



Gabriola Island Local Trust Committee

Regular Meeting Agenda

Date: May 11, 2023
Time: 10:30 am
Location: Gabriola Arts & Heritage Centre
476 South Road, Gabriola Island, BC

	Pages
1. CALL TO ORDER 10:30 AM - 10:30 AM	
“Please note, the order of agenda items may be modified during the meeting. Times are provided for convenience only and are subject to change.”	
2. APPROVAL OF AGENDA 10:30 AM - 10:35 AM	
3. REPORTS 10:35 AM - 10:55 AM	
3.1 Trustee Reports	
3.2 Chair's Report	
3.3 Electoral Area Director's Report	
3.3.1 Participation in the RDN's Gabriola Recreation and Electoral Area B Parks and Trails Master Plan Advisory Committee	4 - 7
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 March 30, 2023 – for adoption	8 - 15
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 May 2, 2023	16 - 19
6.1.1 Follow Up Action List: Density Donation Outreach Project - Trustee Yates - for discussion	

6.2	Upcoming Gabriola Local Trust Committee Regular Meetings for June 8 & July 20, 2023 - update from Regional Planning Manager	
6.3	Clarification regarding resolution for letter to Snuneymuxw First Nations for the OCP Project	
7.	APPLICATIONS AND REFERRALS	11:30 AM - 11:45 AM
7.1	Closing of OCP/LUB application GB-RZ-2022.1 commercial and residential redevelopment of the Wild Rose Garden Centre - Staff Report	20 - 21
8.	LOCAL TRUST COMMITTEE PROJECTS - none	
9.	DELEGATIONS - none	
10.	CORRESPONDENCE <i>(Correspondence received concerning current applications or projects is posted to the LTC webpage)</i>	11:45 AM - 11:50 AM
10.1	Correspondence from W. Shaw dated April 5, 2023	22 - 32
10.2	Correspondence from The Dead Boats Disposal Society dated April 27, 2023	33 - 34
11.	NEW BUSINESS - none	
12.	REPORTS	11:50 AM - 12:10 PM
12.1	Climate Change Action Update - none	
12.2	First Nations Relationship Building - none	
12.3	Trust Conservancy Report - none	
12.4	Applications Report dated May 2, 2023	35 - 38
12.5	Trustee and Local Expense Report dated March, 2023	39 - 39
12.6	Adopted Policies and Standing Resolutions	40 - 43
12.7	Local Trust Committee Webpage	
12.8	Approval of Gabriola Island's LTC Section for 2022/23 Annual Report - request for decision	44 - 46
12.9	Housing Accelerator Fund Potential Application - Request for Decision	47 - 51
~ BREAK 12:10 PM - 12:40 PM ~		
13.	WORK PROGRAM	12:40 PM - 1:00 PM

- | | | |
|------|--|---------|
| 13.1 | Active Projects Report dated May 2, 2023 | 52 - 54 |
| 13.2 | Future Projects Report dated May 2, 2023 | 55 - 55 |

14. UPCOMING MEETINGS

- 14.1 Next Regular Meeting Scheduled for Thursday, June 8, 2023 at 10:30 am. Location to be Decided.

15. CLOSED MEETING	1:00 PM - 1:40 PM
---------------------------	-------------------

- 15.1 Motion to Close the Meeting

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality and (f) for the purpose law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment, and that the Recorder and Staff attend the meeting.

- 15.2 Recall to Order

- 15.3 Rise and Report

16. ADJOURNMENT	1:40 PM - 1:45 PM
------------------------	-------------------

May 5, 2023 | By email

Gabriola Island Local Trust Committee

Re: Participation in the RDN's Gabriola Recreation and Electoral Area B Parks and Trails Master Plan Advisory Committee

Dear Trustees:

The Regional District of Nanaimo (RDN) is beginning a Recreation, Parks, and Trails Master Plan for Gabriola and Electoral Area B. Once it is complete, the Master Plan will provide direction for managing and developing parks and recreation facilities, programs, infrastructure, resources, and investment in Electoral Area B over the next 10 years.

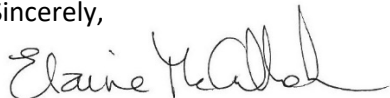
An Advisory Committee will provide advice on the development of the Master Plan and make recommendations to the RDN Board. The committee will have up to eight members who represent a range of specific interests in recreation, parks, and trails on Gabriola, Mudge, and DeCourcy islands, located within RDN Electoral Area B. Under the terms of reference (attached), one position on the committee is designated for an appointee from the Gabriola Island Local Trust Committee. **On behalf of the RDN Board, I invite you to appoint a representative to the Gabriola Recreation and Electoral Area B Parks and Trails Master Plan Advisory Committee.**

We anticipate that committee members will meet on weekdays, four to six times over approximately 14 months or until the Master Plan is completed. Meetings will be held on Gabriola Island and the days and times will be determined by the committee members. Although there is no remuneration for participation on the committee, members of the public serving on the committee will be eligible for mileage/ferry reimbursement under RDN Policy A2.19 – Volunteer Mileage Reimbursement (attached).

If the Gabriola Island Local Trust Committee is interested in participating in this Advisory Committee, we would be grateful if the appointment could be submitted before May 12, 2023, so arrangements can be made for the first advisory committee meeting in early June.

We look forward to working with representatives on this committee to help plan the future of parks, trails, and recreation in Electoral Area B.

Sincerely,



Elaine McCulloch

Senior Parks Planner, RDN

T: 250-248-0387 | Email: emcculloch@rdn.bc.ca

REGIONAL DISTRICT OF NANAIMO
GABRIOLA ISLAND RECREATION AND ELECTORAL AREA B PARKS AND TRAILS MASTER PLAN
ADVISORY COMMITTEE

TERMS OF REFERENCE

April 25, 2023

1) PURPOSE

The Gabriola Island Recreation and Electoral Area B (EA B) Parks and Trails Master Plan Advisory Committee (the 'committee') will provide the consultant(s) insight and guidance, review the development of the Gabriola Island Recreation and EA B Parks and Trails Master Plan, and make recommendations to the Regional District of Nanaimo Board on these specific matters.

2) COMMITTEE ROLES AND RESPONSIBILITIES

The Committee will:

- Provide detailed information and insight regarding recreation and parks services within EA B to the consultant(s).
- Read and provide comments on the Communications Plan for the Gabriola Island Recreation and EA B Parks and Trails Master Plan.
- Assist in the promotion of public engagement opportunities related to the development of the Gabriola Island Recreation and EA B Parks and Trails Master Plan.
- Attend committee meetings and a minimum of one Gabriola Island Recreation and EA B Parks and Trails Master Plan Public Engagement Session.
- Review preliminary data and findings collected by the consultant(s).
- Review and recommend amendments to the draft Gabriola Island Recreation and EA B Parks and Trails Master Plan.

Committee members will be expected to:

- Have the willingness and ability to commit to volunteering the necessary time to the committee.
- Have an interest in identifying and supporting the sustainability of recreation and parks services.
- Have the willingness and ability to consider the input received throughout the consultation process and comment as to whether the identified issues, trends, and goals are captured within the final report.

3) MEMBERSHIP

The committee will consist of the following members, appointed by the RDN Board:

- 1 appointee from the Snuneymuxw First Nation (appointed by their Chief and Council)
- 2 members of the Electoral Area B Parks and Open Space Advisory Committee (EA B POSAC)
- 2 members of the Gabriola Recreation Society Board (GRS)
- 1 member of Gabriola Land and Trails Trust (GaLTT) (*cannot also be a member of EA B POSAC)
- 1 trustee from the Islands Trust- Gabriola Island Local Trust Area (appointed by the Gabriola Island Local Trust Area Committee).
- Electoral Area B Director

4) PROCEDURES

- The Electoral Area B Director will be appointed as Chairperson of the Committee.
- The Committee will act in accordance with the RDN Procedure Bylaw.
- The Committee may operate without all positions occupied.
- A quorum shall consist of 4 members.
- Minutes of the Committee meetings will be forwarded to the EA B Parks and Open Space Advisory Committee and the Regional District Electoral Area Services Committee for information.

5) ADMINISTRATION

The General Manager of Recreation and Parks Services will be responsible for assigning staff to support the Committee, including the coordination of agendas, minutes, and staff contacts for the Committee.

6) MEETINGS

It is expected that there will be between 4 to 6 meetings. Meetings will be held on weekdays and the time of the meetings will be determined based on the majority of Committee members' availability.

Committee meetings will be open to the public unless the subject matter of the meeting has been identified as necessitating a closed session. A member who is unable to attend a meeting in person may participate in the meeting by means of electronic or other communication facilities.

There is no remuneration for participation on the committee but if committee activities coincide with mealtimes, meals will be provided. Members of the public serving on the committee would be eligible for mileage reimbursement under RDN Policy A2.19 - Volunteer Mileage Reimbursement.

7) TERM

Committee members will serve for approximately 14 months or until the Committee has provided their final recommendation(s) regarding the Master Plan.

REGIONAL DISTRICT OF NANAIMO

POLICY

SUBJECT:	<i>Volunteer Mileage Reimbursement</i>	POLICY NO:	A2.19
		CROSS REF.:	
APPROVAL DATE:	June 25, 2013	APPROVED BY:	Board
REVISION DATE:		PAGE:	1 of 1

PURPOSE

To provide for reimbursement of mileage costs for members of the public appointed to RDN Committees, Commissions and Boards for attendance at meetings.

POLICY

The Regional District of Nanaimo (RDN) will reimburse members of the public who are members of RDN Committees, Commissions and Boards for mileage costs to attend the meetings for the Committees, Commissions or Boards to which they have been appointed.

Mileage will be reimbursed at the rate established by "Regional District of Nanaimo Board and Committee Member Remuneration, Expenses and Benefits Bylaw No. 1078, 1997".

This Policy does not apply to appointees from other local governments or organizations that will be providing reimbursement of mileage costs to their representatives.

MILEAGE CLAIMS PROCEDURE

Claims shall be submitted on the RDN "Mileage Expense Claim" form at the end of the month in which expenses were incurred, effective April 2013.

All expense claims will be processed following regular accounts payment procedures.

Expense claims shall be deemed payable only if submitted within 90 days of the month end in which they are incurred. No claim for a previous year will be paid if submitted after January 15th of the following year.

Please note that, for some committees, staff may submit claims on behalf of the members. Members should confirm with the staff liaison that this is the case and not assume that claims are being submitted on their behalf.



Gabriola Island Local Trust Committee

Minutes of Regular Meeting

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

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

Staff Present: Sonja Zupanec, Island Planner
 Stephen Baugh, Planner 2, via Zoom
 Narissa Chadwick, Island Planner, via Zoom
 Nadine Mourao, Recorder

Others Present: There were approximately five (5) members of the public in attendance.

1. CALL TO ORDER

Chair Luckham called the meeting to order at 10:37 am, welcomed the public and introduced Trustees, Staff and Recorder. Chair Luckham, Trustee Elliott, and Trustee Yates acknowledged that the meeting was being held in the territory of the Coast Salish First Nations.

2. APPROVAL OF AGENDA

The following additions to the agenda were presented for consideration:

- Add 8.2 Official Community Plan Review Project Verbal Update; and
- Add 11.3 Advisory Planning Commission Appointments.

By general consent the agenda was approved as amended.

3. REPORTS

3.1 Trustee Reports

Trustee Elliott noted the following and her attendance at:

- BC Coastal Marine Strategy webinar;
- The Role of Fire in Forested Communities webinar April 18, 2023 by the Coastal Douglas-Fir & Associated Ecosystems Conservation Partnership
<https://www.cdfcp.ca/webinars/>
- Special Trust Council (TC) meeting;
- Reconciliation learning group with Coast Salish mentors;

- Union of British Columbia Municipalities (UBCM) Housing Summit April 4-5, 2023;
- Earth Day April 21, 2023; and
- Asked the public to contact by email, call, or meet in person to voice concerns and issues, has chosen not to discuss policy issues on Facebook.

Trustee Yates noted the following and her attendance at:

- Blackburn Lake Nature Reserve Beaver Project webinar
<https://saltspringconservancy.ca/events/list/page/4/?tribe-bar-date=2018-07-22>
- Received correspondence from H. Holme in support of establishment of protective areas for beavers;
- Herring Fest on Hornby Island;
- BC Ferry Authority meeting;
- Gabriola Ferry Advisory Committee meeting; and
- BC Coastal Marine Strategy webinar.

3.2 Chair's Report

Chair Luckham reported the following:

- Attended TC;
- Interested in further information regarding Adam Olsen, Member of the Legislative Assembly (MLA)'s topic of re-capitalizing the Island Coastal Economic Trust and possible letter of endorsement from Trustees, Trustee Elliott to provide more information;
- Special TC meeting regarding Protocol Agreement with Snaw-naw-as First Nation; and
- Participated in Housing Forum Short-term Vacation Rental working group.

3.3 Electoral Area Director's Report

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

- Report to be included in consolidated copy of the meeting Agenda found online; and
- Email from Director Craig included a letter regarding the BC Farmers' Market Nutrition Coupon Program noting how many dollars went into the local Gabriola economy as a result of the program.

3.4 First Nation Reports

Islands Trust Protocol Working Group to be formed with representatives from Islands Trust and First Nations.

The Gabriola Historical & Museum Society held their Annual General Meeting, Trustee Elliott spoke on her Masters Research Project Walking in Truth: Unsettling, Decolonizing, and Learning Relational Ways of Being for Key Organizations on Gabriola Island.

4. PUBLIC COMMENTS

A member of the public spoke about concerns regarding gratuitous killing of healthy, mature trees on personal properties. Supported preservation of existing trees, no tree cutting during bird nesting season, and limbing up of trees instead of cutting them down.

A member of the public noted concerns with shoreline tree removal, especially during bird nesting season, and supported more stringent regulations on tree cutting.

Trustees noted support of limbing up trees instead of cutting down forests and hoped to address tree cutting concerns during Official Community Plan (OCP) review.

5. MINUTES

5.1 Local Trust Committee Minutes dated February 23, 2023 – for adoption

The following amendments to the minutes dated February 23, 2023 were presented for consideration:

- Page 4, Work done before?, 12th bullet, replace “Aquafer” with “Aquifer”; and
- Page 4, Who do we need to talk to?, 1st bullet, replace “whom” with “who”.

By general consent the minutes were adopted as amended.

5.1.1 Gabriola Preliminary Official Community Plan Project Kick-off Presentation Slides from February 23, 2023 Meeting - for Information

5.2 Section 26 Resolutions-Without-Meeting Report - none

5.3 Advisory Planning Commission Minutes - none

6. BUSINESS ARISING FROM MINUTES

6.1 Follow-up Action List dated March 22, 2023

Received.

7. APPLICATIONS AND REFERRALS - none

8. LOCAL TRUST COMMITTEE PROJECTS

8.1 Ecological Protection Zone - Staff Report

A Planner summarized the report which provided the Local Trust Committee (LTC) with proposed language for Bylaw No. 313 to add a new definition of “Passive Recreation”, adjusted the language so that the zone would not be a site specific zone but could be used elsewhere, correct typos, text edits to ensure subsections of the bylaw are consistent, improve formatting and noted the following:

- If Trustees rescinded first reading, a Public Hearing would need to be held; and
- Proposed alternate definition for “Passive Recreation” as non-motorized recreation, not including mobility aids, that create the opportunity to have a high degree of interaction with the natural environment and have minimal impact on land, water, or other resources, and requiring no installation of equipment or facilities, except for trails and associated improvements.

Discussion ensued and the following key points were noted by Trustees:

- Received public concerns not to preclude or limit e-bicycles as areas are connected by trail corridors;

- Interested in expanding referrals to Regional District of Nanaimo (RDN)'s Parks and Open Space Advisory Committees (POSAC);
- Supported hearing from the community; and
- Supported "Passive Recreation" definition as is, however may consider alternatives later.

GB-2023-008

It was MOVED and SECONDED

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."

CARRIED

GB-2023-009

It was MOVED and SECONDED

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.

CARRIED

GB-2023-010

It was MOVED and SECONDED

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, Snuneymuxw First Nation, and Regional District of Nanaimo's Parks and Open Space Advisory Committees for comment.

CARRIED

8.2 Official Community Plan Review Project Verbal Update

A Planner provided project status and noted the following:

- Project start date is April 1st, 2023;
- Groundwater aquifer mapping on North Pender and Galiano islands completed, identifying supply, where water is absorbed, retained, and areas critical for absorption.
- South islands have rudimentary ground water assessment data;
- No water assessment data analysis in North and is needed to identify areas most vulnerable to density and impact of increased use;
- Estimated Northern groundwater aquifer mapping minimum of \$50,000 to complete;
- Recommended groundwater mapping as a critical item in project business plan;
- Will come back to LTC with recommendations of what is needed and project timeline for coming year; and
- Scope of work for an Indigenous Engagement Coordinator needs to be clear prior to request for quote.

Trustees noted the following points:

- Supported groundwater aquifer mapping to determine present and future groundwater availability at project outset;
- Interested in First Nations engagement and involvement in Project Charter and Indigenous Engagement Coordinator with relationship with Snuneymuxw First Nations;
- Would like to look at Project Charter, expectations, and review questions and analysis of answers at next project discussion;
- Interested in a quote for groundwater mapping analysis and report; and
- If needed, interested in a Special Meeting prior to next regular meeting, to consider scope of work associated with hiring an Indigenous Engagement Coordinator for First Nations engagement.

GB-2023-011

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee request Staff to prepare a request for quote for work related to a water availability assessment for Gabriola Island.

CARRIED

GB-2023-012

It was MOVED and SECONDED

that Gabriola Island Local Trust Committee request Staff schedule an electronic Special Meeting to set up scope of work involved with hiring Indigenous Engagement Coordinator to inform the Charter for the preliminary Official Community Plan Review Project.

CARRIED

By general consent the meeting was recessed at 12:12 pm and reconvened at 12:48 pm.

9. DELEGATIONS - none

10. CORRESPONDENCE

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

10.1 Email dated March 23, 2023 from G. Quinlan regarding Drone Issues on Gabriola

Trustees noted that Transport Canada has jurisdiction over drone use. Trustee Elliott will follow up with G. Quinlan to convey sympathies, provide Royal Canadian Mounted Police (RCMP) contact information to file a report, and encourage them to file a complaint with Transport Canada.

11. NEW BUSINESS

11.1 Draft Freedom of Information and Protection of Privacy Bylaw - Request for Decision

A planner provided an overview of the report which asked the LTC to adopt the new Freedom of Information and Protection of Privacy bylaw and model bylaw to bring them in line with updated legislation.

GB-2023-013

It was MOVED and SECONDED

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 reading.

CARRIED

GB-2023-014

It was MOVED and SECONDED

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 second reading.

CARRIED

GB-2023-015

It was MOVED and SECONDED

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 third reading.

CARRIED

GB-2023-016

It was MOVED and SECONDED

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.

CARRIED

11.2 Shoreline Planning for Regional Planning Committee - Request for Decision

Trustee Yates requested the Regional Planning Committee to include Gabriola in a Shoreline Review and referenced Mannion Bay on Bowen Island, where Bowen Municipality worked with the Province for shoreline planning and revitalization.

GB-2023-017

It was MOVED and SECONDED

that the Gabriola Local Trust Committee request the Regional Planning Committee to include the Gabriola Local Trust Area in a Regional Review of Shoreline Planning and Zoning for the Trust Area. And, that the Regional Planning Committee look at Bowen Island's Mannion Bay Revitalization Plan as part of a Shoreline Review.

CARRIED

11.3 Advisory Planning Commission Appointments

Trustees interested in expressions of interests for Housing Advisory Planning Commission (HAPC) members.

GB-2023-018

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee request Staff to:

- a) Send letters to members of the Housing Advisory Planning Commission whose terms will expire on April 15, 2023, thanking them for their participation and inviting their expressions of interest for reappointment for another two-year term; and
- b) Advertise for public expressions of interest for new members.

CARRIED

12. REPORTS

12.1 Climate Change Action Update

Received.

12.2 First Nations Relationship Building

Trustees expressed their congratulations to Snuneymuxw First Nation for their result at the recent Junior All Native Basketball Tournament.

12.3 Trust Conservancy Report dated February 2023

Received and Trustees noted interest in receiving regular updates from the Mount Arrowsmith Biosphere Region (MABR) on Agendas.

12.4 Applications Report dated March 22, 2023

Received.

12.5 Trustee and Local Expense Report dated January 2023

Trustee Elliott interested in using a portion of the communications budget to advertise office hours in the Gabriola Sounder newspaper.

GB-2023-019

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee authorize the release of up to \$200.00 from the Communications budget for the purposes of advertising Trustees office hours.

CARRIED

12.6 Adopted Policies and Standing Resolutions

Trustees noted interest in annual update of Standing Resolution on deferment of enforcement on all existing non-compliant dwellings being used for residential purposes.

GB-2023-020

It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee ask Bylaw Enforcement Manager to provide report on GB-2022-089 for the October 2023 Local Trust Committee regular meeting.

CARRIED

12.7 Local Trust Committee Webpage

No updates requested.

13. WORK PROGRAM

13.1 Active Projects Report dated March 22, 2023

Received.

13.2 Future Projects Report dated March 22, 2023

Received.

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

Trustees would like in person meetings to continue.

15. ADJOURNMENT

By general consent the meeting was adjourned at 1:44 pm.

Peter Luckham, Chair

Certified Correct:

Nadine Mourao, Recorder

Follow Up Action Report

Gabriola Island

07-Apr-2022

Activity	Responsibility	Dates	Status
1 Density Donation Outreach Program: - revised project charter endorsed (update budget to reflect actual spent in last fiscal) - prepare a draft information package for the program and refer to HAPC for review and comment before going to LTC - try to coordinate mail out with any Trust wide mail out initiatives. *Move to Future Projects List, may be a minor project.			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

01-Dec-2022

Activity	Responsibility	Dates	Status
----------	----------------	-------	--------



Follow Up Action Report

Gabriola Island

01-Dec-2022

Activity	Responsibility	Dates	Status
1 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

26-Jan-2023

Activity	Responsibility	Dates	Status
1 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		Completed

30-Mar-2023

Activity	Responsibility	Dates	Status
1 GB BL 313 (Eco Protection Zone) given first reading; refer to Islands Trust Conservancy, Snuneymuxw and Parks and Open Space Advisory Commission. Update Bylaw and post to web.	Nadine Mourao Stephen Baugh		Completed



Follow Up Action Report

Gabriola Island

30-Mar-2023

Activity	Responsibility	Dates	Status
2 BL 315 (FOIPP) was given first, second and third reading and can be forwarded to EC for approval through a Request for Decision report.	Nadine Mourao		Completed
3 Draft a report to the Regional Planning Committee to advise of the GB LTCs request to have the Gabriola Local Trust Area included in a regional review of shoreline protection and planning and request that the RPC look at Mannion Bay on Bowen Island as an example as part of that review.	Renee Jamurat	Target: 13-Apr-2023	Completed
4 That staff prepare advertising for expressions of interest for membership to the HAPC and that existing members be sent a thank you for participating and be asked to consider being re-appointed.	Chloe Straw		Completed
5 The GBLTC authorizes the release of up to \$200 from the communications budget for the purposes of advertising Trustee office hours. <i>Ongoing bi-weekly inserts in upcoming events section of Gabriola Sounder arranged to start in May 10, 2023 edition.</i>	Wil Cottingham	Target: 05-May-2023	Completed
6 The GB LTC asks the Bylaw Enforcement staff to provide a report on item c) standing resolution GB-2022-089 for the October 2023 meeting.	Warren Dingman		In Progress
7 Staff to prepare a request for proposal for work on a water availability assessment.	Narissa Chadwick		In Progress

Follow Up Action Report

Gabriola Island

30-Mar-2023

Activity	Responsibility	Dates	Status
8 Request staff to schedule a special electronic GB LTC meeting (April 26 or 27) to discuss the scope of work for an indigenous engagement coordinator position to inform the OCP project, for development of a request for proposal. <i>Special Meeting scheduled April 28, 2023 @ 9am.</i>	Narissa Chadwick Wil Cottingham		Completed



File No.: GB-RZ-2022.1
(Alley Enterprises Ltd)

DATE OF MEETING: May 11, 2023
TO: Gabriola Island Local Trust Committee
FROM: Sonja Zupanec, Island Planner
Northern Team
SUBJECT: Closing of OCP/LUB Application GB-RZ-2022.1 - Commercial and residential redevelopment of the Wild Rose Garden Centre
Applicant: Kent Moen on behalf of Alley Enterprises Ltd.
Location: 750 Tin Can Alley, Gabriola Island
Lot B, Plan VIP50373, Section 19, District 32 (PID 023-005-629)

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee request staff to close application GB-RZ-2022.1 (Alley Enterprises Ltd) and issue the appropriate application fee refund if supporting documents requested by the Local Trust Committee by resolution in September 2022, are not received by planning staff by May 31, 2023.

REPORT SUMMARY

This application proposes to amend the Gabriola Island [Official Community Plan Bylaw No. 166](#) (OCP) and [Land Use Bylaw No. 177](#) (LUB) to accommodate future commercial and residential redevelopment of the 'Wild Rose Garden Centre' located at 750 Tin Can Alley, Gabriola Island Lot B, Plan VIP50373, Section 19, District 32 (PID 023-005-629). Staff recommends the application be closed and the appropriate refund be issued to the applicant if supporting professional water and sewage disposal reports are not received by May 31, 2023.

BACKGROUND

The application proposes to amend both the OCP and LUB to enable expansion of existing commercial uses at the Wild Rose Garden Centre to include general retail sales, rentals, personal services, restaurants, bakeries, food truck and accessory offices, as well as two new residential densities. The application proposes to protect one density (out of two) as affordable rental housing through a housing agreement with the LTC.

In September 2022, the applicant provided a summary of their intended changes as well as baseline professional reports, as part of the bylaw amendment application, to confirm the condition of **existing** sewage disposal and ground water yield. All professional reports and other documents referenced in this staff report are available at: <https://islandstrust.bc.ca/island-planning/gabriola/current-applications/>

At the regular business meeting on September 29 2022, the LTC passed the following resolution:

GB-2022-074 It was MOVED and SECONDED

that the Gabriola Island Local Trust Committee requests that the applicant for GB-RZ-2022.1 (Alley Enterprises Ltd., Maloney) provide planning staff with the following prior to the Local Trust Committee considering first reading of draft bylaws:

- a) a copy of an assessment report and design recommendations prepared by a qualified professional engineer, with expertise in wastewater treatment for non-domestic and domestic systems to confirm the property is capable of supporting a sewage disposal system for the proposed commercial and residential uses;
- b) a copy of an assessment report and recommendations prepared by a qualified professional hydrogeologist, with expertise in community water systems to confirm the aquifer is capable of supporting the proposed commercial and residential uses with no adverse effects on adjacent existing groundwater users. **CARRIED**

Staff have reached out to the applicant on several occasions requesting a status update on the two outstanding reports. Staff advised the applicant in early April that the file is at risk of being closed due to inactivity for over six months, as there has been no indication as to when the two professional reports would be available for review by the planner. The applicant has indicated in correspondence with planning staff that the [wastewater treatment report](#) submitted as part of their original application should be sufficient to demonstrate to the LTC that the property is capable of supporting a sewage disposal system. The applicant has stated, “As far as septic goes, I can provide detailed plans once we are going to go ahead with any kind of construction, which is years away. Hard to design this at this point.”. The applicant has also indicated that they have left a message with a hydrologist but are waiting to hear back.

Rationale for Recommendation

The LTC has requested the applicant provide the necessary professional reports to address groundwater and sewerage disposal capacity. There does not appear to be any progress in this regard in the six months since the request to the applicant. Draft OCP and LUB amending bylaws cannot be finalized and presented to the LTC unless these reports are received and found to support the density and intensity of uses proposed in this location. The recommendation is for the LTC to direct staff to close the file by May 31, 2023 if the requested reports are not received by planning staff.

ALTERNATIVES

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

1. Direct staff to present draft bylaws in the absence of professional reports.

The LTC may request that staff present draft bylaws despite supporting documentation not being received.

That the Gabriola Island Local Trust Committee request staff to proceed with bylaw drafting for GB-RZ-2022.1 (Alley Enterprises Ltd.) for LTC consideration of next steps.

2. Provide the applicant with an extension for the report submission deadline.

The LTC may extend the suggested deadline of May 31, 2023.

NEXT STEPS

Should the LTC concur with staff recommendations, staff will advise the applicant to submit final reports by May 31, 2023 or the file will be closed and the appropriate portion of the original application fee will be refunded.

Submitted By:	Sonja Zupanec, RPP, MCIP Island Planner	April 27, 2023
Concurrence:	Renee Jamurat, RPP, MCIP Regional Planning Manager	May 3, 2023

Dear Trustees Tobi and Susan,

I hope this email finds you both well and thank you for taking the time to consider this email.

My plan was to be a delegate at the next Islands Trust meeting but after attending the previous meeting I'm not sure if this situation is appropriate for that platform. However, I am happy to do that if you feel it's necessary.

In June 2021 I had my first visit from a bylaw enforcement officer following a complaint from a neighbour. The complaint was regarding a second dwelling on my property being used as a rental and concerns of encroachment with the same building, described as a cabana on title and with RDN (building permit dated 1976) into the setback from the sea.

After inspection I received a letter stating the building and deck "appeared" to be visibly within the setback. I couldn't fathom moving back or taking down this beautiful building in question. I hired a surveyor to thoroughly survey my property.

The results of the survey showed the cabana building was not encroaching, but the deck was. I proceeded to work with Island's Trust Planning to resolve this issue. It was also deemed that to conform to the bylaws I had to remove the cabana deck, move or remove three sheds one garage one carport and 2 cisterns.

I worked over the next year to comply. With surveys and several huge dump loads of some very decent materials going to the landfill, disturbing bats hibernating behind cedar shakes, it was a very emotional experience. Not to mention expensive. I have spent over \$20,000 to date. I have complied in every way.

Later I was informed the 2 cisterns apparently are not classed as structures but at this point, I had dismantled the structure the pump was in, and I had drained them ready for moving. So now I have no water in the cabin, the cabin is the building closest to El Verano Drive. A notice was taped onto the cabana from RDN stating "do not occupy until a permit is in place".

Over the year all my work in order to comply with bylaws was completed. I was looking forward to having a final inspection so I could put this emotional journey behind me and move forward with a new chapter.

I met Warren Dingman, bylaw enforcement officer, at my property on December 6th, 2022. He spent very little time inspecting all the compliance issues that I had worked on. He proceeded to measure the cabana setback with his tape measure even after having had contact with my surveyor, and having a copy of the legally, registered on title, survey.

Mr Dingman then proceeded to the beach in front of my property. He asked me, "what are the rocks doing here? Are they on your property?" I said I didn't think so. He instructed me to go back to my surveyor and get another survey showing the location of these rocks.

These rocks are being called a structure. Some of these huge rocks and old washed-up logs have been there for at least twenty years probably way more. So, another connection with my surveyor and another bill. The survey showed that this so-called structure, the rocks, is not on my property. So now I have been informed that it is an illegal structure and have been instructed to remove them by June 15th or apply for crown tenure and rezoning.

I have researched the crown tenure process. It is \$8000 to apply. It will take about 5 years before the application can be looked at. It is not certain that I will get it. And how unnecessary when these so-called structures continue right along the beach for miles actually. Just to remove a small section or try for rezoning does not make any sense.

I cannot comprehend removing them. That is not preserving and protecting, it's destruction that is unfathomable. A stunning huge, curved arbutus tree trunk rests on this "structure". A heavy machine would have to drive from brickyard beach, crossing clam beds, crushing crabs and oysters and anything in its path, making many trips backwards and forwards. So devastating for the beach, myself and my neighbours. And for what purpose?

So, to summarize, I ask, actually plead, that you both use your power to drop this bylaw action against me. I have complied in every way from the date the file was opened. It was completed in a timely manner and this "structure" was not part of the original complaint from a neighbour. This decision from bylaw enforcement is unjust, unfair and unnecessary. No discretion has been used in opening another file against me. I feel targeted at this point.

My neighbour is happy that a tenant no longer resides in the cabana and would not complain about the "structure" on the beach as they have one incorporating a deck and stairs. I have been open and honest with all the issues that were brought forward and have dealt with them as requested. Now it is time for me to speak out and reach out.

I know this is a lot of information so it might help in your decision if you were to meet me at the property and I can show you the work I have completed and the "structure" in question?

Thank you for your consideration of this matter Tobi and Susan. I will await your response,
Kind regards,
Wendy Shaw.

April 5th, 2023

Attachments follow: Photos and 3 letters of support from neighbours



View of Cabana deck prior to removal



Entrance to Cabana after deck removal



Recent view of Cabana



One of several dump piles



1653 El Verano foreshore



View west

Letter of Support from Neil Robinson [REDACTED]

April 5th, 2023

To Trustees Tobi Elliot and Susan Yates,

I am writing this letter today in support of my neighbour Wendy Shaw. I have watched her rectify her bylaw infractions over the last couple of years. Now another file has been opened for 'illegal' rocks on the beach in front of her property. This did not arise from a complaint so does this mean the Islands Trust is now assuming the role of complainant?

The rocks in question are just a fraction of other rocks and logs that continue for miles from Brickyard to Spring beach. In my opinion it's both very unfair and a complete waste of time and resources to enforce this. The application process for rezoning is very long and expensive and the removal of the rocks would be incredibly destructive to Wendy's property, the beach, the trees and to other neighbour's' property, including my own. The rocks in question have been there for as long as I have been walking in the area which is many, many years.

I respectfully ask that you drop this bylaw enforcement process against her.

Regards,



Neil Robinson

[REDACTED]
Gabriola Island

Letter of Support from Francois Bosman [REDACTED]

April 5th, 2023

April 5th, 2023

To Trustees Tobi Elliot and Susan Yates,

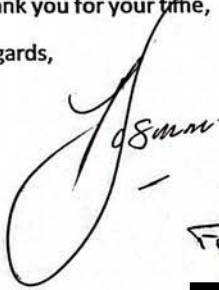
I am a neighbor of Wendy Shaw's on El Verano and have been for approximately 15 years. I am writing this letter to you today in support of her plea to you to dissolve this recent bylaw infraction against her.

I have witnessed her work on her property over the previous 2 years, in order to comply with the island's trust bylaws. Now she is faced with yet another, most unreasonable situation in regard to rocks on the beach in front of her property. These natural materials continue along the beach front for miles. To focus on one small section seems a poor discretionary decision on behalf of the enforcement officer involved. It would be incredibly destructive to remove them. Natural plants and trees are embedded there and have been for longer than I have lived on El Verano.

An application to rezone, again, a fraction of the rocks in question, is a waste of time, money, resources and a very long process. It seems reasonable that the best action for preserving and protecting would be to leave these rocks as they are along with all the others adjacent to them. And take no further action against Wendy Shaw. Please seriously consider her request to dissolve this enforcement action.

Thank you for your time,

Regards,



FRANCOIS Bosman.

[REDACTED]

GABRIELA B.C.

Letter of Support from Ron and Diana Mumford [REDACTED]
April 5th, 2023

To Trustees Tobi Elliot and Susan Yates,

We are neighbours of Wendy Shaw and have been for over 20 years. We are quite perplexed and concerned about the new bylaw infraction against her regarding some natural materials—rocks and logs—on the beach in front of her property. Having witnessed the work and expense she has incurred on her property over the last two years, we think this is an unfair and unnecessary action. The type of landscape in front of her property continues for several miles along the beach. Removing rocks and logs that have been in place for many years would be extremely destructive to the beach, sea life, plant life, and the bank. Heavy equipment necessary to do the work would cause further damage. This all seems contrary to the “preserve and protect” mandate of the Islands Trust. The option that has been offered to her, i.e., to apply for rezoning, would be a long, expensive process, and, in our opinion, pointless.

We respectfully request that you consider dropping this bylaw infraction against Wendy.

Thank you for your consideration,

Handwritten signatures of Ron and Diana Mumford in cursive script.

From: Susan Yates
Sent: Thursday, April 27, 2023 5:05 PM
To: The Dead Boats Disposal Society
Cc: Tobi Elliott; Nadine Mourao; Lori Foster
Subject: Re: Dead Boat and Debris hunting season is here

Encouraging news, thank you. Via this reply to you, I'll ask if we can get a mention of this at our **next Islands Trust Council mtg** (June 27-29) and **Gabriola's next Local Trust Committee meeting** on May 11.

Regards,
Susan Yates
Trustee, Gabriola Trust Area

On Apr 27, 2023, at 1:42 PM, The Dead Boats Disposal Society
<thedeadboatsociety@gmail.com> wrote:

Dear Trustees and Board Members
We will be applying for the Federal
Government Abandon Boat Program due June
15th, we are in need of volunteers to assist us
in locating, Dead boats and large marine
debris.

If trustees and members could spread the
word throughout their communities we will do
our best to assess and remove, we have a
number left over from the last
funding, Lasqueti / Quadra Island / Baynes
Sound which is first on our list, but we know
there is more.

If we don't know, we can't deal with them, it
is a long, tedious process.

Many thanks to Chair Luckham and the Trust,
we have removed over 250 vessels + hundreds
of tons of debris. Most come from the Islands
Trust Area.

The links below will take you to our Facebook
and Website, attached is our information
sheet for quick assessment and reporting.

Regards

John R Roe

John R Roe

- Office 250 383 2086
- Cell 1 250 538 2120
- <https://deadboatsdisposalsociety.ca/>
- [The Dead Boat Disposal Society](#)
- www.salishsea.ca
- [Veins of Life Watershed Society](#)
- Over 25 years of cleanup and restoration in the fresh water and marine ecosystems, the only value I have learned is to stop the pollution/debris before it enters the environment. source control, source control, source control, before restoration or reclamation. Amen
- [Wikipedia: The Dead Boats Disposal Society](#)

<Report_Dead_Boats_Marine_Debris.png>



Applications

Development Permit

File Number	Applicant Name	Date Received	Purpose
GB-DP-2023.1	Intrascap Developments Inc. Planner: Margot Thomaidis	07-Mar-2023	PID: 012-935-719 construction of 600 sq ft patio for tenant Woodfire Pizza & Pasta of Madrona Marketplace at 500 & 510 North Rd, Gabriola.
Planning Status			
Status Date: 17-Mar-2023 Planner reviewing file			

Development Variance Permit

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



Development Variance Permit

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.

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.



Applications

Rezoning

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

Temporary and Industrial Use Permit

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



Applications

Temporary and Industrial Use Permit

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: 17-Apr-2023

File re-opened at applicants request.

Status Date: 27-Feb-2023

Applicant withdraws application. File to PTA to close.

File Number	Applicant Name	Date Received	Purpose
GB-TUP-2023.2	Mackay, Ike	30-Mar-2023	PID: 000-334-715 Applying for renewal of GB-TUP-2020.2 for 1016 Berry Point Rd on Gabriola Island.

Planner: Margot Thomaidis

Planning Status

Status Date: 10-Apr-2023

Planner reviewing file.

Islands Trust
LTC EXP SUMMARY REPORT F2023
Invoices posted to Month ending March 2023

620 Gabriola	Invoices posted to Month ending March 2023	<u>Budget</u>	<u>Spent</u>	<u>Balance</u>
65000-620	LTC "Trustee Expenses"	643.00	88.00	555.00
LTC Local				
65200-620	LTC - Local Exp - LTC Meeting Expenses	3,708.00	4,767.00	-1,059.00
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>6,251.78</u>	<u>-532.78</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.
--	--	--	--	---

REQUEST FOR DECISION

To: Gabriola Island LTC **For the Meeting of:** May 11, 2023

From: Trust Area Services **Date Prepared:** April 19, 2023

SUBJECT: 2022/23 ANNUAL REPORT – APPROVAL OF GABRIOLA ISLANDS LTC SECTION

RECOMMENDATION: That the Gabriola Island LTC approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

- 1 PURPOSE:** Committees are provided with their draft sections of the annual report for review and approval so that Trust Council is able to easily approve its annual report in June 2023 without further editing from staff or trustees at the Trust Council meeting.

BACKGROUND: Preparation of the Islands Trust Annual Report is undertaken by Trust Area Services Communications staff, reporting to the Executive Committee and consistent with Trust Council's [Annual Report Policy 6.10.1](#). The Executive Committee approved the format and outline of the 2022/23 Annual Report at its meeting on February 22, 2023.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Under Trust Council's Policy, all LTCs and Council committees are expected to review and approve their sections at regular meetings in order to have the report approved by Trust Council at its June 27- 29, 2023 meeting.

FINANCIAL: None.

POLICY: No implications for existing policy

IMPLEMENTATION/COMMUNICATIONS: The process for development of the Annual Report is outlined in Trust Council's Annual Report policy 6.10.i. Once each committee has approved its section, staff will create a draft Annual Report for review by the Executive Committee and then Trust Council consideration of approval in June. Upon approval by Trust Council, staff will send the Annual Report to the Minister of Municipal Affairs and circulate it as indicated in Trust Council's policy.

FIRST NATIONS: Information about First Nations relations may be included within committee reports.

OTHER: None.

- 3 RELEVANT POLICY(S):** Trust Council's Annual Report policy 6.10.i; *Islands Trust Act*

RESPONSE OPTIONS

Recommendation: That the Gabriola Island LTC approves the attached text for inclusion in the 2022/23 Annual Report for approval by Trust Council and submission to the Minister of Municipal Affairs.

Alternative: That the Gabriola Island LTC approves the attached text for inclusion in the 2022/23 Annual Report for approval (as amended) by Trust Council and submission to the Minister of Municipal Affairs.

Prepared By: Morgana van Niekerk, A/Communications Specialist

Reviewed By/Date: Renée Jamurat, RPP MCIP, Regional Planning Manager

Gabriola Island Local Trust Committee

The Gabriola Island Local Trust Committee (GB LTC) held 10 regular business meetings in the 2022/23 fiscal year.

Work for this period focused on advancing the Gabriola LTC priorities of address housing challenges, ecological protection and building positive relationships with the Snuneymuxw First Nation.

The Gabriola LTC also continued its work around key projects, including the second phase impact review of housing options, and a zoning review to develop a new ecological protection zone, which included rezoning for the Elder Cedar Nature Reserve.

From April 1, 2022 to March 31, 2023, the Gabriola LTC received and considered applications for six development variance permits, three development permits, one liquor and cannabis board referral, and two temporary use permits.

During the same time period, staff also reviewed 55 building permit referrals, one Crown lease referral, and one rezoning referral.



File No.:

DATE OF MEETING: May 11, 2023
TO: Gabriola Island Local Trust Committee
FROM: Narissa Chadwick, Island Planner
Local Planning Services
COPY:
SUBJECT: Housing Accelerator Fund Potential Application

RECOMMENDATION

1. That the Gabriola Island Local Trust Committee not pursue CMHC's Housing Accelerator Funding at this time.
2. That the Gabriola Island Local Trust Committee request staff to develop a project charter for the OCP/LUP review which focusses on housing as the first priority.

REPORT SUMMARY

This report provides a high level overview of the how the Housing Options and Impacts Review project of last term could contribute to the development of a Housing Action Plan in order to facilitate the Gabriola Island LTC's potential application to CMHC's Housing Accelerator Fund (HAF). The report also identifies details related to the HAF and highlights the impacts that the required work to prepare Gabriola Island for the HAF application will have on staff resources and the LTC's project focus for the duration of the LTC term.

BACKGROUND

At there April 28th Special Meeting, The Gabriola Island LTC requested:

"staff to review and offer a high-level perspective on the merits of the Housing Options and Impacts Review recommendations and staff reporting, and prepare a briefing, including any further information on the expedited process for the Trustee's consideration for the next LTC meeting on May 11th, and report back on Canada Mortgage & Housing Corporation's requirements for an updated housing needs assessment".

The Housing Options and Impacts Review was initiated in 2019. The purpose was "to increase housing options on Gabriola Island through Official Community Plan (OCP) policies and Land Use Bylaw (LUB) regulations, in a manner which supports the Object of the Islands Trust, strengthens relations with Snuneymuxw First Nation and builds on the findings of the 2018 Northern Housing Needs Assessment". The Gabriola Island Housing Advisory Planning Commission (HAPC) played a significant role in the creation and implementation of engagement activities resulting in the development of the "Gabriola Housing Matters" Report (GHMR). A staff report was presented at the July 29, 2021 LTC meeting recommending that Gabriola Island LTC prepare a draft business

case for a multi-year land use planning program to implement recommendations made in the “Gabriola Housing Matters”. This direction was not realized.

In April 2023 the Canadian Mortgage and Housing Corporation announced the launch of the Housing Accelerator Fund. The program provides funding for building housing and other housing supports (e.g. supportive infrastructure). Applications are evaluated based in large part on local governments’ ability to create additional potential for increasing housing units through land use policy and regulation changes in the next 4 years. For Gabriola Island this means increasing the opportunities to support a diversity of housing options to meet housing needs. As identified in the “Gabriola Housing Matters” Report these needs are predominantly increasing housing affordability and suitability.

The funding calculation would be based on a housing target. The target measure is building permits issued. The housing target must reflect at least a 1.2% increase in the growth of dwellings for each year of the program. The chart below identifies what this might look like for Gabriola Island. It is anticipated that to meet the HAF minimum, Gabriola Island would need to have a target of 19 units annually (for the next 4 years), additional to what could be already expected based on the existing trends in the development of dwelling units.

Annual rate of growth of units 2016-2021	2021 dwellings	Dwelling growth Rate increase at 1.2%	Minimum Target	Total additional units above expected usual growth
0.6% = 19 units annually	3062	38 units annually	152 units	76 = additional 19 units annually 2023-27

The HAF application window will open in June and close in August. The application will require updated housing needs assessment, the establishment of housing targets and a housing action plan with five actions. At their April 28th special meeting the potential for shifting the LTCs priority from OCP review to housing and expediting a process to enable the LTC to apply for the Housing Accelerator Fund (HAF) was discussed. The proposed timeline below was presented.



Staff identified considerations such as the short timeframe and expediting a process to prepare Gabriola Island for applying to the HAF will require additional staff resources. Also, there would be limited time for community engagement. The LTC’s April 28th resolution demonstrates interest in understanding if past work done through the Housing Options Review Process (HORP) can support the process required to support an application to HAF within the required timeframe.

ANALYSIS

High-level Analysis for HAF Application:

The analysis provided in the staff report on the Housing Options and Impacts Review presented to the LTC on July 29, 2021 is a good starting point for the development of a housing action plan. The report identifies a number of recommendations in the GHMR that could be initiatives in housing action plan.

Staff have provided a brief, high-level and initial analysis as requested by the LTC's April 28th resolution. The following are examples of action areas supported by GHMR recommendations (based on those developed for Mayne Island):

ACTION 1- Suitable Land Analysis

- This involves understanding the areas where density and intensity of land use will have the least negative impact to groundwater and other ecological features. It supports the GHMR's focus on ensuring the availability of affordable housing while protecting biodiversity and freshwater resources.

ACTION 2 - Secondary Suites and Accessory Dwelling Unit Expansion

- The GHMR suggests a review of secondary suite regulations and consideration of expanding to smaller lot sizes as well as developing flexible zoning for targeted needs.

ACTION 3 - Supporting Not for Profit Rental Housing

- There are a number of recommendation in the GHMR related to the creation of multi-family affordable rental units.

ACTION 4 - Supporting Alternative Housing

- The GHMR recommends increasing housing on commercial/industrial lots.

ACTION 5 – Subsidizing Housing and Housing Supports

- This would be a required action area for the HAF application as it would define how the funding received would be used. Because the Islands Trust is not able to provide funding to private land owners or Not-for-Profit organizations, any funding received would need to flow through the Regional District of Nanaimo or the Province.

Key Considerations for Pursuing Potential HAF Application:

While there are many recommendations in the GHMR suitable for a Housing Action Plan, given the short timeframe for the application process to support Gabriola Island in pursuing this funding, it will be challenging for staff to complete the required work and would likely impact staffing throughout the Islands Trust in a variety of ways. The main concern is that the short timeframe to complete work and apply for the HAF application is inadequate based on existing and available staff time and resources. Key considerations are identified below.

Gabriola Island's application for HAF will require a number of staff hours within the next six weeks to complete the following documents and tasks:

- Updating housing needs assessment
- Drafting preliminary report with options
- Drafting Action Plan
- Prepare and submit HAF application
- Planning, organizing and facilitating additional LTC meetings

- Initiating discussion with the Regional District related to flowing the money through to private land owners and not for profit organizations

As staff resources are already limited, re-allocating staff time to Gabriola Island's HAF application will impact:

- Timelines for other LTC major projects (e.g. Denman housing project)
- Timelines for Regional Planning Committee projects
- Planning application processing times Trust-wide
- Additional administrative support is anticipated

The LTC would need to commit to housing for the duration of the LTC term because:

- The HAF program requires commitment to initiatives in five action areas to be completed by September 2027.
- Staff time and resources that could be used to further other OCP/LUB review priorities will be required in order to work with the Regional District or Province to develop a program to flow the CMHC funding through. (At this point no discussion has been initiated with the Regional District or Province regarding this). Staff time will also be required for reporting each year.
- Should the HAF application not be successful, the completed work can be used to progress housing efforts and future planning initiatives for Gabriola Island.

OPTIONS:

- 1) **(Recommended) Change the focus of the existing OCP project to a housing focus.** This will require the regional planning team Planner to review the desired objectives and prepare a project charter and timeframe. Staff will be using the Housing Options and Impact Review project as a starting point for discussion. This approach will enable the LTC to develop a Housing Action Plan to be ready for future housing funding opportunities. It will also create efficiencies for Gabriola Island's work as well as the Islands for Mayne and Denman who currently have housing as major projects as it will enable the regional planning team to integrate the learnings from each process as they evolve together. Remaining OCP topics can be identified for future LTC project work.
- 2) **Move forward with the existing OCP project.** Staff will come back with a project charter. This requires no change to existing staff resources and can begin now. As with option 1, staff will be encouraging the OCP review process to build off of the Housing Options and Impacts Review. As this process will involve a scoping phase to identify priorities, the creation of a Housing Action Plan if desired will come later in the process.
- 3) **Request the Executive Committee allocate staff resources to support Gabriola Island's application to the HAF.** Given the amount of staff time required in a short period of time to support Gabriola Island's application and the variety of impacts this will have on staff resources, the decision for Gabriola Island to pursue funding at this time will need to be made at a broader organizational level.

NEXT STEPS

If the recommendations are supported:

- Staff will send a letter to First Nations to explore interest in participation with the OCP/LUB project.
- Staff will prepare a project charter.

Submitted By:	Narissa Chadwick, RPP MICP, Island Planner	May 5, 2023
Concurrence:	Renée Jamurat, RPP MCIP, Regional Planning Manager	May 5, 2023

Active Projects Report

Gabriola Island

1. *Develop Ecological Protection Zone*

Responsible

Dates

To develop a new ecological protection zone for the Gabriola Island Land Use Bylaw No. 177, which consists of the rezoning of Elder Cedar Nature Reserve to a park or conservation/protection type zone.

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

Active Projects Report

Gabriola Island

- Review OCP and LUB to improve protection of coastal areas; development of a comprehensive DPA for shorelines in the Gabriola Island Local Trust Area
- Hazardous areas/Steep Slopes DPA: Consider hazardous areas and steep slopes development permit area designation; consider how to address areas of potentially problematic soils, shoreline erosion, and localized areas of steep terrain
- Consider implementing Eelgrass protection regulations
- Gabriola Village Plan: Undertake a comprehensive review of policies and regulations with respect to the Gabriola Village Core
- Green Energy: Consider policy and regulatory mechanisms to encourage green and renewable energy
- Review bylaws with respect to temporary use permits for commercial vacation rentals
- Review of temporary sawmill regulations
- Definition of personal use of animals for SRR zoned lots
- Review of how cisterns, solar panels and parking are regulated as structures subject to lot coverage calculations
- Review of section B.2.1.1 for variances within DP3
- Review minimum average parcel size calculations in LUB and OCP to ensure consistent and supportive of more than 5% dedication of parkland
- Review definition and regulations for limited public market, and INI zone uses pertaining to market sales

Active Projects Report

Gabriola Island

- 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.

3. 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

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.

3. *Density Donation Outreach Program*

Responsible

Date Received

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.

*Moved from FUAL to Future Projects List, may be a minor project to be prioritized.

07-Apr-2022