

ATTACHMENTS

1. Site Context
2. Draft Development Variance Permit and Notice
3. Copy of Site Plan dated June 20th, 2018 (revised January 8, 2019)

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 6, SECTION 19, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26155
PID	002-348-021
Civic Address	Horseshoe Bay Road
Lot Size	2.32 ha (5.74 acres)

LAND USE

Current Land Use	Bare land
Surrounding Land Use	Agricultural, Residential

HISTORICAL ACTIVITY

File No.	Purpose
GB-DP-2018.2 (<i>open</i>)	For development within DP-3 – Riparian Areas, including construction of a single family dwelling and disturbance of soils.

POLICY/REGULATORY

Official Community Plan Designations	Land Use Designation: AG – Agriculture Development Permit Area 3 – DP-3 – Riparian Areas
Land Use Bylaw	Zone: Agriculture (AG) D.2.1.2.a Permitted <i>Buildings</i> and <i>Structures</i> i. Maximum of: • one <i>single family dwelling</i> per lot; • ... • three <i>buildings</i> per lot excluding a <i>secondary suite</i>, <i>pump/utility house</i> and <i>woodshed</i> and that are <i>accessory</i> to all <i>dwellings</i>; • one <i>produce stand</i> per lot <i>accessory</i> to an <i>agriculture principal</i> use and not exceeding 20 square metres (215.3 square feet) <i>floor area</i>; ii. ... iii. Other non-residential buildings and structures to accommodate: • <i>agriculture, forestry</i>, boarding and breeding kennels, and boarding and riding stables*; <i>*For information purposes only – on land situated within the Agricultural Land Reserve these buildings and structures may be subject to approval of the Agricultural Land Commission under the “Agricultural Land Commission Act”</i> <i>For Information purposes only - Farm status under the BC Assessment Act is</i>

	<i>not required for the construction of buildings or structures for an agricultural use.</i> D.2.1.3.a.ii On <i>lots</i> 1.0 hectare (2.47 acres) or larger, except for a sign, <i>fence</i>, or <i>pump/utility house</i>: • the minimum <i>setback</i> for a single family dwelling, a manufactured home for immediate family or farm worker housing, a <i>secondary suite</i> and <i>buildings and structures accessory to them</i> is 10.0 metres (32.8 feet) from any lot line; • the minimum <i>setback</i> for all other <i>buildings or structures</i> is 20.0 metres (65.6 feet) from any <i>lot line</i>. D.2.1.3.a.iii Despite items D.2.1.3a.i and D.2.1.3a.ii: • the minimum <i>setback</i> for greenhouses on land in the AG zone is 7.5 metres (14.7 feet) from any lot line. • the minimum <i>setback</i> for an agricultural produce stand in the Agriculture (AG) zone is 4.5 metres (14.7 feet) from the front lot line. B.2.1.1.a Despite all other siting references in this Bylaw excepting B.2.1.4c, third party signs, fences, pump/utility houses, retaining walls, ground level decks, <i>structures</i> and <i>buildings</i>, excepting <i>boathouses</i>, must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the <i>natural boundary</i> of the sea and a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the <i>natural boundary</i> of any lake, stream or wetland. Where the <i>frontage</i> on the sea is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer, <i>buildings</i> and <i>structures</i> must be sited a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the <i>natural boundary</i> of the sea. B.2.1.1.b A septic sewage disposal field must be sited a minimum of 30 metres (98.4 feet) from the natural boundary of the sea, lake, stream or wetland.
Other Regulations	The subject property is within the Agricultural Land Reserve (ALR). The Agricultural Land Commission Policy L-08 provides, “Subject to applicable local government bylaws, one single family residential dwelling is allowed on land in the Agricultural Land Reserve.”
Covenants	None
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	The proposal does not directly affect an Islands Trust Conservancy Board (ITC) -owned property or conservation covenant, nor directly affects a property adjacent to an ITC-owned property or conservation covenant. Therefore referral to ITC for comment is not required.
Regional Conservation Plan	Map 6 of the Regional Conservation Plan 2018-2027 estimated importance of habitat composition is LOW/MEDIUM.
Species at Risk	None mapped.
Sensitive Ecosystems	Riparian Area – McCray Creek

Hazard Areas	None mapped.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) mapping does not indicate an archaeological site on the subject property, but does indicate archaeological potential on the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Site clearing, including vegetation removal, and construction of the proposed single family dwelling is anticipated to result in associated greenhouse gas emissions.
Groundwater Vulnerability	Islands Trust mapping indicates the subject property to be within a low/medium vulnerability area.



GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT NO. GB-DVP-2018.3

TO: Birgit Bye

1. This Development Variance Permit applies to the land described below:

PID: 002-348-021

LOT 6, SECTION 19, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26155

2. Pursuant to Section 498 of the *Local Government Act*, the *Gabriola Island Land Use Bylaw No. 177, 1999* is varied as follows:

- a) **Part B – GENERAL REGULATIONS, Section B.2 – GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.1 – Special Setbacks and Elevations, Article B.2.1.1 – Setbacks and Elevations from Watercourses and the Sea, Clause B.2.1.1.a:**

“Despite all other siting references in this Bylaw excepting B.2.1.4.c, third party signs, fences, pump/utility houses, retaining walls, ground level decks, structures and buildings, excepting boathouses, must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea and a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of any lake, stream, or wetland. Where the frontage on the sea is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer, buildings and structures must be sited a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea.”

- Is varied in order to reduce the setback from a watercourse from 15 metres (49.2 feet) to a minimum of 10.47 metres (34.35 feet) for the existing pump/utility house.

- b) **Part B – GENERAL REGULATIONS, Section B.2 – GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.5 – Pump/utility houses within Setback Areas, Article B.2.5.1: “Within setback areas:**

a. The maximum floor area of a pump/utility house is 10.0 square metres (107.6 square feet);”

- Is varied in order to increase the floor area of a pump/utility house from 10.0 square metres (107.6 square feet) to a maximum of 10.26 square metres (110.44 square feet) for the existing pump/utility house.

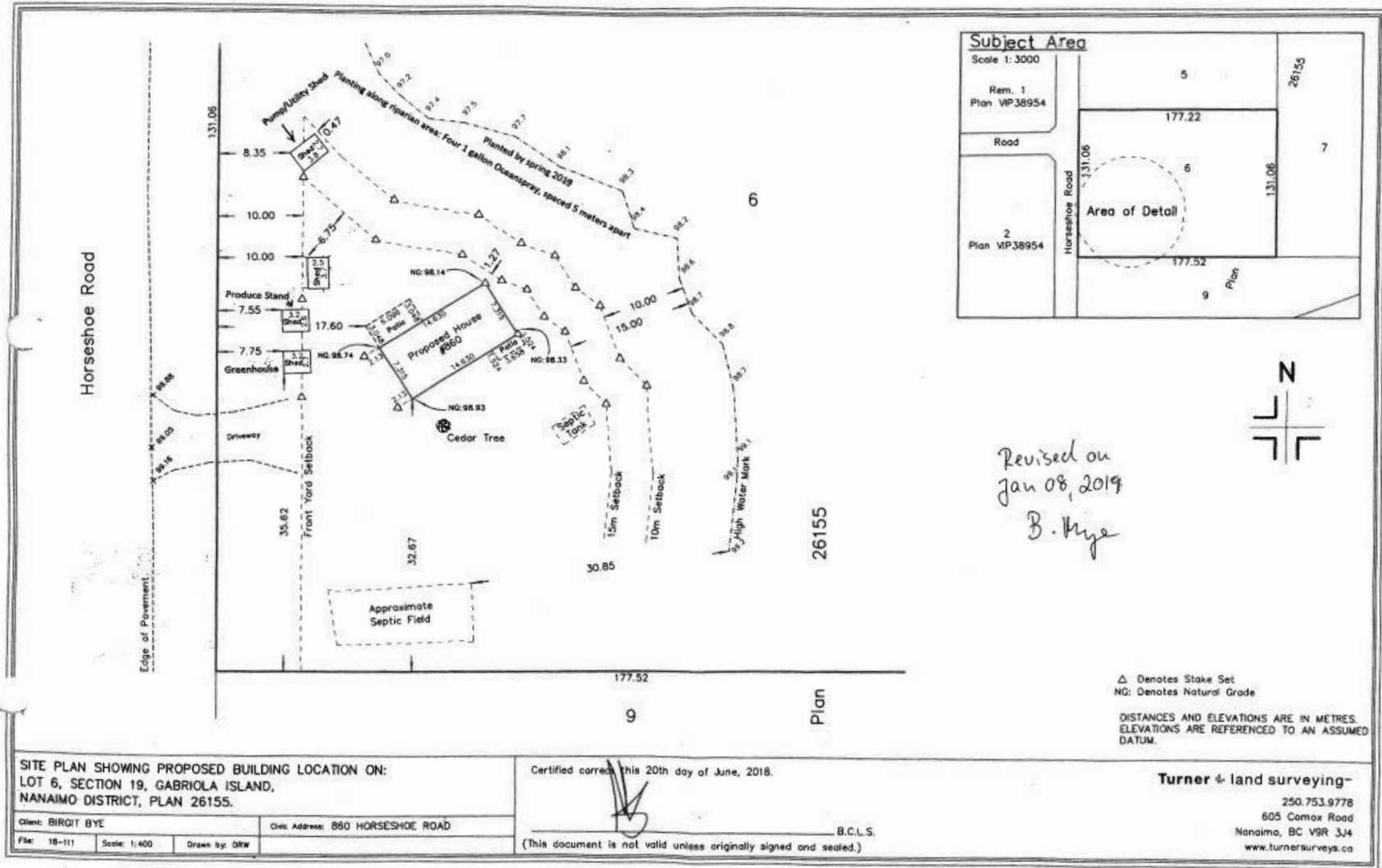
3. The proposed development shall be consistent with Schedule “A” – Site Plan, which is attached to and forms part of this permit. This permit is not a Building Permit or a Siting and Use Permit, and does not remove any obligation on the part of the permittee to comply with all other requirements of the Gabriola Island Land Use Bylaw No. 177, 1999 including use and density, and to obtain other appropriate approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS _____ DAY OF _____, 2019.

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE _____ DAY OF _____, 2021, THIS PERMIT AUTOMATICALLY LAPSES.





NOTICE

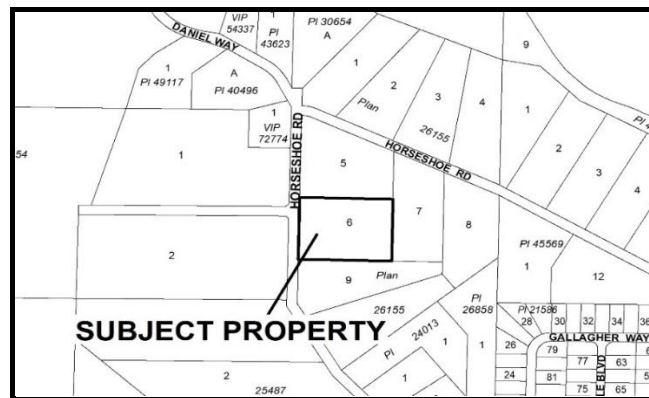
GB-DVP-2018.3 (Bye)
GABRIOLA ISLAND LOCAL TRUST COMMITTEE

NOTICE is hereby given that the Gabriola Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit, pursuant to Section 498 of the *Local Government Act*, varying subsections of the Gabriola Island Land Use Bylaw No. 177, 1999, as follows:

- **Part B – GENERAL REGULATIONS, Section B.2 – GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.1 – Special Setbacks and Elevations, Article B.2.1.1 – Setbacks and Elevations from Watercourses and the Sea, Clause B.2.1.1.a.** – “Despite all other siting references in this Bylaw excepting B.2.1.4.c, third party signs, fences, pump/utility houses, retaining walls, ground level decks, structures and buildings, excepting boathouses, must be sited a minimum of 7.5 metres (24.6 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea and a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of any lake, stream, or wetland. Where the frontage on the sea is not adequately protected from erosion by natural bedrock or works as certified by a professional engineer, buildings and structures must be sited a minimum of 15 metres (49.2 feet) from and 1.5 metres (4.9 feet) above the natural boundary of the sea.”
 - Is varied in order to reduce the setback from a watercourse from 15 metres (49.2 feet) to a minimum of 10.47 metres (34.35 feet) for the existing pump/utility house.
- **Part B – GENERAL REGULATIONS, Section B.2 – GENERAL SITING AND HEIGHT PROVISIONS, Subsection B.2.5 – Pump/utility houses within Setback Areas, Article B.2.5.1 – “Within setback areas:**
 - a. The maximum floor area of a pump/utility house is 10.0 square metres (107.6 square feet);”
 - Is varied in order to increase the floor area of a pump/utility house from 10.0 square metres (107.6 square feet) to a maximum of 10.26 square metres (110.44 square feet) for the existing pump/utility house.

The subject property is legally described as: PID: 002-348-021
LOT 6, SECTION 19, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26155

The general location of the subject area is shown in the following sketch:



A copy of the proposed Permit may be inspected at the Islands Trust Northern Office, 700 North Road, Gabriola Island, BC, V0R 1X3, between the hours of 8:30 am and 4:00 pm, Monday to Friday inclusive, excluding Statutory Holidays, commencing **January 11, 2019** and continuing up to and including **January 23, 2019**. Also, attached for your convenience, is a copy of the proposed Permit.

If you have any questions or comments regarding the proposed Permit, please contact Jaime Dubyna, Planner 1, at 250-247-2212; for Toll Free Access request a transfer via Enquiry BC, in Vancouver 604-660-2421 and elsewhere in BC at 1-800-663-7867. Written submissions should be sent to: **Mail:** Islands Trust, 700 North Road, Gabriola, BC V0R 1X3; **Fax:** 250-247-7514 or **Email:** jdubyna@islandstrust.bc.ca

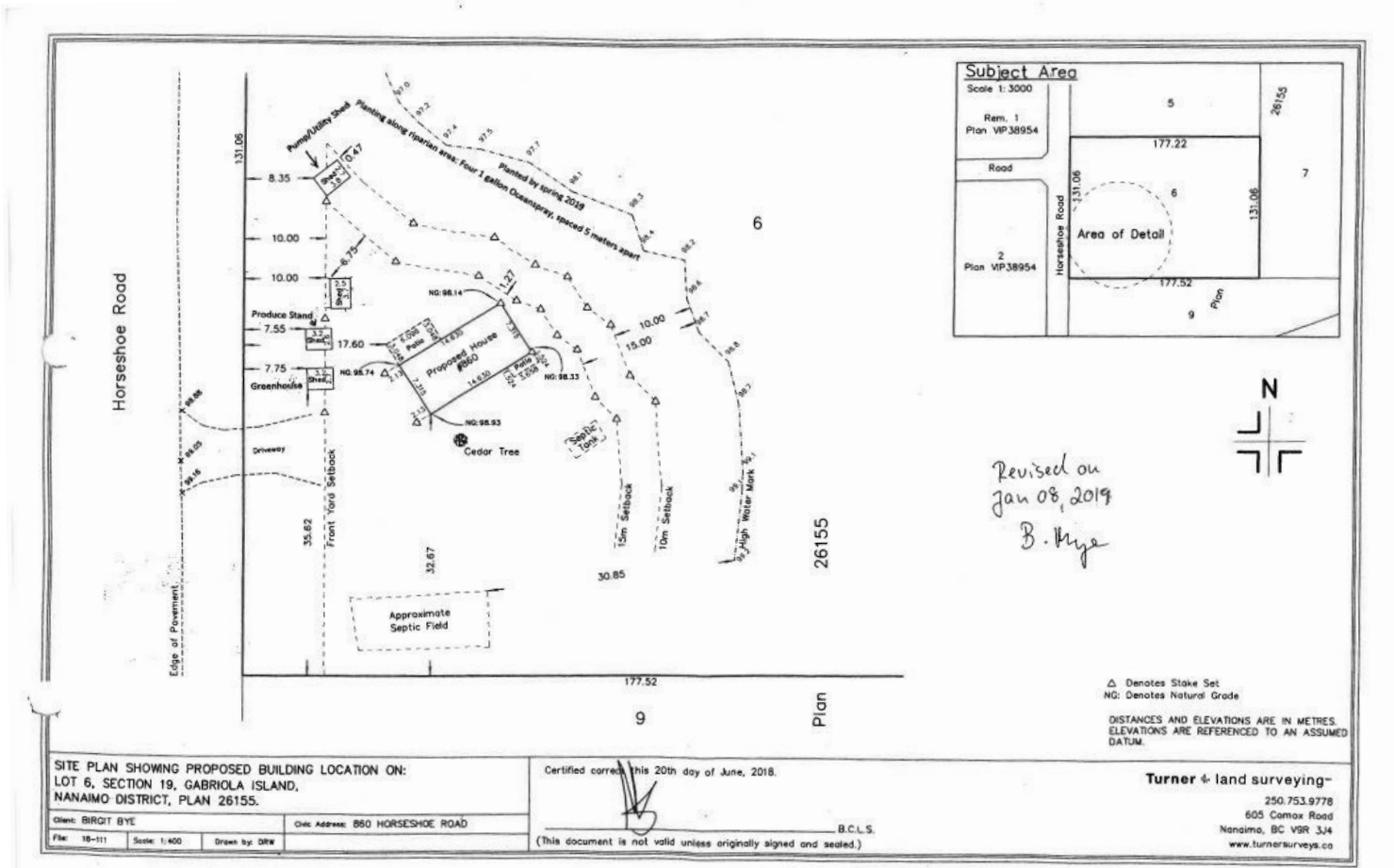
Following the end of the notice period, the Gabriola Island Local Trust Committee may consider issuance of the proposed Permit at its Regular Business Meeting to be held at **10:30 am, January 24, 2019**, at the Gabriola Arts & Heritage Centre, 476 South Road, Gabriola Island, BC.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Becky McElean
Deputy Secretary

ATTACHMENT 3 – PLANS

3.1 SITE PLAN, DATED JUNE 20, 2018 (REVISED JANUARY 8, 2019)





File No.: GB-DP-2018.2 (Bye)
(GB-DVP-2018.3)

DATE OF MEETING: January 24, 2019

TO: Gabriola Island Local Trust Committee

FROM: Jaime Dubyna, Planner 1
Northern Team

SUBJECT: **Development Permit Application GB-DP-2018.2 – DP-3 Riparian Areas**

Applicant: Birgit Bye

Location: LOT 6, SECTION 19, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26155
(PID 002-348-021)

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee approve issuance of Development Permit GB-DP-2018.2 (Bye).

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider a Development Permit application for the construction of a proposed single family dwelling on the subject property located within Development Permit Area No. 3 (DP-3) – Riparian Areas. Pursuant to Section F.3.2 of Gabriola Island Land Use Bylaw No. 177 (LUB), a development permit is required to be issued by the LTC prior to development occurring within DP-3.

The applicant has submitted a *Riparian Areas Regulation* (RAR) assessment report prepared by Madrone Environmental Services Ltd., dated July 4, 2018, which forms part of the draft permit (see Attachment 3). The RAR report has been assessed and approved for methodological compliance by Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) staff. The RAR report contains recommendations intended to meet the DP-3 guidelines for development, and these recommendations have been included as conditions in the draft Development Permit.

BACKGROUND

This application precedes a building permit application to the Regional District of Nanaimo (RDN) for the proposed single family dwelling. A Development Variance Permit application GB-DVP-2018.3 is also being considered for the subject property.

The 2.32 hectare (5.74 acre) subject property is located on Horseshoe Road, as shown in Figure 1. McClay Creek flows through the southwest portion of the property in a northwest direction.

The applicant proposes to construct the proposed single family dwelling to the front of the property in a previously cleared area, thus retaining the wooded area at the rear of the property. The siting of the proposed single family dwelling is within the 30-metre Riparian Assessment Area (RAA), therefore a development permit is required to be issued by the LTC prior to development occurring. The RAR report has established a 10-metre Streamside Protection and Enhancement Area (SPEA) from the high water mark of McClay Creek, in which no residential development may occur.

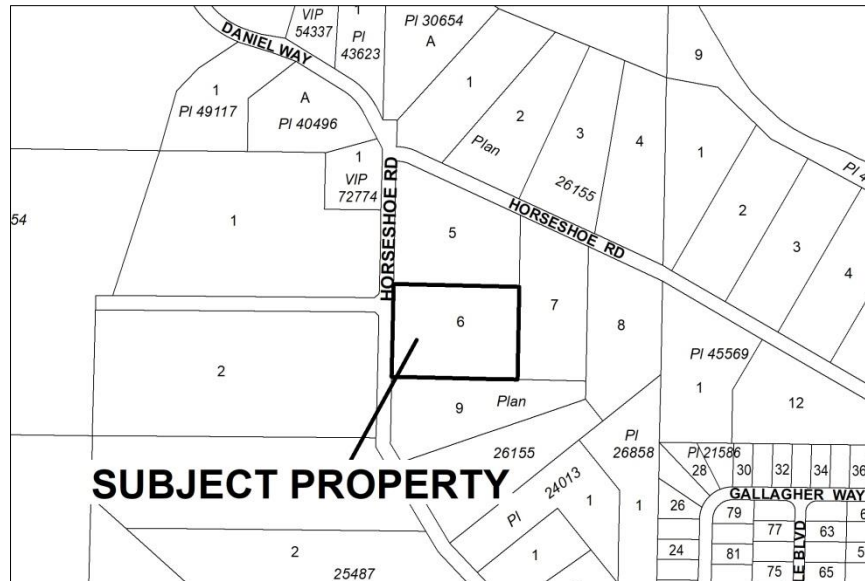


Figure 1. Subject property

The proposed development is shown on the site plan attached to the draft Development Permit in Attachment 3.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The following Islands Trust Policy Statement (ITPS) directive policies are relevant to this application and are addressed through DP-3 – Riparian Areas:

- 3.1.3 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.*
- 3.3.2 *Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands, and riparian zones to protect aquatic wildlife.*

This application is not contrary to the ITPS.

Official Community Plan:

The subject property is designated as Agriculture (AG) in Gabriola Island Official Community Plan (OCP) Bylaw No. 166, and located within DP-3 – Riparian Areas. The OCP specifies a development permit area of 30 metres on both sides of a stream, measured from the high water mark.

The objectives of DP-3 are:

1. To protect the biological diversity and habitat values of riparian and aquatic ecosystems
2. To protect the natural environment necessary to conserve productive fish habitat, including both streams and the adjacent land and vegetation

3. To minimize adverse impacts of land use practices on fish habitat, which includes plant habitats in riparian areas.

Land Use Bylaw:

The subject property is zoned Agriculture (AG) under the LUB. The guidelines for DP-3 are contained within Section F.3.4 of the LUB.

The proposed development complies with applicable development permit guidelines (see Attachment 2). The proposed development appears to meet all other LUB requirements.

Other Regulations:

The subject property is within the Agricultural Land Reserve (ALR). Agriculture is the priority land use within the ALR. However, Agricultural Land Commission Policy L-08 provides, "Subject to applicable local government bylaws, one single family residential dwelling is allowed on land in the Agricultural Land Reserve."

Issues and Opportunities

Protection Measures and Environmental Monitoring

Pursuant to Guideline F.3.4.1 of the LUB, the LTC may impose permit conditions where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems.

Staff have reviewed the RAR report by Madrone Environmental Services, and recommend that all measures and environmental monitoring recommended by the QEP form part of the draft Development Permit. These include:

- No residential, commercial and industrial development are to occur within the SPEA, including no vegetation or tree removal within the SPEA;
- Soil disturbance activities (i.e. excavation) within the identified RAA are to occur during dry weather only;
- All exposed soils and stockpiles must be covered with tarps or mulch if a significant rainfall event occurs while soils are exposed (i.e. open excavations with >20 mm rain in 24 hours);
- A QEP must be retained at the expense of the applicant to monitor site conditions and provide directions to prevent erosion and sedimentation if a significant rainfall event occurs while soils are exposed (i.e. open excavations with >20 mm rain in 24 hours);
- Stormwater drainage must be directed to the ground to infiltrate, and stormwater runoff must not flow towards the stream;
- Mulch and plant or seed all exposed soils within the identified RAA upon completion of the proposed construction;
- A post-construction assessment conducted by a QEP, at the expense of the applicant, is required following the completion of the proposed development activities.

Agricultural Land Uses

The RAR report does not indicate that encroachment measures are appropriate or effective for the proposed development, as "nearly the entire SPEA along the south side of the stream has been encroached upon for agricultural purposes". The applicant has identified two existing buildings on the subject property as farm buildings (a produce stand and greenhouse). Staff note that the development permit application for consideration does not pertain to agricultural land uses, as only residential, commercial or industrial uses are subject to the provincial RAR, while agricultural land uses and farming activities are not.

During a site visit on October 11, 2018, staff observed a deer-fenced area with several (fruit) trees and a garden space within the RAA. According to information from BC Assessment, the subject property is classified as “Residential”. The LUB notes, for information purposes only, that farm status under the *Assessment Act* is not required for the construction of buildings or structures for agricultural use.

Existing Buildings and Structures

The RAR report identifies four existing sheds and a septic tank within the RAA. These are shown on the site plan that forms part of the draft permit found in Attachment 3. The RAR report notes that these buildings and structures were reportedly installed prior to the DP-3 – Riparian Areas coming into effect on Gabriola Island. Staff note that these structures are not within the SPEA.

Replanting and Site Restoration

The QEP has recommended that existing vegetation along the south side of the stream remain undisturbed, and encourages planting of native shrubs amongst the existing vegetation to improve bank stability and provide shade to cool water temperatures during warmer months. The applicant has indicated on the site plan that they intend to plant the native species, Oceanspray (*Holodiscus discolor*), amongst the existing vegetation within the SPEA by Spring 2019.

Staff have included as a condition of the draft development permit that the applicant revegetate within the SPEA, with a completion date requirement of May 2020.

Consultation

A community information meeting and/or public consultation and notification are not required for development permit applications.

Rationale for Recommendation

Staff advise that the guidelines for DP-3 – Riparian Areas appear to be satisfied through the recommendations of the RAR report completed by Madrone Environmental Services Ltd. This report has been approved for consistency with the prescribed RAR methodology by FLNRORD. The RAR report contains recommendations intended to meet the DPA No. 3 guidelines for new development, and these recommendations have been included in the draft Development Permit.

In order to ensure protection of the biological diversity and habitat values of the riparian ecosystem, within 60 days of completion of the proposed development, the applicant has a responsibility to have a QEP complete and file a post-development report to ensure that the construction is in keeping with the RAR report.

Staff recommends issuance of the Development Permit as noted in the recommendation listed on page 1 of the staff report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Request security from the Applicant as a condition of issuance of the development permit

The LTC may request security from the applicant to ensure SPEA restoration and protection (as recommended by the QEP). Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request that the applicant for GB-DP-2018.2 submit to the Islands Trust financial security, either in the form of an auto-renewing letter of credit or a cheque, to ensure completion of protection and environmental monitoring measures recommended by Madrone Environmental Services Ltd., dated July 4, 2018, with the amount of security to be 125% of the estimated cost of completing the required measures as determined by a qualified professional member of the BC Society of Landscape Architects or BC Landscape and Nursery Association.

2. Deny the application

The LTC may deny the application. If the decision is to deny the development permit application, the decision must be accompanied by reasons provided by the LTC. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee deny application GB-DP-2018.2 for the following reasons: [indicate how the proposal does not comply with the applicable guidelines].

3. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request that the applicant submit to the Islands Trust [requested information to be provided by the LTC].

NEXT STEPS

If the LTC resolves to issue the Development Permit, the permit will be issued and the applicant may commence with the building permit application process.

Submitted By:	Jaime Dubyna, MSc.Pl. Planner 1	January 9, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	January 11, 2019

ATTACHMENTS

1. Attachment 1 – Site Context
2. Attachment 2 – Development Permit Area Guidelines Checklist
3. Attachment 3 – Draft Development Permit (including Schedules “A” – Site Plan, Schedule “B” – Building Plans and Schedule “C” – RAR Assessment Report, Madrone Environmental Services Ltd., dated July 4, 2018)

ATTACHMENT 1 – SITE CONTEXT

LOCATION

Legal Description	LOT 6, SECTION 19, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26155
PID	002-348-021
Civic Address	Horseshoe Bay Road
Lot Size	2.32 ha (5.74 acres)

LAND USE

Current Land Use	Bare land
Surrounding Land Use	Agricultural, Residential

HISTORICAL ACTIVITY

File No.	Purpose
GB-DVP-2018.3 (<i>open</i>)	To vary the 10 metre lot line setback and to vary the 15 metre setback from any watercourse required in the LUB.

POLICY/REGULATORY

Official Community Plan Designations	Land Use Designation: AG – Agriculture Development Permit Area 3 – DP-3 – Riparian Areas
Land Use Bylaw	Zone: Agriculture (AG) D.2.1.2.a Permitted <i>Buildings</i> and <i>Structures</i> i. Maximum of: - one <i>single family dwelling</i> per lot; - three <i>buildings</i> per lot excluding a <i>secondary suite</i>, <i>pump/utility house</i> and woodshed and that are <i>accessory</i> to all <i>dwellings</i>; DP-3 – Riparian Areas F.3.2 Applicability F.3.2.1 The following activities shall require a development permit whenever they occur within the DPA, unless specifically exempted under Policy F.3.3.1: b. construction of, addition to, or alteration of a building or other structure c. removal, alteration or destruction of vegetation d. disturbance of soils g. any other development, as that term is defined under the provincial <i>Riparian Areas Regulation</i> See Attachment 2 of this report for DPA Guidelines.
Other Regulations	The subject property is within the Agricultural Land Reserve (ALR). The

	Agricultural Land Commission Policy L-08 provides, "Subject to applicable local government bylaws, one single family residential dwelling is allowed on land in the Agricultural Land Reserve."
Covenants	None
Bylaw Enforcement	None

SITE INFLUENCES

Islands Trust Conservancy	The proposal does not directly affect an Islands Trust Conservancy Board (ITC) -owned property or conservation covenant, nor directly affects a property adjacent to an ITC-owned property or conservation covenant. Therefore referral to ITC for comment is not required.
Regional Conservation Plan	Map 8 of the Regional Conservation Plan 2018-2027 estimated importance of habitat composition is LOW/MEDIUM.
Species at Risk	None mapped.
Sensitive Ecosystems	Riparian Area – McCray Creek
Hazard Areas	None mapped.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) mapping does not indicate an archaeological site on the subject property, but does indicate archaeological potential on the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is still a chance that the lot may contain previously unrecorded archaeological material that is protected under the <i>Heritage Conservation Act</i> . If such material is encountered during development, all work should cease and Archaeology Branch should be contacted immediately as a <i>Heritage Conservation Act</i> permit may be needed before further development is undertaken. This may involve the need to hire a qualified archaeologist to monitor the work.
Climate Change Adaptation and Mitigation	Vegetation removal and construction of the proposed single family dwelling is anticipated to result in associated greenhouse gas emissions.
Groundwater Vulnerability	Islands Trust mapping indicates the subject property to be within a low/medium vulnerability area.

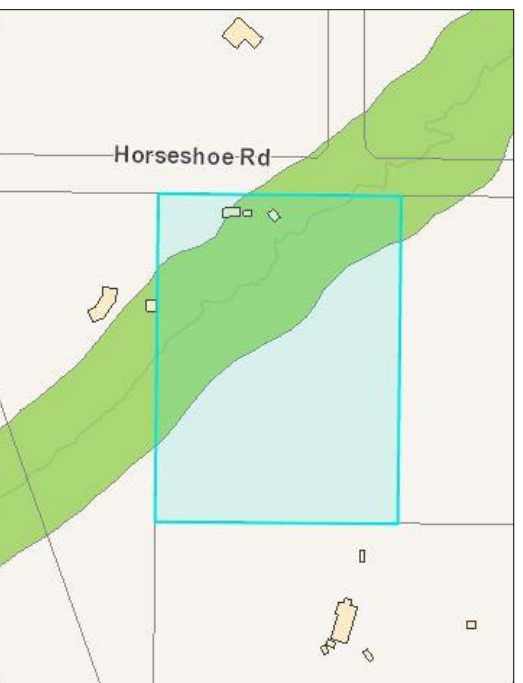


Figure 1. Subject property and DP-3 – Riparian Area

ATTACHMENT 2 – DEVELOPMENT PERMIT AREA GUIDELINES

GABRIOLA ISLAND DPA No. 3 RIPARIAN AREAS

Guideline	Complies	Planner Comments
F.3.4.1 In general, all development in this DPA should be undertaken in a manner that restores or maintains the proper function and condition of the riparian area, water bodies and ecosystems. Where a Qualified Environmental Professional (QEP) or other professional has made recommendations for mitigation measures, enhancement or restoration in order to lessen impacts on the riparian area and ecosystems, the Local Trust Committee may impose permit conditions, including a requirement for security in the form of an irrevocable letter of credit, to ensure the restoration and/or protection of riparian areas and ecosystems is consistent with the measures and recommendations described in the report.	yes	The RAR Assessment Report provided by the QEP has indicated measures and recommendations to protect and maintain the riparian area and stream. Staff have included the measures and recommendations identified by the QEP in the RAR Assessment Report as conditions of the draft Development Permit. Staff have included as a condition in the permit that the property owner be required to hire a QEP at the property owner's expense to confirm that the protection requirements identified in the RAR Assessment Report dated July 4, 2018 have been properly implemented following the completion of the proposed development.
F.3.4.2 The development permit should not allow any development activities to take place within any Streamside Protection and Enhancement Area (SPEA) identified by the QEP and the owner should be required to follow any measures identified by the QEP for protecting the SPEA over the long term and these measures should be included as conditions of the development permit. The width of the SPEA may be less than the width of the DPA.	yes	The RAR Assessment Report provided by the QEP has identified the SPEA to be a maximum of 10 metres from the high water mark. The site plan indicates that the proposed single family dwelling and attached patio, existing sheds and existing septic field are located outside of the SPEA identified by the QEP. Staff have included a condition in the permit that no residential, commercial or industrial development, including no vegetation or tree removal, shall take place within the SPEA identified by the QEP. The RAR Assessment Report provided by the QEP identifies the following measures to be undertaken to protect the SPEA: • Sediment and erosion control measures including: - Scheduling excavation and soil-disturbance activities during dry weather only; - Retaining a QEP if significant rainfall occurs when soils are exposed; - Mulch and plant or seed all exposed soils

		upon completion of construction. Stormwater from impervious surfaces must be directed to the ground and must not flow towards the stream.
F.3.4.3 Where a QEP or other professional's report describes an area within the DPA as suitable for development, that is, where the SPEA is less than the width of the DPA, the development permit should only allow the development to occur in compliance with the measures described in the report. Monitoring and regular reporting by a QEP or other professional at the applicant's expense may be required during construction and development phases, as specified in a development permit.	yes	The RAR Assessment Report outlines measures that must be taken to protect the riparian stream, including: - Clearing of vegetation and trees is prohibited (with the exception of agricultural use). - No residential, commercial or industrial development shall take place within the SPEA. - Sediment and erosion control measures will be required, including: - Scheduling soil disturbance and excavation activities during dry weather; - All exposed soils and stockpiles must be covered with tarps or mulch if there is forecasted rain; - If a significant rainfall occurs during excavation or if there are exposed soils, a QEP must be retained to conduct a site assessment; - Mulch and plant or seed all exposed soils following completion of construction. - All stormwater from impervious surfaces on site must be directed to the ground to infiltrate; stormwater runoff must not flow towards the stream. Staff have included a condition in the permit that the property owner be required to hire a QEP at the property owner's expense if any soil disturbance, excavation or construction activities are undertaken during rainfall.
F.3.4.4 If the nature of the proposed project within the DPA changes after the professional report has been prepared such that it is reasonable to assume that the professional's assessment of the impact of the development may be affected, the Local Trust Committee may require the applicant to have the professional update the assessment at the applicant's expense and development permit conditions may be amended accordingly.	yes	The RAR Assessment Report provided by the QEP indicates that a post-construction assessment by a QEP should be conducted following the completion of development activities to certify that the conditions set out in the assessment report have been properly implemented. Staff have included a condition in the permit that requires the submission of a post development report by a QEP to the Islands Trust.
F.3.4.5 The Local Trust Committee may consider variances to the subdivision, siting or size regulations of this Bylaw where the	yes	The applicant has submitted a development variance permit application (GB-DVP-2018.3), in conjunction with the development permit application. The

variance may result in enhanced protection of a SPEA, riparian buffer or riparian ecosystem in compliance with recommendations of a professional's report.		development variance permit application proposes to vary the 15 metre setback from a watercourse required by the Land Use Bylaw for the siting of an existing pump/utility house on the subject property.
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GABRIOLA ISLAND LOCAL TRUST COMMITTEE

DEVELOPMENT PERMIT GB-DP-2018.2

To: Birgit Bye

1. This permit applies to:

PID 002-348-021

LOT 6, SECTION 19, GABRIOLA ISLAND, NANAIMO DISTRICT, PLAN 26155

2. Whereas the subject property as described above lies within "Development Permit Area No. 3 – Riparian Areas" designated under the Gabriola Island Official Community Plan Bylaw No. 166, this development permit is issued under the Gabriola Island Land Use Bylaw No. 177 and authorizes the **construction of one single family dwelling** in accordance with Schedules "A", "B" and "C" attached to and forming part of this permit.

3. The Permit is subject to the following conditions:

- 3.1 No residential, commercial or industrial development, including no vegetation or tree removal, shall take place within the Streamside Protection and Enhancement Area (SPEA) identified in the Riparian Areas Regulation (RAR) Assessment Report by Madrone Environmental Services Ltd., dated July 4, 2018, and attached as Schedule "C".
- 3.2 Soil disturbance activities within the identified Riparian Assessment Area are to occur during dry weather only;
- 3.3 All exposed soils and stockpiles must be covered with tarps or mulch if a significant rainfall event occurs while soils are exposed (i.e. open excavations with >20 mm rain in a 24-hour time period);
- 3.4 The property owner is required to retain a Qualified Environmental Professional (QEP), at the property owner's expense, to monitor site conditions and provide direction to prevent erosion and sedimentation if a significant rainfall event occurs while soils are exposed (i.e. open excavations with >20 mm rain in a 24-hour time period);
- 3.5 All stormwater from impervious surfaces on site must be directed to the ground to infiltrate, and stormwater runoff must not flow towards the stream;
- 3.6 The property owner is required to mulch and plant or seed all exposed soils within the identified Riparian Assessment Area upon completion of the proposed development;
- 3.7 The property owner is required to revegetate within the SPEA, as identified on Schedule "A", by May 2020.

- 3.8 The property owner is required to submit a post-development assessment report by a QEP that confirms the protection and environmental monitoring requirements identified in the RAR Assessment Report, dated July 4, 2018, and attached as Schedule "C", have been properly implemented.

This permit does not relieve the applicant from complying with the provisions of *the Gabriola Island Official Community Plan Bylaw No. 166, 1997* and the *Gabriola Island Land Use Bylaw No. 177, 1999*, nor does it provide permission to construct any works without other lawfully required approvals and permits.

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS ___ th DAY OF _____, 2018.

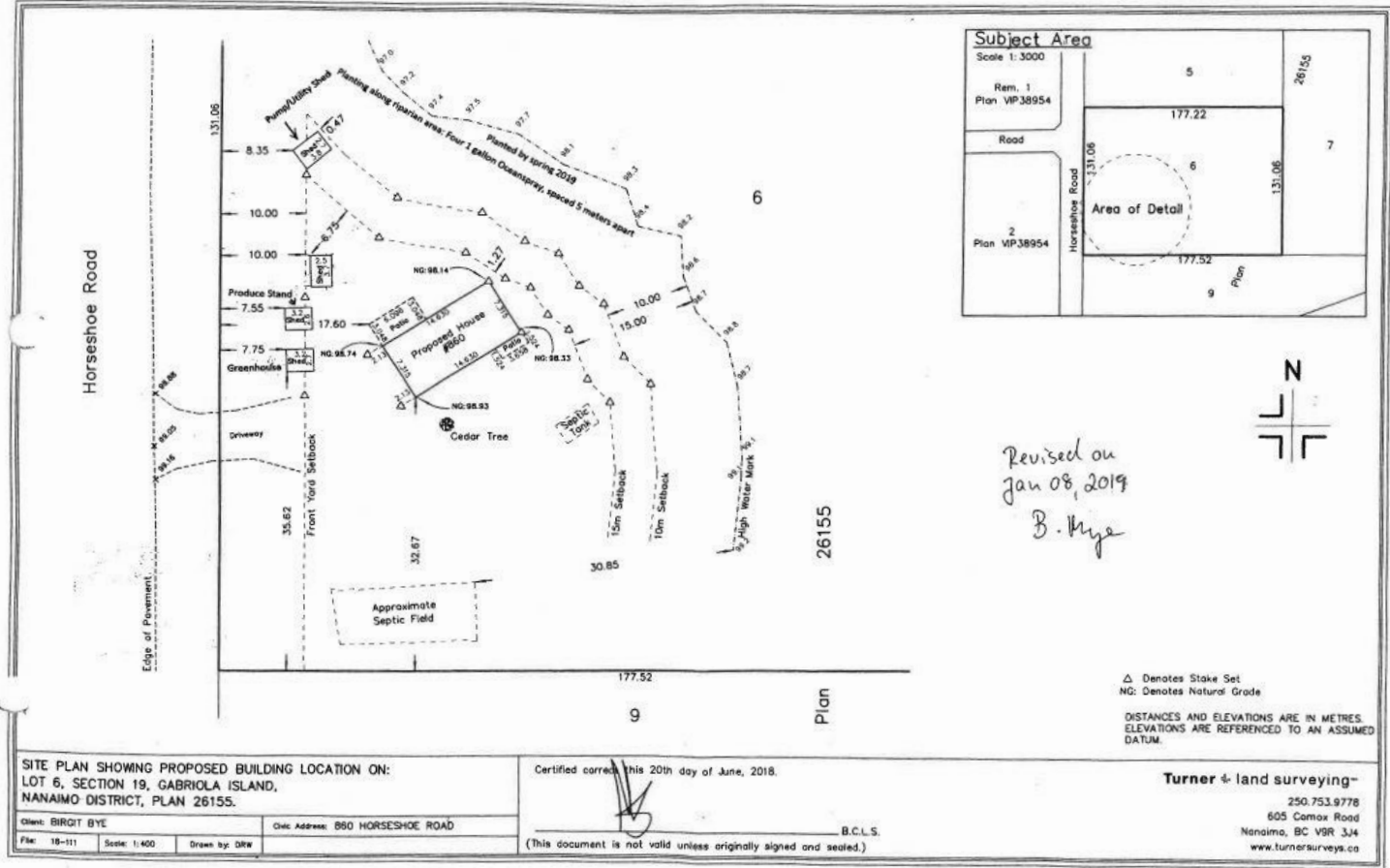
Deputy Secretary, Islands Trust

Date Issued

IF THE DEVELOPMENT HEREIN IS NOT COMMENCED BY THE ___th DAY OF _____, 2020 THIS PERMIT AUTOMATICALLY LAPSES.

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GB-DP-2018.2

Schedule "A" – Site Plan





**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
DEVELOPMENT PERMIT GB-DP-2018.2**

**Schedule "C" – The Riparian Areas Regulation Assessment Report
dated July 4, 2018**

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Riparian Areas Regulation: Assessment Report

Date 2018-07-04

I. Primary QEP Information

First Name	Ian	Middle Name	
Last Name	Wright		
Designation	PAG	Company	Madrone Environmental Services Ltd.
Registration #	2710	Email	ian.wright@madrone.ca
Address	1081 Canada Avenue		
City	Duncan	Postal/Zip	V9L 1V2
Prov/state	BC	Country	Canada
		Phone #	250-746-5545

II. Secondary QEP Information

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	
Prov/state		Country	
		Phone #	

III. Developer Information

First Name	Birgit	Middle Name	
Last Name	Bye		
Company			
Phone #		Email	birgitbye@hotmail.com
Address	645 Galliger Way		
City	Gabriola Island	Postal/Zip	V0R 1X3
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Construction – Single Family Residential		
Area of Development (ha)	0.01	Riparian Length (m)	136
Lot Area (ha)	2.32	Nature of Development	New
Proposed Start Date	2018-07-15	Proposed End Date	2020-07-15

V. Location of Proposed Development

Street Address (or nearest town)	860 Horseshoe Road		
Local Government	Islands Trust	City	Gabriola Island
Stream Name	McClay Creek		
Legal Description (PID)	002-348-021	Region	Vancouver Island
Stream/River Type	Stream	DFO Area	South Coast
Watershed Code	925-336786-567072-170335		
Latitude	49	10	58.4
Longitude	123	49	30.0

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1. Description of Fisheries Resources Values and Development Proposal

The following description of the property and Riparian Assessment Area (RAA) is based on a field assessment conducted on May 31st of 2018, completed under favourable weather conditions and with full access to the RAA within the property boundaries.

Purpose of Assessment

This assessment was required by the Islands Trust as part of a development permit application, as the proposed development is located within the Riparian Areas Development Permit Area (DP-3)¹.

Property Description

The subject property is located at 860 Horseshoe Road on Gabriola Island (PID: 002-348-021). It is 2.32 hectares in size and is zoned for Agriculture (AG). The site is located within the a terrestrial ecosystem mapping unit comprised of 70% young forest (Douglas-fir/salal), 20% pole sapling (regenerating forest), and 10% seasonally-flooded field.

McClay Creek flows across the southwest portion of the property in a northwest direction, and is the subject stream of this assessment. The site is generally flat with a slight slope towards the stream.

An existing access road extends from Horseshoe road to approximately 100m eastward, and passes through the RAA and SPEA. There are four existing sheds within the RAA, located near the west property boundary, and a septic tank is located to the southeast of the proposed house, outside of the Islands Trust building setback of 15m. This was reportedly installed prior to the riparian development permit area coming into effect on Gabriola Island. The associated septic field is located beyond the 30m RAA.

Proposed Development

A new single family residence is proposed within the RAA, at the west end of the property. The proposed building footprint covers approximately 107m², and associated patio areas cover about 24m².

Proposed Timeline

It is anticipated that the proposed development will be completed within two years of the submission of this RAR Assessment Report.

Watershed Context

McClay Creek is a tributary of Castell Brook (Watershed Code: 925-336786-567072-170335), and joins Castell Brook at the pond located on pasture land upstream of Daniel Way. The Castell Brook watershed is located at the north end of Gabriola Island, and the system drains into the north end of Lock Bay. McClay Creek is a small stream with average channel widths ranging from 1 to 3m and generally low gradient (1 to 4%) with a short section with moderate gradient (7 to 8%). It has been broadly impacted by past development activities within the riparian area, and has been ditched and realigned in places. In the upper watershed, lawn has been established up to the edge of the high water mark and sheds have been placed within 2m of the stream. Portions of McClay Creek are ditched through agricultural land and along roadsides, while other portions flow through second growth forest and have retained more natural stream morphology. At the watershed scale, riparian vegetation along McClay Creek is lacking due to past agricultural and residential development.

¹ [Gabriola Island OCP Bylaw No. 166](#)

Fisheries Resource Values

A natural barrier to upstream fish passage was identified on Castell Brook by Madrone in 2011². The barrier is a series of bedrock steps, each up to 2.5m in height, and is located just downstream of Daniel Way. Seasonal anadromous fish, such as chum or pink salmon, may utilize the habitat downstream of the barrier. Resident fish may have existed upstream of the barrier prior to incurring alterations to riparian vegetation, channel morphology, water quality and water quantity. No resident fish currently exist upstream of the barrier on Castell Brook, and by extension, no fish are known to be present in McClay Creek. Castell Brook enters an estuarine marsh at Lock Bay, which is protected from wave action by a spit to the north. This salt marsh provides important habitat for a variety of fish and wildlife.

Stream and Riparian Vegetation Descriptions

McClay Creek flows across the southwest property corner in a northwest direction, with about 136m of stream length within the property boundaries. The stream was flowing at the time of assessment and has a low gradient riffle-pool morphology with small gravel and sand substrates. The channel is incised with vertical banks with an average width of 1.5m. There are several shallow pools and an abundance of overhanging vegetation cover. McClay Creek is conveyed beneath the access road via a ~800mm steel pipe culvert. A pool observed upstream of the culvert could potentially support breeding amphibians, such as tree frogs. Numerous damselflies were observed and breeding song birds were very active in the area.

Vegetation associated with the stream included a young forest canopy dominated by grand fir, Douglas-fir and western redcedar, with several mature trees present. Big leaf maple, red alder and willow trees formed a secondary component of the forest canopy. Understorey vegetation included Saskatoon, salmonberry, salal, Oregon grape, Ocean spray, Nootka rose and sword fern. There is a small floodplain area on the north side of the stream near the west side of the property that is dominated by slough sedge. Slough sedge is also prominent along the stream banks, which is providing valuable shade to the stream where there is no forest cover. The forested portion of the riparian area is primarily along the north side of the stream, while the south side is mostly cleared of natural vegetation and is currently under agricultural cultivation. This existing orchard and vegetable production area within the SPEA are permitted as agricultural use.

² Willmott, T. and J. Lange (2012). Gabriola Island Riparian Area Regulation Stream Identification. Updated and Revised Version – February 24, 2012. Unpublished report to Islands Trust.

2. Results of Riparian Assessment (SPEA width)

Date: 2018-07-04

Description of Water bodies involved (number, type)

Stream, 1

Stream	☒
Wetland	☐
Lake	☐
Ditch	☐
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (for stream or ditch)

	Channel Width(m)	Gradient (%)	
starting point	1.7		I, <u>Ian Wright, PAg, RBTech</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
upstream	1.2	1	
	1.9		
	0.7		
	1.4		
downstream	2.4	1	
	2.1		
	1.5		
	1.0		
	1.6		
	0.8		
Total: minus high /low	13.2		
mean	1.47	1	
	R/P	C/P	S/P
Channel Type	☒	☐	☐

Site Potential Vegetation Type (SPVT)

	Yes	No		
SPVT Polygons	☐	☒	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes I, <u>Ian Wright, PAg, RBTech</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.	
Polygon No:	1/1		Method employed if other than TR	
	LC	SH		TR
SPVT Type	☐	☐		☒

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No: 1/1 If two sides of a stream involved, each side is a separate segment. For all water bodies

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Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

		multiple segments occur where there are multiple SPVT polygons					
LWD, Bank and Channel Stability ZOS (m)	10						
Litter fall and insect drop ZOS (m)	10						
Shade ZOS (m) max	4.4						
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)						
Ditch Fish Bearing	Yes		No		If non-fish bearing insert no fish bearing status report		
SPEA maximum	10	(For ditch use table3-7)					

I, Ian Wright, PAg, RBTech, hereby certify that:

- I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- I am qualified to carry out this part of the assessment of the development proposal made by the developer Birgit Bye;
- I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and
- In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

The SPEA is a maximum of 10m, measured perpendicularly from the high water mark. Note that the Islands Trust also requires buildings to be setback at least 15m from the high water mark. The majority of the area within the SPEA in the vicinity of the proposed building is currently under cultivation for vegetable and tree fruit production.

Both the 10m SPEA and 15m building setback have been marked on the ground by Turner Land Surveying, as shown on the site plan.



PROJECT:
860 Horseshoe Rd, Gabriola Is - RAR

DRAWN BY:
Ian Wright

LOCATION:
Islands Trust

CLIENT:
Bob Bye

MAP DATE:
July 3, 2018

DOSSIER:
18.0222

RAR Assessment Site Plan

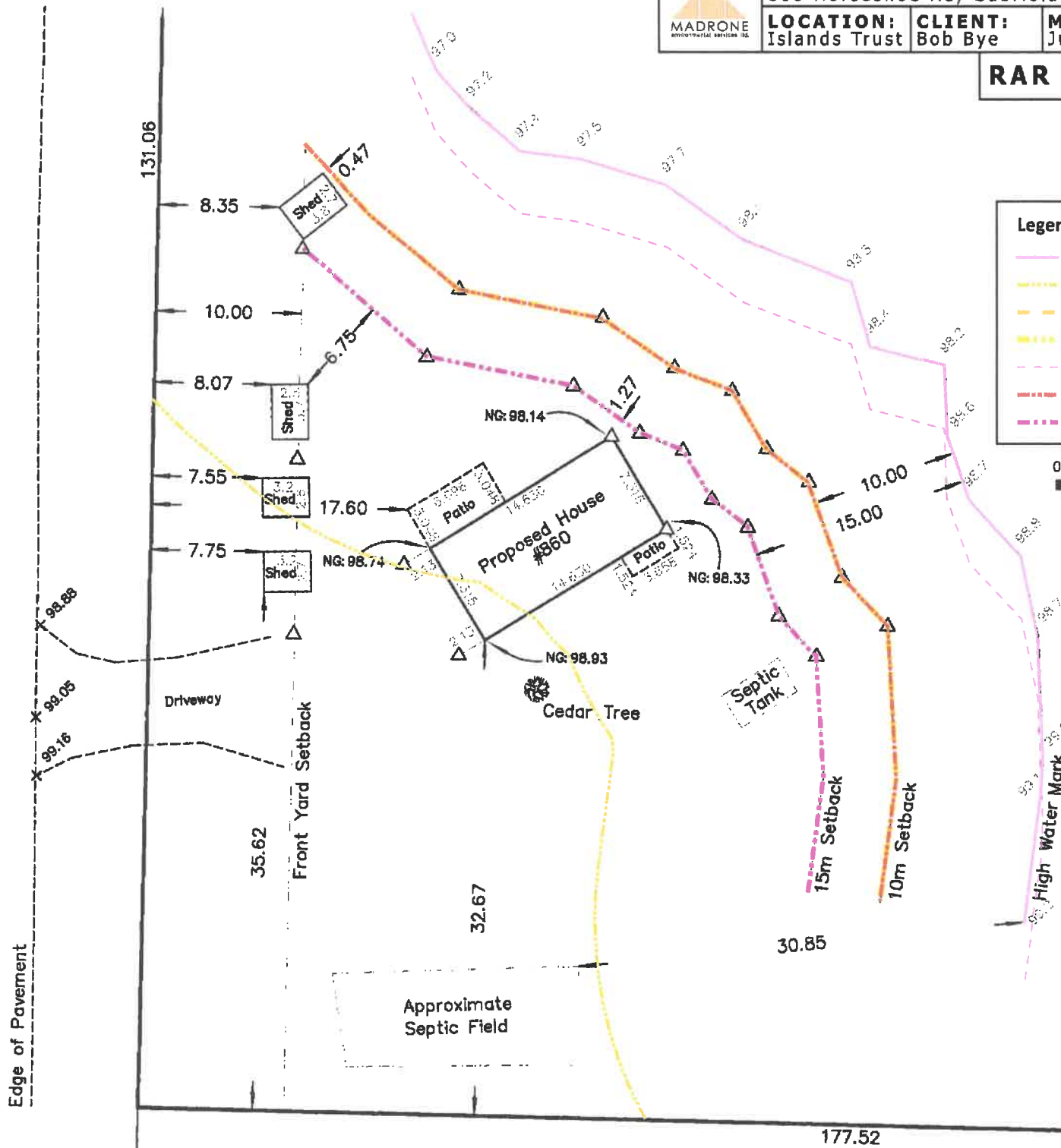
Base site plan provided by
Turner Land Surveying
(File: 18-111)

Legend

- High Water Mark (HWM)
- Riparian Assessment Area (30m)
- LWD, Bank and Channel Stability ZOS (10m)
- Litter Fall and Insect Drop ZOS (10m)
- Shade ZOS (4.4m)
- Streamside Protection and Enhancement Area (SPEA - 10m)
- Islands Trust Building Setback (15m)

0 2.5 5 10 15 20
Meters

Scale = 1:400



4. Measures to Protect and Maintain the SPEA

4.1 Danger Trees	No danger trees were identified in the RAA or SPEA, in relation to the existing driveway and proposed house site. If any trees in the SPEA within striking distance of the driveway raise concern in the future – due to physical damage, leaning or deterioration – a qualified arborist should be retained to assess and if necessary, treat the tree(s) in question. Within the SPEA, only danger trees, as designated by a qualified arborist or danger tree assessor, are permitted to be topped or felled. Otherwise, the SPEA is considered to be a “no-go zone” in which the clearing of vegetation and trees is prohibited (with the exception of agricultural use). Where appropriate, danger trees should be cut at a height of ~5m to leave a standing wildlife snag in place. Any topped or felled danger trees within the SPEA must be left to decay naturally on the forest floor.
I, <u>Ian Wright, PAg, RBTech</u>, hereby certify that: e) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; f) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u>; g) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4.2 Windthrow	No tree clearing is proposed. As such, no increase in windthrow risk will result from the proposed development, and no windthrow prevention measures are necessary. <i>Note that windthrow is a natural phenomenon and that trees are blown over even in uncut stands by high winds. As such, the risk of windthrow cannot be completely mitigated or eliminated. No significant increase in windthrow risk is expected to result from proposed development. However, no guarantees are made regarding the future occurrence of windthrow.</i>
I, <u>Ian Wright, PAg, RBTech</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4.3 Slope Stability	The assessed portion of the property is generally flat, with no steep slopes associated with the assessed length of the stream. Therefore, no slope stability measures are necessary for the proposed development.
I, <u>Ian Wright, PAg, RBTech</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

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4.4 Protection of Trees	No tree clearing is proposed, and the development footprint is sufficiently separated from the existing trees on the property such that the tree root systems will not be impacted. Therefore, no tree protection measures are necessary for the proposed development.
I, <u>Ian Wright, PAg, RBTech</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4.5 Encroachment	SPEAs are intended as areas to be left in a natural state, or in cases where riparian areas have been historically disturbed they should be enhanced (i.e. removal of invasive plants and planting of native species). In general, SPEAs are to be considered a “no-go zone” in which development activities are prohibited. Development activities that are not permitted in the SPEA include the following: • Removal, alteration, disruption or destruction of vegetation; • Disturbance of soils; • Construction of temporary or permanent structures; • Creation of non-structural impervious or semi impervious surfaces; • Flood protection works; • Construction of roads and trails; • Provision and maintenance of sewer/water services; • Development of drainage systems; and • Development of utility corridors. The above restrictions apply to all activities related to residential, commercial and industrial development. Note that the riparian vegetation was previously cleared on the south side of the stream for agricultural production, which is permitted. Given that nearly the entire SPEA along the south side of the stream has been encroached upon for agricultural purposes, no encroachment protection measures in relation to the proposed residential development would be appropriate or effective in this case. However, I strongly recommend that the existing vegetation along the south stream bank should be left undisturbed. Although it is not required, I would also encourage the landowners to consider planting some native shrubs amongst the existing vegetation along south side of the stream, which would improve stream bank stability and provide additional shade to keep the water temperature cool during the spring and summer months. If interested, I can provide some suggestions of native shrub species to plant.
I, <u>Ian Wright, PAg, RBTech</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

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4.6 Sediment and Erosion Control	Sediment and erosion control measures will be required during soil disturbances as part of the construction of the new residence and associated landscaping works within the RAA. As the proposed house site is situated on relatively flat terrain, the risk of erosion and sedimentation to the stream and wetland resulting from the house construction are considered to be low, unless a significant rainfall event occurs while soils are exposed. Measures that apply to the construction of the house are as follows: • Schedule excavations and other soil-disturbing activities during a dry weather window – do not proceed if there is significant rainfall forecasted. • If a significant rainfall event occurs while soils are exposed (i.e. open excavations with >20mm rain in 24 hours), you must retain a Qualified Environmental Professional (QEP) to monitor the site conditions and provide directions to prevent erosion and sedimentation, as necessary (See Section 5 of this report – Environmental Monitoring). ○ Some example erosion and sediment control measures that the Environmental Monitor may require include covering exposed soils and stockpiles with tarps, mulching exposed soils with straw, and installing temporary stormwater swales to intercept runoff. • Mulch and plant or seed all exposed soils upon completion of construction. Mulch may be straw, bark mulch, wood chips, etc. Either seed the disturbed soils with your preference of grass seed, or plant with shrubs.
I, <u>Ian Wright, PAg, RBTech</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	
4.7 Stormwater Management	There is sufficient area away from the stream for the infiltration of runoff. The proposed house will result in an approximate increase in impervious surfaces of 107m². This minor increase is not expected to result in any stormwater management concerns. All stormwater from the impervious surfaces on site must be directed to the ground to infiltrate; stormwater runoff must not flow towards the stream.
I, <u>Ian Wright, PAg, RBTech</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

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4.8 Floodplain Concerns (highly mobile channel)	There is a small floodplain area on the north side of the stream, near the west edge of the property. It is a marshy area dominated by slough sedge, which likely provides some flood relief when the stream flow exceeds bankfull discharge. Although it is a small feature, it is likely valuable to a variety of wildlife. As the proposed development is located on the opposite side of the stream, and because it will not result in changes to hydrology or clearing of additional riparian trees or shrubs, no impact to this floodplain is anticipated to result from the construction of the new residence. The stream channel itself appeared stable and not highly mobile. However, note that the channel is incised with vertical banks, and to maintain the channel stability, the existing vegetation along the stream banks should be retained. Ideally, some native shrubs would be planted along the south edge of the stream to provide additional bank stability; however, this would be a voluntary action by the landowners, if they are interested in improving the health of the stream.
I, <u>Ian Wright, PAg, RBTech</u>, hereby certify that: a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>; b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>Birgit Bye</u>; c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and in carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation	

5. Environmental Monitoring

Environmental Monitoring – House Construction and Landscaping

- Environmental monitoring **will not be required** for this development if **soil disturbance stages of construction are completed during dry weather**.
- Construction works, particularly **all excavation works, must be scheduled during a forecasted dry weather window**.
- If excavations are in progress and/or soils are exposed and there is forecasted rain, **all exposed soils and stockpiles must be covered with tarps or mulch** (i.e. thick layer of straw or woodchips).
- **If a significant rainfall event (>20mm in 24 hours) occurs** during the excavation stage of construction or if there are exposed soils, the proponent **must retain a Qualified Environmental Professional to conduct a site assessment** to evaluate the risk of erosion and sedimentation within the SPEA and in relation to the stream. The proponent must follow the direction of the Qualified Environmental Professional and implement any measures they prescribe, as necessary, to protect the integrity of the SPEA and water quality in the stream. Needs for further environmental monitoring will be determined by the Qualified Environmental Professional.

Post-Construction Assessment

- A post-construction assessment should be conducted by a Qualified Environmental Professional after the proposed development activities are completed.
- This assessment will serve to confirm whether the SPEA has been protected throughout the construction process, and that the measures detailed in this report have been followed.
- A Post-Construction Assessment Report can provide the proponent with proof of compliance with the RAR and Riparian Areas DPA requirements.

6. Photos



Photo 1 – Northwest view towards the existing orchard and proposed building site (behind the RV). The stream is beyond the orchard and the trees in the background are on the north side of the stream.



Photo 2 – West view towards the existing orchard and proposed building site (behind the RV). This photo was taken from the access road where it crosses the stream (at the culvert).

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Photo 3 – North view with the existing septic tank in the foreground, and the orchard and stream behind.



Photo 4 – Upstream view of the stream from the west end of the surveyed stream length.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 5 – Upstream view from the culvert, showing the high water mark identified with blue flagging tape in relation to the existing orchard.

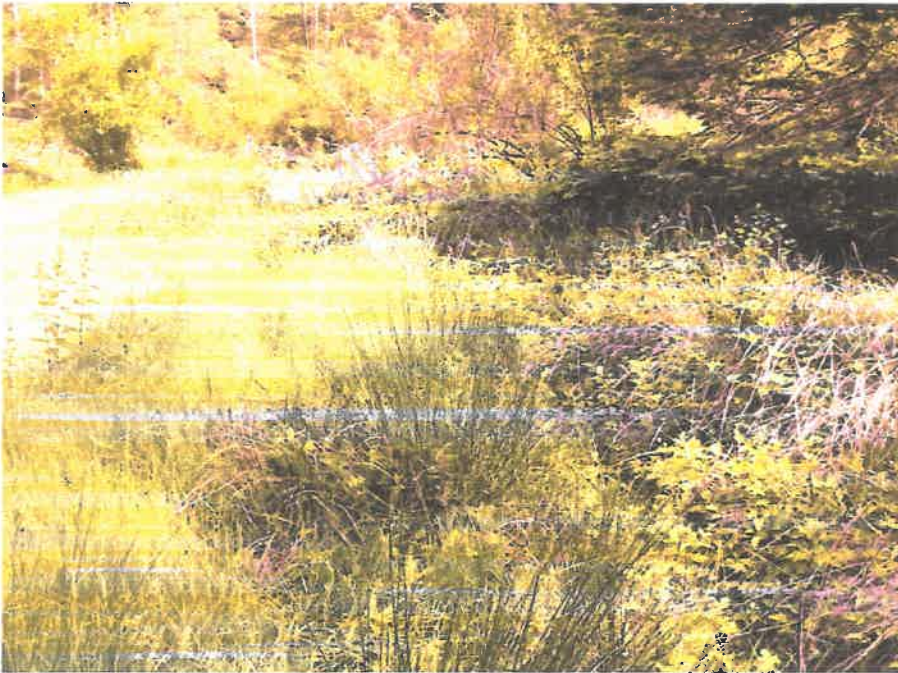


Photo 6 – Upstream view of the stream from the east end of the surveyed stream length.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report



Photo 7 – Small floodplain area on the north side of the stream, near the west side of the property. The stream channel is in the foreground with the south high water mark identified with blue flagging tape; overhanging sedges provide shade to the stream along the section north of the existing orchard.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date

1. I/We, Ian Wright, PAg, RBTech, hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer Birgit Bye, which proposal is described in section 3 of this Assessment Report (the "development proposal"),
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) ☐ if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)

- b) ☒ if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: "qualified environmental professional" means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and
- (c) the individual is acting within that individual's area of expertise.]

FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Attachment 1. Summary of Qualifications – Qualified Environmental Professional, Riparian Assessments for the Riparian Areas Regulation

Date:	2018-07-04
Name of Qualified Environmental Professional (QEP):	Ian Wright
Professional designation:	Professional Agrologist (PAg) and Registered Biology Technologist (RBTech)
Professional association:	British Columbia Institute of Agrologists (BCIA) and College of Applied Biology of BC (CAB-BC)
Registration number:	2710 (PAg) and 94 (RBTech)
Training in Riparian Areas Regulation	Riparian Areas Regulation Methods Course
Organization or agency delivery training:	Vancouver Island University, Natural Resources Extension Program
Name of trainer:	Michele Jones, MSc, RPBio
Date of training session:	May 23-25, 2017
Certificate number:	N/A (VIU does not issue a certificate number)
Other relevant education, training or experience	- Attended RAR Professional Practice Guidelines Workshop in Nanaimo on May 17, 2018 - I have assisted other QEPs with ~20 RAR assessments for over the past 6 years; only beginning to sign off as lead QEP within the last year, after completing the RAR Methods Course
Riparian assessments completed or contributed to:	
Report title (RARNS #):	Shawnigan Lake (#5239) – Madrone Dossier #18.0205
Report date:	2018-06-20
As lead Qualified Environmental Professional (Y/N)	Y
As supporting specialist (Y/N)	N
Report title (RARNS #):	Cowichan Station (#5209) – Madrone Dossier #18.0208
Report date:	2018-06-05
As lead Qualified Environmental Professional (Y/N)	Y
As supporting specialist (Y/N)	N
Report title (RARNS #):	Youbou (#4995) – Madrone Dossier #18.0006
Report date:	2018-01-23
As lead Qualified Environmental Professional (Y/N)	Y
As supporting specialist (Y/N)	N
Report title (RARNS #):	Westholme (#4934) – Madrone Dossier #17.0268
Report date:	2017-12-11
As lead Qualified Environmental Professional (Y/N)	Y
As supporting specialist (Y/N)	N
Report title (RARNS #):	Cobble Hill (#4875) – Madrone Dossier #17.0253
Report date:	2018-01-04
As lead Qualified Environmental Professional (Y/N)	Y
As supporting specialist (Y/N)	N
Report title (RARNS #):	Meade Creek (#4681) – Madrone Dossier #17.0205
Report date:	2017-07-07
As lead Qualified Environmental Professional (Y/N)	Y
As supporting specialist (Y/N)	N



2018-07-04

Qualified Environmental Professional Signature

Date

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Attachment 2. Riparian Assessment Assurance Statement – Qualified Environmental Professional

Note: This Statement is to be read and completed in conjunction with the *Professional Practice Guidelines – Legislated Riparian Assessments* and the Riparian Areas Regulation 2004 OIC 837 and is to be provided for *riparian assessments* (not landslides, floods or flood controls) for the purposes of the Riparian Areas Regulation. Italicized words are defined in the guidelines.

To: Islands Trust
700 North Road
Gabriola Island, BC V0R 1X3

Date: 2018-07-04

With reference to the Riparian Areas Regulation for the property:
860 Horseshoe Road, Gabriola Island BC (PID 002-348-021)

The undersigned hereby gives assurance that he/she is a *Qualified Environmental Professional*:

Name of *Qualified Environmental Professional*: Ian Wright, PAg, RBTech

Professional designation: Professional Agrologist (PAg #2710) and Registered Biology Technologist (RBTech #94)

Professional association: BC Institute of Agrologists and College of Applied Biology of BC

I have signed, sealed and dated, and thereby certified, the attached riparian assessment report on the property in accordance with the *Professional Practice Guidelines – Legislated Riparian Assessments* and with the *assessment methods*. That report must be read in conjunction with this statement. In preparing that report I have:

- ☒ 1. Collected and reviewed appropriate background information
- ☒ 2. Reviewed the *development proposal* on the property
- ☒ 3. Conducted field work on and, if required, beyond the property
- ☒ 4. Reported on the results of the field work on and, if required, beyond the property
- ☒ 5. Incorporated recommendations or assessment results from other *specialists*
- ☒ 6. Prescribed *measures* to protect and maintain the integrity of the streamside protection and enhancement area
- ☒ 7. Prescribed *measures* to avoid the occurrence of a HADD*
- ☒ 8. Reported on the requirements for *field reviews* or *environmental monitoring* of the property during or following site works for the proposed *development* and recommended who should conduct those *field reviews* or *environmental monitoring*
- ☒ 9. Reviewed the *riparian assessment* report with the *client* and explained the content and the *measures* required to be implemented.

*HADD – harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes

I hereby confirm that in my professional opinion, based on the conditions contained in the attached *riparian assessment report*, as required by the Riparian Areas Regulation (Section 4):

Check one:

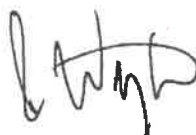
☐ If the *development* is implemented as proposed there will be no harmful alteration, disruption or destruction of *natural features, functions and conditions* that support fish life processes in the *riparian assessment area*.

☒ If the *streamside protection and enhancement areas* identified in the report are protected from the *development* and the *measures* prescribed in the report as necessary to protect the integrity of those areas from the effects of the *development* are implemented by the *developer*, there will be no harmful alteration, disruption or destruction of *natural features, functions and conditions* that support fish life processes in the *riparian assessment area*, and

Check one:

☐ with one or more recommended registered covenants

☒ without any registered covenant.



2018-07-04

Signature, seal and date



DATE OF MEETING: January 24, 2019

TO: Gabriola Island Local Trust Committee

FROM: Jaime Dubyna, Planner 1
Northern Team

SUBJECT: Temporary Use Permit for a Commercial Vacation Rental in a Residential Zone
Applicant: Kevan and Julia Garner
Location: 671 Balsam Street, Gabriola Island

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee approve issuance of Temporary Use Permit GB-TUP-2018.1 for a commercial vacation rental for a period of three (3) years from date of issuance, subject to the following conditions:
 - a) the single family dwelling and subject property must maintain a residential appearance, and the existing vegetative screening or fencing must not be removed;
 - b) parking for a minimum of two (2) vehicles for the commercial vacation rental use must be provided on the property;
 - c) the owner or an operations manager must reside on Gabriola Island and be available by telephone 24 hours per day, seven days per week. Any changes to contact information must be provided to the Islands Trust within seven (7) working days;
 - d) neighbours within a 100 metre radius of the commercial vacation rental must be provided with a contact phone number, and a copy of the temporary use permit;
 - e) information must be posted for guests pertaining to: noise bylaws, water conservation, fire safety, storage of garbage, septic care, First Nations historical use of area, control of pets (if pets are permitted) and information to remind guests that they are in a residential area;
 - f) a supply of water in the amount of 227 litres (50 imperial gallons) per paying guest must be provided for the duration of the permit;
 - g) the maximum number of bedrooms in the single family dwelling for the commercial vacation rental is two (2);
 - h) the maximum number of people that can stay in the commercial vacation rental is a maximum of two (2) guests per bedroom, for a maximum of four (4) guests at any given time;
 - i) the property owner submit a copy of the property insurance;
 - j) the maximum number of signs advertising the commercial vacation rental is restricted to one (1) sign, with a maximum area of 0.3 square metres, and is to be made of wood and not illuminated;
 - k) the rental or provision of motorized personal watercraft to rental clients is prohibited;
 - l) the use of recreational vehicles and camping for the overnight accommodation of guests is prohibited; and
 - m) the holder of the Permit will be responsible for any violation of the conditions of this Permit. For the purpose of investigating a complaint, the Islands Trust Bylaw Investigations Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation.
2. That the Gabriola Island Local Trust Committee include as a requirement of the Temporary Use Permit GB-TUP-2018.1 that it is the responsibility of the landowner to obtain any required authorization under the *Water Sustainability Act* or any other relevant legislation pertaining to groundwater.

REPORT SUMMARY

The Gabriola Island Local Trust Committee (LTC) is asked to consider a Temporary Use Permit (TUP) for the temporary operation of a commercial vacation rental within the single family dwelling on the subject property. Pursuant to Section 3.8 (a) of the Gabriola Island Official Community Plan (OCP), a temporary use permit may be issued for commercial vacation rentals within land designated Small Rural Residential (SRR).

BACKGROUND

At the regular business meeting on September 27, 2018 meeting, the LTC considered a [Staff Report](#) regarding Temporary Use Permit GB-TUP-2018.1 and subsequently passed resolution GB-2018-084:

GB-2018-084

It was **MOVED** and **SECONDED**

That the Gabriola Island Local Trust Committee request that the applicant submit to the Islands Trust details of measures taken or to be taken to address neighbours' concerns. CARRIED

In addition to the LTC resolution, the LTC requested additional information prior to making a decision regarding the TUP application. Refer to Attachment 5 for the adopted minutes from the September 27, 2018 LTC regular business meeting.

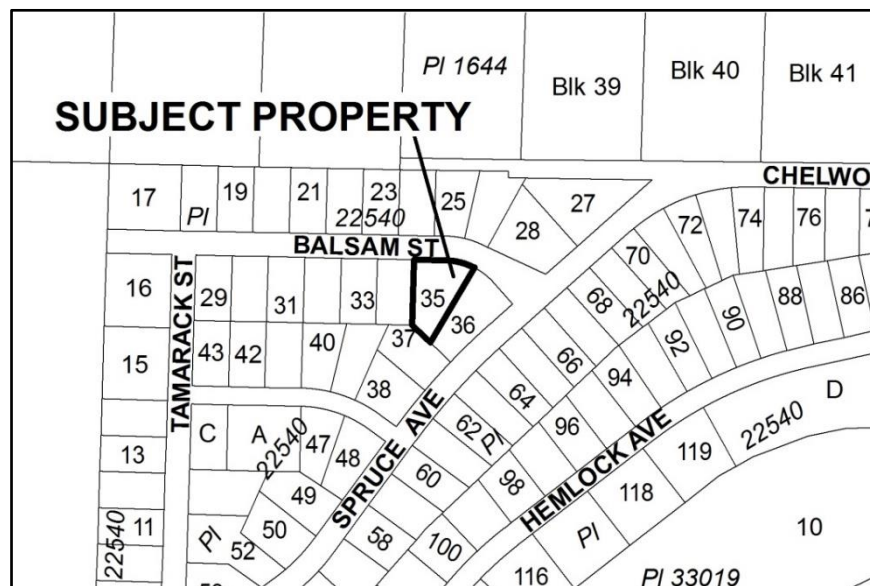


Figure 1. Subject Property

ANALYSIS

Policy/Regulatory

See the September 27, 2018 [Staff Report](#) for discussion of applicable policies and regulations.

Issues and Opportunities

Addressing Neighbours' Concerns

Staff received [correspondence](#) from two neighbours concerned with the TUP application prior to the September 27, 2018 LTC meeting. At the request of the LTC, the applicant has submitted a letter detailing the measures to be taken to address neighbours' concerns. A copy of the letter is found in Attachment 4.

The applicant has highlighted the importance of respecting neighbours and the “peace and quiet” of Gabriola Island in the guest information guide found in Attachment 3. The applicant has also attached a copy of the Regional District of Nanaimo Bylaw No. 1082 (Noise Control Bylaw) for guest information.

If/when a disturbance occurs, the applicants (property owners) propose that:

- Neighbours first contact the property owners to inform them of the disturbance;
- The property owners will then contact the guests immediately to ask them to be quiet;
- If the disturbance continues, the property owner will contact their on-island contact to visit the property in-person to ask guests to be respectful of neighbours.

The applicants have provided their contact information (phone number and email address) and the contact information of their on-island contact for neighbours.

Gabriola Wildwood Estates Ltd.

It was noted in the staff report dated September 27, 2018 that a restrictive covenant (391133G) is charged to the title of the subject property held by Gabriola Wildwood Estates Ltd. and dated December 10, 1969. Staff previously noted that it was unclear whether the grantor was available to ensure whether the subjects of the covenant are being upheld.

At the request of the LTC, staff undertook a company search of Gabriola Wildwood Estates Ltd. and found that the company was “Dissolved for Failure to File” on February 25, 1983.

Staff has discussed with the property owner the option to remove the covenant from the title. At the request of the property owner, staff contacted BC Land Title and Survey (LTSA) to be informed of the process for requesting release of the covenant from the title. According to the LTSA, since the LTC does not hold the covenant, the property owner would be required to file a court order to have the covenant discharged from the title.

Copy of Insurance

At the request of the LTC, staff have included as a condition of the draft TUP that the applicant be required to submit a copy of their property insurance.

The applicant provided a copy of the property insurance to staff on December 18, 2018. A copy of the insurance has been filed within the application file.

First Nations History

As a condition of the draft TUP, and at the request of the LTC, the applicant has included in the guest information guide, information about local First Nations historical use of the area. Refer to Page 4 of Attachment 3.

Siting of Art Studio and Greenhouse

Through a Building Permit application with the Regional District of Nanaimo (RDN) Building Department, the siting of the art studio and one of the greenhouses have been identified as being within the lot line setback. The applicants have been advised that a Building Permit will not be issued until all non-conforming buildings or structures are brought into compliance – be it through relocation, a development variance permit application or demolition.

Staff note that issuance of the TUP would apply to the proposed use only, and would not relieve the applicants from the need to secure all other approvals to bring the property into compliance.

Consultation

No community consultation beyond statutory public notification has been undertaken. A Community Information Meeting is not required for this application.

Statutory Requirements

In accordance with Section 494 of the *Local Government Act*, neighbours must be notified of a TUP application. Notice of the draft TUP was mailed on January 9, 2019 to all property owners and occupants of properties within 100 metres of the subject property. A notice of the draft TUP was published in *the Gabriola Sounder* newspaper on January 16, 2019 edition.

No correspondence has been received following the January 9, 2019 mail-out or at the time of staff report preparation, but may be received before or during the LTC meeting. Correspondence may be sent to northinfo@islandstrust.bc.ca.

Rationale for Recommendation

Further to the rationale provided in the [Staff Report](#) dated September 27, 2018, staff recommend that this application be approved, subject to conditions. The staff recommendation is provided on Page 1 of this report.

ALTERNATIVES

1. Request further information

The LTC may request further information prior to making a decision. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request that the applicant submit to the Islands Trust the following information [specify required information].

2. Impose additional permit conditions

The LTC may choose to impose additional permit conditions in accordance with OCP guideline 3.8 (h) (xvii) which states, “such other considerations as are deemed applicable with respect to a specific commercial vacation rental application”. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request that the draft permit for GB-TUP-2018.1 be amended to include the following conditions... [specify additional conditions].

3. Deny the application

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee deny application GB-TUP-2018.1 for the following reasons... [specify reasons for denial].

NEXT STEPS

If the LTC agrees with staff recommendation, the TUP in Attachment 2 will be issued.

Submitted By:	Jaime Dubyna, MSc.Pl. Planner 1	January 9, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	January 14, 2019

ATTACHMENTS

1. Attachment 1 – Copy of Public Notice
2. Attachment 2 – Draft Temporary Use Permit
3. Attachment 3 – Sample of Guest Information Guide (revised)
4. Attachment 4 – Applicant’s Letter dated November 30, 2018
5. Attachment 5 – (extracted) Adopted Minutes from September 27, 2018 LTC regular business meeting



NOTICE
GABRIOLA ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
GB-TUP-2018.1 (Garner)

NOTICE is hereby given that the Gabriola Island Local Trust Committee will consider a Resolution to issue a Temporary Use Permit pursuant to *Section 493* of the *Local Government Act* for Lot 35, Section 22, Gabriola Island, Nanaimo District, Plan 22540 (PID 003-330-460, Application GB-TUP-2018.1, 671 Balsam Street, Gabriola Island).

The purpose of the proposed permit is to permit the operation of a commercial vacation rental within the single family dwelling on the subject property.

The location of the property subject to the proposed permit is shown on the following sketch:



Enquiries or comments should be directed to Planner Jaime Dubyna at 250-247-2063, or by email to: northinfo@islandstrust.bc.ca. For Toll Free Access, request a transfer via Enquiry BC: In Vancouver 604-660-2421 and elsewhere in BC 1-800-663-7867.

A copy of the proposed permit may be inspected at the Islands Trust Northern office at 700 North Road, Gabriola Island between the hours of 8:30 a.m. and 4:00 p.m. Monday to Friday inclusive, excluding statutory holidays commencing **January 11, 2019** up to **January 23, 2019**.

The Gabriola Island Local Trust Committee will consider the proposed permit at its regular meeting to be held on **Thursday, January 24, 2019** beginning at 10:30 a.m. at the Gabriola Arts and Heritage Centre, 476 South Road, Gabriola Island. Please refer to the posted agenda available on the Islands Trust website (www.islandstrust.bc.ca) at the beginning of that week for an indication of where this application is to be placed on the agenda.

All applications are available for review by the public. Written comments made in response to this notice will also be available for public review.

Becky McElean
Deputy Secretary



**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
TEMPORARY USE PERMIT
GB-TUP-2018.1 (Garner)
671 Balsam Avenue, Gabriola Island**

To: K. Garner and J.S. Garner

1. This Permit applies to the land described below:
PID 003-330-460
Lot 35, Section 22, Gabriola Island, Nanaimo District, Plan 22540.
2. This Permit is valid for a period of three years from the date of issuance.
3. This Permit is issued for the purpose of permitting a commercial vacation rental within the single family dwelling.
4. The use may be carried out subject to the following conditions:
 - 4.1 the single family dwelling and subject property must maintain a residential appearance, and the existing vegetative screening or fencing must not be removed;
 - 4.2 parking for a minimum of two vehicles for the commercial vacation rental use must be provided on the property;
 - 4.3 the owner or an operations manager must reside on Gabriola Island and be available by telephone 24 hours per day, seven days per week. Any changes to contact information must be provided to the Islands Trust within seven (7) working days;
 - 4.4 neighbours within a 100 metre radius of the commercial vacation rental must be provided with a contact phone number, and a copy of the temporary use permit;
 - 4.5 information must be posted for guests pertaining to: noise bylaws, water conservation, fire safety, storage of garbage, septic care, First Nations historical use of area, control of pets (if pets are permitted) and information to remind guests that they are in a residential area;
 - 4.6 a supply of water in the amount of 227 litres (50 imperial gallons) per paying guest must be provided for the duration of the permit;
 - 4.7 the maximum number of guests that may stay in the commercial vacation rental is 2 per bedroom, for a maximum of 4 guests at any given time;
 - 4.8 the maximum number of bedrooms in the single family dwelling for the commercial vacation rental is 2;
 - 4.9 the owner submit a copy of the property insurance for the subject property;
 - 4.10 the maximum number of signs advertising the commercial vacation rental is restricted to one, with a maximum area of 0.3 square metres, and is to be made of wood and not illuminated;
 - 4.11 the rental or provision of motorized personal watercraft to guests is prohibited;
 - 4.12 the use of recreational vehicles and camping for the overnight accommodation of guests is prohibited;
 - 4.13 the holder of the Permit will be responsible for any violation of the conditions of this Permit. For the purpose of investigating a complaint, the Islands Trust Bylaw Investigations Officer may enter the property between the hours of 9:00 am and 5:00 pm on any day without prior consultation.
5. It is the responsibility of the landowner to obtain any required authorization under the *Water Sustainability Act* or any other relevant legislation pertaining to groundwater.
6. All in accordance with Schedules "A" and "B" attached to and forming part of this permit, as signed and dated by the Deputy Secretary of Islands Trust.
7. This is not a Building Permit, nor does it relieve the Permittee from the need to secure all other approvals necessary for the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE THIS __ DAY OF ____, 20__.

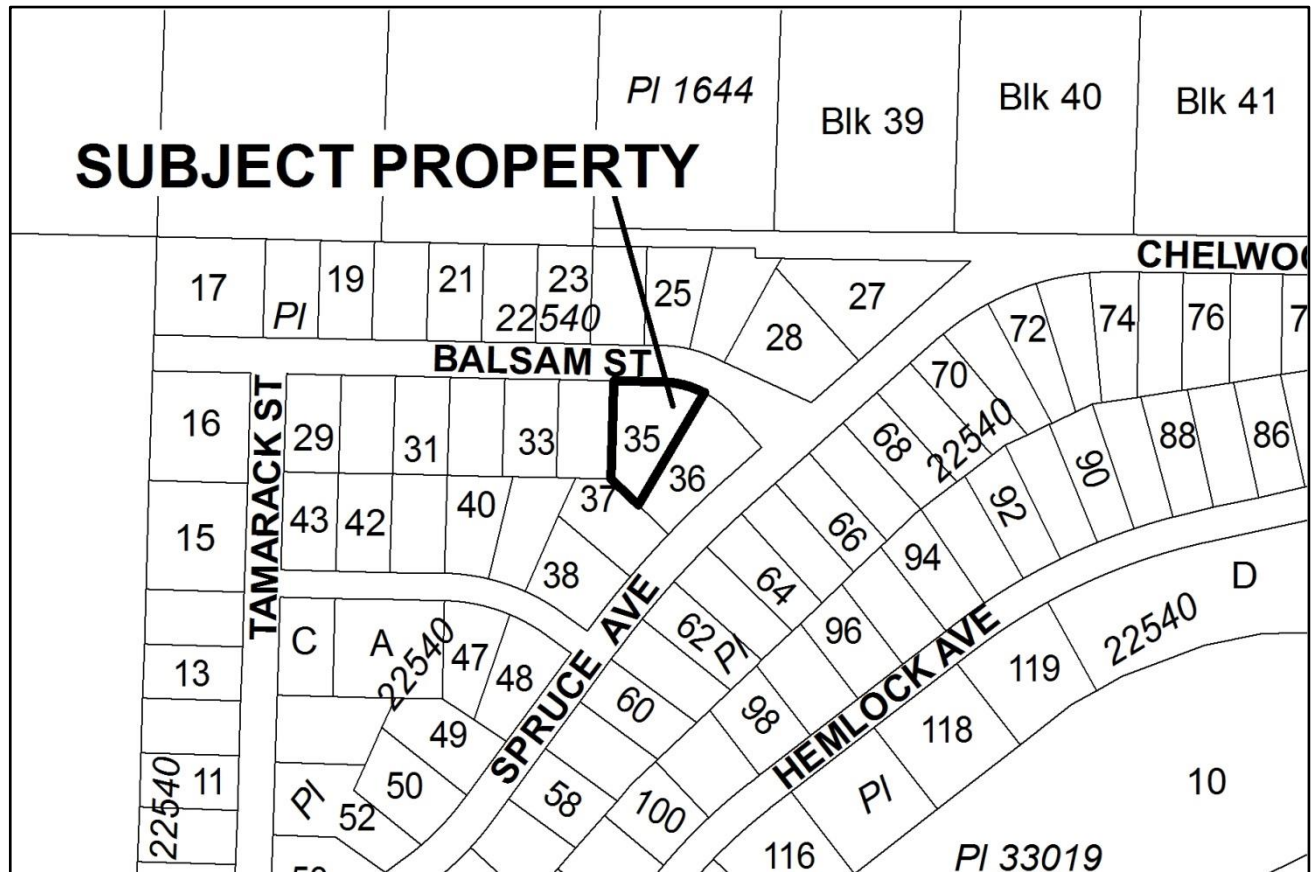
Deputy Secretary, Islands Trust

Date Issued

PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
GB-TUP-2018.1 – Garner

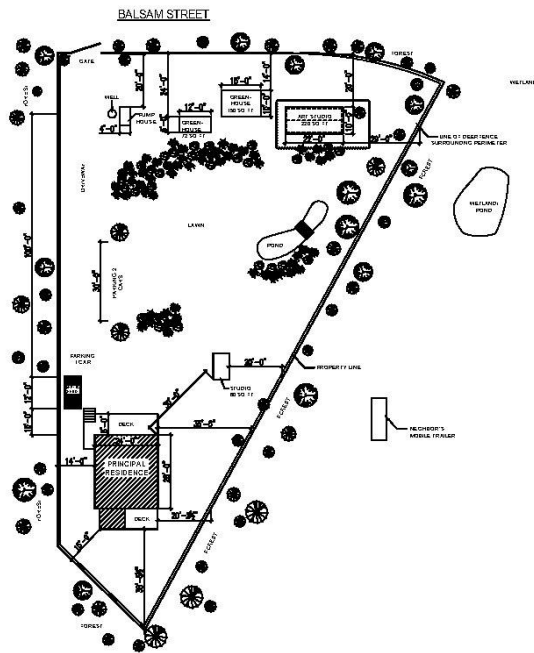
SCHEDULE “A”



PROPOSED

GABRIOLA ISLAND LOCAL TRUST COMMITTEE GB-TUP-2018.1 – Garner

SCHEDULE “B”



1 SITE PLAN
Scale: 1/32" = 1'-0"

SITE ADDRESS:
671 BALSAM STREET,
GABRIOLA ISLAND, B.C.

LEGAL DESCRIPTION:
LOT 35 SUBDIVISION OF LOT PLAN 22640, SECTION
22, GABRIOLA ISLAND - NANAIMO DISTRICT

Lot Area = 19,619.56 SF

Current Lot Coverage = 1,069 SF

Proposed Lot coverage = 1,571 SF



PROJECT NORTH

DRAWING REVISIONS

PROJECT:
ART STUDIO

671 BALSAM STREET
GABRIOLA ISLAND, BC

DRAWING TITLE:
DRAWING TITLE

DATE:
JAN 14, 2019

JOB NO:

SCALE:

DRAWN BY:

DRAWING NO:

1.00

Gabriola Cottage 671 Balsam

Tips and tricks for enjoying our neighbourhood



JULIA KEVAN AND ELISE GARNER M: 604 788-6573 H: 604 737-8715

November 30, 2018

Authored by: Julia Garner

Helpful hints on Gabriola Island

Noise Bylaw and House Rules:

Please be respectful of our neighbours and enjoy the peace and quiet that make this island a sanctuary.

If there are any complaints, they will be notifying us and we will have to contact you immediately.

Nanaimo Noise Control Bylaw No. 1082 (attached addendum)

House Rules

Water Conservation:

Please conserve water and limit the number of showers, laundry and toilet flushes. The drilled well has a pump that automatically shuts off if the water level is below a certain limit. We rarely have any issues even in the summer when conditions can be quite dry but it is still important to be **water-conscious**.

Septic System: (septic field is located to the right along the driveway)

Do not dispose of any solid items (see list below) and be careful with the amount of toilet paper that you use.

- Coffee grounds
- Disposable diapers
- Sanitary napkins or tampons
- Kitty litter
- Hair combings
- Dental floss
- Cigarette butts
- Condoms
- Fat grease or oil
- Paper towels or bandages

Location of Fire Extinguisher and Emergency Instructions for Medical Clinic or 911

One is by garbage can in kitchen, one is on the post by the bed upstairs. See poster by phone for emergency instructions. (location and numbers of medical clinic, fire hall, dental clinic)

Compost and Garbage - Reduce, reuse and recycle

Take out garbage and put out in garbage bins by gate. Recycle all paper, glass and plastics.

All compost (vegetables only) can be put out with in the bins by the Wood Shed.

Please ensure floors are swept and that there are no crumbs or food left out because it attracts mice.

Front Gate:

ALWAYS make sure that it is closed and secure because the deer are extremely voracious and the garden will quickly be eaten by these beautiful creatures.

Electrical Baseboard Heating

Please use the remote control for the Heat Pump to change the temperature. The electrical baseboards are no longer required and the thermostats are turned off.

Control of Pets:

Dogs are not allowed in the pond which we have nurtured to be frog-friendly. Ensure that your dog is leashed once they are off the property and pick up after your dog.

We have lots of birds and bird houses. Try to keep your cat indoors as much as possible.

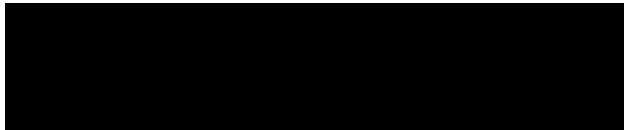
Ferry Schedules:

Mobile: HorseShoe Bay Ferry - <http://www.bcferries.com/schedules/wireless/>

Gabriola Ferry Cam - www.ferrycam.clayrose.com/ -Very useful for monitoring ferry traffic

Local Contacts:

Vicky lives at the foot of Balsam (sign with dog) and can assist if you have any questions. Rosemary just lives around the corner.



Please feel free to text me anytime through the AirBnb App or call me: 604 788-6573

Internet

WIFI Password



NETFLIX and Streaming ROKU TV is available

Our Favourite Places and Things to do:

- ✓ Surf Lodge Restaurant and Pub – great sunsets located on Berry Point road down the hill and turn right, about 15 minute walk or 5 minute drive
- ✓ Woodfire Pizza, (Sharon and Chris Hooten – family run business – great food!)
- ✓ Madrona's - Really good coffee, smoothies and sandwiches located near Ferry
- ✓ The Kitchen – located in Folk Life Village (more great food)
- ✓ Art galleries, (Hive in Folk Life, Pier in Drumbeg)
- ✓ Shopping (Wishbone or Nature Spirit Market or Folk Life Village, Gabe Shop)
- ✓ Farmers market on Saturdays 10:00 to 2:00 pm
- ✓ Swimming in front of Surf Lodge on the beach (our favourite spot)
- ✓ Drumbeg National Park – great for kayaking and walking/reading on the beach
- ✓ Lunch at Sylva Bay Marina on the deck looking at the boats
- ✓ Sandwell Beach – beautiful view of the ocean
- ✓ Twin Beaches – very shallow water which is good for kids (about 10 minute drive)
- ✓ Malaspina Caves
- ✓ Kayaking near Malaspina beach (5 minute drive away)

First Nations presence on Gabriola Island:

Gabriola Island is within Coast Salish territory and has a high occurrence of archaeological sites and artifacts such as shell middens and the famous Salish landmark known as the Malaspina Galleries. The Province protects archaeological sites, whether they are known or unrecorded, through the *Heritage Conservation Act*. This protection applies to both private and Crown land. Please be aware, respectful and sensitive to the fact that there are First Nations artifacts on Gabriola Island.

How to get to Gabriola:

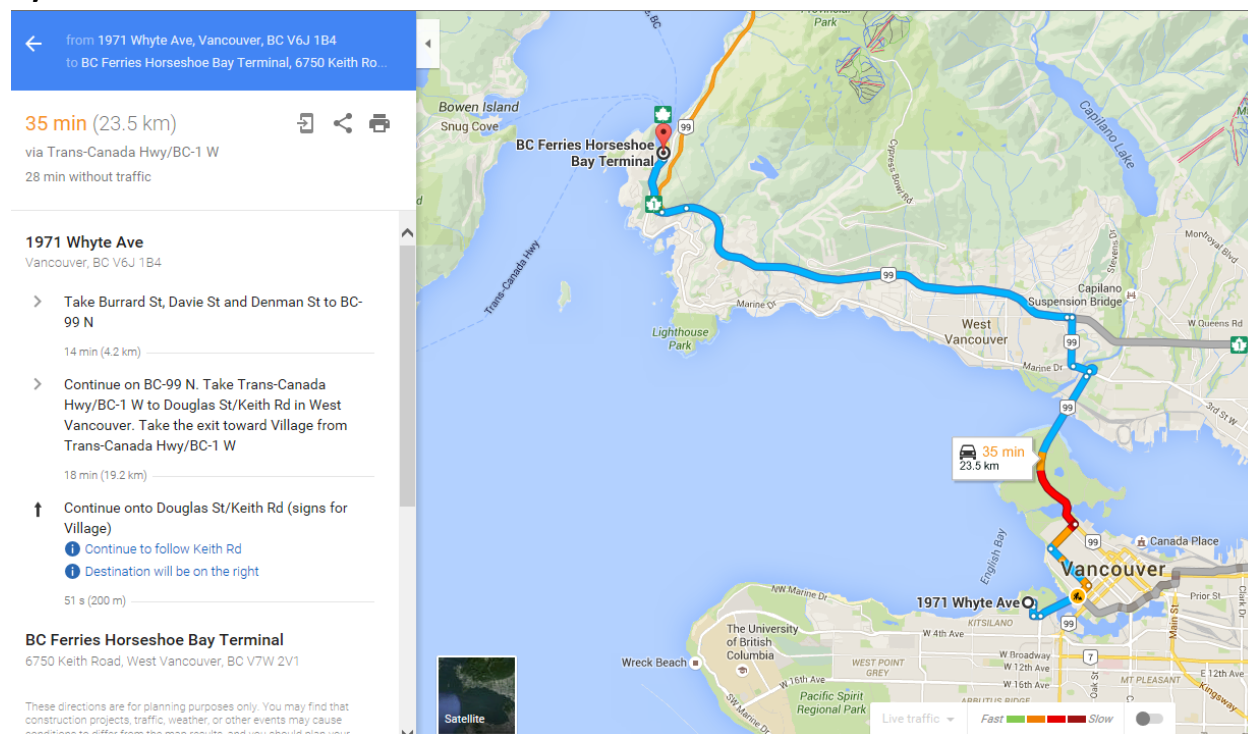
From Vancouver to Horseshoe Bay:

Plan for about 4 to 5 hours for the trip if you drive and a leisurely day if you take transit:

- ✓ 30 to 45 minutes to drive from Vancouver onto the TransCanada 99 Sea to Sky Highway to Horseshoe Bay
- ✓ 2 hr on the first ferry from Horseshoe Bay to Nanaimo
- ✓ 20 min on the second ferry from Nanaimo to Gabriola

Reservations for the Horseshoe Bay to Departure Bay Ferry are recommended. You have to arrive within 35 minutes of departure time otherwise you will lose the reservation.

By Car:



Drive through downtown, cross Lions Gate Bridge and take exit to West Vancouver onto Taylor Bay Road. Drive a few blocks up Taylor Bay Road and take left to get onto Hwy 99

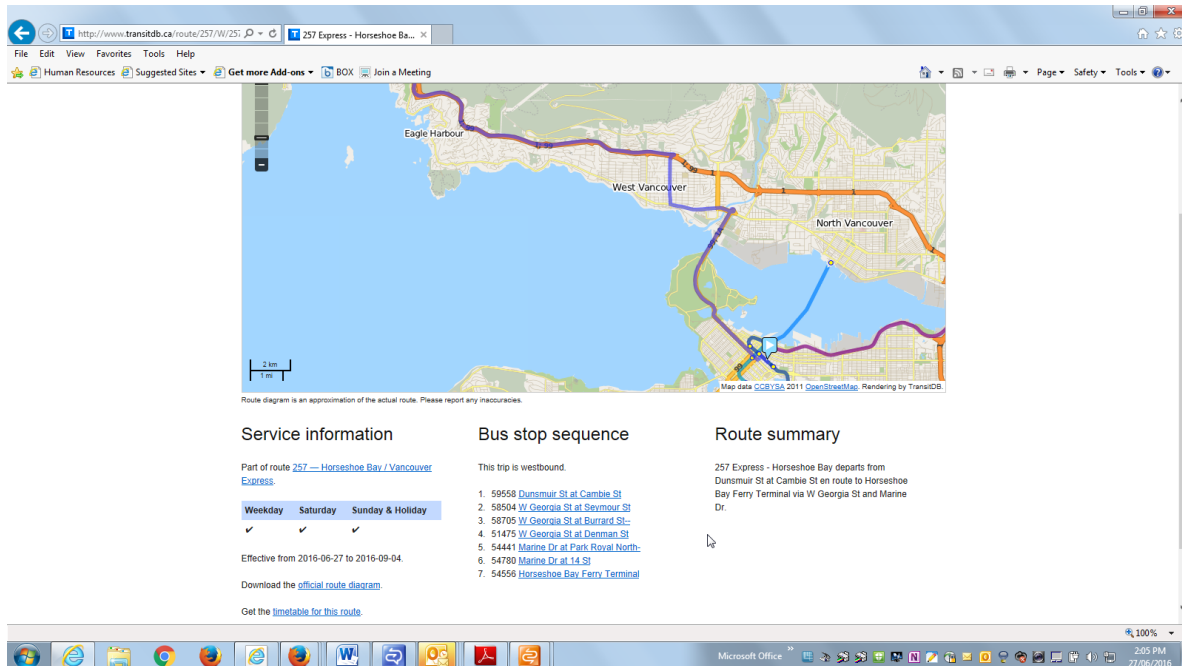
- ✓ Take Horseshoe Bay ferry to Departure Bay ferry to get to Nanaimo.
- ✓ Turn left onto Island Hwy N, continue towards downtown Nanaimo. Turn left onto Esplanade. Turn Left onto Front St. Turn slight right onto Nanaimo-Gabriola Ferry. (about a 5 minute drive)
- ✓ Take Gabriola ferry (about 20 minutes to cross)

Transit:

Take Mcdonald 22 or Dunbar bus from Cypress & Cornwall to Burrard and W. Georgia Stop 58705.

Take 257 Horseshoe Bay Express bus to Horseshoe Bay. Bus stops right in front of Ferry Terminal.

- ✓ Take Horseshoe Bay ferry to Departure Bay ferry to get to Nanaimo.
- ✓ Turn left and walk along the seawall to the Gabriola Ferry. It is a very pleasant 1 hour stroll or about half an hour by bike. There is a cute little Mexican place where you can have lunch (Penny's Palapas) as well as coffee shops and ice cream stores.
- ✓ Ferry leaves on an hourly basis to get to Gabriola.



When you get to Gabriola

1. When you get to Gabriola, Immediately turn left onto Taylor Bay Road, continue straight ahead and stay on this road past Twin Beaches mall, past Berry Point road, up the hill (Norwich) until you reach Balsam. Turn right and It is the first house on your left (flag with frog is above gateway.) This will take about 10 minutes.

Gertie Bus is now available on Gabriola

Gertie Bus Schedule

or Taxi at 250 247-0049

How to use the Adobe Oven: (only when Fire hazard is Low)

Create a wood fire, add 15 to 20 coals and wait about 3 hours until temperature drops. Fire started (really HOT!)



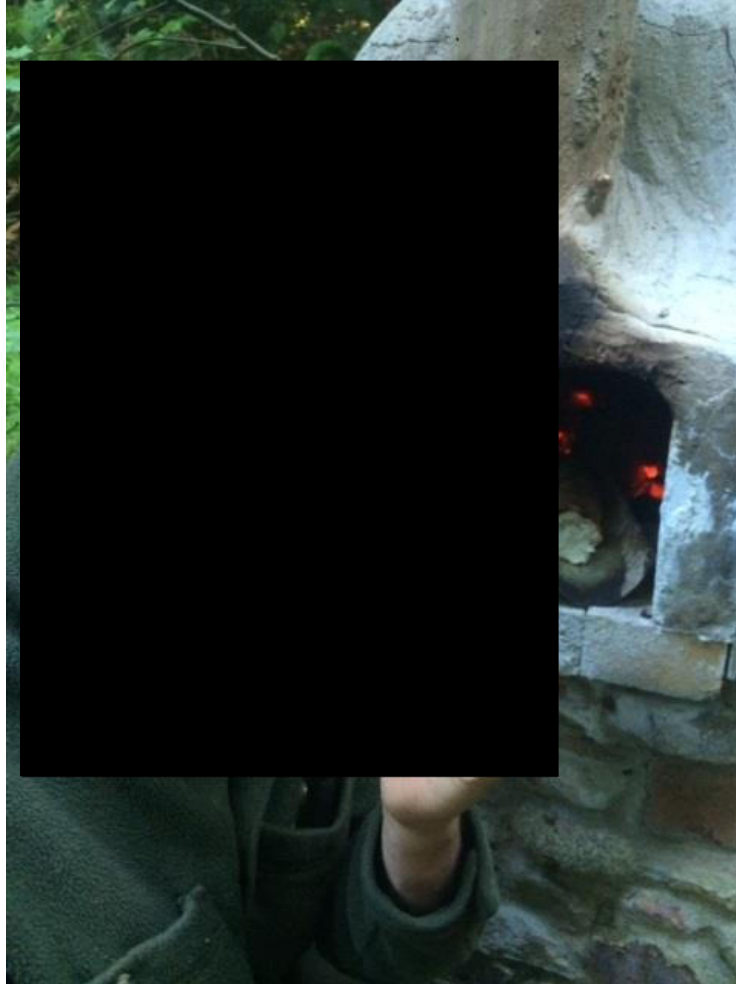
3 Hours later (temperature is probably around 450 to 500)



Move coals and wood to the side and place bricks flat. Temperatures are very high so please be very careful not to get burned and always use oven mitts.

Pizza or bread must be in small loaves or baguette container and need to be rotated every 5 minutes. Everything will be done in about 10 to 15 minutes.

Place baguette container on bricks or if you're cooking other things, use cast iron or pizza paddle and place on bricks. Watch like a hawk to avoid burning.



Sourdough Recipe that worked for me (bookmark is on the IPAD)

<http://www.baking-sense.com/2016/03/01/sourdough-bread-baking-sense/>

Use sourdough starter in fridge and add yeast, then follow rest of recipe

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1082

**A BYLAW TO REGULATE OR PROHIBIT OBJECTIONABLE NOISE WITHIN
ELECTORAL AREA ‘B’**

WHEREAS the Regional District of Nanaimo has converted its authority under Supplementary Letters Patent and established an extended service for noise control under Section 799(1)(b) of the Municipal Act;

AND WHEREAS the Board believes that:

- (a) certain sounds are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public; and
- (b) it is desirable to regulate or prohibit them;

AND WHEREAS it is not the intent of the Board to prevent or prohibit those sounds customarily emitted or usually associated with the normal conduct of reasonable daily activity at reasonable times;

AND WHEREAS the advertising provisions under Section 839 of the Municipal Act have been met;

NOW THEREFORE the Board of the Regional District of Nanaimo in open meeting assembled, enacts as follows:

1. INTERPRETATION

In this bylaw:

“Board” means the Board of Directors of the Regional District of Nanaimo.

“Bylaw Enforcement Officer” includes a Peace Officer and a person appointed by the Board as a Bylaw Enforcement Officer.

“Continuous Noise” means any noise or sound continuing for a period of more than three (3) minutes or during periods totalling more than three (3) minutes in any fifteen (15) minute period of time.

“District” means the Regional District of Nanaimo.

“Motor Vehicle” includes an automobile, motorcycle and any other vehicle propelled or driven otherwise than by muscular power, but does not include the cars of electric or steam railways or

other motor vehicles running only upon rails, or traction engine, farm tractor or self-propelled implement of husbandry.

Bylaw No. 1082

Page 2

“Persistent” means enduring or constantly repeated.

“Real Property” means land other than a highway, together with all improvements which have been so affixed to the land as to make them in law a part of the land and includes land without improvements.

“Residential Premises” means land upon which is located a building or structure, including a mobile home used seasonally or permanently for human occupancy.

2. TITLE

This bylaw may be cited as the “Regional District of Nanaimo Gabriola Island Noise Control Regulatory Bylaw No. 1082, 1998”.

3. JURISDICTION

This bylaw is applicable to and enforceable within that portion of Electoral Area ‘B’ known as “Gabriola Island” as shown in heavy black on the map attached to this bylaw as Schedule ‘A’.

4. OBJECTIONABLE AND DISTURBING NOISES

The acts listed in Schedule ‘B’ to this bylaw are considered by the Board to cause noises or sounds which are objectionable or liable to disturb the quiet, peace, rest, enjoyment, comfort or convenience of individuals or the public in the neighbourhood or vicinity of those acts.

5. GENERAL PROHIBITION

No person, being the owner, tenant or occupier of real property, shall allow or permit the real property to be used so that noise which occurs on or is emitted from that real property disturbs or tends to disturb the quiet, peace, rest, enjoyment, comfort or convenience of any person or persons in the neighbourhood or vicinity.

6. PROHIBITION BY TIME OR PLACE

Without limiting Section 5 of this bylaw, no person shall commit, cause or permit the commission of an act listed in Schedule ‘B’ to this bylaw which results in the emission of a continuous noise which is audible at a residential premises in the vicinity or in a public place during the period of time specified in respect of that act in Schedule ‘B’;

7. EXCEPTIONS

The prohibitions contained in Sections 5 and 6 of this bylaw do not apply to the emission of sound in connection with an act listed in Schedule 'C'.

8. INSPECTION AND ENTRY

A Bylaw Enforcement Officer is hereby authorized to enter, at all reasonable times, on any property subject to the regulations or direction of the Board, to ascertain whether the regulations or directions of this bylaw are being observed.

Bylaw No. 1082

Page 3

9. SCHEDULES

Schedules 'A', 'B' and 'C' form a part of and are enforceable in the same manner at this bylaw.

10. PENALTY

- (a) A person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty or obligation imposed by this bylaw, shall be liable on summary conviction for the first offence, to a penalty of not less than \$100 and not more than \$2,000, and for a second or subsequent offence, to a penalty of not less than \$250 and not more than \$2,000.
- (b) In the case of a continuing violation, each day that a violation continues to occur shall constitute a separate offence.

11. SEVERABILITY

If any provision of this bylaw is held to be beyond the power of the Regional District by any Court of competent jurisdiction, then the provision may be severed from the remainder of the bylaw without affecting the validity of any other provision.

12. REPEAL

"Gabriola Island Noise Control Regulating Bylaw No. 862, 1992" and amendments thereto are hereby repealed.

Introduced and read three times this 13th day of January, 1998.

Advertised in accordance with Section 839 of the Municipal Act this 20th day of February, 1998.

Adopted this 10th day of March, 1998.

SCHEDULE 'B'

PROHIBITIONS OF TIME

Act	Prohibited Period of Time
1. The operation of an electronic device or group of connected electronic devices incorporating one or more loudspeakers or other electro-mechanical transducers, and designed for the production, reproduction or amplification of sound, including but not limited to radios, record players, compact disc players, televisions, receivers and audio and video tape players.	At all times
2. The operation of an auditory signalling device, including but not limited to the ringing of bells or gongs and the blowing of horns or sirens or whistles, or the production, reproduction or amplification of any similar sounds by electronic means except where required or authorized by law.	10:00 p.m. to 8:00 a.m.
3. Persistent barking, calling, whining or other similar persistent sound made by a domestic pet, other animal or bird, kept or used for a purpose other than agriculture.	At all times
4. Persistent yelling and shouting.	At all times
5. The operation of a motor vehicle other than on a highway or other place intended for its operation.	At all times
6. The operation of a motor vehicle on a highway in a manner which results in tires squealing, racing its engine or without effective unmodified exhaust or intake muffling device which is in good working order and in constant operation.	At all times
7. The operation of a mechanical device, including but not limited to power saws and compressors.	8:00 p.m. to 8:00 a.m.

SCHEDULE 'C'

EXCEPTIONS

Sound emitted in connection with:

1. Emergency Measures Undertaken
 - (a) for the immediate health, safety or welfare of any person or persons, or
 - (b) for the preservation or restoration of property

unless the sound is of a longer duration or of a nature more disturbing than is reasonably necessary for the accomplishment of such emergency purpose.
2. Works or activity associated with and necessarily incidental to:
 - (a) construction, erecting, reconstructing, altering, repairing or demolishing of buildings, structures or things;
 - (b) excavating, grading or filling land; (c) well drilling.

between 8:00 a.m. and 8:00 p.m. on any day.
3. Works or activity associated with and necessarily incidental to:
 - (a) installing, altering, repairing or removing public facilities or utilities; or
 - (b) repairing or raising a highway between 7:00 a.m. and 10:00 p.m. on any day.
4. Traditional, religious or other activities listed below:
 - (a) fireworks;
 - (b) special events held under Regional District of Nanaimo Special Events Bylaw No. 1010, 1996; (c) church bells.
5. Shouting in relation to games played in a community park.

Julia Garner



M: 604788-6573H: [REDACTED]
juliagarner@telus.net

November 30th, 2018

Islands Trust, Northern Office
700 North Road,
Gabriola Island, B.C.
V0R 1X1

To: Islands Trust Committee c/o Jaime Dubyna,

Subject: 671 Balsam Temporary Use Permit – Concerns raised on September 27th

We would like to address the three major concerns raised at the meeting regarding the TUP application for the use of 671 Balsam as an AirBnB rental.

1. Shortage of longer term rental housing on Gabriola

We purchased the property in 2005 for recreational use as a summer cottage. My husband Kevan and I are passionate gardeners. We have spent many years transforming the original low-maintenance garden into one that is a friendly, viable habitat for birds, bees and butterflies. It is labour-intensive and as a result, we are there frequently to do the pruning, weeding, mulching, dead-heading, planting, watering and cleanup. It is not possible to use the property for a longer-term rental since we are staying there on a regular basis and spend most of our spare time on the garden. We plan to spend more time gardening on Gabriola when we retire in the near future.

Originally, we were reluctant to use the property for AirBnB short term rentals because we were concerned about potential damage but it has worked out in the last year to be mutually beneficial. Every guest has been very respectful and appreciative of our cottage and garden. They love the birds, bees, butterflies and flowers, especially the hummingbirds and they enjoy the peace and tranquility of our home. Most of our guests come from Vancouver Island, Lower Mainland and Alberta for a getaway with



their family. We have also had guests from the United States or Ottawa or Ontario that are here for a wedding at the Surf Lodge or Dragons Den.

We are definitely not affecting the shortage of longer term rental housing on Gabriola since we are resident in our home on a regular basis. On a positive note, the use of our home for short-term rentals brings visitors to Gabriola that contribute to the economic well-being of local Gabriola businesses.

2. Noise and disturbance

The majority of our visitors come to Gabriola to get away from the city and want to have some peace and quiet. To reduce the possibility of an occurrence, I have included the following section at the very beginning of our Gabriola cottage guide:

Excerpt from Gabriola Cottage Guide:

Noise Bylaw and House Rules:

Please be respectful of our neighbours and enjoy the peace and quiet that make this island a sanctuary. If there are any complaints, they will be notifying us and we will have to contact you immediately.

Nanaimo Noise Control Bylaw No. 1082 (attached addendum)

Action Plan if a disturbance occurs

In the event of a disturbance, I am proposing the following action plan:

First point of contact – Julia or Kevan Garner

Call or text Julia at 604 788-6573 or Kevan at 604 209-0592

or email juliagarner@telus.net

We will contact our guest immediately to ask them to be quiet.

If they continue to be noisy and do not pay attention to our request, we will contact [REDACTED] to go over in-person to ask them to be respectful of our neighbours. Please note that they are both located within a 5 to 10 minute walking distance.

Additional points of contact:





3. First Nations Presence on Gabriola Island

To ensure that Gabriola visitors are aware of the Coast Salish presence on Gabriola Island and the need to be respectful of any artifacts or site that are indigenous, I have included the following section in our Gabriola Cottage guide:

Excerpt: First Nations presence on Gabriola Island:

Gabriola Island is within Coast Salish territory and has a high occurrence of archaeological sites and artifacts such as shell middens and the famous Salish landmark known as the Malaspina Galleries.

The Province protects archaeological sites, whether they are known or unrecorded, through the *Heritage Conservation Act*. This protection applies to both private and Crown land. Please be aware, respectful and sensitive to the fact that there are First Nations artifacts on Gabriola Island.

We can discuss this further at the next meeting and determine if this adequately covers the concerns raised about the TUP application. Please contact me if you have any questions or require further information prior to the next Islands Trust meeting.

Warm regards,
Julia Garner



10. APPLICATIONS AND REFERRALS

10.1 GB-TUP-2018.1 (Garner) - Staff Report

Staff summarized the report regarding the application for a Temporary Use Permit (TUP) for the temporary operation of a commercial vacation rental within the single-family dwelling on the subject property located at 671 Balsam Street, Gabriola Island and noted the following points:

- Application is proceeding as a result of a bylaw enforcement file for the operation of a commercial vacation rental;
- Guideline for the supply of water was discussed, however, there was uncertainty related to the supply of water and whether it would be sustained over the time period of the TUP;
- The Islands Trust's Freshwater Specialist recommended that a pumping test be conducted, followed by an assessment report completed by a professional hydrogeologist, however, Staff noted that TUP guidelines do not require this type of assessment and reporting;
- The *BC Water Sustainability Act* (WSA) requires commercial vacation rentals to apply for a commercial groundwater license; applicant stated that they will be applying to the Ministry of Forests, Lands, Natural Resource Operations & Rural Development for a water license; and
- Public notice has been mailed to neighbouring properties, published in the *Souther* newspaper and Staff received written and verbal correspondence from neighbours and community members.

Trustees requested the following key points:

- Staff do a search as to whether Gabriola Wildwood Estates Ltd. endures; and
- The applicant to include a copy of their insurance as part of the conditions.

Chair Busheikin requested that First Nations historical use be included in the applicant's pamphlet for visitors.

GB-2018-084

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request that the applicant submit to the Islands Trust details of measures taken or to be taken to address neighbours' concerns.

CARRIED

File No.: 6500-20 Cycle Route Plan
(Bylaw 301 OCP Amendment)

DATE OF MEETING: January 24, 2019
TO: Gabriola Island Local Trust Committee
FROM: Sonja Zupanec, MCIP, RPP
Northern Team
SUBJECT: Revised Gabriola Island Cycle Route Plan – OCP Amendment

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 301, cited as cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2019”, is not contrary to or at variance with the Islands Trust Policy Statement.
2. That the Gabriola Island Local Trust Committee Bylaw No. 301, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2019”, be read a first time.
3. That the Gabriola Island Local Trust Committee has considered consultation requirements of section 475 of the *Local Government Act* and determined that consultation is not required with School District 68, First Nations, the Regional District of Nanaimo, or adjacent local trust committees for Bylaw No. 301, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2019”.
4. That the Gabriola Island Local Trust Committee schedule a public hearing for Bylaw No. 301, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997, Amendment No. 1, 2019”.

REPORT SUMMARY

The purpose of this report is to introduce Draft Bylaw No. 301 for consideration of first reading and advancement to public hearing. The bylaw would amend the [Gabriola Official Community Plan](#) (OCP) by updating the Gabriola Island Cycle Route Plan to include the anticipated Church Street and Spruce Road connection and correct numbering references to the cycle route plan in the OCP.

BACKGROUND

In 2018, the Gabriola Island Local Trust Committee (LTC) adopted Bylaws 289 and 290 as a result of rezoning application GB-RZ-2016.1 (Williamson and Associates, Potlatch Properties). The bylaw amendments will enable a residential subdivision and public road dedication to connect Church Street to Spruce Road. The current cycle route plan in the OCP (Section 7.1 Figure 5) does not include the Church/Spruce road connection and should be labelled as ‘Figure 6’ rather than ‘Figure 5’. The cycle route plan has been updated by community volunteers and a bylaw amendment process is required to include the updated plan in the OCP.

ANALYSIS

Policy/Regulatory

Draft Bylaw 301 is consistent with the [Islands Trust Policy Statement](#) directives only checklist, the OCP and the [Gabriola Island Land Use Bylaw](#) (LUB).

Consultation

Draft Bylaw No. 301 is intended to update the cycle route plan to reflect a new road connection as a result of an extensive bylaw amendment application initiated in 2016. Several First Nations and agencies were consulted during the review process for Bylaw Nos. 289 (OCP) and 290 (LUB).

Statutory Requirements

The LTC is required by the *Local Government Act* to consider opportunities for consultation with persons, organizations and authorities it considers will be affected by the proposed amendment. Islands Trust Council policy requires the LTC to consider consulting with adjacent local trust committees. The LTC should consider if it wishes to undertake consultation with First Nations, School District (SD) 68, agencies or adjacent local governments and direct staff accordingly. Staff recommend that Draft Bylaw No. 301 not be referred to First Nations, agencies, adjacent local governments, or SD 68 given that it would result in a minor correction to the OCP in order to align with recent bylaw amendments.

Protocols

The [Letter of Agreement](#) between the Islands Trust and Ministry of Transportation and Infrastructure stipulates that an Official Community Plan must designate a bicycle route plan in order for applicable road standards to be required during road construction or upgrades. Draft Bylaw No. 301, if adopted, would update the cycle route plan to include the Spruce/Church connector to ensure adequate space for bicycle traffic is incorporated into the design of the new road. Planning staff have, in the subdivision referral response for the subject property, indicated the need for 1.2 metres of shoulder width to accommodate bicycles in this section of road.

Rationale for Recommendation

Planning staff recommend Draft Bylaw No. 301 be given first reading and be advanced to a public hearing as per the recommendation included on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Refer Bylaw No. 301 to one or more First Nations, agencies, adjacent local governments, or SD 68

That the Gabriola Island Local Trust Committee refer Bylaw No. 301 to the following: [list First Nations, agencies, adjacent local governments, etc.].

2. Request further information

The LTC may request further information prior to making a decision. If selecting this alternative, the LTC should describe the specific information needed and the rationale for this request. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request staff to report back on... (Specify request).

3. Receive for information

The LTC may receive the report for information and defer consideration to a future date.

NEXT STEPS

Staff can schedule a community information meeting and public hearing during the next regularly scheduled LTC meeting (February 28, 2019). Upon the close of the public hearing, the LTC can consider second and third readings and forward the proposed bylaw to the Islands Trust Executive Committee (EC) for approval. If approved by the EC, the bylaw can be forwarded to the Minister of Municipal Affairs and Housing for approval. Once the bylaw is approved by the Minister, the LTC can consider the bylaw for final reading (adoption).

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	January 7, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	January 8, 2019

ATTACHMENTS

1. Draft Bylaw No. 301 (OCP)
2. Islands Trust Policy Statement Directives Only Checklist

DRAFT

GABRIOLA ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 301

A BYLAW TO AMEND GABRIOLA ISLAND OFFICIAL COMMUNITY PLAN, BYLAW NO. 166, 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, 2019”.

2. Gabriola Island Local Trust Committee Bylaw No. 166, cited as “Gabriola Official Community Plan (Gabriola) Bylaw No. 166, 1997”, is amended as follows:

2.1 TABLE OF CONTENTS – List of Figures is amended by deleting the words “Figure 5 Bicycle Route Plan” and replacing it with the words “Figure 6 Bicycle Route Plan”.

2.2 Section 7 – Transportation and Servicing, Subsection 7.1 – Land Transportation, Article 7.1(h) is amended by deleting the words “Figure 5” and replacing it with the words “Figure 6”.

2.3 Section 7 – Transportation and Servicing, Subsection 7.1 – Land Transportation, *Information Note* is amended by deleting the words “dated March 29, 2010” and replacing it with the words “updated in 2017”.

2.4 Section 7 – Transportation and Servicing, Subsection 7.1 – Land Transportation, Figure 5 Bicycle Route Plan is amended by deleting the words “Figure 5 Bicycle Route Plan” and replacing it with the words “Figure 6 Bicycle Route Plan”.

2.5 Section 7 – Transportation and Servicing, Subsection 7.1 – Land Transportation, Figure 5 Bicycle Route Plan is deleted in its entirety and replaced by “Gabriola Island Cycle Route Plan” dated April 2017, as shown in Plan 1 attached to and forming part of this bylaw.

READ A FIRST TIME THIS _____ DAY OF _____, 201X

READ A SECOND TIME THIS _____ DAY OF _____, 201X

PUBLIC HEARING HELD THIS _____ DAY OF _____, 201X

READ A THIRD TIME THIS _____ DAY OF _____, 201X

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS
_____ DAY OF _____, 201X

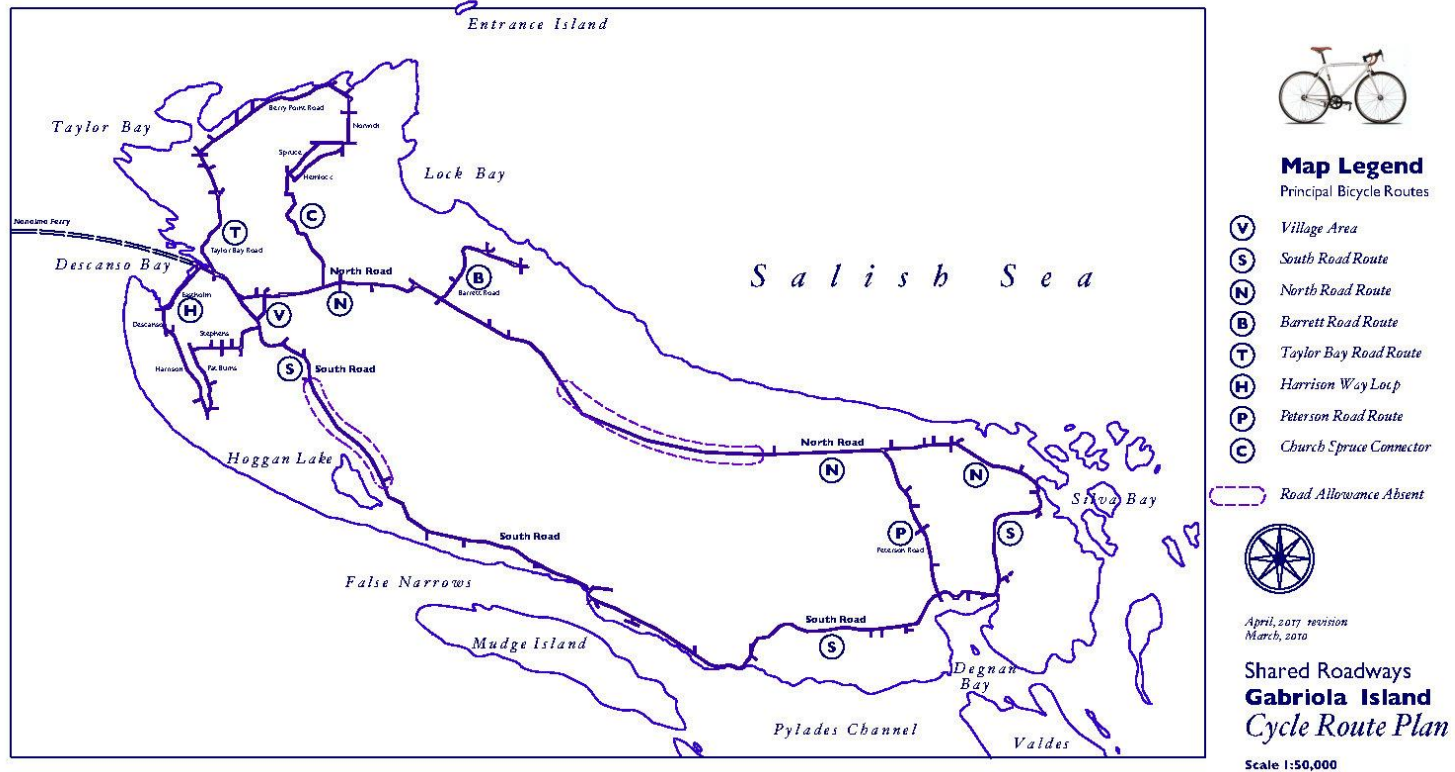
APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING THIS
_____ DAY OF _____, 20XX

ADOPTED THIS _____ DAY OF _____, 20XX

Chair

Secretary

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 301
Plan 1
“Gabriola Cycle Route Plan”



Map Sources A/ Natural Resources Canada, Nanaimo, 92G4, 1998. B/ Islands Trust, Gabriola Island, Land Use Bylaw 177 Schedule B, 2008. C/ Gabriola Island Community Directory, 2010.



ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: GB-6500-20 Cycle Route Plan

File Name: BL 297 (OCP)

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
N/A	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
N/A	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
N/A	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
N/A	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
CONSISTENT	No.	DIRECTIVE POLICY
N/A	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
N/A	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
N/A	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY

	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
N/A	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
N/A	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
✓	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
✓	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
✓	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste
N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY

	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
N/A	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
N/A	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
✓	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
✓	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

	POLICY STATEMENT COMPLIANCE
✓	<i>In compliance with Trust Policy</i>
	<i>Not in compliance with Trust Policy for the following reasons:</i>



File No.: 6500-20

Gabriola Housing Options and
Impacts Review Project

DATE OF MEETING: January 24, 2019
TO: Gabriola Island Local Trust Committee
FROM: Sonja Zupanec, MCIP, RPP
Local Planning Services
SUBJECT: Updated Project Charter and New Housing Advisory Committee

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee endorse the Gabriola Island Housing Options and Impacts Review Project Charter v.2 dated January 2019.
2. That the Gabriola Island Local Trust Committee request staff to contact the following agencies and community groups to solicit expression of interest for volunteer(s) to be appointed to a 2 year term on a newly formed 'Gabriola Island Housing Advisory Planning Commission':
 - a) Snuneymuxw Housing Committee
 - b) Gabriola Advisory Planning Commission
 - c) Gabriola Housing Society
 - d) People for a Healthy Community on Gabriola Island
 - e) Gabriola Chamber of Commerce
 - f) Gabriola Auxiliary for Island Health Care Society
 - g) Gabriola Village Vision
3. That the Gabriola Island Local Trust Committee endorse the 'Terms of Reference' for the Gabriola Housing Advisory Planning Commission.

REPORT SUMMARY

The purpose of the report is to present an updated project charter and recommend the LTC consider establishing a special advisory planning commission to advance the work on the housing project over the next two years.

BACKGROUND

The LTC passed the following resolutions at the November 22, 2018 regular business meeting:

GB-2018-114

It was MOVED and SECONDED

that the "Housing Options Official Community Plan/Land Use Bylaw Review Project Phase 2" be renamed to the "Housing Options & Impacts Review Project" and be moved to the top priority on the Top Priorities List.

CARRIED

The project has been renamed and the Top Priority List has been updated and posted to the web.

GB-2018-115**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to update the Activity for the Top Priority number one (1) Housing Options & Impacts Review Project be the same as the Objectives in the Housing Options Review Phase 2 Charter, except that bullet four (4) be amended to read “all housing” and bullet five (5) be amended by adding the words “ecological footprints” at the end.

CARRIED

The Project Charter has been updated and staff recommend a revised workplan and establishment of a Housing Advisory Planning Commission (Attachment 1).

GB-2018-116**It was MOVED and SECONDED**

that the Gabriola Island Local Trust Committee request Staff to move the Review and Update the Gabriola Build Out Map on the Projects List to the In-Scope section of the Gabriola Housing Options & Review Official Community Plan/Land Use Bylaw Project Charter.

CARRIED

The review and update of the build out map has been included in the ‘In-Scope’ actions under ‘Secondary Suites’.

ANALYSIS**Issues and Opportunities*****Project Charter Revisions***

Staff recommend updating the ‘Workplan Overview’ section of the project charter (Attachment 1) to reflect next steps and timelines for the development of a communication and engagement strategy. If endorsed, the updated project charter will be posted to the project webpage.

Housing Advisory Planning Commission

Staff recommend that the LTC advance the housing project by creating a special Housing Advisory Planning Commission (HAPC) subject to the provisions of [Advisory Planning Commission Bylaw No. 296](#). Up to nine members can be appointed for a two year term and should represent a broad cross section of interest groups such as the Snuneymuxw Housing Commission, Gabriola Housing Society, People for a Healthy Community, Village Vision, and Gabriola Advisory Planning Commission (APC) Members. A draft ‘Terms of Reference’ (Attachment 2) has been prepared by staff for LTC consideration, to potentially guide the work of appointed members, whether it be undertaken by a HAPC or the existing APC. The first step to advance the project is the development of a communication and engagement strategy by May 31, 2019, for LTC consideration.

The current Gabriola APC consists of eight members who were appointed in June 2017 with terms expiring in June 2019. The APC members represent broad community interests, including housing, and had expressed interest in having the development of a communications and engagement strategy re-referred to the APC, pending confirmation of Top Priority projects for the new term. If there is sufficient interest, staff recommend that one or two members of the current APC could also be appointed to the HAPC. The LTC could continue to provide referrals to the APC on general planning matters and applications as they arise.

Draft Terms of Reference

Staff have prepared a draft Terms of Reference (TOR - Attachment 2) for LTC review and consideration. The TOR identifies the purpose of the Commission and proposes a workplan for the members. The LTC can use the draft TOR if it chooses to retain the existing APC to advance the housing project instead.

Rationale for Recommendation

Local Planning Services (LPS) staff currently have limited capacity to substantially advance the LTC's housing project, without assistance from external consultants or community volunteers. Staff recommend the LTC endorse the updated project charter and establish a new HAPC in order to support advancement of this project. The HAPC can guide the development of a comprehensive community consultation and engagement strategy for an anticipated multi-year project pursuant to an endorsed terms of reference. Staff recommend representation from community agencies and organizations as per the staff recommendation, included on Page 1 of the report.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Expand the list of agencies or community groups and request expressions of interest for a HAPC.

The LTC may wish to identify additional agencies or community groups to be represented on a newly established HAPC and can modify the recommended resolution on Page 1 of the report as necessary.

2. Amend the draft Terms of Reference for a HAPC.

The LTC may wish to modify the draft TOR and specify additional responsibilities, timelines or deliverables. In this case the recommended resolution on Page 1 of the report should include the words "as amended" and the meeting minutes can reflect the desired changes endorsed by the LTC.

3. Refer the Housing Options and Impacts Review Project Charter and development of the communication and engagement strategy to the existing APC, request an expression of interest from a member of the Snuneymuxw Housing Committee for appointment to the current APC and determine the level of interest/availability for existing members to have their terms extended beyond June 2019 to allow for project continuity.

The LTC may decide to advance the housing project by referring the terms of reference to the existing APC. The implications of this alternative are that the terms of the current APC expire in June 2019 and members may be unavailable to serve an additional term. Appointment of new members may result in a possible break in continuity in the work of the commission. There is currently one available seat on the APC which should be filled by a member representing the indigenous housing perspective. Recommended wording for the resolutions is as follows:

That the Gabriola Island Local Trust Committee request that staff refer the January 2019 Housing Options and Impacts Review Project Charter to the Advisory Planning Commission for comment and that members be asked to work within the endorsed Project Terms of Reference to develop a communication and engagement strategy for LTC consideration.

That the Gabriola Island Local Trust Committee request staff to solicit expressions of interest from members of the Snuneymuxw Housing Commission to be appointed to the Advisory Planning Commission for a two year term.

NEXT STEPS

If the LTC concurs with the recommendations, staff will contact the identified agencies and community groups to solicit expressions of interest to be appointed to a HAPC. The LTC can consider appointments during a closed session at the next regularly scheduled business meeting on February 28th, 2019.

Submitted By:	Sonja Zupanec, MCIP, RPP Island Planner	January 14, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	January 14, 2019

ATTACHMENTS

1. Project Charter – draft revised January 2019
2. Draft Terms of Reference – January 2019 for Gabriola Island Housing Advisory Planning Commission

Housing Options and Impacts Review Project - Charter v 2.0

Gabriola Island Local Trust Committee

Date: DRAFT January 2019

Purpose To increase housing options on Gabriola Island through Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations, in a manner which supports the Object of the Islands Trust, strengthens relations with Snuneymuxw First Nation and builds on the findings of the 2018 Northern Region Housing Needs Assessment.

Background This project builds on the Housing Options Review Project PHASE 1 completed in June 2018, which focused on secondary suites on lots 2 hectares or larger. The second phase of the project will consider a broader range of housing issues, and the potential for increased density on the island to accommodate increased housing options. Support for the Islands Trust’s “preserve and protect” mandate, including a focus on indigenous housing needs and protecting the island’s groundwater supply/water conservation, is an overarching consideration.

Objectives

- Develop an Engagement and Communication Strategy to prioritize consultation methodology and topics.
- Strengthen relations with Snuneymuxw First Nation and incorporate First Nation perspectives into policy/regulatory options.
- Explore opportunities to foster affordable, rental, special needs and seniors housing and associated services on Gabriola Island in collaboration with Snuneymuxw First Nation, the RDN, health and housing service providers and community groups.
- Develop a strategy to address all housing continuum gaps identified in the 2018 Northern Region Housing Needs Assessment Report.
- Ensure proposed policy/regulatory changes are consistent with the Object of the Islands Trust and Islands Trust Policy Statement, with focus on water protection/conservation and ecological footprints.

In Scope

First Nations Relations and Perspectives

- Establish opportunities to incorporate First Nations perspectives on indigenous housing needs and inter-governmental collaboration for effective decision making.

Regional Conservation Plan and Development Permit Areas:

- Consider new Development Permit areas for water conservation; form and character; and protection of biodiversity.
- Consider and incorporate RCP goals as part of the housing project.

Affordable/Attainable/Seniors/Special Needs Housing:

- Review definitions of “affordable” and “attainable” housing.
- Review OCP policies respecting affordable, rental, seniors, special needs housing, social needs, social well-being and social development; develop a new ‘housing first’ policy.
- Review amenity zoning and housing agreements; density bank policies; opportunities for rental zoning.

Secondary Suites:

- Review provisions for secondary suites above existing farm buildings in the ALR.
- Review and update the Gabriola Build-out map and consider secondary suites on lots smaller than 2 hectares.

Multi-dwelling and Mixed Use:

- Consider OCP designations, density provisions, LUB regulations, and Development Permit guidelines for multi-dwelling housing and mixed use buildings.

Out of Scope

- Review of minimum lot sizes for subdivisions.
- Secondary suite provisions for lots 2 hectares or larger outside the ALR (*completed during Phase 1 Project*).
- Review of home occupation regulations.
- Review of marina/live-aboard regulations.
- Review of DP Areas 1 (Tunnel), 2 (Lock Bay Area), 3 (Riparian Areas), 5 (Gabriola Pass Area), 6 (Escarpment Areas), 9 (Light Industrial Use).

Workplan Overview

Deliverable/Milestone	Date
LTC endorses project charter and Terms of Reference for a Housing Advisory Planning Commission with membership from Snuneymuxw, APC, community groups specializing in housing, health, economic development and environmental protection.	Winter 2019
Housing APC to develop the Engagement and Communication Strategy for LTC endorsement.	Spring 2019
Initiate broad community consultation and engagement on review topics.	2019-2020
Draft bylaw(s) presented to LTC for review.	2020
Community consultation and early referrals of draft bylaw(s)	2020-2021
Legislative process for proposed bylaw(s)	2021
Adoption of proposed bylaw(s) and communications materials	Spring/Summer 2022

Project Team		Budget		
Island Planner	Project Manager/Planner	Budget Source: Gabriola LTC Housing Options and Impacts Review Project		
Regional Planning Manager	Project Sponsor	Fiscal	Item	Cost
Legislative Clerk	Legislative Process/Bylaw Review	2018-2019	Communication and Engagement Process / Materials	\$4,000
Islands Trust Communications Specialist / Planner 2	Communications / Planning Support	2019-2020	Topic Consultation/Legal Review	\$5,000 (pending budget approval)
New Housing APC	Community/First Nations Representatives	2020-2021 2021-2022	Legislative Process (community information meetings; public hearing; advertising)	\$3,000 (pending budget approval)
RPM Approval: Date: July 12, 2018 November 22, 2018		LTC Endorsement: Resolution # GB-2018-115		Total \$12,000

The Gabriola Island Local Trust Committee [Advisory Planning Commission Bylaw No. 296](#) permits the appointment of an Advisory Planning Commission to advise on matters of land use, community planning, or proposed bylaws and permits, pursuant to the *Local Government Act*, that are referred to it by the Local Trust Committee (LTC).

This Terms of Reference guides the purpose and roles of a Gabriola Housing Advisory Planning Commission (HAPC) to advise the LTC on matters related to the 'Gabriola Housing Options and Impacts Review Project'. The roles, responsibilities and procedures of the HAPC are also pursuant to Bylaw No. 296 and should be referred to separately.

1. Purpose

The HAPC is a select committee to the Gabriola Island Local Trust Committee (LTC) with final decisions in all matters brought before the HAPC resting with the LTC.

The HAPC will:

- a) Prepare a draft engagement and communications strategy to prioritize consultation methodology and topics, consistent with the Housing Options and Impacts Review Project Charter;
- b) Participate in LTC sponsored community consultation events on emerging housing issues;
- c) Bring an informed voice to the development of policy and regulatory amendments;
- d) Review findings from community engagement sessions; inform draft policies and regulations pertaining to the Housing Options and Impacts Review Project; and
- e) Provide advice and recommendations on policy and regulations to address housing needs across the housing continuum, including emergency shelters to market home ownership and indigenous housing needs.

2. Work Plan Overview

- a) **WINTER/SPRING 2019 Inaugural meeting of the HAPC** – Member introductions and background presentation/orientation by Islands Trust staff. Develop understanding of tasks, terms of reference for the work and best practices in the literature for achieving goals. Establish a meeting schedule to achieve work plan goals.
- b) **Commission Meeting #2** – Review sample engagement and communication strategies. Identify key stakeholders, engagement phases/topics, key messages, required background information, engagement methods and preferred implementation options for the strategy during the project.
- c) **Commission Meeting #3-#5** – Preparation of a draft engagement and communication strategy in final report format (electronic) for Local Trust Committee consideration **by May 31, 2019**.
- d) **Subsequent Commission Meetings** – to be determined (minimum 4 per year) as referred by the LTC.

3. Duties and Responsibilities

- a) The HAPC may request technical information from other agencies or individuals, through the Islands Trust staff.
- b) All deliberations of the HAPC must take place at a meeting of the HAPC and such meetings must be open to the public.
- c) Pursue any other matters referred to the HAPC by the LTC and report back to the LTC expeditiously, as required.

END OF DOCUMENT



DATE OF MEETING: January 24, 2019
TO: Gabriola Island Local Trust Committee
FROM: Ian Cox, Planner 1
Northern Team
SUBJECT: Development of Ecological Protection Zone

RECOMMENDATIONS

1. That the Gabriola Island Local Trust Committee approve the *"Ecological Protection Zone"* Project Charter v 1.0 dated January 24, 2019.

REPORT SUMMARY

The purpose of this report is to provide the Gabriola Island Trust Committee (LTC) with information concerning the creation of an Ecological Protection Zone for inclusion in Gabriola Island Land Use Bylaw No.177. The LTC is asked to consider approval of the draft Project Charter *"Ecological Protection Zone"* in order to allow staff to draft bylaw amendments necessary to update the zoning of Coats Marsh Regional Park and Burren's Acres Nature Reserve, in accordance with the LTC Top Priorities List item 3. Should the LTC find the project feasible at this time, staff recommends that the LTC approve the draft Project Charter v. 1.0 as presented in **Attachment 1** to this report.

BACKGROUND

The LTC passed the following resolution at their meeting on July 13, 2017.

GB-2017-115

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee amend the top priorities item "develop a new ecological protection zone for the Land Use Bylaw" activity to include rezoning of Coats Marsh Regional Park and Burns Acres Nature Reserve to a park zone.

CARRIED

The Ecological Protection Zone item was subsequently moved to the Projects List and then placed back on the Top Priorities List on November 22, 2018.

Coats Marsh Regional Park

Coats Marsh Regional Park is jointly owned by the Regional District of Nanaimo (RDN) and the Nature Trust of BC (TNT) and was partially gifted through the Environment Canada [Ecological Gifts Program](#). For background regarding staff discussion with TNT and the RDN on the matter of rezoning the park, please refer to the staff Memorandum dated July 13, 2017 from Ann Kjerulf, Regional Planning Manager (See Attachment 2 – Staff Memorandum July 13, 2017). At that time, staff were of the opinion that the regional park should be rezoned to a conservation type zone, suggesting that the existing LUB Park 1 designation or similar would be appropriate for

consistency with the intent of Ecological Gifts Program, to ensure that “...the land’s biodiversity and environmental heritage are conserved in perpetuity.”¹ As identified in the Memorandum, it seems logical that the natural condition of the ecological gift be protected through appropriate zoning which the draft Project Charter aims to achieve. The park is managed by the RDN utilizing the [Coats Marsh Regional Park Management Plan](#) developed in 2010.

Burren’s Acres Nature Reserve

Islands Trust Conservancy (ITC) staff also consider Burren’s Acres Nature Reserve to be an ideal candidate for rezoning using a conservation or protection type zone. The 2.023 hectare property was acquired by the ITC, also through the Ecological Gifts Program. The [Burren’s Acres Nature Reserve Property Management Plan](#) was developed and is used by the ITC for annual monitoring, with additional assistance from community volunteer members and the property donor. As the Management Plan states, at the “...earliest opportunity the zoning [should] be changed to better reflect the permitted uses of the Trust Fund Board (now Trust Conservancy Board).”

Location

Coats Marsh Regional Park is located at 908 South Road and Burren’s Acres Nature Reserve is located at 1027 Conville Road, as shown in Figures 1 and 2 below.

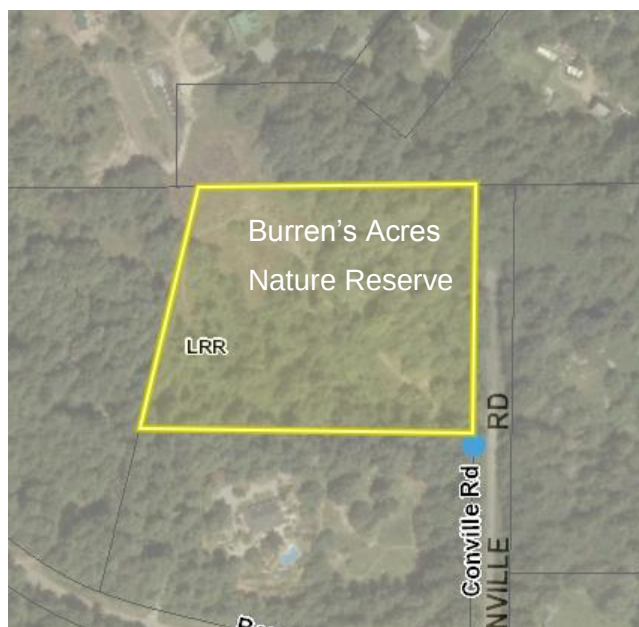


Figure 1 – Burren’s Acres Nature Reserve location



Figure 2 - Coats Marsh Regional Park location

¹ <https://www.canada.ca/en/environment-climate-change/services/environmental-funding/ecological-gifts-program/overview.html>

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

A preliminary review of the ITPS is provided for consideration in **Attachment 3 – ITPS Directives Only Checklist**. Staff would undertake a full review of the Islands Trust Policy Statement (ITPS) before second reading of any draft bylaws.

Official Community Plan:

Development of an Ecological Protection Zone is consistent with the objectives and policies of the Gabriola Official Community Plan (OCP). Policies relevant to both the development of conservation/protection type zoning and to the subsequent re-zoning of the two subject properties is presented in **Attachment 4 - Site Context**.

Land Use Bylaw:

Coats Marsh Regional Park is zoned R – Resource, while Burren’s Acres Nature Reserve retains the same LRR – Large Rural Residential zoning designation that was in place when the property was acquired by the ITC in 2013. As mentioned, both properties were donated through the Ecological Gifts Program although they are not currently zoned in a manner consistent with either the intent of the program or, as is the case with Burren’s Acres, the current uses of the ITC. Development of an Ecological Protection Zone for the Gabriola Island Land Use Bylaw would guide the rezoning of the properties. See **Attachment 4 – Site Context** for a list of uses currently permitted by respective zoning.

Issues and Opportunities

Islands Trust Conservancy

Development of an ecological zone for the protection of, in particular, Burren’s Acres Nature Reserve (an ITC property) presents an opportunity to directly further the conservation Goals and Objectives of the Islands Trust Conservancy Regional Conservation Plan (see [pages 35-37 of the Regional Conservation Plan](#)).

1. *Identify, investigate and communicate about important natural areas to generate action on conservation priorities.*
2. *Strengthen relationships with First Nations to identify and collaborate on shared conservation goals.*
3. *Continue to secure and manage Trust Fund Board [now Trust Conservancy Board] lands and conservation covenants to maximize ecological integrity.*
4. *Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area.*

Budget and timeline

Staff note that the expenditure of project funds would likely occur over the current and subsequent fiscal period (beginning April 2019) since the projected timeline as presented in the draft Project Charter is approximately six months in duration, from the development of policy and the drafting of bylaws to adoption by the LTC. Project budgets will be considered in accordance with Islands Trust Council Procedure C.4.2.1.3 (Local Trust Committees Projects Procedure).

Consultation

The LTC should consider if it wishes to undertake consultation with First Nations, School District (SD) 68, agencies or adjacent local governments, and direct staff accordingly.

Statutory Requirements

For OCP amendments, the LTC is required by the *Local Government Act* (LGA) to consider opportunities for consultation with persons, organizations and authorities it considers will be affected. Islands Trust Council policy requires the LTC to consider consulting with adjacent local trust committees. I

Protocols

The following protocol agreements exist and are relevant to the draft project:

- There is a Protocol Agreement and Letter of Understanding between the Islands Trust and the Regional District of Nanaimo (RDN) regarding each local government's jurisdictions and responsibilities, and coordination between the Islands Trust and the RDN.
- There is a Protocol Agreement between the Snuneymuxw First Nation and the Islands Trust Council (on behalf of the Gabriola Island LTC) that identifies matters in which the LTC will consult with Snuneymuxw First Nation.

First Nations

Both subject properties are within the asserted territory of the Snuneymuxw First Nation as well as seven other First Nations and one Treaty Group according to the BC Provincial Consultative Areas Database²:

- Cowichan Tribes
- Halalt First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Penelakut Tribe
- Semiahmoo First Nation
- Snuneymuxw First Nation
- Stz'uminus First Nation (Chemainus)
- Hul'qumi'num Treaty Group

Review of applicable OCP policies suggests that the rezoning of the subject properties would not require a corresponding amendment to the OCP. Regardless, in accordance with the Trust Council First Nations Engagement Principles (see **Attachment 5**), staff recommend that the LTC provide local First Nations with an early and ongoing opportunity to comment on any draft bylaw amendments.

Rationale for Recommendation

Approval of the Project Charter "*Ecological Protection Zone*" Charter v 1.0 would not only address LTC Top Priority Item 3, but would further the broader object of the Islands Trust mandate to preserve and protect the natural environment. Further, since no Section 219 Conservation Covenants, restrictive covenants, easements, or Section 218 Statutory Rights of Way are registered to the property title for Burren's Acres Nature Reserve at this time, rezoning the parcel to include permitted uses, structures, and subdivision regulations commensurate with

² The Province of BC Consultative Areas Database contains a current inventory of local First Nations with interests in specific geographic areas.

an ecological protection or conservation type zone could safeguard against future development should there be any change to the legal ownership of the property.

ALTERNATIVES

1. Amend the Project Charter

The LTC may wish to consider amendments to the project charter. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request staff to amend the Project Charter “Ecological Protection Zone” Charter v 1.0 to include ... (specific details to be provided by the LTC).

2. Proceed no further

The LTC may choose not to proceed with this project at this time. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee request staff to remove “Development of an Ecological Protection Zone” from the Top Priorities List and place it on the LTC Projects List.

NEXT STEPS

Upon approval of the Project Charter, staff will develop a Work Plan that will further detail the actions needed to accomplish the goals set out in the Project Charter. This will include a specific timeline, staff resources, and budget. Staff would present the detailed Work Plan and project update at the next LTC meeting for information.

Submitted By:	Ian Cox, Planner 1 Northern Team	January 14, 2019
Concurrence:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	January 15, 2019

ATTACHMENTS

1. Draft Project Charter
2. Staff Memorandum July 13, 2017
3. ITPS Directives Only Checklist
4. Site Context
5. First Nations Engagement Principles

Purpose To develop a new ecological protection zone for the Gabriola Island Land Use Bylaw No. 177, including the rezoning of Coats Marsh Regional Park and Burns Acres Nature Reserve to a park or conservation/protection type zone.

Background This project is the result of the Gabriola Island LTC resolution dated July 13, 2017 to amend its Top Priorities List to include the development of a new ecological protection zone for the Land Use Bylaw , including the rezoning of Coats Marsh Regional Park and Burren’s Acres Nature Reserve.

Objectives

- Develop an ecological protection or similar park or conservation type zone for the Gabriola Island Land Use Bylaw to be used in the rezoning of Coats Marsh Regional Park and Burren’s Acres Nature Reserve.
- Strengthen relations with Snuneymuxw and other local First Nations with asserted interest on Gabriola Island.
- Incorporate First Nation perspectives into policy/regulatory options.
- Ensure proposed policy/regulatory changes are consistent with the Object of the Islands Trust and Islands Trust Policy Statement, with focus on ecological protection, conservation and enhancement.

In Scope

- First Nations Relations and Perspectives**
- Establish opportunities to incorporate First Nations perspectives on shared conservation interests in land-use and inter-governmental collaboration for effective regulatory decision making.
- Regional Conservation Plan (RCP)**
- Further the Goals and Objectives of the protection and enhancement of biodiversity and opportunities for conservation in the Islands Trust Area.
- Rezone Coats Marsh Regional Park and Burren’s Acres Nature Reserve**
- Develop a regulatory scheme for permitted/prohibited uses and structures, minimum and minimum average lot sizes for subdivision, etc., commensurate with the Goals and Objectives of the RCP and of the intent of the Environment Canada Ecological Gifts Program.

Out of Scope

- OCP review and amendments
- Review of OCP Parks land use designation.
- The rezoning of other parcels save Coats Marsh Regional Park and Burren’s Acres Nature Reserve.
- Review of LUB definitions
- Review of Development Permit Areas.
- Development of restrictive covenant s or similar tools for the protection of the subject properties in alternate capacity.

Workplan Overview

Deliverable/Milestone	Date
LTC endorses/approves project charter and directs staff to develop a work plan based on the In Scope objectives of this charter.	Winter 2019 (Jan/Feb)
Draft bylaw(s) presented to LTC for review.	Early Spring 2019
Early referral of draft bylaws to First Nations.	Mid Spring 2019
Further consultation and referral of draft bylaw(s) to other agencies.	Late Spring 2019
Legal review of draft bylaws.	Summer 2019 (June)
Legislative process for draft bylaw(s).	July 2019
Adoption of draft bylaw(s) and communications materials.	Late Summer 2019

Project Team

Island Planner	Project Manager/ Planner
Regional Planning Manager	Project Sponsor
Legislative Clerk	Legislative Process/ Bylaw Review
Planner 1	Communications / Planning Support

RPM Approval:
Date:

LTC Endorsement:
Resolution #

Budget

Budget Source: Gabriola LTC Ecological Protection Zone Project		
Fiscal	Item	Cost
2019	Staff to research islands Trust and other jurisdictional precedent policy, draft bylaws	\$1,500
	Legal Services Review of proposed bylaws	\$3,000 (pending budget approval)
	Legislative Process (community information meetings; public hearing (if applicable); advertising)	\$2,500 (pending budget approval)
	Total	\$7,000



Islands Trust

MEMORANDUM

File No.: 5690-20 (RDN Parks)

DATE OF MEETING: July 13, 2017
TO: Gabriola Island Local Trust Committee
FROM: Ann Kjerulf, Regional Planning Manager
Northern Team
SUBJECT: Coats Marsh Regional Park Zoning

PURPOSE

The purpose of this memorandum is to respond to the Local Trust Committee (LTC) request for staff to engage in discussions with the Nature Trust of BC and Regional District of Nanaimo regarding the zoning of Coats Marsh Regional Park, and to advise on potential opportunities to rezone lands for ecological protection.

BACKGROUND

Coats Marsh Regional Park was donated to the Regional District of Nanaimo and Nature Trust of BC in 2008 through the federal Ecological Gifts Program:

“Canada’s Ecological Gifts Program provides a way for Canadians with ecologically sensitive land to protect nature and leave a legacy for future generations. Made possible by the terms of the Income Tax Act of Canada and the Taxation Act in Quebec, it offers significant tax benefits to landowners who donate land or a partial interest in land to a qualified recipient. Recipients ensure that the land’s biodiversity and environmental heritage are conserved in perpetuity.”¹

A previous attempt to rezone Coats Marsh from Resource to Parks 1 was unsuccessful due to the perception that rezoning could result in a “change in use”, which would not be permitted under the terms of the Ecological Gift Program. The LTC passed the following resolutions at their meeting May 7, 2015:

GB-2015-046

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee Bylaw No. 271, cited as “Gabriola Island Official Community Plan (Gabriola Island) Bylaw 166, 1997, Amendment No. 1, 2013”, be revised by removing all changes to Coats Marsh Regional Park, which is legally described as “The Northwest ¼ of Section 10, Gabriola Island, Nanaimo District, Except those Parts in Plans 29152, 30043 and 30051”.

CARRIED

GB-2015-048

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee Bylaw No. 272 cited as “Gabriola Island Land Use Bylaw 177, 1999, Amendment No. 1, 2013” be revised by removing all changes to Coats Marsh Regional Park which is legally described as the Northwest ¼ of Section 10, Gabriola Island, Nanaimo District, Except those Parts in Plans 29152, 30043 and 30051.

CARRIED

¹ Environment and Climate Change Canada Ecological Gifts Program. <https://www.ec.gc.ca/pde-egg/>

GB-2015-050

It was MOVED and SECONDED,

that the Gabriola Island Local Trust Committee request staff to further discuss with The Nature Trust of BC and the Regional District of Nanaimo, encouraging them to request approval from the Ecological Gifts program for the change in zoning for the Coats Marsh Regional Park Property from Resource to Parks 1.

CARRIED

DISCUSSION

Staff have since met with Regional District of Nanaimo (RDN) staff who have indicated that they have no concerns with Coats Marsh being rezoned to Park, and that this would be consistent with the RDN Coats Marsh Regional Park 2011-2021 Management Plan².

Staff have also had discussions with Islands Trust Fund staff and confirmed that other sites within the Islands Trust have been gifted through the Ecological Gifts Program and subsequently rezoned. For example, portions of Retreat Island within the Galiano Local Trust Area, were gifted to the Galiano Conservancy through the Ecological Gifts Program and subsequently rezoned to "Nature Park". Jennifer Eliason, Islands Trust Fund Manager, has recently contacted the Ecological Gifts program and confirmed rezoning the land for the purpose of ecological protection after the gift is not a concern and does not constitute a "change in use". Furthermore Environment Canada considers a recipient to have changed the use of an ecological gift if the recipient:

- undertakes any action that results in or could result in a diminution of the ecological condition or protection of the ecological gift; or
- fails to take reasonable action to manage and protect the ecological condition of the ecological gift;

With this in mind, it seems logical that the ecological condition of the ecological gift should be protected through appropriate zoning.

Based on the information obtained, staff are of the opinion that Coats Marsh Regional Park should be rezoned to Park 1 or another conservation type zone, consistent with the intent of the Ecological Gifts Program to "*ensure that the land's biodiversity and environmental heritage are conserved in perpetuity*". Furthermore, Islands Trust Fund staff note that Burren's Acres Nature Reserve, located at 1027 Conville Road (Lot 3, Section 12, Gabriola Island, Nanaimo District, Plan 26561) is also a candidate site for rezoning. The nature reserve was an Ecological Gift to the Islands Trust Fund in 2013.

Development of a new ecological protection zone is currently an LTC Top Priority.

Submitted By:	Ann Kjerulf, MCIP, RPP Regional Planning Manager	June 9, 2017
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² Regional District of Nanaimo. Coats Marsh Regional Park 2011-2021 Management Plan.

<http://www.rdn.bc.ca/cms/wpattachments/wpID2222atID7635.pdf>

Attachment 2 – ITPS Directives Only Checklist



Islands Trust

ISLANDS TRUST POLICY STATEMENT DIRECTIVES ONLY CHECKLIST

File No.: Not assigned

File Name: Ecological Protection Zone

PURPOSE

To provide staff with the Directives Only Checklist to highlight issues addressed in staff reports and as a means to ensure Local Trust Committees address certain matters in their official community plans and regulatory bylaws, Island Municipalities address certain matters in their official community plans, and to reference any relevant sections of the Policy Statement.

POLICY STATEMENT

The Policy Statement is comprised of several parts. Parts I and II outline the purpose, the Islands Trust object, and Council's guiding principles. Parts III, IV and V contain the goals and policies relevant to ecosystem preservation and protection, stewardship of resources and sustainable communities.

There are three different kinds of policies within the Policy Statement as follows:

- Commitments of Trust Council which are statements about Council's position or philosophy on various matters;
- Recommendations of Council to other government agencies, non-government organizations, property owners, residents and visitors; and
- Directive Policies which direct Local Trust Committees and Island Municipalities to address certain matters.

DIRECTIVES ONLY CHECKLIST

The Policy Statement Directives Only Checklist is based on the directive policies from the Policy Statement (Consolidated April 2003) which require Local Trust Committees to address certain matters in their official community plans and regulatory bylaws and Island Municipalities to address certain matters in their official community plans in a way that implements the policy of Trust Council.

Staff will use the Policy Statement Checklist (Directives Only) to review Local Trust Committee and Island Municipality bylaw amendment applications and proposals to ensure consistency with the Policy Statement. Staff will add the appropriate symbol to the table as follows:

- ✓ if the bylaw is consistent with the policy from the Policy Statement, or
- ✗ if the bylaw is inconsistent (contrary or at variance) with a policy from the Policy Statement, or
- N/A if the policy is not applicable.

PART III: POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

CONSISTENT	No.	DIRECTIVE POLICY
	3.1	Ecosystems
✓	3.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.
✓	3.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.
N/A	3.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.
	3.2	Forest Ecosystems
✓	3.2.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems within their local planning areas from potentially adverse impacts of growth, development, and land-use.
	3.3	Freshwater and Wetland Ecosystems and Riparian Zones
✓	3.3.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.
	3.4	Coastal and Marine Ecosystems
N/A	3.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.
N/A	3.4.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

PART IV: POLICIES FOR THE STEWARDSHIP OF RESOURCES

CONSISTENT	No.	DIRECTIVE POLICY
	4.1	Agricultural Land
N/A	4.1.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
N/A	4.1.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection, and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
N/A	4.1.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
	4.1.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
N/A	4.1.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.
N/A	4.1.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.
	4.2	Forests
✓	4.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.
N/A	4.2.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the retention of large land holdings and parcel sizes for sustainable forestry use, and the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.
✓	4.2.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to

		ensure the preservation of native biological diversity.
CONSISTENT	No.	DIRECTIVE POLICY
	4.3	Wildlife and Vegetation
	4.4	Freshwater Resources
N/A	4.4.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater, water quality is maintained, and existing, anticipated and seasonal demands for water are considered and allowed for.
N/A	4.4.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses
	4.5	Coastal Areas and Marine Shorelands
N/A	4.5.8	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
N/A	4.5.9	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
N/A	4.5.10	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.
N/A	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	Soils and Other Resources
N/A	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: POLICIES FOR SUSTAINABLE COMMUNITIES

CONSISTENT	No.	DIRECTIVE POLICY
	5.1	Aesthetic Qualities
✓	5.1.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	Growth and Development
✓	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
✓	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
N/A	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
N/A	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	Transportation and Utilities
N/A	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
N/A	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
N/A	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
N/A	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	Disposal of Waste

N/A	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.
CONSISTENT	No.	DIRECTIVE POLICY
	5.5	Recreation
N/A	5.5.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
✓	5.5.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
N/A	5.5.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of sites providing safe public access to beaches, the identification and designation of areas of recreational significance, and the designation of locations for community and public boat launches, docks and anchorages.
✓	5.5.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
N/A	5.5.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.
	5.6	Cultural and Natural Heritage
N/A	5.6.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
N/A	5.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.
	5.7	Economic Opportunities
N/A	5.7.2	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.
	5.8	Health and Well-being
N/A	5.8.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

POLICY STATEMENT COMPLIANCE	
	Development of and Ecological Protection Zone and the proposed rezoning of Coats Marsh Regional Park and Burren's Acres Nature Reserve are substantially in compliance with the Islands Trust Policy Statement.

ATTACHMENT 4 – SITE CONTEXT

LOCATION

Legal Description	Coats Marsh Regional Park Burren's Acres Nature Reserve
PID	Coats Marsh 009-735-828 Burren's Acres Nature Reserve 002-803-925
Civic Address	Coats Marsh 908 South Road, Gabriola Burren's Acres Nature Reserve 1027 Conville Road, Gabriola
Lot Area	Coats Marsh regional Park 110.63 acres 113 ha Burren's Acres Nature Reserve 5.1 acres 2.03 ha

LAND USE

Current Land Use	Coats Marsh Park, Passive Recreation Burren's Acres Nature Reserve, Park
Surrounding Land Use	Coats Marsh Residential to the south and east, Parks (as it abuts the 707 on the north-east corner), Forestry/Wilderness Recreation to the north and east parcel boundaries. Burren's Acres Large Lot Residential

HISTORICAL ACTIVITY

File No.	Purpose
Burren's Acres Nature Reserve GB-OWN-2012.1	Ecogift donation by Margaret Taylor in 2013. 2.023 hectare(5 acre) west side Gabriola Island. The reserve is within the asserted traditional territory of 8 First Nations. Farmed late 1800s/early 1900s, used brief period late 1930s and early 1940s for drying and transporting diatomaceous earth. In more recent decades, the property was logged, and related machinery and scrap metal was dumped on the land. Owner removed dense cover of invasive species cleaned up the debris left by logging/industrial use. Burren's Acres NR includes roughly 0.4 hectares of rock outcrop and 1.6 hectares of forest representing the mid-seral and mature stages of forest succession. Two provincially red-listed vegetation communities have been identified on the

Coats Marsh regional Park GB-RZ-2006.2	reserve and there are sensitive herbaceous–rock outcrop ecosystems that are sensitive to disturbance. Wetland and mature second-growth forest area to be dedicated to the Gabriola Land Conservancy in exchange for density transfer of NW 1/4 of Section 10 to West 1/2 of NW 1/4 of Section 11. This application was withdrawn and closed in July 2007.

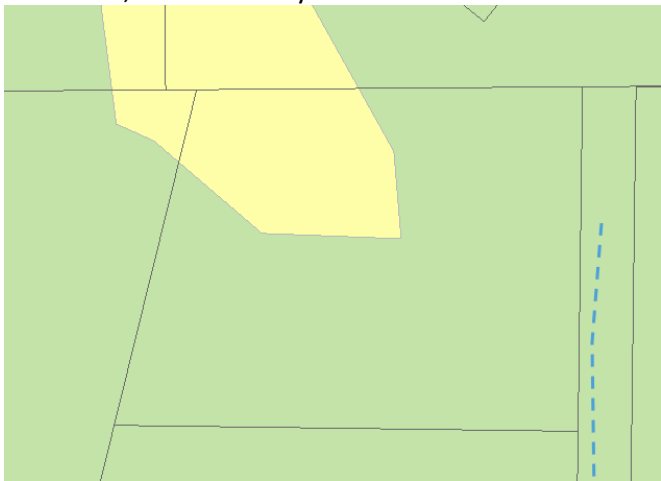
POLICY/REGULATORY

Official Community Plan No. 166, 1997	ENVIRONMENTAL GOALS 1. To preserve the unique natural environment of land, water and air and the life it supports. 2. To preserve the natural beauty of the Gabriola Planning Area and recognize that areas of sensitivity or unique value require special protective measures. PARKS AND OUTDOOR RECREATION OBJECTIVES The objectives of this section are: 1. To work co-operatively with provincial ministries and agencies in acquiring and managing provincial parkland on Gabriola; 2. To acquire parkland that is representative of the bioregion (i.e. wetlands, first growth forest); 3. To involve the community in parks planning; 5. To work in cooperation with the Regional District of Nanaimo in acquiring and managing community parks. PARKS AND OUTDOOR RECREATION POLICIES l) The Trust Committee shall work with the Regional District of Nanaimo ensuring a smooth coordination of efforts between the two agencies respecting the securing, use, development and planning for park and outdoor recreational space on Gabriola. PARKS AND OUTDOOR RECREATION ADVOCACY POLICIES n) The Regional District of Nanaimo shall be strongly encouraged to establish additional regional park sites on Gabriola. Such sites should be: i. either a regionally significant waterfront site or an upland woodland site of substantial size; ii. retained predominantly in a natural state, except for a small
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	parking area, a public trail network, and interpretative signs. ENVIRONMENTALLY SENSITIVE AREA OBJECTIVES 1. To ensure the protection of environmentally sensitive areas on Gabriola; 2. To protect important habitat and water resources areas through vegetation retention and building setbacks; 3. To encourage retention of the natural tree cover along the shoreline and to discourage tree removal to minimal selective cutting; and 4. To encourage owners of property which is environmentally sensitive to work co-operatively with conservation-based groups in defining means of providing for the protection of important sites; and 5. To consider the goals and objectives of the Regional Conservation Plan when making land-use decisions. ENVIRONMENTALLY SENSITIVE AREA POLICIES d) In order to protect area watercourses, rezoning adjacent to a watercourse shall be conditional upon the establishment of a protective setback area. The Ministry of Environment - Federal Fisheries report titled: Stream Stewardship - A Guide for Planners & Developers and Land Development Guidelines for the Aquatic Habitat shall be used as a guideline in determining how land is to be developed adjacent a watercourse (including a lake and wetland). g) Trees bearing the nests of great blue heron, bald eagle, osprey and other raptors shall not be cut in accordance with provincial legislation. The zoning bylaw shall set standards and regulate the provision of screening for preserving and protecting trees bearing such nests. Such condition shall be applicable with respect to the rezoning of any site containing such a feature. h) Fresh water features which have special biological significance to the local environment, such as Hoggan Lake, shall be protected through zoning and shall be designated as a development permit area ENVIRONMENTALLY SENSITIVE AREA ADVOCACY POLICIES j) Where environmentally sensitive areas are located on Crown land, Ministry of Environment is strongly encouraged to ensure these areas are placed in protective reserve, ecological reserve or natural state park or dedicated to the Islands Trust Fund for protection. Furthermore, public access should be limited to an appropriate level consistent with
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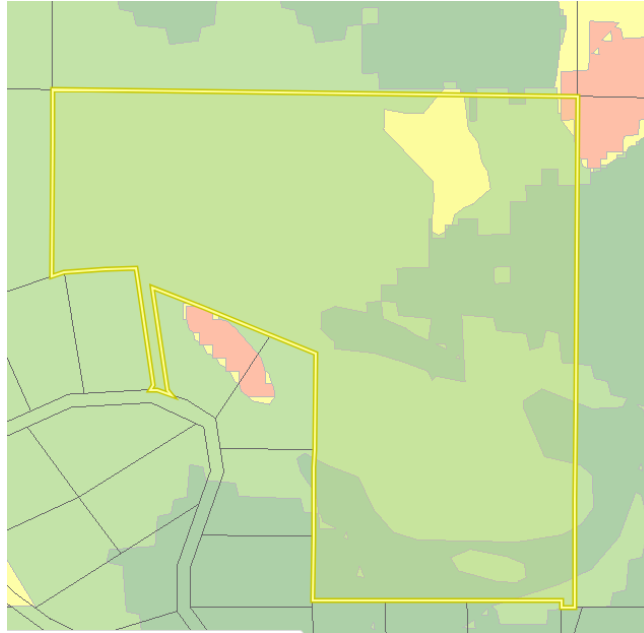
	protecting the environmental sensitivity of the site. k) Once Ministry of Environment’s inventory of eagle trees and other raptor sites on Gabriola is completed, its implications should be considered in relation to future development. l) To protect the island’s watercourses, the Regional District of Nanaimo shall be requested to require applicants for building permit to indicate the location of streams and watercourses on the application. m) Ministry of Environment shall be requested to assist the Islands Trust by confirming the location of streams and watercourses on Gabriola. n) . Where nest sites for great blue heron, bald eagle, osprey and other raptors are located on private property, the property owners shall be encouraged to ensure that the site is protected, including through the use of a voluntary conservation covenant.
Land Use Bylaw No. 177, 1999	Coats Marsh Current zoning: R-Resource Permitted Principal Uses - i <i>agriculture</i>, including the sale of agricultural products grown or raised on the lot but excluding animal husbandry on lots less than 2.0 hectares (4.94 acres) - ii <i>forestry</i> - iii <i>single family</i> residential - iv shooting range, on lands as shown on Schedule C, Map 4 - v agri-tourism Burren’s Acres Nature Reserve Current zoning: LRR – Large Rural Residential Permitted Principal Uses - i <i>single family</i> residential - ii <i>agriculture</i>, including the sale of agricultural products grown or raised on the lot, but excluding animal husbandry on lots less than 2.0 hectares (4.94 acres) Permitted Accessory <i>uses</i> and structures may be found in the Gabriola Island Land Use Bylaw No. 177
Covenants	There is no Section 219 Conservation Covenant or Section 218 Stat. Right Of Way registered at this time. No other restrictive covenants or easements exist on title.
Bylaw Enforcement	None on file

SITE INFLUENCES

Islands Trust Conservancy	The Islands Trust Conservancy (Formerly Islands Trust Fund) currently owns the Burren's Acres Nature Reserve property. It was gifted to the ITC through the Ecological Gifts Program as described in the staff Memorandum dated July 13, 2017. Coats Marsh Regional Park is jointly owned and managed by the Regional District of Nanaimo and the Nature Trust of BC. See Goals and Objectives found on page 35-37 of the ITC Regional Conservation Plan.
Regional Conservation Strategy	Although Coats Marsh Regional Park is already listed as protected in the Regional Conservation Plan, both Burren's Acres and Coats Marsh are within areas identified as having Medium to High conservation priority in the Islands Trust Area.
Species at Risk	See TCB Burren's Acres Nature Reserve Management Plan and the RDN Coats Marsh Regional Park Management Plan for species and ecosystems inventories, habitat values, conservation goals, etc.
Sensitive Ecosystems	See TCB Burren's Acres Nature Reserve Management Plan and the RDN Coats Marsh Regional Park Management Plan for species and ecosystems inventories, habitat values, conservation goals, etc.
Archaeological Sites	Remote Access to Archaeological Data (RAAD) mapping indicates that while no identified and recorded sites currently exist on either property, there is potential within, and adjacent to, the boundaries of each.
Climate Change Adaptation and Mitigation	Rezoning the subject properties using a conservation/ecological protection zoning type would ensure that no further human activity associated with direct GHG emissions or climate change would occur. Further, the protection of ecological biodiversity and biomass/cover would increase CO ₂ uptake capacity for the lands.
Groundwater Vulnerability	Burren's Acres Moderate, to Moderately Low 

Coats Marsh

Low to Moderately Low vulnerability



While neither parcel is in an area of particularly severe local groundwater stress, restrictions on uses and structures as part of the rezoning would further reduce any possible stress on groundwater for the surrounding area by prohibiting future development that required the use of water, and rather protected natural ecosystems that aid in the protection and recharge of aquifer and groundwater networks. This could be considered to have a cumulative positive impact on groundwater in general for the immediate areas surround the parks and the island as a whole.



Policy:	6.1.1
Approved By:	Trust Council
Approval Date:	December 7, 2016
Amendment Date(s):	
Policy Holder:	Director of Local Planning Services

FIRST NATIONS ENGAGEMENT PRINCIPLES

A. PURPOSE

1. To provide a framework for engaging and building relationships between Islands Trust and First Nations.
2. To find opportunities for collaboration and mutual support through its many organizational activities.
3. To initiate and maintain respectful relationships with First Nations communities.

B. BACKGROUND

In the Islands Trust Area, there is a high level of uncertainty regarding current and future First Nations ownership and management of the land base. As of November 2016, many things are in a state of flux because of evolving provincial, national and international recognition of Aboriginal Title.

1. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is an international instrument adopted by the United Nations on September 13, 2007. It describes a minimum standard of rights for the “survival, dignity and well-being of the indigenous peoples of the world.” Additionally, Article 26 states that “Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired,” and it directs governments to recognize these territories. UNDRIP was endorsed by Canada in 2010 and officially adopted it in May 2016.
2. In 2015, the Truth and Reconciliation Commission issued ‘Calls to Action’ to redress the legacy of residential schools and to advance the process of Canadian reconciliation. Several of these calls to action speak to the recognition of aboriginal rights over land. In particular, action 47 calls on all levels of government, including local governments, to “repudiate concepts used to justify European sovereignty over Indigenous peoples and lands... and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts.” (Truth and Reconciliation Commission of Canada, 2015).
3. In 2014, the Supreme Court of Canada handed down a decision in the case of the *Tsilhqot’in Nation vs. British Columbia*. In that decision, the court concluded that the Tsilhqot’in Nation has Aboriginal title to over 1,750 square kilometers of their traditional lands, previously deemed Crown land. *Tsilhqot’in* also confirmed that where Aboriginal title has not been established, the Crown has a duty to consult with and accommodate First Nations with stated land claims.
4. The Islands Trust works with separate nations with different customs, history, culture and expectations of engagement.

C. REFERENCES

1. *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)*, United Nations, Sept.13, 2007.

2. *Truth and Reconciliation Commission: Calls to Action*, Truth and Reconciliation Commission of Canada, 2015.
3. *Tsilhqot'in Nation vs. British Columbia*, Supreme Court of Canada, 2014.

D. DEFINITIONS

For the purpose of this policy:

“First Nations” refer to entities recognized by the Department of Aboriginal Affairs and Northern Development of Canada who have included the Trust Area, or a part of the Trust Area in the asserted traditional territory.

“Islands Trust” refers to all Islands Trust bodies, except island municipalities.

E. FIRST NATIONS ENGAGEMENT PRINCIPLES

1. Islands Trust is committed to becoming aware of what it does not know or understand about First Nations.
2. Islands Trust is committed to proving sincere desire for reconciliation
3. Islands Trust is committed to integrating, where possible, activities that support First Nations reconnecting with the Trust Area lands and waters

F. POLICY

1. The First Nations Engagement Principles in Section E:
 - a. underpin every activity of Islands Trust in order to have an enduring relationship with First Nations based on trust, honour and goodwill; and
 - b. are sequential and they speak of a way forward to acknowledge how profoundly First Nations have been ignored and disrespected, but these principles also point to a path forward that is genuine and sincere.
2. In committing to Principle E.1, Islands Trust should and island municipalities are encouraged to:
 - a. commit to “listening and learning” about the history of First Nations’ connection to the land and waters;
 - b. commit to “listening and learning” about First Nations’ perspective on treaties, rights and title; and
 - c. commit to acknowledging that history, to ensure First Nations and ourselves that the history has been heard and understood correctly.
3. In committing to Principle E.2, Islands Trust should and island municipalities are encouraged to:
 - a. commit to acknowledging the historical biases in the organization, which come from Canadian culture and assumptions, and have often resulted in non-Natives citizens ignoring and minimizing their relationship with First Nations; and
 - b. commit to undertaking actions that reflect an effort to change societal attitudes and systems.
4. In committing to Principle E.3, Islands Trust should and island municipalities are encouraged to:
 - a. commit to supporting, where possible, traditional gathering and harvesting activities;
 - b. commit to supporting, where possible, the integration of Traditional Knowledge into stewardship practices and policies; and
 - c. commit to supporting the development of a Reconciliation Action Plan.

From: [REDACTED]
Sent: Saturday, December 1, 2018 4:07 PM
To: gbltcwebmail <gbltcwebmail@islandstrust.bc.ca>
Subject: Contact Form Submission

Contact: Gabriola Island Local Trust Committee
Name: Hilary Reid
Email: [REDACTED]

If you would like to be contacted using a different method than E-mail, please enter the details:

Write your message: December 1st, 2018 Dear Honourable Marc Garneau, P.C., M.P. Cc: Sheila Malcolmson, M.P., Nanaimo - Ladysmith; Jeff Pelton, Marine Safety Inspector, Oceans Protection Plan; Vancouver Fraser Port Authority Thank you for your e-mail dated October 1, 2018 in response to my letter of August 14th, 2018, regarding the inappropriateness of locating freighter anchorages in BC's southern Gulf Islands, and notably at the north end of Pylades Channel adjacent to Gabriola Island. In your letter you note that the Department of Transport initiated a comprehensive national review of anchorages in 2017 as part of the Oceans Protection Plan. You list several objectives of this review, both environmental and social. This has led to implementing temporary and voluntary interim procedures in the Pacific Region (including anchorages in the Southern Gulf Islands) to mitigate impacts of noise and light and distribute use of "designated" freighter anchorages. Since the history of establishing the anchorages in the Southern Gulf Islands is suspect at best (ie. when, how and under what legal authority they were established), it is very disappointing that none of the stated objectives of the national anchorages review relate to assessing whether the existing freighter anchorages located in the Southern Gulf Islands outside of an area regulated by a Canadian Port Authority are in fact needed or appropriate. This is in my view a significant assessment oversight, and should be immediately included in this national anchorage initiative. The mooring of large freighters within the sheltered waters of the Southern Gulf Islands, a truly unique part of the world with high marine biodiversity, recreational and scenic values, should never even have been considered. It was clearly conceived with little or no regard for the large number of attendant and insurmountable negative impacts outlined in my first letter. In your response you also refer to reduced usage of anchorages in Trincomali which includes DeCourcy Islands and Pylades Island (assuming you are referring to Pylades Channel, as there is no Pylades Island in this area). I understand, based on my own research¹, that the Trincomali anchorages referenced in your letter include a group of nine anchorages referred to as Trincomali #1- 9. While your data may indicate that collectively the usage of the nine 'Trincomali anchorages' has decreased, it is clear based on our observations that in recent years, usage of anchorage #9 (nearest to Gabriola) has greatly increased, along with # 8 and #7 which are well within view of our island property. I would appreciate receiving any historical data on the use of Trincomali anchorage #9 you have for my records. Last, you state that you "believe that commercial shipping can be conducted safely, be optimally managed, and have minimal impact to the marine environment and surrounding communities". The freighter referenced in my August 14th letter (located in Trincomali anchorage # 9) was present from at least August 8 through to August 29 or 30th, 2018. For the record, during our visits this summer, this large cargo freighter significantly negatively impacted the normal enjoyment, peace and quiet of properties at the south end of Gabriola, on the east side of Decourcy Island, boats moored at Pirates Cove Marina, at the north end of Ruxton Island, on and the northwest side of Valdez Island, as well as the surrounding marine environment. It was a visual blight during the

day, and even more objectionable at night due to the constant noise from its generators, and the bilious orange sodium lights glaring from the vessel's decks and cabins. This obnoxious impact was also true of freighters moored at anchorages # 7 and # 8, both of which sites seemed to be occupied most of the summer. I want to reiterate that the relatively pristine marine waterways of the Southern Gulf Islands are completely inappropriate as industrial parking lots for freighters now or in the future. The anchored freighters are clearly impacting the environment and people in surrounding communities due to noise, light, air, and highly probable water pollution. In this regard, rather than directing efforts at trying to mitigate the impacts of noise and light of anchored freighters on local communities, I request that these anchorages in the Southern Gulf Islands simply be removed as "overflow" anchorage options for the South Coast. I also strongly urge that the proposal to add five more anchorages on the north east corner of Gabriola Island be cancelled. Why should shipping and transport trump the needs of the thousands of people who live or enjoy recreating in this unique island environment, or the needs of the marine creatures, several species of which are already severely under threat, which make these island waters their home? We know your ministry can, and needs to do better than this. There are many other stakeholders involved here besides the shipping industry. Further, if there is indeed a need for more anchorages, I ask that the Ministry of Transport work with Port Authorities and the BC Chamber of Shipping to reconfigure existing anchorages within Port Metro Vancouver and Nanaimo Port to accommodate more vessels. This could include installing more fixed mooring buoys within the Ports in addition to working on improving technology to match vessel arrival dates with dates for loading cargo and evaluating supply chain bottlenecks. It is encouraging that Transport Canada has received funding under the Oceans Protection Plan to undertake a national review of anchorages. However, directing these funds to do the necessary research and data analysis, and putting in place technical and regulatory options to eliminate the use of the Southern Gulf Islands anchorages would go a long way towards demonstrating that your Ministry and the shipping industry are serious about protecting fragile marine species at risk and their supporting ecosystems in this area. The inside waters of the Southern Gulf Islands would in fact be better designated as a marine sanctuary for Southern Resident killer whales, who are fighting for their very survival, and whom we know are under extreme duress from marine traffic noise. Much of this aural disturbance comes from the shipping industry you are bending over backwards to accommodate. Working with Fisheries and Oceans, a Marine Sanctuary designation would also show that your Ministry and the federal government truly care not just about the convenience of the shipping industry, but also about the people and marine species who make their home in the precious and irreplaceable Southern Gulf Islands environment. I look forward to a seriously considered and timely response to these proposals. I know I speak for many, many others besides myself in making them. Sincerely, Hilary Reid , Co-owner, [REDACTED]

[REDACTED] Road Gabriola Island, BC



DATE OF MEETING: January 24, 2019
TO: Gabriola Island Local Trust Committee
FROM: Justine Starke, Island Planner
COPY: Ann Kjerulf, Regional Planning Manager

RECOMMENDATION

THAT the Gabriola Island Local Trust Committee consider implementation of the report *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)* as a top priority work program item.

REPORT SUMMARY

This report presents, *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)* for consideration of implementation by the Local Trust Committee. Local Planning Committee (LPC) has developed the attached tool kit for protection of the Coastal Douglas Fir zone and associated ecosystems. There are a number of recommendations for implementation of the tool kit throughout the Islands Trust Area. LPC has requested distribution of the Coastal Douglas Fir Tool Kit to local trust committees with a recommendation to add it as a top priority long range planning project.

BACKGROUND

[Local Planning Committee](#) is a subcommittee of Islands Trust Council with the responsibility for addressing planning needs applicable throughout the Islands Trust Area.

On November 9, 2017, Local Planning Committee moved Coastal Douglas-fir and associated ecosystems as a top priority in accordance with the Trust Council Strategic Plan (2015-18):

- L.1.6.1 Amend land use bylaws to improve protection of high biodiversity areas (LTCs)
- T.1.7.1 Develop a planning tool kit to illustrate how to protect Coastal Douglas-fir and associated ecosystems (LPC).
- L.1.7.1 Use land use planning tools to protect Coastal Douglas-fir and associated ecosystems through land use planning (LTCs).

Staff developed the tool kit and the final report was received by Local Planning Committee on October 11, 2018 when the following resolutions were passed:

LPC-2018-015 It was MOVED and SECONDED, that Local Planning Committee accepts the final Coastal Douglas-fir Toolkit and directs staff to bring the report to Trust Council for consideration of implementation by the 2019-2023 Islands Trust Council. **CARRIED**

LPC-2018-016 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:
a) distribute the Coastal Douglas-fir Toolkit to local trust committees with a recommendation to add it as a top priority long-range planning project;

b) prioritize protection of the Coastal Douglas-fir and Associated Ecosystems and implementation of the Islands Trust Conservancy Regional Conservation Plan in the Islands Trust Council strategic plan for 2019-2023. **CARRIED**

LPC-2018-017 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

c) direct Local Planning Committee to commission mapping of contiguous tracks of the Coastal Douglas-fir zone and associated ecosystems across the Islands Trust Area. **CARRIED**

LPC-2018-018 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

d) request staff to create a strong communications program that will support Islands Trust Conservancy conservation initiatives for Coastal Douglas-fir protection as well as support the land use planning process, with a special focus on communicating the role of Development Permit Areas as a tool for Coastal Douglas-fir protection that permits development.

LPC-2018-019 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

e) request staff to bring recommendations as to how the Natural Areas Property Tax Exemption Program (NAPTEP) can be strengthened to prioritise contiguous tracks of the Coastal Douglas-fir zone and options for increasing communications about NAPTEP. **CARRIED**

LPC-2018-020 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

f) request Trust Area Services staff to continue participating in the Coastal Douglas-fir Conservation Partnership. **CARRIED**

LPC-2018-021 It was MOVED and SECONDED, that Local Planning Committee requests the Islands Trust Council elected for the 2019-2023 term implement the Coastal Douglas-fir Toolkit by undertaking the following:

g) advocate to the Province for additional land use orders protecting Coastal Douglas-fir in the Islands Trust Areas. **CARRIED**

LPC-2018-022 It was MOVED and SECONDED, that Local Planning Committee requests staff undertake mapping of the Coastal Douglas-fir zone and associated ecosystems within the existing budget this term. **CARRIED**

ANALYSIS

The tools available to the Islands Trust can advance protection of the Coastal Douglas-fir zone and associated ecosystems across the Trust Area. Islands Trust and the Islands Trust Conservancy together have the authority to regulate land use, act as a land conservancy, and coordinate with other levels of government. Islands Trust can also work collaboratively with community groups, conservation groups, and individuals to advance a broader set of tools for protection of the CDF Zone. The land use planning powers of local trust committees can be much more effectively used to protect this vulnerable ecosystem.

Objectives for CDF Protection

The policy, regulatory, and legal powers of Islands Trust are nested and can be designed to achieve the following recommended objectives:

- Maintain Contiguous Forest Cover
- Protect and Restore Functioning Ecosystems
- Protect Watershed Ecology
- Honour the Cultural Heritage of Coast Salish Stewardship

The biggest threat to the CDF zone in the Islands Trust is the incremental fragmentation of the forest through rural and residential development. The report suggests a path for Trust Council, the Islands Trust Conservancy, and local trust committees to protect the CDF zone (see the “Ten Essential Steps for Islands Trust to Protect the CDF Zone.” These recommendations are suggested from the position that the best tools are the ones that are easiest to use and are most squarely within the jurisdiction of Islands Trust.

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

- 1. Add implementation of the report, Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018), to the LTC project list.**

NEXT STEPS

Request staff to bring forward a project charter that proposes scope, timelines, and budget for this work.

Submitted By:	Justine Starke, RPP, MCIP Island Planner	November 27, 2018
Concurrence:	David Marlor, RPP, MCIP Director, Local Planning Services	November 29, 2018

ATTACHMENTS

1. Coastal Douglas Fir Zone Tool Kit: <http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf>

BRIEFING

To: Local Trust Committees/Bowen Island Municipality **For the Meeting of:** Various

From: Clare Frater, Director, Trust Area Services **Date Prepared:** December 20, 2018

SUBJECT: Updated Islands Trust climate change webpages

PURPOSE: To advise local trust committees and Bowen Island Municipality that the Islands Trust climate change webpages have been updated and to encourage dissemination of the climate change resources contained on the page.

BACKGROUND:

On June 20, 2018, the Islands Trust Council passed the following resolution:

That Trust Council request staff to update and improve climate change information on the Islands Trust website and that Local Trust Committees and Bowen Island Municipality be encouraged to disseminate this information to their communities.

Trust Area Services staff have reviewed and updated the information on the Islands Trust climate change webpages:

- <http://www.islandstrust.bc.ca/trust-council/projects/climate-change/> and
- <http://www.islandstrust.bc.ca/trust-council/projects/climate-change/carbon-neutral-operations/>

The Climate Change webpage provides information about the effects of climate change, the role of Islands Trust Area forests in sequestering carbon (equivalent to emissions from 40,000+ cars annually), local and global carbon projections, adaptation information and fact sheets.

Each official community plan in the Islands Trust Area, with the exception of the Piers Island OCP, contains Greenhouse Gas (GHG) reduction targets and associated policies. Local trust committees and Bowen Island Municipality may wish to review these targets as this new term of office gets underway.

The Carbon Neutral Operations webpage provides information about the Islands Trust climate actions since 2012 (via links to the Climate Action Revenue Incentive Program reports).

ATTACHMENT(S):

1. [Islands Trust Fact Sheet: Planning Tools to Reduce Green House Gases](#)

FOLLOW-UP: If local trust committees or Bowen Island Municipality wish to suggest resources or improvements to the climate change webpages, please send them to Andrew Templeton, Communications Specialist at atempleton@islandstrust.bc.ca

Staff will continue to maintain climate change information on the website, and update resources as needed/suggested.

Prepared By: Lisa Wilcox, Acting Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services, December 11, 2018



Islands Trust Conservancy Report to Local Trust Committees and Bowen Island Municipality November 2018

New Islands Trust Conservancy Board Members and Chair

The Islands Trust Conservancy board has two new members from the new 2019-2023 Islands Trust Council. Doug Fenton, a first-time trustee from Thetis, was elected to sit on ITC and the Board also welcomes Trustee Sue Ellen Fast as the appointed representative of the Islands Trust's Executive Committee. The Conservancy also re-welcomes returning trustee Kate-Louise Stamford, who was elected to the Board for a second term by the Islands Trust Council.

The Islands Trust Conservancy Board is comprised of two islands trustees elected to their positions by the Trust Council; one appointed Islands Trustee from the Trust Council executive and three provincially appointed board members from the islands at large.

The Islands Trust Conservancy Board

Richard “Hoops” Harrison – Saturna Island
Robin Williams – Salt Spring Island
Linda Adams – Salt Spring Island
Doug Fenton – Thetis Island
Sue Ellen Fast – Bowen Island
Kate-Louise Stamford – Gambier Island

At the November 27th meeting, Trustee Stamford was elected by acclamation by the ITC Board as their chair. This position is reviewed on an annual basis.

Islands Trust Conservancy Budget Submission

The Islands Trust Conservancy board received the Islands Trust Conservancy budget for information.

2019 Islands Trust Conservancy Board Meeting Dates

The Islands Trust Conservancy board approved the 2019 meeting schedule.

Regional Conservation Plan Reporting

The Islands Trust Conservancy board discussed ways to communicate the Regional Conservation Plan to local trust committees, the Bowen Island Municipality, Executive Committee and Trust Council.

Incorporation of Regional Conservation Plan into Land Use Planning

The Islands Trust Conservancy board discussed ways to communicate incorporating the Islands Trust Conservancy's 2018-2027 Regional Conservation Plan and associated mapping and data into Official Community Plans, Land Use Bylaws and local planning initiatives and projects and agreed to discuss further strategies for work with local trust committees and the Bowen Island Municipality at its January meeting.

Bylaw Amendment

The Islands Trust Conservancy board directed staff to provide recommendations for revision of Islands Trust Conservancy Bylaw 1 to add options for an alternate chair as there can be extra travel challenges when crossing from the mainland to the Victoria office.

New Name: Islands Trust Conservancy

ITC staff provided a briefing note about the status of the Islands Trust Conservancy name change and budget.

Summary of Current Island-by-Island Activities

Bowen

Trustee Fast reported that New Zealand MP Eugenie Sage came to Bowen Island and requested Islands Trust Conservancy covenant program information.

Denman

The Islands Trust Conservancy board received correspondence from the Cowichan Valley Regional District regarding the Denman Cross Island Trail. Invasive species removal and trail clearing, sign installation, and tree protection for forest restoration continue at three ITC nature reserves on Denman.

Gambier

Public consultation for the updated management plans of three Gambier Island Nature Reserves (Brigade Bluffs, Long Bay Wetland, Mount Artaban) is underway with a public survey and a public, open-house webinar on December 12, 2018.

Lasqueti

The Salish View campaign continues, in partnership with the Lasqueti Island Nature Conservancy (LINC).

Please feel free to contact members of the Islands Trust Conservancy or Islands Trust Conservancy staff for more details.

*Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca*

Link Island (Gabriola Island Local Trust Area)

The Islands Trust Conservancy and the Nanaimo Area Land Trust registered a NAPTEP covenant over 19.3 ha of Link Island. The Natural Area Exemption Certificate providing the property tax exemption was registered in October. The covenant has significant ecological value and is a good model of land conservation under the NAPTEP program.

North Pender Island

The Islands Trust Conservancy board received correspondence sent to North Pender LTC from Islands Trust Conservancy staff regarding Medicine Beach Nature Reserve.

Thetis

The Islands Trust Conservancy is negotiating a conservation covenant for Fairyslipper Forest Nature Reserve with the Thetis Island Nature Conservancy and the Cowichan Community Land Trust. Ecological information is being collected for the covenant baseline report and the management plan and a public open house was held on Thetis Island on October 13, 2018. Islands Trust Conservancy staff and Trustee Fenton met with representatives from the Penelakut Tribe, the Thetis Island Nature Conservancy and the Cowichan Community Land Trust to discuss property management on Thetis Island.

Please feel free to contact members of the Islands Trust Conservancy or Islands Trust Conservancy staff for more details.

*Kate-Louise Stamford, Chair kstamford@islandstrust.bc.ca
Islands Trust Conservancy itcmail@islandstrust.bc.ca*



Development Permit

File Number	Applicant Name	Date Received	Purpose
GB-DP-2017.2	Zane, Michael	03-Aug-2017	PID: 009-796-045 To bring property into bylaw compliance Civic: Acorn Island

Planner: Ian Cox

Planning Status

Status Date: 14-Jan-2019

New applicant legal council after passing of Michael Zane. Time needed for review and consideration of documents. Planner to work with Lawyer Rob Fenton on providing needed documents to complete their records before making a decision as to covenants, HCA notice on title, etc

Status Date: 03-Jan-2019

File from planner Zupanec to planner Cox. Review for possibility to take to January LTC.

Status Date: 23-Oct-2018

No change in status.

File Number	Applicant Name	Date Received	Purpose
GB-DP-2018.1	Jeff Wagner/Gordon Homes Sales Ltd.	26-Apr-2018	PID: 003-435-857 Placing new manufactured home on property Civic address:9 Wildwood Crescent, Gabriola Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 19-Dec-2018

Applicant on behalf of property owners requested application be withdrawn.

Status Date: 11-Dec-2018

Planner requested Detailed Assessment by a QEP be submitted, as noted in Preliminary RAR Assessment dated Dec. 22, 2017.

Status Date: 27-Sep-2018

Site visit.

File Number	Applicant Name	Date Received	Purpose
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Applications

GB-DP-2018.2 Bye, BIRGIT 11-Jul-2018 PID: 002-348-021 Seeking variance to accommodate three sheds that are encroaching in the RAR setback. Civic address: 860 Horseshoe Road, Gabriola Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 08-Jan-2019

Applicant revised site plan.

Status Date: 14-Nov-2018

Applicant revised site plan.

Status Date: 12-Oct-2018

Site visit.

File Number	Applicant Name	Date Received	Purpose
GB-DP-2018.3	Bowles, ANTHONY	17-Jul-2018	PID:003-432-394 Building new 2 bedroom home. Civic address: 601 Wildwood Crescent, Gabriola Island, BC

Planner: Sonja Zupanec

Planning Status

Status Date: 15-Aug-2018

Planner reviewing file

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2016.3	Van Herwaarden, Lynn	24-Aug-2016	PID: 003-422-852 539 Wildwood Crescent, Gabriola Island. DVP to bring property into compliance.

Planner: Marnie Eggen

Planning Status

Status Date: 15-Aug-2018

Awaiting further information/ exploring options

Status Date: 18-Aug-2017

**Applications**

Sent letter to the property owner and requested her (or her surveyor) to forward the completed survey / site plan to planning staff.

Status Date: 17-Aug-2017

Planning staff met with the owner on site, reiterated the need for a survey / site plan. The owner committed to providing a survey / site plan as per the Land Use Bylaw.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2017.1	Zane, Michael	03-Aug-2017	PID: 009-796-045 To bring property into bylaw compliance. Civic address: Acorn Island

Planner: Ian Cox

Planning Status

Status Date: 14-Jan-2019

New applicant legal council after passing of Michael Zane. Time needed for review and consideration of documents. Planner to work with Lawyer Rob Fenton on providing needed documents to complete their records before making a decision as to covenants, HCA notice on title, etc.

Status Date: 03-Jan-2019

File from planner Zupanec to planner Cox. Review for possibility to take to January LTC

Status Date: 23-Oct-2018

No change in status.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2018.1	Upward Construction	11-Apr-2018	PID: 004-739-345 Demolish cottage & work shed & rebuild. Need variance to allow septic field to be placed within setback from ocean. Civic address: 1850 Maple Lane, Gabriola Island, BC.

Planner: Ian Cox

Planning Status

Status Date: 31-Jul-2018

File from planner Zupanec to planner Cox - waiting on current parcel survey showing natural boundary.

Status Date: 05-Jul-2018

Staff report not to go to LTC July 12th - waiting further information from applicant.

Applications

Status Date: 20-Jun-2018

DRAFT notice and permit complete, to go to LTC July 12th meeting.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2018.3	Bye, BIRGIT	11-Jul-2018	PID: 002-348-021 Varying setback for three sheds to allow for placement of primary residence. Civic address: 860 Horseshoe Road, Gabriola Island, BC

Planner: Jaime Dubyna

Planning Status

Status Date: 09-Jan-2019

Public notice mailed out to neighbouring properties.

Status Date: 08-Jan-2019

Applicant revised site plan.

Status Date: 14-Nov-2018

Applicant revised site plan.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2018.4	Bowles, ANTHONY	17-Jul-2018	PID: 003-432-394 Building new 2 bedroom home Civic address: 601 Wildwood, Gabriola Island, BC

Planner: Sonja Zupanec

Planning Status

Status Date: 15-Aug-2018

Planner reviewing

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2018.6	MAUREEN / IAN DURRANCE	21-Sep-2018	PID: 003-431-657 Civic address: 538 Wildwood Cr, Gabriola Island Septic inside RAR setback X-file GB-BE-2015.8

Planner: Sonja Zupanec

Planning Status

Status Date:



Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2018.1	THOMAS W MELVILLE Planner: Sonja Zupanec	06-Apr-2018	Foreshore lease #112998 Continuing annual moorage at Degnan Bay, Gabriola Island, BC
Planning Status			
Status Date: 13-Sep-2018 No change in status.			
Status Date: 01-Aug-2018 Application out for referrals to Arch Branch, local First Nations, and the Gabriola Island APC.			
Status Date: 26-Jun-2018 Application to appear on July 12 LTC agenda for consideration.			

Subdivision

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2008.3	C.O. Smythies & Associates Ltd.	06-Oct-2008	To create 6 parcels btwn McCollum & Tait Roads. (PARCEL C (DD 51803I) OF THE NORTH 1/2 OF THE NORTH EAST 1/4 OF SECTION 9, GABRIOLA ISLAND, NANAIMO DISTRICT)
Planner:			
Planning Status			
Status Date: 24-Oct-2018 Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.			
Status Date: 05-Jul-2018 Received confirmation from MOTI that PLA has been extended to June 28 2019			
Status Date: 18-Jan-2018 Planner re-sent the revised referral report to MOTI. Will await a response from MOTI.			

File Number	Applicant Name	Date Received	Purpose
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Applications

GB-SUB-2010.2 McCollum and Krul, 13-Aug-2010 1520 McCollum Road
Gary and Jane Create 7 parcels

Planner:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI and copied to applicant to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 03-Aug-2018

MOTI extended PLA until 2-Aug-2019

Status Date: 26-Jun-2018

Planner responded to MOTI request for extension to PLA. No concerns with extension.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2011.1	Williamson & Associates Professional Surveyors	23-Dec-2010	To create 2 parcels on Daniel Way (THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 22, GABRIOLA ISLAND, NANAIMO DISTRICT, EXCEPT PARTS IN PLANS 22029, 30038, 32376 AND VIP54644)
Planner: Marnie Eggen			

Planning Status

Status Date: 03-Nov-2017

No change

Status Date: 08-Jan-2016

No change

Status Date: 13-Jan-2015

Applicant working to satisfy conditions

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2012.2	Powell, Don	24-Oct-2012	725 Church Street - subdivision to create one new lot and a remainder lot
Planner:			

Planning Status

Status Date: 24-Oct-2018

Applications

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 01-Apr-2015

Applicants are waiting for the right time to continue with their application with MOTI and to remove the conditions in the PLNA to change it to a PLA. MOTI confirmed this is the case.

Status Date: 03-Sep-2014

Status has not changed. Still awaiting MOTI direction that reasons for non-approval have been overcome

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2013.3	Smythies & Associates	28-Oct-2013	411 Daniel Way subdivision to create 2 parcels

Planner:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 01-Apr-2015

MOTI response that there has been no recent action on this file but it will remain open, and the applicant is working with the ALC at this time

Status Date: 19-Mar-2015

No change in status. Contacted MOTI to see if they closed the file, but have not yet heard back.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.2	MACKAY, IKE	23-Feb-2016	PIDs: 004-857-119 and 004-614-771 Lot Boundary Adjustment

Planner:

Planning Status

Status Date: 24-Oct-2018

Update email sent to MOTI to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

Status Date: 05-May-2016

Awaiting response from MOTI to issue PLA or PLNA.

Applications

Status Date: 17-Mar-2016

File TR completed review and sent referral report to MOTI and copied to Gabriola LTC and applicant.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.4	C.O. Smythies & Associates Planner: Sonja Zupanec	20-May-2016	PIDs: 001-271-806 and 009-735-755 Boundary adjustment. Civic address: 1610 Hess Road, Gabriola Island.

Planning Status

Status Date: 08-Jun-2016

Referral response sent to MOTI and copied to applicant and LTC.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2016.6	C.O. Smythies & Associates Planner: Ian Cox	08-Sep-2016	PID: 000-305-120 215 Easthom Road, Gabriola Island. 3 lot subdivision.

Planning Status

Status Date: 10-Jan-2019

Re-review by Planner Cox - 'No change to referral response' emailed to MOTI district development tech.

Status Date: 19-Dec-2018

File to Planner Cox. Contacted MOTI regarding change to PLA and need for re-referral.

Status Date: 24-Oct-2018

Update email sent to MOTI and copied to applicant to notify that Planner TR is leaving IT and to correspond through general email until another Planner is assigned.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.1	Williamson & Associates Professional Surveyors Planner: Jaime Dubyna	26-Jan-2017	PIDs: 000-427-110, 025-720-821 & 025-720-830 Civic addresses: 1885 Martin Road, 1860 Martin Road & 1875 Stalker Road, Gabriola Island. Boundary adjustments.

Planning Status

Status Date: 14-Jan-2019

Planner reviewing revised plan.

Applications

Status Date: 10-Jan-2019
Revised proposed plan submitted.

Status Date: 10-Jan-2019
Planner JD assigned file.

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.2	Williamson & Associates	19-Jan-2017	PIDs: 009-739-602 and 000-105-287. Lot line adjustment. Civic 831 Chelwood Road, Gabriola Island, BC

Planner: Marnie Eggen

Planning Status

Status Date: 23-Jul-2018
PLA issued

Status Date: 01-Jun-2017
Referral response sent

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2018.1	Williamson & Associates/Potlatch Properties Ltd.	26-Jun-2018	PIDs:027-939-791, 027-939-804, 003-010-431, 006-635-121 27 lot subdivision Civic address: Taylor Bay Road/Church Street

Planner: Sonja Zupanec

Planning Status

Status Date: 12-Jul-2018
Referral response sent to MOTI, applicant and LTC.

Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2018.1	Garner, KEVAN	15-Mar-2018	PID: 003-330-460 Vacation rental in cottage Civic address:671 Balsam Street, Gabriola Island, BC

Planner: Jaime Dubyna

Planning Status

Applications

Status Date: 09-Jan-2019

Public notice delivered to neighbouring properties.

Status Date: 18-Dec-2018

Applicant submitted copy of property insurance, as requested by LTC. Copy in file.

Status Date: 03-Dec-2018

Applicant submitted revised Guest Information Guide and Letter re. addressing neighbour concerns.

Islands Trust
LTC EXP SUMMARY REPORT F2019
Invoices posted to Month ending November 2018

620 Gabriola	Invoices posted to Month ending November 2018	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	1,500.00	638.46	861.54
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	4,750.00	3,634.24	1,115.76
65210-620	LTC - Local Exp - APC Meeting Expenses	600.00	223.71	376.29
65220-620	LTC - Local Exp - Communications	1,000.00	369.00	631.00
65230-620	LTC - Local Exp - Special Projects	1,000.00	0.00	1,000.00
TOTAL LTC Local Expense		<u>7,350.00</u>	<u>4,226.95</u>	<u>3,123.05</u>
Projects				
73001-620-2018	Gabriola Mudge Island OCP/LUB	3,500.00	4,006.43	-506.43
73001-620-4096	Gabriola Water Taxi Feasibility	450.00	488.00	-38.00
73001-620-4097	Gabriola Housing Options & Impact Review	2,500.00	0.00	2,500.00
TOTAL Project Expenses		<u>6,450.00</u>	<u>4,494.43</u>	<u>1,955.57</u>

Gabriola Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	January 29, 2010	GB-025-2010	Communication Towers and Antennae	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 both local newspapers. • 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.
2.	June 14, 2018	GB-2018-040	Processing non-medical	It was MOVED and SECONDED

			cannabis retail license applications	That the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to the processing of non-medical cannabis retail license applications: • Proposed or amended licenses for non-medical cannabis retail establishments require an application to the Local Trust Committee; • The application process shall comprise a public consultation component, which includes at least one notification to neighbours, one public meeting, posting of public notices and one advertisement in a local periodical; • The public consultation process shall be determined by the Local Trust Committee after initial review of the proposal; and • However, as a minimum, the Local Trust Committee will mail or otherwise deliver a notice to all owners and residents of properties within a 500 metre radius of the subject property where the establishment is proposed at least 10 days before adoption of a resolution providing comment on the application. The required notice shall include the following information: ○ Name of the applicant and a description of the proposal in general terms; ○ The location of the proposed establishment and the subject site; ○ The place where, and date and time when, both a public meeting will be held and a resolution of the local trust committee considered; ○ The name and contact information of the Islands Trust planning staff member who can provide copies of the proposed or amended license application; and ○ How public comments may be submitted to the Local Trust Committee.
3.	September 27, 2018	GB-2018-100	First Nation Relationship Building	That the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to First Nations Relationship Building: In order to learn about and better understand the eight local First Nations with asserted Aboriginal title, Aboriginal rights and treaty rights in the Gabriola Local Trust Area, the Gabriola Island Local Trust Committee resolves to: • Annually, write a letter to each First Nation, (re)introducing Trustees and Staff and provide a schedule of known Local Trust Committee meetings for the upcoming year. This annual letter may include requests to meet or participate with the First Nation leadership or community members in their meetings or events in order for the Local Trust Committee to learn about and better understand the First Nation community's issues and history; • One month in advance of each scheduled Local Trust Committee meeting,

				ask an elder from a local First Nation to provide a traditional welcome to the territory and stay for the meeting if interested. Invitations may be sent in rotation to each of the eight local First Nations; • Once the Gabriola Island Local Trust Committee has established the above administrative processes for at least one year, the Local Trust Committee will, annually, invite all eight local First Nations to a day of land use discussions, with a request for those First Nations to help plan the meeting so as to provide a culturally appropriate and safe place to talk freely about historical, current and upcoming land use issues in the Gabriola Land Trust Area; the invitation will include a map of the Local Trust Area jurisdictional boundaries); and • Once the Gabriola Island Local Trust Committee has held annual meetings with local First Nations for two consecutive years, the Local Trust Committee will establish new or refreshed agreements with each of the eight local First Nations based on mutually agreed-upon processes of meaningful engagement in land use issues in the Gabriola Local Trust Area.
4.	November 22, 2018	GB-2018-122	Applications for Federal Cannabis License	That the Gabriola Island Local Trust Committee requests that Notices of Intention to Apply for a Federal Cannabis License be forwarded to the Local Trust Committee upon receipt by the Islands Trust.



Gabriola Island

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Housing Options and Impacts Review Project	Develop an Engagement and Communication Strategy; Strengthen relationships with Snuneymuxw First Nation and incorporate First Nation perspectives into policy/regulatory options; Explore opportunities to foster affordable, rental, special needs and seniors housing and associated services; Develop a strategy to address all housing continuum gaps; Ensure policy/regulatory changes are consistent with the Object of the Islands Trust, the ITPS, with focus on water protection/conservation and ecological footprints.	22-Nov-2018		
2	Cannabis Production and Retail Sales		22-Nov-2018		
3	Develop an Ecological Protection Zone	Research and develop a new ecological protection zone as part of the Parks (P) OCP designation. Update zoning of Coats Marsh and Burren's Acres Nature Reserve properties.	22-Nov-2018		



Projects

Gabriola Island

Description	Activity	R/Initiated
DeCourcy Island OCP and Bylaw Review	Review DeCourcy Island Official Community Plan and Regulatory bylaws; establish an Advisory Planning Commission. Topics include: park areas without park zoning, DAI Bylaw, subdivision polices and regulations (added March 2017).	21-Apr-2011
Hazardous areas/Steep Slopes DPA	Consider hazardous areas and steep slopes development permit area designation; consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain	21-Feb-2013
Forage Fish Mapping Workshop	March, 2013 resolution	05-Sep-2013
Land Based Aquaculture	Review most recent provincial direction on land based aquaculture and develop appropriate policies and regulations.	16-Jan-2014
Biodiversity Protection	Identify measures to protect biodiversity	19-Jan-2012
Coastal areas protection	Review OCP and LUB to improve protection of coastal areas; development of a comprehensive DPA for shorelines in the Gabriola Island Local Trust Area	19-Jan-2012
Water Protection	Review OCP and LUB to protect water quality and quantity.	19-Jan-2012
First Nations cultural references	Consider First Nations cultural references in land use planning; Work with Snuneymuxw First Nation (SFN) to seek funding for archaeological mapping and host and invite SFN Councillor Geraldine Manson to make a storytelling presentation on Gabriola.	27-Jan-2011
Eelgrass protection	Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).	14-May-2014



Projects

Gabriola Island

Description	Activity	R/Initiated
Snuneymuxw Protocol Agreement	Implementation of Snuneymuxw First Nation Protocol Agreement	22-Jan-2015
Gabriola Village Plan	Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core	02-Apr-2015
Snuneymuxw Relationship Building	Strengthen relationship with Snuneymuxw First Nation	02-Apr-2015
Food Trucks	Review land use bylaw regulations with respect to food trucks	02-Apr-2015
Eagle Nest Mapping	Incorporate eagle nest mapping into the OCP	02-Apr-2015
Green Energy	Consider policy and regulatory mechanisms to encourage green and renewable energy	02-Apr-2015
Commercial Vacation Rental Review	Review bylaws with respect to temporary use permits for commercial vacation rentals	07-May-2015
CDF Conservation	Consider policies and other recommendations regarding land use planning tools that will effectively conserve Coastal Douglas-fir forest ecosystems.	14-Jan-2016



Projects

Gabriola Island

Description	Activity	R/Initiated
LUB Amendments	- Review of temporary sawmill regulations - Definition of personal use of animals for SRR zoned lots - Review of how cisterns and solar panels are regulated as structures subject to lot coverage calculations -Review of section B.2.1.1 for variances within DP3 -Review minimum average parcel size calculations in LUB and OCP to ensure consistent and supportive of more than 5% dedication of parkland -IN1 zoning to ensure consistent with existing Arts Council use. -definition of limited public market and INI zone uses pertaining to market sales -correction to WC3 mapped location to coincide with Green Wharf	08-Sep-2016
Water Resource Planning	Review of water requirements at the time of subdivision	14-Jun-2018
Water Taxi Feasibility	Follow up items emerging out of water taxi feasibility (completed fall 2018)	22-Nov-2018