

Regular Meeting Revised Agenda

Date: July 28, 2022
 Time: 10:30 am
 Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

			Pages
1.	CALL TO ORDER	10:30 AM - 10:35 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.	RISE AND REPORT		
4.	REPORTS	10:35 AM - 10:55 AM	
4.1.	Trustee Reports		
4.2.	Chair's Report		
4.3.	<i>Electoral Area Director's Report</i>		4 - 5
4.4.	First Nation Reports		
5.	TOWN HALL	10:55 AM - 11:05 AM	
6.	MINUTES	11:05 AM - 11:10 AM	
6.1.	Local Trust Committee Minutes dated June 16, 2022 – for adoption		6 - 12
6.2.	Section 26 Resolutions-Without-Meeting - none		
6.3.	Advisory Planning Commission Minutes - none		
7.	BUSINESS ARISING FROM MINUTES	11:10 AM - 11:30 AM	
7.1.	Follow-up Action List dated July 19, 2022		13 - 14
7.2.	Heritage Commissions - Memorandum		15 - 30
8.	APPLICATIONS AND REFERRALS	11:30 AM - 11:40 AM	

8.1.	GB-DVP-2022.2 (Beath - 861 Sharie Road) - Staff Report	31 - 43
9.	LOCAL TRUST COMMITTEE PROJECTS	11:40 AM - 12:10 PM
9.1.	Projects Lists - Staff Report	44 - 52
9.2.	Ecological Protection Zone - discussion (no report)	
10.	DELEGATIONS	12:10 PM - 12:40 PM
10.1.	<i>Ivan Bulic regarding a Community Heritage Register</i>	53 - 55
10.2.	André Lessard regarding Gabriola Heritage, Significance and Conservation	
10.3.	Elizabeth Iachelli, Vice President, Gabriola Island Community Hall Association regarding creation of a Heritage Register and Heritage Commission https://gabriolacommunityhall.com/wp-content/uploads/2020/03/sos-and-background.pdf	
10.4.	Chris Campbell, Director, Gabriola Museum regarding creation of Heritage Register and Heritage Commission	
11.	CORRESPONDENCE	12:40 PM - 12:45 PM
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	
11.1.	Email dated July 8, 2022 regarding Aircraft Noise Pollution	56 - 56
11.2.	<i>Letter of Support dated July 21, 2022 from Kirstin Clausen, Executive Director of Heritage BC</i>	57 - 58
12.	NEW BUSINESS	1:15 PM - 1:45 PM
12.1.	School Site Acquisition Charge - Staff Report	59 - 63
12.2.	Emergency Response Planning and Potential Ambulance Service Level Request - for discussion	
12.3.	Use of Herbicides by Commercial Interests Close to Community Water Sources - for discussion	
12.4.	<i>National Marine Conservation Area and Proposed Anchorage Sites - for discussion</i>	64 - 65
13.	REPORTS	1:45 PM - 2:00 PM
13.1.	Climate Change Action Update	
13.2.	First Nations Relationship Building	
13.3.	Trust Conservancy Report dated May, 2022	66 - 68

13.4.	Applications Report dated July 19, 2022	69 - 73
13.5.	Trustee and Local Expense Report - none	
13.6.	Adopted Policies and Standing Resolutions	74 - 76
13.7.	Local Trust Committee Webpage	
14.	WORK PROGRAM	2:00 PM - 2:20 PM
14.1.	Top Priorities Report dated July 19, 2022	77 - 77
14.2.	Projects List Report dated July 19, 2022	78 - 82
15.	UPCOMING MEETINGS	
15.1.	Next Regular Meeting Scheduled for Thursday, September 29, 2022 at 10:30 am at the Gabriola Arts and Heritage Centre	
16.	CLOSED MEETING	2:20 PM - 2:30 PM
16.1.	Motion to Close the Meeting	
	<i>That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1) (a) and (d) for the purpose of considering (a) Personal Information about an identifiable individual who holds or is being considered for a position as an agent of the municipality or another position appointed by the municipality and (d) adoption of In-Camera Meeting Minutes dated April 7, 2022 and that the recorder and staff attend the meeting.</i>	
16.2.	Recall to Order	
16.3.	Rise and Report	
17.	ADJOURNMENT	2:30 PM - 2:30 PM

Date: July 28, 2022

To: Gabriola Island Local Trust Committee

From: Vanessa Craig, RDN Director Area B

Subject: Electoral Area Director's Report

Dear Chair Rogers and Trustees Langereis and Colbourne,

I have the following updates to share:

- The RDN's regional parks and trails strategy is nearing completion. After two rounds of community engagement the latest draft was reviewed by the Regional Parks and Trails subcommittee this week. Staff will be finalizing it based on comments from the subcommittee and it will be discussed by the Regional Parks and Trails Select Committee (RPTSC) in September. If the committee endorses it, it will make its way to the Board agenda in September or October. You can find the draft strategy starting on page 8 of the agenda package here: <https://rdn-pub.escribemeetings.com/FileStream.ashx?DocumentId=26883> (it's too large to email) – I'm happy to hear any of your comments prior to the RPTSC meeting in September. One of the recommendations is to develop a parks and trails strategy for each individual electoral area – Area B is scheduled first, to begin in 2023.
- Other work scheduled for community parks includes fence replacement and trail resurfacing at Malaspina, accessible path resurfacing at Blue Heron community park (CP), replacement of the fence at South Rd CP, the Joyce Lockwood beach access improvement, Mudge Island cartop boat access issue, and placement of a cistern at Huxley for plant watering and replacement of the portable toilet with a vault toilet. Cox CP improvements including a bridge over Mallet Creek is earmarked for 2024.
- Major projects are also scheduled for regional parks on Gabriola in 2023: the Coats Marsh weir will be reinforced/replaced next year. In preparation for that, a study that evaluates options for the weir height is open to a Request for Proposals currently, with a final report expected in October. The RFP is available here: <https://www.rdn.bc.ca/node/12235> In addition, work on Descanso Bay Regional Park improvements will continue.
- I wrote another letter to MoTI requesting a speed control zone around Huxley Park as well as a crosswalk at the entrance. Any supporting letters can be sent to Nikki Schneider (Nikki.Schneider@gov.bc.ca) cc Angie Allwood (Angie.Allwood@gov.bc.ca)
- The feasibility study on the potential costs and function of creating a community health and wellbeing planner position/contract is continuing. Two stakeholder meetings with members of the Gabriola Health and Wellness Collaborative (GHWC) have occurred. As you know, the GHWC is comprised of 30+ community members from Gabriola, Mudge, and DeCourcy Islands who represent a wide variety of groups working towards community wellness – from representatives from the Health Care Foundation, People for a Healthy Community, emergency responders, health care workers, the school parent advisory committee, Gabriola Arts Council, Chamber of Commerce, Gabriola Recreation Society, and many others. During the meetings there was significant discussion about both volunteer and wellness workers' capacity issues as well as gaps in services (eg youth mental health was identified as a significant gap). We explored ideas about what a health and wellbeing planner could provide to the community – including helping the GHWC with meeting planning and administration, a facilitator for group discussions, coordinating and applying for grant funding, data analysis, and research and evaluation, amongst other services. Initial discussions identified a range of roles for the potential position, with a position ranging from part-time to full-time. Discussion indicated the person would likely be contracted through an on-island existing non-profit society to ensure they are grounded in, and understand, our community. To aid in understanding resourcing requirements the contractors provided a range of potential cost estimates to better understand both the benefits and costs of such a position. The consultant's final report will appear on an upcoming committee or Board agenda.

- At the most recent Board meeting we received an update on the sea level rise adaptation program and river floodplain maps. As you'll recall, the RDN recently carried out a large project that included mapping of expected sea level rise in the region. Although the sea level rise in our area is partially offset by isostatic rebound (in southwest BC there is tectonic uplift occurring as the land "rebounds" from the weight of glaciers during the last ice age), modelling predicts that the coastline will be subject to flooding due to the effects of climate change. The modelling was used to identify the Flood Construction Level based on a 1 in 200 year event (ie a 0.5% chance of an event occurring each year) which is the provincial standard. A description of the project is here: <https://www.rdn.bc.ca/sites/default/files/inline-files/RDN%20Overview%20Report%20Coastal%20Floodplain%20Mapping%20June%202028%202021.pdf> and maps can be found here: <https://www.rdn.bc.ca/sites/default/files/inline-files/RDN%20Coastal%20Flood%20Hazard%20Map%20Atlas%20Oct%202027%202021.pdf> (Area B starts on page 18). Some areas of Gabriola, Mudge, and DeCourcy Islands are identified as particularly vulnerable to flooding based on the modelling. This next phase of the project included floodplain mapping of the Englishman River, Little Qualicum River, and the Nanaimo River. While the Englishman River and Little Qualicum River mapping is complete, the Nanaimo River mapping is underway. You can find updates on the project here: <https://www.getinvolved.rdn.ca/river-floodplain-map-update>. Reports, including maps, for the first two river mapping projects are available on the July 26 2022 Board agenda [here](#) under agenda item 10.3.

Upcoming

- The RDN Board and committees do not meet in August
- Board and Committee meetings will continue in hybrid format in September
- The next RDN Board meetings are on September 6th and 27th (1 pm start)
- The next Electoral Area Services Committee meeting is on September 8th (1 pm start)
- The next Regional Parks and Trails Select Committee meeting is September 7th (10 am start)
- The next Area B Parks and Open Space Advisory Committee (POSAC) meeting is on September 26th, 10:30 am start. Location to be confirmed.

Respectfully submitted,

Vanessa Craig



Gabriola Island Local Trust Committee Minutes of Regular Meeting

Date: June 16, 2022
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

Members Present: Laura Patrick, Chair
 Kees Langereis, Local Trustee
 Scott Colbourne, Local Trustee

Staff Present: Heather Kauer, Regional Planning Manager
 Sonja Zupanec, Island Planner
 Stephen Baugh, Planner 2
 Anthony Fotino, Island Planner
 Nadine Mourao, Recorder

Others Present: There were approximately six (6) 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 Patrick called the meeting to order at 4:00 pm, welcomed the public and introduced Trustees, Staff and Recorder. Chair Patrick, Trustee Colbourne, and Trustee Langereis acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

By general consent the agenda was approved as presented.

3. REPORTS

3.1 Trustee Reports

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

- Along with Paul Brent, Saturna Island Local Trustee, he has put forward a Request for Proposal (RFP) to have the Provincial Government review the Islands Trust;
- Attended two Social and Wellness Planning sessions, looking at gaps in community services and supports that came out of the Social Needs Assessment;
- Thanked Trustee Langereis for his work coordinating with Snuneymuxw Elder Geraldine Manson (C'tasi:a) to present her award mentioned below; and
- Jay Dearman Memorial Run Fundraiser this Saturday June 18, 2022.

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

- FRP to Trust Council (TC) proposing a Standing Governance Committee;
- Monday June 20, 2022 Snuneymuxw Elder Geraldine Manson (C'tasi:a) will be attending book launch of her new book titled *Snuneymuxw History Written in Places and Spaces: Ancestor's Voices – An Echo in Time*, Langereis will present Geraldine Manson with the Islands Trust Community Stewardship Award;
- Trust Programs Committee (TPC) to review Islands 2050 report; and
- Regional Planning Committee (RPC) meeting.

3.2 Chair's Report

Chair Patrick reported the following:

- Electronic TC meeting next week June 21–23, 2022.

3.3 Electoral Area Director's Report

Chair Patrick read Vanessa Craig's, Regional District of Nanaimo (RDN) Electoral Area B report and noted the following:

- Huxley Park opening celebration was a success;
- RDN Parks and Trails Strategy closed;
- Feasibility study regarding Community Health and Wellbeing Planner position continues;
- Endorsing Community Wildfire Resiliency Plan discussions;
- Parks and Open Space Advisory Committees met for site tour to discuss plans for parks and trails for Gabriola;
- Community and Recreation Grants Awarded; and
- Upcoming RDN meetings are continuing hybrid electronic and in person mode.

3.4 First Nation Reports

Trustee Colbourne to meet with Snuneymuxw Chief and Council at their next meeting.

4. TOWN HALL

Member of the public, Jacinthe Eastick, requested to speak on Bylaw No. 308, for the record, she felt this was an administrative bylaw and not subject to the procedural laws post Public Hearing. She also noted that her letter of correspondence written on this matter in 2021 had not been included in an agenda package.

- Planner Zupanec noted that Bylaw No. 308 was advertised along with Bylaw Nos 306 and 307 for the Public Hearing, all further comments on the Bylaws may be directed to Planning Staff. She also apologized for any correspondence not being included in an agenda and asked Jacinthe to forward the correspondence to be included in the next meeting agenda.

A member of the public noted their support of the Ecological Protection Zone, was pleased to see the project was becoming a priority and hoped that the donated lands that were part of the Potlach subdivision process may be included in this zoning.

A member of the public spoke in support of Naturescape British Columbia <https://stewardshipcentrebc.ca/scbc-case-studies/naturescape-british-columbia/>, an educational and ecologically based program that encourages private property owners to voluntarily care for wildlife habitat at home. The member of the public did not support development on Gabriola or the Home Occupations Bylaw allowing two businesses on a half-acre lot and felt that overdevelopment was supported by these bylaws.

5. MINUTES

5.1 Local Trust Committee Minutes dated May 12, 2022 – for adoption

The following amendments to the minutes were presented for consideration:

- Page 4, Ian Scott and Nancy Hetherington Pierce paragraph, 3rd bullet, replace “local market rents” with “average market rents”.

By general consent the minutes were adopted as amended.

5.2 Section 26 Resolutions-Without-Meeting - none

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated June 9, 2022

Received.

7. APPLICATIONS, REFERRALS AND BYLAWS

7.1 GB-DP-2017.2 (Weston) - Staff Report

Planner Baugh summarized the report which asked the Local Trust Committee (LTC) to determine if the presented revegetation plan submitted by the property owner was sufficient pursuant to Covenant CA7939129 registered on Title and granted to the LTC by the owner. The covenant was granted by the owner prior to issuance of Development Variance Permit (DVP) and Development Permit (DP) for the subject property.

Trustees noted the following key points:

- Asked if the vegetation has already been planted;
- Thanked the Applicant for the professional report;
- Asked if the soil was brought in; and
- Enquired if the Eagles Nest cabin was actively inhabited.

Robert Fenton, Applicant noted:

- The Revegetation Plan had been submitted to Planning Staff last September and the Planner responded that this plan satisfies requirements. The landscape architect started planting in Spring 2022 and a Janitor/Gardener is maintaining the plantings going forward;
- The soil was brought in and native plants purchased from a nursery on Vancouver Island; and
- The Eagles Nest cabin is not used and is uninhabited.

GB-2022-049

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee approve the revegetation plan prepared by JPH Consultants and attached to this report as Attachment 1 as sufficient to meet requirement 3(b) of Covenant CA7939129.

CARRIED

7.2 GB-RZ-2020.1 (Gabriola Housing Society GHS) - Bylaw Nos. 306, 307 and 308) - Staff Report

Planner Zupanec provided an overview of the report which asked the LTC to consider final reading/adoption of Bylaw Nos. 306, 307, and 308 which would amend the designation and zoning of the subject properties to enable the development of up to 24 units of affordable rental housing in the Gabriola village area and establish a new environmental protection development permit area.

The following key points were noted by Trustees:

- Interested in confirmation of support from Snuneymuxw First Nation before proceeding;
- Trustees must to do their work under the mandate of the Islands Trust and understood that fundamental changes Trust wide of how they do work are needed to live up to the Protocol Agreement and Standing Resolution on Relationship Building; and
- Supported the adoption of the bylaws.

A representative of the Applicant, Nancy Hetherington Peirce noted:

- Continue to work with Snuneymuxw First Nation for any minor amendments and finalized version may be brought forward for LTC consideration.

GB-2022-050

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 306, cited as “Gabriola Island Official Community Plan (Gabriola) Bylaw, 1997, Amendment No. 1, 2020”, be adopted.

CARRIED

Trustee Langereis Opposed

GB-2022-051

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 307, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2020”, be adopted.

CARRIED

Trustee Langereis Opposed

GB-2022-052

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 308, cited as “Gabriola Island Housing Agreement Bylaw No. 308, 2020”, be adopted.

CARRIED

Trustee Langereis Opposed

7.2 Email dated June 14, 2022 from Chair Rogers regarding Bylaw No. 308 (Housing Agreement)

Received.

By general consent the meeting was recessed at 4:58 pm and reconvened at 5:02 pm.

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Ecological Protection Zone - Staff Report

Planner Fotino summarized the report which provided the LTC with Staff’s recommended next steps in regards to the Ecological Protection Zone rezoning application.

Discussion ensued and the following was noted by Trustees:

- Interested in newly donated Coates Marsh parcel that was part of the Potlach subdivision process to have designated Ecological Protection Zone as well.

GB-2022-053

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee waive the requirement for a Public Hearing on Bylaw No. 313 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022” as the Bylaw is consistent with the Gabriola Island Official Community Plan No. 166, 1997, and request Staff to proceed with public notification as per Section 467 of the *Local Government Act*.

CARRIED

9. DELEGATIONS

9.1 Sibyl Frei, Steven Earle and Tobi Elliott of the Gabriola Land Stewards Society - Presentation - Community Service Zoning Designation for Gabriola

Sibyl Frei, Steven Earle, and Tobi Elliott of the Gabriola Land Stewards Society (GLSS) presented to the LTC on the creation of a Community Service Zoning Designation and noted the following key points:

- None of the current zoning on Gabriola allows for the wide-range of community purposes as the Community Service Zoning Designation;
- Would provide opportunities to sustain human wellbeing, community resiliency, a community ownership model, democratic local planning, and land can be used for shelter, food security, community services, farming, learning, and as a social enterprise partner;
- Use would depend on the location and topography of the land donated and community consultation/feedback;
- Asking for feedback from Staff and Trustees of feasibility and how to proceed;
- Blends residential, industrial, and farming zoning and allows it all within one zone; and
- In the Official Community Plan (OCP) there are designations and would like to add this designation.

Discussion ensued and the following points were noted by Trustees:

- Would like to see this zoning not only on Gabriola but Trust wide;
- Asked which organizations would be able to purchase the land?
 - Societies with charitable status would acquire and steward the land;
- Asked how do we define “community”?
- Fairly broad issue, recommended for consideration at the RPC; and
- Asked Staff to add to the Projects List with a noted reference to this delegations supportive materials from the June 16th meeting.

Staff noted the following:

- The designation would sit in the OCP as text but not applied to a parcel until a future zoning application came forward that aligns to the designation and would have site specific designations under the zoning for uses; and
- Further research needed regarding similar community zoning on Galiano and Hornby islands.

GB-2022-054

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff create a Community Benefit Land Use Designation project and add it to the Projects List.

CARRIED

10. CORRESPONDENCE

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

10.1 Email dated February 10, 2022 from J Eastick regarding Statistics Canada and Reverse Record Check

Received.

Trustees noted that the Statistics Canada have a Canada wide random survey for more clarity/detail that they perform to see if it affects that validity of their statistics and would like to think about this request further.

10.2 Email dated May 30, 2022 from G. Coford regarding Sunken Boat in Degnan Bay

Received and Trustee Langereis noted he is waiting to hear back from Coast Guard Vessel of Concern.

11. NEW BUSINESS

11.1 Development Approval Information Bylaw No. 150 and New Development Permit Area DP-11 - for discussion

Trustee Langereis noted that Development Approval Information Bylaws are not current with the Development Permit Areas.

GB-2022-055

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff move item number 20 "Review and update Development Approval Information Bylaw" from Projects List to the to the Top Priorities List and prepare an update of the Islands Trust Council Bylaw No. 150 entitled Development Approval Information Bylaw for the Gabriola Island Trust Area to include the new Development Permit Area DP-11 and DP-8 Multi-dwelling Affordable Housing.

CARRIED

12. REPORTS

12.1 Climate Change Action Update - none

12.2 First Nations Relationship Building - none

12.3 Trust Conservancy Report - none

12.4 Applications Report dated June 9, 2022

Received.

12.5 Trustee and Local Expense Report dated May, 2022

Received.

12.6 Adopted Policies and Standing Resolutions

Received.

12.7 Local Trust Committee Webpage

No updates requested.

13. WORK PROGRAM

13.1 Top Priorities Report dated June 9, 2022

Received.

13.2 Projects List Report dated June 9, 2022

Received and Trustees requested Staff take off Coats Marsh from the Ecological Protection Zone.

14. UPCOMING MEETINGS

14.1 Next Regular Meeting Scheduled for Thursday, July 28, 2022 at 10:30 am at the Gabriola Arts and Heritage Centre

15. ADJOURNMENT

By general consent the meeting was adjourned at 6:02 pm.

Laura Patrick, Chair

Certified Correct:

Nadine Mourao, Recorder



Follow Up Action Report

Gabriola Island

07-Apr-2022

Activity	Responsibility	Dates	Status
1 Density Donation Outreach Program: - revised project charter endorsed (update budget to reflect actual spent in last fiscal) - prepare a draft information package for the program and refer to HAPC for review and comment before going to LTC - try to coordinate mail out with any Trust wide mail out initiatives	Sonja Zupanec		In Progress

12-May-2022

Activity	Responsibility	Dates	Status
1 BL 308 (Housing Agreement) amended; given 2nd and 3rd readings; forward to EC for approval.	Becky McErlean Sonja Zupanec		Completed
2 BL 311 (Fees) adopted.	Becky McErlean		Completed
3 Staff to report back to LTC on feasibility of establishing a community heritage commission.	Heather Kauer		Completed
4 LTC endorses annual report text.	Heather Kauer		Completed

16-Jun-2022

Activity	Responsibility	Dates	Status
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Follow Up Action Report

Gabriola Island

16-Jun-2022

Activity	Responsibility	Dates	Status
1 Eco Protection Zone: public hearing waived. Prepare draft bylaw for consideration of readings.	Anthony Fotino Becky McErlean		Completed
2 Proposed BLs 306, 307 and 308 adopted.	Becky McErlean Sonja Zupanec		Completed
3 LTC approved re-vegetation plan for Acorn Island GB-DVP-2017.2 Weston.	Stephen Baugh		Completed



File No.: Gabriola Projects
6500 LTC Work Program

DATE OF MEETING: July 28, 2022
TO: Gabriola Island Local Trust Committee
FROM: Heather Kauer, Regional Planning Manager
Northern Team
SUBJECT: Heritage Commissions

PURPOSE

The purpose of this memorandum is:

- To respond to the LTCs request that staff report back on the feasibility of forming a Heritage Commission.

Findings

- A Community Register can be established by resolution. See Attachment 1 of this report for more information on what a Community Register is;
- A Heritage Commission must be established by bylaw (LGA, Division 3, Sections 243 and 245);
 - The bylaw must spell out:
 - Information describing the commission's membership;
 - the time and manner of holding the Commission's annual general meetings, and
 - the Commission's election information.
- The LTC can only provide financial assistance to a Commission if Trust Council adopts a delegation bylaw, pursuant to Trust Council Policy 6.5.3:
 - *"Local Trust Committees may not provide financial assistance to community organizations or other groups or individuals unless Trust Council has, by bylaw, delegated its authority under Section 8(2)(h) of the Islands Trust Act."*
- "Providing financial assistance" does not include delegating authority to spend money on an on-going basis. For example, if a Heritage Commission was established and they wanted to notify property owners by mail of the LTCs consideration of putting their property on a register, the Commission must ask Islands Trust staff to order and pay for printing and postage.

Islands Trust Heritage Actions

The following table details the list of Local Trust Areas that have adopted heritage provisions of one sort or another since 1997. Of note is that no Heritage Commissions have been established.

LTA	Heritage Tool	Establishment	Notes
Denman	Heritage Register	2011 by resolution	2 properties were added to the register at the same time the register was established; No other properties have been added to the register since the initial 2011 adoption; Staff spent approximately 40 hours over the course of 5 months researching the topic, contacting property owners, writing staff reports, and attending LTC meetings on this project. On-going Islands Trust staff time is required to maintain the register and keep related documents up-to-date on the website.
Saturna	Heritage Bylaw adopted protecting one property	2009 Bylaw adoption	One property was designated on Saturna by Islands Trust; no others have been given protection since 2009; Bylaw adoption from start to finish took approximately one year. On-going Islands Trust staff time is required to maintain the register and keep related documents up-to-date on the website.
South Pender	Heritage Register	2018 by resolution	One property designated on SP at the same time the register was adopted. No other properties have been added to the register since 2018; Staff spent approximately 60 hours over the course of 8 months researching the topic, contacting property owners, writing staff reports, and attending LTC meetings on this project. On-going Islands Trust staff time is required to maintain the register and keep related documents up-to-date on the website.
Salt Spring	Heritage Register	2008 by resolution	One property added by resolution in 1997; Two additional properties added in 2008 along with the resolution. No other properties have been added to the register since 2008. On-going Islands Trust staff time is required to maintain the register and keep related documents up-to-date on the website.

Recommendation

Staff are recommending that the LTC not establish a Heritage Commission nor a Heritage Register. Both of these programs would require more preliminary and on-going staff resourcing than is warranted given the limited benefit of these heritage preservation tools.

Alternatively, the LTC could put “The establishment of a Heritage Register and Heritage Commission bylaw” on the LTC Projects List.

NEXT STEPS

None recommended.

Submitted By:	Heather Kauer, MPA, RPP, MCIP, AICP Regional Planning Manager	July 14, 2022
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ATTACHMENTS

1. Establishing Community Heritage Registers: BC Government Guide for Local Governments and Heritage Organizations
2. Community Heritage Commissions and Similar Entities

Establishing Community Heritage Registers



A Guide for Local Governments and Heritage Organizations



BRITISH
COLUMBIA
www.gov.bc.ca

Ministry of Tourism, Sport
and the Arts



Canada's
Historic Places

Lieux patrimoniaux
du Canada

Establishing Community Heritage Registers

A Guide for Local Governments and Heritage Organizations



BRITISH
COLUMBIA
www.gov.bc.ca

Ministry of Tourism, Sport
and the Arts



Canada's
Historic Places

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du Canada

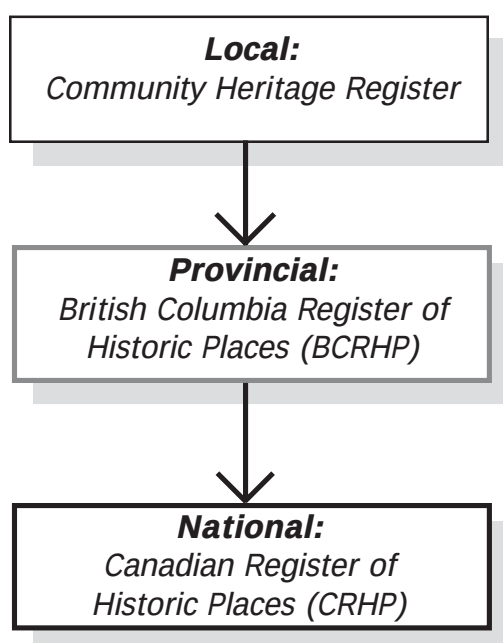
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INTRODUCTION

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*. Among other things, 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. This document outlines the benefits of Community Heritage Registers and provides guidelines for the creation and maintenance of a CHR by local governments.

The creation of a Community Heritage Register, in accordance with section 954 of the *Local Government Act (LGA)* or section 582 of the *Vancouver Charter (VC)*, ensures the inclusion of a community's historic places on 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 provincial or local governments. Listings on the BCRHP may also be included on the *Canadian Register of Historic Places (CRHP)*, a register of registers which will become the most important Internet-based heritage tool for planners, policymakers, developers, industry, community organizations, teachers and students across Canada. When fully realized, the CRHP will include a listing of approximately 20,000 formally recognized Canadian historic places and will be the keystone of the *Historic Places Initiative (HPI)* - the most significant and ambitious heritage conservation program in Canada's history.



ABOUT COMMUNITY HERITAGE REGISTERS

A Community Heritage Register:

- is a planning tool, utilized by communities interested in integrating heritage conservation activities into other local government land use planning processes.
- provides formal recognition for historic places.
- must be adopted by a local government resolution.
- has legal status.
- provides access to powerful tools within the Local Government Act and Community Charter.
- may be created from a new list of historic places, or from an existing inventory.

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.

THE BENEFITS OF A COMMUNITY HERITAGE REGISTER

- It can enhance the public's appreciation of the identity and character of the community.
- It can facilitate public access to heritage information.
- It provides a means of informing property owners and prospective buyers of a property's heritage value.
- It can facilitate the integration of heritage conservation into community planning and play a role in enhancing community sustainability.
- It provides a tool for determining eligibility for heritage programs and incentives.
- It provides eligibility for special provisions within the BC Building Code Heritage Building Supplement for heritage properties.
- It allows a local government to consider and, if necessary, undertake protective action such as temporarily withholding demolition permits and building and development approvals, ordering heritage inspections, or monitoring changes in properties through a licensing and permit application process for historic places listed on a Community Heritage Register.

REPORTING REQUIREMENTS FOR COMMUNITY HERITAGE REGISTERS

When a local government places a property on its Community Heritage Register, legislation requires that notice of this listing be sent to the provincial government. With the development of new technologies and the implementation of new documentation standards, the province is undertaking a major upgrade of its records, including those submitted by local governments. These updated records will meet the statutory requirement under the *Heritage Conservation Act (HCA)* to maintain records of enactments made under the HCA, the Local Government Act, and the Vancouver Charter, and will serve as a tool to identify, recognize and assist in the protection of BC's historic places. It is intended that the BCRHP documentation standards will meet or exceed the national documentation standards to ensure that the most up-to-date and informative records are accessible to government authorities, land-use planners, developers, owners, educators, researchers, heritage professionals and the public.

ELIGIBILITY FOR LISTING ON A COMMUNITY HERITAGE REGISTER

In order for a historic place to be listed on a Community Heritage Register, it should meet the criteria established by the British Columbia Register of Historic Places documentation standards in accordance with the Canadian Register of Historic Places documentation standards. Such a listing will:

1. Meet the definition of “heritage property”: In relation Community Heritage Registers, heritage property is any historic place which is legally protected, or, in the opinion of a municipal council, has sufficient heritage value or heritage character to justify its conservation.

2. Indicate the reasons why the historic place is considered to have heritage value or heritage character. This is a ‘must’ under the Local Government Act, and the BCRHP Documentation Standards indicates that each historic place record on a CHR must include a *Statement of Significance*, a three-part statement which includes the description, the heritage value, and the character-defining elements of the historic place.

3. Meet the required documentation standards. A register record must meet the minimum documentation requirements identified in the BCRHP Documentation Standards Handbook. These requirements include information on the identification, formal recognition, location, description, documentation, and administration, as well as images of the historic place.

STEPS TO CREATING A COMMUNITY HERITAGE REGISTER

1. Determine the reason(s) for creating a Community Heritage Register. A Community Heritage Register is the first step in implementing a community heritage program. It should be implemented as part of a carefully planned heritage program to achieve clearly stated community goals.

2. Identify community heritage values (i.e. aesthetic, historical, social, scientific, spiritual etc.) and the types of places – such as buildings, structures, districts, landscapes and/or archaeological sites – which embody those values. Develop Community Heritage Register criteria that meet the heritage management and commemoration needs of the community.

3. Review existing information, and undertake historical research, historical context studies, field surveys and other necessary activities to select historic places to be included on the register. A community's historic places should reflect the community's heritage values. Include all protected heritage property as part of the register. Also, include historic places which may be under threat, or which may be in need of rehabilitation; these places will benefit most from properly completed Register records.

4. Compile and organize required documentation information for each historic place. Follow the documentation standards for the British Columbia Register of Historic Places.

5. Write a *Statement of Significance* for each historic place. Refer to the Statement of Significance guidelines within the *Canadian Register of Historic Places: Documentation Standards Handbook*.

6. Undertake review, discussion and quality control of documentation and Statements of Significance to ensure that CHR records reflect the community's heritage values. Consider review within the local government or Community Heritage Commission. Refer to the *Guidelines for Updating Community Heritage Registers and Writing Statements of Significance* for step-by-step processes for the Community Heritage Register documentation process.

7. Compile the completed Register records into a manageable electronic database. Utilize a database system which is compatible with IT systems already in place within your local government in order to manage your Register in the most effective way.

8. Make the Community Heritage Register official by having Council adopt it through a resolution. Make a presentation and/or submit a report to your local government Council about the Community Heritage Register.

9. Notify property owners and the Minister Responsible for the Heritage Conservation Act within 30 days of Council's resolution. Notify property owners and the Minister responsible for the Heritage Conservation Act each time a property is added or deleted from the CHR.

10. Maintain and regulate the Community Heritage Register. Conduct periodic reviews of the content of the Community Heritage Register. Add or remove historic places to or from the list as necessary, following the required documentation standards and the legislation found in the Local Government Act.

STATEMENTS OF SIGNIFICANCE

According to section 954 of the Local Government Act, a Community Heritage Register “must indicate the reasons why property included in a community heritage register is considered to have heritage value or heritage character”. For this reason, the Statement of Significance will be the most important component of the mandatory documentation for every historic place included on a register. The Statement of Significance will explain to a broad audience what the formal recognition applies to, why the place is important or significant, and which principal features of the place must be retained in order to preserve its heritage value.

A properly written Statement of Significance will ensure that the formal recognition for each historic place listed on a register is based on heritage value. The three parts of a Statement of Significance are:

1. The Description of the Historic Place: This provides a general description of what the formal recognition applies to, and paints a picture of the historic place in two or three sentences.

2. The Heritage Value of the Historic Place: This explains why a historic place has aesthetic, historic, scientific, cultural, social, or spiritual importance or significance for past, present or future generations. The statement of heritage value is generally one or two paragraphs long.

3. The Character-Defining Elements of the Historic Place: This is a point-form list of how the heritage value is manifested in such elements as the materials, physical layout, uses, or cultural associations of the historic place.

For detailed information on writing Statements of Significance, refer to the Statement of Significance guidelines within the Canadian Register of Historic Places: Documentation Standards Handbook.

ELECTRONIC MANAGEMENT OF COMMUNITY HERITAGE REGISTERS

The new provincial and national heritage documentation standards are conducive to the establishment of electronic Community Heritage Register databases, which will provide for simpler records management, and allow for easy access and dissemination of heritage information.

Because the levels of information technology development vary widely from community to community, recommending a specific software product would be counterproductive. It is most important, however, to choose a management tool – preferably some type of relational database software – which is compatible with electronic systems already in place within your local government.

Once an electronic database is established, it is beneficial to incorporate other forms of electronic documentation, such as GIS (geographic information systems), into the register. Among other reasons, putting heritage resource information on a GIS is useful because it provides for the accurate display of spatial data, provides a basis for integration with other land-use management processes, and literally puts historic places ‘on the map’.

THE GOVERNMENT OF BRITISH COLUMBIA, HERITAGE BRANCH COMMUNITY HERITAGE REGISTER PROGRAM

The Heritage Branch will invest up to 100% of the total eligible costs, to a maximum of **\$20,000** per project, to support the development of Community Heritage Registers by local governments, consistent with the documentation standards of the B.C. Register of Historic Places (BCRHP). Each applicant to this program must demonstrate how the Community Heritage Register has assisted community heritage planning and management.

Projects may include:

- converting an existing Community Heritage Inventory to a Community Heritage Register to the BCRHP documentation standards;
- updating an existing Community Heritage Register to the BCRHP documentation standards;
- adding to an existing Community Heritage Register; or
- creating a new Community Heritage Register to the BCRHP documentation standards.

For further information on the Community Heritage Registers Program, please visit:

http://www.tsa.gov.bc.ca/heritage/loc_govt/comherregister.htm

APPENDIX 1: THE LEGISLATION

Local Government Act: Community Heritage Register

- 954 (1)** A local government may, by resolution, establish a community heritage register that identifies real property that is considered by the local government to be heritage property.
- (2)** The community heritage register
- (a) must indicate the reasons why property included in a community heritage register is considered to have heritage value or heritage character, and
 - (b) may distinguish between heritage properties of differing degrees and kinds of heritage value or heritage character.
- (3)** Within 30 days after including a property in a community heritage register or deleting property from a community heritage register, the local government must give notice of this
- (a) to the owner of the heritage property in accordance with section 974, and
 - (b) to the minister responsible for the *Heritage Conservation Act* in accordance with section 977.
- (4)** The protection of heritage property is not affected by an error or omission in a community heritage register.

APPENDIX 2: GLOSSARY

British Columbia Register of Historic Places (BCRHP): The British Columbia Register of Historic Places is the official provincial listing of historic places that have been formally recognized for their heritage value by the provincial or a local government.

Canadian Register of Historic Places: The Canadian Register of Historic Places is a national listing of historic places across Canada. The CRHP is essentially a register of registers and includes nominations from local, provincial, territorial, and federal government heritage registers.

Canadian Register of Historic Places: Documentation Standards Handbook: This handbook sets out the *Canadian Register Documentation Standards*. It describes the procedures for nominating historic places to the Canadian Register, and the procedures for listing, updating, and de-listing. It also describes the roles and responsibilities of the Federal, Provincial and Territorial Registrars.

Community Heritage Register: A community heritage register identifies real property that is considered by the local government to be heritage property. It must indicate the reasons why the property included is considered to have heritage value or character. It may distinguish between heritage properties of differing degrees and kinds of heritage value or character.

Heritage Character: The overall effect produced by traits or features which give property or an area a distinctive quality or appearance.

Heritage Conservation Act (HCA): The HCA is an official provincial act with the purpose of encouraging and facilitating the protection and conservation of heritage property in British Columbia.

Heritage Inventory: An informal list of properties that are deemed to possess architectural, historical, or cultural value. A heritage inventory has no legal status.

Heritage Property: property that, in the opinion of a body or person authorized to exercise a power under the Local Government Act in relation to the property, has sufficient heritage value or heritage character to justify its conservation, or is protected heritage property.

Heritage Value: The historical, cultural, aesthetic, scientific or educational worth or usefulness of property or an area.

(continued next page)

APPENDIX 2: GLOSSARY (continued)

Historic Place: a structure, building, group of buildings, district, landscape, archaeological site or other place that has been formally recognized for its heritage value by an appropriate authority.

Historic Places Initiative (HPI): HPI is a national initiative developed by the Department of Canadian Heritage and the Parks Canada Agency in collaboration with provinces and territories to identify and conserve historic places in Canada.

Local Government Act (LGA): The LGA is an official act with the following purposes: to provide a legal framework and foundation for the establishment and continuation of local governments to represent the interests and respond to the needs of their communities; to provide local governments with the powers, duties and functions necessary for fulfilling their purposes; and to provide local governments with the flexibility to respond to the different needs and changing circumstances of their communities.

Statement of Significance: The portion of each Community Heritage Register record that identifies the *description, heritage value, and character-defining elements* of a historic place.

Vancouver Charter (VC): The VC is the equivalent to the Local Government Act, but responds specifically to the requirements of the City of Vancouver.



Acknowledgement

The development of these guidelines for Community Heritage Registers has been supported in part by Canada's Historic Places Initiative - a Federal, Provincial, Territorial Collaboration.

<http://www.historicplaces.ca>



COMMUNITY HERITAGE COMMISSIONS AND SIMILAR ENTITIES

The *Local Government Act* (LGA; Section 15) and the *Community Charter* provide local governments with the authority to form commissions and, more specifically, to establish a “Community Heritage Commission”. (LGA, s.597)

The LGA does not describe the role or responsibility of the Community Heritage Commission (CHC), but there are a few clues.

By including “community” in the name, it is reasonable to assume a key responsibility of a commission is to represent the community or to be the voice of the community. This community-led approach to identifying and stewarding heritage is well-aligned with what was said during the State of Heritage roundtables: “Heritage describes what matters to a community... the community has to define heritage.”

The CHC is placed under the heading “Heritage Review” (Division 3 of the LGA), suggesting the commission’s members will provide evaluations and recommendations related to the local government’s heritage programs and goals, as well as commenting on the community’s heritage assets.

The LGA states “an existing organization” may be designated as a Community Heritage Commission, which again suggests a community connection. However, it is noted that this approach to establishing a CHC is not common; instead, local governments customarily establish a new entity that has no other or no previous affiliation or purpose.

The LGA does not directly provide information about the CHC’s formation and membership, but there are other clues found under “Regional Districts: Governance and Procedures”. It requires a community commission to be established through a bylaw that includes the name and boundaries of the local community, the time and manner of holding the annual general meetings, and election information. The section also includes information describing the commission’s membership. (See sections 243 and 245 of the LGA [link](#).)

It is interesting to note that the legislation that predated the current *Local Government Act* referred to the “heritage advisory committee”, instead of the “community heritage commission”. The change in the name indicates a purposeful change of intent and purpose. In fact, in 2014 the Heritage Branch explained that the CHC could “exercise a greater range of powers than a heritage advisory committee did, including the ability to undertake support activities and/or to take on other non-regulatory activities delegated to it by a council or regional district board.”

The current legislation places greater priority on community input and heritage conservation than had been seen in previous legislation. Local governments are encouraged to follow this direction with the adoption of community heritage commissions.

For more information about Community Heritage Commissions and other heritage conservation tools, please refer to our [resource guides](#).

DATE OF MEETING: July 28, 2022
TO: Gabriola Island Local Trust Committee
FROM: Stephen Baugh, Planner 2
Northern Team
SUBJECT: GB-DVP-2022.2 (Beath)
Applicant: Laurie-Jean Beath
Location: 861 Sharie Rd, Gabriola Island
PID: 027-768-686

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee approve issuance of GB-DVP-2022.2 (Beath).

REPORT SUMMARY

The purpose of this report is to introduce a Development Variance Permit (DVP) application for consideration by the Gabriola Local Trust Committee.

The purpose of the DVP is to reduce the setback requirement of 1.5m from a zone boundary to 0m in order to permit an existing house and proposed deck to be sited across a zone boundary on a split-zoned lot. Staff are recommending approval of this request because the structures are permitted in both zones, the Land Use Bylaw (LUB) regulations are otherwise met and the structures are not located near adjacent properties.

BACKGROUND

In 2018, the property owner applied for and received a building permit from the Regional District of Nanaimo (RDN) for the construction of a new house. Final Inspection was completed for the house in July of 2019. This was prior to Islands Trust reviewing all Gabriola Island Building Permit applications submitted to the Regional District of Nanaimo (RDN) and it appears the 1.5m setback to a zone boundary was not identified at the time the house was built. As a result, the existing house is sited across the zone boundary and within the 1.5m setback.

In January of 2022, the owner sent a preliminary Building Permit review request to Islands Trust for a new deck to be constructed on the existing house. In the course of this review staff indicated to the owner that the Gabriola Island Land Use Bylaw contains a regulation requiring a 1.5m setback from a zone boundary. The subject property is bisected by a zone boundary and in the location of the proposed deck and existing dwelling.



Figure 1 Subject property outlined in yellow with zone boundary in blue.

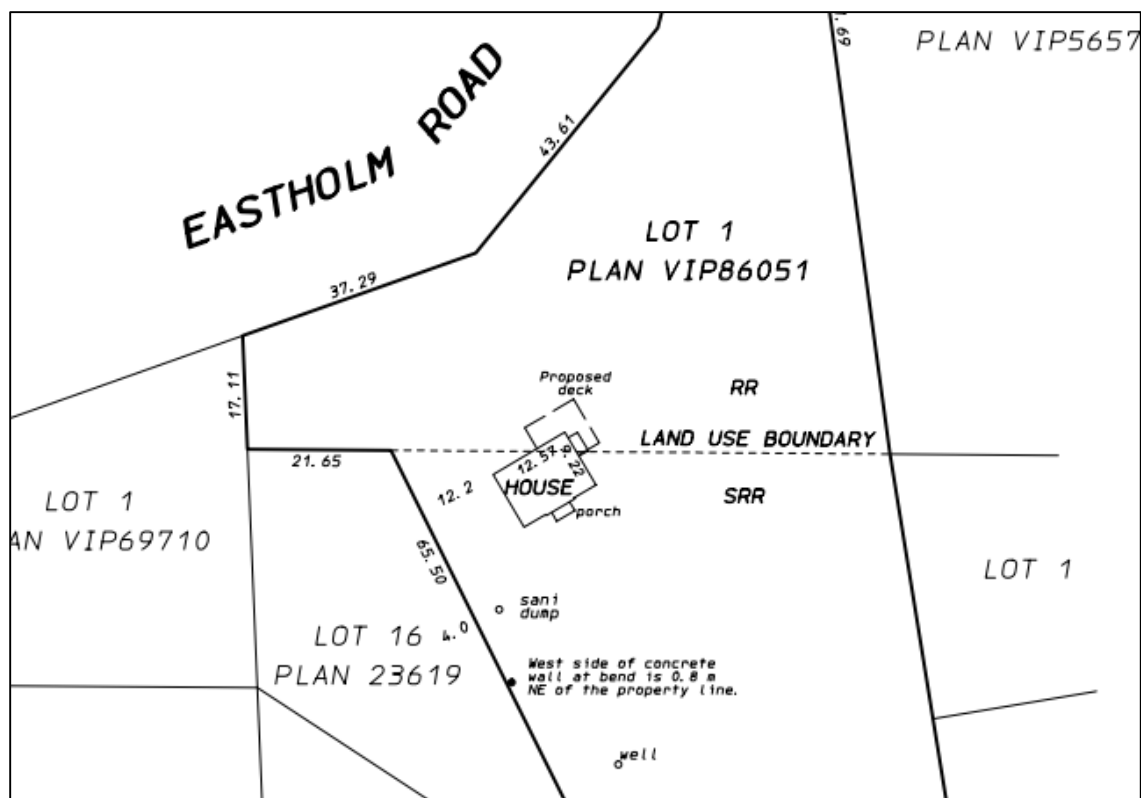


Figure 2 Survey showing the location of the zone boundary in relation to the house and proposed deck.

ANALYSIS

Land Use Bylaw:

B.2.1.4 Setbacks from Zone Boundaries

a. The minimum setback from a zone boundary for buildings and structures is 1.5 metres (4.9 feet)

C.3.1.2 Lots in More than One Zone

a. When determining the dwelling units density and lot coverage for lots with area in more than one zone, each separately zoned area of the lot is to be considered as being a separate lot.

Minimum Setback from a Zone Boundary:

In most cases zone boundaries follow property boundaries and the lot line setbacks prevail. The subject property is bisected by a zone boundary which creates a 3m wide strip (1.5m on each side of the zone boundary) stretching across the width of the property where buildings and structures may not be sited. The subject property also contains steep slopes which may further constrain the area available on the property for a building.

Impact on Neighbouring Properties

The proposed variance would have minimal to no impact on neighbouring properties as structures comply with lot line setbacks and height regulations.

Potential impacts of granting to variance

Granting a variance can potentially create an expectation in the community with regard to future applications. As variances consider the unique circumstances pertaining to a particular situation that may warrant the relaxation of a specific zoning regulation each application should be evaluated on its own merits.

Circulation

DVP Notices were circulated to surrounding property owners and residents within 100 metres (Attachment 4). The notification period ends at 4:30 p.m. on July 27, 2022.

To date, no correspondence had been received and any submissions received following the preparation of this staff report will be forwarded to the LTC and reported at the meeting.

First Nations

The Islands Trust reviews all applications to ensure the preservation and protection of cultural heritage, archaeological sites, and ancestral places. Properties may show potential for archaeological material to be found on the property during the proposed development, and Islands Trust provides information to applicants requesting they comply with the Heritage Conservation Act (HCA). The applicant has been provided the Islands Trust Chance Find Protocol and the provincial Archaeological Branch guidelines on HCA compliance. During the course of any development or land alteration applicants must ensure that in the event of archaeological material, or values being found all work on the property is stopped to preserve and protect cultural heritage.

Rationale for Recommendation

The rationale for the recommendation on page 1 of this report is supported by the following:

- Structures are permitted in both zones
- LUB regulations are otherwise met
- Not anticipated to impact neighbouring properties

ALTERNATIVES

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

1. 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 that the applicant submit to the Islands Trust [insert information].

2. 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-DVP-2022.2 (Beath).

NEXT STEPS

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

Submitted By:	Stephen Baugh, Planner 2 Northern Team	June 29, 2022
Concurrence:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	June 30, 2022

ATTACHMENTS

1. Applicant Letter
2. Site Context
3. Maps, Plans, Drawings
4. Notice
5. Draft Development Variance Permit

May 16, 2022

Islands Trust Committee
700 North Road
Gabriola, BC
V0R1X3

Re: DVP Application - 861 Sharie Rd Gabriola, B.C. V0R 1X2

Dear Islands Trust Committee,

The following is a brief outline for the proposed Development Variance Permit (DVP) for 861 Sharie Road.

We purchased this property in July of 2021. The previous owners had completed the construction of the house on this property, where they were given an Approved Final Inspection Report by the Regional District of Nanaimo (RDN), dated July 22, 2019. See attached.

In November 2021 we submitted plans to build a deck to the RDN for a building permit. We also complied with the requests from Islands Trust in January, 2022, to supply a current title search. This included a copy of the covenant CA6754590 Geotechnical report.

In February, 2022, we were asked to supply an additional site plan showing the location of a Bylaw Zoning boundary within our property. Up until this point we were not aware of the existence of two different Bylaw zones that ran through the middle of this single property, nor were the previous owners. As well, the RDN was not aware of this anomaly and never made reference to it during the building permit process in 2019. The building constructed as per the building permit of 2019 did cross this Zoning Bylaw line.

The issue at hand is the required setback from the zone boundary that transects nearly the centre line our property. As per the Gabriola Island Land Use Bylaw No. 177 – Schedule A, section D.2.1.4(a), *“The minimum setback from a zone boundary for buildings and structures is 1.5 meters.”* This letter is to illustrate that this required zoning setback is not near, or affects, any other properties or zoning boundaries in the immediate area.

As requested, by both RDN and Islands Trust, we obtained a survey indicating all of the requested information, with the location of the zoning boundary, house and proposed deck. In researching the permitted principal uses, permitted accessory uses, buildings and structures, and regulations of these zones, with the proposed new deck in mind, it is evident that there are no impacts due to the Bylaw Zoning articles for either Small Rural Residential (SRR) and Large Rural Residential (LRR) zoning bylaws.

As land use bylaws are within your authority, and in this case no violation of land use with the addition of a deck to our home, we request a variance as per our application received by Islands Trust. We trust this information will be sufficient to allow us to proceed, and to enjoy of our property. Lastly, we would happily entertain a visit on your behalf if you should request it.

Sincerely,
Laurie Beath
Diane Kew

Attachments:

- DVP Application.
- RDN Approval, July 22, 2019.
- 861 Sharie Road, Title Search, Jan 14, 2022
- Geotechnical Report Jan 30, 2018
- Survey March 24, 2022
- Deck Building Permit Drawings Oct 25, 2021

ATTACHMENT 02 – SITE CONTEXT

LOCATION

Legal Description	LOT 1 SECTION 20 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP86051
PID	027-768-686
Civic Address	861 Sharie Rd, Gabriola Island

LAND USE

Current Land Use	Residential
Surrounding Land Use	Residential to East, South and West. Descanso Bay to the North

HISTORICAL ACTIVITY

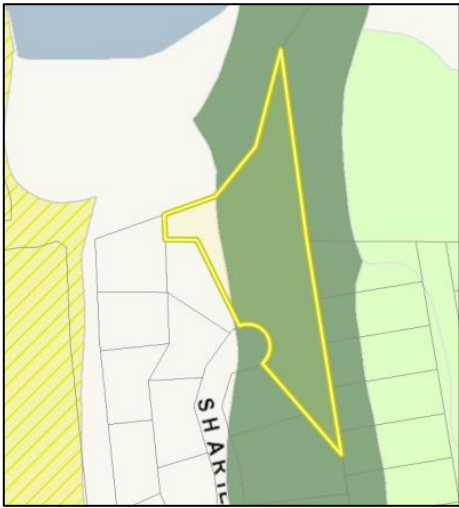
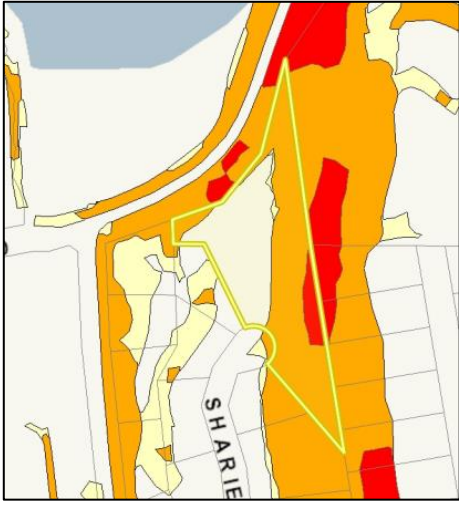
File No.	Purpose
GB-SUB-1994.1	Closed
GB-SUB-1999.1	Boundary Adjustment – Closed

POLICY/REGULATORY

Official Community Plan Designations	Small Rural Residential (SRR) + Large Rural Residential (RR)
Land Use Bylaw	Small Rural Residential (SRR) + Large Rural Residential (LRR)  B.2.1.4 Setbacks from Zone Boundaries a. The minimum setback from a zone boundary for buildings and structures is 1.5 metres (4.9 feet). C.3.1.2 Lots in More than One Zone a. When determining the dwelling units density and lot coverage for lots with area in more than one zone, each separately zoned area of the lot is to be considered as being a separate lot.

Other Regulations	N/A
Covenants	EJ17082 (RDN) – Geotechnical Covenant CA6754590 (RDN) – Geotechnical Covenant
Bylaw Enforcement	GB-BE-2004.2 – Closed

SITE INFLUENCES

Islands Trust Conservancy	There are no ITC covenants or properties in the direct area. Referral to ITC is not required.
ITC Regional Conservation Plan (2018-2027)	The Regional Conservation Plan 2018-2027 estimated importance of habitat composition in the area of the subject property is Medium. This application does not appear to be inconsistent or contrary to the goals and objectives set out in the ITC Regional Conservation Plan.
Species at Risk	None Mapped
Sensitive Ecosystems	SEM Primary Class – Woodland 
Hazard Areas	Areas of High, Moderate and Low risk steep slopes mapped within the subject property. 

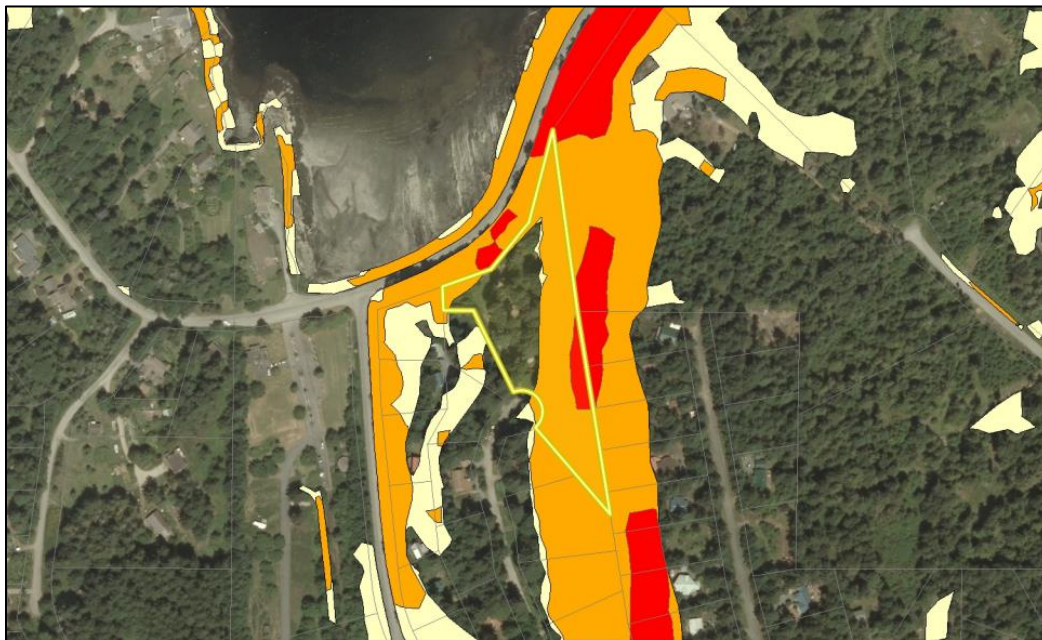
Archaeological Sites	Mapping indicates areas of high archaeological potential located on the subject property. Notwithstanding the foregoing, and by copy of this report, the owners and applicant should be aware that there is a chance that the lot may contain previously unrecorded archaeological material 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.
Shoreline Classification	Not Applicable

ATTACHMENT 03 – MAPS, PLANS, DRAWINGS

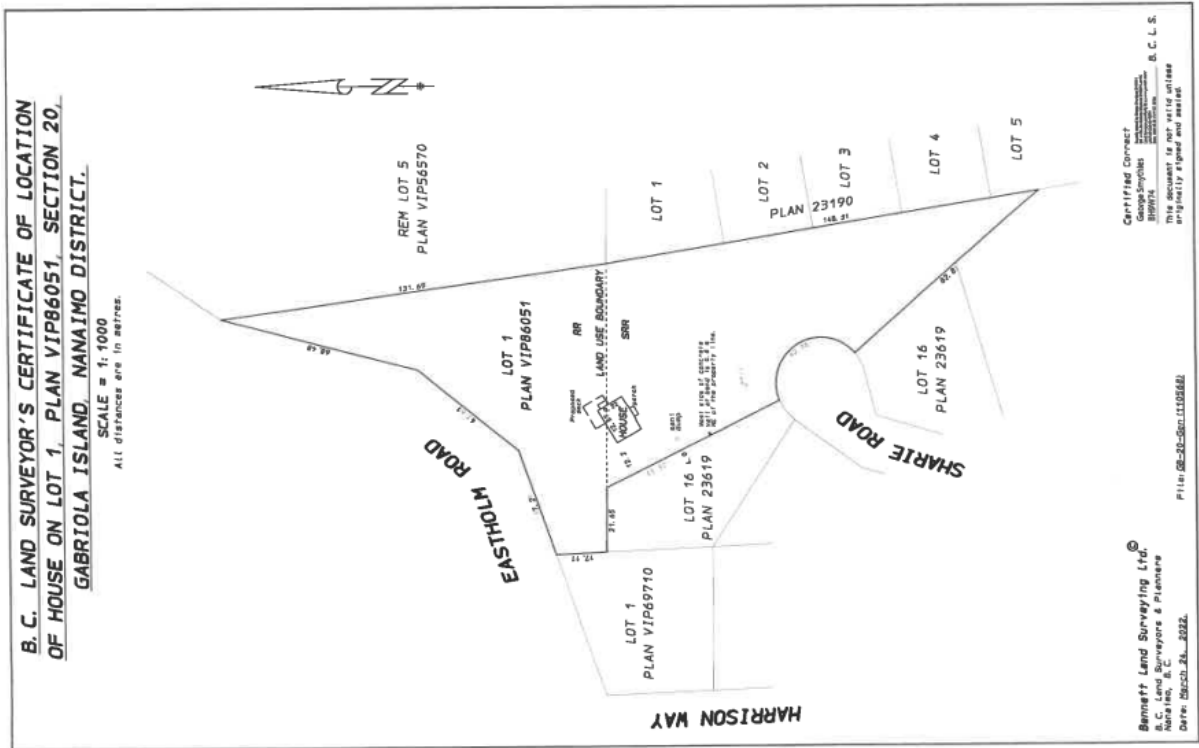
2.1 ORTHOPHOTO AND ZONING



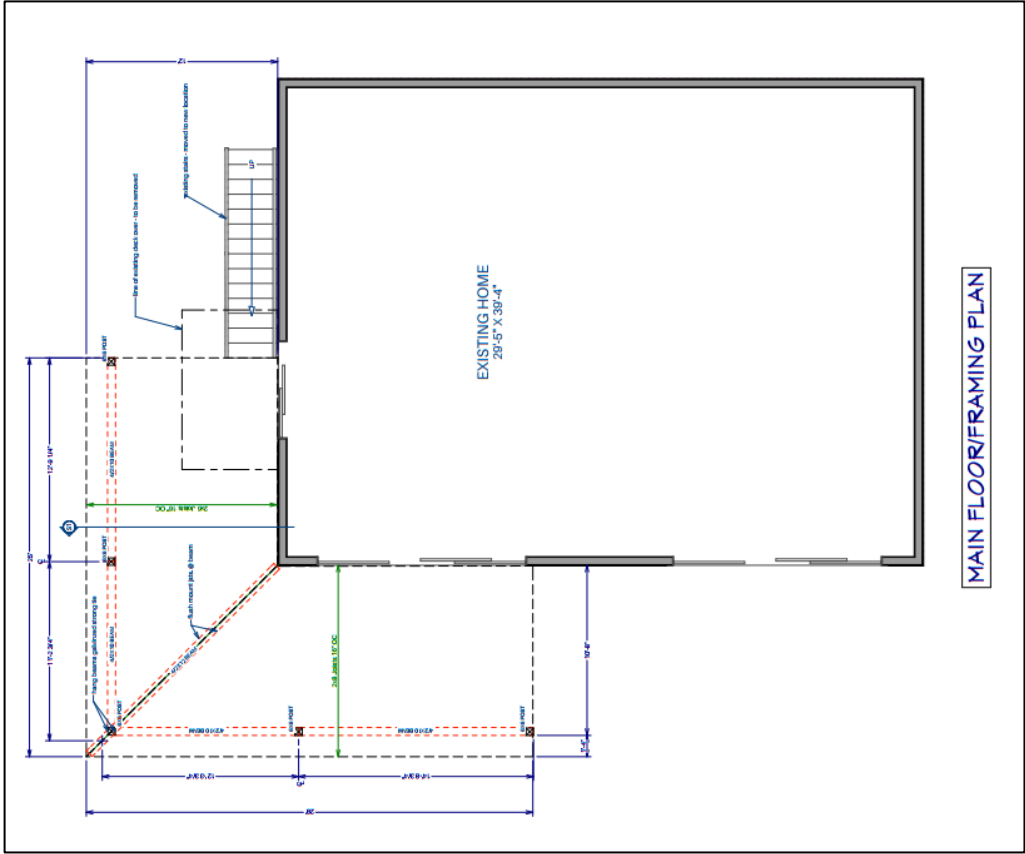
2.2 STEEP SLOPE MAPPING



2.3 SURVEY PLAN



2.4 BUILDING PLAN



NOTICE
GB-DVP-2022.2
GABRIOLA ISLAND LOCAL TRUST COMMITTEE

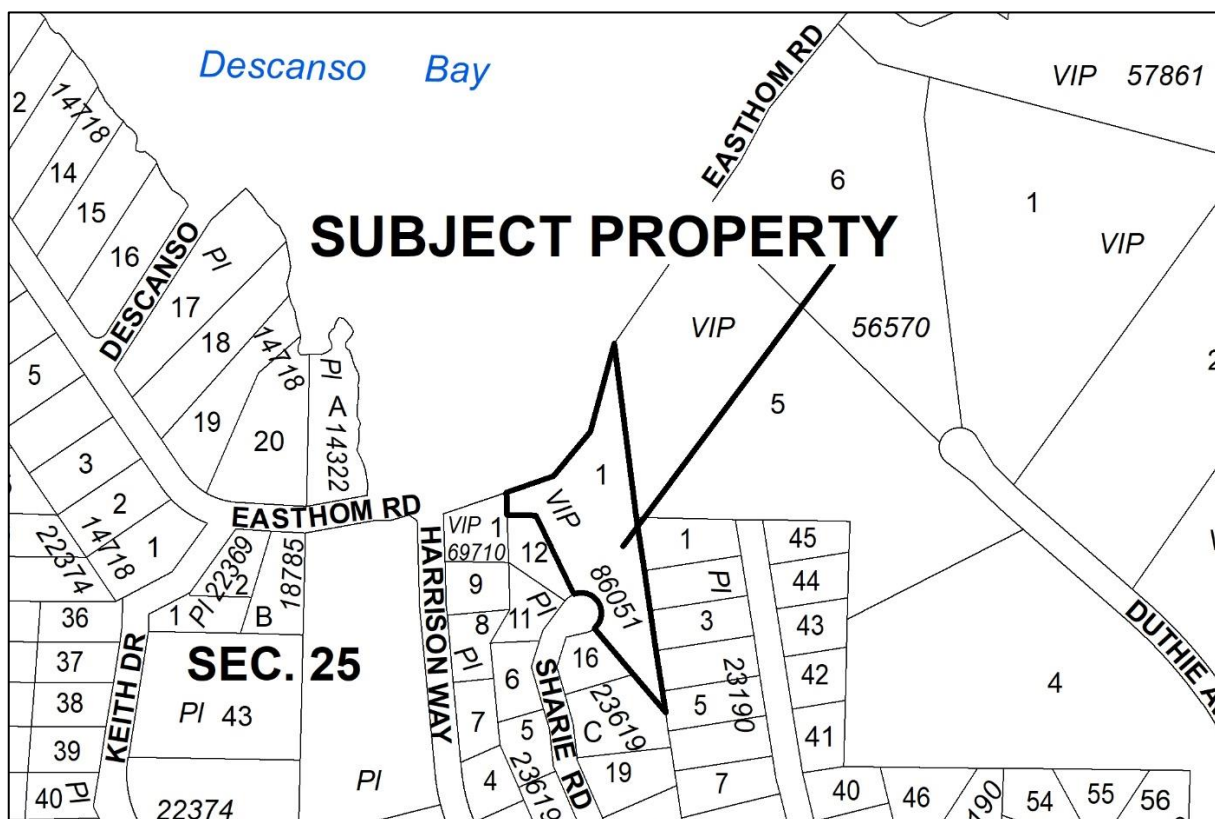
NOTICE is hereby given pursuant to Section 499 of the *Local Government Act* that the Gabriola Island Local Trust Committee will be considering a resolution allowing for the issuance of a Development Variance Permit. The proposed permit would vary the Gabriola Island Land Use Bylaw No. 177 by:

- Permitting an existing house and proposed deck within 0.0m of a zone boundary.

The property is located at **861 Sharie Rd**, Gabriola Island, BC and is legally described as:

LOT 1 SECTION 20 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP86051 (PID: 027-768-686)

The general location of the subject property is shown on the following sketch:



A copy of the proposed permit may be inspected at the Islands Trust Office, 700 North Road, Gabriola Island, BC V0R 1X3 between the hours of 8:30 a.m. to 4:30 p.m. Monday to Friday inclusive, excluding statutory holidays, and on the Islands Trust website <https://islandstrust.bc.ca/island-planning/gabriola/current-applications/> commencing **July 15, 2022** and continuing up to and including **July 27, 2022**

Enquiries or comments should be directed to Stephen Baugh, Planner 2 at (250) 247-2201, for Toll Free Access, request a transfer via Enquiry BC: In Vancouver 604-660-2421 and elsewhere in BC 1-800-663-7867; or by fax (250) 405-5155; or by email to: northinfo@islandstrust.bc.ca before 4:30 pm, **July 27, 2022**

The Gabriola Island Local Trust Committee may consider a resolution allowing for the issuance of the permit at its Regular Business Meeting to be held at **10:30 am, July 28, 2022 at Gabriola Arts & Heritage Centre, 476 South Road, Gabriola Island.**

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



Islands Trust

DRAFT

**GABRIOLA LOCAL TRUST COMMITTEE
DEVELOPMENT VARIANCE PERMIT
GB-DVP-2022.2**

To: Laurie-Jean Beath & Diane Lynn Kew,

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

LOT 1 SECTION 20 GABRIOLA ISLAND NANAIMO DISTRICT PLAN VIP86051
(PID: 027-768-686)

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

- a) Clause B.2.1.4(a) which states that, "The minimum setback from a zone boundary for buildings and structures is 1.5 metres (4.9 feet)." is varied to permit the siting of a dwelling and proposed deck within 0.0 metres of the zone boundary;

The development shall be consistent with Schedule 'A', attached to and forming part of this permit.

3. This permit is not a building 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* and to obtain other approvals necessary for completion of the proposed development.

AUTHORIZING RESOLUTION PASSED BY THE GABRIOLA LOCAL TRUST COMMITTEE THIS ##th DAY OF [MONTH], [YEAR].

Deputy Secretary, Islands Trust

Date of Issuance

IF THE DEVELOPMENT DESCRIBED HEREIN IS NOT COMMENCED BY THE ##th DAY OF [MONTH], [YEAR (2 YEARS FROM DATE OF ISSUANCE)] THIS PERMIT AUTOMATICALLY LAPSES.

SCHEDULE 'A' – Site Plan



DATE OF MEETING: July 28, 2022
TO: Gabriola Island Local Trust Committee
FROM: Heather Kauer, Regional Planning Manager
Northern Team
SUBJECT: Project Recommendations for Incoming LTC

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee endorse the 'Top Priorities List' and 'Projects List' as presented on July 28, 2022 for further consideration by the incoming Local Trust Committee.
2. That the Gabriola Island Local Trust Committee request staff to prepare a draft business case for a Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw project for consideration of Gabriola Island Local Trust Committee endorsement.

REPORT SUMMARY

The LTC is being asked to consider its 'Top Priorities' and 'Projects' list and provide any direction for amendments, prior to the end of the current term. The LTC is also being asked to consider development of a business case to implement a Gabriola Island Comprehensive Official Community Plan and Land Use Bylaw project.

Organization of the Top Priorities and Projects List

Staff are recommending that the LTCs Top Priorities list include one project that is a Comprehensive OCP/LUB project. Staff are recommending this because the LPS Renewal project assumes that one of the criteria for an OCP/LUB project to be prioritized for assignment to the Regional Planning Team (RPT) is that a Comprehensive OCP/LUB project is listed on the Top Priority projects list.

Staff further recommend that the Projects List be reorganized by category. Most projects that get added to LTC Projects List fall into one of six categories:

- OCP Amendments
- LUB Amendments
- OCP and LUB Amendments
- Administrative (Bylaws, Processes, and Procedures)
- Advocacy and Communications
- Bylaw Enforcement

Assigning the list of projects to one of these categories would aid in prioritization of work. The recommended lists reflect these proposed changes.

The following table details staff's recommendations for the items currently listed on the Top Priority List:

Date	Project	Keep or Remove?	Rationale for removal or change
1	Ecological Protection Zone	Keep	This project will likely continue into the beginning of next term
2	Development Approval Information Bylaw	Keep	The LTCs existing Development Approval Information Bylaw No. 150 is difficult to administer and should be amended to allow staff the ability to require environmental reports with specific types of information to be submitted with relevant development applications.
3	Density Outreach Program	Remove	This project is nearly complete.

The following table details staff's recommendations for the items currently listed on the Projects List:

Date	Project	Recommended Category	Keep or Remove?	Rationale for removal or change
2011	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.		Remove	As listed, this isn't a "project" but an approach to take with each project that the LTC takes on.
2011	DeCourcy Island OCP and LUB: 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	OCP & LUB	Keep	
2012	Review OCP and LUB to improve protection of coastal areas; development of a comprehensive DPA for shorelines in the Gabriola Island Local Trust Area	OCP & LUB	Move to Top Priority list under Comprehensive OCP review	
2013	Hazardous areas/Steep Slopes DPA: Consider hazardous areas and steep slopes development permit area designation; consider how to address areas of potentially problematic soils,	OCP & LUB	Move to Top Priority list under Comprehensive OCP review	

Date	Project	Recommended Category	Keep or Remove?	Rationale for removal or change
	shoreline erosion, and localized areas of steep terrain			
2014	Consider implementing Eelgrass protection regulations	OCP & LUB	Move to Top Priority list under Comprehensive OCP review	
2015	Snuneymuxw Protocol Agreement: Implementation of Snuneymuxw First Nation Protocol Agreement.		Remove from LTC project list	This is a project for Trust Council or one of its committees rather than the LTC.
2015	Gabriola Village Plan: Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core	OCP & LUB	Move to Top Priority list under Comprehensive OCP & LUB review	
2015	Snuneymuxw Relationship Building: Strengthen relationship with Snuneymuxw First Nation		Remove	This isn't a "project." Projects have measurable deliverables
2015	Green Energy: Consider policy and regulatory mechanisms to encourage green and renewable energy	OCP & LUB	Move to Top Priority list under Comprehensive OCP & LUB review	
2015	Commercial Vacation Rentals: Review bylaws with respect to temporary use permits for commercial vacation rentals	OCP & LUB	Move to Top Priority list under Comprehensive OCP & LUB review	
2016	LUB Amendments: - Review of temporary sawmill regulations - Definition of personal use of animals for SRR zoned lots - Review of how cisterns, solar panels and parking are regulated as structures subject to lot coverage calculations		Move to Top Priority list under Comprehensive OCP & LUB review	Can remove "IN1 zoning..." as it was considered and bylaw amendments were complete in this term.

Date	Project	Recommended Category	Keep or Remove?	Rationale for removal or change
	-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 and regulations for limited public market, and INI zone uses pertaining to market sales -correction to WC3 mapped location to coincide with Green Wharf			
2018	Water Resource Planning: Review of water requirements at the time of subdivision	OCP & LUB	Move to Top Priority list under Comprehensive OCP & LUB review	
2018	Water Taxi: Follow up items emerging out of water taxi feasibility (completed fall 2018)		Remove	This appears to have been completed.
2019	Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018): Implementation of the report recommendations into OCP policy and LUB regulations.	OCP & LUB	Move to Top Priority list under Comprehensive OCP & LUB review	
2019	GB LUB Accessory Buildings: Review of regulations pertaining to the order of construction of accessory buildings on lots.	OCP & LUB	Move to Top Priority list under Comprehensive OCP & LUB review	
2020	Review of model antenna strategy	Administrative	Remove	The LTC adopted the Model Antenna Strategy and likely will want to focus resources on other priorities
2021	Review options to allow cannabis production in zones other than	OCP & LUB	Move to Top Priority list under	

Date	Project	Recommended Category	Keep or Remove?	Rationale for removal or change
	'agriculture' and possible ways to regulate odour, noise, water use and light pollution related to agricultural activities when permitted in a zone.		Comprehensive OCP & LUB review	
2021	Update the IN1 zone to reflect community resource and recycling centre range of uses.		Remove	This project is complete
	Recognize areas of cultural significance - consider designation of a Heritage Conservation Areas or adopt Heritage Bylaws to protect heritage cultural resources similar the projects completed on South Pender and Saturnina.	OCP & LUB	Move to Top Priority list under Comprehensive OCP & LUB review	HCA's are a more powerful tool for protection of Heritage sites than a Heritage Bylaw would be
	Review regulations to ensure flexibility for housing options in ALR are consistent with recent ALC changes.	OCP & LUB	Move to Top Priority list under Comprehensive OCP & LUB review	

Business Cases for Fiscal 2023/24

Any LTC projects that are anticipated to require a budget over \$5,000 in any given fiscal year are recommended to have a business case considered by the Financial Planning Committee at their October / November meeting as part of the annual budget review, regardless of whether a business case has been presented in the past.

The growing list of Gabriola LTC projects with deliverables that are OCP or LUB amendments suggest that a major project updating these documents is warranted. Staff are recommending that the LTC take on an extraordinary level project that would address these amendments all at once rather than in a piecemeal fashion. Staff estimate that a project of this scope would require developing a contract with a consultant and the estimated budget for a project of this type would be \$50,000 to \$75,000 over the course of two to three years.

Rationale for Recommendation

Including a project on the Top Priorities list titled "Comprehensive OCP & LUB Review" would flag for the Regional Planning Team that the LTC is interested in having that project prioritized by the team and development of a business case would allow Trust Council to consider funding the project in fiscal year 2023/24.

ALTERNATIVES

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

1. Amend the ‘Top Priorities List’ and/or the ‘Projects List’

The LTC may amend either list prior to the end of the term. The resolution could be worded as:

*That the Gabriola Island Local Trust Committee amend the [Top Priorities List/Projects List] as follows:
[indicate amendments].*

2. Keep the OCP and LUB amendments on the Projects List

The LTC could keep the list of OCP and LUB amendment projects on the Projects List rather than moving them to the Top Priorities list. The resolution could be worded as:

That the Gabriola Island Local Trust Committee keep projects with official community plan and land use bylaw deliverables on the Projects List.

Submitted By:	Heather Kauer, RPP, MCIP, AICP Regional Planning Manager	July 14, 2022
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ATTACHMENTS

1. Recommended Top Priorities List
2. Recommended Projects List

Attachment 1

Recommended Top Priorities Project List

Priority No.	Title	Activity	Initiation Date
1	Ecological Protection Zone	Research and develop a new ecological protection zone as part of the Parks (P) OCP designation.	2018
2	Development Approval Information Bylaw	Update Gabriola Island Bylaw No. 150, Development Approval Information Bylaw	2022
3	Gabriola Island Comprehensive OCP & LUB Review	Review OCP and LUB to improve protection of coastal areas; development of a comprehensive DPA for shorelines in the Gabriola Island Local Trust Area	
		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	
		Consider implementing Eelgrass protection regulations	
		Gabriola Village Plan: Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core	
		Green Energy: Consider policy and regulatory mechanisms to encourage green and renewable energy	
		Review bylaws with respect to temporary use permits for commercial vacation rentals	
		Review of temporary sawmill regulations	
		Definition of personal use of animals for SRR zoned lots	
		Review of how cisterns, solar panels and parking 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	
		definition and regulations for limited public market, and INI zone uses pertaining to market sales	
		correction to WC3 mapped location to coincide with Green Wharf	
		Water Resource Planning: Review of water requirements at the time of subdivision	

Priority No.	Title	Activity	Initiation Date
		Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018): Implementation of the report recommendations into OCP policy and LUB regulations.	
		GB LUB Accessory Buildings: Review of regulations pertaining to the order of construction of accessory buildings on lots.	
		Review options to allow cannabis production in zones other than 'agriculture' and possible ways to regulate odour, noise, water use and light pollution related to agricultural activities when permitted in a zone.	
		Recognize areas of cultural significance - consider designation of a Heritage Conservation Areas or adopt Heritage Bylaws to protect heritage cultural resources similar the projects completed on South Pender and Saturnina.	
		Review regulations to ensure flexibility for housing options in ALR are consistent with recent ALC changes.	

Attachment 2

Recommended LTC Project List

No.	Category	Title	Activity	Initiation Date
1	OCP Amendments			
2	LUB Amendments			
3	OCP & LUB Amendments	DeCourcy Island OCP and LUB	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	
4	Administrative (Administrative Bylaws, Processes, and Procedures)			
5	Advocacy and Communications			
6	Bylaw Enforcement			

July 28, 2022:

To: Gabriola Local Trust Committee

From: Ivan Bulic, [REDACTED] Gabriola Island, BC

Re: Agenda Item 7.2 Heritage Commissions Memorandum

Creating a Community Heritage Register:

Gabriola Island's Official Community Plan (*Bylaw 166, 1997*), states that ***"A community heritage register should be established to identify and inventory real property that is considered to be of heritage significance."***

The LTC may, under Section 598 of the Local Government Act, ***"by resolution, establish a community register that identifies real property that is considered by local government to be heritage property."***

On Jan 24, 2019, a staff report (*File No 6800 20*) to the Gabriola LTC recommended that:

1. *The Gabriola Island Local Trust Committee establish a Community Heritage Register;*

The LTC tabled the report, noting it ***"would like consultation with local First Nations and community before moving forward with establishing a CHR."***

Subsequently, a number of Gabriola residents, including Joyce Babula (Gabriola Community Hall), Ivan Bulic, Chris Campbell (Gabriola Historical and Museum Society), Liz Ciocea (GH&MS), Tony Grove (Marine Heritage Conservation Professional), Elizabeth Iachelli (Gabriola Community Hall), and Andre Lessard (Heritage Professional) approached the Gabriola LTC with a proposal to create a **Community Heritage Register** by designating the **Gabriola Historical and Museum Society (GH&MS)** to act as a **Community Heritage Commission**.

Why a Gabriola Community Heritage Commission:

Community Input:

The key responsibility of a Community Heritage Commission, according to **Heritage BC's Resource Guide**, ***"is to represent the community or to be the voice of the community."***

A Gabriola CHC could therefore, by definition, satisfy the LTC's expressed desire of *"consulting with local First Nations and the community."*

Further, the GH&MS, if designated as a heritage commission, would bring to the table its demonstrated ability to engage in broad consultations with both the island community and First Nations.

Creating a Community Heritage Commission:

The Local Government Act sets out two methods of creating CHCs. The first is described in the staff memorandum:

"A Heritage Commission must be established by by-law (LGA Division 3, Sections 243 and 245.)"

In fact, Sections 243, 244 and 245 refer to the establishment of any local community commission be that a planning commission, water, sewer or fire - as well as heritage commissions. The memorandum correctly points out that when a commission is established under Sections 243 and 245, a by-law is needed with all the attendant bureaucratic requirements of any municipal commission.

The Local Government Act, however, sets out a second method of creating heritage commissions. LGA Part 15, Division 3, Section 597 (1) states that:

"In addition to the authority under section 263 (1) (g) [regional district commissions] of this Act or Section 143 { municipal commissions} of the Community Charter, a local government may designate an existing organization to act as a community heritage commission."

The Oxford English Dictionary (8th Edition, 1990) defines the verb designate as *"to appoint to an office or function."*

The Act further states that ***"In relation to an organization designated under subsection (1), when the organization is acting as a community heritage commission, the organization is deemed to be a commission established under the applicable provision referred to in subsection (1)."***

The Legislation clearly anticipated cases where a local government would find it preferable to designate an existing organization to act as a community heritage commission, rather than establishing a new entity through a by-law. This was what the City of Burnaby did in the 1990's when they designated existing heritage organizations to act as a heritage commission.

The GH&MS is duly registered under the BC Societies Act and fulfils the criteria of an organization that can be designated to act as a heritage commission.

It appears clear that the Gabriola LTC as a local government can, under the Act, designate an existing organization such as the GH&MS to act as a Community Heritage Commission. That appointment would, of course, be subject to any terms or reference outlined in a memorandum of understanding drawn up by the LTC.

Staff Time:

Page two of the staff memorandum lists the considerable time commitments expended by Trust staff in creating and administering Heritage Registers on other Gulf Islands; 40 hours over five months on Denman, 60 hours over eight months on South Pender, as well as *"ongoing time required to maintain the Register and keep related documents up-to-date on the website."*

According to Heritage BC, a CHC can *"provide evaluations and recommendations related to the local government's heritage programs and goals, as well as commenting on the community's heritage assets."*

Acting in this capacity, a Gabriola CHC could do much of the heavy lifting previously assumed by Trust Staff as described in the staff memo. And depending on the terms of reference set by the LTC, a CHC could relieve Trust staff of some of the tasks required in maintaining a heritage register and keeping documents up-to-date on the website.

From: Max Konyi [REDACTED]
Sent: Friday, July 8, 2022 12:16 PM
To: northinfo <northinfo@islandstrust.bc.ca>
Subject: Aircraft Noise Pollution

Hi there,

I live on Gabriola Island and am messaging in regards to the amount of noise pollution from planes in the area. I'm not sure exactly who to contact regarding the rules and regulations about this type of thing, but I did see [something online](#) about concerns being raised to the RDN via the Islands Trust. The name Dan Rogers was mentioned.

On any average day we experience a huge amount of plane noise from a number of sources: seaplanes, passenger (and other) planes from the Nanaimo airport, and privately owned planes. There are fluctuations from day to day, but generally speaking there is a disturbing amount of noise. Some days will be nearly incessant with hardly 5 minutes between each plane. These planes are not distant low hums, but are often flying quite low and directly overhead of us with a very loud engine buzz and whine. The issue is that the noise constantly intrudes on the quiet of being outside, either surrounding our home or anywhere in nature on the island.

I'm curious what the current state of regulations are about all of this. I wonder if they have been updated in recent years as plane activity has increased? The Nanaimo airport went through an expansion recently and is now creating much more air traffic in the area. However, it is also the seaplane routes and altitudes.

Thank you for any assistance or information you can provide me.
Talk soon,
Max



July 21, 2022

Islands Trust

Delivered by email

northinfo@islandstrust.bc.ca

klangereis@islandstrust.bc.ca

scolbourne@islandstrust.bc.ca

Dear islands Trust;

Re: Gabriola Community Heritage Registry and Heritage Commissions

Please consider this letter as support for the establishment of a Community Heritage Registry (CHR) for the Island of Gabriola as part of the Islands Trust.

Heritage preservation is a local government responsibility, and the enactment of the heritage provisions, in the Local Government Act, such as a CHR or Heritage Commission, help to reliably and consistently give heritage its rightful presence in the planning that local governments undertake. Having a platform and mechanism to discuss heritage values, both tangible and intangible, is an important tool to achieving best practices in community planning.

Local heritage aligned organizations most often do the hard work of completing the 'first steps' required for a CHR. Heritage BC has taken an interest in the work of Gabriola Island Community Hall Association and the Gabriola Historical and Museum Society. They have prepared statements of significance as well as developed projects (exhibits and programming) that engage and advance the understanding of the heritage values of community accessibility, diversity and reconciliation. Both organizations have received funding from Heritage BC for their projects.

We encourage the Islands Trust to consider the high value of establishing a Community Heritage Registry by keeping these things in mind:

- A CHR gives the local government improved capacity to understand and identify buildings, site features, places, trees or views of value to a community. The register helps tell the layered and rich story about a community including the community's indigenous heritage.
- A CHR is best suited for incremental implementation, with willing community volunteers and organizational partners. While it is a cornerstone to a local government's community heritage program it does not need to be 'everything' all at once. It can be modest and is not restrictive.
- Strategically the establishment of the CHR can be viewed as an investment in future best practices of planning for a community. The time given to the process can be measured and managed so that it does not become onerous. It is particularly important to note that for Gabriola there are willing partners for this process and this is critical to success.

- Delay in putting in a CHR can demotivate volunteers, derail the spark of momentum that takes years to build on and signals that the responsible and proud work of heritage engagement and advocacy is not valued, when in fact heritage is inextricably linked to community well-being and most planning issues of a community.
- For every community there will be periods of more or less intense activity and utility around their CHR, but once in place, it remains an important tool that can and should provide local government planners a means to ensure best practices in community planning.
- Heritage infrastructure grants and program funding are very scarce and competitive. Communities with established formal tools such as a CHR and/or commission often have an advantage over those that do not. This is because the value of a CHR is recognized for helping with the articulation and demonstration of community values.

Enacting a CHR and perhaps even making some provision for a Heritage Commission is building community; it is certainly not the domain of a 'special interest group'. Local government should use it to better understand and identify heritage (broadly defined) in the community for which it has responsibility to do land and amenity planning for. In itself, it can be utilized as a mechanism to support reconciliation and the inclusion of indigenous perspectives. Heritage BC has resources which can assist with this such as resource guides for [heritage conservation](#) and [Setting the Bar: Guide to Achieve New Standards for Reconciliation within the Heritage Sector](#).

Heritage BC is a not for profit heritage service organization, that provides investment, awareness, and education to increase understanding of the importance of tangible and intangible heritage resources. We would be most willing to discuss resources of interest to the Islands Trust and its Gabriola Island Trust Committee.

Regards,



Kirstin Clausen
Executive Director

File No.: Nanaimo Ladysmith Public
School Site Acquisition
Charge

DATE OF MEETING: July 28, 2022
TO: Gabriola Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
SUBJECT: Request for the School Site Acquisition Charge to be applied in Electoral Area 'B'

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee request that the Regional District of Nanaimo amend Bylaw No. 1850, 2022 'A Bylaw to Establish School Site Acquisition Charges' to include Electoral Area 'B' in the collection of the charge for all applicable building permits and subdivisions resulting in two or more dwellings/lots.

REPORT SUMMARY

The report provides an overview to the 'School Site Acquisition Charge' being applied in School District 68. The LTC is being asked to consider reducing the threshold for the charge to be applied to all new development in the Gabriola Local Trust Area resulting in two or more dwellings or lots being created. Collection of funds would be administered by the Regional District of Nanaimo (RDN). Staff recommend the LTC request that the RDN amend their bylaw to include Electoral Area 'B'.

BACKGROUND

The Nanaimo Ladysmith Public School Board recently initiated a 'school site acquisition charge' (SSAC) for School District 68 (Attachment 1). The purpose of the charge is to collect funds from developers to go towards purchasing land in the coming years for new school sites that are needed as a result of projected development in the district. The charge is established by the School District and collected by the local governments at either the building permit or subdivision stage where four or more new dwelling units or lots are being created. The School Board requested local governments consider that the charge be applied to two or more additional units rather than that provided for in the *Local Government Act* for four or more units. The City of Nanaimo, District of Lantzville and Regional District of Nanaimo have all approved resolutions (Attachment 2) accepting the School District's request. The Regional District of Nanaimo would administer the charge on behalf of the Gabriola Island Local Trust Committee for all building permits or subdivisions in the Local Trust Area, resulting in two or more dwellings/lots being developed. Secondary suites are not considered a secondary dwelling under the application of this charge. The RDN would work with the Provincial Approving Officer directly to determine which subdivision applications would trigger the charge and collection of fees would be coordinated through the RDN. Islands Trust planning staff processing subdivision referrals would not be required to administer the SSAC process.

The LTC is asked to formally request inclusion of Electoral Area 'B' in RDN Bylaw No. 1850, 2022 (Attachment 3) in order to enact this charge to new developments in the Local Trust Area.

Rationale for Recommendation

The Board of Education has instituted the change to apply the SSAC on new developments and have been supported by the RDN, Nanaimo and District of Lantzville to apply the charge to two or more dwellings or lots. The School Board expects at least two new school sites will be required as a result of new growth in the school district and the SSAC will assist in securing the necessary lands in the next 10 years. The SSAC on Gabriola for developments of two or more dwellings or lots is likely to be triggered more frequently than the four dwelling threshold, resulting in more contributions to the fund over the next several years which would also support school age children in the Local Trust Area.

ALTERNATIVES

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

1. Not Approve the Request for the SSAC to be applied to two or more dwellings/lots

The LTC may decide not to approve the request for the SSAC to be applied to two or more dwellings/lots. Staff advise that the implications of this alternative are that the SSAC will still be applied to four or more dwellings/lots. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee advise the Nanaimo Ladysmith Public Schools Board and the Regional District of Nanaimo that the School Site Acquisition Charge can only be applied in Electoral Area B for four or more new dwellings/lots."

2. Receive for information

The LTC may receive the report for information.

NEXT STEPS

Should the LTC concur with the staff recommendation, the RDN will be notified and Bylaw No. 1850 will be amended to include Electoral Area B.

Submitted By:	Sonja Zupanec, Island Planner, RPP, MCIP	July 6, 2022
Concurrence:	Heather Kauer, Regional Planning Manager, RPP, MCIP	July 11, 2022

ATTACHMENTS

1. Letter from Nanaimo Ladysmith Public Schools
2. Resolution from Nanaimo Ladysmith Public Schools
3. Regional District of Nanaimo School Site Acquisition Charge Bylaw No. 1850, 2022



FROM THE OFFICE OF THE SECRETARY-TREASURER

VISIT US ONLINE FOR MORE INFORMATION

sd68.bc.ca |      

November 17, 2021

Islands Trust – Northern Team
VIA Email: northinfo@islandstrust.bc.ca

Dear Sirs,

Re: School Site Acquisition Charge

I write on behalf of Nanaimo-Ladysmith public schools. The Board of Education had been contemplating the institution of a School Site Acquisition Charge (“SSAC”). We have now completed our enrollment projections and anticipated future school site needs.

On October 27, 2021, the Board of Education (BoE) passed a resolution to institute the charge. The Regional District of Nanaimo has suggested that we contact Islands Trust directly regarding Gabriola Island. Following the requirements of legislation, we look forward to any comments or questions from you or your Board. In the event that you would like District staff to attend any meeting to discuss, we would be happy to arrange attendance at your convenience. In addition, we would also be available to meet with stakeholder groups to explain the SSAC and the reasoning behind it.

Following the 60 days consultation period, or if you respond that you accept the charge prior to the completion of that period, we anticipate the BoE would pass a by-law to formalize the SSAC. We would also note that the intention of the BoE is to request that Islands Trust apply the SSAC to developments that create at least 2 additional doors in the community. We note that the BoE can institute the charges (subject to the dispute mechanism in legislation) on developments of 4 doors or more but the local jurisdiction has the discretion to apply to charge to the lower number. Given that infill creating at least two doors but less than four is likely to have single family dwellings, a housing type that creates a high number of school age children, the BoE feels that the charge is appropriate in the circumstances.

We look forward to discussing this further and appreciate the work you do in growing our communities to welcome so many new families in the next decade.

Yours truly,



Mark Walsh
Secretary-Treasurer

Direct: 250-741-5211
Mark.Walsh@sd68.bc.ca

School Site Acquisition Charge Resolution for City of Nanaimo, District of Lantzville, Regional District of Nanaimo

Whereas Section 142 of the *School Act* requires that a School Board submit a capital plan to the Minister of Education; and

Whereas *Local Government Act* Section 574.2 requires that before a school board submits the capital plan required under School Act Section 142 it consult with each local government in the school district and, that the school board and local government make all reasonable efforts to reach agreement on the following:

A projection of the number of eligible development units to be authorized over the 10 year period that has been specified by the Minister of Education;

The projection of the number of school age children (as defined in the *School Act*) that will be added to the school district as the result of the eligible development units;

The approximate size and number of school sites required to accommodate the number of school age children projected as a result of the addition of eligible development units;

The approximate location and value of the school sites; and,

Whereas the Board of School Trustees for School District 68 (Nanaimo-Ladysmith) has consulted with the City of Nanaimo, the District of Lantzville, and the Regional District of Nanaimo on these matters;

It is resolved that:

Based on information from local government, the School Board of the School District estimates that there will be 6,126 new development units within the City of Nanaimo, Regional District of Nanaimo and District of Lantzville over the next 10 years;

These 6,126 development units will be home to an estimated 1,827 school age children;

The School Board expects that up to 50% of these school age children will be accommodated in existing facilities. This will require the expansion of a number of facilities potentially including Chase River, Bayview, and Departure Bay; and,

The School Board expects that at least two new school sites will be required as the result of this growth in the school district. The sites will probably be located in the Hammond Bay and Pleasant Valley neighbourhoods.

According to Ministry of Education standards the sites will require 5.4 hectares of land. The sites are expected to be purchased in the next 10 years and, at current land costs, the land will cost approximately \$10.5 million.

School Site Acquisition Charge (SSAC) Rates - \$ per unit

Residential Density		Maximum \$ per Unit
Low	(<21 units per hectare)	\$1,000
Medium Low	(21 - 50 units per hectare)	\$900
Medium	(51 - 125 units per hectare)	\$800
Medium High	(126 - 200 units per hectare)	\$700
High	(>200 units per hectare)	\$600

REGIONAL DISTRICT OF NANAIMO

BYLAW NO. 1850, 2022

A BYLAW TO ESTABLISH SCHOOL SITE ACQUISITION CHARGES

WHEREAS pursuant to Part 14, Division 20 of the Local Government Act, as may be amended or replaced from time to time, a local government may impose school site acquisition charges under the terms and conditions of that division;

AND WHEREAS Section 573(2) of the Local Government Act, as may be amended or replaced from time to time, authorizes a local government, by bylaw, to also impose a school site acquisition charge in relation to a building that will, after construction, alteration or extension, contain fewer than four self-contained dwelling units.

NOW THEREFORE, the Board of the Regional District of Nanaimo in open meeting assembled, hereby enacts the following:

1. Citation

This bylaw may be cited as "Regional District of Nanaimo School Site Acquisition Charge Bylaw No. 1850, 2022".

2. Administration

2.1 This bylaw applies within Electoral Areas A and C of the Regional District of Nanaimo.

2.2 In this bylaw, school site acquisition charge means a school site acquisition charge established under Part 14, Division 20 of the Local Government Act.

2.3 A school site acquisition charge is payable in relation to a building permit that authorizes construction of a building that, not including secondary suites, will, after construction, contain two or more self-contained dwelling units.

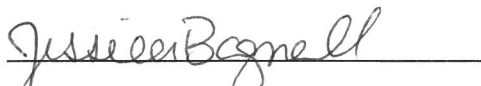
2.4 Despite the foregoing, a school site acquisition charge is not payable when an existing building is demolished and replaced with a new building that contains the same number of, or fewer, self-contained dwelling units than the existing building.

Introduced and read three times this 24th day of May 2022.

Adopted this 24th day of May, 2022



CHAIR



CORPORATE OFFICER

Gabriola Local Trustee Meeting, July 28, 2022.

Re: the National Marine Conservation Area Reserve for Southern Strait of Georgia.(NMCAR for SSoG)- Gabriola perspective.

Compiled May 22, 2022 by Ruby, any questions, please ask. [REDACTED]

How are NMCARs different from MPAs?

Marine Protected Areas(MPA) try to protect marine ecosystems in a state essentially unaltered by human activity - the primary goal for national parks.

National Marine Conservation Areas, (NMCA) are marine areas managed to protect and conserve representative marine ecosystems and key features, while ensuring the ecologically sustainable use of marine resources. They include the seabed and water column above it and may also take in wetlands, estuaries, islands and other coastal lands.

The (R) for Reserve at the end of NMCAR acknowledges the rights of Indigenous nations. By supporting an NMCAR the FN are not relinquishing any land/territory claims still unresolved.

The NMCAR Draft plan explains that different areas within the park will be classified in one of 4 zones- from highly restricted use, to minimal restrictions on use. Unfortunately, the exact impact of these zones on each community will not be known until a later date.

In the establishment of a National Marine Conservation Area, there are five steps:

1. Site selection
2. Feasibility assessment (**we are here**)
3. Negotiations
4. Interim Management Plan
5. Establishment

Current progress by Parks Canada (PC) staff:

- PC NMCAR project staff to start community outreach this fall as well as online opportunity for public input.
- For Gabriola this is likely mid-September. (No date announced yet) Parks Canada has approval from First nations to start the community outreach. While FN have not reached a decision on supporting the NMCAR, they will provide delegates to participate with Parks Canada staff in the community outreach. Parks Canada will host on Gabriola and pay for costs of the meeting. They will be recording public comments and are hoping for a show of support for the NMCAR. Shore Keepers will provide on-site support for meeting.

Progress of First Nation negotiations:

- First Nations (FN) consultation is occurring with PC, also Nation-to-nation-to Nation: that is with Fed gov. plus Provincial government.
- FN still in discussions within their own groups.
- FN approval is key to the NMCAR proposal moving to the next step.

Advocacy for Gabriola

- GISKA (Gabriola Shore Keepers) is advocating for the NMCAR in general but also for expansion of the proposed NMCAR's border to include more of the NE shore of Gabriola.
- In determining whether an area fits the criteria for protection/conservation, Parks Canada assesses marine areas as "High, Moderate or Low Marine Values". We've been gathering that information for the past several years. Based on these findings, we feel the NE shore is High Marine Value! A summary is being put together for Parks Canada and will be available soon.

About NMCARs and Freighter Anchorages.

- Fact: There is a threat that Freighter anchorages could be installed off Gabriola with or without the NE shore being included in a NMCAR.
- However, in the case of the proposed freighter anchorages off the NE shore, it is hoped that within a NMCAR framework there is a greater chance that factors such as FN opinion plus the marine environmental scientific data will help support efforts to oppose any new anchorages. Final decisions about new anchorages and the fate of the existing anchorages rests with Transport Canada not Parks Canada.

- **Advocacy for the NMCAR for SSoG**

Local community engagement is so important! An opportunity to ask questions, and provide input to Parks Canada. Both for NMCAR proposal plus possible change of boundary off Gabriola

Proposed expansion of NE boundary- very important for Gabriola community to have a chance to learn more about this and to ask any questions they might have. If there are concerns it is hoped we can resolve them within community before public engagement with Parks Canada. They will be listening.

- **IMPAC5 (The 5th International Marine Protected Area Congress)**

To be held February 3-9, 2023 in Vancouver BC.

Hosted by the Federal government, Canadian Parks and Wilderness (CPAWS) and the IUCN (International Union for Conservation of Nature)

Participants: Scientists, policymakers, and other professionals from all over the world.



ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY MAY 24, 2022 BOARD MEETING (OPEN PORTION)

NOTE: For more detail on Conservancy meetings, including meeting minutes, please visit <https://islandstrust.bc.ca/whats-happening/meetings-and-events/>

1. ORGANIZATION UPDATES/TEAM

- The Islands Trust Conservancy (ITC) continues to have a vacancy for one Ministerial appointment to the ITC Board. The [Crown Agencies and Board Resourcing Office](#) is responsible for posting the position.
- ITC Board welcomed Aislyn King as the summer Co-op Student to the ITC team. She will be working as the GIS & Conservation Technician over the summer.
- ITC Board received verbal updates from the ITC Chair and Vice Chair about the Islands Trust Governance Review, the final 2022/23 Islands Trust Budget and the Policy Statement Review Process.
- ITC Board approved audited financial statements for 2021/22.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Manager presented the request for decision regarding the ITC Plan Review to Board members, advising the plan will have a shorter timeline than previous plans (three years instead of five years), and noted the timelines for internal and First Nations referrals processes. The intent is to move towards a more robust engagement of First Nations over the next two to three years in preparation for the next ITC Plan. ITC Board approved the draft ITC Three-Year Plan and directed staff to refer it to local trust committees, the Bowen Island Municipality, Trust Council and First Nations and to bring a final draft to the Board for approval at its November 2022 meeting.
- ITC Board directed staff to prepare a Project Charter for the next ITC Five-Year Plan (2026-2030) with an emphasis on First Nations engagement.
- ITC Board provided input for the draft, July 13, 2022, ITC/Executive Committee liaison meeting. The liaison meeting provides an opportunity for ITC to liaise with Executive Committee regarding overlapping Trust Council and ITC work priorities.
- ITC Board reviewed correspondence received since the last meeting.

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITC Manager presented the Sandy Beach Nature Reserve Management Plan to Board members. Board members discussed adding climate solutions to future management plans including planting of niche species adaptive to climate change. Staff noted that the current



Climate Change Project is examining mitigation and adaptation actions for ITC managed lands. ITC Board approved the plan as amended.

4. COVENANT AND PROPERTY MANAGEMENT

- ITC Board discussed the referral of Proposed Bylaw 526 - Farm Housing Project (Salt Spring). ITC Board recommended approval of Salt Spring Island Local Trust Committee Bylaw 526, subject to the following conditions:
 - Increase of setbacks for any new uses from all lot lines adjacent to the McFadden Creek Nature Sanctuary of 200m, due to potential heron nesting areas (a blue listed species at risk); and
 - Increase of setbacks for any new uses from all lot lines adjacent to other ITC conservation areas to 30 m.

ITC Board also requested the Salt Spring Island Local Trust Committee consider the development of other protections for conservation areas on Salt Spring Island, such as:

- Restrictions on timing of construction to September 15 – January 15 for lots adjacent to ITC and other conservation areas;
- Implementation of erosion controls and soil compaction controls during construction for lots adjacent to ITC and other conservation areas; and
- Increase of setbacks for all lots adjacent to and/or near sensitive ecosystems.
- ITC Board approved placement of a Memorial Bench in the McRae NAPTEP Covenant (Gabriola) noting the bench is in memory of the late Stanley and Maxine McRae..
- ITC Board received a Fallow Deer briefing for Mayne Island and passed a resolution encouraging Trust Council to strongly advocate to the Province for the implementation of sustained, evidence based solutions to invasive Fallow Deer populations on Mayne Island, as requested by the Mayne Island Conservancy Society, to prevent Fallow Deer invasions to other islands.

5. COMMUNICATIONS AND OUTREACH

- ITC Board were presented with the draft 2021/22 Annual Report for approval. Minor edits were noted and the text was approved (as amended) for approval by Trust Council. Communications Specialist noted that this Annual Report was designed to compliment the ITC [Impact Report](#) that is now available on the website.
- The Species at Risk Coordinator briefed Board members on the results of the Gathering for Species at Risk workshop (held March 17, 2022) and [highlighted outcomes of workshop](#).
- The ITC Ecosystem Protection Specialist briefed Board members on the recent Bull Kelp polygon mapping. The [mapping has been uploaded into Map IT and TAPIS mapping](#).

6. FUNDRAISING AND CONSERVANCY SUPPORT

- ITC Board approved the following Opportunity Fund Grants:



ISLANDS TRUST CONSERVANCY

ISLANDS TRUST CONSERVANCY REPORT TO LOCAL TRUST COMMITTEES AND BOWEN ISLAND MUNICIPALITY

- \$6,000 to Gabriola Land and Trails Trust in support of their Nature Stewards program;
 - \$4,950 to the Galiano Conservancy Association for items noted in their application;
 - \$5,000 to help Raincoast Conservation Foundation and the Pender Islands Conservancy Association protect 18 hectares (44.5 acres) of land known as KELÁ_EKE Kingfisher Forest on North Pender Island. Thanks to the generosity of an anonymous donor and the Sitka Foundation this donation will be matched, making it a \$10,000 contribution towards the protection of this forest. See our [News Release for further details](#).
- ITC Board received a Species at Risk Program update, including information about extension of funding from Environment and Climate Change Canada. ITC Board directed staff to draft and sign an amended contribution agreement with Environment and Climate Change Canada (ECCC), extending the existing Species at Risk Program funding until March 31, 2026, including a budget increase for the 2022/23 fiscal year of \$25,000 and the addition of \$220,000/year in funding for the next three fiscal years (2023/24 through 2025/26).

To find out more about Islands Trust Conservancy and our current goals, to donate to our Opportunity Fund, or to subscribe to email updates, visit our website: <https://islandstrust.bc.ca/conservancy/>

Shortcuts of interest:

- **Goals:** <https://islandstrust.bc.ca/conservancy/conservation-planning/>
- **Opportunity Fund:** (context) <https://islandstrust.bc.ca/conservancy/supporting-local-conservancies/opportunity-fund-grants/> ; (to donate online) <https://islandstrust.bc.ca/donate-to-conservancy/>
- **Request key updates via email:** <https://islandstrust.bc.ca/subscribe/> (NB: by scrolling down, you may also add your home address for a free hardcopy of the Heron newsletter, published three times per year)



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GB-DP-2021.1	Centre Stage Holdings (J.E. Anderson & Associates) Planner: Sonja Zupanec	20-May-2021	PID: 003-134-806 DP application for protection of development from hazardous conditions DPA6, relating to subdivision application.
Planning Status			
Status Date: 07-Jun-2022 File on hold pending receipt of updated proposed subdivision layout.			

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2016.3	Van Herwaarden, Lynn Planner: Margot Thomaidis	24-Aug-2016	PID: 003-422-852 539 Wildwood Crescent, Gabriola Island. DVP to bring property into compliance.
Planning Status			
Status Date: 13-Jun-2022 Applicant given 90-day deadline to provide updated site plan and QEP report. DVP planned for September, 29, 2022 LTC meeting.			
Status Date: 02-May-2022 Emails exchanged with new Agent for the applicant: Agent disagrees with Bylaw Violation Notice stating that the proposed violations are legal non-conforming and do not require a DVP/DP. Agent thinks the issue was considered resolved. Planner clarified by sharing BVN letters from 2015.			
Status Date: 27-Apr-2022 Applicant and new agent requesting information about bylaw enforcement history.			



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2021.4	Kevin Barfoot Contracting	14-Nov-2021	PID: 004-537-262 Variance to setback compliance. Civic address: 1091 Sea Fern Lane, Mudge Island, BC.

Planner: Margot Thomaidis

Planning Status

Status Date: 20-May-2022

Planner reviewed file. Followed up with applicant; additional information required to complete review, including geotech.

Status Date: 11-Jan-2022

File reassigned.

Status Date: 14-Dec-2021

Planner reviewing file.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2022.2	Beath & Kew, Laurie-Jean & Diane	18-May-2022	PID: 027-768-686 Building deck on split zone lot. Civic address: 861 Sharie Road, Gabriola Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date: 20-May-2022

File opened & assigned.

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2022.3	Pink, Thomas	23-Jun-2022	PID: 008-828-067 Shoreline protection variance. Civic address: 1160 The Strand, Gabriola Island, BC.

Planner: Margot Thomaidis

Planning Status

Status Date: 08-Jul-2022

File opened & assigned. Waiting for Site survey.



Applications

Development Variance Permit

File Number	Applicant Name	Date Received	Purpose
GB-DVP-2022.4	Woodside, Mark & Gail	30-Jun-2022	PID: 008-828-059 Foreshore protection variance. Civic address: 1170 The Strand, Gabriola Island, BC.

Planner: Margot Thomaidis

Planning Status

Status Date: 08-Jul-2022

File opened & assigned. Waiting for survey.

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2020.1	Gabriola Housing Society (Nancy Hetherington Peirce)	15-Jan-2020	PIDs: 028-580-095 and 028-580-109 Affordable housing project. Civic address: Lots 1 & 2 Paisley Place, Gabriola Island, BC.

Planner: Sonja Zupanec

Planning Status

Status Date: 07-Apr-2022

LTC gave 1st reading as amended to BL 308 (Housing Agreement)

Status Date: 11-Jan-2022

File reassigned.

Status Date: 08-Jul-2021

Bylaw 306 (OCP) received Statutory Approval (Minister of Municipal Affairs), dated May 10, 2021.



Applications

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2022.1	Alley Enterprises Ltd. (Patricia Maloney Consulting) Planner: Sonja Zupanec	07-Jun-2022	PID: 023-005-629 Change zoning to accommodate multiple changes in use. Civic address: 750 Tin Can Alley, Gabriola Island, BC.
Planning Status			
Status Date: 08-Jul-2022 File opening procedure finished and file given to planner.			

Subdivision

File Number	Applicant Name	Date Received	Purpose
GB-SUB-2017.2	Williamson & Associates Planner: Heather Kauer	19-Jan-2017	PIDs: 009-739-602 and 000-105-287. Lot line adjustment. Civic 831 Chelwood Road, Gabriola Island, BC
Planning Status			
Status Date: 30-Nov-2021 Final planner review completed. Letter of approval submitted to MOTI. Awaiting confirmation of subdivision registration.			
Status Date: 21-Jan-2021 LTC accepts covenant.			
Status Date: 20-Oct-2020 Applicant signs cost recovery agreement. Legal counsel, planner and applicant reviewing covenant.			



Temporary and Industrial Use Permit

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2022.1	Garner, Kevan & Julia	06-Jan-2022	PID: 003-330-460 Temporary Use Permit renewal of GB-TUP-2018.1. Civic: 671 Balsam Street, Gabriola Island, BC.

Planner: Teresa Mahikwa

Planning Status

Status Date: 25-May-2022

Planner awaiting additional information from applicant.

Status Date: 02-Feb-2022

Planner reviewed application. Applicant was advised that supplemental information is required to complete the application.

Status Date: 07-Jan-2022

File opened & assigned. Waiting for fee.

Gabriola Island Local Trust Committee Policies & Standing Resolutions

No	Meeting Date	Resolution No.	Issue	Policy and Description
1.	June 14, 2018	GB-2018-040	Processing non-medical cannabis retail license applications	It was MOVED and SECONDED 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.
2.	November 22, 2018	GB-2018-122	Applications for Federal Cannabis License	It was MOVED and SECONDED 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.
3.	February 28, 2019	GB-2019-031	First Nations - Community Reconciliation	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution: Whereas the Local Trust Committee seeks to engage in Reconciliation with local

				First Nations, governments and the island community by honouring the Truth and Reconciliation Commission Calls to Action, United Nations Declaration on the Rights of Indigenous Peoples, Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples, and Islands Trust First Nations Engagement Principles, the Local Trust Committee endeavours to: a) Annually, write a letter to First Nations, (re)introducing Trustees and Staff and provide a schedule of known Local Trust Committee meetings for the upcoming year, as well as provide an update of current projects and advocacy activities; b) For various Local Trust Committee meetings, invite elders from local First Nations to attend and provide a traditional welcome to the territory; c) Work with First Nation governments on cooperative initiatives, including and not limited to, language, place names, territorial acknowledgements, and community education on Coast Salish and local First Nations' cultural heritage and history; d) Work with First Nation governments on engagement principles for inclusive land use, marine use and climate change planning; advocacy, protection and stewardship; and knowledge and information sharing protocols; and e) Establish and maintain government to government dialogue with First Nations, now and into the future, based on respect and recognition of Aboriginal rights and title, treaty rights, and First Nations' traditional territories within the Islands Trust Area.
4.	April 11, 2019	GB-2019-038	Limited Public Markets Enforcement	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the following standing resolution with respect to limited public markets: a) Islands Trust Bylaw Enforcement Staff are directed to not enforce Section B.6.2 of Gabriola Island Land Use Bylaw No. 177, 1999 when limited public markets are operated indoors, but rather to inform the operators of the applicable land use regulations; b) This enforcement policy does not permit violation of the Land Use Bylaw and the Gabriola Island Local Trust Committee may at any time, by resolution, modify or rescind this policy or give direction to expand enforcement activities.
5.	April 11, 2019	GB-2019-040	S219 Covenant	It was MOVED and SECONDED

			Signatories	that the Gabriola Island Local Trust Committee adopt the following standing resolution: that the Gabriola Island Local Trust Committee is authorized to enter into section 219 covenants, in the form of the 'Model Covenant for Secondary Suites' attached and in satisfaction of subsection B.6.6.8 of the Gabriola Island Land Use Bylaw No. 177, provided that such covenants must be executed on behalf of the Local Trust Committee by two members of the Local Trust Committee.
6.	July 30, 2020	GB-2020-053	Proactive unlawful STVR enforcement	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt as a standing resolution to authorize proactive enforcement of unlawful Short Term Vacation Rentals.

Top Priorities Report

Gabriola Island

<i>Develop Ecological Protection Zone</i>	Responsible	Dates
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.	Anthony Fotino	
<i>Review and update DAI bylaw</i>	Responsible	Dates
Review and update; add DPA 8 and 11.		Rec'd: 16-Jun-2022
<i>0. Density Donation Outreach Program</i>	Responsible	Dates
To identify and work with Gabriola Island land owners who wish to voluntarily donate un-used density from vacant land or parcels with subdivision potential and deposit the density potential into the Gabriola Island Density Bank, for future use in relocating density for affordable housing elsewhere on the island.	Sonja Zupanec	Rec'd: 22-Nov-2018



Projects Report

Gabriola Island

1. DeCourcy Island OCP and Bylaw Review

Responsible

Date Received

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

2. Hazardous areas/Steep Slopes DPA

Responsible

Date Received

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

3. Coastal areas protection

Responsible

Date Received

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

4. First Nations cultural references

Responsible

Date Received

Consider First Nations cultural references in land use planning; Work with Snuneymuxw First Nation (SFN) to seek funding for archaeological mapping.

Lisa Wilcox

27-Jan-2011

5. Eelgrass protection

Responsible

Date Received

Consider implementing Eelgrass protection regulations (see February 19, 2014 memorandum).

14-May-2014



Projects Report

Gabriola Island

6. *Snuneymuxw Protocol Agreement*

Responsible

Date Received

Implementation of Snuneymuxw First Nation Protocol Agreement

22-Jan-2015

7. *Gabriola Village Plan*

Responsible

Date Received

Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core

02-Apr-2015

8. *Snuneymuxw Relationship Building*

Responsible

Date Received

Strengthen relationship with Snuneymuxw First Nation

02-Apr-2015

9. *Green Energy*

Responsible

Date Received

Consider policy and regulatory mechanisms to encourage green and renewable energy

02-Apr-2015

10. *Commercial Vacation Rental Review*

Responsible

Date Received

Review bylaws with respect to temporary use permits for commercial vacation rentals

07-May-2015

11. *LUB Amendments*

Responsible

Date Received

Projects Report

Gabriola Island

- Review of temporary sawmill regulations
- Definition of personal use of animals for SRR zoned lots
- Review of how cisterns, solar panels and parking 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 and regulations for limited public market, and INI zone uses pertaining to market sales
- correction to WC3 mapped location to coincide with Green Wharf

08-Sep-2016

12. *Water Resource Planning*

Responsible

Date Received

Review of water requirements at the time of subdivision

14-Jun-2018

13. *Water Taxi Feasibility*

Responsible

Date Received

Follow up items emerging out of water taxi feasibility (completed fall 2018)

22-Nov-2018

14. *Protection of the Coastal Douglas-fir and Associated Ecosystems: An Islands Trust Tool Kit (2018)*

Responsible

Date Received

Implementation of the report recommendations into OCP policy and LUB regulations.

24-Jan-2019



Projects Report

Gabriola Island

15. *GB LUB Accessory Buildings*

Responsible

Date Received

Review of regulations pertaining to the order of construction of accessory buildings on lots.

12-Sep-2019

16. *Review of model antenna strategy*

Responsible

Date Received

27-Feb-2020

17. *Cannabis Production Regulations*

Responsible

Date Received

Review options to allow cannabis production in zones other than 'agriculture' and possible ways to regulate odour, noise, water use and light pollution related to agricultural activities when permitted in a zone.

15-Apr-2021

18. *Update the IN1 zone to reflect community resource and recycling centre range of uses.*

Responsible

Date Received

13-May-2021

19. *Heritage Conservation Areas*

Responsible

Date Received

Recognize areas of cultural significance - consider designation of a Heritage Conservation Areas or adopt Heritage Bylaws to protect heritage cultural resources similar the projects completed on South Pender and Saturnina.

03-Mar-2022

Projects Report

Gabriola Island

20. *Review LUB Regulations for Housing in the ALR*

Responsible

Date Received

Review regulations to ensure flexibility for housing options in ALR are consistent with recent ALC changes.

07-Apr-2022

21. *Community Benefit Land Use Designation*

Responsible

Date Received

Reference delegation from June 16, 2022 for information on a new potential Community Service zone/designation.

16-Jun-2022