



Gabriola Island Local Trust Committee Regular Meeting Agenda

Date: March 30, 2023
Time: 10:30 am
Location: The Haven, Heron Room
240 Davis Road
Gabriola, BC V0R 1X3

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. **REPORTS** 10:35 AM - 10:55 AM
 - 3.1 Trustee Reports
 - 3.2 Chair's Report
 - 3.3 Electoral Area Director's Report
 - 3.4 First Nation Reports
4. **PUBLIC COMMENTS** 10:55 AM - 11:05 AM
5. **MINUTES** 11:05 AM - 11:10 AM
 - 5.1 Local Trust Committee Minutes dated February 23, 2023 – for adoption 3 - 11
 - 5.1.1 Gabriola Preliminary Official Community Plan Project Kick-off Presentation Slides from February 23, 2023 Meeting - for Information 12 - 28
 - 5.2 Section 26 Resolutions-Without-Meeting Report - none
 - 5.3 Advisory Planning Commission Minutes - none
6. **BUSINESS ARISING FROM MINUTES** 11:10 AM - 11:30 AM
 - 6.1 Follow-up Action List dated March 22, 2023 29 - 33
7. **APPLICATIONS AND REFERRALS - none**

8.	LOCAL TRUST COMMITTEE PROJECTS	11:30 AM - 11:45 AM	
8.1	Ecological Protection Zone - Staff Report		34 - 58
9.	DELEGATIONS - none		
10.	CORRESPONDENCE		
	<i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>		
10.1	Email dated March 23, 2023 from G. Quinlan regarding Drone Issues on Gabriola		59 - 59
11.	NEW BUSINESS	11:45 AM - 12:20 PM	
11.1	Draft Freedom of Information and Protection of Privacy Bylaw - Request for Decision		60 - 65
11.2	Shoreline Planning for Regional Planning Committee - Request for Decision		
12.	REPORTS	12:20 PM - 12:35 AM	
12.1	Climate Change Action Update		
12.2	First Nations Relationship Building		
12.3	Trust Conservancy Report dated February 2023		66 - 67
12.4	Applications Report dated March 22, 2023		68 - 70
12.5	Trustee and Local Expense Report dated January 2023		71 - 71
12.6	Adopted Policies and Standing Resolutions		72 - 75
12.7	Local Trust Committee Webpage		
13.	WORK PROGRAM	12:35 PM - 1:00 PM	
13.1	Active Projects Report dated March 22, 2023		76 - 78
13.2	Future Projects Report dated March 22, 2023		79 - 79
14.	UPCOMING MEETINGS		
14.1	Next Regular Meeting Scheduled for Thursday, May 11, 2023 at 10:30 am at the Gabriola Arts and Heritage Centre		
15.	ADJOURNMENT	1:00 PM - 1:00 PM	



Gabriola Island Local Trust Committee

Minutes of Regular Meeting

Date: February 23, 2023
Location: Gabriola Arts & Heritage Centre
 476 South Road, Gabriola Island, BC

Members Present: Peter Luckham, Chair
 Tobi Elliott, Trustee
 Susan Yates, Trustee

Staff Present: Renee Jamurat, Regional Planning Manager
 Narissa Chadwick, Island Planner, via Zoom
 Nadine Mourao, Recorder

Others Present: There were approximately fourteen (14) members of the public in attendance.

1. CALL TO ORDER

"Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change."

Chair Luckham called the meeting to order at 10:37 am, welcomed the public and introduced Trustees, Staff and Recorder. Chair Luckham, Trustee Elliot, and Trustee Yates 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. MINUTES

3.1 Local Trust Committee Minutes dated January 26, 2023 – for adoption

By general consent the Local Trust Committee meeting minutes of January 26, 2023 were adopted.

4. BUSINESS ARISING FROM MINUTES

4.1 Follow-up Action List dated February 16, 2023

Received.

5. CORRESPONDENCE

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

6. LOCAL TRUST COMMITTEE PROJECTS

6.1 Preliminary Facilitated Session regarding the Official Community Plan (OCP) Review Project

Chair Luckham acknowledged and thanked members of the Gabriola Advisory Planning Commission (APC) and Gabriola Housing Advisory Planning Commission (HAPC) for their attendance. Those unable to attend, or who have further commentary, may email their ideas and comments to Planner Chadwick or Regional Planning Manager Jamurat.

Planner Chadwick introduced the session, provided an overview on her background with Islands Trust, and noted the following key points:

- Trust Policy Statement (TPS) is a trust-wide policy that contains principles that guide decisions and land designations;
- OCP, a legal document, was created to preserve, protect, and manage growth for the islands in the 1970's;
- OCP is specifically land use;
- Land Use Bylaws (LUB) implement policies of the OCP with a finer grain of detail such as zoning, parking, signs, landscaping, subdivision requirements, siting of buildings etc.;
- Direction needs to be clear in the OCP while not being too prescriptive;
- Gabriola's last OCP review was in 2010;
- Currently in pre-project phase, next phase is project initiation, which focusses the discussion on priorities;
- Suggested the OCP be reviewed first and LUB second;
- Project timeline 2-4 years;
- Pre-phase project 2023/2024 budget business case waiting for Trust Council (TC) approval. Once approved, project may move forward. If not approved, suggested to move forward with information gathering and data analysis of work already done in community;
- Recommended First Nations engagement and inclusion at project onset;
- Purpose of current meeting to develop engagement plan for next phase of focused engagement, move through analysis of existing information, and develop discussion papers to share background information with community:
 - Identify sources of existing information both within Islands Trust, such as comparison of OCP categories in relation to TPS and best practice OCPs, as well as other work done and reports done in community;
 - Ideas on how to engage with community;
- Encouraged Trustees to think about a Groundwater Availability Assessment;
- Gabriola Housing Matters report a beneficial document with community engagement ideas, may also be used in development of OCP; and

- Project needs to have a climate lens.

Discussion ensued and Trustees noted Gabriola has a plethora of community groups who excel at organizing community input and are interested in harnessing this energy and experience for OCP review project.

By general consent the meeting was recessed at 11:41 am and reconvened at 11:48 am.

Members of the public, APC, and HAPC members noted the following:

- Questioned why commencing an OCP review when TPS being rewritten, as they are integrated and interchangeable? Is there a possibility that changes to the TPS may mean changes to the OCP to come in line with TPS?
 - Planner Chadwick stated that TPS is high level, while OCP relates to the TPS at a lower level. TPS is in process of evolution, may look to use as guidance while considering it is evolving and may still develop effective OCP. The two documents will continue to have a relationship;
 - Chair Luckham noted that the TPS is an overarching, aspirational document in broad terms and OCP are community vision and values documents. Level of detail in OCP will not affect minor changes in TPS. An OCP amendment may be needed over time; however, work may continue in concurrence without creating conflicts;
- Interested in local decisions for tree cutting and docks;
- Regional District of Nanaimo (RDN) have rules and guidelines and not always aware of Islands Trust bylaws. Building inspectors will not approve permits to home builders if they do not follow building codes rules and regulations;
 - Vanessa Craig, RDN Director for Area B – Gabriola, Mudge, and DeCourcy Islands noted that Islands Trust is the authority for land use planning, is excited Gabriola is undertaking this process and looked forward to opportunity to share with RDN what Gabriola is working on;
- Brought to Trustees' attention a survey completed by an engineering group. They will forward the survey for information to Trustees, and expressed support for an unrushed comprehensive project;
- Requested Trustees repeal Bylaw no. 177;
- Supported experimental building technologies;
- Interested in engaging with community in an open, meaningful conversation harnessing APC, HAPC, and/or community group support to bring broad concepts back to Trustees for decision and further community engagement, rather than traditional Islands Trust structured processes;
- Encouraged a grassroots engagement process with community ownership in the beginning, which increases community belonging and understanding. Islands Trust to keep broad ownership and come in, when necessary, with legislative necessities;
- Interested in Snuneymuxw First Nation inclusion from the project beginning and suggested hiring an Intergovernmental consultant to facilitate; and
- Requested a project page on the Gabriola Islands Trust website where all project information is available for community and stakeholders.

By general consent the meeting was recessed at 12:42 pm and reconvened at 1:15 pm.

Planning Manager Jamurat posted flip charts on the wall posing four questions for commentary:

Work done before?

- Gabriola cycle path planning (2010);
- Targeted OCP review by the APC in (2008-2011), interested in hearing from those who participated in process;
- Gabriola Housing Matters report www.gabriolamatters.ca
- Gabriola Village Vision www.villagevision.ca community input (2015);
- Gabriola Health & Wellness Collaborative;
- Gabriola Health & Wellness Health Matters survey www.gabriolahealthmatters.ca
- Gabriola Health & Wellness Collaborative family report (2017);
- Gabriola Health & Wellness Collaborative presentations: Dr. Sandra Allison, Medical Health Officer (2022) and Dr. Paul Hasselback (2019);
- Current OCP and last OCP review (1997);
- OCPs from other islands;
- RDN Social Needs Assessment;
- Aquafer monitoring reports;
- The Gabriola Island Link Active Transportation Project report (2021);
- Lasqueti Island community group/association process for OCP review;
- Gabriola Chamber of Commerce light industrial zone investigation work;
- Sustainable Gabriola and Gabriola Talks www.sustainablegabriola.ca
- Role and work completed by Lisa Wilcox, former Islands Trust Senior Intergovernmental Policy Advisor;
- People for a Healthy Community on Gabriola Society (PHC) data on housing, food, and income inequality;
- Sign Bylaw work;
- Gabriola Health report (2020);
- Trust Council declaration on implementation of UNDRIP that is adopted by Province;
- Climate emergency declaration;
- Protocol agreement with Snuneymuxw First Nations; and
- Sense of situation and place, everything we do is situated in place and on the land, this is where our community resides.

Who do we need to talk to? Examples but not limited to...

- Dyan Dunsmoor-Farley to forward names of 52 organizations whom are part of Gabriola Health & Wellness Collaborative;
- RDN regarding trails, parks, Ministry of Transportation and Infrastructure (MoTI) relationship, mapping, groundwater mapping, aquafer mapping, waste management etc.;
- MoTI;

- Requested Trustees complete groundwater mapping for Gabriola to provide data for OCP review;
- Snuneymuxw First Nations, Métis residents of Gabriola, First Nations residents of Gabriola, and First Nations with an interest in Gabriola involvement critical;
- Friends, neighbours, and community;
- Children and Youth;
- Vancouver Island University (VIU) Planning students;
- Gabriola community groups, Charities, and Societies;
- Gabriola Land and Trails Trust (GaLTT);
- Sustainable Gabriola;
- Islands Trust Conservancy;
- Gabriola Volunteer Fire Department (GVFD) and Royal Canadian Mounted Police (RCMP);
- Vancouver Island Health Authority (VIHA);
- Gabriola Housing Society (GHS);
- Gabriola Against Freighter Anchorages (GAFFA);
- BC Ambulance Services;
- Gabriola Healthcare Foundation and Gabriola Medical Clinic;
- Gabriola Elementary School and The HOPE Centre;
- Vancouver Island Regional Library;
- Local churches/fellowships;
- Gabriola Chamber of Commerce;
- Citizen scientists and traditional knowledge keepers;
- Farmers and Agriculture Cooperative;
- Trauma informed councillors possibly through Gabriola Health and Wellness Collaborative;
- Allies of creating spaces of safety, allies of the process, cultural safety allies;
- Sustainable Gabriola Climate 12-12-12;
- Agriculture Land Commission (ALC);
- Community members whose lives have been impacted by OCP and LUB and ask what is important to them, what affects their livelihood? Host a meal. Here are what we have control over and what would you like to see done differently?
- Tap into community groups and ask open-ended questions throughout process;
- People with lived experience;
- Builders and contractors, invite them to lunch;
- Gabriola Outreach;
- “Qwanteum” (our wise Elders) doing good work on this island;
- Stephanie Johnson, Intercultural Engagement Facilitator who can help with First Nations and OCP conversations;
- Indigenous Lead Consultant, Carol Ferguson, Gabriola Arts Council possibly has contact information;
- Gabriola Arts Council (GAC);

- Non-sentient beings, trees, rocks, open to talk to the next generation as this has to look a long way into the future;
- All other living creatures on island;
- Pulxaneek Love Heart to Heart, Indigenous Relations Consultation, Felix Addison has contact information;
- Gabriola Island Land Steward Society (GILSS);
- Gabriola Ecumenical Society;
- Gabriola Commons;
- Gabriola Parent Advisory Committee (PAC);
- Gabriola Museum Society; and
- Gabriola Recreation Society (GRS).

Best Way to Engage?

- OCP 101 sessions: the inner workings of the OCP, historical information, high-level, and project vision, scope, objectives, timeline, and outcomes,
- TPS 101, APC 101, Cultural Awareness 101, Climate Change 101, and Equity and Inclusivity 101;
- Print media important, such as flyer insert in the Gabriola Sounder or door-to-door flyer delivery;
- Limit use of acronyms;
- Innovative ways for open, safe discourse;
- Past tools used for OCP engagement;
- Organic, grassroots approaches to community conversations with a sense of belonging and ownership of OCP;
- Central location, easily accessible for project data, commentary, and report sharing;
- Let community group collaborate and assist LTC on the OCP review project;
- First Nations engagement high priority;
- Community will self-organize with adequate resources;
- Define who are we?
- Great healing through engagement and safe discussions;
- Create local island internet;
- Events: attend multi-day events such as Cultivate Festival, regular existing events where people can talk, and organize engagement events;
- Take part in existing community events;
- Reach out and engage with Planning students;
- Limited by RDN and TPS;
- Trauma-informed to create safety in discussions;
- Be inclusive, meet people where they are at;
- Establish formal, respectful way of engaging and holding meetings, have guidelines;
- Information and knowledge events for brainstorming such as Climate 12-12-12, contact Steven Earle for more information;
- Engage in a way that is not a public meeting, can be traumatic, contentious, and emotional;

- Surveys, Thought Exchanges, and include way for anonymous commentary to hear all thoughts;
- Find new ways to have respectful discussions, healing old wounds in the community. Ask ourselves what is our claim to belonging here? Discussions to form community without exclusion, find ways of belonging;
- Explore how to engage with community that currently lacks trust or confidence in Islands Trust;
- Find way that young people feel comfortable giving their feedback;
- Engage people by discovering what their community passion is, be positive and affirming;
- Look to the future? What does the OCP look like for the next twenty years?
- Who are we now? Identify values;
- Listen to our Elders and the wisdom of our ancestors “songs left on the land”;
- Keep it broad, define what is important, not granular;
- Know what we are talking about, have a vision;
- Did not support traditional engagement techniques or processes, hard to sit for long and remain engaged, supported finding different ways of thinking;
- Walking tours;
- Critical mass to support Indigenous persons in the room, support in numbers;
- Avoid “I’ve got the solution” mentality which ends in debate/argument and does not address complex problems; and
- Design a process that respects the anonymity of participants.

What else?

- List of acronyms;
- Words are important;
- Build trust into process;
- What are the conversation buckets? Approach people who have lived experience on variety of levels in a way that makes sense to them. Identify where in process we can do that;
- Project monitoring and evaluation;
- Hear First Nations stories of the land and non-settlers’ relationships with the land;
- Spend majority of budgeted funds up front in community engagement;
- Be aware of volunteer and community exhaustion;
- Need Indigenous Consultant rooted in Snuneymuxw community who will bring Elders and ceremony. Islands Trust is coming from colonial mindset, need to include Snuneymuxw and respect the land. Professional consultant is an outside voice who listens and designs a process together. Indigenous consultant must be supported so they are not ‘othered’ or sidelined, they have a role and putting this piece aside could easily happen; and
- Lessons to be learned from previous OCP review.

How do you want to be involved in pre-work?

- Regular review of OCP;

- Collective communication program and local autonomous internet;
- Dyan Dunsmoor-Farley interested in working as part of community team guiding development of engagement process and facilitate/deliver it in whatever form;
- Community groups on island very experienced in community engagement;
- Find the funds needed for OCP review;
- Gabriola Talks a good organization to organize this engagement, Steven Earle will talk with Gabriola Talks to see if a good fit if everyone interested and they would work in collaboration with an Indigenous consultant;
- Food excellent way to get people involved 'break bread' and eat food together;
- Emily Carson-Apstein point person for PHC, good connections with difficult to reach community members;
- First step hire Indigenous consultant and support that person, moving on without and bringing in part way will not work;
- Continue with role in APC to handle referrals;
- Director of Planning for the City of Nanaimo may have Indigenous Consultant referral;
- Planning Manager Jamurat to explore approaches for procuring Indigenous Consultant; and
- Ardyth Cooper to enquire with Snuneymuxw First Nations regarding Indigenous Consultant contact information.

Planner Chadwick discussed next steps and noted the following key points:

- OCP Review project budget decision information in April;
- Conversations with First Nations;
- Project Charter, reflect how we move forward and high-level actions;
- Engagement Plan;
- Review current OCP;
- Assess what info we have and what info we need;
- Distribute ideas for discussion; and
- Business case for 2023/2024.

7. WORK PROGRAM

7.1 Active Projects Report dated February 16, 2023

Received.

7.2 Future Projects Report dated February 16, 2023

Received.

8. UPCOMING MEETINGS

8.1 Next Regular Meeting Scheduled for Thursday, March 30, 2023 at 10:30 am at the Haven, Heron Room, 240 Davis Road, Gabriola, BC

9. ADJOURNMENT

By general consent the meeting was adjourned at 3:02 pm.

Peter Luckham, Chair

Certified Correct:

Nadine Mourao, Recorder



Gabriola Preliminary OCP Project Kick-off



February 23/2023

**Presented by Narissa Chadwick, RPP
Island Planner**

Acknowledgment



Islands Trust

We respectfully acknowledge that Gabriola Island is located in the lands and territories of the Snuneymuxw First Nation, Shaw-naw-as, Stz'uminus, Halal, Lyackson, Cowichan, Penelakut, and Lake Cowichan First Nations.

Islands Trust is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.

What is the Islands Trust

Islands Trust is a special-purpose provincial government agency with a mandate to

preserve and protect

the Islands Trust Area and its
unique amenities and environment.

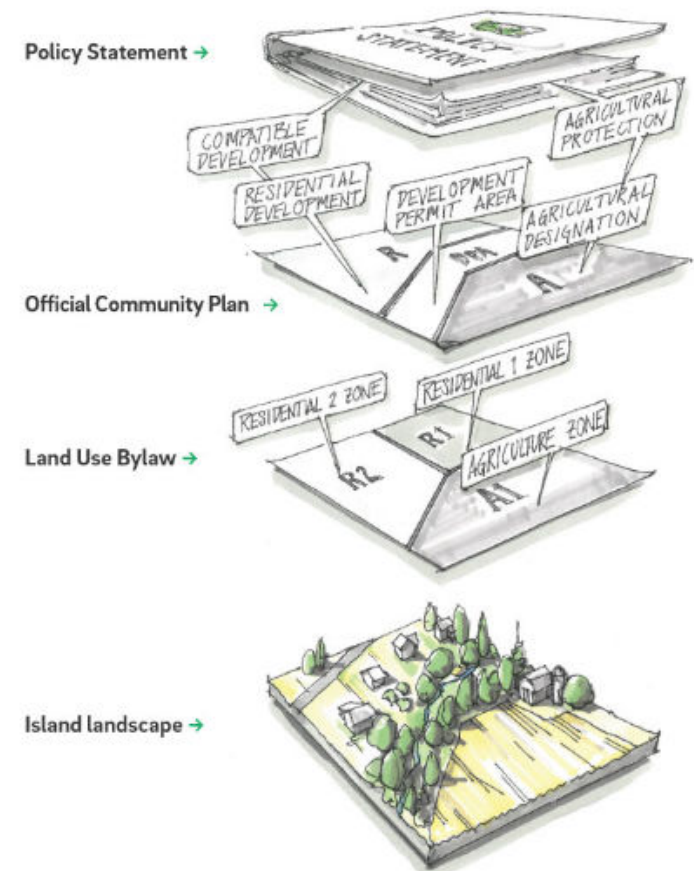


IslandsTrust

Land Use Planning

Land use planning is a key responsibility of the Islands Trust

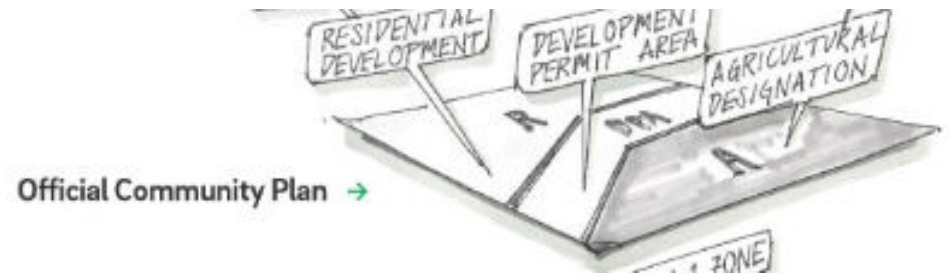
- The Policy Statement contains the principles and policies to guide the decisions made by Local Trust Committees (LTC)
- LTCs develop and review the Official Community Plan (OCP) which provides a roadmap for future action in the form of policies, guidelines and land designations
- The Land Use Bylaw (LUB) implements the policies of the OCP



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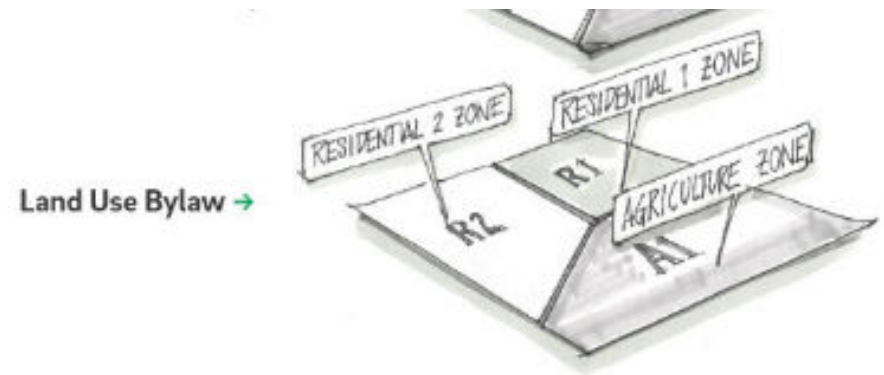
What is an OCP ?

- A legal document that reflects community perspective and priorities on future land use and growth management.
- Policies and actions identified in the OCP are implemented through land use and subdivisions regulations in the Land Use Bylaw.
- An OCP can also include advocacy policies encouraging conversation with other levels of government related to issues beyond the control of the Islands Trust.



What is the LUB ?

- LUB implements the policies identified the OCP through regulatory bylaws
- Regulatory bylaws include: zoning, off-street parking, signs, screening, landscaping to mask different uses, subdivision servicing requirements (eg. proof of water), size and siting of buildings and structures.

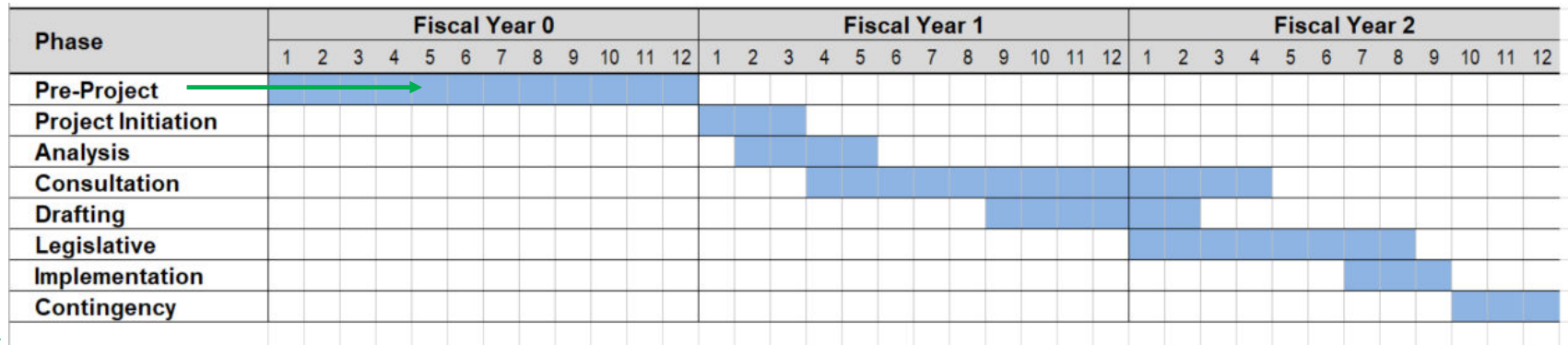


Project Process

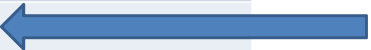
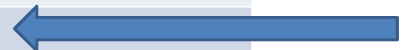


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Project Process



Timeline Phase 0 – Groundwork

Phase 0 Pre-Project: Deliverable/Milestone	Approximate Timing
Budget Approval (\$18,000)	March
Identify Sources of Community Based Info	March 
Conversations with First Nations begin/continue	March
Project Charter Development/ Approval	April - May
Development/ Review of Engagement Plan	May - June 
Assessment of Health of current OCP	April - June
Assessment of existing information and identification of additional resources needed	April- June 
Business Case Development for 2023/24	May - June
Discussion papers/working groups where priority is clear (eg. Housing)	May – March '24 
Public Engagement/data gathering (VIU students assisting?)	September – March '24

Timeline – Phase 1

March 2024 – June 2024

- Priority areas identified and illustrated
- Discussion papers as required
- Targeted engagement
- Bylaw drafting begins
- Additional business case if needed



We do not need to reinvent the wheel

- Regional Planning Team has worked on a template
- Template provides a starting point for discussion
- Gabriola OCP process will be a model for other Islands

Acknowledgments..... 3

Part 1: OCP Fundamentals 7

What is it? 7

How does it work? 7

How is it used? 7

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Island Vision 11

Island Goals 11

Island Objectives 11

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Part 3: Island Context 13

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Cultural and Natural Heritage 20

Land Use, Housing, and Managed Growth 20

Community Character 21

Transportation and Movement..... 21

Drinking Water, Waste Disposal and Utilities..... 22

We do not need to reinvent the wheel

Previous work by the community:

- Village Vision (2021) – Community Walkability
- Previous OCP (1999) – targeted review on Affordable Housing
- 2018-2022 – Housing Options and Impacts Review

What Else??



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Project Phase	Purpose of Engagement	Technique	Description	Resources Required	Estimated Budget
1 Laying the Groundwork 2020	INFORM <i>Here's what is happening...</i>	Project Website	General updates, photos, videos, resources and relevant project contacts	-planner staff time to manage -communications specialist content edits	ON HOLD- LAUNCH JUNE 2020 No cost to LTC
		Social Media	Time sensitive updates, event promotion, polls	-planner staff time to manage -communications specialist review	ON HOLD – may require consultant time
		Newspaper Articles/Inserts	Advertising, press releases, submissions	-planner staff time -communications specialist review	\$1000
		Open Houses/pop-up booth	Organize a booth or table in a busy public location. Provide simple and fun ways for people to learn about the project and solicit input about their concerns. Share how they can follow up, participate or provide feedback.	-planner staff time -HAPC participation	\$500
2 Exploring our Options 2020	INVOLVE <i>Here's a problem, what ideas do you have?</i>	Small Group Circle Dialogue	Meet participants where they are at and generate ideas to strengthen the OCP and LUB in the three theme areas. Conduct 4-8 sessions with a diverse range of participants.	-professional facilitation -planner staff time -HAPC participation -stakeholder participation	\$500 EACH x 4 = \$2,000
		Kitchen Table Talks/Plan in a Box	Small (5-8 people) informal meeting in someone's home or café. Participants work through a series of prepared questions to generate ideas. Voucher for ~\$50 towards food to incentivize groups' participation and submission of ideas.	-planner staff time -HAPC participation -8-10 community volunteers to host -APC participation	\$2,500
2 Exploring our Options 2020-21	CONSULT <i>Here are some options, what do you think?</i>	Online Polling	Online polling allows visitors to vote on choices and track responses.	-planner staff time -HAPC participation	\$500
		Surveys	Structured form or questionnaire distributed to residents/property owners. Gain feedback and opinions on options. Web based, paper or in-person interviews.	-professional survey development -planner staff time -communication specialist review -HAPC participation	\$1000
2 Exploring our Options 2020-21		Focus Groups	Facilitated small group (6-10 people) discussions on options and concerns.	-professional facilitation -planner staff time -HAPC/APC participation	\$500 each x 4 = \$2,000

Engagement Plan for Housing Impacts Review Project

We want your input! - What do we need today?

1. What work has been done before?
2. Who do we need to talk to?
3. How is the best way to engage?
4. How do you want to be involved in the pre-work?



We want your input! – Wall Posters

1. Posters on the wall with questions
2. In groups we'll go to each poster ~10min / poster
3. Everyone add your ideas
4. We'll come back together to summarize & discuss



Next Steps & Wrap Up

- Phase '0'...
 - Conversations with First Nations
 - Project Charter
 - Engagement Plan
 - Review current OCP
 - Assess what info we have and what info we need
 - Business Case for 2023/24



Questions?

Preserving and protecting over 450 islands and surrounding waters in the Salish Sea
islandstrust.bc.ca

This presentation will be added to the public meeting records for future reference.

Thank You!



Islands Trust

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	Renee Jamurat		In Progress

29-Sep-2022

Activity	Responsibility	Dates	Status
1 GB-RZ-2022.1 (Alley Enterprises, Maloney) - Staff to prepare draft bylaws to amend the OCP and LUB; notify Snuneymuxw and advise applicant of requirements for water and sewage reports prior to LTC consideration of first reading. Update application website with preliminary staff report package from Sept 2022 LTC meeting.	Sonja Zupanec		In Progress

Follow Up Action Report

Gabriola Island

29-Sep-2022

Activity	Responsibility	Dates	Status
2 Ecological Protection Zone BL 313 given first reading. Update project website and proposed bylaw - done. Staff to prepare a definition of 'passive recreation' for consideration at second reading; LTC endorsed revised project charter as amended (remove reference to PH/CIM and post to web). Staff to follow up on timeframe estimate for project and report back to LTC.	Nadine Mourao Stephen Baugh		In Progress

01-Dec-2022

Activity	Responsibility	Dates	Status
1 LTC approved the baseline sediment control analysis report for Acorn Island covenant. Update applications log and schedule monitoring for follow up in 2027.	Stephen Baugh		Completed
2 LTC issued GB-DVP-2022.5 (Bustard)	Margot Thomaidis Nadine Mourao		Completed



Follow Up Action Report

Gabriola Island

01-Dec-2022

Activity	Responsibility	Dates	Status
3 Planning staff to prepare a summary report for a future LTC meeting on past LTC discussions re: heritage register for Gabriola island; potential funding opportunities and alignment with other LTC projects; what's entailed with a MOU with commission under heritage act; analysis of designation of a commission vs a bylaw to establish the heritage register. Incorporate any comments from senior policy advisor staff on this approach. See minutes for further details on this discussion.	Renee Jamurat		In Progress
4 LTC adopted the meeting schedule as presented - possible Mudge Island meeting in July 2023. Staff to coordinate with Trustee Elliot the planning for a First Nation elder to open the Jan 2023 LTC meeting. Reimbursement to come from LTC meeting budget. - done	Nadine Mourao Wil Cottingham		Completed
5 Staff to advertise for expressions of interest for vacant seats on both APC and HAPC; return APC bylaw with draft changes to quorum requirement (remove 3 members and keep at 50%) and options for First Nations participation on both commissions.	Penny Hawley Sonja Zupanec		Completed
6 Feb 23 LTC meeting agenda to be reserved as a strategic planning workshop with HAPC and APC members to discuss community engagement and communication around an OCP review project.	Nadine Mourao Sonja Zupanec		Completed

Follow Up Action Report

Gabriola Island

26-Jan-2023

Activity	Responsibility	Dates	Status
1 Request staff to invite the two APCs to a special meeting on Feb 23 at 10:30am for the purpose of engaging the APCs in a discussion about the future community engagement process for the OCP Review Project, and that staff provide general background of what is involved in an OCP review, understanding of the tools available for engagement through Islands Trust and the work that has been completed to date.	Narissa Chadwick Penny Hawley Renee Jamurat Sonja Zupanec Wil Cottingham	Target: 23-Feb-2023	Completed
2 Staff use the remaining budget from the Housing Impacts Project to resource the Feb 23 special meeting.	Sonja Zupanec Wil Cottingham		Completed
3 LTC issued GB-DVP-2022.7 (Winckers-Lightbody)	Nadine Mourao Stephen Baugh		Completed
4 LTC issued GB-DP-2022.3 with the following changes: - First bullet under DP conditions reads: the timing of vegetation clearing must be outside the migratory bird nesting season (March 15 -August 15) - Condition be added that staff continue to monitor compliance with DP conditions throughout the development process	Margot Thomaidis Nadine Mourao		Completed

Follow Up Action Report

Gabriola Island

26-Jan-2023

Activity	Responsibility	Dates	Status
5 forward correspondence and Gabriola LTC concerns to EC for consideration of a letter of concern written by the Chair of Trust Council stating our concerns over the proposed flight path changes. Trustee Luckham will include documents from Transport Canada.	Clare Frater Mike Richards Wil Cottingham		In Progress



DATE OF MEETING: March 30, 2023
TO: Gabriola Island Local Trust Committee
FROM: Stephen Baugh, Planner 2
Northern Team
COPY: Renée Jamurat, RPP MCIP, Regional Planning Manager – North Office
SUBJECT: Gabriola Proposed Bylaw No. 313

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee rescind first reading of Bylaw No. 313, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022;” and
2. That the Gabriola Island Local Trust Committee Draft Bylaw No. 313, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022”, as shown in Attachment 3 of the staff report dated March 30, 2023 be read a first time; and
3. That the Gabriola Island Local Trust Committee request staff to refer Bylaw No. 313 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022” to the Islands Trust Conservancy Board, and Snuneymuxw First Nation for comment.

REPORT SUMMARY

This report provides the Gabriola Island Local Trust Committee (LTC) with proposed language (Attachment 3) for Bylaw No. 313 which was given first reading by the LTC on September 29, 2022. The proposed alterations accomplish the following:

- Add a new definition of “Passive Recreation” as directed by LTC resolution.
- Adjust the language so that the zone would not be a site specific zone, but could be used elsewhere.
- Correct an existing typo in the Land Use Bylaw (LUB) to clarify that buildings and structures to accommodate public utilities are not permitted in public parks and ecological reserves.
- Text edits to ensure subsections of the bylaw that are referenced elsewhere in the bylaw are updated to be consistent with numbering changes.
- Improve formatting.

Staff recommend the LTC rescind first reading, give the updated amendment bylaw first reading, and refer the proposed bylaw to the Islands Trust Conservancy Board and Snuneymuxw First Nation.

BACKGROUND

The LTC initiated the Ecological Protection Zone Project to develop a new zone for ecological protection and rezone Elder Cedar Nature Reserve. Most recently, on September 29, 2022 the LTC passed the following resolutions regarding Bylaw No. 313:

GB-2022-079 It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee has reviewed the Islands Trust Policy Statement Directives Only Checklist and determined that Bylaw No. 313, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022”, as amended, is not contrary to or at variance with the Islands Trust Policy Statement.

CARRIED

GB-2022-080 It was MOVED and SECONDED

that Gabriola Island Local Trust Committee Bylaw No. 313 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022”, as amended, be read a first time.

CARRIED

GB-2022-081 It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to include definition of passive recreation included in the Gabriola Island Local Trust Committee Bylaw No. 313 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022”.

CARRIED

GB-2022-082 It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee endorse Project Charter version 5.0 of the Ecological Protection Zone project.

CARRIED

Staff are presenting a new definition of “Passive Recreation” as well as other edits as per Attachment 2 of this report.

ANALYSIS

Policy/Regulatory

Islands Trust Policy Statement:

The LTC passed resolution GB-2022-080 above, noting that Proposed Bylaw No. 313 is not contrary to or at variance within the Islands Trust Policy Statement (ITPS). The proposed changes to Bylaw No. 313 do not change the intent of the bylaw and the original assessment is still accurate that it is not contrary to or at variance with the ITPS.

Islands Trust Conservancy:

Trust Council Policy 3.1.II requires referral to the Islands Trust Conservancy Board (ITCB) for any LUB amendments that “directly affects ITC owned property or conservation covenant.” Elder Cedar Nature Reserve is a property held

by the Islands Trust Conservancy, and staff recommend Proposed Bylaw No. 313 be referred to the Islands Trust Conservancy Board.

Issues and Opportunities

The following four headings provide an overview of the proposed changes to Bylaw No. 313 with their rationale. A track changes version of the bylaw highlighting the differences between Bylaw No. 313, as given first reading, and the currently Proposed Bylaw No. 313 is included as Attachment 2.

Passive Recreation:

The LTC requested by resolution that a definition of “Passive Recreation” be presented for consideration. Staff have drafted the following definition which considers the purpose of the use in the Ecological Protection Zone and the existing uses of the term in the LUB. Staff also included feedback from Islands Trust Conservancy Staff in drafting the following definition.

<i>Passive Recreation</i>	is non-motorized outdoor recreation that creates the opportunity to have a high degree of interaction with the natural environment and has minimal impact on land, water, or other resources. Passive recreation requires no installation of equipment or facilities, except for trails and associated improvements;”
---------------------------	---

Site-Specific Zone:

If Bylaw No. 313 is adopted, the Ecological Protection (EP) Zone would initially only apply to a single property, however, staff recommend it be amended as per Attachment 2 so that it could be applied to other properties in the future. One example is the Burren’s Acres property which was previously included as part of this project until it was discovered that an Official Community Plan amendment would be required to effect that zoning change. The proposed changes to Bylaw No. 313 remove the Ecological Protection (EP) Zone from the list of site-specific zones in the LUB. This would simplify the bylaw drafting in the future if other properties were rezoned to the EP zone.

Public Utilities in Ecological Reserves:

There is an existing formatting error in the LUB regulation B.1.1.2(a)(b) where a full sentence was split into two items and should instead read:

“iv buildings and structures to accommodate public utilities serving the Gabriola Island Trust Committee Area except in public parks and ecological reserves; and”

Staff recommend a provision be added, as drafted in Proposed Bylaw No. 313, to correct this error and ensure it is clear that these buildings and structures are not permitted within ecological reserves.

Formatting and Numbering:

Formatting and number edits have been identified for correction at Second Reading. These formatting changes include:

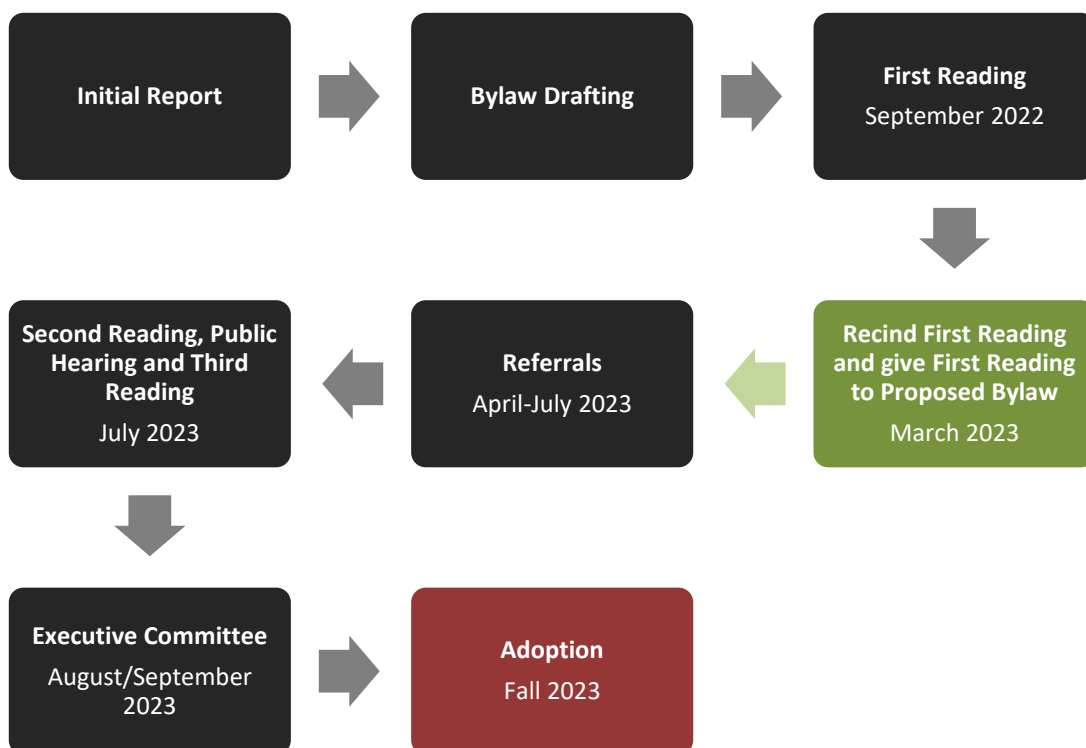
- Removing the italics from words that do not have a definition;
- Moving contents of Appendix 1 into Schedule 1;

- Including text and the plan for the mapping amendment in a new Schedule 2 instead of Schedule 1 with an attached plan;
- Cross reference check to ensure that references to sections of the bylaw where numbering is changed are amended to reflect the revised numbering. This included adding a new Schedule 3.

Public Hearing

A public hearing is not required for proposed zoning bylaws that are consistent with the Official Community Plan. If no public hearing is held then notice must be given prior to first reading of the bylaw. Previously, the LTC gave notice prior to first reading of Bylaw No. 313 and a public hearing was not planned. If the LTC rescinds first reading of Bylaw No. 313 and gives first reading to Proposed Bylaw No. 313, as recommended, a public hearing will be required.

Timeline



This timeline outlines the major steps in the Ecological Protection Zone Project with possible dates for each future step.

First Nations

Although, in this case it is not legislatively required, Staff are recommending referral of Bylaw No. 313 to Snuneymuxw First Nation for comment.

Rationale for Recommendation

Staff recommend the LTC rescind first reading, give the updated amendment bylaw first reading, and refer the proposed bylaw to the Islands Trust Conservancy Board and Snuneymuxw First Nation.

ALTERNATIVES

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

1. Proceed no further

The LTC could decide not to proceed with this minor project at this time. Should the LTC choose this alternative staff would cease work on this rezoning and this LTC project would be concluded. Recommended wording for the resolution is as follows:

That the Gabriola Island Local Trust Committee proceed no further with proposed Bylaw No. 313, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022.”

2. Give Second Reading without amendments

The LTC may consider no changes to the proposed bylaw are warranted and give second reading without concurring with the amendments. If choosing this option, the LTC should direct staff to refer the bylaw to Islands Trust Conservancy and Snuneymuxw First Nation. Recommended wording for the resolutions are as follows:

That the Gabriola Island Local Trust Committee Bylaw No. 313, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022”, be read a second time.

That the Gabriola Island Local Trust Committee request staff to refer Bylaw No. 313 cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022” to the Islands Trust Conservancy and the Snuneymuxw First Nation.

3. Make Further Changes

The LTC may request further changes to the bylaw prior to giving first reading. Staff advise that the implications of this alternative are potential delays to the LTC’s work plan timeline. If selecting this alternative, the LTC should describe the specific alterations they wish to make. Recommended wording for the resolution is as follows:

That the proposed Bylaw No. 313, cited as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022,” be amended as follows: [insert amendments]

NEXT STEPS

Should the LTC concur with the staff recommendations, staff will update the Proposed Bylaw on the website and refer the bylaw to the Islands Trust Conservancy and Snuneymuxw First Nation. At the conclusion of the referral period the bylaw will be presented to the LTC for consideration of Second Reading, a public hearing will be held, the bylaw will be presented to the LTC for Third Reading. Following third reading the bylaw would be presented to Executive Committee for approval, and then considered for Adoption by the LTC.

Submitted By:	Stephen Baugh, Planner 2	March 9, 2023
Concurrence:	Chris Hutton, Regional Planning Manager	March 22, 2023

ATTACHMENTS

1. Bylaw No. 313 (Read for a First time, September 29, 2022)
2. Proposed Bylaw No. 313, (track changes version)
3. Proposed Bylaw No. 313, amended (clean copy) – for consideration of 1st reading

Attachment 1

PROPOSED **GABRIOLA ISLAND LOCAL TRUST COMMITTEE** **BYLAW NO. 313**

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022”.

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

READ A FIRST TIME THIS 29TH DAY OF SEPTEMBER , 2022

READ A SECOND TIME THIS _____ DAY OF _____ - , 202x

PUBLIC HEARING WAIVED THIS _____ DAY OF _____ - , 202x

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

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202x

ADOPTED THIS _____ DAY OF _____ , 202x

Chair

Secretary

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

Schedule “1”

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

1.1 **Part B - GENERAL REGULATIONS**, Section **B.1 USES, BUILDINGS AND STRUCTURES**, Subsection **B.1.4 Site Specific Zones**, is amended by adding the following:

“**B.1.4.2** Ecological Protection (EP) zone is only applicable to the following lot:
a. BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID:026-664-453).”

1.2 **Part C - ESTABLISHMENT OF ZONES**, Section **C.1 DIVISION INTO ZONES**, Subsection **C.1.1 Land Based Zones**, Article **C.1.1.4 Recreation and Institutional Zones**, insert new zone “EP Ecological Protection” after “P3 –Active Recreation Community Park”.

1.3 **Part D - ZONES**, Section **D.4 RECREATION AND INSTITUTIONAL ZONES**, insert new Subsection D.4.4 Ecological Protection (EP) after Subsection **D.4.3 Active Recreation Community Park** as shown on **Appendix 1** attached to and forming part of this bylaw and renumber subsequent subsections chronologically.

1.4 **Part G - DEFINITIONS**, Section **G.1 DEFINITIONS**, is amended by adding the following definitions in alphabetical order:

<i>“Conservancy</i>	<i>means an area designated to conserve and protect natural resource values including flora, fauna, ecosystems and the natural environment.;</i>
---------------------	--

<i>Ecological Restoration</i>	<i>is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed;”</i>
-------------------------------	---

2. **Schedule “B”** of Gabriola Island Land Use Bylaw, 177 is amended as follows:

2.1 Schedule “B” – South Sheet, is amended by changing the zoning classification of BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID:026-664-453) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 177 as are required to effect this change.

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

Appendix 1

D.4.4 Ecological Protection Zone (EP)

D.1.4.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted *Principal* Uses

- i *ecological reserves, nature parks and conservancies*
- ii *ecological restoration*
- iii *natural and cultural resource management and protection*

b. Permitted *Accessory* Uses

- i *informational, cultural, and historical interpretation*
- ii *passive recreation*

D.1.4.2 Buildings and Structures

The *buildings* and *structures* permitted in Article B.1.1.2, plus the following *buildings* and *structures* and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted *Buildings* and *Structures*

- i *pedestrian trails : unhardened, or constructed for maximum permeability as in the case of a boardwalks*
- ii *benches, bridges and boardwalks*
- iii *trail, interpretive, safety and commemorative signage*
- iv *structures that are required to maintain the natural values of the land, including deer and predator fencing and plant support and protection.*

D.1.4.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Ecological Protection (EP) zone:

a. *Building* and *Structure* Height Limitations

- i The maximum *height* of *buildings* or *structures* is 5.0 metres (16.5 feet).

b. *Building* and *Structure* Siting Requirements

- i *The minimum setback for buildings or structures except for a sign, fence, or bench is 15.0 metres (49.2 feet) from any lot line.*

c. Floor Area

- i *No building or structure shall have a total floor area that exceeds 9.3 square (100 square feet).*

d. Lot Coverage Limitations

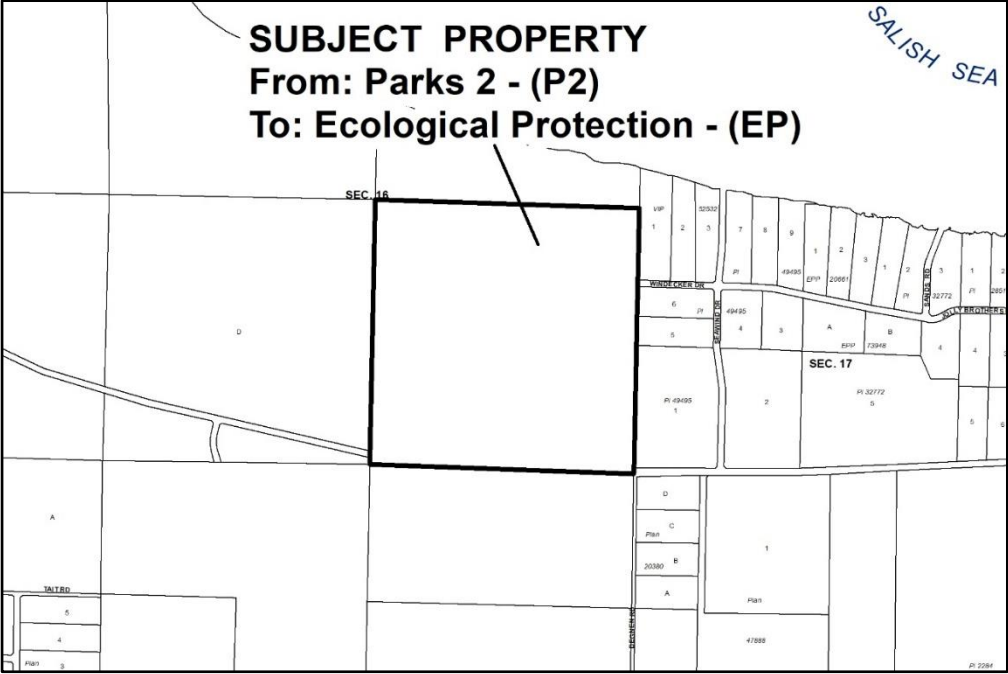
- i *The maximum combined lot coverage by buildings and structures is 1 percent of the lot area*

e. Lot Area Requirements for Subdivision

- i *No lot in the Ecological Protection zone may be subdivided for the purpose of creating additional lots.*
- li *Boundary adjustments and lot consolidations are permitted for the purpose of increasing the area of a lot in the Ecological Protection (EP) zone.*

GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313

Plan No. 1



PROPOSED – Track Changes Version

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022”.

2. Gabriola Island Local Trust Committee Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw, 1999,” is amended as per Schedule “1,” Schedule “2” and Schedule “3” attached to and forming part of this bylaw.

READ A FIRST TIME THIS 29TH DAY OF SEPTEMBER , 2022

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

PUBLIC HEARING WAIVED THIS _____ DAY OF _____ , 202x

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

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____ , 202x

ADOPTED THIS _____ DAY OF _____ , 202x

Chair

Secretary

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

Schedule “1”

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

1.1 Part B - GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.1 Permitted in Any Zone, Article B.1.1.1 Uses, Clause B.1.1.1(c), is amended by replacing “D.4.7 Institutional 4” with “D.4.8 Institutional 4.”

~~1.1 Part B - GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.4 Site Specific Zones, is amended by adding the following:~~

~~“B.1.4.2 Ecological Protection (EP) zone is only applicable to the following lot:
a. BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID:026-664-453).”~~

1.2 Part B - GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.1 Permitted in Any Zone, Article B.1.1.2 Buildings and Structures, Clause B.1.1.2(b), Item B.1.1.2(b)(iv), is amended by adding “Trust Committee Area except in public parks and ecological reserves; and” after “Gabriola Island.”

1.3 Part B - GENERAL REGULATIONS, Section B.1 USES, BUILDINGS AND STRUCTURES, Subsection B.1.1 Permitted in Any Zone, Article B.1.1.2 Buildings and Structures, Clause B.1.1.2(b), is amended by deleting Item B.1.1.2(b)(v) in its entirety and renumbering the item below accordingly.

1.21.4 Part C - ESTABLISHMENT OF ZONES, Section C.1 DIVISION INTO ZONES, Subsection C.1.1 Land Based Zones, Article C.1.1.4 Recreation and Institutional Zones, insert new zone “EP Ecological Protection” after “P3 –Active Recreation Community Park”.

1.5 Part D - ZONES, Section D.4 RECREATION AND INSTITUTIONAL ZONES, insert new Subsection D.4.4 Ecological Protection (EP) after Subsection D.4.3 Parks 3 – Active Recreation Community Park(P3) as shown on Appendix 1 attached to and forming part of this bylaw follows:

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

D.4.4 Ecological Protection Zone (EP)

D.1.4.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted Principal Uses

- i ecological reserves, nature parks and conservancies

- ii ecological restoration
- iii natural and cultural resource management and protection

b. Permitted Accessory Uses

- i informational, cultural, and historical interpretation
- ii passive recreation

D.1.4.2 Buildings and Structures

The buildings and structures permitted in Article B.1.1.2, plus the following buildings and structures and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted Buildings and Structures

- i pedestrian trails: unhardened, or constructed for maximum permeability as in the case of a boardwalks
- ii benches, bridges and boardwalks
- iii trail, interpretive, safety and commemorative signage
- iv structures that are required to maintain the natural values of the land, including deer and predator fencing and plant support and protection.

D.1.4.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Ecological Protection (EP) zone:

a. Building and Structure Height Limitations

- i The maximum height of buildings or structures is 5.0 metres (16.5 feet).

b. Building and Structure Siting Requirements

- i The minimum setback for buildings or structures except for a sign, fence, or bench is 15.0 metres (49.2 feet) from any lot line.

c. Floor Area

- i No building or structure shall have a total floor area that exceeds 9.3 square (100 square feet).

d. Lot Coverage Limitations

- i The maximum combined lot coverage by buildings and structures is 1 percent of the lot area

e. Lot Area Requirements for Subdivision

- i No lot in the Ecological Protection zone may be subdivided for the purpose of creating additional lots.
- ii Boundary adjustments and lot consolidations are permitted for the purpose of increasing the area of a lot in the Ecological Protection (EP) zone.

-and renumber subsequent subsections chronologically accordingly.

1-31.6 **Part G - DEFINITIONS**, Section **G.1 DEFINITIONS**, is amended by adding the following definitions in alphabetical order:

“Conservancy means an area designated to conserve and protect natural resource values including flora, fauna, ecosystems and the natural environment.;

Ecological Restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed;

Passive Recreation is non-motorized outdoor recreation that creates the opportunity to have a high degree of interaction with the natural environment and has minimal impact on land, water, or other resources. Passive recreation requires no installation of equipment or facilities, except for trails and associated improvements;”

~~1. Schedule “B” of Gabriola Island Land Use Bylaw, 177 is amended as follows:~~

~~1.1 Schedule “B” — South Sheet, is amended by changing the zoning classification of BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID 026-664-453) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “B” of Bylaw No. 177 as are required to effect this change.~~

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

Appendix 1

D.4.4 Ecological Protection Zone (EP)

D.1.4.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted *Principal* Uses

- i — *ecological reserves, nature parks and conservancies*
- ii — *ecological restoration*
- iii — *natural and cultural resource management and protection*

b. Permitted *Accessory* Uses

- i — *informational, cultural, and historical interpretation*
- ii — *passive recreation*

D.1.4.2 Buildings and Structures

The *buildings and structures* permitted in Article B.1.1.2, plus the following *buildings and structures* and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted *Buildings and Structures*

- i — *pedestrian trails: unhardened, or constructed for maximum permeability as in the case of a boardwalks*
- ii — *benches, bridges and boardwalks*
- iii — *trail, interpretive, safety and commemorative signage*
- iv — *structures that are required to maintain the natural values of the land, including deer and predator fencing and plant support and protection.*

D.1.4.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Ecological Protection (EP) zone:

a. *Building and Structure Height Limitations*

- i — *The maximum height of buildings or structures is 5.0 metres (16.5 feet).*

b. *Building and Structure Siting Requirements*

- i — *The minimum setback for buildings or structures except for a sign, fence, or bench is 15.0 metres (49.2 feet) from any lot line.*

~~c. Floor Area~~

- ~~i. No *building* or *structure* shall have a total *floor area* that exceeds 9.3 square (100 square feet).~~

~~d. Lot Coverage Limitations~~

- ~~i. The maximum combined *lot coverage by buildings and structures* is 1 percent of the lot area—~~

~~e. Lot Area Requirements for Subdivision~~

- ~~i. No *lot* in the Ecological Protection *zone* may be subdivided for the purpose of creating additional lots.~~
- ~~ii. Boundary adjustments and *lot* consolidations are permitted for the purpose of increasing the area of a lot in the Ecological Protection (EP) *zone*.—~~

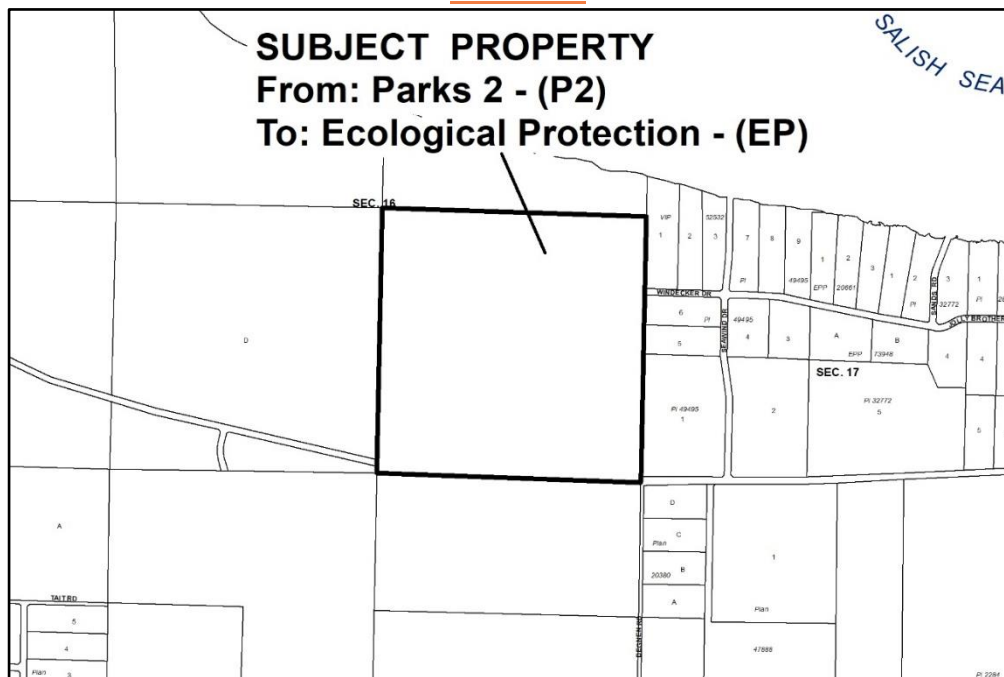
**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

Plan No. 1 Schedule "2"

1. Schedule "B" of Gabriola Island Land Use Bylaw, 1999 is amended as follows:

1.1 Schedule "B" – South Sheet, is amended by changing the zoning classification of BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID 026-664-453) as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Gabriola Island Land Use Bylaw, 1999 as are required to effect this change.

Plan No. 1



GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313

Schedule “3”

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

- 1.1 Schedule “C” – Map 6, is amended by replacing “Item D.4.4.1.a.vi” with “Item D.4.5.1.a.vi.”**
- 1.2 Schedule “C” – Map 7, is amended by replacing “Item D.4.4.1.a.vii” with “Item D.4.5.1.a.vii.”**
- 1.3 Schedule “C” – Map 8, is amended by replacing “Item D.4.4.1.a.viii” with “Item D.4.5.1.a.viii.”**
- 1.4 Schedule “C” – Map 13, is amended by replacing “Section D.4.4.” with “Subsection D.4.5.”**

DRAFT

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

A BYLAW TO AMEND GABRIOLA ISLAND LAND USE BYLAW, 1999

The Gabriola Island Local Trust Committee, being the Trust Committee having jurisdiction in respect of the Gabriola Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Gabriola Island Land Use Bylaw, 1999, Amendment No. 1, 2022”.

2. Gabriola Island Local Trust Committee Bylaw No. 177, cited as “Gabriola Island Land Use Bylaw, 1999,” is amended as per Schedule “1,” Schedule “2” and Schedule “3” attached to and forming part of this bylaw.

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

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

PUBLIC HEARING WAIVED THIS _____ DAY OF _____, 202x

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

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS

_____ DAY OF _____, 202x

ADOPTED THIS _____ DAY OF _____, 202x

Chair

Secretary

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

Schedule “1”

1. **Schedule “A”** of Gabriola Island Land Use Bylaw, 1999 is amended as follows:
 - 1.1 **Part B - GENERAL REGULATIONS**, Section **B.1 USES, BUILDINGS AND STRUCTURES**, Subsection **B.1.1 Permitted in Any Zone**, Article **B.1.1.1 Uses**, Clause **B.1.1.1(c)**, is amended by replacing “D.4.7 Institutional 4” with “D.4.8 Institutional 4.”
 - 1.2 **Part B - GENERAL REGULATIONS**, Section **B.1 USES, BUILDINGS AND STRUCTURES**, Subsection **B.1.1 Permitted in Any Zone**, Article **B.1.1.2 Buildings and Structures**, Clause **B.1.1.2(b)**, Item **B.1.1.2(b)(iv)**, is amended by adding “Trust Committee Area except in public parks and ecological reserves; and” after “Gabriola Island.”
 - 1.3 **Part B - GENERAL REGULATIONS**, Section **B.1 USES, BUILDINGS AND STRUCTURES**, Subsection **B.1.1 Permitted in Any Zone**, Article **B.1.1.2 Buildings and Structures**, Clause **B.1.1.2(b)**, is amended by deleting Item B.1.1.2(b)(v) in its entirety and renumbering the item below accordingly.
 - 1.4 **Part C - ESTABLISHMENT OF ZONES**, Section **C.1 DIVISION INTO ZONES**, Subsection **C.1.1 Land Based Zones**, Article **C.1.1.4 Recreation and Institutional Zones**, insert new zone “EP Ecological Protection” after “P3 –Active Recreation Community Park”.
 - 1.5 **Part D - ZONES**, Section **D.4 RECREATION AND INSTITUTIONAL ZONES**, insert new Subsection D.4.4 Ecological Protection (EP) after Subsection **D.4.3 Parks 3 – Active Recreation Community Park(P3)** as follows:

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

D.4.4 Ecological Protection Zone (EP)

D.1.4.1 Permitted Uses

The uses permitted in Article B.1.1.1, plus the following uses and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted *Principal* Uses

- i *ecological reserves, nature parks and conservancies*
- ii *ecological restoration*
- iii *natural and cultural resource management and protection*

b. Permitted *Accessory* Uses

- i *informational, cultural, and historical interpretation*
- ii *passive recreation*

D.1.4.2 Buildings and Structures

The *buildings* and *structures* permitted in Article B.1.1.2, plus the following *buildings* and *structures* and no others are permitted in the Ecological Protection (EP) zone:

a. Permitted *Buildings* and *Structures*

- i pedestrian trails: unhardened, or constructed for maximum permeability as in the case of a boardwalks
- ii benches, bridges and boardwalks
- iii trail, interpretive, safety and commemorative signage
- iv *structures* that are required to maintain the natural values of the land, including deer and predator fencing and plant support and protection.

D.1.4.3 Regulations

The general regulations in Part B, plus the following regulations apply in the Ecological Protection (EP) zone:

a. *Building* and *Structure* Height Limitations

- i The maximum *height* of *buildings* or *structures* is 5.0 metres (16.5 feet).

b. *Building* and *Structure* Siting Requirements

- i The minimum *setback* for *buildings* or *structures* except for a *sign*, *fence*, or *bench* is 15.0 metres (49.2 feet) from any *lot* line.

c. *Floor Area*

- i No *building* or *structure* shall have a total *floor area* that exceeds 9.3 square (100 square feet).

d. *Lot Coverage* Limitations

- i The maximum combined *lot coverage* by *buildings* and *structures* is 1 percent of the lot area

e. *Lot Area* Requirements for Subdivision

- i No *lot* in the Ecological Protection zone may be subdivided for the purpose of creating additional lots.
- ii Boundary adjustments and *lot* consolidations are permitted for the purpose of increasing the area of a lot in the Ecological Protection (EP) zone.

and renumber subsequent subsections accordingly.

- 1.6 **Part G - DEFINITIONS**, Section **G.1 DEFINITIONS**, is amended by adding the following definitions in alphabetical order:

“Conservancy means an area designated to conserve and protect natural resource values including flora, fauna, ecosystems and the natural environment.;

Ecological Restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed;

Passive Recreation

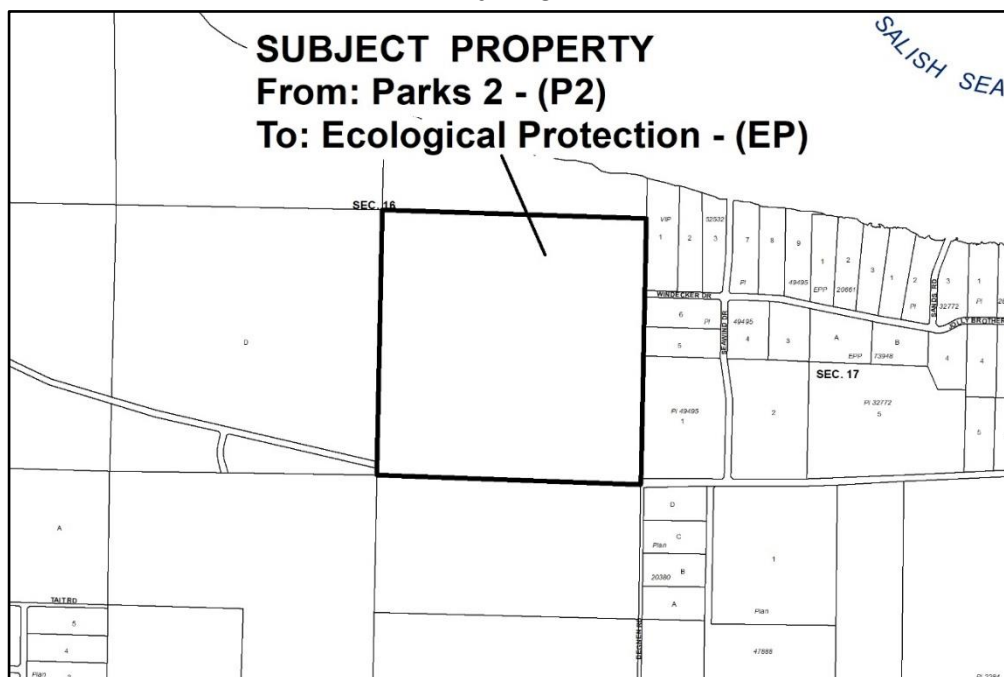
is non-motorized outdoor recreation that creates the opportunity to have a high degree of interaction with the natural environment and has minimal impact on land, water, or other resources. Passive recreation requires no installation of equipment or facilities, except for trails and associated improvements;"

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

Schedule "2"

1. **Schedule "B"** of Gabriola Island Land Use Bylaw, 1999 is amended as follows:
 - 1.1 Schedule "B" – South Sheet, is amended by changing the zoning classification of **BLOCK A SECTION 16 GABRIOLA ISLAND NANAIMO DISTRICT (PID 026-664-453)** as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule "B" of Gabriola Island Land Use Bylaw, 1999 as are required to effect this change.

Plan No. 1



**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 313**

Schedule “3”

1. **Schedule “C”** of Gabriola Island Land Use Bylaw, 1999 is amended as follows:
 - 1.1 Schedule “C” – Map 6, is amended by replacing “Item D.4.4.1.a.vi” with “Item D.4.5.1.a.vi.”
 - 1.2 Schedule “C” – Map 7, is amended by replacing “Item D.4.4.1.a.vii” with “Item D.4.5.1.a.vii.”
 - 1.3 Schedule “C” – Map 8, is amended by replacing “Item D.4.4.1.a.viii” with “Item D.4.5.1.a.viii.”
 - 1.4 Schedule “C” – Map 13, is amended by replacing “Section D.4.4.” with “Subsection D.4.5.”

On Mar 23, 2023, at 1:58 PM,

Hi Tobi, I tried to send you a message a while ago when you were holding an open house Q&A. My concern is drones and I'm sure you know why. I would really like Gabriola to be a no drone zone. My neighbour continues to legally fly his drone and terrorize my horses, it is horrible. His property is uphill from their field so the drone necessarily flies above them. I can't use half the field because of this- not fair at all!

And he lives just above our riding ring so I am concerned that if we are in the ring when he gets his drone out we could be badly hurt, or worse.

Gina Quinlan

From: Gina Quinlan [REDACTED]
Date: March 23, 2023 at 2:49:43 PM PDT
To: Tobi Elliott <telliott@islandstrust.bc.ca>
Subject: Re: Drone issues on Gabriola

Hi Tobi, yes that would be fine. If you could also tell them that the drone caused the death of my horse, and his brother is now absolutely terrified of it. He has now passed that terror on to his new herd mate. The whole situation has cost me thousands of dollars as I had to put up new fencing to keep them at this end of the field and buy two portable shelters, etc. Not to mention the burial of Cody and the acquisition of a new partner for Banjo. [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED] But with the nice weather returning my concern is growing, I am sure he had it out yesterday evening because my horses were snorting and charging around and staring down the field. I am hoping to schedule some lessons with Fonda in our ring, and even just USE the ring. I pay to lease the entire property but can only use 1/3 of it at this point, which makes me angry! Plus the field is right in the flight path of Nanaimo airport, which is another concern.

Gina

Sent from my iPhone



REQUEST FOR DECISION

To: Local Trust Committees **For the Meeting of:** Various
From: David Marlor, Director, Legislative Services **Date Prepared:** March 6, 2023
SUBJECT: Freedom of Information and Protection of Privacy Bylaw

RECOMMENDATION:

1. That Gabriola Island Local Trust Committee Bylaw No. 315, cited as “Gabriola Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 315, 2023” be given first, second and third reading.
2. That Gabriola Island Local Trust Committee Bylaw No. 315, cited as “Gabriola Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 315, 2023” be forwarded to the Secretary of the Islands Trust for approval by the Executive Committee.

DIRECTOR OF PLANNING SERVICES COMMENTS: The draft Freedom of Information and Protection of Privacy bylaw is in line with current legislation and Schedule of Fees.

1 PURPOSE:

To adopt the new Freedom of Information and Protection of Privacy bylaw and model bylaw to bring them in line with updated legislation.

2 BACKGROUND:

On November 25, 2021, the Government of British Columbia enacted Bill 22 bringing into force significant amendments to the *Freedom of Information and Protection of Privacy Act*. The *Act* governs how public bodies collect, use and disclose the personal information of individuals.

The current local trust committee freedom of information and protection of privacy bylaws have been unchanged since they were adopted in 1994. Since that time, amendments have been made to the *Act*, as well as fees updated.

At its regular business meeting June 21 to 23, 2022, Trust Council adopted a model Freedom of Information and Protection of Privacy Bylaw, and passed the following resolution:

That Trust Council request all local trust committees to consider adoption of a new Freedom of Information and Protection of Privacy bylaw based on the model bylaw.

Staff has drafted a new Freedom of information and Protection of Privacy Bylaw for each Island Local Trust Committee based on the adopted model bylaw.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:

Minimal staff time to update material on the website.

FINANCIAL:

Fees incurred can be charged current amounts for actual costs and reflect charges for various media formats, including digital records.

POLICY: N/A

IMPLEMENTATION/COMMUNICATIONS:

Staff would update the Islands Trust website with the new bylaws.

FIRST NATIONS:

There is no impact on First Nations on the adoption of the new Freedom of Information and Protection of Privacy bylaw and model bylaw.

OTHER:

There are no other implications of the recommendation.

4 RELEVANT POLICY(S): N/A

5 ATTACHMENT(S):

1. Gabriola Island Local Trust Committee – Freedom of Information and Protection of Privacy Bylaw No. 315

Alternative:

1. That draft Bylaw No. 315 be amended, and be read a first, second and third time. In this case, any amendments not consistent with the model would be reviewed by the Executive Committee to ensure they do not cause a financial burden to the organization.
2. That this report be referred back to staff for additional information.

Submitted By:	David Marlor, Director, Legislative Services	March 6, 2023
Concurrence:	Renée Jamurat, Regional Planning Manager	March 7, 2023

**GABRIOLA ISLAND LOCAL TRUST COMMITTEE
FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY
BYLAW NO. 315**

A Bylaw to designate the head of the Gabriola Island Local Trust Committee for the purposes of, and to set fees under, the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended.

GIVEN THAT:

- A. Section 77(a) of the *Freedom of Information and Protection of Privacy Act*, RSBC 1996, c. 165, as amended (the "Act"), gives the Gabriola Island Local Trust Committee the authority to designate a person as the head of the Gabriola Island Local Trust Committee for the purposes of the Act, and
- B. Section 77(c) of the Act gives the Gabriola Island Local Trust Committee the authority to set any fees the Gabriola Island Local Trust Committee requires to be paid under section 75 of the Act,

THE GABRIOLA ISLAND LOCAL TRUST COMMITTEE ENACTS AS FOLLOWS:

Citation

- 1. This bylaw may be cited as "Gabriola Island Local Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 315, 2023".

Definitions and Interpretation

- 2. In this Bylaw:

"Act"	means the <i>Freedom of Information and Protection of Privacy Act</i> , RSBC 1996, Chapter 165, as amended.
"Commercial Applicant"	means a person who makes a request for access to a record to obtain information for use in connection with a trade, business, profession or other venture for profit.
"Head"	means the person designated under Section 3 of this Bylaw as the head of the of the Gabriola Island Trust Committee for the purposes of the Act.
"Request"	means a request for information under Section 5 of the Act.
"Records"	includes books, documents, maps, drawings, photographs, letters, vouchers, papers and any other thing on which information is recorded or stored by graphic, electronic, mechanical or other means, but does not include a computer program or any other mechanism that produces records.

Designation of Head

3. The person from time to time appointed to the position of Secretary of the Islands Trust is designated as the Head of the Gabriola Island Local Trust Committee for the purposes of the Act.
4. The person from time to time appointed to the position of Deputy Secretary of the Islands Trust and the person from time to time appointed to the position of Deputy Treasurer of the Islands Trust, each are authorized to perform any duty or exercise any function of the Head who is designated under Section 3.

Policies and Procedures

5. The Heads authorized to perform the duties of the Head shall operate in accordance with the Act and the Freedom of Information and Protection of Privacy policies, guidelines, and procedures, as set by the Islands Trust Council from time to time.

Fees

6. The fees that are payable by applicants under the Act are those set out in Schedule A to this bylaw.

Interpretation

7. Any word or expression used in this bylaw that is not defined in this bylaw has the meaning given to it in the Act on the date of final adoption of this bylaw.

Repeal

8. "Gabriola Island Trust Committee Freedom of Information and Protection of Privacy Bylaw No. 129, 1994", is hereby repealed and replaced by this bylaw.

READ A FIRST TIME this _____ DAY OF _____, 20__

READ A SECOND TIME this _____ DAY OF _____, 20__

READ A THIRD TIME this _____ DAY OF _____, 20__

APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS _____ DAY OF _____, 20__

RECONSIDERED AND FINALLY ADOPTED THIS _____ DAY OF _____, 20__

Chairperson

Secretary

Gabriola Island Local Trust Committee
Freedom of Information and Protection of Privacy
Bylaw No. 315 - Schedule 'A'

Schedule of Maximum Fees

Item	Description of Services		Fees
1	(a)	Application Fee	\$10.00 (non-refundable)
	(b)	An applicant's request for his/her own personal information is not subject to any fees.	
2	For applicants other than commercial applicants:		
	(a)	for locating and retrieving a record	\$7.50 per ¼ hour after the first 3 hours
	(b)	for producing a record manually	\$7.50 per ¼ hour
	(c)	for producing a record from a machine readable record from a server or computer	\$7.50 per ¼ hour for developing a computer program to produce the record
	(d)	for preparing a record for disclosure and handling a record	\$7.50 per ¼ hour
	(e)	for shipping copies	actual costs of shipping method chosen by applicant
	(f)	for copying records	
	(i)	floppy disks	\$2 per disk
	(ii)	CDs and DVDs, recordable or rewritable	\$4 per disk
	(iii)	computer tapes	\$40 per tape, up to 2 400 feet
	(iv)	microfiche	\$3 per fiche
	(v)	microfilm duplication	\$25 per roll for 16mm microfilm \$40 per roll for 35mm microfilm
	(vi)	microfiche or microfilm to paper duplication	\$0.50 per page (8.5" x 11")
	(vii)	photographs, colour or black and white	\$5 to produce a negative \$12 each for 16" x 20" photograph \$9 each for 11" x 14" photograph \$4 each for 8" x 10" photograph \$3 each for 5" x 7" photograph
	(viii)	photographic print of textual, graphic or cartographic record, black and white	\$12.50 each (8" x 10")
	(ix)	dot matrix, ink jet, laser print or photocopy, black and white	\$0.25 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
	(x)	dot matrix, ink jet, laser print or photocopy, colour	\$1.65 per page (8.5" x 11", 8.5" x 14" or 11" x 17")
	(xi)	scanned electronic copy of a paper record	\$0.10 per page
	(xii)	photomechanical reproduction of 105 mm cartographic record/plan	\$3 each
	(xiii)	slide duplication	\$0.95 each
	(xiv)	audio cassette tape (90 minutes or fewer)	\$5 per cassette plus \$7 per ¼ hour of

			duplication	recording
		(xv)	video cassette recorder (VHS) tape (120 minutes or fewer) duplication	\$5 per cassette plus \$7 per ¼ hour of recording
3	For commercial applicants for each service listed in Item 2			the actual cost to the public body of providing that service



HIGHLIGHTS OF ISLANDS TRUST CONSERVANCY January 24, 2023 BOARD MEETING

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

- Nominations for the Chair, Vice-Chair and Financial Planning Committee (FPC) representative were held. Trustee Adams was elected Chair of ITC Board, Trustee Smith was elected Vice-Chair, and Trustee Yates was elected as the FPC representative.
- The ITC Board discussed the ITC ex officio seat on the Governance Committee, noting the ITC Chair will appoint a member to the committee. Shortly after the ITC meeting, the ITC Chair appointed Trustee Grant Scott as the ITC Board's ex-officio member on the Islands Trust Council's Governance Committee.
- The ITC Board continues to have a vacancy for one Ministerial appointment. The posting for the vacancy closed on October 7, 2022. The ITC Board is awaiting news from the [Crown Agencies and Board Resourcing Office](#) regarding a potential new member.

2. STRATEGIC PLANNING/ADMINISTRATION

- The ITC Board approved the draft 2023-2025 Islands Trust Conservancy Interim Plan in November 2022 and directed staff to forward it to the Minister of Municipal Affairs by December 31, 2022, for review and approval. A meeting has been set to discuss the plan with Ministry staff. Staff will inform the ITC Board of the outcomes.
- The ITC Board reviewed and approved the 2026-2030 ITC Plan Project Charter.
- The ITC Board reviewed and approved the 2023-2026 Species at Risk Program Project Charter.
- The ITC Board reviewed the 2023/24 ITC Budget briefing from the Financial Planning Committee. The ITC Board discussed potential budget reductions and moved that ITC Budget has been carefully considered potential budget reductions and their implications, and concluded that its budget request is necessary and responsible going forward.

3. COVENANT AND PROPERTY ACQUISITIONS

- The ITC Board received reports on covenants and acquisitions for information.
- ITC registered a 11.35 hectare covenant, known as the Livingstone Covenant on Lasqueti island. This covenant is the first covenant on Lasqueti and is part of the Natural Area Protection Tax Exemption (NAPTEP) Program. It was gifted through the Federal Ecological Gifts Program.

4. COVENANT AND PROPERTY MANAGEMENT



ISLANDS TRUST CONSERVANCY

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

- ITC Board reviewed and approved the ITC NAPTEP Covenants Monitoring Report for 2022, and directed staff to address management concerns as identified in the report.
- ITC Board reviewed and approved the ITC Nature Reserve Monitoring Report 2022.

5. COMMUNICATIONS AND OUTREACH

- ITC has updated its website to include information about the species at risk program, see <https://islandstrust.bc.ca/conservancy/species-at-risk/>
- ITC is hosting Species at Risk focussed speaker series between February 16 and April 12, 2023. For more information, see <https://islandstrust.bc.ca/conservancy/species-at-risk/>

6. FUNDRAISING AND CONSERVANCY SUPPORT

- The ITC Board received a legacy donation of \$25,000 for the purposes of implementing a Western Screech-Owl research project on Link Island.
- The ITC Board reviewed an application from the Nature Conservancy of Canada and awarded a \$50,000 Opportunity Fund Grant for the acquisition of 161 ha (397 acres) of conservation lands on Reginald Hill on Salt Spring Island.
- The ITC Board awarded a \$4,614.75 grant from the Morrison Waxler Biodiversity Legacy Fund Grant program to expand the existing Nighthawk Hill NAPTEP covenant on North Pender Island.

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)



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-2022.3	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: 24-Nov-2022

Mtg with Applicant: option of rezoning water zone or removal - planner awaiting decision

Status Date: 27-Oct-2022

Site visit with WD + MT

Status Date: 08-Sep-2022

Planner reviewing file.



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: 05-Dec-2022

Mtg with Applicant: option of rezoning water zone or removal - planner awaiting decision

Status Date: 27-Oct-2022

Site visit with WD + MT

Status Date: 08-Sep-2022

Planner reviewing file.

Rezoning

File Number	Applicant Name	Date Received	Purpose
GB-RZ-2022.1	Alley Enterprises Ltd. (Patricia Maloney Consulting)	07-Jun-2022	PID: 023-005-629 Change zoning to accommodate multiple changes in use. Civic address: 750 Tin Can Alley, Gabriola Island, BC.

Planner: Sonja Zupanec

Planning Status

Status Date: 08-Jul-2022

File opening procedure finished and file given to planner.



Applications

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: Anthony Fotino

Planning Status

Status Date: 04-Nov-2022

Applicant waiting for plumbing and heating specialist to complete work required to pass fire inspection. Applicant will keep in contact with Planner and indicate when work is completed.

Status Date: 20-Jul-2022

File reassigned

Status Date: 25-May-2022

Planner awaiting additional information from applicant.

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2023.1	Taylor, Leanne	05-Jan-2023	PID: 000-581-275 Acquire permit for STVR. Civic address: 1100 Berry Point Road, Gabriola Island, BC.

Planner: Stephen Baugh

Planning Status

Status Date: 27-Feb-2023

Applicant withdraws application. File to PTA to close.

Islands Trust

LTC EXP SUMMARY REPORT F2023
Invoices posted to Month ending January 2023

620 Gabriola	Invoices posted to Month ending January 2023	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	643.00	66.00	577.00
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	3,708.00	3,769.54	-61.54
65210-620	LTC - Local Exp - APC Meeting Expenses	399.00	1,115.78	-716.78
65220-620	LTC - Local Exp - Communications	1,000.00	369.00	631.00
65230-620	LTC - Local Exp - Special Projects	612.00	0.00	612.00
TOTAL LTC Local Expense		<u>5,719.00</u>	<u>5,254.32</u>	<u>464.68</u>
Projects				
73001-620-4097	Gabriola Housing Options & Impacts	1,500.00	0.00	1,500.00
73001-620-4105	Gabriola Ecological Protection Zone	1,500.00	1,008.00	492.00
TOTAL Project Expenses		<u>3,000.00</u>	<u>1,008.00</u>	<u>1,992.00</u>

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.	January 23, 2020	GB-2020-002	Consultation for Communication Towers	It was MOVED and SECONDED that the Gabriola Island Local Trust Committee adopt the "Model Strategy for Antenna Systems" prepared by the Local Planning Committee of the Islands Trust, as the Gabriola Local Trust Committee strategy to assess any future potential tower proposals in the Gabriola Local Trust Area.
7.	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.
8.	October 27, 2022	GB-2022-089	Defer enforcement on all existing non-compliant dwellings being used for residential purposes except.....	It was MOVED and SECONDED a) that the Gabriola Island Local Trust Committee note that given the lack of housing options on Gabriola, Bylaw Staff will defer enforcement on all existing non-compliant dwellings being used for residential purposes except in the following circumstances: i. It is determined that there are risks to health and safety; ii. It is determined that sewage is not being disposed of in an approved septic or sewage disposal system; or that septic or sewage disposal systems are beings used in excess of capacity or ability as a result of non-compliant dwellings; iii. It is determined that there is contamination of wells or other drinking water sources; iv. Non-permitted residential uses are in water zones or environmentally sensitive areas; v. That the Gabriola Island Local Trust Committee may give direction to resume enforcement on activities on any property that poses risk to the health and safety of residents or to the environment. b) Nothing in this enforcement policy should be interpreted as giving permission to violate the Land Use Bylaw and the Gabriola Island Trust Committee may change this policy at any time and may give direction to expand enforcement activities at any time.

				c) The Gabriola Local Trust Committee will review this standing resolution at a minimum of once per year with updates from the Bylaw Compliance and Enforcement Manager to measure results and impacts, as amended. d) That the Gabriola Local Trust Committee recommend to the incoming Gabriola Local Trust Committee that it conduct a community consultation regarding the Standing Resolution.
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Active Projects Report

Gabriola Island

1. *Develop Ecological Protection Zone*

Responsible

Dates

Research and develop a new ecological protection zone as part of the Parks (P) OCP designation. Update zoning of Coats Marsh.

Anthony Fotino

2. *Review and update Development Approval Information (DAI)*

Responsible

Dates

Update Gabriola Island Bylaw No. 150, DAI Bylaw. Include new DPAs.

Rec'd: 16-Jun-2022

3. *Gabriola Island Comprehensive OCP and LUB Review*

Responsible

Dates

- Establish opportunities to incorporate First Nations perspectives on indigenous housing needs and intergovernmental collaboration for effective decision making.
- Consider new Development Permit areas for water conservation; form and character; and protection of biodiversity.
- Consider and incorporate RCP goals as part of the housing project.
- Develop an island wide water sustainability plan that builds on the RDN water budget data, rainwater catchment and requirements of the Water Sustainability Act.
- Review definitions of 'affordable' and 'attainable' housing.
- Review OCP policies respecting affordable, rental, seniors, special needs housing, social needs, social well-being and social development; develop a new 'housing first' policy.
- Review amenity zoning and housing agreements; density bank policies; opportunities

Active Projects Report

Gabriola Island

for rental zoning.

- Consider secondary suites on lots smaller than 2hectares.
- Consider OCP designations, density provisions, LUB regulations, and Development Permit guidelines for multi-dwelling housing and mixed use buildings.
- 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

Active Projects Report

Gabriola Island

- Review minimum average parcel size calculations in LUB and OCP to ensure consistent and supportive of more than 5% dedication of parkland
 - Review 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
 - 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.
 - 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.
 - Consider establishment of a 'Community Service' land use designation in the OCP.
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Future Projects Report

Gabriola Island

1. *DeCourcy Island OCP and LUB Review*

Responsible

Date Received

Review OCP and regulatory bylaws; establish an Advisory Planning Commission. Topics include: park areas without park zoning; zoning; DAI Bylaw; subdivision policies and regulations.

2. *Snuneymuxw Relationship Building*

Responsible

Date Received

Strengthen relationship with Snuneymuxw First Nation.